



Section 70(2)
Environmental Protection Act 1986

VEGETATION CONSERVATION NOTICE

CPS 8566/2

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

Aaron Charles Edwards
Barry Charles Edwards, both of
PO Box 729
GERALDTON WA 6531
as joint tenants.

Land to which this vegetation conservation notice relates ("the land"):
Lot 56 on Deposited Plan 29413 as comprised on Certificate of Title Volume 2525 Folio 520

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 19 June 2019 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 repair any damage caused by the clearing and to re-establish and maintain vegetation on any 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. 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.

3. Exclusion of Livestock

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

4. Establish Monitoring Quadrats and Control Transect

Within three (3) months of being given this vegetation conservation notice:

CONTROL TRANSECT

- a) establish a control transect so that the starting point is located at the coordinates set out in the below table:

	Eastings (m)	Northings (m)
Control Transect	281292	6824166

- b) marking the control transect by placing a metal star picket at the starting point;
c) control transect to extend 50 metres north from the marked starting point;

MONITORING QUADRATS

- a) Establish four (4) square monitoring quadrats, ten metres by ten metres with the north western point of each quadrat located at the coordinates set out in the below table:

Monitoring Quadrat	Eastings (m)	Northings (m)
1	281561	6824131
2	281478	6824295
3	281416	6824449
4	281217	6824476

- b) Mark each quadrat by placing a metal star picket at the north western point.

5. Revegetation

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) ensure only *local species* are used in the *revegetation*; and
c) ensure that the *local species* used in revegetation includes the species listed as *required flora species*; and
d) Complete initial *revegetation* by 31 October 2020.

6. Success of Revegetation

Where, for any reason, *revegetation* is not achieved, each and every year for a period of ten (10) years after the giving 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.

7. Weed control

Each and every year for a period of ten (10) years after the giving of this notice

- (a) Remove or kill *weed species* within the *specified area* during the month of July or August of each year so that the *percentage cover* that is *weed species* is equal a pre-clearing *percentage cover*; and
(b) Complete initial weed control by 31 August 2020.

8. Monitoring

Engage an *environmental specialist* to:

- a) In the month of September or October 2020, carry out one vegetation survey along the control 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*.
- b) In the month of September or October biennially for a period of ten (10) years, carry out one vegetation survey within each monitoring quadrat to determine:
 - i. the species composition, structure, density and *vegetation condition* of native vegetation;
 - ii. the *percentage cover* of vegetation that is *weed species*;
 - iii. the first vegetation survey to be carried out in the month of September or October 2020.

9. Records must be kept

Maintain the following records for a period of ten (10) years from the date of the giving of this vegetation conservation notice:

- a) in relation to the *revegetation* of the *specified area*:
 - (i) The date or dates of *revegetation* activities undertaken
 - (ii) Species planted or seeded
 - (iii) The number of each species planted or the quantity of seed for each species sown
 - (iv) A description of the *revegetation* activities undertaken
 - (v) The species composition, structure, density and *vegetation condition* of native vegetation in the *revegetated* area as determined by the monitoring carried out under measure seven (8) of this notice.
- b) in relation to weed control:
 - (i) The date or dates on which *weed species* control activities were carried out
 - (ii) A description of the *weed species* control activities carried out on each date
 - (iii) The *percentage cover* of vegetation that is *weed species* within the *specified area* as determined by the monitoring carried out under measure seven (8) of this notice.

10. Reporting

For a period of ten (10) years after the giving of this notice, provide to the *CEO*, within three (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 each biennial period 1 January (Year 1) to 31 December (Year 2). The first report is to be provided to the *CEO* on or before 31 January 2023.

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 flora species that are indigenous within a 20 kilometres radius of the land.

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. *Acacia acuminata* (Jam Tree)
2. *Acacia rostellifera* (Summer-scented wattle)
3. *Eucalyptus ebbanoensis* (Sandplain mallee)
4. *Eucalyptus loxophleba* (York Gum)
5. *Hakea recurve* (Djarnokmurd)
6. *Acacia acuaria*
7. *Acacia aestivalis*
8. *Acacia colletioides* (Wait a while)

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 portion of Lot 56 on Deposited Plan 29413 bounded by a line joining the Zone 50 GDA 94 points set out in the tables below consecutively:

Point	Easting (m)	Northing (m)
1	281024	6824574
2	281833	6824587
3	281799	6824463
4	281713	6824380
5	281589	6824337
6	281635	6824285
7	281512	6824167
8	281511	6823964
9	281487	6823933
10	281482	6824012
11	281430	6824046
12	281240	6824076
13	281198	6824107
14	281195	6824181
15	281144	6824283
16	281031	6824301
17	280984	6824341
18	281006	6824390
19	281115	6824420
20	281097	6824485
21	281030	6824529
22	281024	6824574

then directly to the point of commencement.

