Guide for a significant environmental benefit for the clearance of native vegetation associated with minerals and energy resources industries

Native Vegetation Council

9 November 2026



Government of South Australia
Department for Environment and Water

Native Vegetation Council

Native Vegetation Council

and

Department for Environment and Water

Government of South Australia

9 November 2026

81-95 Waymouth St, ADELAIDE SA 5000

Telephone +61 (8) 8303 9777

Facsimile +61 (8) 8463 6999

ABN 36702093234

Disclaimer

The Department for Environment and Water and its employees do not warrant or make any representation regarding the use, or results of the use, of the information contained herein as regards to its correctness, accuracy, reliability, currency or otherwise. The Department for Environment and Water and its employees expressly disclaims all liability or responsibility to any person using the information or advice. Information contained in this document is correct at the time of writing.

With the exception of the Piping Shrike emblem, other material or devices protected by Aboriginal rights or a trademark, and subject to review by the Government of South Australia at all times, the content of this document is licensed under the Creative Commons Attribution 4.0 Licence. All other rights are reserved.

© Crown in right of the State of South Australia, through the Department for Environment and Water 2026

Cover photo: Mt Serle SEB credit site, used with permission.

Preferred way to cite this publication

Native Vegetation Council (2026). *Guide for a Significant Environmental Benefit for the Clearance of Native Vegetation Associated with Minerals and Energy Resources Industries*. Government of South Australia, Department for Environment and Water, Adelaide.

Download this document at: https://www.environment.sa.gov.au/topics/native-vegetation/clearing/common-reasons-for-clearing/mining-and-exploration

Acknowledgement of Country

We acknowledge and respect the Traditional Custodians whose ancestral lands we live and work upon and we pay our respects to their Elders past and present.

We acknowledge and respect their deep spiritual connection and the relationship that Aboriginal and Torres Strait Islanders people have to Country.

We also pay our respects to the cultural authority of Aboriginal and Torres Strait Islander people and their nations in South Australia, as well as those across Australia.

Contents

Acknowledgement of Country 1

1 Introduction 3
- 1.1 Purpose 3
- 1.2 Background 3

2 Summary of referral and assessment process 4

3 Significant Environmental Benefit (SEB) 7
- 3.1 Third party providers and SEB credit 7
- 3.2 Difference between Rehabilitation Security Bonds and SEB 8
- 3.3 SEB approval process 9
- 3.4 Long term staged operations – staged SEB 10
- 3.5 Approval under the EPBC Act 10

4 Assessment process 12
- 4.1 Step 1 - Provide information on species within the area of development 12
- 4.2 Step 2 - Minimise the impacts on native vegetation 12
- 4.3 Step 3 - Assess the residual impacts 12
- 4.4 Step 4 - Calculate the SEB required 14
- 4.5 Step 5 - Identify the means of providing the SEB 15
- 4.6 Step 6 - Assess the proposed SEB area or calculate the SEB payment 17
- 4.7 Step 7 - Offset impacts on rare or threatened species 17

5 How activities are affected 18
- 5.1 Exploration activities 18
- 5.2 Operations (other than private mines) 19
- 5.3 Private mining operations 19
- 5.4 Operations approved before 2003 19

6 Process for seeking approval 20
- 6.1 The proponent's responsibilities 20
- 6.2 Situations where native vegetation clearance may not be approved 20

7 Monitoring and evaluation 21

Appendix 1 *Native Vegetation Act 1991* 22

Appendix 2 Native Vegetation Regulations 23

Glossary 25

List of figures

Figure 1 Steps in the Mitigation Hierarchy – avoid, minimise, rehabilitate/restore, offset. 13
Figure 2 Native Vegetation Council assessment methods and regions of application 14
Figure 3 SEB options – on-ground (blue, left) and payment (orange, right). 15
Figure 4 Representation of the biodiversity gain from protection and management of a site 17

1 Introduction

1.1 Purpose

The purpose of this Guide is to provide operators that undertake activities subject to the *Mining Act 1971* or the *Energy Resources Act 2000* with an understanding of:

1. the process for obtaining approval to clear native vegetation
2. the Significant Environmental Benefit (offset) requirements under the *Native Vegetation Act 1991* and *Native Vegetation Regulations 2017*.

1.2 Background

Native vegetation and the services that it provides (such as essential habitat for South Australia's unique species, protection of land and water from degradation, and ecosystem services) are vital to the continuing health and prosperity of communities and natural resource-based industries.

Native vegetation in South Australia (except in metropolitan Adelaide) is protected under the provisions of the *Native Vegetation Act 1991* (the Act) (refer Appendix 1 for relevant information). The Act establishes the Native Vegetation Council (NVC), an independent statutory body that, amongst other functions, controls the clearance of native vegetation in South Australia, with the support of the Native Vegetation Unit (NVU) within the Department for Environment and Water (DEW).

Exploration, energy resource industry, and mining operations in South Australia are subject to the requirements of a number of Acts, including the *Mining Act 1971* and the *Energy Resources Act 2000*. The administration of these Acts, as well as the *Opal Mining Act 1995*, the *Offshore Minerals Act 2000*, the *Roxby Downs (Indenture Ratification) Act 1982* and the *Petroleum (submerged lands) Act 1982* is supported by the Department for Energy and Mining (DEM).

In relation to activities conducted under the *Mining Act 1971* and *Energy Resources Act 2000*, the *Native Vegetation Regulations 2017* (the Regulations) provide several exemptions that allow for clearance of native vegetation. However, for some exemptions to apply, there is a requirement to provide a Significant Environmental Benefit (SEB) (i.e. an offset) approved by the NVC.

Clearance relating to energy resources (e.g. petroleum activities) and mining operations[1], and in certain circumstances exploration activities[2,] may require a SEB to compensate for the clearance of native vegetation. This is to ensure that development can occur while maintaining the integrity and health of our native vegetation and ecosystems. The Regulations that describe these circumstances and the exemptions that apply are set out in Appendix 2.

The NVC has delegated its powers and functions to DEM officers in relation to Regulation 14—Clearance for mining and petroleum activities, and Regulation 15—Clearance for exploratory operations. This delegation allows DEM to operate as the 'one window' to government for resource companies. A requirement of the delegation is that DEM officers exercise the delegation in accordance with this Guide.

[1] *Native Vegetation Regulations 2017* Regulation 14 together with Schedule 1, Part 5, Division 1

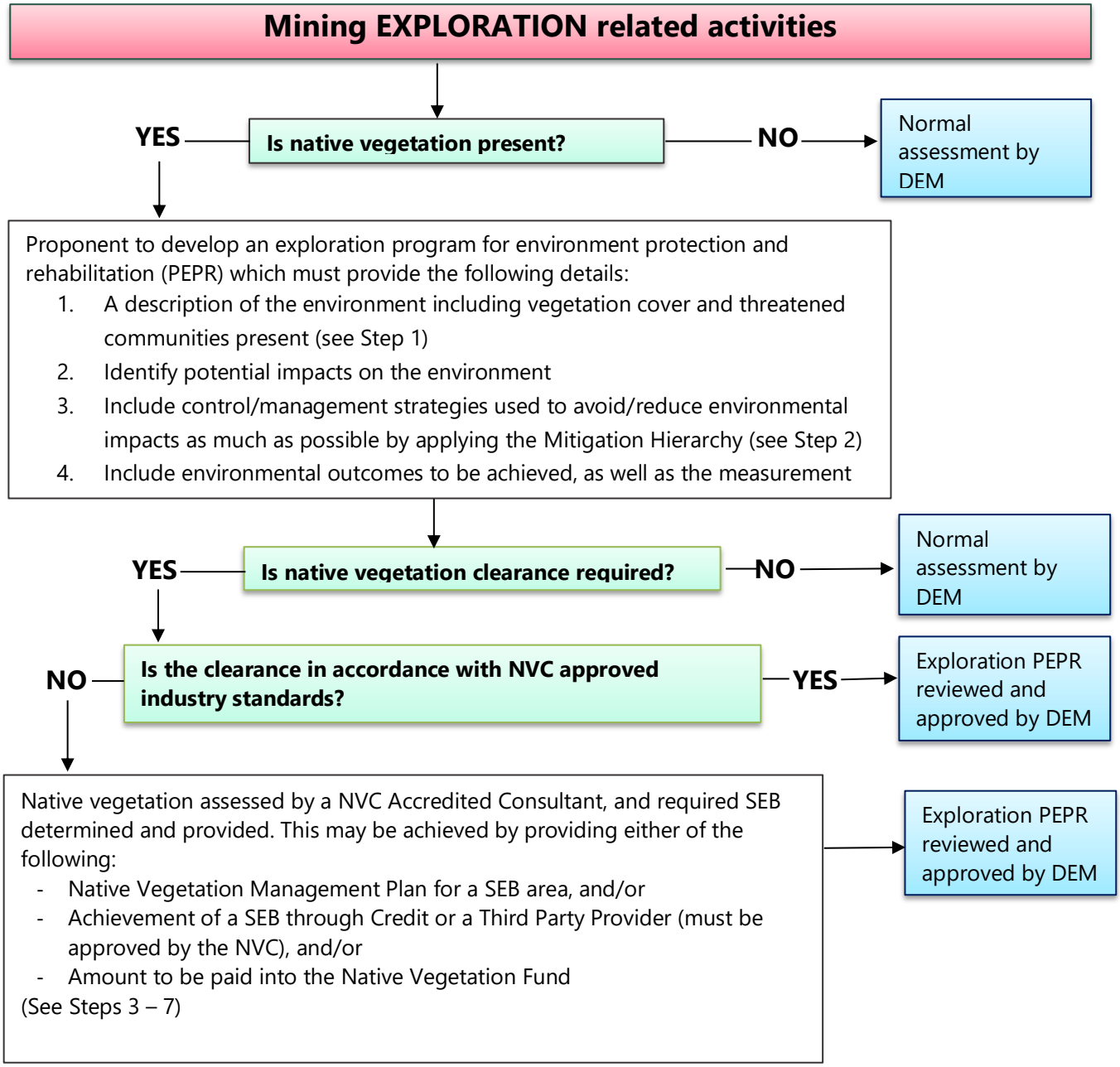
[2] *Native Vegetation Regulations 2017* Regulation 15 together with Schedule 1, Part 5, Division 2

