

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:

Iranda Beef Feedlot, Tintinara - Thomas Foods International have applied for the clearance of 5.88ha and 63 Scattered Tress required for the development of a cattle feedlot

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 Tuesday or Thursday, phone or email
Would you be interested in presenting your submission to the Native	Yes/No, if NVAP deemed that to be

Vegetation Assessment Panel if invited?	useful
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/No

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 NCSSA is making a submission because:

- Most of the site proposed for clearance (5.12ha of 5.88ha) is 'intact stratum' which cannot be approved for clearance under the *Native Vegetation Act 1991*,
- Survey work has been inadequate to adequately identify species present at the proposed clearance site, however, species lists from nearby Heritage Agreements suggest that there are species of conservation concern likely to be present,
- The proposal is likely to impact more vegetation than has been estimated and therefore the 'project area' needs to be revised, and
- The proposed offset area (Significant Environmental Benefit, SEB) is inadequate.

Further to the above, whilst NCSSA acknowledges that the Data Report assesses the proposed clearance as being 'not at variance' or 'at variance' (rather than 'seriously at variance') with the Principles of Clearance according to the thresholds in the *Guide for applications to clear native vegetation*, NCSSA contends that:

- if approved, this constitutes clearance of remnant vegetation in an area that has been extensively cleared (81% of the Tintinara IBRA Subregion has been cleared),
- that any clearance in this part of SA will contribute to soil erosion, and
- the subsequent irrigation of the area following clearance will result in an increased use in ground water which may not be sustainable.

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.

It would appear that the site selected for the feed lot has been chosen due to proximity to existing infrastructure and to avoid any impacts on housing to the east of the site, rather than to avoid native vegetation clearance.

The overstorey stratum for Blocks A and C have been assessed as intact (page 32 of the Data Report), and therefore approval cannot be granted to clear these areas. These Blocks constitute the majority of the area for which approval is being sought (5.12ha of 5.88ha).

Much of the property in question (Section/Allotment H720600- S10, as shown in figure 2 on page 4 of the Data Report) appears to have been cleared (except the Heritage Agreement 857 in the north east corner of the property). For example, there appears to be an almost entirely cleared area directly to the west of the proposed feed lot area.

NCSSA therefore suggests that an alternate sighting and/or configuration for the feed lot could avoid, or at least significantly reduce, the native vegetation clearance required for this proposal, and that in any event, it cannot proceed as currently described.

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.

See above – NCSSA suggests the NVC query why the feed lot cannot be wholly constructed on cleared land, or at least in a way that would significantly reduce clearance, noting that approval cannot be granted to clear the vegetation in Blocks A and C as the overstorey has been assessed as 'intact stratum'.

In relation to the size of the proposed activity, NCSSA contends that the full extent of native vegetation that will be degraded has not been assessed. Whilst the actual pivots may indeed be on cropping and grazing land, the effect of the irrigation will likely be to provide a halo outside the pivot circumference in which grazing pressure will increase. Therefore, the vegetation to the south-east of the northern pivot may be affected as may the vegetation to the north-west of the southern pivot, but the area around the proposed pivots was not assessed by the consultants. Importantly, there are several sand dunes in the vicinity of the irrigation pivots, which look to be intact vegetation.

It is not possible to assess from the Data Report whether the pivots are in existing paddocks, but if stock has access to the general area and irrigation increases grazing pressure nearby, up to 50 ha of intact vegetation and scattered trees within the vicinity of the pivots may be subject to increased grazing pressure (assuming this

increased pressure is within 1km of each of the pivots).

Therefore, the assessment is incomplete, and the actual impacted area may be 10 times larger than has been assessed. This has a range of implications, including that the necessary SEB is likely be more than proposed (both in terms of size and/or dollar figure).

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?

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?

This has not been directly addressed in the Data Report, however, NCSSA is concerned by the statement in the Report that "Native vegetation in the Project Area is characterised by degrading factors resulting from current land use practices. Grazing has had a high impact and past clearing activities have removed large, old trees. Ground layer vegetation is dominated by introduced grasses, with a very low diversity of native species present." The proponent is therefore potentially being rewarded for degrading the condition of their land by reducing the biodiversity of the patches to be cleared.

NCSSA also suggests the NVC query the land-use history of the area which has been planted with Eucalypts in rows (VA5 on page 28 of the Data Report) and why the proponent is seeking to clear this area.

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?

See above – NCSSA queries why the juvenile Eucalypts are being removed.

See below - NCSSA does not support the suggestion of a Significant Environmental Benefit being achieved through revegetation at this site.

