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**15 Nov 2022**



**Government  
of South Australia**

# **NATIVE VEGETATION COUNCIL**

## **2021-22 Annual Report**

**NATIVE VEGETATION COUNCIL**

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2021-22 ANNUAL REPORT for the Native Vegetation Council

To:

Dr Susan Close MP

Minister for Climate, Environment and Water

This annual report will be presented to Parliament to meet the statutory reporting requirements of *Public Sector Act 2009*, the Public Sector Regulations 2010, section 17 of the *Native Vegetation Act 1991* and the requirements of Premier and Cabinet Circular *PC013 Annual Reporting*.

This report is verified to be accurate for the purposes of annual reporting to the Parliament of South Australia.

Submitted on behalf of the Native Vegetation Council by:

Vaughan Levitzke PSM

Presiding Member

Date: 14 September 2022

Signature





## From the Presiding Member

It is a pleasure to report on another busy year for the South Australian Native Vegetation Council (the Council).

One of the key areas the Council has progressed since the last reporting period is the finalisation of its Strategic Plan which describes the Council's vision and how we will deliver it to the State.

Council has considered significant native vegetation clearance across the state. During 2021-2022, under the *Native Vegetation Act 1991* and *Native Vegetation Regulations 2017*, a total of 1085 hectares of native vegetation and 2317 scattered trees have been approved to be cleared. This has been offset by the management and restoration of 1879 hectares of native vegetation, and \$11, 215, 540 of agreed Significant Environmental Benefit (SEB) payments into the Native Vegetation Fund. Part of this allowed the Council to achieve SEBs through purchase of the Langley property (67.6 hectares) adjacent Para Wirra Conservation Park, funding 50 hectares of restoration at the Monarto Woodlands and establishing four new Biodiversity Credit Exchange sites in the Murraylands and Riverland region covering 110 hectares. In addition, Council is planning to achieve SEB's through the roll out the Biodiversity Credit Exchange (BCE) program on Eyre Peninsula.

The Council continues to support implementation of the Planning and Design Code (PDC), and invest in good governance measures to ensure the Council meets its legislative, regulatory, standards and community expectations of probity, accountability and openness. As a statutory referral body under the PDC, Council provides a streamlined process, reduced timelines, and certainty in relation to the decision making process over development in areas that contain significant native vegetation.

Council has had a focus on early engagement with large project proponents across the state to issue them with advice on native vegetation clearance and the required offset. Council has also engaged with many Landscape Boards on policy and matters of mutual interest, including the development of Cultural and Ecological Burning Guidelines under the *Native Vegetation Act 1991*.

The Council's work has been conducted with the support and dedication of the Native Vegetation Branch (Department for Environment and Water) and also informed by our many significant partnerships across the state with Landscape Boards, local councils, State Government agencies, industry partners, non-government organisations and native vegetation specialists.

The State Government's commitment of \$6 million to spend on private conservation through Native Vegetation Heritage Agreements is encouraging. This commitment is over 4 years which will see the grants administered, outcomes measured and evaluation of the impacts. It is very encouraging that private landholders want to engage in Heritage Agreements and there is further work to be done with our key non-government and primary production stakeholders in the year ahead to design

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2021-22 ANNUAL REPORT for the Native Vegetation Council

the new program and develop how to best implement it based on our combined experience.

The Council has an important role in ensuring ecologically sustainable development and the conservation of native vegetation and is pleased to provide its Annual Report for 2021-22.

For other news relating to the Council please visit our website at <https://www.environment.sa.gov.au/topics/native-vegetation>.

**Vaughan Levitzke PSM**  
**Presiding Member**  
**Native Vegetation Council**

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## Overview: about the agency

### Our strategic focus

<b>Our Purpose</b>	<p>The Native Vegetation Council (the Council) monitors the overall condition of South Australia's native vegetation and makes decisions on a wide range of matters concerning native vegetation in the State. The Council's functions include:</p> <ul style="list-style-type: none"> <li>- encouraging the re-establishment of native vegetation on extensively-cleared land</li> <li>- managing the Heritage Agreement Scheme, which encourages the protection of native bushland</li> <li>- funding and encouraging on-ground works that produce a significant environmental benefit (SEB)</li> <li>- investing in research to support management of native vegetation</li> <li>- assessing applications and establishing conditions for the clearance of native vegetation</li> <li>- undertaking engagement and communications with stakeholders</li> <li>- producing an annual report.</li> </ul>
<b>Our Vision</b>	<p>The Council's vision is of a South Australia that values and protects its remnant native vegetation for its many intrinsic qualities. The Council actively supports this vision by providing expert advice and leadership, and partnering and engaging with others, to ensure a contemporary approach to regulating native vegetation management across South Australia.</p> <p>Council achieves this by promoting the ecological, social, economic and Aboriginal heritage values of our native vegetation and its important contribution to the health of our landscapes and sustaining the livelihoods of South Australians.</p>
<b>Our Values</b>	To build community understanding and promote the value of native vegetation.
<b>Our functions, objectives and deliverables</b>	<p>A primary object of the <i>Native Vegetation Act 1991</i> (the Act) is to protect and enhance the natural environment of South Australia and to assist and encourage landholders to protect and conserve existing native vegetation and encourage revegetation in parts of the State that have been extensively cleared.</p> <p>The key role of the Council is to provide a balanced and considered approach to native vegetation management through engaging with clearance proponents and stakeholder groups. The challenge for the Council is managing native vegetation</p>