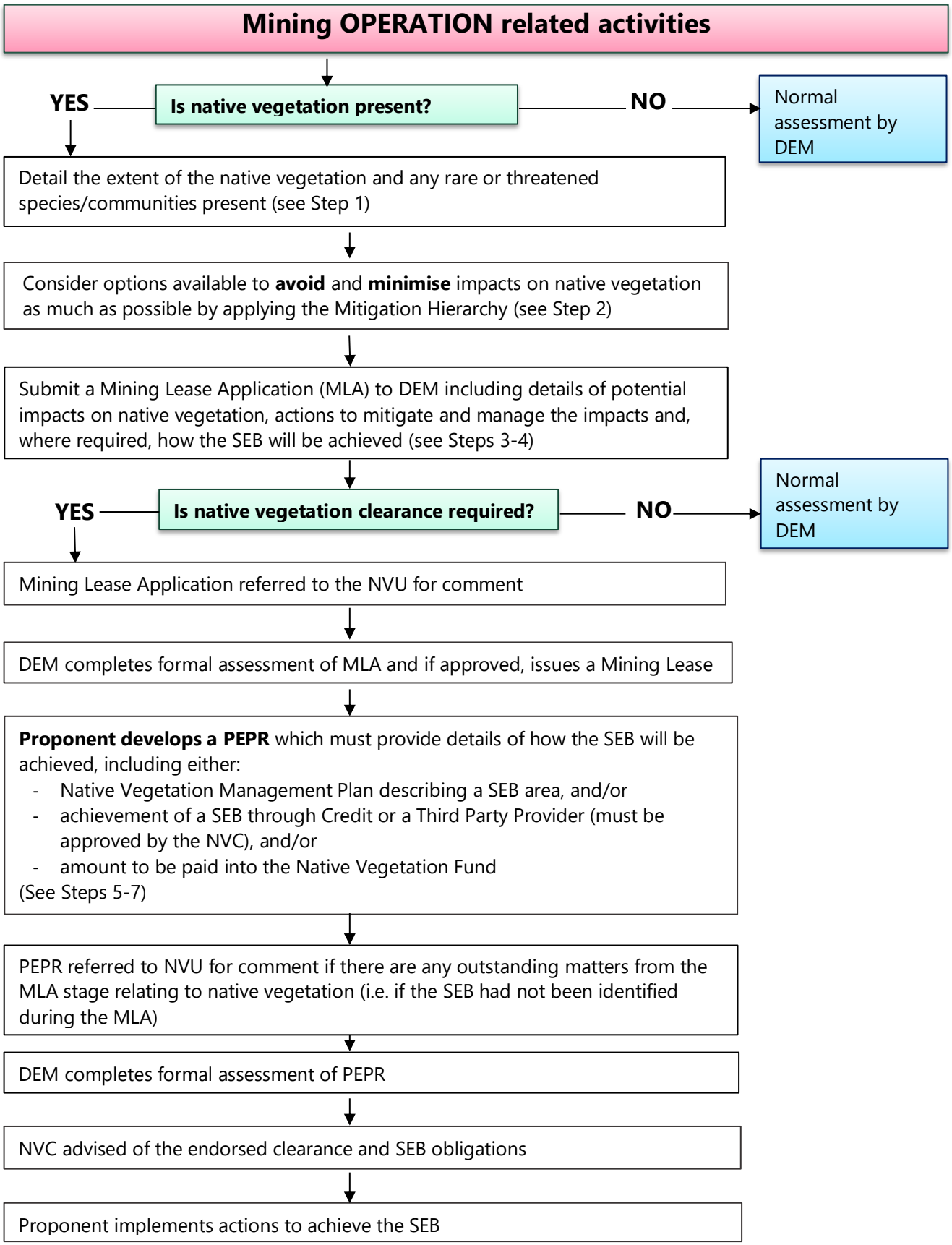
2 Summary of referral and assessment process

The referral and assessment process for mining and energy resources (e.g. petroleum) activities that involve clearance of native vegetation is set out in the following flow charts.

For further information regarding the process (including the steps in the charts below) see Section 4 of this Guide.

Early engagement with DEW during the project proposal and feasibility stages is strongly encouraged. This enables early identification and discussion on any potential issues or concerns.




Mining OPERATION related activities
YES
Is native vegetation present?
NO
Normal assessment by DEM
Detail the extent of the native vegetation and any rare or threatened species/communities present (see Step 1)
Consider options available to avoid and minimise impacts on native vegetation as much as possible by applying the Mitigation Hierarchy (see Step 2)
Submit a Mining Lease Application (MLA) to DEM including details of potential impacts on native vegetation, actions to mitigate and manage the impacts and, where required, how the SEB will be achieved (see Steps 3-4)
YES
Is native vegetation clearance required?
NO
Normal assessment by DEM
Mining Lease Application referred to the NVU for comment
DEM completes formal assessment of MLA and if approved, issues a Mining Lease
Proponent develops a PEPR which must provide details of how the SEB will be achieved, including either:
- Native Vegetation Management Plan describing a SEB area, and/or
- achievement of a SEB through Credit or a Third Party Provider (must be approved by the NVC), and/or
- amount to be paid into the Native Vegetation Fund
(See Steps 5-7)
PEPR referred to NVU for comment if there are any outstanding matters from the MLA stage relating to native vegetation (i.e. if the SEB had not been identified during the MLA)
DEM completes formal assessment of PEPR
NVC advised of the endorsed clearance and SEB obligations
Proponent implements actions to achieve the SEB

Energy resources related activities

Apply to DEM for the relevant licence

↓

Proponent develops an Environmental Impact Report (EIR) and Statement of Environmental Objectives (SEO):
- The EIR must provide details of potential impacts on the environment
- The SEO details environmental objectives to be achieved, and the measurement criteria that will be used to assess whether the objectives have been achieved.

(See Step 1)

↓

Is native vegetation clearance required?

YES ↓

NO → Normal assessment by DEM

EIR and SEO referred to NVU for comment

↓

DEM completes formal assessment of the proposal and issue decision regarding the SEO

↓

Proponent submits an Activity Notification prior to commencing any activity including clearance of native vegetation

↓

Actions taken to **avoid** and **minimise** impacts on native vegetation as much as possible by applying the Mitigation Hierarchy (see Step 2)

↓

Is the clearance for exploration in accordance with NVC approved industry standards?

YES → No SEB required

NO ↓

Proponent documents and reports to DEM on the extent of impacts on native vegetation as assessed by a NVC Accredited Consultant (or the NVC-approved Cooper-Eromanga Basin Rangelands Desktop Assessment Tool), and must provide details of the SEB annually including details of the:
- provision of an on-ground SEB as outlined in a Native Vegetation Management Plan, and/or
- achievement of a SEB through Credit or a Third Party Provider (must be approved by the NVC), and/or
- amount to be paid into the Native Vegetation Fund

(See Steps 3 – 7)

↓

NVC advised of the clearance and endorsed SEB obligations

↓

Proponent implements actions to achieve the SEB

3 Significant Environmental Benefit (SEB)

A SEB is intended to be an area of land that is protected and managed for environmental conservation. The aim of a SEB is to compensate for (or offset) the loss of native vegetation from an approved clearance activity to ensure there is an overall environmental gain. The Act and the Regulations provide 4 ways in which a proponent can achieve a SEB:

1. Establishing and managing native vegetation on land (approved by the NVC). This may involve revegetating an area of land and managing that area to enable it to re-establish as native vegetation.
2. Protecting and managing existing areas of native vegetation on land (approved by the NVC). This may involve managing an area of remnant vegetation by removing threats such as stock grazing, weeds and pests, and public access.
3. Entering into a Heritage Agreement with the Minister responsible for the *Native Vegetation Act 1991*, with NVC approval, to provide for ongoing protection of native vegetation on land. This involves the management and in-perpetuity protection of an area of vegetation to prevent future impacts.
4. Achieving the SEB either through engaging an Accredited Third Party Provider or using or obtaining existing SEB Credit. These options must be achieved in accordance with the requirements of Part 4A of the Act.

