

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:

Whyalla Super School

Your details

Name	Nicki de Preu
Organisation	Nature Conservation Society of South Australia
Phone number	0447848964
Email	nicki.depreu@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.	No
Are you happy to be contacted by the Native Vegetation Branch to discuss your submission?	Yes
	Preferred time and method of contact Daytime – mobile phone

Would you be interested in presenting your submission to the Native Vegetation Assessment Panel if invited?	No
Would you like to be notified of other consultations being run by the Native Vegetation Council? Tick yes to be added to our consultation e-newsletter distribution list.	Yes Please note that I believe I am already on the list but, if not, please add.

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.
<p>The Nature Conservation Society of South Australia (NCSSA) is a community based, not-for-profit organisation that, since 1962, has been a strong advocate for protection of native vegetation and biodiversity conservation in South Australia with particular attention being paid to nationally and state listed threatened plants, animals and ecological communities and the management of protected areas.</p> <p>Although NCSSA recognize the importance of the Super School to the local community and benefits of locating it between existing educational facilities we consider the data report lacks sufficient detail and has not adequately addressed the mitigation hierarchy. Although the desktop analysis has been completed as required, the field survey, conducted over 2 days and during the ongoing dry conditions experienced in the area over the past 2 years, is unlikely to be representative of the actual biodiversity values of the area. The Data Report duly acknowledges that "Additional surveys within the study area would likely result in additional species of regionally common birds and reptiles being recorded" yet the area may also provide habitat for regionally uncommon species. We contend that if rare or threatened plants or animals were absent during the brief survey conducted at the site, this has important implications for the biodiversity score and therefore the calculation of the SEB offset/payment required.</p> <p>Although the total area proposed for clearance is relatively small (8.63 ha of remnant vegetation) it provides important habitat for native flora and fauna species that occur in the area and connectivity between patches of nearby remnant native vegetation in the peri urban area. Recent studies have demonstrated the benefits of native vegetation in providing a cooling effect on urban heat islands that is particularly important for a town such as Whyalla where maximum daytime temperatures can exceed 45 degrees Celsius during late spring and summer.</p>

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.

The data report refers to alternative locations for this development that were investigated during the feasibility study but does not provide any details of the sites so we are unable to conclude whether there would have been less vegetation clearance and/or impacts on biodiversity than at the Nicholson Street site. The Data Report states that the preferred option presents strong green space connectivity with opportunities for outdoor spaces to be developed as an extension to learning spaces yet only 0.95 ha of the *Atriplex vesicaria* Low Shrubland +/- Amenity planted trees is to be retained (i.e. approximately 11% of the total area proposed for clearance). It is also worth noting that the area of vegetation that is to be retained was where the highest density of Declared Plants was recorded during the assessment.

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.

The Data Report provides inadequate detail on how the mitigation hierarchy has been addressed. The Project Summary states that It is likely that the SEB offset would be in the form of payment into the Native Vegetation Fund rather than demonstrating how they have investigated other alternatives to reduce the area of clearance.

Section 4.5 of the Data Report correctly states that the NVC must have regard to the mitigation hierarchy when exercising a power or making a decision under Division 5 of the *Native Vegetation Regulations 2017*. The proponent must also clearly demonstrate how they have addressed the mitigation hierarchy, yet the information provided is deficient.

For example, the Avoidance and Minimisation criteria do not address how clearance could have been avoided or minimised at this site other than stating that a feasibility study considered options for the location and that the method of clearance will be chosen so as to have minimum impact on adjoining native vegetation. Neither of these statements adequately address these criteria. Further detail and information is required to demonstrate how the mitigation hierarchy has been addressed.

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?

NCSSA recommend that a pre-clearance survey is undertaken by a suitably qualified ecologist to determine the presence of fauna species immediately prior to commencement of vegetation clearance. Where fauna is identified with the inability to independently relocate easily, the impacted individuals should be relocated to suitable habitat nearby under supervision of a suitably qualified ecologist.

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 previous comments.

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?

No mention is made of ongoing monitoring or management of issues associated with the proposed development. Further detail is required.

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?

The Data Report refers to the opportunity for restoration or enhancement of native vegetation in the areas surrounding the vegetation clearance footprint but provides no details of how this might occur. Further information is required.

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

Not applicable as a SEB Offset has not been considered for this proposal.

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.

No further information can be provided however, as outlined in the Data Report this clearance is assessed to be a high level of risk as the Total Biodiversity Score (563.74) exceeds the 250 threshold for the Agricultural areas by a factor of 2.25. We recommend the NVAP give further consideration to the important biodiversity values of this remnant native vegetation 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.

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.
-------------------------------------	--

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