# <Native Vegetation Clearance Proposal – Report Title>

# Data Report

Clearance under section 28 of the *Native Vegetation Act 1991*

<Date>

<Location>

Prepared by <NVC Accredited Consultant>

<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* | | |
| Purpose of the clearance: | *Summary* | | |
| 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 and sampling methods. Information to 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 NP&W Act 1972) has been obtained prior to conducting the survey).

# 4. Assessment outcomes

* 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 associations/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. **Presence of Substantially Intact Vegetation**

*If the vegetation is considered to represent a substantially intact stratum, the NVC cannot approve clearance, unless for the purpose of harvesting native vegetation (section 27(3)). 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. **Provide information on whether the native vegetation constitutes a continuous intact stratum.**

**The following information is sought:**

* + - Whether the plants within the stratum are growing at original (pre-European) density for that community
    - It contains a diversity of species similar to original (pre-European) vegetation of that community
    - It is part of a contiguous area of vegetation consisting of the stratum, including on adjacent properties, that is at least one hectare in area, and for linear patches, greater than 30m in width
    - Does not contain introduced perennial species occupying greater than 20% cover within that stratum

**4.2.2 Provide information on whether the native vegetation has been subject to degradation within the past 20 years.**

**The following information is sought:**

* + - Any activity impacting on native vegetation must have been undertaken in compliance with the *Native Vegetation Act 1991*
    - Must have occurred within the past 20 years from the date of application
    - Must be a direct result of human activity
    - May include
      * 1. Fragmentation
        2. Modifying, destroying or removing vegetation cover or plant species diversity
        3. Changing abiotic (non-living) factors such as water, nutrients or soil

* Does not include degradation as a result of fire

**4.2.3 Provide a key finding on whether any or all of the area of impact could be considered as substantially intact** – 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).

* 1. **Principles of Clearance (Schedule 1, *Native Vegetation Act 1991*)**

Provide the following information and key finding for each of the Principles of Clearance (Principles a-g) – for information on how to make an assessment of *variance* against the Principles of Clearance, 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).

*If the clearance is seriously at variance with one or more of the principles, the NVC cannot approve clearance, however,* the Act provides the NVC with a degree of discretion in certain situations - 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).

For vegetation patches, you must continue to address the following criteria for ***each vegetation association*** by marking the association ***clearly*** e.g. Vegetation Association 1 followed by the key findings and assessment of *variance* against each Principle of Clearance.

**Principle a) it comprises a high level of diversity of plant species (patches of vegetation only).**

* Provide the number of plant species (native and introduced) – the full flora list can be attached in appendices
* List the Bushland Plant Diversity Score
* Key findings and assessment of the level of *variance*

**Principle b) it has significance as a habitat for wildlife.**

* Does the vegetation support rare or threatened species?
* Does the vegetation support the habitat use by rare or threatened species, even if they are not present at the time the area is assessed?
* Does the vegetation likely support a high diversity of animal species?
* Does the vegetation provide a corridor for movements between other areas of native vegetation, especially in heavily cleared areas?
* Does the vegetation provide a refuge (an important area of habitat at particular times, such as drought or when normal food supplies are scarce)?
* List the Fauna Habitat Score (patches)
* Key findings and assessment of the level of *variance*

**Principle c) it includes plants of a rare, vulnerable or endangered species.**

* Identify the threatened species present or potentially present
* Identify the distribution of species within the area of impact
* Is the population sustainable?
* What level of impact on the local population of the plant species?
* Number of plants likely to be impacted in the clearance area
* List the Threatened Flora Score (patches)
* Key findings and assessment of the level of *variance*

**Principle d) the vegetation comprises the whole, or a part, of a plant community that is rare, vulnerable or endangered (patches of vegetation only).**

* Key findings and assessment of the level of *variance*

**Principle e) it is significant as a remnant of vegetation in an area which has been extensively cleared.**

* Provide remnancy figures
* Density of the trees
* Rarity of the vegetation community
* Health of remnants
* Key findings and assessment of the level of *variance*

**Principle f) it is growing in, or in association with, a wetland environment.**

* Key findings and assessment of the level of *variance*

**Principle g) it contributes significantly to the amenity of the area in which it is growing or is situated.**

* Location of trees or vegetation
* Cultural or historical values and local community views
* Number and distribution of trees (or vegetation) to be cleared, retained, and effect on landscape character
* Species and size of trees or vegetation
* Condition and shape of trees or vegetation
* Key findings and assessment of the level of *variance*

[***Principles of Clearance***](https://www.legislation.sa.gov.au/LZ/C/A/NATIVE%20VEGETATION%20ACT%201991/CURRENT/1991.16.UN.PDF) ***(h-m) will be considered by comments provided by the local NRM Board or relevant Minister. The Data Report should contain information on these principles where relevant and where sufficient information or expertise is available.***

Provide a summary of the assessment against each Principle of Clearance. If the clearance is *seriously at variance* with one or more of the Principles of Clearance and therefore refusal of the clearance is recommended, the proponent can describe other considerations or provide additional information in support of the application. The *Native Vegetation Act 1991* provides options under section 29(4), 29(4a) and 29(4b).

Provide a summary of key findings and assessment of the Principles of Clearance and any additional considerations to support the application.

# 5. Significant Environmental Benefit

A Significant Environmental Benefit (SEB) is required for approval to clear under Section 28 of the *Native Vegetation Act 1991*. 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