



Section 70(2)
Environmental Protection Act 1986.

VEGETATION CONSERVATION NOTICE

CPS 8312/1

Persons to whom this vegetation conservation notice is given (The Occupier):
(being the occupier of the land described below)

ZIPPO PTY LTD
Level 2, 25 Cantonment Street FREMANTLE WA 6160

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

Lot 83 on Deposited Plan 412801.

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 and satellite imagery has shown the land contained native vegetation.
- (b) Satellite imagery showed that native vegetation had been cleared between 12 January 2018 and 1 November 2018.
- (c) A site inspection of the land by Department of Water and Environmental Regulation Inspectors on 8 November 2018 confirmed that clearing had been carried out, consistent with the satellite imagery.
- (d) 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.
- (e) 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 Notice:

The person(s) to whom this vegetation conservation notice is given, and each subsequent owner and or occupier of the land who is bound by this vegetation conservation notice, are required to

undertake the following specified measures for a period of twenty (20) years from the date this notice is given to repair environmental damage caused by the clearing of native vegetation.

1. No unlawful clearing

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

2. Cultivation prohibited

For a period of twenty (20) years from the date this notice is given, ensure no cultivation, including harvesting, mowing, scraping, raking, ploughing or mechanical movement of soil, is carried out in the *revegetated areas* within the land other than for purposes required under this vegetation conservation notice or for the purpose of complying with a written firebreak notice.

3. Revegetation

Undertake *revegetation* within the land by:

- (a) deliberately planting and/or seeding at least 800 York Gum (*Eucalyptus loxophleba*), in an area that is contiguous to remnant native vegetation on the land.
- (b) complete the initial *revegetation* by 31 July 2020; and
- (c) Monitor *revegetation* and replace all dead plants by deliberately planting York Gum (*Eucalyptus loxophleba*) by 31 October each year for a period of 20 years after initial *revegetation*.

4. Protection of revegetation

- (a) Exclude *livestock* from *revegetated areas* within the land from 31 March 2020 until 31 March 2025 a period of five years.

5. Records must be kept

For a period of twenty years from the date that this vegetation conservation notice is given, the following records shall be maintained for activities done pursuant to this vegetation conservation notice:

In relation to *revegetation* pursuant to measure 3:

- (a) the date/s of *revegetation* activities carried out ;
- (b) a description of *revegetation* activities undertaken;
- (c) the total number of trees planted or seeded; and
- (d) the total number of trees replaced each year.

6. Reporting

Records required under measure 5 shall be submitted to the CEO by 30 June of each reporting year (every three years) on activities done under this vegetation conservation notice between 1 January and 31 December of the preceding three years. The first report being due by 30 June 2024.

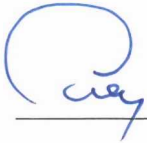
Definitions:

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.

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.

revegetate, revegetated and revegetation means the establishment of 800 York Gums (*Eucalyptus loxophleba*) to a pre-clearing maturity within the land.



Stuart Cowie
Executive Director
Compliance and Enforcement

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

28 February 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.