	<p>whilst supporting economic growth and development for South Australia.</p> <p>The Council provides decisions that seek to further the objects of the Act, including to:</p> <ul style="list-style-type: none"><li>- review the condition of the native vegetation of the State</li><li>- advise the Minister in relation to -<ul style="list-style-type: none"><li>a) The preservation, enhancement and management of existing native vegetation</li><li>b) The re-establishment of native vegetation on land where native vegetation has been cleared or degraded</li><li>c) Research into the preservation, enhancement and management of native vegetation and the re-establishment of native vegetation on cleared land.</li></ul></li><li>- Keep the principles of clearance of native vegetation under review and to advise the Minister of any changes to the principles that it considers are necessary or desirable.</li><li>- Determine applications for consent to clear native vegetation under Part 5 of the Act.</li><li>- Assess and respond to applications referred to Council under the <i>Development Act 1993</i> and the <i>Planning, Development and Infrastructure Act 2016</i>.</li><li>- Encourage research into the preservation, enhancement and management of existing native vegetation.</li><li>- Administer the Native Vegetation Fund pursuant to Division 3 of the Act.</li><li>- Such other functions as are assigned to the Council under this or any other Act.</li></ul>
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## Our organisational structure

As at 30 June 2022, the Native Vegetation Council consisted of the following members:

- Mr Vaughan Levitzke PSM, Presiding Member (Minister's nominee), Term 1 May 2021 – 30 April 2023;
- Mr Ross Sawers, Member (Landscape SA nominee), Term 23 April 2021 – 22 April 2023;
- Mr John Neal, Member (Local Government Association SA nominee), Term 23 April 2021 – 22 April 2023;
- Professor Robert Hill, Member (Minister's nominee), Term 23 April 2021 – 22 April 2023;
- Ms Kylie Weymouth, Member (Minister's Planning, Development or Mining nominee), Term 23 April 2021 – 22 April 2023;



- Ms Melissa McCallum, Member (Conservation Council SA nominee), Term 23 April 2021 – 22 April 2023, resigned on 7 September 2021 after which a vacancy for the Conservation Council SA nominee has been carried; and
- *Vacant* (Primary Producers SA nominee).

### **Changes to the agency**

During 2021-22 there were no changes to the agency's structure and objectives as a result of internal reviews or machinery of government changes.

### **Our Minister**

The Hon Dr Susan Close MP is the Minister for Climate, Environment and Water.

The Minister oversees the portfolios of:

- Deputy Premier
- Industry, Innovation and Science
- Defence and Space Industries

### **Our Executive team**

The Council has no staff of its own and utilises the services of Department for Environment and Water (DEW) staff. Reporting on this matter is contained in the DEW 2021-22 Annual Report. Executive, administrative and project support were provided to the Council from existing DEW resources.

### **Legislation administered by the agency**

The Native Vegetation Council is responsible for complying with the –

- Native Vegetation Act 1991
- Native Vegetation Regulations 2017
- Native Vegetation (Credit for Environmental Benefit) Regulations 2015
- Development Act 1993
- Planning, Development and Infrastructure Act 2016
- Planning, Development and Infrastructure (General) Regulations 2017

Delegation under the Native Vegetation Regulations 2017:

- Department for Energy and Mining
- Country Fire Service SA

Standard Operating Procedures (SOP):

- Department for Environment and Water, Fire Management
- SA Water
- Department for Infrastructure and Transport
- Forestry SA
- SA Power Networks
- ElectraNet

## The agency's performance

### Performance at a glance

South Australia's Native Vegetation Council Strategic Plan 2021-23 was finalised and released in early 2022. The Plan outlines NVC's purpose and vision and highlights the NVC's strategic goals, priorities and key actions for the next two years.

The table below outlines the number of sessional meetings of the Native Vegetation Council and the number of meetings attended by each member during 2021-22.

Meeting Date	Mr Vaughan Levitzke PSM	Mr Ross Sawers	Mr John Neal	Professor Bob Hill	Ms Kylie Weymouth	Ms Melissa McCallum
Meeting 233, 7 July 2021	Present	Present	Present	Present	Present	Present
Meeting 234, 1 September 2021	Present	Present	Present	Present	Present	<i>Resigned 7 September 2021</i>
Meeting 235, 3 November 2021	Present	Present	Present	Present	Present	-
Meeting 236, 9 February 2022	Present	Present	Present	Present	Absent	-
Meeting 237, 6 April 2022	Present	Present	Present	Present	Present	-
Meeting 238, 22 June 2022	Absent	Present	Present	Present	Present	-
<b>Total (of 6)</b>	<b>5</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>5</b>	<b>1</b>

The sessional meetings do not include meetings of the Native Vegetation Council's Committee, the Native Vegetation Assessment Panel, or out of session duties that members have attended.

**Council contribution to whole of Government objectives****Council's contribution****Community and Stakeholder Engagement**

The Council has undertaken community and stakeholder engagement across the State during 2021-22 with much being achieved through the regional Landscape Boards. Council has engaged with Landscape Boards through a new standing item on the Council agenda; as well as through meetings with several Landscape Boards, including Kangaroo Island, Limestone Coast, and Alinytjara Wilurara on the development of Cultural Burning Guidelines and other matters of mutual interest, including bushfire.

