



Section 70(2)
Environmental Protection Act 1986

VEGETATION CONSERVATION NOTICE

CPS 8153/1

Person to whom this vegetation conservation notice is given ("the Owner"):
(being the owner of the land described below)

Lisa Gae DE LAAT in ½ share
Julie Anne AMBROSE in ½ share both of:
6 Pitman Road
LAKE CLIFTON WA 6215
as tenants in common.

Land to which this vegetation conservation notice relates ("the land"):

Lot 236 on Deposited Plan 33373 as comprised on Certificate of Title Volume 2524 Folio 693

Reasons for which this vegetation conservation notice is served:

This vegetation conservation notice is given for the following reasons:

- (a) Site inspection by Department of Water and Environmental Regulation Inspectors on 24 July 2018 observed that clearing of native vegetation had taken place.
- (b) Examination of aerial and satellite imagery has shown the land contained native vegetation.
- (c) I suspect on reasonable grounds that the clearing was not authorised by a clearing permit or by exemption under the *Environmental Protection Act 1986* or the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*
- (d) I suspect on reasonable grounds that unlawful clearing of native vegetation, constituting a contravention of section 51C of the *Environmental Protection Act 1986*, has taken place.

Requirements of this vegetation conservation notice:

The person(s) to whom this vegetation conservation notice is given, and each subsequent owner and occupier of the land who is bound by this vegetation conservation notice, are required to undertake the following specified measures, for a period of ten years from the date this notice is given to re-establish and maintain vegetation on the area affected by the clearing to a condition as near as possible to the condition of the vegetation before the clearing occurred.

1. No unlawful clearing

Ensure that no unlawful clearing, or further unlawful clearing, takes place on the land.

2. Assessment of Natural Regeneration

Assess the success of *natural regeneration* in the month of September or October 2019 by:

- a) Establishing two transects so the start points are located at the coordinates set out in the table below

Transect No.	Eastings	Northings
1	378000.23	6371641.48
2	377877.00	6371569.78

- b) Marking each transect by placing a metal star picket at the starting point,
- c) Transect 1 to extend 50 metre north east from its marked start point
- d) Transect 2 to extend 25 meters northwest from its marked start point
- e) engaging an *environmental specialist* to carry out one vegetation survey along each *transect* to determine:
 - (i) the species composition, structure, density and *vegetation condition* of native vegetation;
 - (ii) the *percentage cover* of vegetation that is *weed species*.

3. Revegetation

If, within 3 months following the assessment under measure 2, evidence is not provided to the satisfaction of the CEO that *natural regeneration* has occurred, undertake *revegetation* within the *specified area* so as to achieve a species composition, structure, density and *vegetation condition* of native vegetation similar to pre clearing species composition, structure, density and *vegetation condition* by:

- a) deliberately planting and/or seeding native vegetation; and
- b) ensuring only *local species* are used in the *revegetation*; and
- c) ensuring that the *local species* used in *revegetation* include the species listed as *required flora species*; and
- d) Complete initial *revegetation* by 31 October 2020.

4. Success of Revegetation

Where, for any reason, *revegetation* is not achieved, each and every year for the remaining duration of this notice, or until, in the opinion of the CEO *revegetation* is achieved, whichever is the lesser period, continue to *revegetate* the *specified area* in accordance with measure 3.

5. Cultivation prohibited

Ensure no cultivation, including scraping, raking, ploughing or mechanical movement of soil, is carried out within the *specified area* other than for purposes required under this vegetation conservation notice or for the purpose of complying with a written firebreak notice.

6. Exclusion of Livestock

Ensure that *livestock* are excluded from the *specified area* and not cause or permit *livestock* to enter or remain within the *revegetated* area.

7. Weed control

Each and every year after the giving of this notice:

- (a) Remove or kill *weed species* growing within the *specified area* during the month of July or August until successful *revegetation* has been achieved in accordance with measure 3; and
- (b) Complete initial weed control by 31 August 2019.

8. Monitoring

Engage an *environmental specialist* to carry out one vegetation survey along each *transect* established under measure 2 in the month of September or October biennially for a period of ten (10) years after the giving of this notice to determine:

- (i) The species composition, structure, density and *vegetation condition* of native vegetation
- (ii) The *percentage cover* of vegetation that is *weed species*.

9. Records must be kept

In the event that *natural regeneration* is successful maintain the following records for a period of ten (10) years from the date of the giving of this vegetation conservation notice:

- 1) The species composition, structure, density and *vegetation condition* of native vegetation in the *specified area* as determined by the monitoring carried out under measure eight (8) of this notice;
- 2) In relation to weed control measures undertaken under measure seven (7):
 - (a) The date or dates on which *weed species* control activities were carried out; and

- (b) A description of the *weed species* control activities carried out on each date
- (c) The *percentage cover* of vegetation that is *weed species* within the *specified area* as determined by the monitoring carried out under measure eight (8) of this notice.

In the event that *natural regeneration* does not occur maintain the following records for a period of ten (10) years from the date of the giving of this vegetation conservation notice:

- 1) in relation to the *revegetation* of the *specified area* under measure three (3) –
 - a) The date or dates of *revegetation* activities are undertaken;
 - b) Species planted or seeded;
 - c) The number of each species planted or the quantity of seed for each species sown;
 - d) A description of the *revegetation* activities undertaken;
 - e) The species composition, structure, density and *vegetation condition* of native vegetation in the *specified area* as determined by the monitoring carried out under measure eight (8) of this notice.
- 2) in relation to weed control undertaken under measure seven (7) –
 - a) The date or dates on which *weed species* control activities were carried out
 - b) A description of the *weed species* control activities carried out on each date
 - c) The *percentage cover* of vegetation that is *weed species* within the *specified area* as determined by the monitoring carried out under measure eight (8) of this notice.

