



Section 70(2)
Environmental Protection Act 1986.

VEGETATION CONSERVATION NOTICE

CPS 10399/2

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

(being the owner of the land described below)

Colin Roy Matthews and Linda Matthews
PO BOX 388
BUNBURY WA 6231

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

Lot 3006 on Deposited Plan 214431 as Comprised on Certificate of Title Volume 2786 Folio 627

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) A *Soil Conservation Notice under the Soil and Land Conservation Act 1945* was issued by the Commissioner of Soil and Land Conservation on the 18 March 2003. The notice was issued as a result clearing causing land degradation in the form of salinity.
- (b) Satellite imagery from 18 August 2023 showed native vegetation present on the property.
- (c) Satellite imagery on 8 September 2023 showed the native vegetation as not being present.
- (d) A site inspection of the land by Department of Water and Environmental Regulation (the department) Inspectors on 25 October 2025 confirmed that clearing had been carried out.
- (e) I suspect on reasonable grounds that the clearing 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, constituting a contravention of section 51C of the *Environmental Protection Act 1986*, has taken place.

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 to re-establish and maintain vegetation on any 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 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 or as approved by the CEO under Measure 4 of this 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 area*.

4. Revegetation

- (a) Within six (6) months from the date of the issuing of the VCN, or other such timeframe as agreed by the *CEO*, submit a Revegetation Plan to the *CEO* for approval for the revegetation and rehabilitation of the *specified area*.
- (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*
 - (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 condition 4(a) of this VCN, or other such timeframe as agreed by the *CEO*.
- (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, for 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 area* 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>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.
<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</i>	means management of existing site topsoil and preparation of the finished soil

Term	Definition
<i>preparation</i>	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 3006 on Deposited Plan 214431 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 co-ordinates

Specified area 1

Point	Easting (m)	Northing (m)
1	712520	6324612
2	712992	6324424
3	713436	6324006
4	713913	6323717
5	713851	6323583
6	712366	6324002
7	712385	6324159

Point	Easting (m)	Northing (m)
8	712074	6324154
9	711736	6324053
10	711332	6324154
11	712004	6324938

Specified Area 2

Point	Easting (m)	Northing (m)
1	715255	6326881
2	715515	6326618
3	715725	6326276
4	715579	6326029
5	714923	6325988
6	714382	6326259
7	714216	6326161
8	713969	6325916
9	713755	6325763
10	713575	6325757
11	713147	6325433
12	713114	6324645
13	713074	6324618
14	712636	6324579
15	712523	6324755
16	712615	6325204
17	712470	6325522
18	713186	6326472
19	714429	6326877
20	714622	6326867
21	715086	6327042

Specified Area 3

Point	Easting (m)	Northing (m)
1	716940	6326506
2	716826	6326401
3	716719	6326316
4	716624	6326285
5	716496	6326221
6	716428	6326119
7	716357	6325908
8	716275	6325677
9	716322	6325562
10	716324	6325349
11	716243	6325150
12	716028	6325167
13	715974	6325289
14	715783	6325429
15	715586	6325545
16	715152	6325462
17	714953	6325665
18	715110	6325902
19	715563	6325925
20	715721	6326030
21	715837	6326263
22	715849	6326356
23	715779	6326505
24	715656	6326648
25	715593	6326779
26	715472	6326911
27	715424	6327019
28	715293	6327151

Point	Easting (m)	Northing (m)
29	716191	6327417

Specified Area 4

Point	Easting (m)	Northing (m)
1	717480	6324845
2	717533	6324770
3	717634	6324730
4	717751	6324728
5	717825	6324780
6	718184	6324942
7	718495	6324569
8	717770	6324189
9	717696	6324023
10	717644	6323980
11	717662	6324228
12	717586	6324314
13	717496	6324501
14	717400	6324745
15	717359	6324939
16	717421	6324958