The Council held its inaugural annual regional meeting at Port Augusta in June 2022 where it met with the South Australian Arid Lands Landscape Board and toured a local business, Sundrop Farm, to view their contribution to the Council's Significant Environmental Benefit offsetting program.

The Council has also been engaging early with native vegetation clearance proponents on several occasions including for large scale projects in Goyder South, Mount Bold dam safety upgrade, and on the Morgan to Whyalla Pipeline Project. This allows the Council to have early knowledge and be able to provide advice at an early stage on projects related to the clearance approach or the significant environmental benefit.

**Private land conservation**

The three (3) year Revitalising Private Conservation in South Australia Program concluded in June 2022 and provided a welcome injection of funding and interest in Heritage Agreements. The program offered over \$1.8 million in grants and attracted 120 new Heritage Agreement applications. To manage the influx of interest, Council has streamlined the Heritage Agreement application process and established better ways to support land holders through the process.

**NVC Incentives Program**

Council's Significant Environmental Benefit (SEB) program enables landholders to draw income from the protection and management of biodiversity to generate SEB credit. The income can be accessed through incentive programs run by Council, including the Biodiversity Credit Exchange, or when a landholder sells SEB credit to the market as a Third Party Provider. It is a great way for landholders to benefit from development occurring in their region whilst achieving a conservation outcome.

Council supports SEB credit providers by providing land manager advice during SEB site monitoring. Landholders often say they are appreciative of Council staff visiting their property to discuss land management issues and share successes.

**Economic recovery of South Australia**

The Council has been supporting the economic recovery of the state through fast and efficient processing of native vegetation applications to enable development.

The Council's Native Vegetation Assessment Panel has been reformed with membership and frequency of meetings that allows for fast turnaround of large scale applications and greater ability to prioritise early advice to proponents. Some priority applications have been associated with the Department of Infrastructure and Transport funding for infrastructure investment in response to COVID-19 for targeted road safety works.

Council, through its Assessment Panel, and under delegation, have been able to approve 99% of applications after negotiation with the applicants to minimize clearance, for areas such as tourism accommodation, primary production, infrastructure, residential housing and subdivision.

The official operation of the Council referral body obligations under South Australia's Planning and Design Code provides landholders with a streamlined process with reduced approval timeframes for development. The change has created a 'one stop shop' that considers all potential requirements an applicant may need to address in the initial phase of development.

The process allows Council to work with proponents to develop innovative approaches to improve sustainable development in South Australia.

#### **Accredited Consultants**

Training of Accredited Consultants has provided the opportunity for environmental experts to conduct assessments on behalf of applicants to assess the requirements of the *Native Vegetation Act 1991* (the Act), to support their application for clearance.

Training of 22 new Accredited Consultants (in addition to the 79 already trained) was conducted to allow native vegetation experts to undertake vegetation assessments for regulation and clearance applications under the Act, specifically in the:

- Assessment and Application Process
- Bushland Assessment Method
- Scattered Tree Assessment Method
- Rangeland Assessment Method
- Planning and Design Code

The training provided to Accredited Consultants increases the quality of assessments presented to the Council, and assists in generating efficient assessment outcomes for the applicant.

#### **Governance**

The Council works within a customer focused Governance Framework that seeks to provide timely advice and equitable and transparent decision making. The Governance Framework allows for Council to meet out of session to consider applications and other matters that are working under truncated timelines.

To facilitate ongoing improvement in development referrals within the planning system, the Council responded to the South Australian Productivity Commission review into Development Referrals. Ongoing engagement with the Commission occurred throughout 2021-22 and the final report was handed down on 11 October

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2021. Council is continuing to work with the South Australian Planning Department on implementing the recommendations of the review.

Council specific objectives and performance		
Council objectives	Indicators	Performance
Native vegetation across the landscape is sustainably managed in recognition of its enduring environmental, social, cultural and spiritual values.	<p>The Biodiversity Credit Exchange (BCE) program is designed to offset native vegetation loss. It supports restoration activities for important and high value areas of South Australia in perpetuity while also having the added bonus of supporting businesses to undertake growth and development activities.</p> <p>The environmental impacts of clearance are offset to maintain and improve the overall condition of South Australia's native vegetation.</p>	<p>The Council approved expenditure of \$553,000 to establish four new BCE sites in the Murraylands and Riverland region covering 110 hectares.</p> <p>The Council has also engaged the Eyre Peninsula Landscape Board to deliver the BCE program on the Eyre Peninsula. The Council will review recommended sites in 2022-23.</p>
	<p>Partner and engage with universities and other organisations to gain insights into research and data to inform decision making.</p>	<p>The Ecosystems Services Project aims to inform the development and review of future policies and guidelines. The project aims to provide the Council with a better understanding of the value of South Australia's native vegetation.</p> <p>The Council approved funding of \$44,000 for the Ecosystem Services project. The project will be finalised in 2022-23.</p>

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	Implement recommendations of various government commissions and regulatory reviews.	<p>Council is implementing the recommendations of the South Australian Productivity Commission's Development Referrals Review.</p> <p>This includes a greater focus on issuing pre-lodgement advice through the Native Vegetation Assessment Panel and having guidance material easily accessible. This includes delivery of a suite of new fact sheets on the requirements to clear native vegetation for various purposes, which can be found on the Department for Environment and Water website: <a href="#">Department for Environment and Water - Clearing Native Vegetation</a>.</p> <p>Council continues to work with the South Australian Planning Department on improving the planning system.</p>
	Review and update policy positions and metrics based on best available scientific data.	<p>Council has prepared a draft Heritage Agreement Policy which is scheduled to commence consultation in 2022-23.</p>

