



Section 70(2)
Environmental Protection Act 1986

VEGETATION CONSERVATION NOTICE

CPS 7995/1

PERSON TO WHOM THIS VEGETATION CONSERVATION NOTICE IS GIVEN:
(being the owner and occupier of the land described below)

Trevor John WESSELS
8119 Albany Highway
Boddington WA 6390

LAND TO WHICH THIS NOTICE RELATES ("THE LAND"):

Lot 120 on plan 300098 as comprised on Certificate of Title Volume 1854 Folio 649

REASONS FOR WHICH THIS NOTICE IS SERVED:

This vegetation conservation notice is given for the following reasons:

- (a) examination of aerial photography has shown the Land contained established native vegetation in 1995 and that native vegetation was still present in April 2015;
- (b) A comparison of aerial imagery from January 2017 and satellite imagery from 19 April 2015 shows that clearing of native vegetation took place in that period;
- (c) a site inspection by Department of Water and Environmental Regulation Inspectors on 14 February 2018 observed that clearing of native vegetation consistent with clearing observed in aerial imagery had taken place on the Land;
- (d) No clearing permit had been granted authorising clearing of native vegetation on the Land nor was the clearing of a type or for a purpose subject to exemption under the *Environmental Protection Act 1986* or the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*;
- (e) I therefore suspect on reasonable grounds that unlawful clearing of native vegetation, constituting a contravention of section 51C of the *Environmental Protection Act 1986*, took place between January 2017 and April 2017.

REQUIREMENTS OF THIS NOTICE:

The person 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, is/are required to undertake the following specified measures to repair damage caused by the clearing of native vegetation.

1. No unlawful clearing

Ensure that no further unlawful clearing, takes place on the Land.

2. Revegetation

Undertake *revegetation* in the *specified area* by:

- (a) deliberately planting and/or seeding at least 1160 *local species* trees which are to include at least 250 each of the following species:
 - i. Wandoo (*Eucalyptus wandoo*);
 - ii. Blackbutt (*Eucalyptus patens*);
 - iii. Marri (*Corymbia Calophylla*);
- (b) complete the initial *revegetation* by 31 July 2019; and
- (c) Where, for any reason, *revegetation* undertaken under measure 2(a) of this notice does not result in the successful re-establishment of 1160 *local species* trees

Each and every year for:

A period of twenty years after the giving of this notice

OR

Until, there is successful re-establishment of 1160 *local species* trees, which ever is the lesser period, *Revegetate* in the *specified area*.

3. Protection of revegetation

- (a) Construct fences or enclosures sufficient to prevent damage to *revegetation* by *livestock* or *vermin*
- (b) For a period of twenty years, from the date of the giving of this vegetation conservation notice, maintain the fences or enclosures in a condition adequate to prevent damage to *revegetation* by *livestock* or *vermin*

4. 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 2:

- (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;
- (d) the number of each species planted or seeded;
- (e) the location *coordinates* of each *revegetated* tree.

5. Annual reporting

For a period of twenty years from the date that this vegetation conservation notice is given, records required under measure 5 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 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.

local species means flora species indigenous within 20 kilometres of the land.

revegetate, revegetated and revegetation means the re-establishment of native vegetation

specified area means the portion of Lot 120 on plan 300098, bounded by a line joining the Zone 50 GDA 94 points set out in the table below consecutively then directly back to the point of commencement:

Point	Eastings	Northings
1	6385299	455916
2	6385292	456143
3	6385379	456230
4	6385226	456631
5	6385122	456622
6	6385163	456534
7	6385263	456273
8	6385203	456183
9	6385212	455867
10	6385299	455916

Vermin means the European brown rabbit (*Oryctolagus cuniculus*)



Stuart Cowie
Executive Director
Compliance and Enforcement

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

| 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.