

# Remediation Order

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Planning,  
Industry &  
Environment

**ORDER ISSUED TO:**

WARRAH PROPERTY DEVELOPMENTS PTY LTD  
PO BOX 315  
WOLONGONG NSW 2520

Notice Number: **DOC 20/577289**

Date: 25/09/20

By email: [Daniel@esplanadewollongong.com.au](mailto:Daniel@esplanadewollongong.com.au)

**ORDER TO CARRY OUT REMEDIATION WORK UNDER SECTION 11.15 OF THE  
*BIODIVERSITY CONSERVATION ACT 2016* (NSW)**

**BACKGROUND**

- A. The Department of Planning Industry and Environment (DPIE) has responsibility for the enforcement of the now repealed *Native Vegetation Act 2003* (NV Act).
- B. The NV Act was repealed on 25 August 2017. However, pursuant to clause 58 of the *Biodiversity Conservation (Savings and Transitional) Regulation 2017* (BC (S&T) Regulation), the repeal of the NV Act does not affect any offence against that Act, or the regulations under that Act, that was committed before the repeal. The provisions of the NV Act relating to proceedings for an offence, issuing of penalty notices for an offence, and the making of a court order in relation to an offence continue to apply.
- C. Pursuant to clause 54 of the BC (S&T) Regulation, remediation orders under Division 4 of Part 11 of the *Biodiversity Conservation Act 2016* (BC Act) may be issued in relation to damage in or as a result of the commission of an offence under the NV Act committed before 25 August 2017.
- D. Pursuant to Section 11.15 (4) of the BC Act, a remediation order may be varied in the same manner in which a remediation order may be given.
- E. Pursuant to section 11.15 of the BC Act, if the Chief Executive of DPIE is satisfied that damage has occurred in or as a result of the commission of an offence against the NV Act, the Chief Executive may order a person to carry out specified remediation work in a specified manner and within a specified time.
- F. Adam Vey holds the position of Senior Team Leader, Compliance and Regulation, Biodiversity and Conservation with DPIE.
- G. Senior Team Leader, Compliance and Regulation, Compliance and Regulation, Biodiversity and Conservation, holds delegated authority on behalf of the Chief Executive of DPIE for the purposes of section 11.15 of the BC Act.
- H. WARRAH PROPERTY DEVELOPMENTS PTY LTD is the current landowner of Lot 24 DP 714096 County of Camben, Parish of Illaroo, Shoalhaven LGA at Warrah Road BANGALEE NSW 2541 (the Property).



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## BASIS FOR ISSUING REMEDIATION ORDER

- I. OEH (now DPIE) has investigated the clearing of remnant native vegetation from the Property that occurred between 19 April 2013 and 30 January 2014.
- J. Information obtained to date; including, expert examination of satellite images and aerial photographs, associated vegetation mapping supports that approximately 96.6 hectares of native vegetation was removed from the property.
- K. OEH (now DPIE) has investigated a report of land clearing on the property.
- L. Information gathered to date, including inspections, examination of satellite and aerial photo images, samples of native vegetation and responses to notices to provide information and records indicate that the unlawful clearing of native vegetation, namely, Hard-leaved Scribbly Gum (*Eucalyptus sclerophylla*), Red Bloodwood (*Corymbia gummiifera*), Grey Gum (*Eucalyptus punctata*), Old-Man Banksia (*Banksia serrata*), Hakea (*Hakea laevipes*) Mountain Devil (*Lambertia Formosa*), Slender Tea-tree (*Leptospermum trinervium*), Persoonia (*Persoonia mollis* subsp. *Leptophylla*) and native groundcover species first occurred in the Remediation Area on the property on about 1 June 2012 and was undertaken until May 2013. During this period, native vegetation was unlawfully cleared over an area of approximately 12.5 hectares as identified by the Remediation Area (Attachment 1). OEH considers that the cleared vegetation is not regrowth within the meaning of the Act. Remnant vegetation on the Property was mapped by examining all available imagery between 1984 and 2012 and no clearing or modification of remnant vegetation was noted between 2005 and 2012.
- M. Under the NV Act native vegetation must not be cleared except in accordance with a development consent granted in accordance with the Act or a property vegetation plan. The investigation by OEH/DPIE concluded that the native vegetation in the Remediation Area has been cleared in contravention of the Act and in particular that none of the available defences and exclusions listed in the native vegetation legislation applies to the clearing.
- N. The works required by this Direction provide for the repair and rehabilitation of unlawfully cleared native vegetation and regeneration of native vegetation within the Remediation Area. The work required by this order provides for the remediation and restoration of native vegetation removed from The Property.

