



Section 70(2)
Environmental Protection Act 1986

VEGETATION CONSERVATION NOTICE

CPS 8806/2

Person to whom this vegetation conservation notice is given (“the Owner”):
(being the owner of the land described below)

Yathroo Property Pty Ltd
PO Box 1045
WEST PERTH WA 6872

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

Lot 106 on Deposited Plan 228030 as comprised on Certificate of Title Volume 2941 Folio 260
Lot 107 on Deposited Plan 228030 as comprised on Certificate of Title Volume 2941 Folio 261
Lot 108 on Deposited Plan 228030 as comprised on Certificate of Title Volume 2941 Folio 78
Lot 109 on Deposited Plan 228030 as comprised on Certificate of Title Volume 2941 Folio 79
Lot 110 on Deposited Plan 228030 as comprised on Certificate of Title Volume 2941 Folio 80
Lot 113 on Deposited Plan 228030 as comprised on Certificate of Title Volume 2941 Folio 92
Lot 151 on Deposited Plan 228030 as comprised on Certificate of Title Volume 2941 Folio 81
Lot 152 on Deposited Plan 245062 as comprised on Certificate of Title Volume 1776 Folio 844
Lot 153 on Deposited Plan 228030 as comprised on Certificate of Title Volume 2941 Folio 82
Lot 156 on Deposited Plan 228030 as comprised on Certificate of Title Volume 2941 Folio 93
Lot 18 on Deposited Plan 228008 as comprised on Certificate of Title Volume 2941 Folio 89
Lot 182 on Deposited Plan 228030 as comprised on Certificate of Title Volume 2941 Folio 83
Lot 183 on Deposited Plan 228030 as comprised on Certificate of Title Volume 2941 Folio 94
Lot 184 on Deposited Plan 228030 as comprised on Certificate of Title Volume 2941 Folio 95
Lot 185 on Deposited Plan 228030 as comprised on Certificate of Title Volume 2941 Folio 96
Lot 188 on Deposited Plan 245061 as comprised on Certificate of Title Volume 2941 Folio 88
Lot 1988 on Deposited plan 228030 as comprised on Certificate of Title Volume 2001 Folio 849
Lot 200 on Deposited Plan 228030 as comprised on Certificate of Title Volume 2941 Folio 262
Lot 201 on Deposited Plan 228030 as comprised on Certificate of Title Volume 2941 Folio 84
Lot 202 on Deposited Plan 228030 as comprised on Certificate of Title Volume 2941 Folio 85
Lot 209 on Deposited Plan 228030 as comprised on Certificate of Title Volume 2941 Folio 86
Lot 232 on Deposited Plan 228030 as comprised on Certificate of Title Volume 2941 Folio 87
Lot 250 on Deposited Plan 245182 as comprised on Certificate of Title Volume 2941 Folio 71
Lot 254 on Deposited Plan 245057 as comprised on Certificate of Title Volume 2941 Folio 98
Lot 255 on Deposited Plan 245058 as comprised on Certificate of Title Volume 2941 Folio 99
Lot 285 on Deposited Plan 245044 as comprised on Certificate of Title Volume 2941 Folio 67
Lot 328 on Deposited Plan 245149 as comprised on Certificate of Title Volume 2941 Folio 242
Lot 330 on Deposited Plan 245050 as comprised on Certificate of Title Volume 2941 Folio 249
Lot 331 on Deposited Plan 245051 as comprised on Certificate of Title Volume 2941 Folio 74
Lot 343 on Deposited Plan 246423 as comprised on Certificate of Title Volume 2941 Folio 110
Lot 347 on Deposited Plan 245069 as comprised on Certificate of Title Volume 2941 Folio 100
Lot 370 on Deposited Plan 245071 as comprised on Certificate of Title Volume 2941 Folio 101
Lot 378 on Deposited Plan 245070 as comprised on Certificate of Title Volume 2924 Folio 862

