# <Native Vegetation Clearance Proposal – Report Title>

# Data Report

Clearance under the *Native Vegetation Regulations 2017*

<Date>

<Location>

Prepared by <NVC Accredited Consultant>

<Delete the following:

Reports, ESRI shapefiles, photos and attachments are to be submitted through the Native Vegetation Online Application Portal accessed at <https://apps.environment.sa.gov.au/nvmu/>. Files must be:

* PDF format (no scans)
* PDF must be searchable and copyable
* Scoresheets to be excel format

This data report should be written in a way appropriate for 28 days of public consultation <http://www.environment.sa.gov.au/topics/native-vegetation/clearing/consultation-under-way>.>

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# 1. Application information

|  |  |  |  |
| --- | --- | --- | --- |
| Applicant: |  | | |
| Key contact: |  | | |
| Landowner:  *(if the applicant is not the landowner, you must attach written permission)* |  | | |
| Site Address: |  | | |
| Local Government Area: |  | Hundred: |  |
| Certificate of Title: | CT | Section/Allotment: | DP  FP |
| **Summary of Application** | | | |
| Proposed clearance area: | Summary | | |
| Applicable regulation and purpose of the clearance | Summary | | |
| Level of risk | 2, 3 or 4 (delete inapplicable) | | |
| Proposed SEB offset: | Summary | | |

*.*

# 2. Background

* 1. **Purpose of the proposal**

Provide a description of the purpose of the clearance.

* 1. **Background**

Provide background information for the site of proposed clearance for context e.g. current and surrounding land use, history of the site (where relevant), development zoning and other relevant details.

* 1. **General location map**

Provide representative maps displayed at multiple scales including;

* Site map(s) (recommended scale 1:10 000 or lower) showing the boundary of the area of impact. The map(s) should include the location of individual scattered trees (if applicable) and patches of vegetation proposed to be cleared
* Location map (recommended scale 1:50 000 or higher) showing landscape features, site boundary and any other relevant details, such as local government boundaries and township locations, appropriate at this scale
  1. **Approvals required *or* obtained under other legislation (including past clearance approvals)**

e.g. demonstrate compliance with:

Native Vegetation Act 1991

Development Act 1993

Fire and Emergency Services Act 2005

Water Resources Act 1997

Environment Protection and Biodiversity Conservation Act 1999

Coast Protection Act 1972

Pastoral Land Management and Conservation Act 1989

Environment Protection Act 1993

River Murray Act 2003

National Parks and Wildlife Act 1972

Natural Resources Management Act 2004

Aboriginal Heritage Act 1988

# 3. Method

* 1. **Flora assessment**

Provide details of the flora assessment, such as database searches, date(s) of inspection, time spent on site and effort and methodology applied including searches for the presence of species listed under the NP&W 1972 or the EPBC Act 1999.

* 1. **Fauna assessment**

Provide details of the fauna assessments undertaken, including database searches.

* Fauna Survey (level 3 and 4) – based on Biological Survey Methodology - surveys to be designed and targeted to areas where the database search and/or observations indicate the presence of a threatened species listed under the EPBC Act of NP&W Act.
* For level 3 or 4 applications, describe the sampling methods to detect the presence of species. Information must be provided on the survey methods followed, survey effort (time/days and area surveyed) and results. Surveyors must ensure that any relevant fauna permit (e.g. under the NPW Act) has been obtained prior to conducting the survey).

# 4. Assessment Outcomes

*Provide information on the following assessment criteria. For more information see the NVC’s* [*Guide for Applications to Clear Native Vegetation*](http://www.environment.sa.gov.au/files/sharedassets/public/native_veg/guide-for-applications-to-clear-under-the-act-or-regulations-rep.pdf)*.*

* 1. **Vegetation Assessment**

**General description of the vegetation, the site and matters of significance**

Provide a general description of the site including the following;

* Vegetation present,
* Landform, geography and soils
* Provide the Database search (BDBSA, EPBC, AoLA) results plus direct observations, or incidental records of or suitable habitat for NP&W Act listed species or EPBC Act listed species. If present, the location of these matters must be identified on a map.