## OPINION

I, Adam Vey, Senior Team Leader, Compliance and Regulation, am satisfied that native vegetation has been cleared on the property in contravention of the Act.

## ORDER TO CARRY OUT REMEDIATION WORK

- O. In order to:
    - a) repair damage caused by the clearing; and
    - b) rehabilitate land affected by the clearing (including the taking of steps to allow the land to regenerate).
- I, Adam Vey, Senior Team Leader, Compliance and Regulation, require that WARRAH PROPERTY DEVELOPMENTS PTY LTD perform the following remedial works on the property within the time specified, if any, for each work, or where no time is specified, for a period of time between the issuing of this direction, and up to and including the 30<sup>th</sup> July 2029



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## 1) EXCLUSION OF REMEDIATION AREA

### Fencing

- a) The Landholder must maintain the fences constructed around the boundaries of the Remediation Area as shown by solid green lines on the map at Attachment 1 so that they are stock proof for the purposes of excluding stock ("existing fences").
- b) The landholder must inspect the existing fences and take steps to ensure that the existing fences are stock proof by **30 September 2014**.
- c) The Landholder must construct new fences around the boundaries of the Remediation Area as shown by solid pink lines on the map at Attachment 1 ("new fences") to connect to the existing fences and form a complete fence around the boundaries of the Remediation Area for the purposes of excluding stock by **30 September 2014**.
- d) The new fences must be constructed as follows:
  - i) 5 strand wire of standard size;
  - ii) The highest and lowest most strands must be constructed of plain wire (not barbed or similar material);
  - iii) The middle 3 strands must be barbed wire;
  - iv) the bottom strand is to be not less than 10cm above ground level;
  - v) Steel posts must be installed every 3 metres; and
  - vi) Any gates in the fence must be constructed of metal with self-closing locks.
- e) The Landholder must ensure that all gates in the existing fences and new fences:
  - a) Remain closed and locked at all times; or
  - b) Open only to allow access required by this direction.
- f) If at any time the Landholder becomes aware that the existing fences do not continue to meet the requirements specified in condition 1.2, the Landholder must replace or repair the existing fences as soon as practicable to ensure those fences meet the requirements specified in condition 1.2.
- g) If at any time the Landholder becomes aware that the new fences do not continue to meet the requirements specified in conditions 1d and 1e, the Landholder must replace or repair the new fences as soon as practicable to ensure those fences meet the requirements specified in conditions 1d and 1e.
- h) The Landholder must inspect the Remediation Area 4 times each reporting period, with a minimum of 80 days between each inspection for the purposes of determining whether the existing fences continue to meet the requirements referred to in condition 1b and whether the new fences continue to meet the requirements referred to in conditions 1d and 1e.

### Stock management

- i) The Landholder must remove all stock from the Remediation Area by **30 September 2014**.
- j) Any stock found within the Remediation Area after **30 September 2014** must be removed by the Landholder as soon as practicable and in any event within 2 days of becoming so aware.
- k) If at any time stock are found within the Remediation Area the landholder must inspect the existing fences and the new fences as soon as practicable to determine whether the existing fences continue to meet the requirements referred to in condition 1b and whether the new fences continue to meet the requirements referred to in conditions 1d and 1e.
- l) The Landholder must inspect the Remediation Area 4 times each reporting period, with a minimum of 80 days between each inspection for the purposes of determining whether stock are present within the Remediation Area.



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## 2) WEED, EXOTIC SPECIES, COMMERCIAL CROP AND NON-NATIVE PLANT MANAGEMENT

- a) If at any time any exotic species, commercial crops or non-native plant species are found within the Remediation Area, the Landholder must destroy all such exotic species, commercial crops or non-native plant species by either spot application of herbicide or by removal by non-mechanised means as soon as practicable and in any event within 7 days of becoming aware.
- b) The Landholder must inspect the Remediation Area 4 times each reporting period with a minimum of 80 days between each inspection for the purposes of determining whether exotic species, commercial crops or non-native plant species are present within the Remediation Area.