Lot 388 on Deposited Plan 245187 as comprised on Certificate of Title Volume 1776 Folio 832
Lot 43 on Deposited Plan 228011 as comprised on Certificate of Title Volume 2941 Folio 97
Lot 433 on Deposited Plan 245189 as comprised on Certificate of Title Volume 2941 Folio 109
Lot 48 on Deposited Plan 228011 as comprised on Certificate of Title Volume 2941 Folio 90
Lot 481 on Deposited Plan 245180 as comprised on Certificate of Title Volume 2941 Folio 69
Lot 482 on Deposited Plan 245181 as comprised on Certificate of Title Volume 2941 Folio 70
Lot 483 on Deposited Plan 245174 as comprised on Certificate of Title Volume 2941 Folio 68
Lot 488 on Deposited Plan 245179 as comprised on Certificate of Title Volume 2941 Folio 243
Lot 5 on Deposited Plan 228012 as comprised on Certificate of Title Volume 2941 Folio 91
Lot 52 on Deposited Plan 228011 as comprised on Certificate of Title Volume 2941 Folio 75
Lot 521 on Deposited Plan 245188 as comprised on Certificate of Title Volume 2941 Folio 250
Lot 522 on Deposited Plan 245159 as comprised on Certificate of Title Volume 2941 Folio 251
Lot 523 on Deposited Plan 245158 as comprised on Certificate of Title Volume 2941 Folio 259
Lot 524 on Deposited Plan 245160 as comprised on Certificate of Title Volume 2941 Folio 252
Lot 525 on Deposited Plan 245161 as comprised on Certificate of Title Volume 2941 Folio 247
Lot 53 on Deposited Plan 228011 as comprised on Certificate of Title Volume 2941 Folio 76
Lot 54 on Deposited Plan 228011 as comprised on Certificate of Title Volume 2941 Folio 77
Lot 630 on Deposited Plan 247953 as comprised on Certificate of Title Volume 2941 Folio 253
Lot 634 on Deposited Plan 247959 as comprised on Certificate of Title Volume 2941 Folio 254
Lot 638 on Deposited Plan 247949 as comprised on Certificate of Title Volume 2941 Folio 102
Lot 639 on Deposited Plan 247963 as comprised on Certificate of Title Volume 2941 Folio 103
Lot 641 on Deposited Plan 247952 as comprised on Certificate of Title Volume 1776 Folio 840
Lot 642 on Deposited Plan 247951 as comprised on Certificate of Title Volume 2941 Folio 256
Lot 643 on Deposited Plan 247950 as comprised on Certificate of Title Volume 2941 Folio 255
Lot 645 on Deposited Plan 247948 as comprised on Certificate of Title Volume 2941 Folio 72
Lot 653 on Deposited Plan 247964 as comprised on Certificate of Title Volume 2941 Folio 73
Lot 660 on Deposited Plan 249931 as comprised on Certificate of Title Volume 2941 Folio 258
Lot 661 on Deposited Plan 249929 as comprised on Certificate of Title Volume 2941 Folio 116
Lot 662 on Deposited Plan 249929 as comprised on Certificate of Title Volume 2941 Folio 257
Lot 700 on Deposited Plan 249928 as comprised on Certificate of Title Volume 2941 Folio 245
Lot 819 on Deposited Plan 249932 as comprised on Certificate of Title Volume 2941 Folio 246
Lot 842 on Deposited Plan 249933 as comprised on Certificate of Title Volume 2941 Folio 248
Lot 859 on Deposited Plan 247918 as comprised on Certificate of Title Volume 2941 Folio 244
Lot 994 on Deposited Plan 107510 as comprised on Certificate of Title Volume 1776 Folio 845
Lot M1128 on Diagram 4941 as comprised on Certificate of Title Volume 2941 Folio 263
Lot M1129 on Diagram 4942 as comprised on Certificate of Title Volume 2941 Folio 264
Lot M1132 on Plan 3049 as comprised on Certificate of Title Volume 1776 Folio 834
Lot M1151 on Diagram 4939 as comprised on Certificate of Title Volume 1776 Folio 852
Lot M1152 on Diagram 5022 as comprised on Certificate of Title Volume 1352 Folio 726
Lot M1156 on Diagram 5026 as comprised on Certificate of Title Volume 1776 Folio 853
Lot M457 on Plan 3051 as comprised on Certificate of Title Volume 1776 Folio 838
Lot M458 on Plan 3048 as comprised on Certificate of Title Volume 1352 Folio 727
Lot M459 on Plan 3048 as comprised on Certificate of Title Volume 2941 Folio 119
Lot M460 on Plan 3048 as comprised on Certificate of Title Volume 2941 Folio 117
Lot M462 on Plan 3051 as comprised on Certificate of Title Volume 1776 Folio 836
Lot M639 on Plan 3048 as comprised on Certificate of Title Volume 2941 Folio 120
Lot M715 on Plan 3051 as comprised on Certificate of Title Volume 1776 Folio 835
Lot M91 on Plan 3051 as comprised on Certificate of Title Volume 1776 Folio 831

Reasons for which this vegetation conservation notice is served:

This vegetation conservation notice is given for the following reasons:

- a) Site inspections by Department of Water and Environmental Regulation Inspectors on 11 February 2020 observed that clearing of native vegetation had taken place.