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	Build strong relationships with other agencies, statutory boards and committees, non-government organisations and First Nations People that have interests in native vegetation protection and regeneration, conservation, habitat, and landscape management.	<p>Council held a regional meeting in June 2022 with the SA Arid Lands Landscape Board and engaged with local business, Sundrop Farm, which has been involved in the Council's SEB Program.</p> <p>Council has met with several Landscape Boards during 2021-22 including Kangaroo Island, Limestone Coast and Alinytjara Wilurara to discuss issues of mutual interest, including the development of Cultural Burning Guidelines under the <i>Native Vegetation Act 1991</i>.</p>
Building a climate-resilient and ecologically vibrant State by partnering to deliver programs that also increase the state's biodiversity.	The Significant Environmental Benefit (SEB) program delivers on-ground outcomes that support a landscape scale approach to improve the condition and re-establishment of native vegetation in areas that have been disturbed or degraded.	<p>The Council approved SEB grant expenditure of:</p> <ul style="list-style-type: none"> <li>• \$371,000 to purchase the Langley property (67.6 hectares) adjacent Para Wirra Conservation Park.</li> <li>• \$500,000 for 50 hectares of revegetation at the Monarto Woodlands.</li> </ul> <p>The Council (or delegates) approved the establishment of 4 private SEB credit sites covering 562.27 hectares, including sites:</p> <ul style="list-style-type: none"> <li>• 2021/4003 (286.23 ha)</li> <li>• 2021/4004 (48.18 ha)</li> <li>• 2022/4001 (71.28 ha)</li> <li>• 2022/4004 (156.57 ha).</li> </ul>



	<p>The Native Vegetation Heritage Agreement (HA) program (or Private Land Conservation program) allows for reduced local government council rates for South Australian's that have entered into conservation agreements.</p> <p>The program also supports landholders to undertake work, and attract new Heritage Agreements across the State, including supporting landholders to manage the impacts of bushfires through reinstating fences to maintain property boundaries.</p> <p>The Council is supporting the development of a HA policy as part of its wider policy review program.</p>	<p>During 2021-22, 56 new HA applications were received, as well as four (4) requests for variations and seven (7) requests for subdivisions to existing HA's.</p> <p>The Minister (or delegate) registered 19 new HA's protecting 448,495 ha of native vegetation.</p> <p>A total of 1,850,538 ha of native vegetation is held under private conservation through HA's across the state.</p> <p>Two rounds of the South Australian Revitalising Private Conservation (RPC) grant program were undertaken. More than 134 applications were received with 54 successful recipients awarded a total of \$1,342,190 in funding.</p>
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	<p>The Council undertakes a range of activities with key stakeholders across all levels of government, with the community, and with industry. The key aims are to:</p> <ul style="list-style-type: none"> <li>• promote the benefits of managing native vegetation for climate resilience;</li> <li>• promote how the Act and Regulations support industry and the community; and</li> <li>• raise the profile of existing initiatives that increase the states biodiversity and empowers landowners to participate.</li> </ul>	<p>The Council supported the development of new Fact Sheets, improvement of the website interface to include Council's Strategic Plan, and delivery of training to local government, planning authorities and consultants.</p> <p>Council is developing two statutory guideline documents to support Cultural and Ecological Burning. The guidelines will build and establish relationships with First Nations Groups.</p>
<p>Ensure a contemporary approach to regulating native vegetation management across South Australia.</p>	<p>Clearance approvals (Native Vegetation Assessments) – this function provides certainty to the community and businesses that require native vegetation clearance by providing timely and practical advice. The online portal assists users to navigate their way through the application process. Easy to follow and up to date information and tools are provided to assist applicants.</p>	<p>In 2021-2022, a total of 1085.08 hectares was approved for clearance under the Act and Regulations (note, this figure includes approvals issued for applications that were modified to reduce the impact of the clearance).</p> <p>During 2021-22 a total of 65 hectares and 30 trees was refused clearance (as part of partially approved applications), and a total of 2 applications for 3 trees was refused.</p>

	<p>Review of key policies and legislation to ensure they are fit for purpose and support key Government strategies.</p>	<p>A Council policy audit has been undertaken and will be finalised in 2022-23.</p> <p>The Significant Environmental Benefit Policy and Guide review and public consultation will commence in 2022-23.</p> <p>The Council decision making hierarchy was reviewed and implemented through best practice in application of delegations and a procedure for delegates when exercising a power or function.</p> <p>Finalisation of a Council register for managing strategic risk in December 2021.</p>
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**Corporate performance summary****Employment opportunity programs**

<b>Program name</b>	<b>Performance</b>
No programs were run by the Council	N/A

**Agency performance management and development systems**

<b>Performance management and development system</b>	<b>Performance</b>
The Council undertakes a performance review every two years, including evaluation of its effectiveness and governance responsibilities.	Council Members assess their performance in association with the Council approved governance principles, at the end of each Council term. This will occur in the 2022-23 reporting period.
Government employees supporting Council operations undertake a performance review and development program with their managers.	Two (2) sessions are held with all staff on an annual basis.