10. Reporting

For a period of ten (10) years after the giving of this notice, provide to the *CEO*, within 3 months of carrying out monitoring in accordance with measure eight (8), a written report of records kept under measure nine (9) of this notice for the preceding two year period. The first report is to be provided to the *CEO* on or before 31 January 2021.

Definitions:

CEO means the Chief Executive Officer of the Department of the Public Service of the State through which the *Environmental Protection Act 1986* is administered.

coordinate means a Map Grid of Australia (Geocentric Datum of Australia 1994) coordinate for zone 50.

environmental specialist means a person who holds a tertiary qualification in environmental science or equivalent, and has experience in the assessment of Western Australian native vegetation.

Keighery scale means the vegetation condition scale described in *Bushland Plant Survey: A Guide to Plant Community Survey for the Community (1994)* as developed by B.J. Keighery and published by the Wildflower Society of WA (Inc). Nedlands, Western Australia.

livestock means any animal kept for domestic or commercial purposes and includes any horse, donkey, mule, cattle, sheep, swine, goat, buffalo, deer, camel or alpaca.

local species means indigenous species within 20 kilometres of the land.

natural regeneration means that *revegetation* has or will be achieved by or within 10 years from the giving of this vegetation conservation notice without human intervention other than the weed control.

percentage cover means the area of ground covered by the canopy of each and every species of flora, including native flora, *weed species* within the *specified area* expressed as a percentage of the total cover of all species within the *specified area*.

Required flora species includes the following:

1. *Banksia attenuata*
2. *Banksia grandis*
3. *Banksia ilicifolia*
4. *Corymbia calophylla*
5. *Eucalyptus marginata*

6. *Hypocalymma robusta*
7. *Acacia pulchella*
8. *Xanthorrhoea preissii*
9. *Macrozamia riedlei*
10. *Kunzea sp.* (endemic to the Lake Clifton)
11. *Allocasuarina sp* (endemic to Lake Clifton)
12. *Conostylis sp.* (endemic to Lake Clifton)

revegetate, revegetated and revegetation means the re-establishment of a cover of native vegetation in an area such that the species composition, structure, density and *vegetation condition* is similar to pre-clearing vegetation in that area, and can involve natural regeneration, direct seeding and/or planting.

specified areas means the two portions of Lot 236 on Deposited Plan 33373 bounded by a line joining the Zone 50 GDA 94 points set out in the tables below consecutively:

AREA ONE

Point	Easting (m)	Northing (m)
1	377914.58	6371630.63
2	378070.92	6371704.81
3	378099.44	6371663.81
4	377951.45	6371581.36

then directly to the point of commencement.

AREA TWO

Point	Easting (m)	Northing (m)
1	377838.49	6371599.52
2	377858.48	6371609.11
3	377908.37	6371551.50
4	377887.69	6371540.19

Transect means a straight line along which the species and distribution of all flora within 10 centimetres of the line is recorded.

Vegetation condition means the rating given to native vegetation using the *Keighery scale* and refers to the degree of change in the structure, density, and species present in the particular vegetation in comparison to undisturbed vegetation of the same type.

Weed species means any plant that is not indigenous species within 20 kilometres of the land.



Stuart Cowie

EXECUTIVE DIRECTOR, COMPLIANCE AND ENFORCEMENT
DEPARTMENT OF WATER AND ENVIRONMENTAL REGULATION

Officer delegated under Section 20 of the Environmental Protection Act 1986

7 December 2018

Important Information:

A PERSON WHO IS BOUND BY THIS VEGETATION CONSERVATION NOTICE AND WHO DOES NOT COMPLY WITH THIS VEGETATION CONSERVATION NOTICE COMMITS AN OFFENCE UNDER THE *ENVIRONMENTAL PROTECTION ACT 1986*.

Under section 103 of the *Environmental Protection Act 1986*:

- a person who is aggrieved by a requirement contained in this vegetation conservation notice may within 21 days of being given this notice lodge with the Minister for Environment an appeal in writing setting out the grounds of that appeal; and
- any other person who disagrees with a requirement contained in this vegetation conservation notice may within 21 days of the making of that requirement lodge with the Minister for Environment an appeal in writing setting out the grounds of that appeal.

PENDING THE DETERMINATION OF AN APPEAL REFERRED TO ABOVE, THE RELEVANT REQUIREMENTS CONTAINED IN THIS VEGETATION CONSERVATION NOTICE CONTINUE TO HAVE EFFECT.

Vegetation Conservation Notice CPS 8153/1 - Specified Area 524 Southern Estuary Road Lake Clifton



Projection MGA zone
50 Datum GDA 94



INDICATIVE PLAN

Legend

- CPS 8153 Property Boundary
- CPS 8153 Specified Area
- CPS 8153 Assessment and Monitoring
Pinjarra_2017_50cm_z50

The Department of Water and Environmental Regulation does not guarantee that this map is without flaw of any kind and disclaims all liability for any errors, loss or other consequence which arises on any information depicted.

Produced by Stuart Barter, Senior
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Branch at 9:00am 1 August 2018.