



GOVERNMENT OF
WESTERN AUSTRALIA

Section 70(2)
Environmental Protection Act 1986.

VEGETATION CONSERVATION NOTICE

CPS 2244/4

Person(s) to whom this vegetation conservation notice is given:
(being the owners of the land described below)

Ironbridge Holdings Pty Ltd (ACN: 009 341 011)
114 Forrest Street
COTTESLOE WA 6011

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

Lot 12 on Diagram 57822 as comprised on Certificate of Title Volume 1558 Folio 75

Reasons for which this vegetation conservation notice is served:

This vegetation conservation notice is given because I suspect on the following grounds that unlawful clearing has taken place, and is likely to take place, on the land:

- (a) Examination of aerial photography has shown that the land was cleared between December 2005 and December 2006.
- (b) Officers with the Shire of Kalamunda have stated that during a site inspection on 8 November 2006 they observed the land had been cleared.
- (c) A site inspection by the Department of Environment and Conservation inspectors on 19 October 2007 observed that the land had been cleared and that the native vegetation was regenerating.
- (d) The clearing of native vegetation does not appear to be in accordance with section 51C of the *Environmental Protection Act 1986*.

Requirements of this vegetation conservation notice:

The persons 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 do the following specified measures to re-establish and maintain native vegetation within the area affected by the clearing, with the exception of a firebreak cleared in accordance with a notice given by the Shire of Kalamunda under Section 33 of the *Bush Fires Act 1954*, for 10 years after the commencement of the vegetation conservation notice to a condition as near as possible to the condition of the native vegetation before the clearing occurred:

1. No unlawful clearing

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

2. Weed control

Shall for ten years after the commencement of this vegetation conservation notice:

- (a) engage an *environmental specialist* to inspect the *specified area* and identify all *weed* species present;
- (b) selectively remove, treat or kill all *invasive weed* species within the *specified area* during the months of September or October; and
- (c) selectively remove, treat or kill *weed* species within the *specified area* during the months of September or October so that within the *specified area* the percentage of the total vegetation cover that is *weed* species is less than 20%.

3. Monitoring

Shall engage an *environmental specialist* to undertake the following measures within the *specified area* for ten years after the commencement of the vegetation conservation notice:

- (a) within the *specified area* establish 5 quadrats by undertaking the following measures:
 - (i) *quadrat* 1 shall be situated so the southwest corner is at 405064E 6464432N. Zone 50 GDA 94;
 - (ii) *quadrat* 2 shall be situated so the southwest corner is at 404988E 6464389N. Zone 50 GDA;
 - (iii) *quadrat* 3 shall be situated so the southwest corner is at 405034E 6464373N. Zone 50 GDA;
 - (iv) *quadrat* 4 shall be situated so the southwest corner is at 405115E 6464320N. Zone 50 GDA 94;
 - (v) *quadrat* 5 shall be situated so the southwest corner is at 405040E 6464288N. Zone 50 GDA 94;
 - (vi) identify each *quadrat* with permanent markers (fence dropper or similar steel post) at each corner;
 - (vii) in September of each and every year determine the species composition, structure, density and *condition* of the vegetation within the *quadrats*; and
 - (viii) in September of each and every year take one photograph of the vegetation growing within the *quadrat*, from the southwest corner permanent marker of each *quadrat*.

4. Revegetation

- (a) Shall establish and maintain native vegetation in the *specified area* in accordance with the following measures:
 - (i) The native vegetation shall consist of overstorey, midstorey and understorey species to a species composition, structure and condition similar to that of the pre-clearing vegetation types; and
 - (ii) all seed or propagation material used in the *revegetation* shall be sourced from *local provenance* material.

5. Success of Revegetation

Within three years of the commencement of this vegetation conservation notice shall undertake the following specified measures for ten years after the commencement of the vegetation conservation notice;

- (a) have an *environmental specialist* compare each *quadrat's* composition, structure, density and *condition* as determined under measure 3(a)(vii) with the species composition, structure, density and *condition* of the pre-clearing vegetation types.
- (b) deliberately plant and / or seed *local provenance* native vegetation in the *specified area* that will result in a species composition, structure and density of native vegetation similar to that of the pre-clearing vegetation types, if in the opinion of an *environmental specialist*, the composition, structure and density within each *quadrat* determined under measure 3(a)(vii) of this notice does not result in the species composition, structure, density similar to that of the pre-clearing vegetation types.