**Work health, safety and return to work programs**

<b>Program name</b>	<b>Performance</b>
The Council abides by the relevant health and safety policies and procedures that have been adopted by DEW to meet whole of Government and legislative requirements.	Reporting on this matter is contained within the DEW Annual Report 2021-2022.

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<b>Workplace injury claims</b>	<b>Current year 2021-22</b>	<b>Past year 2020-21</b>	<b>% Change (+ / -)</b>
Total new workplace injury claims	N/A	N/A	N/A
Fatalities	N/A	N/A	N/A
Seriously injured workers*	N/A	N/A	N/A
Significant injuries (where lost time exceeds a working week, expressed as frequency rate per 1000 FTE)	N/A	N/A	N/A

\*number of claimants assessed during the reporting period as having a whole person impairment of 30% or more under the Return to Work Act 2014 (Part 2 Division 5)

<b>Work health and safety regulations</b>	<b>Current year 2021-22</b>	<b>Past year 2020-21</b>	<b>% Change (+ / -)</b>
Number of notifiable incidents ( <i>Work Health and Safety Act 2012, Part 3</i> )	N/A	N/A	N/A
Number of provisional improvement, improvement and prohibition notices ( <i>Work Health and Safety Act 2012 Sections 90, 191 and 195</i> )	N/A	N/A	N/A

<b>Return to work costs**</b>	<b>Current year 2021-22</b>	<b>Past year 2020-21</b>	<b>% Change (+ / -)</b>
Total gross workers compensation expenditure (\$)	N/A	N/A	N/A
Income support payments – gross (\$)	N/A	N/A	N/A

\*\*before third party recovery

Data for previous years is available at: <https://data.sa.gov.au/data/dataset/native-vegetation-council-annual-report-data>.

**Executive employment in the agency**

Executive classification	Number of executives
SAES Level 1	0

Data for previous years is available at: <https://data.sa.gov.au/data/dataset/native-vegetation-council-annual-report-data>.

The [Office of the Commissioner for Public Sector Employment](#) has a [workforce information](#) page that provides further information on the breakdown of executive gender, salary and tenure by agency.

## Financial performance

### Financial performance at a glance

The following is a brief summary of the overall financial position of the agency. The information is unaudited. Full audited financial statements for 2021-2022 are attached to this report.

<b>Statement of Comprehensive Income</b>	<b>2021-22 Budget \$000s</b>	<b>2021-22 Actual \$000s</b>	<b>Variation \$000s</b>	<b>Past year 2020-21 Actual \$000s</b>
Total Income	2 314	11036	7 180	3 856
Total Expenses	2 690	2 556	134	2 282
<b>Net Result</b>	<b>376</b>	<b>8 480</b>	<b>8 104</b>	<b>1 574</b>
<b>Total Comprehensive Result</b>	<b>376</b>	<b>8 480</b>	<b>8 104</b>	<b>1 574</b>

<b>Statement of Financial Position</b>	<b>2021-22 Budget \$000s</b>	<b>2021-22 Actual \$000s</b>	<b>Variation \$000s</b>	<b>Past year 2020-21 Actual \$000s</b>
Current assets	0	0	0	0
Non-current assets	0	0	0	0
<b>Total assets</b>	<b>0</b>	<b>19 797</b>	<b>0</b>	<b>11 317</b>
Current liabilities	0	11	0	11
Non-current liabilities	0	0	0	0
<b>Total liabilities</b>	<b>0</b>	<b>11</b>	<b>0</b>	<b>11</b>
<b>Net assets</b>	<b>0</b>	<b>19 786</b>	<b>0</b>	<b>11 306</b>
<b>Equity</b>	<b>0</b>	<b>19 786</b>	<b>0</b>	<b>11 306</b>

### Consultants disclosure

The following is a summary of external consultants that have been engaged by the agency, the nature of work undertaken, and the actual payments made for the work undertaken during the financial year.

#### Consultancies with a contract value below \$10,000 each

<b>Consultancies</b>	<b>Purpose</b>	<b>\$ Actual payment</b>
All consultancies below \$10,000 each - combined	Nil	\$0

**Consultancies with a contract value above \$10,000 each**

Consultancies	Purpose	\$ Actual payment
Nil.		\$
	Total	\$ 0

Data for previous years is available at: <https://data.sa.gov.au/data/dataset/native-vegetation-council-annual-report-data>.

See also the [Consolidated Financial Report of the Department of Treasury and Finance](#) for total value of consultancy contracts across the South Australian Public Sector.

**Contractors disclosure**

The following is a summary of external contractors that have been engaged by the agency, the nature of work undertaken, and the actual payments made for work undertaken during the financial year.

**Contractors with a contract value below \$10,000 each**

Contractors	Purpose	\$ Actual payment
All contractors below \$10,000 each - combined	Nil.	\$0

**Contractors with a contract value above \$10,000 each**

Contractors	Purpose	\$ Actual payment
University of Adelaide	Research Project	\$ 44,000
	Total	\$ 44,000

Data for previous years is available at: <https://data.sa.gov.au/data/dataset/native-vegetation-council-annual-report-data>.

The details of South Australian Government-awarded contracts for goods, services, and works are displayed on the SA Tenders and Contracts website. [View the agency list of contracts](#).

The website also provides details of [across government contracts](#).



