



GOVERNMENT OF  
WESTERN AUSTRALIA

Section 70(2)  
*Environmental Protection Act 1986.*

## VEGETATION CONSERVATION NOTICE

CPS 2215/2

**Person(s) to whom this vegetation conservation notice is given:**

(being the owners of the land described below)

Garry George MEEK and Rosalind MEEK  
60 Kempenfeldt Avenue  
SORRENTO WA 6020

and

Stanley Augustus MEEK and Susan Elizabeth MEEK  
36 Ada Street  
WATERMAN WA 6020

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

Lot 3 on Diagram 35920 as comprised on Certificate of Title Volume 142 Folio 98A

**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) Clearing was observed on the land commencing in September 2007, after a clearing permit application was refused by the CEO on 11 August 2006, and an appeal against this decision was dismissed by the Minister for the Environment on 30 March 2007.
- (b) This clearing does not appear to be of a kind set out in Schedule 6 or of a kind prescribed for the purposes of section 51C(c) of the *Environmental Protection Act 1986*.
- (c) Further clearing would be necessary to fully clear the area refused on 11 August 2006.

**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 do the following specified measures to re-establish and maintain native vegetation within the area affected by the clearing for ten years after the commencement of the vegetation conservation notice to a *condition* as near as possible to the *condition* of the native vegetation before the clearing occurred:

**1. No Removal of sand**

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, shall ensure that no further sand is removed from the *revegetation area* for the duration of the vegetation conservation notice.

**2. Revegetation**

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, shall undertake the following specified measures within the *revegetation area*:

- (a) Within one year of the giving 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, shall *revegetate* the area by:
  - (i) Spreading topsoil removed from the *revegetation area*;
  - (ii) Deliberately planting and/or seeding native vegetation that will result in a similar species composition, structure, density and *condition* of native vegetation to pre-clearing vegetation types in the *revegetation area*;
  - (iii) Ensuring only local provenance seeds and propagation material from within 10km of the area cleared are used to *revegetate* the area;
  
- (b) Within one year of undertaking *revegetation* in accordance with measure 2(a), 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, shall:
  - (i) In September or October of each and every year a *flora specialist* shall determine the species composition, structure, density and *condition* of the vegetation within the *revegetation area*; and
  - (ii) Where, in the opinion of a *flora specialist*, the species composition, structure, density and *condition* determined under measure 2(b)(i) will not result in a similar species composition, structure, density and *condition* to pre-clearing vegetation types in that area, 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, shall undertake additional *revegetation* in accordance with the requirements of measures 2(a)(ii) and (iii).
  - (iii) Where, in the opinion of the CEO, the timing or conduct of the survey conducted by the *flora specialist* is inadequate, 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, shall implement the requirements of measures 2(b)(i) again as specified by the CEO.

### 3. Success of revegetation

If for any reason the *revegetation* undertaken in accordance with measures 2(a) and 2(b) fails, 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, shall implement the requirements of measures 2(a)(ii) and 2(a)(iii), and 2(b) again until the *revegetation*, in the opinion of the CEO, will result in a similar species composition, structure, density and *condition* to pre-clearing vegetation types in that area.

### 4. Weed control

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, shall:

- (a) selectively remove or kill all *invasive weed* species within the *revegetation area* during the months of September or October.
- (b) maintain the *revegetation area* so that the percentage of the total vegetation cover that is weed species is less than 40% .
- (c) calculate the percentage of the total vegetation cover that is weed species during October of each and every year.

### 5. Records must be kept

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, shall maintain the following records for activities done pursuant to this vegetation conservation notice, as relevant:

- (a) In relation to the *revegetation* of areas pursuant to measure 2:
  - (i) the commencement date of *revegetation*;
  - (ii) a description of the *revegetation* activities undertaken;
  - (iii) the size of the area *revegetated* (in hectares); and
  - (iv) the species composition, structure, density and *condition* of *revegetation* measured;

### 6. Reporting

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, shall provide to the CEO on or before 30 June of each year, for the duration of this vegetation conservation notice, a written report of records required under



measure 4 and activities done by 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, under this vegetation conservation notice between 1 January and 31 December of the preceding year.

**Definitions:**

**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. 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;

**flora specialist** means a person with specific training and/or experience in the ecology and taxonomy of Western Australian flora;

**invasive weed** means *Eragrostis curvula* (African lovegrass), *Moraea* species (Cape Tulip) and *Watsonia* species.

**revegetate, revegetated and revegetation** means the re-establishment of a cover of native vegetation in an area such that the species composition, structure and density is similar to pre-clearing vegetation types in that area, and can involve regeneration, direct seeding an/or planting.

**revegetation area** means the area cross hatched red on Plan 2215/2 of this vegetation conservation notice.

**weed** means a species listed in Appendix 3 of the "Environmental Weed Strategy" published by the Department of Conservation and Land Management (1999), and plants declared under section 37 of the *Agricultural and Related Resources Protection Act 1976*, but excluding *invasive weed*.



Susan Hunt  
Deputy Director General, Environment  
Department of Environment and Conservation

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

11 September 2008

**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 the Environment an appeal in writing setting out the grounds of that appeal.
- 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 the 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.