If the proponent cannot achieve a SEB by one or a combination of these options, the proponent may make a payment into the Native Vegetation Fund (Fund) for the SEB or any shortfall. Money paid into the Fund will be used by the NVC to establish, regenerate, preserve and maintain native vegetation.

If the SEB is required as a result of an approved activity undertaken under the Regulations, the proponent has a choice of either providing an on-ground SEB or pay into the Native Vegetation Fund. However, as per the SEB Policy, the NVC requests that the proponent make a reasonable attempt to identify an on-ground SEB before a payment will be accepted.

A 'reasonable attempt' means:

1. to investigate potential suitable SEB areas on the applicant's own land
2. to investigate opportunities on other land within the same IBRA region
3. to search the Native Vegetation (SEB) Credit Register for suitable credit

Proponents must document the above steps taken to identify an on-ground SEB, in the relevant Native Vegetation Management Plan or annual report under an SOE to DEM.

Note that proponents may engage an Accredited Third Party Provider or consultant to assist with identifying a suitable on-ground SEB.

3.1 Third party providers and SEB credit

The Act allows for a proponent to engage directly with a third party to provide the SEB on their behalf. This may involve either:

- a NVC Accredited Third Party Provider identifying and establishing a new SEB, or
- a landholder providing SEB credit from an established SEB area.

This allows proponents to partner with organisations or landholders to achieve the necessary outcomes, while providing proponents the ability to select and be directly involved with the establishment of the SEB, without being responsible for the delivery and ongoing management. Any dealings between the two parties, including contractual arrangements, are a private arrangement.

The NVC maintains publicly available registers for Accredited Third Party Providers and SEB Credit (Native Vegetation (SEB) Credit Register) on the DEW website: https://www.environment.sa.gov.au/topics/native-vegetation/protecting-native-vegetation

Clearance proponents can use the registers to search for and identify a person who may be able to achieve their SEB requirements.

If a proponent wishes to use SEB credit held by another person on the Native Vegetation (SEB) Credit Register, the credit holder must apply to the NVC, using the relevant application form, to assign the credit to the proponent. If NVC approves an assignment of credit to the clearance proponent, the NVC will issue a Decision Notification to the assignor and the clearance proponent (assignee), outlining the decision and any conditions of approval. Any credit used to offset clearance will be deducted from the Native Vegetation (SEB) Credit Register. The details of the assignment of credit to the assignee will be recorded in the Register to account for each clearance offset.

The NVC will notify DEM that an assignment of credit has been approved, when such an assignment fulfils an offset requirement for a clearance approved under DEM delegation.

3.2 Difference between Rehabilitation Security Bonds and SEB

The obligation to provide a SEB where native vegetation has been cleared is a requirement under the *Native Vegetation Regulations 2017* and is in addition to any other onsite rehabilitation requirements.

Rehabilitation Security Bonds (RSB) under the *Mining Act 1971* are used both as an enforcement tool to encourage compliance with legislative obligations, and to minimise the chance that the State is burdened with financial liabilities from operators who become insolvent. An RSB must be lodged to ensure the obligations in relation to the rehabilitation of land disturbed by mining operations are met by the licensee and not by public funding, and must be in the form of an unconditional bank guarantee or cash, and lodged prior to the commencement of mining operations.

More specifically, an RSB aims to:

- ensure compliance with relevant Acts, Regulations and licence conditions
- minimise the potential financial liability for the State Government arising from financial failure of licensees who have undertaken activities, and
- encourage compliance with requirements for mine/facility decommissioning and to encourage progressive rehabilitation.

RSBs are normally based on the risk of default and cost to DEM to complete full rehabilitation of all disturbances on the tenement.

The *Energy Resources Act 2000* does not specifically refer to RSBs, however, to achieve the outcome described for RSBs the Minister may require the applicant to give security, of a kind and amount acceptable to the Minister, for the satisfaction of obligations arising from the *Energy Resources Act 2000*. This is determined in accordance with the Environmental Liability Management (ELM) Policy [3] which aims to effectively manage the environmental rehabilitation liability from activities performed under the *Energy Resources Act 2000*.

[3] The ELM policy is available through DEM and as of 3/12/2024 can be found on the DEM website at: https://www.energymining.sa.gov.au/__data/assets/pdf_file/0007/698686/PGE-Act-Environ~ity-Management-Policy-APPROVED.pdf#PGEA%20-%20Environmental%20Liability%20Management%20Policy

3.3 SEB approval process

Under the *Mining Act 1971*, construction and operation of a mining activity can only be undertaken within a granted mining lease. All mining leases require that the mining operation is carried out in an orderly and skilful manner in accordance with an approved Program for Environment Protection and Rehabilitation (PEPR).

Under the *Energy Resources Act 2000*, all regulated activities must have an approved Statement of Environmental Objectives (SEO) in place with which entities must comply. The SEO relates to, amongst other matters, construction activities, operational activities, decommissions and rehabilitation. The SEO is developed through an open, consultative process, based on information provided in the associated Environmental Impact Report (EIR).

Where activities will involve clearance of native vegetation and a SEB will be required, approval must be obtained from the NVC for the SEB. However, as previously outlined, DEM officers have delegation from the NVC to administer SEB requirements for exploration and production activities under the *Mining Act 1971* and *Energy Resources Act 2000*. This delegation must be administered in accordance with this Guide and any other relevant NVC policies and guides relating to clearance and SEB requirements.

The implementation of this delegation allows relevant companies to continue dealing with DEM as the 'one window' to government without the need to provide a separate application to the NVC.

Prior to undertaking any clearance of native vegetation, the proponent will need to do the following:

- determine the extent of the proposed clearance of native vegetation and whether it can be reasonably avoided or reduced
- if vegetation clearance cannot be avoided, provide a Native Vegetation Data Report prepared by a NVC Accredited Consultant detailing the extent of proposed impacts and the associated SEB requirement[4]
- determine how a SEB is proposed to be achieved and either: submit a Native Vegetation Management Plan (NVMP) for an on-ground SEB; apply to achieve the SEB through use of SEB credit or a Third Party Provider; or determine the amount that needs to be paid into the Native Vegetation Fund.

The following documents have been prepared and endorsed by the NVC for the use in assessing native vegetation clearance and determining SEB requirements[5]:

- *Guide for Applications to Clear Native vegetation under the* Native Vegetation Act 1991 *and* Native Vegetation Regulations 2017 (2026) ('Clearance Guide')
- *Policy for a Significant Environmental Benefit under the* Native Vegetation Act 1991 *and* Native Vegetation Regulations 2017 (2026) ('SEB Policy').
- *Guide for Calculating a Significant Environmental Benefit under the* Native Vegetation Act 1991 *and* Native Vegetation Regulations 2017 (2026) ('SEB Guide')

The information relating to clearance of native vegetation and the associated SEB will be detailed in the PEPR for mining related activities. For energy resources activities undertaken under an approved SEO, vegetation clearance reporting to DEM occurs through activity notifications. An annual summary of clearance under a SEO, and the resultant SEB obligation and acquittal, is also provided to DEM.

The role of DEM is to assess the draft PEPR or SEO, to ensure that appropriate environmental standards (objectives) are met. In setting appropriate standards, DEM will consult with all persons likely to be directly affected by the proposed operation. DEW will be consulted regarding any PEPR or SEO where native vegetation may be impacted

[4] For more information about NVC Accredited Consultants see the DEW website: https://www.environment.sa.gov.au/topics/native-vegetation/accredited-consultants

[5] The Clearance Guide is available at: www.environment.sa.gov.au/topics/native-vegetation/clearing
The SEB Policy and Guide are available on the DEW website at: https://www.environment.sa.gov.au/topics/native-vegetation/protecting-native-vegetation/significant-environmental-benefits-offsets

as a result of the proposed development. DEM also has an obligation to assure the public generally that the established environmental standards are being met.

