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GOVERNMENT OF
WESTERN AUSTRALIA

Section 70(2)
Environmental Protection Act 1986.

VEGETATION CONSERVATION NOTICE

CPS 11367/1

Persons to whom this vegetation conservation notice is given (The Owner):

(being the owner of the land described below)

BOCALUSA PROPERTIES PTY LTD
38 MANDARIN ROAD
MADDINGTON WA 6109

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

LOT 39 on Deposited Plan 410791 as comprised on Certificate of Title Volume 2929 Folio 41

Reasons for which this vegetation conservation notice is served:

This Vegetation Conservation Notice (VCN) is given because I suspect on the following grounds that unlawful clearing has taken place on the Land:

- (a) Satellite imagery from 30 August 2025 showed native vegetation present on the Land.
- (b) Satellite imagery on 27 October 2025 showed the native vegetation as not being present on the Land.
- (c) Site inspections of the Land by Department of Water and Environmental Regulation (the department) Inspectors on 23 September 2025, 1 October 2025, 9 October 2025, and 18 November 2025 confirmed that clearing of native vegetation had been carried out on the Land.
- (d) I suspect on reasonable grounds that the clearing of native vegetation was not authorised by:
 - a clearing permit; or
 - by exemption under the *Environmental Protection Act 1986*; or
 - by exemption under the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*; or

- by a notice issued under section 51DA(5) of the *Environmental Protection Act 1986*.

Therefore, I suspect on reasonable grounds that unlawful clearing of native vegetation has taken place on the Land, constituting a contravention of Section 51C of the *Environmental Protection Act 1986*.

Requirements of this Notice:

The person(s) to whom this VCN is given, and each subsequent owner and or occupier of the Land who is bound by this VCN, are required to undertake the following specified measures:

- For a period of twenty (20) years from the date this notice is given, re-establish and maintain native vegetation on any area affected by the clearing to a condition, as near as possible, to the condition of the native vegetation before the clearing occurred.

1. No unlawful clearing

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

2. Cultivation prohibited

From the date this notice is given, ensure no cultivation, including harvesting, mowing, scraping, raking, ploughing or mechanical movement of soil or seeding of non-native crops, is carried out within the *specified area* other than purposes required under this VCN or for the purpose of complying with a written firebreak notice.

3. Exclusion of stock

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

4. Revegetation

- (a) Within six (6) months from the date of the issuing of the VCN submit a Revegetation Plan to the CEO for approval for the revegetation and rehabilitation of the *specified areas*.
- (b) The Revegetation Plan must be prepared by an *Environmental Specialist*.
- (c) The Revegetation Plan must include the following:
 - (i) *site preparation*
 - (ii) *weed control*
 - (iii) *regeneration, direct seeding or planting, at an optimal time*
 - (iv) *a vegetation establishment period*
 - (v) *revegetation completion criteria to achieve a native vegetation condition, structure and density as near as possible to that present before the clearing occurred*
 - (vi) *the establishment of monitoring quadrats within the specified area*

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- (vii) details of ongoing maintenance and monitoring of *revegetation* within the *specified area* to determine if the completion criteria are likely to be met. Monitoring must be undertaken by an *Environmental Specialist* a minimum of once every two years
 - (viii) *remedial actions* to be undertaken if the completion criteria are not likely to be, or have not been met
 - (ix) timeframes for the completion of all activities; and
 - (x) a requirement to keep records of all activities undertaken to be submitted to the department.
- (d) If the *CEO* does not approve the Revegetation Plan, it must be revised in accordance with the *CEO*'s direction and resubmitted within one (1) month of the date of the *CEO*'s decision on the Revegetation Plan under Measure 4(a) of this VCN.
- (e) If directed by the *CEO*, an approved revegetation plan must be updated and resubmitted for approval under Measure 4(a) of this VCN.
- (f) The VCN holder may submit an updated version of an approved Revegetation Plan for *CEO* approval under Measure 4(a) of this VCN.
- (g) The VCN holder must implement the latest version of the Revegetation Plan approved by the *CEO*.

5. Success of Revegetation

Where, for any reason, *revegetation* undertaken in accordance with Measure 4 of this notice is not achieved, each and every year for a period of twenty (20) years after the giving of this notice, or until, in the opinion of the *CEO*, *revegetation* is achieved, whichever is the lesser period, continue to *revegetate* the *specified areas* in accordance with Measure 4.

6. Reporting

For the period of twenty (20) years after the giving of this notice, or until, in the opinion of the *CEO*, *revegetation* is achieved, provide to the *CEO* a biennial written report of records required under Measure 4 of this VCN for the preceding two calendar years (1 January to 31 December the following year).

DEFINITIONS

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

Table 1: Defined Terms.