## 3) ASSISTED REVEGETATION

### Monitoring

- a) The Landholder must inspect the Remediation Area at least once every twelve months from the date of the direction until **30 September 2021** to determine whether native vegetation within the Remediation Area has reached a density of at least 130 live stems per quadrat, as determined by the Quadrat method.
- b) Commencing **31 March 2022**, the Landholder must ensure that native vegetation within the Remediation Area is maintained at all times in accordance with the plant density referred to in condition 3.1 for the duration of the Direction.

### Undertake Direct Planting (if natural regeneration fails)

- c) If, by **30 September 2021**, native vegetation within the Remediation Area is not at a density of at least 130 live stems per quadrat, as determined by the Quadrat method, the Landholder must plant an amount of tube stock or plants grown from seeds referred to in condition 4a, 4b and 4c to meet the plant density of at least 130 live stems per quadrat within the Remediation Area in accordance with conditions 4d, 4e, 4f, 4g, 4h and 4i by **31 March 2022**.

## 4) DIRECT PLANTING

### Sourcing seedling plants offsite

- a) All native vegetation tube stock or plants grown from seed to be planted in the Remediation Area are to be of the species listed in conditions 4.2 and 4.3 and must be sourced from sites within the South Coast and Highlands landscape of the South East Local Land Services Region that have the following attributes:
  - i) similar soil type as the property as determined by the Australian Soil classification
  - ii) similar land morphology as the property
  - iii) similar flooding regime (frequency depth and duration); and
  - iv) similar fire regime (frequency and intensity).

### List of species to be planted

- b) All native vegetation tube stock or plants grown from seed to be planted in Sub-remediation Area A are to be of the following species:

Trees	Shrubs
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<i>Eucalyptus sclerophylla</i> (Hard-leaved Scribbly Gum)	<i>Leptospermum trinervium</i> (Slender Tea-tree)
<i>Banksia serrata</i> (Old-man Banksia)	<i>Persoonia mollis</i> (Persoonia)
<i>Allocasuarina littoralis</i> (Black she-oak)	<i>Hakea laevipes</i> (Hakea)
	<i>Lambertia formosa</i> (Mountain Devil)

- c) All native vegetation tube stock or plants grown from seed to be planted in Sub-remediation Area B are to be of the following species:

Trees	Shrubs
<i>Eucalyptus punctata</i> (Grey Gum)	<i>Leptospermum polygalifolium</i> (Tantoon)
<i>Eucalyptus globoidea</i> (White stringybark)	<i>Acacia longifolia</i> subsp. <i>longifolia</i> (Sydney golden wattle)
<i>Melaleuca linariifolia</i> (Flax-leaved Paperbark)	<i>Kunzea ambigua</i> (Tick Bush)
<i>Allocasuarina littoralis</i> (Black she-oak)	

## Planting (Sub-Remediation Area A)

- d) The landholder must directly plant an amount of tube stock or plants grown from seeds as referred to in conditions 4a and 4b to meet the plant density of at least 130 live stems per quadrat in accordance with condition 4e within Sub-Remediation Area A by **31 March 2022**.
- e) All native vegetation tube stock or plants grown from seed to be planted in the Sub-Remediation Area A must comprise 50% trees and 50% shrubs as referred to in condition 4b and be planted at least two metres from any other live plant.
- f) Immediately following the completion of initial planting in accordance with conditions 4d and 4e the Landholder must:
- water all the native vegetation planted;
  - apply mulch within a 50cm radius of each seedling planted; and
  - install a tree guard of minimum height 30cm and width 8cm around each seedling planted.

