



Section 70(2)
Environmental Protection Act 1986

VEGETATION CONSERVATION NOTICE

CPS 8198/1

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

Nigel Morton Thomas
Terri Denise Thomas
PO Box 35
Scaddan WA 6447

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

Lot 1 on Diagram 80435 as comprised on Certificate of Title Volume 1940 Folio 640

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 from 2004, 2008 and 2015 shows the land contained native vegetation;
- b) a site inspection on 13 December 2017 found that native vegetation had been cleared;
- c) no clearing permit had been granted for the clearing;
- d) the clearing was not for an exempt purpose; and
- e) the clearing is unauthorised clearing under section 51C of the *Environmental Protection Act 1986*.

Requirements of this vegetation conservation notice:

The person 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 to re-establish and maintain native vegetation within the *specified area*, to a *vegetation condition* as near as possible to the *vegetation 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. Cultivation prohibited

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

3. Weed control

- (a) Engage an *environmental specialist* to inspect the *specified area* at least once each year and identify all *weed* species present; and
- (b) Selectively remove or kill *weed* species within the *specified area* so that the average vegetation cover that is *weed* species is not greater than the percentage of total vegetation cover that is *weed* species within a monitoring *quadrat* established under measure (5).

4. Establish control quadrats

In September 2019 establish three control *quadrats* by installing a permanent steel post at the following *coordinate* to establish the north-west corner of the *quadrat*:

Quadrat No.	Easting (m)	Northing (m)
1	370793	6311232
2	370790	6311054
3	370785	6310895

5. Establish monitoring quadrats

In September 2019 establish six *quadrats* by installing permanent steel posts at the following *coordinates* to establish the north-west corner of each *quadrat*:

Quadrat No.	Easting (m)	Northing (m)
1	370920	6311203
2	370920	6311078
3	370922	6310931
4	371090	6311173
5	371091	6311047
6	371269	6311130

6. Monitor vegetation within quadrats

Engage an *environmental specialist* to conduct the following spring monitoring work at each *quadrat* in September of each and every year:

- (a) measure the species composition, structure, density and *vegetation condition* of the vegetation within each *quadrat*; and
- (b) take one photograph of the vegetation growing within the *quadrat*, from the north-west corner of the *quadrat*.

7. Revegetation

In each year after 2019, where the species composition, structure, density and *vegetation condition* of a monitoring *quadrat* established under measure (5) is less than the species composition, structure, density and *vegetation condition* of a control *quadrat* established under measure (4), engage an *environmental specialist* to undertake the following revegetation work within the *specified area*:

- (a) deliberately plant and/or seed native vegetation that is indigenous to the land; and
- (b) ensure that only local provenance seeds and propagation material originating from within 50 kilometres of the land are used.

8. Records must be kept

The following records shall be maintained for activities done pursuant to this vegetation conservation notice:

- (a) in relation to *weed* control pursuant to measure (3):
 - (i) the date of the weed control activities; and
 - (ii) a description of all *weed* control activities undertaken.
- (b) in relation to monitoring pursuant to measure (6):
 - (i) the date of monitoring activities;
 - (ii) a description of all monitoring activities undertaken;
 - (iii) the species composition, structure, density and *vegetation condition*;

- (iv) the photographs taken of each quadrant; and
 - (v) the percentage of total vegetation cover that is *weed* species.
- (c) in relation to *revegetation* pursuant to measure 7:
 - (i) the commencement date of *revegetation*;
 - (i) the size of the area *revegetated* in hectares;
 - (ii) the list of all local provenance seed species, quantity and propagation material used; and
 - (iii) a description of all *revegetation* activities undertaken.

9. Annual reporting

Records required under measure (8) shall be submitted to the CEO by 30 June of each year reporting on activities done under this vegetation conservation notice between 1 January and 31 December of the preceding year.

Definitions:

CEO has the same meaning as it has in section 3(1) of the *Environmental Protection Act 1986*;

coordinate means a Map Grid of Australia (Geocentric Datum of Australia 1994) coordinate for zone 51;

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;

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

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 types in that area, and can involve regeneration, direct seeding and/or planting;

specified area means the portions of the land bounded by a line joining the Zone 51 GDA 94 points set out in the table below consecutively then directly to the point of commencement:

Specified Area

Point	Easting (m)	Northing (m)
1	370821	6311298
2	371435	6311177
3	371404	6311115
4	370828	6310779
5	370818	6311154

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 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

24 January 2019

Important Information:

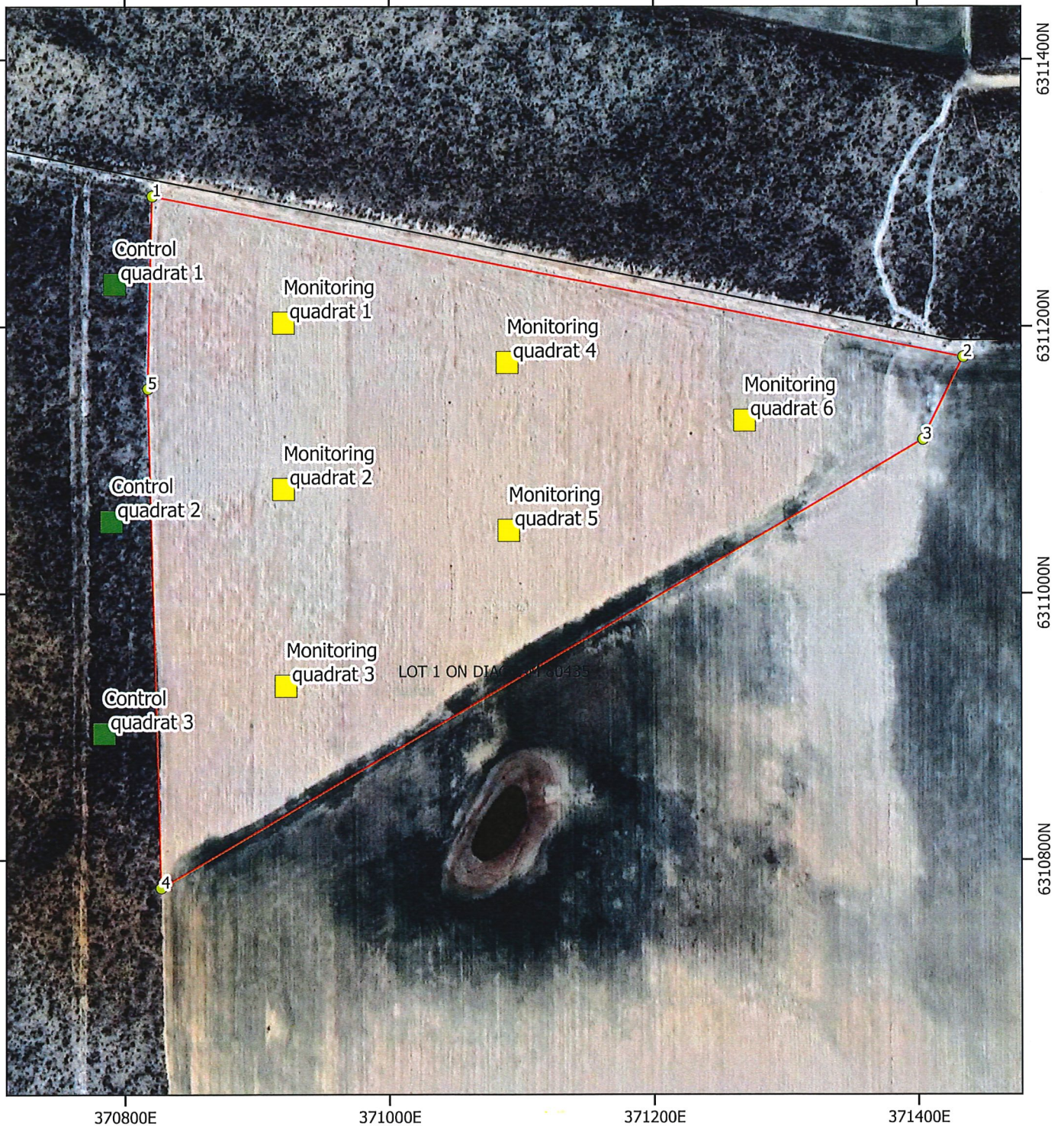
A PERSON WHO IS BOUND BY THIS VEGETATION CONSERVATION NOTICE AND WHO DOES NOT COMPLY WITH THIS VEGETATION CONSERVATION NOTICE COMMITS AN OFFENCE UNDER THE *ENVIRONMENTAL PROTECTION ACT 1986*.

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.

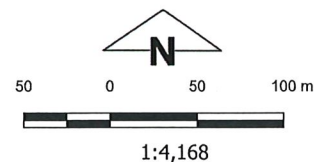
PENDING THE DETERMINATION OF AN APPEAL REFERRED TO ABOVE, THE RELEVANT REQUIREMENTS CONTAINED IN THIS VEGETATION CONSERVATION NOTICE CONTINUE TO HAVE EFFECT.

Indicative Plan 8198/1



Legend

- Monitoring Quadrats
- Control Quadrats
- Specified Area
- Cadastre
- Google Satellite



MGA 94
Geocentric Datum of Australia 1994