3.4 Long term staged operations – staged SEB

The proponent may have the option to undertake staged offset activities in parallel with staged clearance activities (e.g. where mining operations will be undertaken over a long timeframe). The SEB can be provided prior to the clearance occurring for each stage of the development. Staging will be assessed on a case-by-case basis and Biodiversity Offset Principles, as set out in the SEB Policy, will be applied (e.g. need to be able to demonstrate there is a net gain).

If the offset is via payment into the Native Vegetation Fund, the payment may either be made in full upfront or made in stages (as set out in a PEPR or as indicated in an SEO and approved by DEM). Any delayed payments must be calculated using the payment formula in place at the time of payment. Proponents planning advanced budgets will need to factor in likely cost increases to the Management Cost Factor used in the formula (which is increased annually based on the Consumer Price Index) and any other scheduled payment formula changes that may be outlined in the SEB Policy or SEB Guide.

If a new area is proposed to be cleared that was not a part of the initial approved clearance area, the Native Vegetation Management Plan within the relevant PEPR or the SEO must be updated accordingly[6]. The proponent will need to submit the appropriate information to inform revised clearance impacts and SEB obligations. Such information will include a NVC Accredited Consultant's vegetation assessment that is representative of the new clearance area, using up-to-date NVC assessment methodologies, scoresheets and Data Report template.

If a proponent is updating the SEB requirement for a changed clearance area and the original vegetation assessment for any vegetation that has not yet been cleared is deemed by either the NVC or the proponent to no longer sufficiently represent the current vegetation condition, the NVC may request an updated assessment of the total area yet to be cleared.

If a proponent of a long-term operation proposes staged offsetting, then the NVC may request, at any time, that an updated vegetation assessment be undertaken by an accredited consultant if it is likely that the vegetation condition of vegetation not yet cleared has changed, and the initial assessment no longer adequately represents the SEB offset required. Generally, such a request may occur at, or after, 5 years since the date of the first vegetation assessment, unless the proponent can demonstrate (from sufficient monitoring data) that the vegetation condition has not changed significantly.

3.5 Approval under the EPBC Act

If nationally threatened species, communities or other matters of national significance listed under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) are identified within the area to be cleared, to avoid triggering that Act a proponent must provide evidence that the proposed clearance will not have a significant impact (as defined under the EPBC Act) on that species or community or matter of national significance. Otherwise, the matter will be deemed a 'controlled action' and require assessment and approval under the EPBC Act.

An agreement under the EPBC Act between the South Australian and Australian Governments may provide for a single environmental assessment process under the Australian Government's 'One-Stop-Shop' to meet the regulatory requirements of both South Australia and the Commonwealth. It covers environmental assessment of proposed developments in South Australia that could impact on a Matter of National Environmental Significance (MNES).

[6] A new clearance area may require a 'change in operations' application to DEM (refer DEM website: https://www.energymining.sa.gov.au/industry/minerals-and-mining/mining/mining-compliance/changes-to-a-mining-operation)

Under such agreement, the Australian Government still determines if a proposed action is a 'controlled action' and will retain the power to approve or refuse actions where they relate to a matter of national environmental significance, and to attach conditions to approved actions.

Where the Australian Government requires a proponent to undertake specific mitigation methods to reduce significant impacts as a condition of approval under the EPBC Act, those mitigation methods will be taken into consideration when determining SEB requirements under the Act.

4 Assessment process

The following steps summarise the process, as set out in the Clearance Guide, SEB Policy and SEB Guide, for determining the required SEB for clearance of native vegetation associated with mining and energy resources (e.g. petroleum) industries. Where indicated, further information on the assessment processes can be found in the Clearance Guide, SEB Guide and SEB Policy.

4.1 Step 1 - Provide information on species within the area of development

The NVC's Clearance Guide describes matters that should be addressed regarding proposed clearance of native vegetation. At a minimum this includes describing the native vegetation extent and condition, a description of the vegetation communities and the presence of rare or threatened flora or fauna species or habitat for rare or threatened species.

The main objective of the Guide is to ensure the information provided and the level of oversight and obligations imposed are proportionate to the likely impact of a clearance activity.

The information required as described in the Clearance Guide must be provided in a Native Vegetation Data Report prepared by a NVC Accredited Consultant. A list of Accredited Consultants can be found on the website: - http://www.environment.sa.gov.au/managing-natural-resources/native-vegetation/accredited-consultants.

4.2 Step 2 - Minimise the impacts on native vegetation

The Regulations state that all clearance activities must minimise impacts on native vegetation as much as is practically possible. Proponents must apply the Mitigation Hierarchy (Figure 1).

The Mitigation Hierarchy is applied in the following order:

a) Avoid — measures should be taken to avoid clearance of native vegetation
b) Minimise — if clearance of native vegetation cannot be avoided, measures should be taken to minimise the extent, duration and intensity of impacts of the clearance on biological diversity to the fullest possible extent (whether the impact is direct, indirect or cumulative)
c) Rehabilitate or restore — measures should be taken to rehabilitate ecosystems that have been degraded, and to restore ecosystems that have been destroyed by impacts of clearance of native vegetation that cannot be avoided or further minimised
d) Offset — any adverse impact on native vegetation or ecosystems that cannot be avoided or further minimised should be offset by the achievement of a SEB that outweighs that impact.

SEB (offset) options should only be considered after all reasonable measures have been taken to avoid and minimise negative impacts (either direct or indirect, or cumulative) of proposed activities on biodiversity (see the Clearance Guide for further details). All avoidance and minimisation measures should be clearly documented.

4.3 Step 3 - Assess the residual impacts

Once the impacts have been avoided and minimised, an assessment of the residual impacts of the proposed development must occur. There are three NVC-endorsed vegetation assessment methods that are applied to provide the vegetation with a relative biodiversity score.

The methods include the following and are applied according to Figure 2:

- Bushland Assessment Method

- Rangelands Assessment Method[7]
- Scattered Tree Assessment Method

The biodiversity score is based on elements such as the condition/health of the vegetation, its landscape context (its importance within the local region) and its conservation values (the presence of rare or threatened species or communities).

The vegetation must be assessed by NVC Accredited Consultants, who are trained in the relevant vegetation assessment methods.

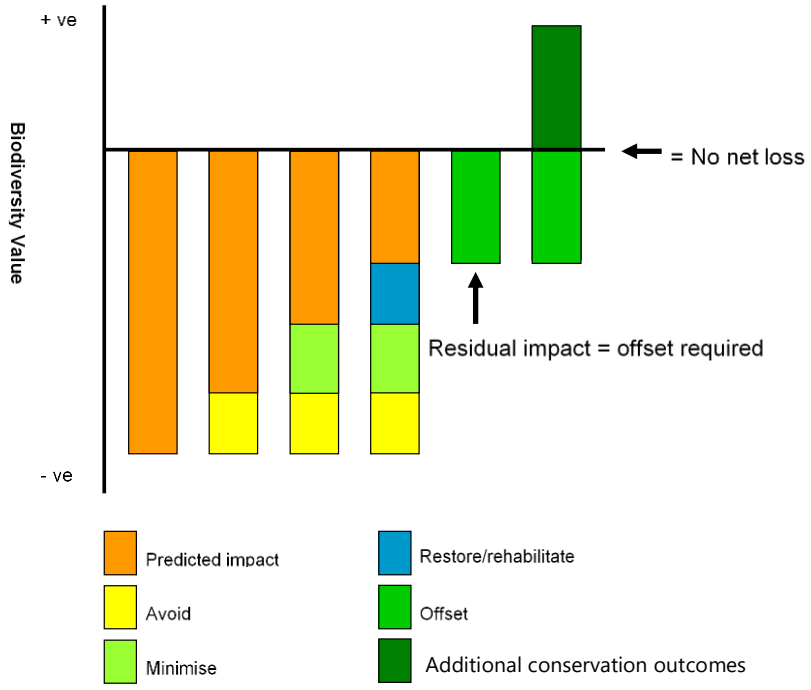


Figure 1 Steps in the Mitigation Hierarchy – avoid, minimise, rehabilitate/restore, offset.

[7] Note: A Spatial Rangelands Assessment (GIS) Tool is available for desk-top determination of SEB requirements for minor clearance in the Cooper-Eromanga Basin region for energy resources industries. Layers may be viewed on the SARIG website map.sarig.sa.gov.au where a GIS template is available from DEW. The tool is generally intended to be used for clearance areas less than 10 ha that are not ecologically sensitive.

