

Native Vegetation Council

Consultation on native vegetation clearance applications

Submission form

You're invited to submit your views on applications to clear native vegetation.

Submissions will assist the Native Vegetation Council to make decisions about the removal and reestablishment of native vegetation in line with the *Native Vegetation Act 1991* and *Native Vegetation Regulations 2017*.

If you have any questions or require assistance completing this form, please contact the Native Vegetation Branch on (08) 8303 9777 or email nvc@sa.gov.au.

Name of clearance application that you are responding to:

Major Project – Mt Loffy Golf Course – clearance totaling 1.716 ha & 62 scattered trees
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Your details

Name	Julia Peacock
Organisation	The Nature Conservation Society of SA
Phone number	0400 277 423
Email	julia.peacock@ncssa.asn.au
Would you like your comments to be anonymous on the public record? All submissions will be provided in full to the Native Vegetation Assessment Panel for consideration. Copies of submissions may also be requested by the applicant and/or members of the public. Please select yes if you would like your comments to remain anonymous if a request is made.	Yes/No
Are you happy to be contacted by the Native Vegetation Branch to discuss your submission?	Yes/No
	Preferred time and method of contact
Would you be interested in presenting your submission to the Native Vegetation Assessment Panel if invited?	Yes/No
Would you like to be notified of other consultations being run by the Native	Yes/No

Vegetation Council? Tick yes to be added to our consultation e-newsletter distribution list.	
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Comments in response to application

**Please note: It is not compulsory to answer all of the questions. We recommend that you concentrate on the questions that you can confidently answer and leave the others blank.*

1. Please provide a brief summary of the main reasons you are making a submission.

The Nature Conservation Society of SA (NCSSA) is concerned that the conservation and fauna habitat value of the project area has been underestimated, particularly in relation to rare and threatened plants and wildlife, and that it is not adequately compensated for by the proposed SEB offset.

Clearance of rare plants

NCSSA raises particular concern about the impacts of clearing Manna Gum (*Eucalyptus viminalis*) woodland and scattered trees. Manna Gums are a dominant overstorey species in each of the assessed Vegetation Associations present within the project area. One of the affected subspecies (*E. v. viminalis*) is under-conserved in the region, as acknowledged by its State conservation status of *Rare* under the NPW Act, 1972. The Data Report acknowledges that the subspecies is present, *Rare*, and will be cleared, but does not rate removal of these trees as being ***Seriously at Variance*** with Principle 1(c) (i.e. clearance of plants of a rare, vulnerable or endangered species). This requires explanation and justification.

The significance of removing these *Rare* trees, and other threatened plants known to be, or likely to be, found at the site, is also minimised in the Data Report in the *Moderating factors* section, on the basis that better quality habitat remains nearby. Clearing rare plants and building on the cleared site by definition results in a decrease in population size and its extent of occupancy. If applied across the board to all vegetation clearance applications, this argument could be used to justify clearance of any remnant vegetation that isn't within a large conservation reserve. Crucially, Principle 1 (c) applies to *individual species of rare plants* and not to *habitat*. The project proponents should assess the proposed clearance under the principle on this basis.

Clearance of threatened vegetation community

Manna Gum Woodland (dominated by *Eucalyptus viminalis* ssp. *cygnetensis* and/or *E. viminalis* ssp.) is a vulnerable vegetation community in South Australia. Despite this, the Data Report assesses that clearance of the vegetation communities that are found at the site is *Not at Variance* with Principle 1 (d) (i.e. the vegetation comprises the whole or part of a plant community that is *Rare*,

Vulnerable or endangered). The reasoning behind this assessment needs to be presented, and if in error, should be re-assessed as *Seriously at Variance* with Principle 1 (d).

Impacts on wildlife

NCSSA expresses concern about impacts on wildlife from the proposed vegetation clearance, including EPBC Act-listed species such as the Southern Brown Bandicoot *Isodon obesulus obesulus* (Endangered), Bassian Thrush *Zoothera lunulata halmaturina* (Endangered), Beautiful Firetail *Stagonopleura bella samueli* (Endangered), and Chestnut-rumped Heathwren *Hylacola pyrrhopygia parkeri* (Endangered).

Most of these species were not directly observed at the site but are inferred to be likely to use it as habitat based on desktop research. The Data Report correctly assesses that clearance of the vegetation is *Seriously at Variance* with Principle 1 (b) (i.e. significance as a habitat for wildlife). However, the Data Report contends that habitat loss is mitigated by presence of better quality bushland nearby, and that clearance is unlikely to result in a long-term decrease in the population size of threatened fauna, reduce their occupancy, or lead to their decline.