## Planting (Sub-Remediation Area B)

- g) The landholder must directly plant an amount of tube stock or plants grown from seeds as referred to in conditions 4a and 4c to meet the plant density of at least 130 live stems per quadrat in accordance with condition 4.8 within Sub-Remediation Area B by **31 March 2022**.
- h) All native vegetation tube stock or plants grown from seed to be planted in the Sub-Remediation Area B must comprise 50% trees and 50% shrubs as referred to in condition 4c and be planted at least two metres from any other live plant.
- i) Immediately following the completion of initial planting in accordance with conditions 4g and 4h the Landholder must:



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- i) water all the native vegetation planted;
- ii) apply mulch within a 50cm radius of each seedling planted; and
- iii) install a tree guard of minimum height 30cm and width 8cm around each seedling planted.

### **Monitoring to determine establishment and growth**

- j) The Landholder must inspect the Remediation Area 4 times in each reporting period with a minimum of 80 days between each inspection for any evidence of that native vegetation referred to in this direction is damaged, destroyed, dead or missing.
- k) If any of the native vegetation referred to in this direction is damaged, destroyed, dead or missing, the Landholder must replace each damaged, destroyed, dead or missing plant with a live plant of the same species planted within a one metre radius of the location of such plant within one week of becoming aware of the damaged, destroyed, dead or missing plant.

## **5) RECORDS**

- a) The following records must be kept by the Landholder in respect of any inspections required by this direction:
  - i) The date(s) on which the inspection was undertaken;
  - ii) The name of the person who undertook the inspection; and
  - iii) The type of inspection undertaken.
- b) The following records must be kept by the Landholder in respect of any work undertaken as a result of any inspection(s):
  - i) Details of any required work within the Remediation Area;
  - ii) The date(s) this work was undertaken; and
  - iii) The date on which this work was completed.
- c) All records required to be kept by this notice must be:
  - i) In a legible form, or in a form that can readily be reduced to a legible form;
  - ii) Kept for at least 4 years after the inspection or event to which they relate took place;
  - iii) Produced in a legible form to any authorised officer of OEHS who asks to see them; and
  - iv) Be true, accurate and correct.

## **6) REPORTING**

- a) The Landholder must prepare and submit an Initial Works Report to:
  - i) By Registered Post to:  
Senior Team Leader  
Compliance and Regulation  
NSW DPIE  
PO Box 513  
WOLLONGONG NSW 2520

by **30 November 2014**.

- b) The Initial Works Report must include but not be limited to:

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- i) The date of completion for inspection and works to the "existing fences" in accordance with condition 1b; and
  - ii) The date of completion for the "new fences" in accordance with condition 1c and 1d of this direction; and
  - iii) The date stock were removed from the Remediation Area in accordance with condition 1i of this direction.
- c) The Initial Works Report must be prepared in the format at 'Attachment 2: Initial Works Report'.
- d) The Landholder must prepare and submit a Monitoring Report to:
- i) By Registered Post to:  
Senior Team Leader  
Compliance and Regulation  
NSW DPIE  
PO Box 513  
WOLLONGONG NSW 2520

By **31 October 2015** and 31 October each year thereafter, a report for each "reporting period". The Monitoring Report must include but not be limited to:

- ii) A summary of the regeneration work or activities undertaken during the reporting period to allow the Remediation Area to regenerate in accordance with this direction;
  - iii) Determinations of all inspections carried out in accordance with this direction during the reporting period.
- e) The Monitoring Report must be prepared in the format at 'Attachment 3: Monitoring Report'.

## DEFINITIONS AND INTERPRETATIONS

- A. Words and expressions have the same meaning as words and expression used in the *Native Vegetation Act 2003*, except where a word is specifically defined in this Dictionary.
- B. In this direction the following definitions apply:

<b>"The Act"</b>	means the <i>Native Vegetation Act 2003</i> and/or the <i>Biodiversity Conservation Act</i>
<b>"Exotic species"</b>	<p>means species introduced from outside of the area concerned; in the case of New South Wales, from overseas and/or interstate.</p> <p><b>Note:</b> The source of this definition is Harden, G.W. ed. 1990-2002. <i>Flora of New South Wales: Volumes 1 – 4</i>, University of NSW Press.</p> <p>For the purposes of this direction exotic species includes but is not limited to: <i>Rubus fruticosus</i> aggregate species (Blackberry), <i>Hypericum perforatum</i> (St Johns Wort), <i>Rosa rubiginosa</i> (Sweet Briar), <i>Bidens pilosa</i> (Cobbler's Pegs), <i>Conyza bonariensis</i> (Flaxleaf Fleabane), <i>Conyza sumatrensis</i> (Tall Fleabane), <i>Gomphocarpus fruticosus</i> (Narrow-leaved cotton bush), <i>Lactuca saligna</i> (Willow-leaved Lettuce), <i>Malva parviflora</i> (Small-flowered Mallow), <i>Marrubium vulgare</i> (Horehound), <i>Senecio madagascariensis</i> (Fireweed), <i>Solanum nigrum</i> (Blackberry Nightshade) and <i>Verbascum thapsus</i> subspecies <i>thapsus</i> (Great Mullein) and any non-native cereal crop.</p>





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<b>“Landholder”</b>	means WARRAH PROPERTY DEVELOPMENTS PTY LTD
<b>“native vegetation legislation”</b>	The Act and the Regulations under the Act.
<b>“Quadrat”</b>	A square randomly located 20 x 20m plot of land marked off for undertaking measurements as prescribed by the Quadrat method.
<b>“Quadrat method”</b>	means counting the number of live tree stems within each 20 metre by 20 metre square quadrat in the Remediation Area. A total of 8 quadrats must be evenly distributed (4 quadrats per Sub-Remediation Area) and randomly located within the Remediation Area. Live tree stems includes individual native trees of all ages, from small juvenile plants to large mature adults. Where a single tree has multiple stems, only the largest stem is counted. The location of each quadrat sampled must be defined by GPS waypoint which must be recorded in the next ongoing monitoring report.
<b>“Remediation Area”</b>	<p>means the areas located on the property shown schematically on the map in Attachment 1 outlined and cross-hatched in yellow and marked “Remediation Area” consisting of:</p> <p>Sub-Remediation Area A, being part of Lot 24 DP714096, shown schematically on the map in Attachment 1 and outlined and cross-hatched in yellow.</p> <p>Sub-Remediation Area B being part of Lot 24 DP714096, shown schematically on the map in Attachment 1 outlined and cross-hatched in yellow.</p>
<b>“Reporting period”</b>	means each annual period commencing from 1 October 2014 for the duration of this direction (up to the 30 <sup>th</sup> July 2029).
<b>“Stock”</b>	means all livestock (including, but not limited to, cattle, horses, sheep, alpacas, pigs and goats). It does not include native wildlife.





- It is an offence against section 11.22 of the BC Act to contravene this Order without reasonable excuse or to intentionally obstruct anyone carrying out remediation work under this Order.
- If you fail to comply with this Order, the Chief Executive of DPIE or his/her delegate may authorise any other person to enter the Properties and carry out all or part of the work and may then recover the cost from you (section 11.18 of the BC Act).
- This Order is issued under section 11.15 of the BC Act.
- Under section 11.15(4) of the BC Act this Order may be varied or revoked by a further order.
- Under section 11.23(1) of the BC Act, if you are aggrieved by the decision to make this Order you may appeal to the Land and Environment Court within 30 days of this Order being served on you. However, even if an appeal is lodged, you must comply with this Order, unless the Court orders otherwise.
- Under section 13.11 of the BC Act, your obligation to comply with the requirements of this Order continues until the Order is complied with, even if the due date for compliance has passed.
- OEH may conduct inspections to determine whether this Order is being complied with.
- Words and expressions have the same meaning as words and expressions used in the BC Act or Part 5A of the *Local Land Services Act 2013* (as the case may be), except where a word is specifically defined in this Order.
- A Remediation Order will not negate the potential for enforcement action (including penalty notice or prosecution). A Remediation Order is separate to any potential enforcement action.

Adam Vey  
Senior Team Leader  
Compliance & Regulation  
Department of Planning Industry and Environment

(by Delegation)

**Attachments:**

- 1 – Map of the Remediation Area**
- 2 – Initial Works Report Template**
- 3 – Monitoring Report Template**

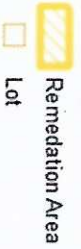


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**Attachment 1: Map of the Remediation Area**



Meters

0 105 210 420

**WARRAH PROPERTY DEVELOPMENTS PTY LTD**

Lot/DP: Lot 24 in DP 714096

Address: Warrah Road, BANGALEE

LGA: Shoalhaven City



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Copyright NSW Office of Environment and Heritage (OEH).  
This map is not guaranteed to be free from error or omission.  
OEH and its employees disclaim liability for any action taken on the information in the  
and any consequences of such acts or omissions.