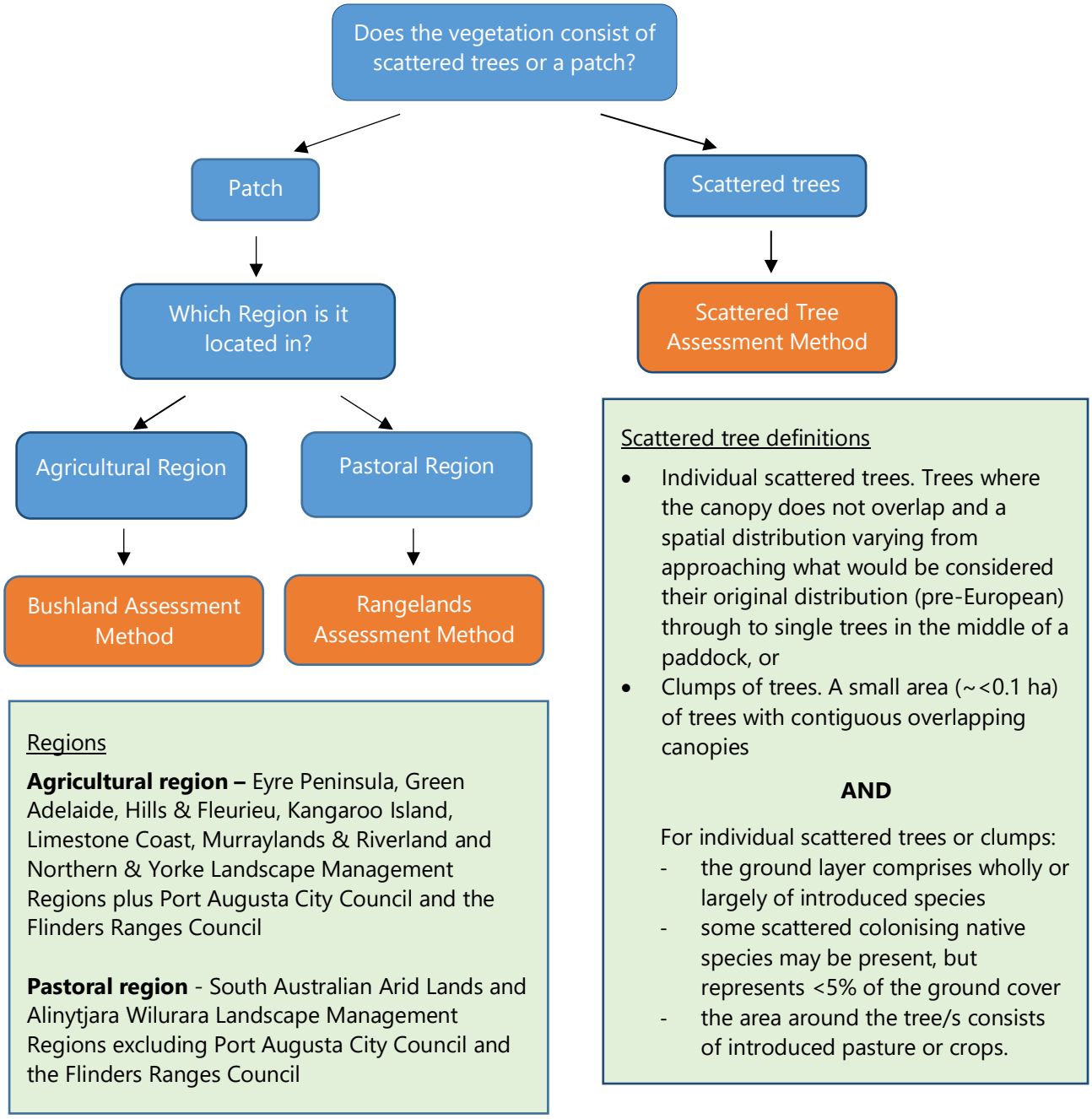


Figure 2 Native Vegetation Council assessment methods and regions of application

4.4 Step 4 - Calculate the SEB required

The required SEB is determined from the assessment of the likely residual impact at the site of development. This must be determined in accordance with the NVC'sSEB Guide, which considers the loss of biodiversity at the site of impact based on the following matters (see the SEB Guide for further details):

- The biodiversity value of the vegetation being impacted, based on vegetation assessments to determine a Biodiversity Score
- The degree of impact, based on whether all of the vegetation will be removed or only partially impacted (e.g. tree trimming as opposed to complete removal)

- Whether the clearance is within a protected area (e.g. National Park, Conservation Park or a Heritage Agreement area)
- Whether the site of impact will be subject to active ecological restoration after disturbance has ceased.

This assessment will determine the 'SEB Points of Loss' which represents the impact on biodiversity from the proposed activity. This is increased by 10% (the 'SEB Uplift Factor') to determine the 'SEB points of Gain' that need to be achieved elsewhere to provide a net environmental benefit.

4.5 Step 5 - Identify the means of providing the SEB

Different options are available for achieving a SEB, including providing an on-ground SEB or making a payment in the Fund (SEB Payment) (Figure 3). The preferred option, or combination of options, are to be included in the relevant document for approval, such as the PEPR or SEO.

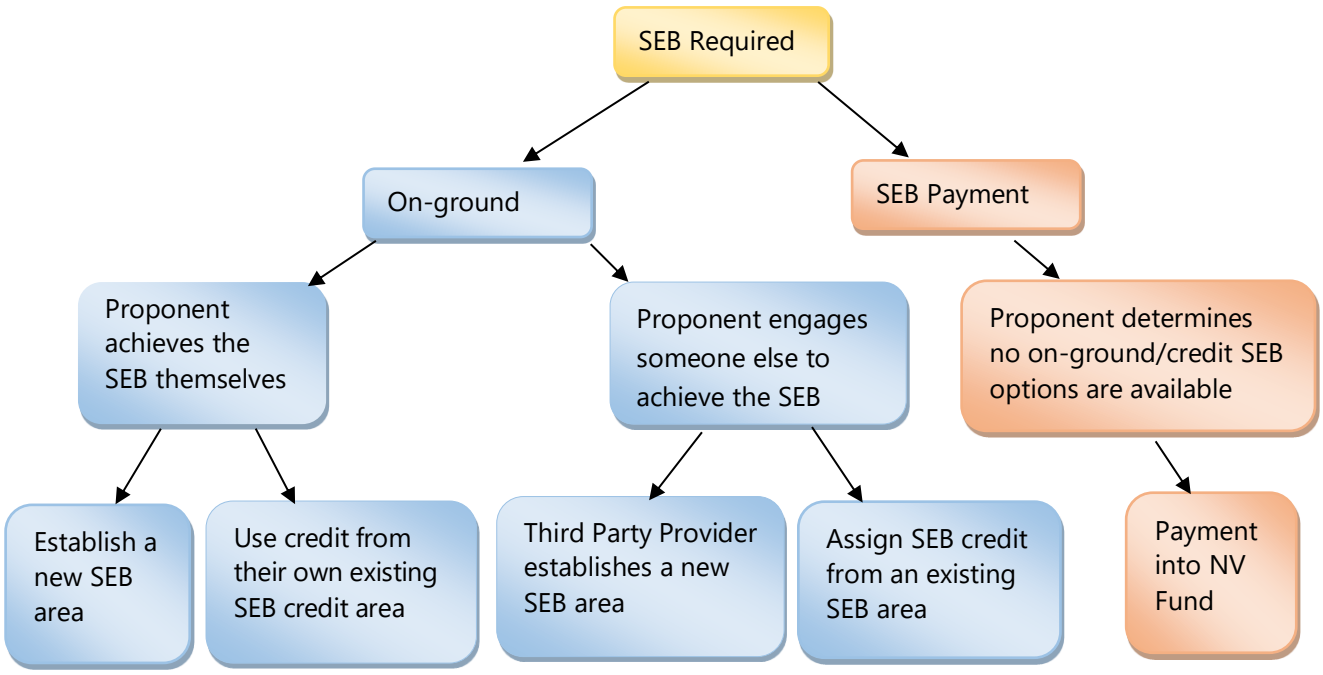


Figure 3 SEB options – on-ground (blue, left) and payment (orange, right).

4.5.1 On-ground SEB

An on-ground SEB involves establishing, managing and protecting an area of native vegetation for conservation. The area of land used to achieve a SEB is referred to as an 'SEB Area'.

An on-ground SEB must meet the requirements set out in the SEB Policy and summarised here:

- *Like for like or better* – the proposed SEB Area must contain (or restore) the same vegetation type ('association') as that proposed to be cleared (like for like). The exception to this is where a proposed SEB area contains vegetation of a higher conservation value than the area of impact ('or better').
- *Location* – the SEB Area will be located, relative to the site of impact, in the same biogeographical area in the following order of preference: Interim Biogeographic Regionalisation for Australia (IBRA) Association; IBRA Subregion; IBRA Region.
- *Area of land* – the SEB must be an area of land managed to directly improve the condition, protection and/or extent of native vegetation.