NCSSA vigorously contests this argument, and considers the onus to be on the project proponents to prove that habitat loss will not lead to the decline of threatened species, or to their reduced occupancy. To do this, it is necessary to determine whether, and how, threatened fauna actually use the site, including 'degraded' habitat, based on suitably-designed field surveys.

For example, if a threatened species uses tree hollows at the site for breeding or shelter, the fact that the understorey is degraded may be of little relevance to its habitat value. NCSSA also notes that 'degraded' understorey may also provide crucial habitat for threatened species, and impacts of its removal must be considered. As an exemplar, several vegetation associations at the site have 'degraded' understoreys dominated by exotic Blackberry and Periwinkle. Although not native, these plants are known to provide ideal habitat for the EPBC Act-listed Endangered Southern Brown Bandicoot in the Adelaide Hills.

A 2021 record of the Southern Brown Bandicoot is located only around 150 m away from the project area (see screenshot from Atlas of Living Australia below), and there is contiguous vegetation between the location of the record and the project area. No targeted survey has been carried out to determine whether bandicoots use the project site, although it is assessed as *Likely*. Management recommendations for the species in the *Federal Conservation Advice* document include "*Protect and maintain habitat in all areas where the bandicoot currently occurs*" as a High priority (Threatened Species Commission, 2016). Clearing this vegetation is therefore incompatible with the *Conservation Advice* for this Endangered species.

NCSSA also raises concern that it cannot adequately be determined whether, and how, threatened fauna use the site via opportunistic observations during a two-day botanical survey. The use of the site as 'corridor' to better-quality habitat

patches, rather than offering occupancy to threatened species, is an assumption: desktop research is an important but preliminary step towards establishing habitat use by threatened (and non-threatened) fauna.

If threatened EPBC Act-listed species fauna are confirmed present using appropriate targeted survey methods (e.g. for bandicoots this would entail digging surveys by suitably experienced surveyors, confirmed with camera trap surveys), as well as ensuring these are reflected adequately in any SEB calculation, the project proponent would also need to ensure obligations under the EPBC Act are met.

NCSSA highlights the habitat value of Manna Gums, which are considered to form a critical food resource for the region's declining woodland birds, providing nectar, invertebrates that shelter in its ribbon-like bark, and sugary lerps on the leaves. Mature *E. viminalis* trees such as many of those proposed to be cleared in the project proposal also contain hollows, another critical resource for nesting of many woodland bird species, as well as shelters for mammals such as Rare Brush-tailed Possum *Trichosurus vulpecula*, Ring-tailed Possum *Pseudocheirus peregrinus* and Vulnerable Yellow-footed Antechinus *Antechinus flavipes*.

Given the queries the NCSSA has raised above, the Significant Environmental Benefit offset payment that has been calculated for the project may be too low. This needs to be closely examined and, if appropriate, it should be re-calculated with the above points taken into account.

However, NCSSA contends that mature trees such as are proposed to be removed from this site cannot adequately be 'offset' on a timescale meaningful to wildlife because their current habitat value comes mainly from their age and structure.

