



Section 70(2)
Environmental Protection Act 1986.

VEGETATION CONSERVATION NOTICE

CPS 8439/1

Persons to whom this vegetation conservation notice is given:
(being the owners and occupiers of the land described below)

Abuklea Pty Ltd
And
Loganville Pty Ltd

Land to which this vegetation conservation notice relates ("the land"):
Lot 22 on diagram 67755
as comprised on Certificate of Title Volume 1699 Folio 748

Reasons for which this vegetation conservation notice is given:

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

- Aerial imagery from November 2014 and December 2017 shows native vegetation was present on the land
- Aerial and satellite imagery between November 2014 and December 2017 shows native vegetation has been cleared on the land
- A site inspection of the land by Department of Water and Environmental Regulation inspectors on 25 October 2018 confirmed that clearing had been carried out
- No clearing permit had been granted for the clearing
- The clearing was not for an exempt purpose
- The clearing is unauthorised clearing under section 51C of the *Environmental Protection Act 1986*

Requirements of this Notice:

The persons 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:

1. No unlawful clearing

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

2. Cultivation prohibited

Ensure no *cultivation*, is carried out within the *specified area* other than purposes required under this notice or for the purpose of complying with a written firebreak notice.

3. Exclusion of stock

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

4. Exclusion of vehicles

Ensure that *vehicles* are excluded from the *specified area* and not cause or permit *vehicles* to enter the *specified area* for any purpose other than a purpose required under this vegetation conservation notice.

5. Revegetation

- (a) *Revegetate* the *specified area* by deliberately planting or seeding *local species* vegetation
- (b) Complete initial *revegetation activities* by 30 June 2021; and
- (c) Where, for any reason, *revegetation activities* undertaken under measure 5(a) of this notice do not result in successful *revegetation*, *revegetation activities* are to be continued each and every year for a period of up to twenty years after the giving of this notice or until the *CEO* determines *revegetation* has occurred, whichever is the lesser period.

6. Weed control

Each and every year for a period of twenty years after the giving of this notice

- (a) Remove or kill all *invasive weed species* within the *specified area* during the month of September of each year;
- (b) Remove or kill *weed species* within the *specified areas* during the month of September of each year so that the *percentage cover* that is *weed species* is less than 20%; and
- (c) Complete initial weed control by 30 September 2020

7 Monitoring

- (a) Prior to 30 September 2021, establish four, ten metre by ten metre, quadrats located so that the southwest corners are located at the coordinates set out in the table below

Quadrat No	Eastings (M)	Northings (M)
1	391151	6532354
2	391147	6532446
3	391233	6532436
4	391254	6532378

- (b) Permanently mark the southwest corner of each quadrat with a steel picket;
- (c) Engage an *environmental specialist* to carry out one vegetation survey in each of the quadrats in the month of September or October of each and every year for a period of ten years after the giving of this notice to determine:
 - (i) The species composition, structure, density and *vegetation condition* of native vegetation in each quadrat;
 - (ii) The *percentage cover* of native vegetation in each quadrat;
 - (iii) The *percentage cover* of vegetation in each quadrat that is *weed species*; and
 - (iv) The *percentage cover* of vegetation that is *invasive weed species*

8. Records must be kept

Maintain the following records for a period of twenty 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; and
 - (v) The species composition, structure, density and *vegetation condition* of native vegetation in the *specified area* as determined by the monitoring carried out under measure (7) of this notice.
- b) in relation to weed control:
 - (i) The date or dates on which *weed species* and *invasive weed species* control activities were carried out;

- (ii) A description of the *weed species* and *invasive weed species* control activities carried out on each date.
- (iii) The *percentage cover* of vegetation that is *weed species*; and
- (iv) The *percentage cover* of vegetation that is *invasive weed species*

9. Reporting

For a period of twenty years after the giving of this notice, provide to the *CEO*, on or before 30 June of each year, a written report of records kept under measure 9 of this notice for the period 1 January to 31 December of the preceding year.

DEFINITIONS

The following meanings are given to terms used in this Notice:

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

Cultivation means any activity which disturbs the soil and includes scraping, raking, ploughing or mechanical movement of soil

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.

invasive weed means *Eragrostis curvula* (African Lovegrass), *Ehrharta* spp (Veldt Grasses)

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 native vegetation species recorded as naturally occurring within 20 kilometres 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* and *invasive weed species* within the monitored area expressed as a percentage of the total cover of all species within the monitored area

revegetate, revegetated and revegetation means the re-establishment of native vegetation to achieve a species composition, structure, density and *vegetation condition* of native vegetation similar to pre clearing species composition, structure, density and *vegetation condition*

specified area means the portion of Lot 22 on diagram 67755 bounded by a line joining the Zone 50 GDA 94 points set out in the table below consecutively:

Specified area

Point	Easting (M)	Northing (M)
1	391306	6532318
2	391310	6532323
3	391301	6532423
4	391237	6532461
5	391229	6532471
6	391229	6532489
7	391259	6532497

8	391266	6532538
9	391180	6532537
10	391165	6532545
11	391103	6532545
12	391085	6532540
13	391082	6532464
14	391078	6532454
15	391074	6532323
16	391306	6532318
17	391306	6532318

then directly to the point of commencement

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.

vehicle means anything capable of transporting people or things, that is propelled or drawn, on wheels or tracks, by any means and includes any car, truck, tractor, motorcycle, pedal cycle or conveyance drawn by an animal

Weed species means any plant that is not a species recorded as indigenous within 20 kilometres of the land, other than those species listed as *invasive weeds* in this notice



Stuart Cowie
Executive Director
Compliance and Enforcement

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

17 January 2020

CPS 8439/1 Indicative Plan



Legend

-  Property boundary
 -  Quadrats
 -  Specified area
- Gingin_2017_50cm_z50



Projection MGA zone 50
Datum GDA 94

Job ref: CPS 8439/1

Produced by Malcolm Wright
Department of Water and Environmental
Regulation
3 April 2019

Scale

0 25 50 75 100 m