- *Minimum size requirement* – the SEB Area must be of a minimum size (3 hectares for a common vegetation community and 1 hectare for a listed community under the EPBC Act), and dimension (greater than 30 m wide for 90% of its length).
- *Not subject to future disturbance* – SEB areas should not be established in areas with easements, or likely to be subject to future development. The establishment of on-ground SEB areas within a Mining Lease is generally not supported if the area is needed for, or impacted by, continued or future mining operations.
- *Additional to existing obligations* – areas of vegetation that are already protected and managed for conservation purposes will generally not be considered suitable as SEB Areas.
- *Protected in perpetuity* – the SEB Area must be conserved in perpetuity for the protection of native vegetation and must not be used in a way that is inconsistent with that dedication. This may require the establishment of a Heritage Agreement or Management Agreement under the Act.
- *Managed in accordance with a Native Vegetation Management Plan* – the management plan will stipulate the management actions that must be undertaken over the initial 10 years from the establishment of the SEB Area, plus on-going monitoring and maintenance activities. Actions will involve, as a minimum: stock exclusion; weed and pest control; revegetation (where required); no removal, introduction or disturbance of any soil, rocks, or other material, and no establishment of any structure, building or dwellings.

If a proponent chooses to provide an on-ground SEB, it may be delivered through one of the following means:

1. *Provide a new SEB Area:* Proponents may establish a new SEB Area on land they own, or which is under their care and control. The area must be managed in accordance with a Native Vegetation Management Plan (NVMP) to describe how the SEB will be achieved. The NVMP must be included in the PEPR for mining related activities.
2. *Apply to use SEB Credit:* Proponents may apply to the NVC use SEB Credit that they have previously established. SEB Credit is achieved by establishing a SEB Area that is either greater than required as a condition of a clearance consent, or that is not required in relation to a clearance consent.
3. *Arrange to have SEB Credit assigned from another person or body that holds suitable SEB Credit:* credit holders may apply to the NVC to assign their SEB Credit from an existing SEB Area that is owned by them to the clearance proponent.
4. *Engage an Accredited Third Party Provider:* A proponent may engage an Accredited Third Party Provider to achieve on-ground SEB obligations on their behalf. For example, if the Third Party Provider has a site that is potentially suitable, the provider may apply to the NVC for approval to establish a SEB credit site and assign the appropriate amount of credit to the proponent. The credit can be used when vegetation clearance has been approved. The Third Party Provider accepts responsibility and liability for establishing, managing and protecting the SEB Area.

4.5.2 SEB payment

A SEB payment involves making a payment into the NVC-administered Native Vegetation Fund (the Fund). Money paid into the Fund will be used by the NVC to establish, regenerate, preserve and maintain native vegetation elsewhere.

A summary of grant-funded SEB projects can be viewed on DEW's website: https://www.environment.sa.gov.au/get-involved/grants-and-funding/native-vegetation-incentives-programs/significant-environmental-benefit-grants

DEM will notify the NVU when a clearance has been approved that requires a SEB payment into the Fund. The NVU will then raise an invoice and send it to the clearance proponent.

The NVU will inform DEM at the end of the financial year of all payments made into the Fund (or earlier on request if required for compliance reasons), however, a proponent that has made a payment should also inform DEM when the payment has been made.

4.6 Step 6 - Assess the proposed SEB area or calculate the SEB payment

4.6.1 On-ground SEB

If an on-ground SEB is proposed, a vegetation assessment must occur in the proposed SEB Area in accordance with Figure 2 (excluding the Scattered Trees Method).

The assessment of the proposed SEB Area will determine the likely environmental gain that will be achieved from protecting and managing that area of vegetation for conservation (see the SEB Guide for further details). The assessment will include consideration for the likely loss of vegetation extent and condition in the absence of protection and maintenance ('protection gain' or 'averted loss'). This protection gain is then added to the improvement expected from actively managing the vegetation through the establishment of the SEB ('management gain') (Figure 4).

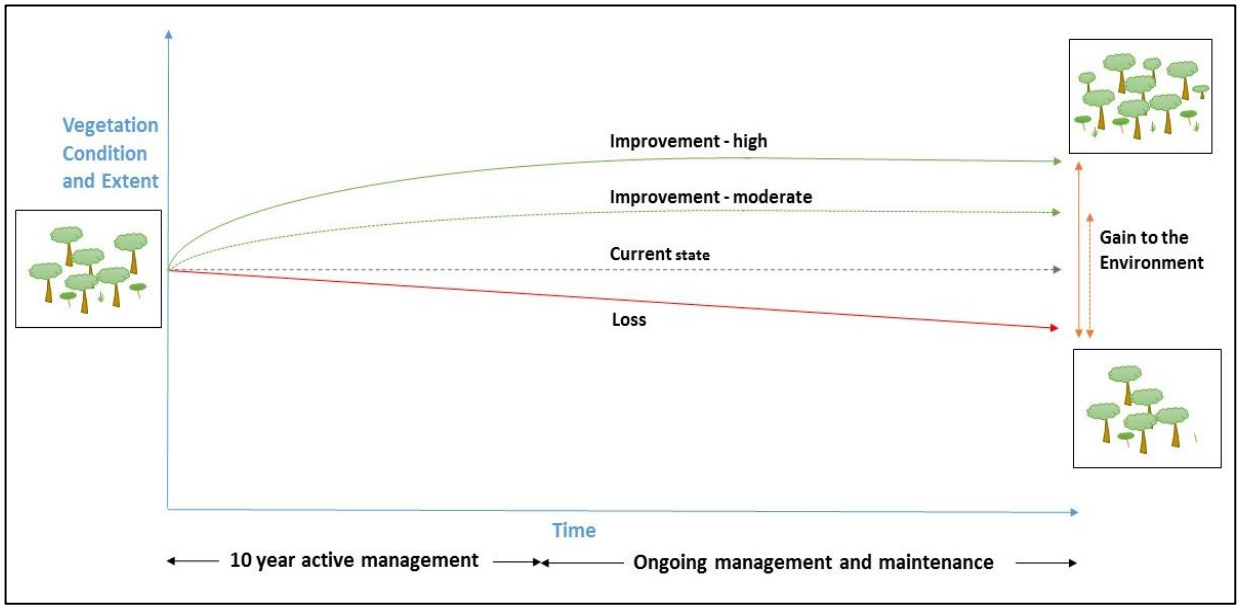


Figure 4 Representation of the biodiversity gain from protection and management of a site

The assessment of the proposed SEB Area will determine the 'SEB Points Provided'. For the clearance to be offset, the SEB Points Provided must be equal to or greater than the 'SEB Points Required' from the impact area.

4.6.2 SEB payment

If a SEB payment is proposed, the payment formula must be applied to determine the amount of money that needs to be paid into the Fund (see the SEB Guide for full details). Note that a 'Management Cost Factor' used in the formula is updated each year by the NVU to account for inflation. The formula is also reviewed periodically and the NVC may adjust the formula to reflect the true costs associated with delivering a SEB. Thus, check that the current formula (as set out in the SEB Guide) is being used for payment, unless a prior payment rate has been set and approved.

4.7 Step 7 - Offset impacts on rare or threatened species

If a proposed clearance of native vegetation will impact on a flora or fauna species that is listed under either the *National Parks and Wildlife Act 1972* (NP&W Act) or the EPBC Act, additional actions may need to be undertaken to offset the impacts on that particular species. Requirements are set out in the SEB Guide.

5 How activities are affected

5.1 Exploration activities

5.1.1 Minerals

1. The proponent must have approval from DEM to undertake exploratory activities and clearance must be incidental to that activity.
2. The clearance must be undertaken in accordance with an approved exploration PEPR that meets the required Industry Standards to ensure that there will be minimal impacts on native vegetation. The Ministerial Determination and following guides outline the minimum requirements for the preparation of a PEPR[8]:
    a. Adopted Program 001 Generic program for environmental protection and rehabilitation - low impact in South Australia
    b. TOR013 Mineral exploration PEPR

    The following additional guidelines may also assist explorers:
    c. MG33 Statement of Environmental Objectives and Guidelines for Mineral Exploration Activities[9]
    d. MG22 Mineral Exploration PEPRs and Compliance [10]
3. If clearance cannot be undertaken in accordance with the Industry Standards and there will be a significant impact on native vegetation, then a SEB is required.

5.1.2 Energy resources industries

For petroleum and geothermal exploration and associated activities under the *Energy Resources Act 2000*, all wells (and associated infrastructure) drilled and immediately decommissioned and rehabilitated within 12 months of clearance will be considered 'exploration' and exempt from SEB requirements (subject to meeting the required Industry Standards through a relevant SEO). Wells that are not rehabilitated within 12 months or progress to production will be considered a 'mining operation' and the well site and all new associated access roads will become liable for SEB.

Seismic activities and other low impact exploration activities (e.g. geochemical surveys) will be considered exploration. The relevant SEO will be considered by the NVC as the 'accepted industry environmental management practices' for facilitating the regrowth of native vegetation.