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## ATTACHMENT 2 - INITIAL WORKS REPORT

LANDHOLDER	WARRAH PROPERTY DEVELOPMENTS PTY LTD
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AS PER REPORTING REQUIREMENTS SET OUT IN THIS REMEDIAL DIRECTION, THE INITIAL WORKS REPORT MUST BE RECEIVED BY OEH BY 30 NOVEMBER 2014

**Failure to submit this Initial Works Report by 30 November 2014 may result in:**

- the issue of a Penalty Notice for \$1650 (individuals) or \$3300 (corporations);

OR

- prosecution

### WARNING AND INFORMATION

It is an offence against section 38 of the *Native Vegetation Act 2003* to fail to comply with a Direction. The maximum penalty that a court may impose for this offence is, for a corporation, \$220,000 plus \$22,000 for each day the offence continues and for an individual, \$110,000 plus \$11,000 for each day the offence continues.

Please submit your completed Initial Works Report by Registered Post, to:

Senior Team Leader  
Compliance and Regulation  
NSW DPIE  
PO Box 513  
WOLLONGONG NSW 2520



# Remediation Order

## A Initial Works Summary

Please provide the following information regarding compliance with the Remedial Direction issued to WARRAH PROPERTY DEVELOPMENTS PTY LTD.

The Remedial Direction relates to the following area of land:

**Lot 24 in DP 714096, County of Camden, Parish of Illaroo, Shoalhaven LGA at Warrah Rd BANGALEE NSW 2541 ("the property").**

Please:

- tick (✓) the appropriate box where a question is asked; and
- provide details of activities undertaken; and
- provide dates as appropriate.

Note: the definitions in this Report are the same as in the Remedial Direction.

<b>FENCING</b>		
<b>Existing Fences</b>		
What date was the inspection, and any steps, undertaken to ensure that the existing fence is stock proof?	Date	
If an inspection and any necessary steps were not taken to make the existing fences stock proof as set out in condition 1.2 of the Remedial Direction by the date specified in that condition, please provide an explanation below.		
Do the existing fences comply with the requirements in condition 1.2 of the Remedial Direction? (tick ✓ Yes or No)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If No, provide an explanation below.		
<b>New Fences</b>		
What date was construction of the new fencing completed?	Date	
If the fence was not constructed by the date specified in 1.3 of the Remedial Direction, please provide an explanation below.		





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## B Signature and Certification

This Initial Works Report may only be signed by a person(s) with legal authority to sign it as set out in the categories below. **Please tick (✓) the box** next to the category that describes how this Initial Works Report is being signed.

If you are uncertain about who is entitled to sign or which category to tick, please contact us on telephone (02) 4224 4122.

If the Landholder is:	the Monitoring Report must be signed and certified:
an individual	<input type="checkbox"/> by the individual Landholder
a company	<input type="checkbox"/> by affixing the common seal in accordance with Corporations Act 2001, or <input type="checkbox"/> by 2 directors, or <input type="checkbox"/> by a director and a company secretary, or <input type="checkbox"/> if a proprietary company that has a sole director who is also the sole company secretary – by that director.

*I/We declare and certify that the information in this Initial Works Report is true and correct*

SIGNATURE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

NAME:  
(printed) \_\_\_\_\_

NAME:  
(printed) \_\_\_\_\_

POSITION: \_\_\_\_\_

POSITION: \_\_\_\_\_

DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_

DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_

SEAL (if signing under seal)



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## ATTACHMENT 3 - MONITORING REPORT

LANDHOLDER	WARRAH PROPERTY DEVELOPMENTS PTY LTD
REPORTING PERIOD	1 October 2014 to 30 September 2015

**AS PER REPORTING REQUIREMENTS SET OUT IN THIS REMEDIAL DIRECTION, THE MONITORING REPORT MUST BE RECEIVED BY OEH BY 31 OCTOBER 2015**

**Failure to submit this Monitoring Report by 31 October 2015 may result in:**

- the issue of a Penalty Notice for \$1650 (individuals) or \$3300 (corporations);

**OR**

- prosecution

### **WARNING AND INFORMATION**

It is an offence against section 38 of the *Native Vegetation Act 2003* to fail to comply with a Direction. The maximum penalty that a court may impose for this offence is, for a corporation, \$220,000 plus \$22,000 for each day the offence continues and for an individual, \$110,000 plus \$11,000 for each day the offence continues.