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

NCSSA does not support the SEB options as described in the Data Report.

The proposed SEB area is a narrow strip of unfenced vegetation on a boundary, so is likely have a low diversity and abundance of native plants. A SEB that is not linear would be better than a narrow strip of degraded bush along a neighbouring fenceline.

NCSSA does not believe revegetation on cleared land should not be an option in this case. To be successful, revegetation requires substantial investment and, in any event, is unlikely to achieve the complexities of remnant vegetation.

Depending on the revised assessment of the proposal and associated SEB calculations, two options NCSSA suggests for identifying a better SEB are:

- Increase the size of the HA (legally on the title) and move the fence of the HA to the west to the hectare increase required for the SEB and allow for natural regeneration, or
- Increase the size of the HA (legally on the title) and fence 1 or more of the sand hills with intact vegetation. There are 5 parallel sand dunes, the largest of which is about 40 ha.

NCSSA believes the NVC should seek the following before considering any revised application for clearance:

- Assessment of the impact on vegetation nearby to the 2 pivots.
- A map showing all existing stock-proof fencing should be provided.
- If the irrigation paddocks are not fenced to exclude remnant trees and vegetated sand dunes, they must be fenced before NVC assessment and before clearance approval.
- If the existing HA is not fenced, it must be fenced before NVC assessment and before clearance approval.

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.

NCSSA is concerned that the time allocated for survey as well as the timing of the survey (i.e. a single day of survey in January, the middle of summer) has resulted in an inadequate identification of the flora and fauna of the area. This has implications for the Biodiversity Scores and therefore SEB calculations for the site.

Unfortunately there is no species list for the Heritage Agreement on the property, however, data from nearby Heritage Agreements confirms the presence of a number of species of conservation concern in the region (list provided at the end of

this comment field).

Particularly, NCSSA does not support the assertion in the Data Report that no nationally threatened flora and fauna species will have its habitat affected. There was a positive sighting of a malleefowl in an adjacent property, and patches of vegetation that enable movement of malleefowl are vital.

Endangered plants and animals in nearby Heritage Agreements:

NatureMaps list for HA 736 - East boundary of property (contiguous)

ANIMALS

NATIONAL LIST

Stipiturus mallee, Mallee Emuwren, EN

STATE LIST

Hylacola cauta cauta, Shy Heathwren (EP, YP, FR, MM, upper SE), R

Gerygone fusca, Western Gerygone, R

Lichenostomus cratitius occidentalis, Purple-gaped Honeyeater (mainland SA), R

Melanodryas cucullata cucullata, Hooded Robin (YP, MN, AP, MLR, MM, SE), R

Neophema elegans, Elegant Parrot, R

Stipiturus mallee, Mallee Emuwren, E

Turnix varius, Painted Buttonquail, R

PLANTS

Leucopogon clelandii, Cleland's Beard-heath, R

NatureMaps list for HA 571 - less than 5 km to the north (4km)

ANIMALS

NATIONAL LIST

Leipoa ocellata, Malleefowl, VU

STATE LIST

Leipoa ocellata, Malleefowl, V

Neophema chrysostoma, Blue-winged Parrot, V

Lichenostomus cratitius occidentalis, Purple-gaped Honeyeater (mainland SA), R

Hylacola cauta cauta, Shy Heathwren (EP, YP, FR, MM, upper SE), R

NatureMaps list for HA 865 - less than 5 km to the south (3.5 km)

ANIMALS

NATIONAL LIST

Leipoa ocellata, Malleefowl, VU

STATE LIST

Leipoa ocellata, Malleefowl, V

Lichenostomus cratitius occidentalis, Purple-gaped Honeyeater (mainland SA), R
Neophema elegans, Elegant Parrot, R
Hylacola cauta cauta, Shy Heathwren (EP, YP, FR, MM, upper SE), R

PLANTS

Leucopogon clelandii, Cleland's Beard-heath, R
Melaleuca wilsonii, Wilson's Honey-myrtle, R
Philotheca angustifolia ssp. angustifolia, Narrow-leaf Wax-flower, R

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.

Consent cannot be granted to clear Blocks A and C as they have been assessed as having intact overstorey stratum.

As this represents the majority of the area sought for approval (5.12ha of 5.88ha), NCSSA believes this application requires substantial review before any resubmission. It would appear that clearance could be entirely (or almost entirely) avoided if the feed lot was reconfigured/repositioned and NCSSA has suggested some requirements of any re-submitted application (in response to Question 8) that the NVC may wish to consider.

Declaration

x	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