GOVERNMENT OF
WESTERN AUSTRALIA

Section 70(2)
Environmental Protection Act 1986.

VEGETATION CONSERVATION NOTICE

CPS 11148/1

Persons to whom this Vegetation Conservation Notice is given (The Owner):
(being the owner of the land described below)

RATHMONA MOORA PTY LTD
PO Box 1202
CLOVERDALE WA 6985

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

Lot 5 on Diagram 46544 as comprised on Certificate of Title Volume 1380 Folio 298

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 16 April 2024 showed *native vegetation* present on the property.

(b) Satellite imagery on 5 January 2025 showed the *native vegetation* had been cleared.

(c) A site inspection of the Land by Department of Water and Environmental Regulation (the Department) Inspectors on 17 June 2025 confirmed that clearing of *native vegetation* had been carried out.

(d) I suspect on reasonable grounds that the clearing of *native vegetation* was not authorised by:

- a clearing permit; or
- an exemption under the *Environmental Protection Act 1986;* or
- an 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.
- The CEO may revoke the VCN at any time should all specified measures be met.

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, 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 Measure 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
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.
department	means the Department of Water and Environmental Regulation
direct seeding	means a method of re-establishing vegetation through the establishment of a seed bed and the introduction of seeds of the desired plant species.
Environmental Specialist	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.
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.
native vegetation	has the same meaning ascribed to that term in sections 3(1) and 51A of the *Environmental Protection Act 1986* and regulation 4 of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004.
optimal time	means the period from April to July for undertaking *planting* and *direct seeding*.
planting	means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired native, endemic species.
remedial actions	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 *revegetation.*
regenerate / regenerated / regeneration	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.
revegetate/ vegetated/ revegetation	means the re-establishment of a cover of *local provenance native vegetation* in an area using methods such as natural *regeneration*, *direct seeding* and/or *planting*, so that the species composition, structure and density is to a

Term	Definition
	condition, as near as possible, to the condition of the vegetation prior to the clearing occurring
site preparation	means management of existing site topsoil and preparation of the finished soil surface, for example by ripping or tilling the soil surface and respreading site topsoil and chipped *native vegetation*
specified area	specified area means the portions of Lot 5 on Diagram 46544 bounded by a line joining the Zone 50 GDA 2020 points set out in Table 2 below and depicted in Schedule 1, Figure 1.
vegetation condition	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.
vegetation establishment period	means a period of at least two summers after the revegetation during which time replacement and infill *revegetation* works may be required for areas in which *revegetation* has been unsuccessful and involves regular inspections of *revegetation* sites to monitor the success of *revegetation*.
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	401749	6606394
2	401872	6606348
3	401988	6606351
4	402012	6606344
5	402045	6606305

6	402060	6606260
7	402030	6606147
8	401961	6606169
9	401953	6606159
10	401852	6606193
11	401777	6606175
12	401720	6606180
13	401745	6606391

Specified Area 2

1	402088	6606233
2	402141	6606224
3	402151	6606200
4	402145	6606118
5	402080	6606136
6	402072	6606199
7	402085	6606228

Specified Area 3

1	402283	6606196
2	402281	6606129
3	402260	6606130
4	402260	6606159

Ruth Dowd

Executive Director

Assurance

Officer delegated by the CEO of the Department under Section 20

of the Environmental Protection Act 1986

29 October 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,* but subject to section 105 of that Act*:*

- 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 applied by section 70(8)).

Schedule 1: CPS 11148/1 Specified Area





LEGEND

- Specified Area
- Property boundary

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

200 0 200 m

1:4,500
Projection: WGS 84

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Government of Western Australia
Department of Water and Environmental Regulation

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