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

14 December 2020

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*:

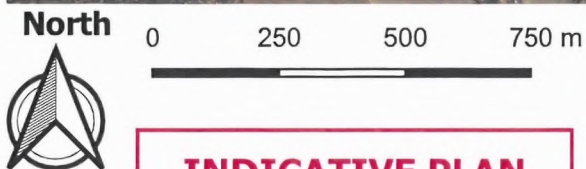
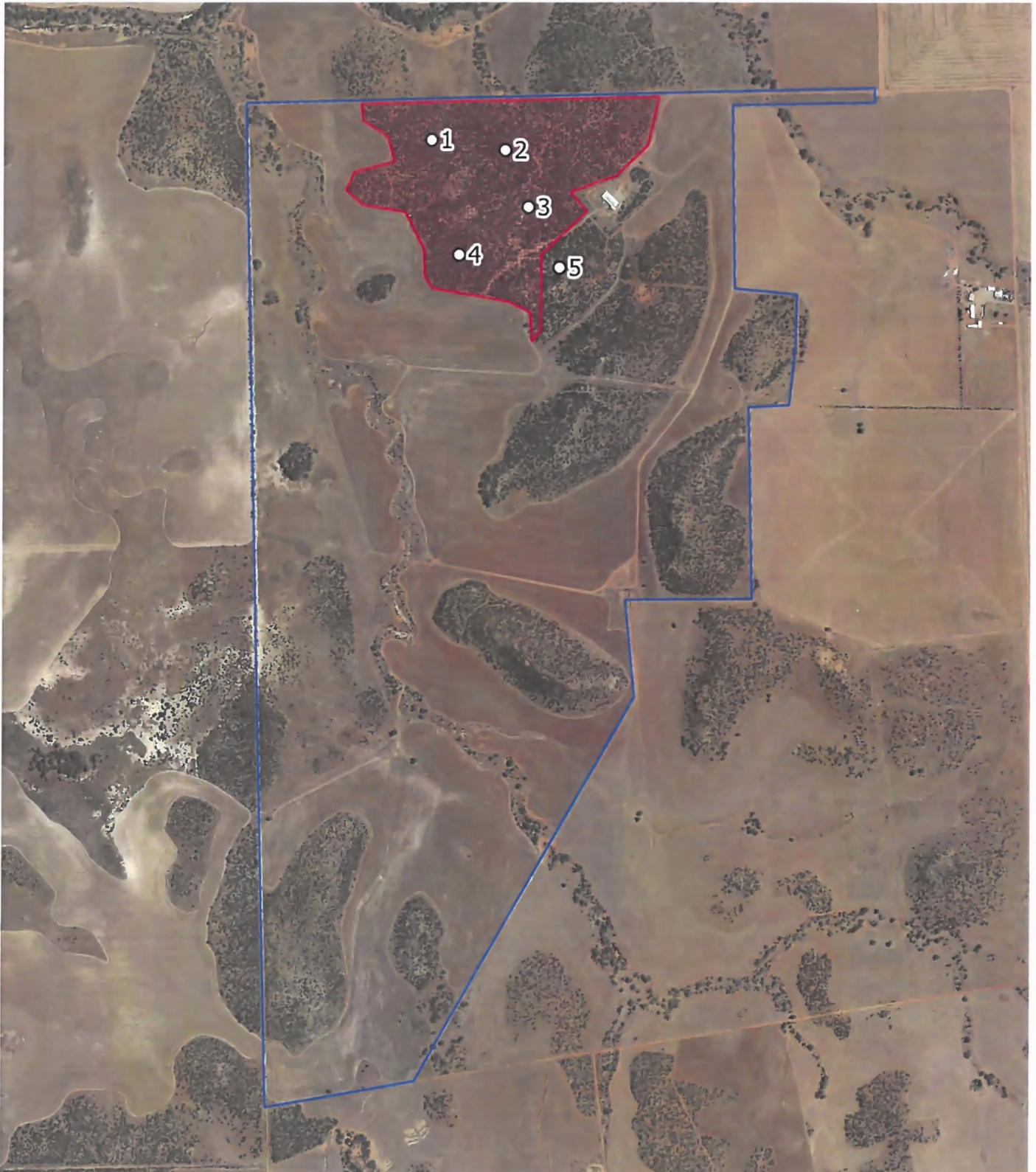
- a person who is aggrieved by a requirement contained in this vegetation conservation notice may within 21 days of being given this notice lodge with the Minister for Environment an appeal in writing setting out the grounds of that appeal; and
- any other person who disagrees with a requirement contained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



Government of Western Australia
Department of Water and Environmental Regulation

Vegetation Conservation Notice CPS 8566/2 Specified Area Lot 56 On Deposited Plan 29413 (72 Jordan Road East Chapman)



INDICATIVE PLAN

Produced by Stuart Barter,
Senior Investigator
Investigations Branch
11:30am 14 December 2020

53196 property boundaries

56

ICMS 53196 Waypoints

ICMS 53196 Track Log

Geraldton_2014_50cm_II

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