

## Native Vegetation Council Guideline

# Clearance associated with the control of plant and animal pests under Regulation 5(1)(zk)

## Native Vegetation Information Sheet No. 24

Updated April 2013

### BACKGROUND

The *Native Vegetation Act 1991* sets a framework for the conservation and management of South Australia's native vegetation. Under the Act the clearance of native vegetation generally requires the consent of the Native Vegetation Council (NVC).

The *Natural Resources Management (NRM) Act 2004* provides a framework to promote sustainable and integrated management of the State's natural resources and makes provision for the protection of those resources.

Any methods used to control declared pest animals and plants should always be in accordance with advice from the local NRM or State authorised officer, in line with established policies. In general, damage to native vegetation\* should be avoided and is, in fact, a requirement of the NRM Act, Section 193(2)(d)(v).

In some situations, however, a problem will not be controllable without at least some damage to native vegetation. In the past, such damage or clearance often required consent under the Native Vegetation Act but is now covered under Regulation 5(1)(zk) of the *Native Vegetation Regulations 2003*, provided that such clearance is necessary for declared pest control **AND** complies with this guideline issued by the NVC.

*\* If there is any doubt about whether a plant is native or non-native, you are encouraged to seek advice from someone familiar with the native plants in your region, such as a local council environment officer, a Department for Environment, Water and Natural Resources (DEWNR) regional officer, or officers of the NVC Secretariat.*



blackberry

### NVC GUIDELINE

**The clearance of native vegetation during programs for the control of declared animal and plant pests must be kept to the minimum needed for effective pest control (in accordance with advice from the local NRM/State Authorised Officer or NRM Board) and must be in accordance with this guideline.**

#### 1 Pruning of Native Vegetation

The pruning of native vegetation, if essential to provide access for pest animal and plant control, is acceptable provided that it is kept to a minimum and does not affect the overall viability of the plant (s) involved.

#### 2 Spraying of Herbicides in Native Vegetation

Spraying of declared plants in native vegetation is acceptable provided that a careful and selective approach is used (eg. spot-spraying) and damage to nearby native vegetation is avoided or minimised. The use of herbicides must be in strict accordance with NRM advice and with instructions for use provided by the manufacturer.

Any broader spraying program in native vegetation (eg. boom-spraying) requires the endorsement of the NVC Secretariat and may require the consent of the NVC through a clearance application.

### 3 Removal of Entire Native Plants

The removal of entire native plants (if considered essential to facilitate animal and plant control) must be discussed with and endorsed by the NVC Secretariat. This consultation can take one of two main forms:

#### a) Case-by-case consultation

*Minor clearance of native species known to be common in a district may be resolved through verbal or electronic communication without the need for site assessment by NVC Secretariat or other DEWNR staff. For larger scale clearance, or for cases where the identity of the native plants is unclear, a site inspection will usually be undertaken.*