- (c) A determination by an *environmental specialist* that the composition, structure and density within each *quadrat*, as determined under measures 3(a)(vii) of this notice, has resulted in the species composition, structure, density similar to that of the pre-clearing vegetation types, must be approved by the CEO in writing.

6. Records must be kept

The persons 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, shall maintain the following records for ten years after the commencement of the vegetation conservation notice for activities done pursuant to this vegetation conservation notice, as relevant:

- (a) in relation to *weed* control pursuant to measure 2:
- (i) the date of the weed control activities; and
 - (ii) a description of the *weed* control activities undertaken.
- (b) in relation to the monitoring of areas pursuant to measure 3:
- (i) the date of the monitoring activities;
 - (ii) a description of the monitoring activities undertaken;
 - (iii) the species composition, structure, density and *condition* of vegetation measured;
 - (iv) the photographs taken of each quadrant; and
 - (v) the percentage of the total vegetation cover that is *weed* species.
- (c) in relation to the success of *revegetation* pursuant to measure 5:
- (i) the *environmental specialist's* determination for each *quadrat*;
 - (ii) the commencement date of *revegetation*;
 - (iii) the size of the area *revegetated* (in hectares);
 - (iv) the list of *local provenance* seed or propagation material used;
 - (v) a description of the *revegetation* activities undertaken; and
 - (vi) a copy of any written approvals from the CEO.

7. Reporting

The persons 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, shall provide to the CEO on or before 30 June of each year, for ten years after the commence of the vegetation conservation notice, a written report of records required under measure 6 and activities done under this vegetation conservation notice between 1 January and 31 December of the preceding year.

Definitions:

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.

environmental specialist means a person who is engaged by the persons 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 for the purpose of providing environmental advice, who holds a tertiary qualification in environmental science or equivalent, and has experience relevant to the type of environmental advice that an environmental specialist is required to provide under this vegetation conservation notice.

invasive weed means *Eragrostis curvula* (African Lovegrass), *Ehrharta* spp (Veldt Grasses), *Arctotheca calendula* (Cape Weed), *Brassica* spp. (Wild Turnip), *Raphanus raphanistrum* (Wild Radish).

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.

local provenance means native vegetation seeds and propagating material from natural sources within 50 kilometres of the area cleared.

quadrat means a 10m x 10m plot established for the purpose of monitoring native vegetation species composition, structure, density and *condition*.

rehabilitate/ed/ion means actively managing an area containing native vegetation in order to improve the ecological function of that area.

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 *condition* is similar to pre-clearing vegetation types in that area, and can involve regeneration, direct seeding and/or planting.

specified area means the portion of Lot 12 on Diagram 57822 bounded by a line joining the following Zone 50 GDA 94 points consecutively:

Point	Easting (M)	Northing (M)
1	404917	6464369
2	404944	6464394
3	404972	6464415
4	404999	6464431
5	405039	6464451
6	405066	6464461
7	405085	6464467
8	405157	6464315
9	405037	6464250

then directly to the point of commencement.

transect means a linear sampling area for the purpose of monitor changes in native vegetation species composition, structure, density and condition.

weed means a species listed in Appendix 3 of the “Environmental Weed Strategy” published by the Department of Conservation and Land Management (1999), and plants declared under section 37 of the *Agriculture and Related Resources Protection Act 1976*, but excludes *invasive weeds*.



Robert Philip Atkins
**DEPUTY DIRECTOR GENERAL, ENVIRONMENT
DEPARTMENT OF ENVIRONMENT AND CONSERVATION**

*Officer delegated under Section 20 of
the Environmental Protection Act 1986*

1 February 2011

Important Information:

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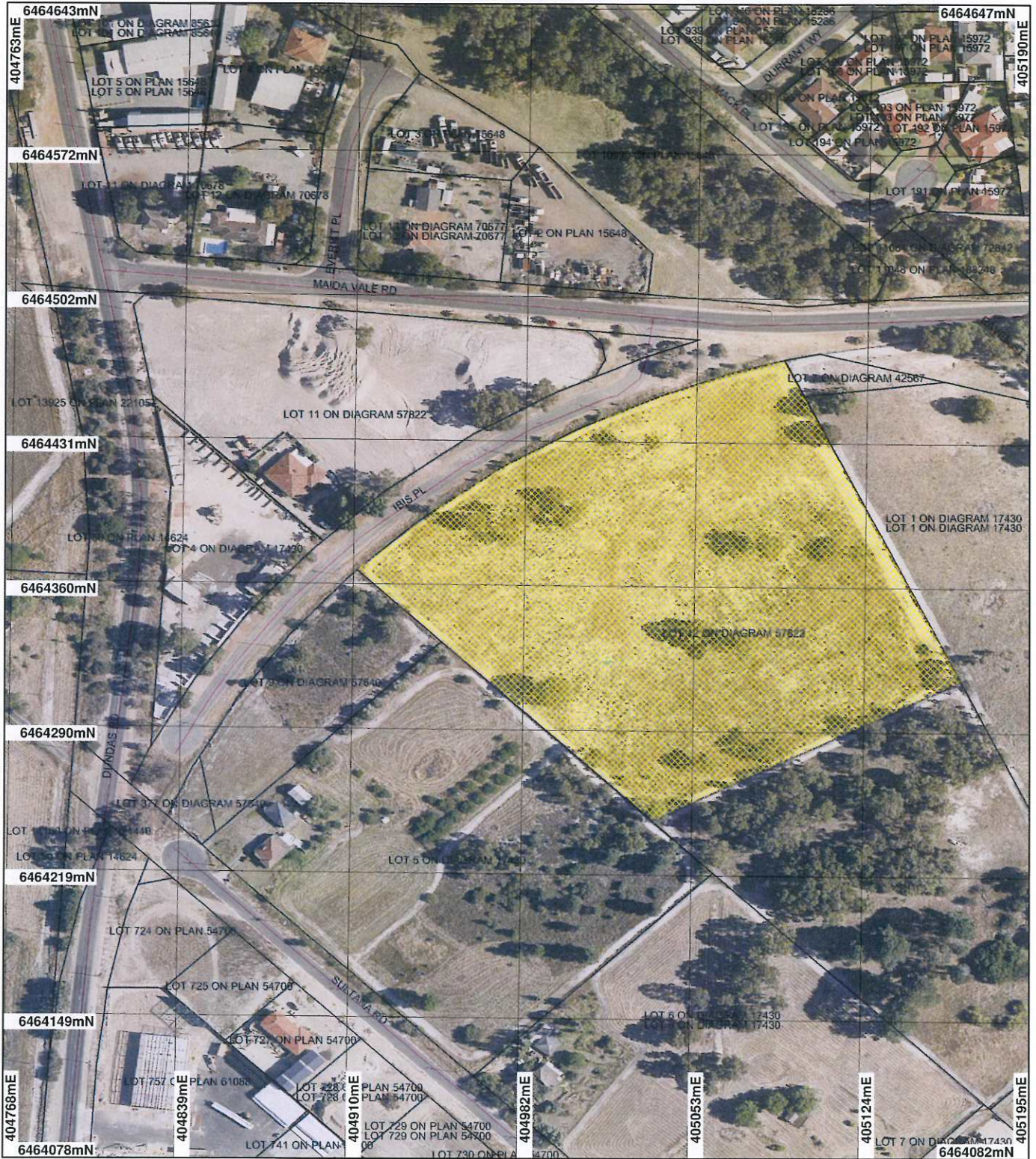
A PERSON WHO IS BOUND BY THIS VEGETATION CONSERVATION NOTICE AND WHO DOES NOT COMPLY WITH THIS VEGETATION CONSERVATION NOTICE COMMITS AN OFFENCE UNDER THE *ENVIRONMENTAL PROTECTION ACT 1986*.

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.