- b) Examination of aerial photography has shown the land contained native vegetation which has been cleared between 27 April 2017 and 29 April 2018.
- c) 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 the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*.
- d) 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 vegetation conservation notice:

The person(s) 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 undertake the following specified measures, for a period of twenty years from the date this notice is given, to repair damage caused by the clearing.

1. No unlawful clearing

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

2. Revegetation

Undertake *revegetation* of native vegetation in the *specified areas* by:

- (a) Deliberately planting 686 trees within the *specified area* consisting of equal quantities of each species of Marri (*Corymbia calophylla*) and Jarrah (*Eucalyptus marginata*);
- (b) Construction of a barrier around areas of *revegetation* sufficient to prevent damage to *revegetation* by *livestock*, vermin or native animals;
- (c) Complete the initial *revegetation* by 31 October 2021; and
- (d) Monitor *revegetation* and replace all dead plants by deliberately planting the same species of trees by 31 October of each year, for a period of twenty (20) years after the initial *revegetation*.

3. Installation of Artificial Nesting Hollows

To install artificial nesting hollows by:

- (a) Constructing or obtaining five (5) artificial nesting hollows to the design specifications detailed in Annexure 1 of this Notice: *How to design and place artificial hollows for Carnaby's black cockatoo* (DPaW, 2015).
- (b) Installing five (5) artificial nesting hollows within the *specified area*, ensuring that mountings and placement are in accordance with Annexure 1 of this Notice,
- (c) Artificial nesting boxes are to be located at least 100 metres apart and no further than 50 metres from remnant vegetation.
- (d) Mounting artificial nesting hollows that cannot be viewed from a gazetted road so that the base is a minimum of four metres from the ground.
- (e) Mounting artificial nesting hollows that can be viewed from a gazetted road so that the base is a minimum of seven metres from the ground.
- (f) Completing the installation of all artificial nesting hollows by the 30 June 2021.

4. Records must be kept

The following records shall be maintained for activities done pursuant to this vegetation conservation notice:

- (a) in relation to *revegetation* pursuant to measure 2:
 - (i) the date/s of initial *revegetation* activities carried out ;
 - (ii) a description of initial *revegetation* activities undertaken;
 - (iii) the location of initial *revegetation* by producing a map of the *specified area* with areas of *revegetation* marked;
 - (iv) the number of dead plants identified and date replaced in accordance with measure 2 (d).
- (b) in relation to the installation of Artificial Nesting Hollows pursuant to measure 3:
 - (i) the date/s that artificial nesting hollows are installed;

- (ii) the *coordinates* of the location/s that artificial nesting hollows have been installed;
- (iii) the height that each artificial nesting hollow has been mounted measuring from the ground to the base of the artificial nesting hollow;
- (iv) three digital images of each installed artificial nesting hollow depicting in the case of a tree mount the entire tree, in the case of a pole mount the entire pole and an internal and external close-up of the constructed artificial hollow.

5. Annual reporting

Records required under measure 4 shall be submitted to the *CEO* by 30 June of each reporting year (every three years) on activities done under this vegetation conservation notice between 1 January and 31 December of the preceding three years. The first report being due by 30 June 2024.

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.

revegetate, revegetated and *revegetation* means the re-establishment of 826 Marri (*Corymbia calophylla*) trees to a pre-clearing maturity within the specified area.

specified area means the area that is listed as "Land to which this vegetation conservation notice relates" (the land) within this Vegetation Conservation Notice.



Shaun Hodges
EXECUTIVE DIRECTOR
COMPLIANCE AND ENFORCEMENT
DEPARTMENT OF ENVIRONMENT REGULATION

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

5 January 2022

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.