#### NOTES:

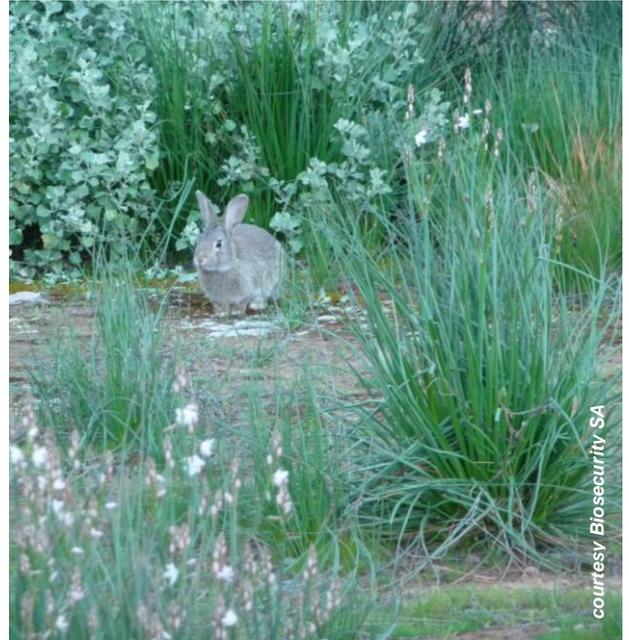
- i. *In this situation, either the landholder undertaking the work or the State authorised officer ('the officer') should initiate the consultation by contacting the NVC Secretariat.*
- ii. *Whether a proposed clearance is considered as 'minor' (and therefore not warranting a site inspection) will be determined through discussion between the NVC Secretariat and the landholder/authorised officer. As a guide, the clearance of up to ten Kangaroo Thorn (*Acacia paradoxa*) for rabbit control in the South East, or up to ten Nitre Bush (*Nitraria billardiarei*) for rabbit or boxthorn control in northern areas, could be regarded as 'minor'.*
- iii. *Where minor clearance is agreed without NVC inspection, it will be recorded by notation on the appropriate NVC Secretariat file. By notifying the Secretariat, any reports of illegal clearance that may result can be managed or dispelled rapidly. Where an inspection is undertaken, the landholder/authorised officer is to be advised of the NVC Secretariat's endorsement in writing.*
- iv. *If, as a result of the above consultation, the NVC Secretariat determines that a clearance proposal is of particular environmental significance or sensitivity, the proposal is to be referred as a clearance application to the NVC for decision. This may occur, for example, where a substantial area of native vegetation is involved, or where the clearance involves plant species of particular conservation significance.*

#### b) Consultation based upon a broader planning approach

*Broader planning arrangements may be developed between NRM Boards / Authorised Officers and the NVC Secretariat.*

*For example, it may be agreed that certain methods will be applied within a Board district for control of pests often associated with particular native species – such as Boxthorn or rabbits associated with Nitre Bush, or rabbits associated with Banksia-heath vegetation. This would be in the form of a management plan initiated by the local Board and prepared in consultation with the NVC Secretariat. Once endorsed by the NVC, the plan could be put into effect and the need for consultation with the NVC Secretariat about individual programs would be avoided.*

*It is envisaged that plans of this type would normally be prepared on a Board basis. However, there may be issues and management approaches of State-wide relevance, in which a State-wide management plan could be prepared, presumably at the initiation of the NRM Board.*



courtesy Biosecurity SA



courtesy Biosecurity SA

#### 4 The control of declared animals and plants in native vegetation should also take the following factors into account:

- the removal of tree saplings or more mature trees is not normally necessary for pest control;
- very localised pest control issues might be manageable with hand-held equipment rather than heavier machinery which could have greater environmental impact;
- there is an increasing range of pest control equipment available, some of which has less environmental impact than the equipment used more traditionally;
- any control method involving soil disturbance has the potential to promote further establishment of declared plants or other introduced plants which may disrupt the ecology of the native vegetation: soil disturbance should be minimised and control works should be followed with site monitoring and selective eradication of any introduced plants which re-establish;
- fire has some potential for inclusion in pest control programs in native vegetation to improve access, reduce the bulk of declared plants and possibly to promote regeneration of native species; however, the issues associated with fire can be complex and any such burning in native vegetation should be discussed with the NVC Secretariat to avoid the possibility of a breach of the *Native Vegetation Act 1991*.



*African Boxthorn*

#### **FURTHER INFORMATION**

Guidelines issued in relation to the clearance or management of native vegetation are legally enforceable. The guidelines set out methodologies for dealing with native vegetation that is causing problems in certain circumstances. Adhering to the guidelines will ensure that there is no breach of the *Native Vegetation Act 1991*.

**Specific information or advice about native vegetation issues should be sought from the Native Vegetation Council Secretariat on (08) 8303 9777 or email [nvc@sa.gov.au](mailto:nvc@sa.gov.au).**

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[www.environment.sa.gov.au/nativevegetation](http://www.environment.sa.gov.au/nativevegetation)



Native Vegetation Council



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of South Australia