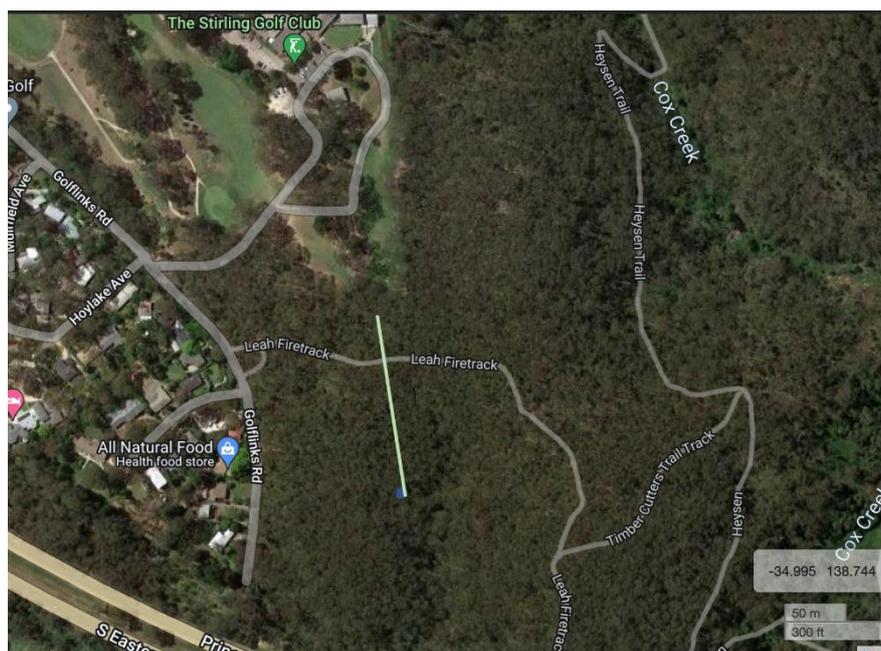


Figure 1: Screenshot from Atlas of Living Australia 10/08/2023. The blue dot is a bandicoot record from 2021. Green line measures a distance of 154 m from the location record to the southern end of the project area.

2. Are there other sites available for carrying out the proposed activity that would result in no or less vegetation clearance and/or impacts on biodiversity? There may be alternative sites on property owned by the applicant, or the applicant could purchase or lease alternative land.

3. How could the size, design or construction method of the proposed activity be changed to prevent or reduce impacts on biodiversity? This may include removing elements of the development that will have unacceptable impacts.

This is difficult to determine based on the Native Vegetation Clearance Data Report. The Data Report does not map the current extent or layout of the golf course itself (fairways and greens), nor the extent/layout after the proposed refurbishment of the golf course; it is therefore difficult to tell whether the development proposal makes the best use of already cleared land, and therefore why areas with remnant native vegetation are favoured for clearance for siting the hotel, restaurant and accommodation buildings.

4. What other actions could be undertaken by the applicant and its contractors during the construction and undertaking of the proposed activity to prevent or reduce impacts on biodiversity?

5. Are there any other measures that could be adopted by the applicant to prevent or reduce clearance of native vegetation and/or impacts on biodiversity?

See comments under Point 3 above. The maps provided in the Native Vegetation Data Report and the Development Report for the project do not adequately show the current and planned layout of the fairways and greens of the golf course itself in relation to the proposed vegetation clearance. If this mapping can be clarified, highlighting any changes to the configuration of the golf course (if any), this would provide better information to judge whether the proposed new buildings could be sited to make better use of land that has already been cleared of native vegetation.

6. Has the applicant adequately demonstrated how they will undertake the ongoing monitoring and management of issues associated with the proposed activity, such as weed and pest invasion? If not, what other actions should the applicant commit to?

7. Has the applicant adequately demonstrated that they can re-instate vegetation as much as possible through restoration activities once the proposed activity has ceased? If not, what other actions should the applicant commit to?

8. Are there other opportunities for delivering the required Significant Environmental Benefit offset (if applicable) that would produce better environmental outcomes?

There is a discrepancy of around \$176,000 between the SEB offset figures cited in the Project Development Report dated 26th June 2023 and the Native Vegetation Clearance Data Report dated 9th May 2023. Does this reduced sum reflect any real reduction in the proposed vegetation clearance between May and June, or is this an error?

Sums cited are as follows:

Native Vegetation Clearance Data Report (page 68):

- \$615,436.80, including an admin fee of \$32,084.39

Project Development Report (page 16)

- \$439,095, including an admin fee of \$22,891.21

The NCSSA notes that specific remedial action for removing threatened species is required under Section 6 of the Guide to Significant Environmental Benefits (p.25, Section 6). Since this proposal is to remove Rare *Eucalyptus viminalis* ssp. *viminalis* trees, the Data Report is deficient in that it is lacking in any reference to the specific remedial action that will be undertaken to meet the Guide's requirements.

NCSSA reiterates that mature trees such as are proposed to be removed from this site cannot adequately be 'offset' on a timescale meaningful to wildlife because their current habitat value comes mainly from their age and structure.

9. Please provide any additional records or anecdotal evidence on the flora and fauna located in the clearance area that the Native Vegetation Assessment Panel should consider when reviewing the application.

10. If you believe that clearance consent should not be granted, please outline your reasons and provide any additional information available to support your position.

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Declaration

<input checked="" type="checkbox"/>	I hereby certify that to the best of my knowledge the information provided in this submission is complete and correct and no information is false or misleading.
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Lodging your form

Send your completed submission to the Native Vegetation Branch via:

Email: nvc@sa.gov.au.

Post: GPO Box 1047 Adelaide SA 5001