Please submit your completed Monitoring Report by Registered Post, to:

Senior Team Leader  
Compliance and Regulation  
NSW DPIE  
PO Box 513  
WOLLONGONG NSW 2520

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## A Monitoring Summary

Please provide the following information regarding compliance with the Remedial Direction issued to WARRAH PROPERTY DEVELOPMENTS PTY LTD.

**The Remedial Direction relates to the following area of land:**

Lot 24 in DP 714096, County of Camden, Parish of Illaroo, Shoalhaven LGA at Warrah Rd BANGALEE NSW ("the property").

Please:

- tick (✓) the appropriate box where a question is asked; and
- provide details of activities undertaken; and
- provide dates as appropriate.

Note: the definitions in this Report are the same as in the Remedial Direction.

FENCING			
<b>Inspections</b>		Yes	No
Have inspections of the fence around the Remediation Area taken place as required by 1.8 of the Remedial Direction? (tick ✓ Yes or No)		<input type="checkbox"/>	<input type="checkbox"/>
Dates of fencing inspections			
If you answered <b>No</b> above provide an explanation below.			
<b>Existing fence condition</b>		Yes	No
Does the existing fence meet the requirements specified in 1.1 and 1.2 of the Remedial Direction (tick ✓ Yes or No)		<input type="checkbox"/>	<input type="checkbox"/>
<b>New fence condition</b>		Yes	No
Do the new fences meet the requirements specified in 1.3 and 1.4 of the Remedial Direction (tick ✓ Yes or No)		<input type="checkbox"/>	<input type="checkbox"/>
<b>Gates</b>		Yes	No
Have you ensured that gates are closed and locked as required by 1.5 of the Remedial Direction? (tick ✓ Yes or No)		<input type="checkbox"/>	<input type="checkbox"/>
<b>Works to existing fences</b>		Yes	No
Has work been undertaken to replace or repair the fence as required by 1.6 of the Remedial Direction? (tick ✓ Yes or No)		<input type="checkbox"/>	<input type="checkbox"/>
<b>Works to new fences</b>		Yes	No
Has work been undertaken to replace or repair the new fences as required by 1.7 of the Remedial Direction? (tick ✓ Yes or No)		<input type="checkbox"/>	<input type="checkbox"/>



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Provide description of any fence repairs or replacement below		Date(s)	
<b>STOCK MANAGEMENT</b>			
<b>Inspections</b>		Yes	No
Have inspections for stock in the Remediation Area taken place as required by 1.12 of the Remedial Direction? (tick ✓ Yes or No)		<input type="checkbox"/>	<input type="checkbox"/>
Dates of stock inspections			
If there have been no inspections for stock in the Remediation Area, provide an explanation below.			
Was any stock present within the Remediation Area? (tick ✓ Yes or No)		Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>
<i>Provide details of the type and amount of stock present</i>			
<b>Removal</b>		Yes	No
Have stock been removed from the Remediation Area? (tick ✓ Yes or No)		<input type="checkbox"/>	<input type="checkbox"/>
<i>Provide details of how stock entered the Remediation Area.</i>			
<i>Provide details of the method of removal and the amount and type of stock removed (including dates)</i>		<i>Date(s) of removal</i>	