Term	Definition
<i>CEO</i>	means the Chief Executive Officer of the Department of the Public Service of the State through which the Environmental Protection Act 1986 is administered.
<i>department</i>	means the Department of Water and Environmental Regulation
<i>direct seeding</i>	means a method of re-establishing vegetation through the establishment of a seed bed and the introduction of seeds of the desired plant species.
<i>Environmental Specialist</i>	means a person who holds a tertiary qualification in environmental science or equivalent and has a minimum of two (2) years work experience relevant to the type of environmental advice that an Environmental Specialist is required to provide under this permit, or who is approved by the CEO as a suitable Environmental Specialist.
<i>Keighery Scale</i>	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.
<i>livestock</i>	means any animal kept for domestic or commercial purposes and includes any horse, donkey, mule, cattle, sheep, swine, goat, buffalo, deer, camel or alpaca.
<i>Native vegetation</i>	meaning given by section 3(1) but does not include vegetation that was intentionally sown, planted or propagated unless — (a) that vegetation was sown, planted or propagated as required under this Act or another written law; or (b) that vegetation is of a class declared by regulation to be included in this definition;
<i>optimal time</i>	means the period from April to July for undertaking <i>planting</i> and <i>direct seeding</i> .
<i>planting</i>	means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired native, endemic species.

Term	Definition
<i>remedial actions</i>	means any activity that is required to ensure successful re-establishment of native vegetation to its pre-clearing composition, structure and density, and may include a combination of soil treatments and <i>revegetation</i> .
<i>regenerate / regenerated / regeneration</i>	means re-establishment of vegetation from in situ seed banks and propagating material (such as lignotubers, bulbs, rhizomes) contained either within the topsoil or seed-bearing mulch.
<i>revegetate/ vegetated/ revegetation</i>	means the re-establishment of a cover of <i>local provenance</i> native vegetation in an area using methods such as natural <i>regeneration</i> , <i>direct seeding</i> and/or <i>planting</i> , so that the species composition, structure and density is to a condition, as near as possible, to the condition of the vegetation prior to the clearing occurring
<i>site preparation</i>	means management of existing site topsoil and preparation of the finished soil surface, for example by ripping or tilling the soil surface and resspreading site topsoil and chipped native vegetation
<i>specified area</i>	specified area means the portions of Lot 39 on Deposited Plan 410791 bounded by a line joining the Zone 50 GDA 2020 points set out in Table 2 below and depicted in Schedule 1.
<i>vegetation condition</i>	vegetation condition means the rating given to native vegetation using the <i>Keighery scale</i> 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.
<i>vegetation establishment period</i>	means a period of at least two summers after the revegetation during which time replacement and infill <i>revegetation</i> works may be required for areas in which <i>revegetation</i> has been unsuccessful and involves regular inspections of <i>revegetation</i> sites to monitor the success of <i>revegetation</i> .
weed	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 Biodiversity, Conservation and Attractions species-led ecological impact and invasiveness ranking summary, regardless of ranking; or (c) not indigenous to the area concerned.

Table 2:**Specified area 1**

Point	Easting (m)	Northing (m)
1	404914	6518287
2	404913	6518099
3	404966	6518051
4	405125	6518025
5	405291	6518026
6	405341	6517965
7	404920	6517947
8	404913	6517867
9	404952	6517799
10	405302	6517384
11	405438	6517364
12	405582	6517365
13	405626	6517454
14	405682	6517387
15	405896	6517354
16	406219	6517358
17	406176	6517436
18	406174	6517505
19	406221	6517550
20	4062201	6517585
21	406197	6517598
22	406170	6517605
23	406162	6517743
24	406197	6517745
25	406255	6517812

26	406281	6517908
27	406444	6517935
28	405597	6517943
29	405595	65180120
30	405540	6518069
31	405594	6518111
32	405597	6518180
33	405561	6518210
34	405534	6518267
35	405475	6518284
36	405364	6518272
37	405231	6518299
38	405110	6518290
39	405089	6518255
40	405044	6518254
41	404974	6518287

Specified area 2

Point	Easting (m)	Northing (m)
1	406552	6517934
2	406564	6517893
3	406515	6517839
4	406516	6517798
5	406568	6517752
6	406563	6517527
7	406514	6517496
8	406504	6517471
9	406514	6517440
10	406489	6517425

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11	406479	6517396
12	406437	6517377
13	406449	6517351
14	4064801	6517349
15	406566	6517366
16	406573	6517335
17	407251	6517332
18	407252	6517358
19	407271	6517398
20	407270	6517418
21	407271	6517419
22	407246	6517438
23	407217	6517439
24	407201	6517429
25	407184	6517442
26	407164	6517449
27	407149	6517443
28	407107	6517488
29	407103	6517565
30	407140	6517616
31	407221	6517649
32	407271	6517659
33	407323	6517643
34	407443	6517636
35	407495	6517606
36	407501	6517565
37	407478	6517526
38	407478	6517497

39	407530	6517460
40	407652	6517388
41	407676	6517342
42	407712	6517347
43	407985	6517344
44	408063	6517334
45	408072	6517406
46	408101	6517425
47	408223	6517583



Ruth Dowd
Executive Director Assurance
*Officer delegated under Section 20
of the Environmental Protection Act 1986*
3 March 2026

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.