**Details of the vegetation associates/scattered trees proposed to be impacted**

For **each** vegetation association present, provide the following;

* Name of the vegetation association (e.g. Vegetation Association 1; *Eucalyptus odorata* open woodland).
* At least one representative photo, however more photos must be included for the larger sites or with higher levels of heterogeneity - Photographs should be accompanied with GPS coordinates
* General description of the vegetation including dominant species, condition and observations of disturbance
* Presence of any NP&W Act or EPBC Act listed species or community
* Presence of threats including weeds or pests
* Area (hectares), Threatened Ecological community or Ecosystem score, Threatened Flora score, Threatened Fauna Score, Unit Biodiversity Score, Total Biodiversity Score

For **each** scattered tree or patch of trees present, provide the following;

* Name of the tree (e.g. Tree 1; *Eucalyptus odorata*)
* At least one representative photo
* General description of the tree, including condition and values
* If it provides habitat for any NP&W Act or EPBC Act listed species
* Tree biodiversity score

**Site map showing areas of proposed impact**

The site map must***clearly delineate******each vegetation association***(if a vegetation patch) and/or***the scattered trees*** proposed to be cleared – this must be able to be cross referenced with the descriptions provided above.

* 1. **Requirements of the Regulation**

**Provide information on how the proposed clearance meets the requirements of the regulation.**

* + 1. ***Identify the regulation under which the proposed clearance is applicable and demonstrate that it meets all the criteria of the regulation contained in Division 5 and Schedule 1***

Identify the applicable regulation and demonstrate the proposed clearance being undertaken in accordance with the requirements of the regulation.

* + 1. ***Risk Assessment - determine the level of risk and provide information to support the risk assessment– see*** [***Guide for Applications to Clear Native Vegetation***](http://www.environment.sa.gov.au/files/sharedassets/public/native_veg/guide-for-applications-to-clear-under-the-act-or-regulations-rep.pdf)

Identify the level of risk of the application in accordance with Table 1 of the Guide for Applications to Clear Native Vegetation. This must include considerations of the following.

* Patch size or number of trees
* Total Biodiversity Score
* If level 2 or 3, considering Principles of Clearance b, c or d
  + 1. ***Provide any other information that demonstrates that the clearance complies with any relevant NVC guidelines related to the activity.***

If applicable

* 1. **Address the Mitigation Hierarchy**

*When exercising a power or making a decision under Division 5 of the Native Vegetation Regulations 2017, the NVC must have regard to the mitigation hierarchy -* see the [Guide for Applications to Clear Native Vegetation](http://www.environment.sa.gov.au/files/sharedassets/public/native_veg/guide-for-applications-to-clear-under-the-act-or-regulations-rep.pdf)

The NVC will assess the measures taken to avoid and minimize impacts on biodiversity and rare or threatened species or ecological communities within the property or immediate vicinity of the development.

Demonstrate how the clearance proposal addresses the following:

* + - 1. ***Avoidance – outline measures taken to avoid clearance of native vegetation such as making adjustments to the location, design, size or scale of the activity in order to reduce the impact.***
      2. ***Minimization – if clearance cannot be avoided, outline measures taken to minimize the extent, duration and intensity of impacts of the clearance on biodiversity to the fullest possible extent.***
      3. ***Rehabilitation or restoration – outline measures taken to rehabilitate ecosystems that have been degraded, and to restore ecosystems that have been degraded, or destroyed by the impact of clearance that cannot be avoided or further minimized, such as allowing for the re-establishment of the vegetation.***
      4. ***Offset – any adverse impact on native vegetation that cannot be avoided or further minimized should be offset by the achievement of a significant environmental benefit that outweighs that impact.***

*The NVC will only consider an offset once avoidance, minimization and restoration have been documented and fulfilled. The* [*SEB Policy*](http://nvcms.sa.gov.au/NVIS/userdefined/edit.aspx?id=%7b0C9BCB0C-3CC4-E711-87E0-005056A31A6A%7d&etc=10015) *explains the biodiversity offsetting principles that must be met.*

# 5. Significant Environmental Benefit

A Significant Environmental Benefit (SEB) is required for approval to clear under Division 5 of the *Native Vegetation Regulations 2017*. The NVC must be satisfied that as a result of the loss of vegetation from the clearance that an SEB will result in a positive impact on the environment that is over and above the negative impact of the clearance.

