



Section 70(2)
Environmental Protection Act 1986

VEGETATION CONSERVATION NOTICE

CPS 7821/1

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

Quoc Thanh Tran
Thi Diep Tran
Duc Van Tran
Thanh Dao Trinh
All of 84 Nicholas Road
WANNEROO WA 6065

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

Lot 2 on Diagram 61278 as comprised on Certificate of Title Volume 1601 Folio 485

Reasons for which this vegetation conservation notice is served:

This vegetation conservation notice is given for the following reasons:

- (a) a site inspection by Department of Water and Environmental Regulation Inspectors on 5 September 2017 observed that clearing of native vegetation had taken place;
- (b) examination of aerial photography has shown the land contained native vegetation in 2014;
- (c) an application to clear native vegetation within this area was refused by the then Department of Environment and Conservation on 30 July 2009;
- (d) the clearing was not subject to an exemption under the *Environmental Protection Act 1986* or the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*; and
- (e) I suspect on reasonable grounds that unlawful clearing of native vegetation, constituting a contravention of section 51C of the *Environmental Protection Act 1986*, took place during 2015 and 2016.

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 undertake the following specified measures, for a period of ten years from the date this notice is given to re-establish and maintain vegetation on the area affected by the clearing to a condition as near as possible to the condition of the 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 that no cultivation, including 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. Revegetation

Revegetate the *specified area* so as to achieve a species composition, structure, density and *vegetation condition* of native vegetation similar to pre-clearing species composition, structure, density and *vegetation condition*;

(a) complete initial *revegetation* by 31 August 2019;

(b) ensure only *local species* are used in the *revegetation*; and

(c) where, for any reason, *revegetation* undertaken does not result in a species composition, structure, density and *vegetation condition* of native vegetation similar to pre clearing species composition, structure, density and *vegetation condition*, each and every year for a period of ten (10) years after the giving of this notice continue to *revegetate* the *specified area* until a species composition, structure, density and *vegetation condition* of native vegetation similar to pre clearing species composition, structure, density and *vegetation condition* is achieved.

4. Weed control

Each and every year for a period of ten (10) years after the giving of this notice:

(a) remove or kill *weed species* within the *specified area* during the month of September of each year so that the *percentage cover* that is *weed species* is less than 20%; and

(b) complete initial weed control by 30 September 2018.

5. Monitoring

Prior to 30 September 2018, establish four *quadrats* so that the southwest corners are located at the coordinates set out in the table below:

Quadrat No.	Eastings (m)	Northings (m)
1	399609	6495975
2	399727	6495966
3	399725	6495850
4	399561	6495886

(a) permanently mark the southwest corner of each *quadrat* with a steel picket;

(b) 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 (10) 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 in each *quadrat* that is *invasive weed species*.

6. Records must be kept

Maintain the following records for a period of ten (10) 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) a description of the *revegetation* activities undertaken;

(iii) species planted or seeded; and

(iv) the species composition, structure, density and *vegetation condition* of native vegetation in the *specified area*, as determined by the monitoring carried out under measure (5) 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 in each *quadrat* that is *weed species*; and
- (iv) the *percentage cover* of vegetation in each *quadrat* that is *invasive weed species*.

7. Reporting

For a period of ten (10) 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 (6) 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 has the same meaning as it has in section 3(1) of the *Environmental Protection Act 1986*;

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;

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;

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 native vegetation;

specified area means the portions of Lot 2 on Diagram 61278 bounded by a line joining the Zone 50 GDA 94 points set out in the table below consecutively then directly to the point of commencement:

Point	Easting (m)	Northing (m)
1	399770	6496017
2	399773	6495806
3	399761	6495803
4	399521	6495849
5	399524	6495945
6	399613	6496023

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 species means any plant -

- (a) that is a declared pest under section 22 of the *Biosecurity and Agriculture Management Act 2007*; or
- (b) published in a Department of Parks and Wildlife Regional Weed Rankings Summary, regardless of ranking; or
- (c) that is not a species recorded as naturally occurring 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

1 May 2018

Important Information:

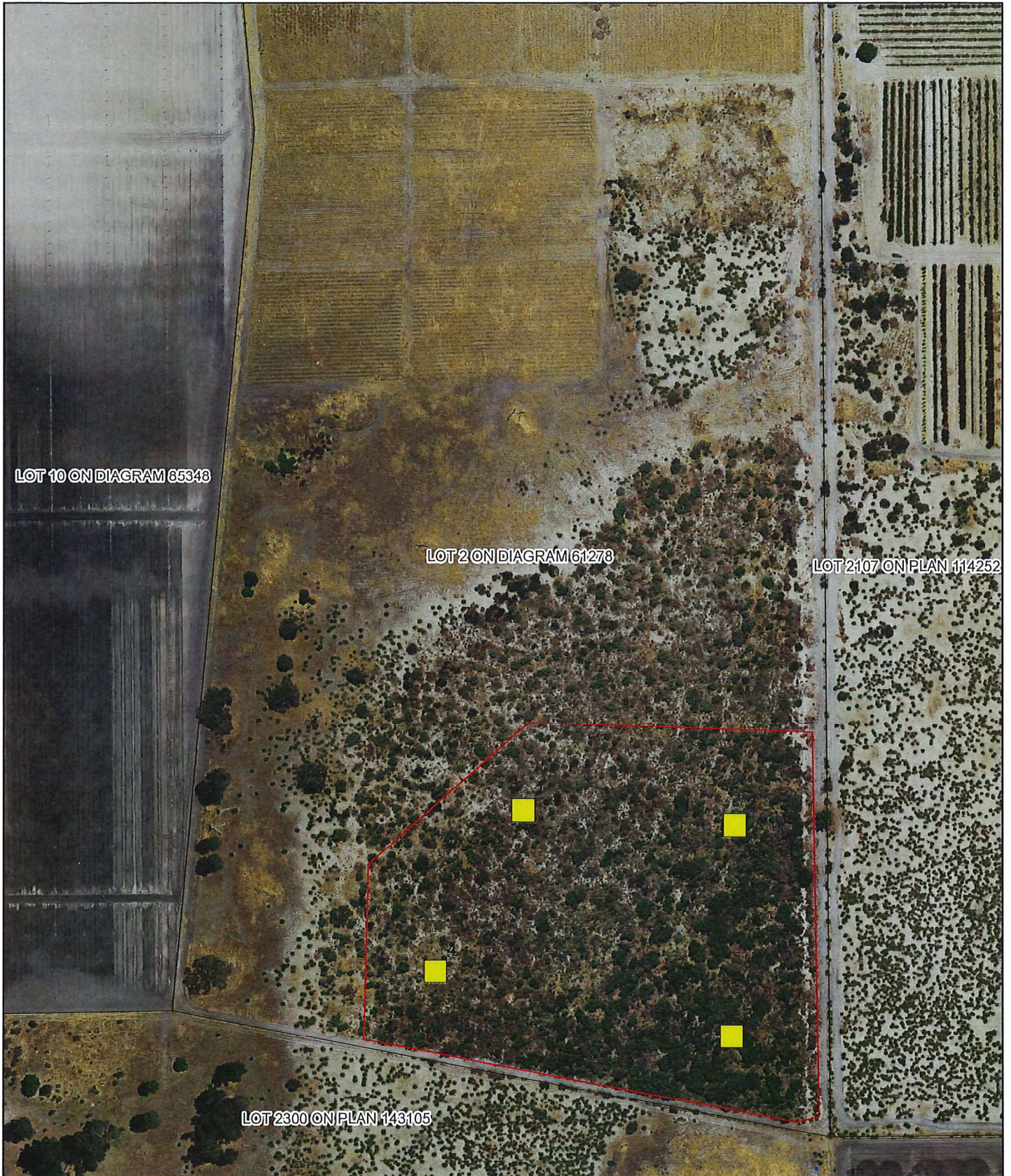
A PERSON WHO IS BOUND BY THIS VEGETATION CONSERVATION NOTICE AND WHO DOES NOT COMPLY WITH THIS VEGETATION CONSERVATION NOTICE COMMITS AN OFFENCE UNDER THE *ENVIRONMENTAL PROTECTION ACT 1986*.

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.

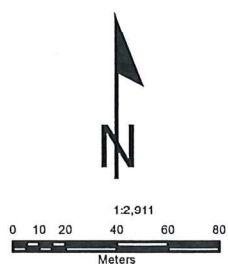
PENDING THE DETERMINATION OF AN APPEAL REFERRED TO ABOVE, THE RELEVANT REQUIREMENTS CONTAINED IN THIS VEGETATION CONSERVATION NOTICE CONTINUE TO HAVE EFFECT.

CPS 7821/1 INDICATIVE PLAN

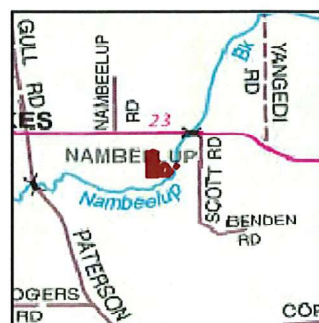


Legend

-  Quadrats
-  Specified area
-  Cadastre



Projection: Universal Transverse Mercator
MGA Zone 50, Datum: GDA94



Government of Western Australia
Department of Water and Environmental Regulation

Job Ref: CPS 7821/1