# Remediation Order

<b>WEED, EXOTIC SPECIES, COMMERCIAL CROP AND NON-NATIVE PLANT MANAGEMENT</b>		
<b>Inspections</b>		
Have inspections for exotic species, commercial crops and non-native plants in the Remediation Area taken place as required by 2.2 of the Remedial Direction? (tick ✓ Yes or No)		Yes <input type="checkbox"/>
		No <input type="checkbox"/>
Dates of weed inspections		
If there have not been inspections, provide an explanation below.		
Were there any exotic species, commercial crops or non-native plants present in the Remediation Area? (tick ✓ Yes or No)		Yes <input type="checkbox"/>
		No <input type="checkbox"/>
If there were exotic species, commercial crops or non-native plants present in the Remediation Area, describe the species present and their extent.		
Have any exotic species, commercial crops or non-native plants been removed from the Remediation Area as required by 2.1 of the Remedial Direction (tick ✓ Yes or No)		Yes <input type="checkbox"/>
		No <input type="checkbox"/>
Provide details of the method of destroying weeds or removal of weeds (including dates) and the amount and type of weeds destroyed or removed.		
Provide details of the method of destroying or removal of exotic species, commercial crops or non-native plants and the amount and type of exotic species, commercial crops and non-native plants destroyed or removed (including dates)		Date(s)



# Remediation Order

<b>ASSISTED REVEGETATION</b>					
<b>Inspections</b>				<b>Yes</b>	<b>No</b>
Have inspections of native vegetation in the Remediation Area taken place as required by condition 3.1 of the Remedial Direction? (tick ✓ Yes or No)				<input type="checkbox"/>	<input type="checkbox"/>
Dates of inspections					
If you answered <b>No</b> above provide an explanation below.					
Has native vegetation within the Remediation Area reached the specified density of live stems per hectare as specified in condition 3.1? (tick ✓ Yes or No)				<b>Yes</b>	<b>No</b>
				<input type="checkbox"/>	<input type="checkbox"/>
If you answered <b>No</b> above provide an explanation below.					
Provide the GPS waypoints of each corner of the 20 x 20 quadrat selected to sample vegetation densities as specified in condition 3.1					
Location 1					
Location 2					
Location 3					
Location 4					
Location 5					
Location 6					
Location 7					
Location 8					
Has planting been undertaken in accordance with condition 3.3?				<b>Yes</b>	<b>No</b>
				<input type="checkbox"/>	<input type="checkbox"/>
If you answered <b>No</b> above provide an explanation below.					

<b>DIRECT PLANTING</b>		
When was the sourcing of tube stock or plants grown from seed (as specified in condition 4.1) undertaken?	Initiated;  Completed:	
If the tube stock or plants grown from seed were not sourced as specified in condition 4.1 please provide an explanation below.		
What date was tube stock or plants grown from seed planted in the Sub-Remediation Area A as per condition 4.4?	Date	
Has planting in Sub-Remediation Area A been undertaken in accordance with condition 4.5?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If you answered <b>No</b> above provide an explanation below.		
What date was tube stock or plants grown from seed planted in the Sub-Remediation Area B as per condition 4.7?	Date	
Has planting in Sub-Remediation Area B been undertaken in accordance with condition 4.8?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If you answered <b>No</b> above provide an explanation below.		



[illegible]

# Remediation Order

## B Signature and Certification

This Monitoring Report may only be signed by a person(s) with legal authority to sign it as set out in the categories below. **Please tick (✓) the box** next to the category that describes how this Monitoring Report is being signed.

If you are uncertain about who is entitled to sign or which category to tick, please contact us on telephone (02) 4224 4122.

If the Landholder is:	the Monitoring Report must be signed and certified:
an individual	<input type="checkbox"/> by the individual Landholder
a company	<input type="checkbox"/> by affixing the common seal in accordance with Corporations Act 2001, or <input type="checkbox"/> by 2 directors, or <input type="checkbox"/> by a director and a company secretary, or <input type="checkbox"/> if a proprietary company that has a sole director who is also the sole company secretary – by that director.

*I/We declare and certify that the information in this Monitoring Report is true and correct*

SIGNATURE: \_\_\_\_\_

NAME:

(printed) \_\_\_\_\_

POSITION: \_\_\_\_\_

DATE:     \_\_\_/\_\_\_/\_\_\_

SIGNATURE: \_\_\_\_\_

NAME:

(printed) \_\_\_\_\_

POSITION: \_\_\_\_\_

DATE:     \_\_\_/\_\_\_/\_\_\_

SEAL (if signing under seal)