The Data Report must propose how the SEB will be achieved in accordance with the [SEB Policy and Guide](http://www.environment.sa.gov.au/managing-natural-resources/native-vegetation/offsetting/third-party-credit-seb), by providing the following information.

**DETERMINATION OF THE SEB OBLIGATION**

Provide a summary (table format for applications involving multiple trees or vegetation associations) of the [vegetation assessments](http://www.environment.sa.gov.au/managing-natural-resources/native-vegetation/clearing-offsetting/vegetation-assessments) for the clearance area as follows. Attach the excel spreadsheets in the appendices.

**Clearance Area**

For ***patches*** of vegetation assessed using the Bushland or Rangeland Assessment Method outline the following information for ***each vegetation association*** proposed for clearance:

* Area (ha) of proposed impact
* Unit Biodiversity Score
* Total Biodiversity Score
* SEB Points required

For ***scattered trees*** assessed using the Scattered Tree Assessment Method outline the following information for ***each tree*** proposed for clearance:

* Species
* Biodiversity Score
* SEB Points required

**ACHIEVING AN SEB**

Indicate how the SEB will be achieved by ticking the appropriate box:

Establish a new SEB Area on land owned by the proponent. Provide information below.

Use SEB Credit that the proponent has established. Provide the SEB Credit Ref. No. \_\_\_\_\_\_\_\_\_\_\_

Apply to have SEB Credit assigned from another person or body. The [application form](http://www.environment.sa.gov.au/managing-natural-resources/native-vegetation/offsetting/third-party-credit-seb) needs to be submitted with this Data Report.

Apply to have an SEB to be delivered by a Third Party. The [application form](http://www.environment.sa.gov.au/managing-natural-resources/native-vegetation/offsetting/third-party-credit-seb) needs to be submitted with this Data Report.

Pay into the Native Vegetation Fund

**FOR AN ON-GROUND SEB**

**If a proponent proposes to achieve the SEB on-ground, the following information must be provided:**

|  |  |  |  |
| --- | --- | --- | --- |
| Ownership: |  | | |
| Site Address: |  | | |
| Local Government Area: |  | Hundred: |  |
| Title Details: |  | Section: |  |

**Information on proposed on-ground SEB**

Patches of vegetation assessed using the Bushland or Rangeland Assessment Method need to include information about ***each vegetation association*** for a proposed SEB:

* Area (ha)
* Unit Biodiversity score
* Gain Score
* Map showing the location of each vegetation association proposed as the SEB

**Provide relevant background information relating to the proposed SEB Area. Include land use history, management actions or encumbrances.**

Xxxx

**Provide a description of the vegetation (vegetation associations, dominant species, significant weeds, threatened species and general description of the condition).**

Xxxx

**Photographs of the proposed SEB Area and associated GPS points.**

Xxxx

**Spatial information – please provide a site map showing the proposed SEB Area, and location map showing landscape features.**

Xxxx

**SEB Management Plan**

A Native Vegetation Management Plan is required as part of the Conditions of Consent for clearance.

The Management Plan is preferred at the time of submitting the clearance application however it can be lodged within the 6-12 week assessment process if required. The Management Plan template is found under [Tools for Accredited Consultants](http://www.environment.sa.gov.au/managing-natural-resources/native-vegetation/accredited-consultants). The Management Plan can be attached in the appendices.

**FOR A PAYMENT SEB**

If a proponent proposes to achieve the SEB by paying into the Native Vegetation Fund, summary information must be provided on the amount required to be paid:

* Rainfall factor
* Economies of scale
* Payment amount required (including admin. fee)

# 6. Appendices

Appendix 1. Fauna Species List (where applicable)

Appendix 2. Bushland, Rangeland or Scattered Tree Vegetation Assessment Scoresheets associated with the proposed clearance and SEB Area (to be submitted in Excel format)

Appendix 3. Flora Species List

Appendix 4. SEB Management Plan