Plan 2244/4a



LEGEND

- Cadastre
 - Road Centrelines
 - Clearing Instruments
 - Specified Area
- Swan Coastal Plain Central
20 cm Orthomosaic -
Landgate 2009



Scale 1:2500

(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

Date 1/2/11
R Atkins

Officer with delegated authority under Section 20 of the Environmental Protection Act 1986

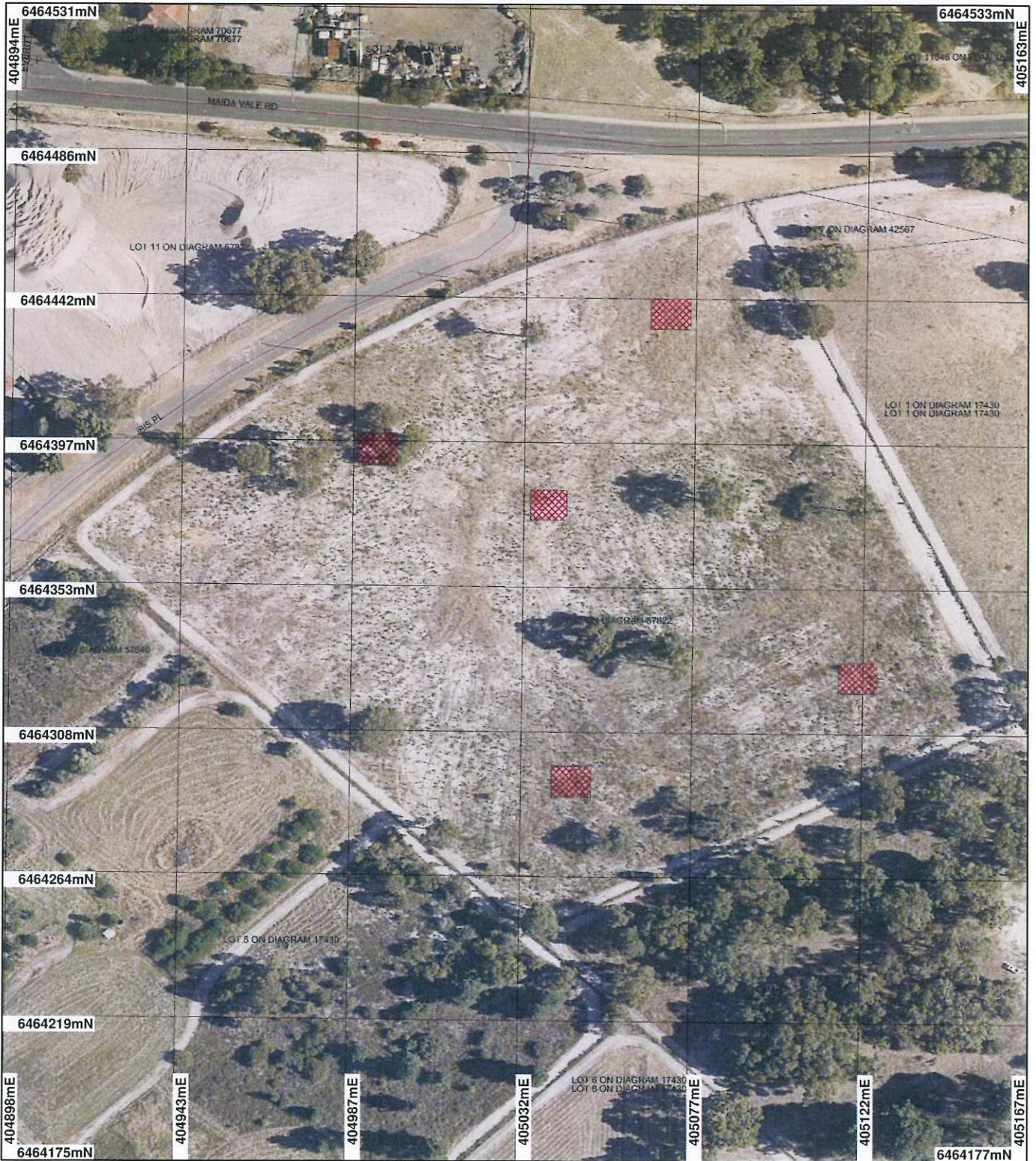
Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.



Department of Environment and Conservation

Our environment, our future
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Plan 2244/4b



LEGEND

-  Cadastre
 -  Road Centrelines
 -  Clearing Instruments
 -  Monitoring Quadrats
- Swan Coastal Plain Central
20 cm Orthomosaic -
Landgate 2009



Scale 1:1575
(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

 Date 11/2/11

R Atkins
Officer with delegated authority under Section 20 of the Environmental Protection Act 1986

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Department of
Environment and Conservation

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