Leon Brouwer

Acting Executive Director

Assurance

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

24 July 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*:

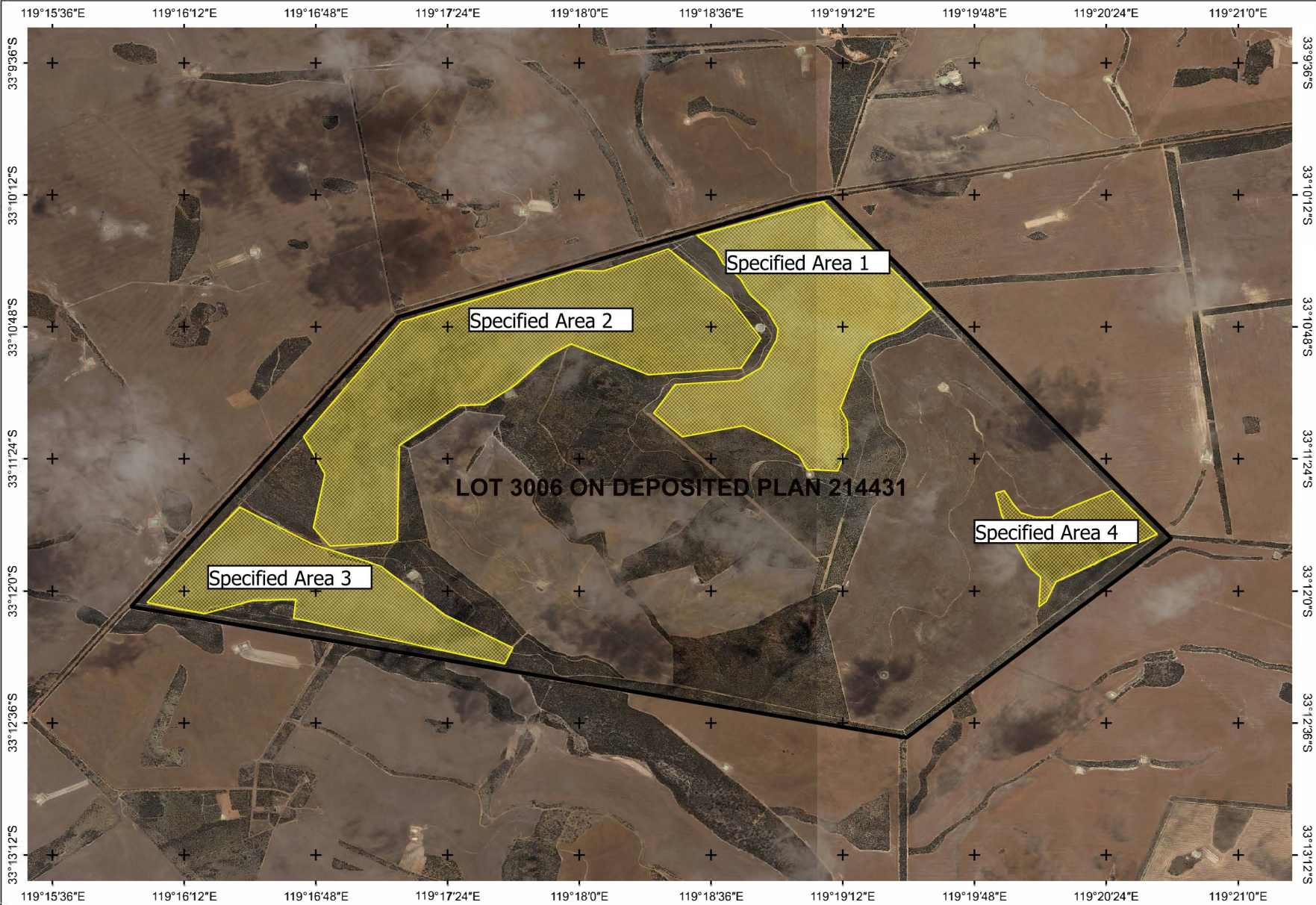
- a person who is aggrieved by a requirement contained in this vegetation conservation notice may within 21 days of being given this notice lodge with the Minister for Environment an appeal in writing setting out the grounds of that appeal; and
- any other person who disagrees with a requirement contained 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)).

Schedule 1: CPS 10399/2 Specified Area



LEGEND

- Specified Area
- Land Tenure
- Maxar Imagery**
 WV02-2024/11/17-10300101084EBE00
 WV02-2024/11/17-103001010853C300

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



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