[8] Minerals and mining terms of reference and instructions (available from DEM or the DEM website as of 3/12/2024): https://www.energymining.sa.gov.au/industry/minerals-and-mining/forms-legislation-and-guidance/terms-of-reference-and-instructions

[9] MG33 (DEM website): https://sarigbasis.pir.sa.gov.au/WebtopEw/ws/samref/sarig1/image/DDD/ISM33.pdf

[10] MG22 (DEM website): https://sarigbasis.pir.sa.gov.au/WebtopEw/ws/samref/sarig1/image/DDD/MRGMG22.pdf

5.2 Operations (other than private mines)

1. The proponent must make an application to DEM delegates of NVC for approval:
    a. under a Mining Act, as part of the lease application for new mining operations or as part of a review of a PEPR for existing mines. That application must include a Native Vegetation Data Report[11] detailing the proposed clearance, corresponding SEB and either a Native Vegetation Management Plan (NVMP), Third Party or SEB Credit arrangement, or payment amount for achieving the SEB. The SEB must be approved before clearance can proceed.
    b. under the *Energy Resources Act 2000*, as part of the SEO. The SEO must detail the reporting requirements to DEM relating to native vegetation clearance and the general means by which a SEB will be achieved. The proponent must report annually on the clearance undertaken, the associated SEB obligations and how the SEB will be achieved. This will involve providing either an NVMP, Third Party or SEB Credit arrangement, or payment amount for achieving the SEB.
2. DEM must have granted approval and the proponent must provide the required SEB.

5.3 Private mining operations

An exemption applies if the private mine has been continuously operating since 21st November 1984. Continuously operating means there has not been a cessation of mining longer than a single 12-month period. Under the exemption, native vegetation clearance does not require a SEB to be achieved[12].

The clearance of native vegetation, however, should still be avoided or minimised where possible. An explanation of how the mitigation hierarchy (refer Section 4.2) has been (or is to be) applied it to be given in the relevant Mining Operations Plan and compliance reporting to DEM.

5.4 Operations approved before 2003

Existing mining operations, with mining plans approved prior to **25 August 2003**, are not subject to SEB requirements, provided any clearance occurs within the framework of the existing approved plan. If a mining plan that was approved prior to August 2003 is later amended and results in a requirement to clear additional native vegetation, then only that additional area will be subject to SEB requirements.

New mining plans approved by DEM after 25 August 2003 that involve the clearance of native vegetation will be required to meet SEB requirements.

Similarly, for petroleum and geothermal activities, where clearance has occurred in accordance with an SEO approved prior to the 25 August 2003 no SEB will be required. The extent to which a SEB is attached to SEOs approved from 25 August 2003 will be reviewed in consultation with the NVC.

[11] The Data Report should be accompanied by the supporting data from the required vegetation assessments in NVC excel scoresheets, and GIS shapefiles of the clearance area and any proposed on-ground SEB area

[12] MG 12 (Mining Operations Plans) on DEM website:
https://sarigbasis.pir.sa.gov.au/WebtopEw/ws/samref/sarig1/image/DDD/MRGMG12.pdf

6 Process for seeking approval

To seek approval to clear native vegetation under the *Native Vegetation Regulations 2017*, a proponent must submit the following, as appropriate, to the DEM delegate for assessment and approval:

- the required Native Vegetation Management Plan[13] and corresponding SEB proposal, as part of the PEPR under the *Mining Act 1971* or
- an Activity Notification for the relevant vegetation clearance that complies with an approved SEO under the *Energy Resources Act 2000* and an annual report to DEM outlining total clearance and corresponding SEB offset requirements.

6.1 The proponent's responsibilities

It is always the responsibility of the proponent to comply with any relevant legislation. Proponents must understand the requirements of the legislation and seek their own advice on the applicability of any legislation to their circumstances.

For example, with respect to exploration, a proponent will need to make an informed assessment as to:

- whether or not the land to be explored contains native vegetation
- the extent and nature of any such vegetation
- whether or not the proposed activities will involve 'clearance' of native vegetation
- the extent of proposed clearance of that vegetation, and whether clearance can be reasonably reduced or avoided or is subject to other exemptions under the Act or Regulations.

As discussed below, proponents who wish to use the exemptions for exploration and/or mining will need to follow native vegetation clearance approval processes, which may incur costs to the applicant.

6.2 Situations where native vegetation clearance may not be approved

Situations may occur where native vegetation is considered to be of such high value that provision of a sufficient SEB to compensate for clearance cannot be achieved (e.g. last known remaining stand of critically endangered species or habitat). In such situations, approval to clear that vegetation may be refused under the *Mining Act 1971* or *Energy Resources Act 2000*, or a determination could be made by the NVC that the SEB cannot be realistically set at a level that would make clearance acceptable, reflecting the value of that vegetation.

[13] The Native Vegetation Management Plan must be based on a vegetation assessment undertaken by an NVC-Accredited Consultant. The vegetation assessment data (in the relevant excel scoresheets), the consultant's Native Vegetation Data Report (using the NVC template) and GIS shapefiles of the relevant proposed clearance area (and proposed new SEB area if relevant) must also be supplied.

7 Monitoring and evaluation

As the delegate of the NVC, DEM reports to the NVC on the areas approved for clearance and the areas, payments and Third Party/SEB Credit arrangements of approved SEB offsets. This includes spatial information detailing the specific locations of the areas affected (both clearance and SEB areas).

DEM, with support from the NVU, will also monitor and analyse the progress of SEB offsets[14] to provide advice and ensure compliance with conditions of clearance and ensure that a biodiversity benefit is achieved.

Proponents are required, when providing an on-ground SEB, to provide detailed monitoring reports on an annual basis and the reports include the following:

- Operation activities – the amount of land disturbed, measures implemented to avoid or control environmental impacts, and revegetation or rehabilitation conducted. This should include information on the level of success of any rehabilitation, reasons for and actions taken to address any failures or substandard outcomes, and further actions to be taken in the following year.
- SEB activities – actions taken to manage the SEB area, level of success achieved, reasons for and actions taken to address any failures or substandard outcomes, and further actions to be taken in the following year. The monitoring should involve photopoint monitoring and repeat vegetation assessments to quantify outcomes. The SEB Policy provides guidance on SEB Area monitoring and compliance obligations.

[14] NVU will monitor SEB credit sites that provide credit to mining and energy resources companies. Compliance checks for other on-ground SEB areas may be made by NVU if DEM requires support.

Appendix 1 *Native Vegetation Act 1991*

Schedule 1 - Principles of clearance of native vegetation

Native vegetation should not be cleared if, in the opinion of the NVC—

(a) it comprises a high level of diversity of plant species; or

(b) it has significance as a habitat for wildlife; or

(c) it includes plants of a rare, vulnerable or endangered species; or

(d) the vegetation comprises the whole, or a part, of a plant community that is rare, vulnerable or endangered; or

(e) it is significant as a remnant of vegetation in an area which has been extensively cleared; or

(f) it is growing in, or in association with, a wetland environment; or

(g) it contributes significantly to the amenity of the area in which it is growing or is situated; or

(h) the clearance of the vegetation is likely to contribute to soil erosion or salinity in an area in which appreciable erosion or salinisation has already occurred or, where such erosion or salinisation has not yet occurred, the clearance of the vegetation is likely to cause appreciable soil erosion or salinity; or

(i) the clearance of the vegetation is likely to cause deterioration in the quality of surface or underground water; or

(j) the clearance of the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding; or

(k) -

i. after clearance the land will be used for a particular purpose; and

ii. the regional NRM board for the NRM region where the land is situated has, as part of its NRM plan under the Natural Resources Management Act 2004, assessed—

(A) the capability and preferred uses of the land; and

(B) the condition of the land; and

iii. according to that assessment the use of the land for that purpose cannot be sustained; or

(l) the clearance of the vegetation would cause significant harm to the River Murray within the meaning of the River Murray Act 2003; or

(m) the clearance of vegetation would cause significant harm to the Adelaide Dolphin Sanctuary.

Appendix 2 Native Vegetation Regulations

Native Vegetation Regulations 2017, Part 3, Division 5—Risk Assessment

Regulation 12: Risk Assessment

(1) Subject to this Division, native vegetation may be cleared in any of the circumstances set out in Schedule 1 Part 4, Part 5 or Part 6.

(2) The operation of this regulation extends to native vegetation that is growing or is situated on land that is subject to a heritage agreement or a management agreement if a provision of the relevant Part of Schedule 1 setting out circumstances in which vegetation may be cleared specifies that the provision applies to such vegetation

Regulation 14: Clearance for mining and petroleum activities

(1) Clearance of native vegetation for the purposes of mining activities or operations of a kind specified in Schedule 1 Part 5 Division 1 is permitted only if it is undertaken in accordance with—

(a) a management plan, approved by the NVC for implementation, that results in a significant environmental benefit; and

(b) in the case of operations authorised under a Mining Act—a management plan under that Act; and

(c) in the case of operations authorised under the *Petroleum and Geothermal Energy Act 2000*[15] —a statement of environmental objectives under that Act.