## Other information

### **Clearance of native vegetation under the *Native Vegetation Act 1991***

During 2021-22, under the *Native Vegetation Act 1991* (the Act), 20 clearance applications were approved with clearance consent being granted to over 6.24 hectares of native vegetation and 69 trees (excluding brush-cutting applications). Significant Environmental Benefit (SEB) areas established to offset the clearance included the management and restoration of 66.86 hectares of native vegetation and agreed payments into the Native Vegetation Fund of \$205,469.11.

### **Clearance of native vegetation under the *Native Vegetation Regulations 2017***

During 2021-22, under the *Native Vegetation Regulations* (the Regulations), specifically under regulation 12, 218 clearance matters were approved. The total approved clearance was 1030.84 hectares and 2248 trees (these figures exclude applications for change of grazing practice or ecological management, where vegetation has not been removed). A number of the approved clearances under the Regulations required the establishment of an SEB. SEB's established to offset the clearance included the management and restoration of 1812.63 hectares of native vegetation and agreed payments into the Native Vegetation Fund of \$11,010,071.

### **Summary of clearance under the *Native Vegetation Act 1991* and *Native Vegetation Regulations 2017***

During 2021-2022, under the Act and Regulations, a total of 1,037.08 hectares of native vegetation and 2,317 scattered trees have been approved to be cleared. This has been offset by the management and restoration of 1,879.49 hectares of native vegetation, and \$11,215,540.11 of agreed SEB payments into the Native Vegetation Fund. The statistics for clearance applications and regulations can be found in Table 1.

**Table 1. Clearance statistics for comparison of financial year 2020-2021 and 2021-22.**

<b>Clearance</b>	<b>Financial year 2020-21</b>	<b>Financial Year 2021-22</b>
Clearance Application under Section 28	31	22
Clearance Application under Section 28 withdrawn	1	2
Hectares under Section 28	45.28	6.24
Brush-cutting under Section 28	676	48
Total approval under Section 28	721.28	54.12
Trees under Section 28	240	69
Applications under Regulation 12	220	221
Application under Regulation 12 withdrawn / refused	3	3
Hectares under Regulation 12	2,276.53	1030.84
Hectares approved under Management Plan (change of grazing regime or ecological management)	683.65	175.17
Total Hectares approved under Regulation 12	2275.83	1030.84
Trees under Regulation 12	800	2248
\$ SEB under Section 28	364,795.74	205469.11
\$ SEB under Regulation	10,649,391.66	11,010,071.16
Hectares SEB offset under Section 28	112.76	66.86
Hectares SEB offset under Regulation	9542.87	1812.63

Under the *Native Vegetation Act 1991*, the Council has the ability to provide delegation to certain departments to allow particular clearances under regulation to occur.

A breakdown of the clearance that has occurred under delegation can be seen below in Table 2.

**Table 2. Clearance decisions under Regulations by delegation or via a Standard Operating Procedure (SOP) 2021-22**

Organisation with delegated officers	No of clearance decisions	Ha Native Vegetation approved	Trees Approved	Committed SEB \$	Committed on-ground SEB (ha)
DEM Energy	3	280.5	0	\$275,406.35	20768
DEM Mining	6	604.903	0	\$1,713,950.09	137.73
SA Water	22	146.47	28	\$23,896.13	1.66
DIT	28	12.96	45	\$124,284.2	0
Forestry SA	2	157.9 (CFS burns)	0	NA	NA
ElectraNet*	0	0	0	NA	NA
SA CFS	41	1629.06 (1602.8 prescribed burns)**	0	NA	NA
SA Power Networks*	0	0	0	NA	NA

*\*ElectraNet and SA Power Networks had no clearances approved under the SOP in this reporting period.*

*\*\*Majority was approved for Department for Environment and Water prescribed burns on private lands.*

**Table 3. Clearance decisions under Regulation 12 by Landscapes Region 2021-22.**

Landscape Region	No. submitted	No. completed Applications	Withdrawn/ refused	Ha native Vegetation approved for removal	Trees approved for removal	Committed payment into NV Fund (\$)	Committed SEB (ha)
Hills and Fleurieu	60	59	1	4.981	1086	1,542,226.83	18.75
Alinytjara Wilurara	0	0	0	0	0	0.00	0
Eyre Peninsula	21	21	0	60.91	27	1,356,345.67	20.61
Kangaroo Island	24	24	0	5.256	0	175,713.04	8
Northern and Yorke	42	42	0	509.593	713	1,698,082.57	1707.52
Green Adelaide	16	16	0	5.591	216	501,041.09	2.7
Murrayland and Riverland	34	32	2	429.521	53	5,282,959.97	45.7
SA Australian Arid Lands	7	7	0	9.20	0	56,820.39	0.00
Limestone Coast	20	20	0	5.729	153	396,881.50	9.354
<b>Total</b>	<b>224</b>	<b>221</b>	<b>3</b>	<b>1030</b>	<b>2248</b>	<b>11,010,071.06</b>	<b>1812.634</b>