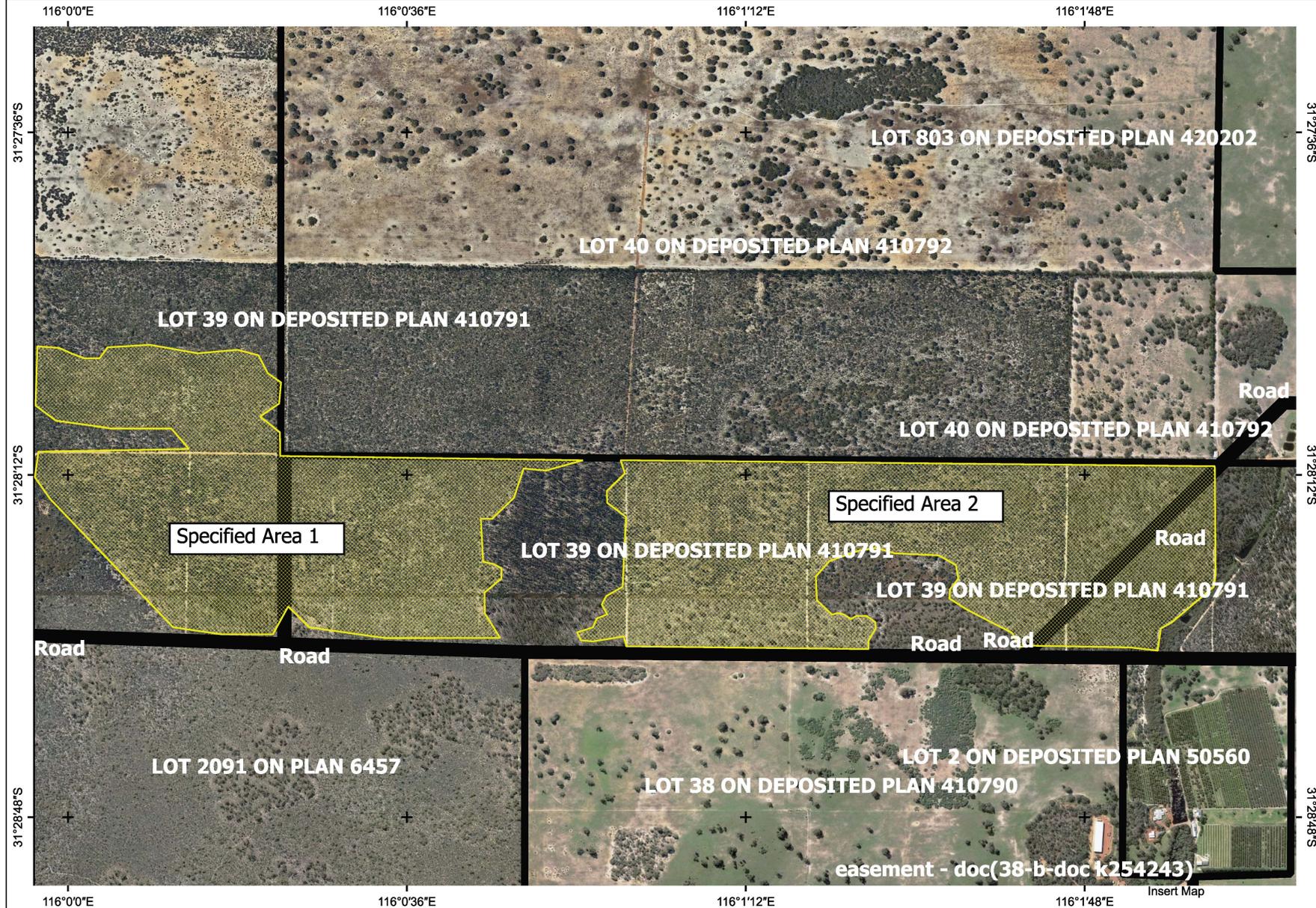
Revoking the VCN

Should all requirements of this VCN be fulfilled, the CEO may, by notice in writing, revoke the VCN under section 65(4) of the *Environmental Protection Act 1986* (as referenced by section 70(9)).

SPECIFIED AREA CPS 11367/1



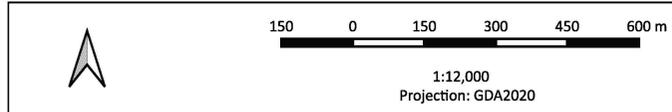
Chittering



LEGEND

Legend

- Cleared area
- Land Tenure (LGATE_226) - SLIP



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Officer with delegated authority under Section 20 of the Environmental Protection Act 1986.