(2) Subregulation (1)(a) does not apply if the person undertaking the activities or operations (or a person acting on the person's behalf) has made a payment into the Fund of an amount considered by the NVC to be sufficient to achieve a significant environmental benefit in the manner contemplated by section 21(6) or (6a) of the Act.

Regulation 15: Clearance for exploratory operations

(1) Clearance of native vegetation for the purposes of exploratory operations of a kind specified in Schedule 1 Part 5 Division 2 is permitted only if it is undertaken in accordance with industry standards developed and endorsed by the NVC for the purposes of this regulation following consultation with the Minister responsible for the administration of the Mining Act 1971 (the mining Minister).

(2) Industry standards endorsed by the NVC for the purposes of this regulation must—

(a) be directed towards ensuring that exploratory operations will have a minimal impact on native vegetation and be conducted in a manner that will allow for immediate regrowth of any native vegetation that is cleared; and

(b) adequately address any concerns raised by the mining Minister during consultation.

(3) However, if there are no applicable industry standards, or if it is not possible for the applicant to undertake the operations in accordance with applicable industry standards, the clearance is permitted if—

(a) the clearance is undertaken in accordance with a management plan, approved by the NVC for implementation, that results in a significant environmental benefit; or

(b) the person undertaking the operations makes a payment into the Fund of an amount considered by the NVC to be sufficient to achieve a significant environmental benefit in the manner contemplated by section 21(6) or (6a) of the Act.

[15] Note that in 2024 this Act was superseded by the amended *Energy Resources Act 2000*

Prescribed circumstances in which native vegetation may be cleared

Regulations, Schedule 1, Part 5—Mining and petroleum activities (regulation 12)

Division 1: Mining operations

Clause 28: Operations

(1) Clearance of vegetation incidental to operations authorised under a Mining Act or the *Petroleum and Geothermal Energy Act 2000*.

(2) Subclause (1) applies to vegetation that is growing or is situated on land that is subject to a heritage agreement or a management agreement.

Division 2: Exploratory activity

Clause 29: Exploration

(3) Clearance of vegetation incidental to exploratory operations authorised under a Mining Act or the *Petroleum and Geothermal Energy Act 2000*.

(1) Subclause (1) applies to vegetation that is growing or is situated on land that is subject to a heritage agreement or a management agreement.

Division 3: Mining operations approved before 2003

Clause 30: Mining operations approved before 2003

Clearance of vegetation incidental to operations authorised before 25 August 2003 under a Mining Act, if the clearance—

(a) is clearance that is envisaged or authorised by or under a program or approval under the relevant Act; or

(b) is clearance that would reasonably be expected to have been required under the authorisation under the relevant Act taking into account the circumstances that existed immediately before 25 August 2003.

Division 4: Private mines

Clause 31: Mining operations at private mines

(1) Clearance of vegetation incidental to mining operations at a private mine at which mining operations have not been discontinued for a period exceeding 12 months at any time after 21 November 1984.

(2) Subclause (1) applies to vegetation that is growing or is situated on land that is subject to a Heritage Agreement or a Management Agreement.

Glossary

Clearance

Clearance, in relation to native vegetation, means:

a) the killing or destruction of native vegetation
b) the removal of native vegetation
c) the severing of branches, limbs, stems or trunks of native vegetation
d) the burning of native vegetation, and
e) any other substantial damage to native vegetation, including the draining or flooding of land, or any other act or activity, that causes the killing or destruction of native vegetation, the severing of branches, limbs, stems or trunks of native vegetation or any other substantial damage to native vegetation.

Clearance also includes the following;

Clearance of intentionally revegetated land

In some circumstances, operators may need to re-clear land that has previously been intentionally revegetated with native vegetation, for example, as part of a lease condition. A SEB will not be required for the clearance of that vegetation as long as it has not been planted as a condition of consent to clearance granted under the *Native Vegetation Act 1991*, or as an order of a court under the Act.

Clearance of vegetation for rehabilitation purposes

If an operator requires the clearance of vegetation to undertake rehabilitation activities, for example, clearing native vegetation as part of the process to batter down a quarry face, the clearance needs approval and will be subject to SEB requirement for the removal of that vegetation as that clearance is part of the overall operations.

Clearance of natural regrowth native vegetation

If an operator requires the clearance of native vegetation that has naturally re-established after clearance or grazing activities, approval is required and will be subject to SEB requirements.

Ecological restoration

Ecological restoration means the return of an ecosystem to an approximation of its natural or pre-disturbance condition. The goal is to emulate a natural, functioning, self-regulating system that is integrated with the ecological landscape in which it occurs. It may involve the manipulation of natural processes of ecological succession to create a dynamic self-sustaining indigenous ecosystem. The restored ecosystem should simulate the natural condition, or some other native ecosystem appropriate for the new conditions of the landscape. It must be stable with a minimum of human input after the initial efforts. Ecological restoration should broadly be undertaken in accordance with the *'Habitat Restoration Planning Guide for Natural Resource Managers'* (DEWNR 2010).

The restoration of the impact site does not constitute a SEB itself, nor does it change how or when a SEB needs to be provided. This must still occur as specified by the SEB Policy.

Mitigation Hierarchy

The Mitigation Hierarchy is as follows:

a) avoidance—measures must be taken to avoid clearance of native vegetation

b) minimisation—if clearance of native vegetation cannot be avoided, measures should be taken to minimise the duration, intensity and extent of impacts of the clearance on biological diversity to the fullest possible extent (whether the impact is direct, indirect or cumulative)
c) rehabilitation or restoration—measures should be taken to rehabilitate ecosystems that have been degraded, and to restore ecosystems that have been destroyed, by impacts of clearance of native vegetation that cannot be avoided or further minimised
d) offset—any adverse impact on native vegetation or ecosystems that cannot be avoided or minimised must be offset by the achievement of a significant environmental benefit that outweighs that impact.

Native vegetation

Native vegetation means a plant or plants of a species indigenous to South Australia including a plant or plants growing in or under waters of the sea (any water that is subject to the ebb and flow of the tide) but does not include:

(1) a plant or part of a plant that is dead unless the plant, or part of the plant, is of a class declared by the *Native Vegetation Regulations 2017*, e.g. nest trees for species such as the southeastern form of the Red-tailed Black Cockatoo in the Naracoorte–Penola region of the state
(2) a plant intentionally sown or planted by a person unless:
    a. the revegetation was in compliance with a condition of a clearance consent issued by the NVC, or
    b. the revegetation was in compliance with a requirement under the *Native Vegetation Act 1991* or order issued by the courts following an illegal clearance, or
    c. the revegetation that has, upon application to the NVC, been recognised as native vegetation.

Note: Vegetation that might sometimes appear to be weeds may be classed as native vegetation. For example, some grasses and herbaceous plants might have the appearance of being weeds, but in fact are native species.

Rehabilitation

Rehabilitation is the process of returning the land in an area to some degree of its former state, after a process has resulted in its damage. Rehabilitation does not necessarily re-establish the pre-disturbance vegetation communities but does seek to prevent the establishment of pest species whilst providing a geologically and hydrologically stable site. This may involve reshaping, spreading topsoil, constructing banks or revegetation. Ecological restoration differs from rehabilitation in that restoration is a holistic process not achieved through the isolated manipulation of individual elements. While restoration aims to return an ecosystem to a former natural condition, rehabilitation generally implies putting the landscape to a new or altered use or to serve a particular human purpose.

Remnant vegetation

Remnant vegetation is the remaining native vegetation in a region, area or catchment where it has been extensively cleared. The less vegetation there is in an area, the more significant the remnant vegetation becomes. Vegetation types that have been extensively cleared are considered significant even if their current condition is degraded.

Substantially intact stratum

A ‘stratum’ of native vegetation means a layer of a plant community consisting of plants that comprise native vegetation, and that have a similar growth habit. The layers or ‘strata’ that may be observed in a plant community will depend on the characteristic vegetative form of the plant species, i.e. whether the layer consists of a tree layer, shrub layer or ground cover.

A stratum of native vegetation is considered substantially intact if:

(1) the stratum has not been seriously degraded by human activity during the immediately preceding period of 20 years, or

(2) the only serious degradation of the stratum by human activity during that period has been caused by fire.

Wetlands

Wetlands can be broadly defined as areas of land featuring water. They may contain water throughout the year or only during the wet season due to higher rainfall. Wetlands include bodies of water that are static (like a lake or swamp) or flowing (like a river or stream). They might be natural or artificial, and contain fresh or saline water.



Government of South Australia

Department for Environment and Water



Native Vegetation Council