**Table 4. Clearance decisions under section 28 by Landscapes Region 2021-22**

Landscapes Region	No. submitted	No. completed Applications	Withdrawn/ refused	Ha native Vegetation approved for removal	Trees Approved for removal	Committed payment into NV Fund (\$)	Committed SEB (ha)
Hills and Fleurieu	7	7	0	0.68	27	74,355.90	0
Alinytjara Wilurara	0	0	0	0	0	0.00	0
Eyre Peninsula	1	1	0	1.912	0	84,832.18	0
Kangaroo Island	4	3	1	3.35	0	0.00	66.86
Northern and Yorke	1	1	0	0	5	4,474.43	0
Murrayland and Riverland	5	5	0	48	20	19,366.27	0
SA Australian Arid Lands	0	0	0	0	0	0.00	0
Limestone Coast	4	3	1	0	17	22,440.33	0
<b>Total</b>	<b>22</b>	<b>20</b>	<b>2</b>	<b>53.942</b>	<b>69</b>	<b>205,469.11</b>	<b>66.86</b>

**Compliance with the *Native Vegetation Act 1991***

The Act provides for civil and summary enforcement proceedings for any infringement. Significantly, any conviction for the illegal clearance of native vegetation requires the Council to initiate proceedings in the Environment, Resources and Development (ERD) Court seeking an order to 'make good' that breach. Offences against the Act lie within the criminal jurisdiction of the ERD Court. This includes failure to comply with a Heritage Agreement.

**Reports Received 2021-22: Alleged Illegal Clearance**

During the 2021-22 financial year the Investigation and Compliance Unit received or detected a total of 102 reports of potential clearance of native vegetation contrary to the *Native Vegetation Act 1991*. The reports are presented according to each

Landscapes region in Table 5 below alongside data for the eight preceding financial years.

**Table 5: Reports received by Landscapes Region 2013-14 to 2021-22**

<b>NRM Region</b>	<b>13-14</b>	<b>14-15</b>	<b>15-16</b>	<b>16-17</b>	<b>17-18</b>	<b>18-19</b>	<b>19-20</b>	<b>20-21</b>	<b>21-22</b>
Adelaide & Mount Lofty Ranges	60	21	29	30	38	51	53	51	<b>43</b>
Alinytjara Wilurara	1	0	0	0	0	0	0	0	<b>0</b>
Eyre Peninsula	22	34	11	32	26	5	21	16	<b>8</b>
Kangaroo Island	11	4	8	13	19	8	21	11	<b>4</b>
Northern & Yorke	25	8	14	21	12	15	20	37	<b>20</b>
SA Arid Lands	1	0	0	1	3	2	1	0	<b>1</b>
SA Murray Darling Basin	34	22	25	21	29	38	35	46	<b>13</b>
South East	23	13	22	20	16	15	34	22	<b>13</b>
<b>Sub-total</b>	<b>177</b>	<b>102</b>	<b>109</b>	<b>138</b>	<b>143</b>	<b>134</b>	<b>185</b>	<b>183</b>	<b>102</b>
Change Detection Program	22	28	31	40	54	61	0	0	<b>0</b>
<b>TOTAL*</b>	<b>199</b>	<b>130</b>	<b>140</b>	<b>178</b>	<b>197</b>	<b>195</b>	<b>185</b>	<b>183</b>	<b>102</b>

There were a total of 102 reports of potential clearance of native vegetation received for 2021-22. This is below the average number of reports recorded over the preceding eight years of data collection despite there being no additional reports received through the Change Detection Program (CDP). In the past the CDP has analysed satellite imagery on an annual basis to detect changes in native vegetation cover. Satellite imagery was obtained over each region of the State at regular

intervals providing a series of geographically and spectrally calibrated images of the same location across a period of time. Prior to 2019-20, on an average, 20-30% of alleged native vegetation clearances annually have been detected via the CDP.

Due to improvements in accessibility, this data is now available through internet based programs which provides new imagery on a more frequent basis. This allows the Department with the capability to review and detect changes in faster time and with greater sensitivity in order to escalate detected illegal clearance to the investigation stage.

With respect to the number of reports received of potential clearance of native vegetation received (minus CDP reports) the number of reports received in 2021-22 were significantly lower (102 reports) than the average number over the preceding 8 years of data collection (145 reports). This is likely due to unauthorised clearance associated with large bushfires during the summer period, in addition to the introduction of the new planning application process, ensuring vegetation is considered by local council prior to granting approval.

### **Action taken from Reports received 2021-22: Alleged Illegal Clearance**

A range of actions is available following a report of illegal clearance. The Native Vegetation Compliance Guidelines provide direction to officers on the use of the various compliance and enforcement tools available in the Act. The Compliance Guidelines provide transparency and consistency in enforcement of the Act.

The following is a list of options available upon receiving a report of clearance:

- Exempt (non-native) - where clearance has been investigated and the vegetation is assessed to be non-native.
- Exempt (Native Vegetation Regulations 2017) - Where clearance has been investigated and assessed to be exempt under the Regulations.
- No further action (NFA) — where the offender or exact location of the clearance cannot be determined or clearance has occurred in accordance with a formal clearance approval or is outside of the statutory timeframes or jurisdiction of the Act, no further action is taken.
- Education letter — where clearance is assessed as trivial and occurs by accident or through ignorance, an educational letter may be sent that identifies that clearance has occurred and provides information about native vegetation, its value and obligations for its protection.
- Written caution — where clearance is trivial or minor and is accidental or mistaken, and not a repeat occurrence, a formal caution may be issued.
- Enforcement notice (section 31 E of the Act) — authorised officers may issue this administrative order where they have reasonable grounds to believe that clearance has or may occur. These notices are commonly referred to as 'stop work' or 'make good' notices. A make good order requires the landowner to

undertake minor remedial works to rectify clearance actions and can only be issued if the clearance is assessed as minor.

