



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

## VEGETATION CONSERVATION NOTICE

CPS 9766/1

**Persons to whom this vegetation conservation notice is given:**

(being a person other than the owner or occupier of the land described below, that the CEO considers is practicable for that person to comply with and give effect to the notice)

Shire of Lake Grace  
1 Bishop St  
Lake Grace WA 6353

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

Reserve 18961, Lot 798 on Deposited Plan 146949 Magenta Road South Newdegate

**Reasons for which this vegetation conservation notice is given:**

This vegetation conservation notice is given as the Shire of Lake Grace was convicted of unauthorised clearing of native vegetation at the land on 19 October 2022.

**Requirements of this Notice:**

The person to whom this vegetation conservation notice is given is required to undertake the following specified measures, for a period of ten years from the date this notice is given to re-establish and maintain vegetation on the 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 by the Shire of Lake Grace takes place on the land.

**2. Gravel extraction prohibited**

Ensure that no further gravel extraction by the Shire of Lake Grace takes place on the land.

**3. Notification to CEO**

Prior to entering the land to undertake works required under this vegetation conservation notice, the Shire of Lake Grace must give notice to the CEO of the Department of Water and Environmental Regulation. Notice must be in writing and given at least 7 days prior to each and every entry and describe the activities that will be conducted.

**4. Entry prohibited during peak bushfire season**

Entry to the land is prohibited when the Fire Danger Rating is extreme or catastrophic, as determined by Department of Fire and Emergency Services.

## 5. Weed and disease control

- Clean earth-moving machinery and vehicles of soil and vegetation prior to entering and when leaving the specified area;
- Engage an *environmental specialist* to inspect the *specified area* at least once each year and identify all *weed* species present; and
- Selectively remove or kill *weed* species within the *specified area* so that the average vegetation cover that is *weed* species is not greater than the percentage of total vegetation cover that is weed species within a control *quadrat* established under measure (7).

## 6. Rehabilitation

Prior to 1 September 2025:

- Remove rubbish and debris associated with road works from the land;
- shape the surface of the specified area so that it is consistent with the surrounding five metres of uncleared land;
- shape the pit floor to avoid ponding of water;
- rip the ground to a depth of 0.5 metres with an interval of one metre apart on the contour to remove soil compaction;
- rip the ground within all access tracks; and
- spread any topsoil retained from previous clearing over the surface of the specified area.

## 7. Establish control quadrat

Prior to 1 September 2025 establish a control *quadrat* by installing a permanent steel post at the following *coordinates* to establish the south western corner of the *quadrat*:

Quadrat No.	Northing	Easting
A1	6323411	699062

## 8. Establish monitoring quadrats

Prior to 1 September 2025 establish monitoring *quadrats* by installing a permanent steel post at the following *coordinates* to establish the south western corner of each *quadrat*:

Quadrat No.	Northing	Easting
A2	6323388	698984
A3	6323345	699044
A4	6323349	698945
A5	6323301	699003

## 9. Monitor vegetation within quadrats

Engage an *environmental specialist* to conduct the following monitoring work at each *quadrat* in September of each and every year:

- measure the species composition, structure, density and *vegetation condition* of the vegetation within each *quadrat*; and
- take one photograph of the vegetation growing within the *quadrat*, from the south west corner of the *quadrat*.

## 10. Revegetation

In each year after 2026, where the species composition, structure, density and *vegetation condition* of a monitoring *quadrat* established under measure (8) is less than the species composition, structure, density and *vegetation condition* of the nearest control *quadrat* established under measure (7), engage an

*environmental specialist* to undertake the following revegetation work within the *specified area*:

- (a) deliberately plant and/or seed native vegetation that is indigenous to the land; and
- (b) ensure that only local provenance seeds and propagation material originating from within 50 kilometres of the land are used.

## 11. Records must be kept

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

- (a) in relation to *weed* control pursuant to measure (5):
  - (i) the date of the weed control activities; and
  - (ii) a description of all *weed* control activities undertaken.
- (b) in relation to monitoring pursuant to measure (9):
  - (i) the date of monitoring activities;
  - (ii) a description of all monitoring activities undertaken;
  - (iii) the species composition, structure, density and *vegetation condition*;
  - (iv) the photographs taken of each quadrant; and
  - (v) the percentage of total vegetation cover that is *weed* species.
- (c) in relation to *revegetation* pursuant to measure (10):
  - (i) the commencement date of *revegetation*;
  - (i) the size of the area *revegetated* in hectares;
  - (ii) the list of all local provenance seed species, quantity and propagation material used; and
  - (iii) a description of all *revegetation* activities undertaken.

## 12. Annual reporting

Records required under measure (11) shall be submitted to the CEO of the Department of Water and Environmental Regulation by 30 June of each year reporting on activities done under this vegetation conservation notice between 1 January and 31 December of the preceding year as specified in the Table below:

**Table**

Report No.	Reporting Period	Due
1	Date of Issue– 31 December 2025	30 June 2026
2	1 January 2026 – 31 December 2026	30 June 2027
3	1 January 2027 – 31 December 2027	30 June 2028
4	1 January 2028 – 31 December 2028	30 June 2029
5	1 January 2029 – 31 December 2029	30 June 2030
6	1 January 2030 – 31 December 2030	30 June 2031
7	1 January 2031 – 31 December 2031	30 June 2032
8	1 January 2032 – 31 December 2032	30 June 2033
9	1 January 2033 – 31 December 2033	30 June 2034
10	1 January 2034 – 31 December 2034	30 June 2035

## DEFINITIONS

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

**CEO** has the same meaning as it has in section 3(1) of the Environmental Protection Act 1986.

**coordinate** means a Map Grid of Australia 2020 (MGA2020) coordinate for Zone 50

**environmental specialist** means a person who holds a tertiary qualification in environmental science or equivalent, and has experience in the assessment of Western Australian native vegetation.

**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.

**quadrat** means a 10m x 10m plot established for the purpose of monitoring native vegetation species composition, structure, density and vegetation condition.

**revegetate, revegetated and revegetation** means the re-establishment of native vegetation to achieve a species composition, structure, density and *vegetation condition* of native vegetation similar to pre clearing species composition, structure, density and *vegetation condition*.

**specified area** means the portion of the land bounded by a line joining the MGA zone 50 GDA2020 points set out in the table below consecutively:

**LOT 798 ON DEPOSITED PLAN 146949**

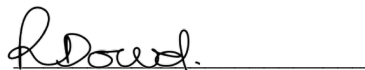
Point	Easting	Northing
1	698897	6323348
2	699009	6323254
3	699060	6323323
4	699111	6323279
5	699108	6323314
6	699091	6323331
7	699098	6323340
8	698986	6323442

then directly to the point of commencement.

**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.

**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.



Ruth Dowd  
Executive Director  
Assurance

30 January 2025

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

**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.



Plan CPS 9766/1