- Expiation — a \$750 fine may be issued by an authorised officer, with the authority of the Council under section 35(5) of the Act. This is issued when the clearance is assessed to be minor.
- Refer for investigation — where it is believed that a moderate or serious offence has occurred, an investigation is required to gather further evidence to potentially pursue legal proceedings.

There were a total of 102 clearance reports received this financial year. Of this total, there were 21 reports where compliance action had not been finalised as further information was being gathered (RFI information pending). These reports have been carried over for the 2021-22 financial year.

Of the reports that had been actioned for the 2021-22 financial year (81 reports), a total of 34 reports were considered to be either No Further Action (NFA) required, Exempt - Non Native or Exempt – Regulation under the *Native Vegetation Regulations 2017*. A further 23 reports received Education letters for trivial to minor clearance breaches.

In matters where there had been a clear breach of the Act, a total of 8 Caution letters and 12 Enforcement Notices to either stop work and/or make good the clearance were issued in 2021-22. Furthermore 2 expiations were issued.

There was 1 report believed to be a serious offence, and was referred to investigation to gather further evidence to pursue legal proceedings. The report was in regard to a breach of a section 31e Enforcement Notice under the Act.

Table 6 and figure 1 summarises the actions taken from reports of alleged illegal clearance for the 2020-21 financial year. Figure 2 averages out the actions taken across a 9-year period from the 2012-13 financial year to 2021-22 financial year.

**Table 6. Compliance Actions taken for Reports received for the 2021-22 financial year.**

Actions	Number
Exempt – Non native	0
Exempt – Regulation	7
NFA	27
Education letter	23
Written Caution	8
Enforcement Notice	12
Expiation	2



**OFFICIAL**

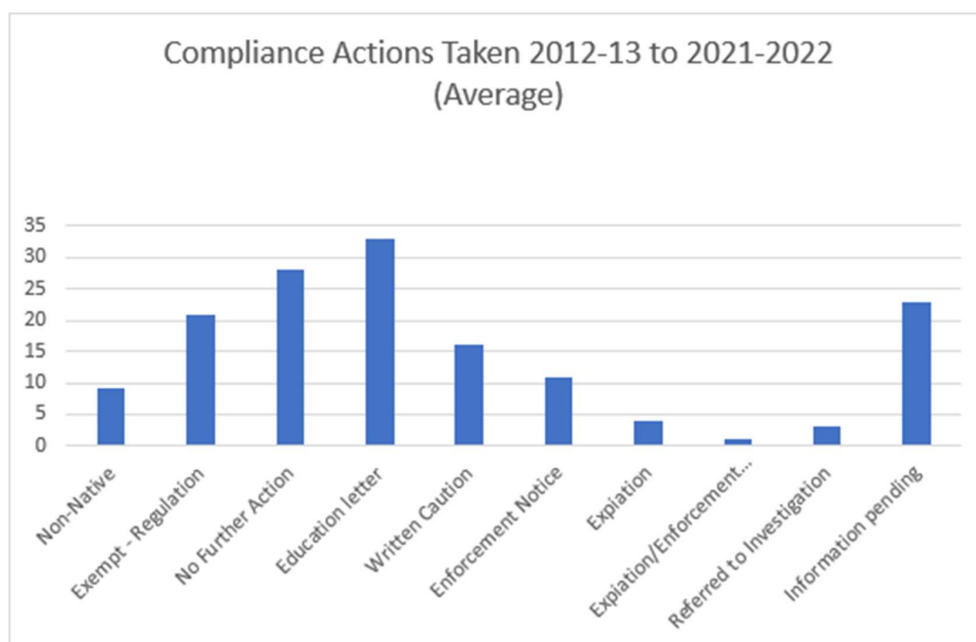
2021-22 ANNUAL REPORT for the Native Vegetation Council

Expiation & Enforcement Notice	1
Referred to Investigation	1
RFI Information pending	21
<b>TOTAL</b>	<b>102</b>

**Figure 1. Compliance actions taken for reports received for the 2021-22 financial year.**



**Figure 2. Average of compliance actions taken for reports received 2012-13 to 2021-22 financial year.**



The Native Vegetation Working Group was established in 2016/17 and consists of the Native Vegetation Branch and Compliance Unit members including the respective Managers of both units and the Native Vegetation Compliance Coordinator. The purpose of this working group is to discuss the appropriate enforcement action for a report of unlawful clearance including whether the report is referred to investigation.

### Civil Enforcement Proceedings

In civil enforcement proceedings, the ERD Court may order a respondent to 'make good' an illegal clearance of native vegetation. The order may require the respondent to re-establish or rehabilitate native vegetation on the areas cleared or may require a payment into the Native Vegetation Fund for exemplary damages, or an amount that represents any financial benefit the respondent may have gained, or could reasonably expect to gain from the illegal clearance. The ERD Court may also require the respondent to publicise the environmental and other consequences that would follow the breach and the terms of the court order. This is an important process to discourage landholders from future clearance of native vegetation.

For the 2021-22 financial year:

- The Department for Environment and Water (DEW) has been investigating the clearance of a number of areas of native vegetation in the south-east of South Australia. These clearances were detected between February 2018 and August 2020. They have been identified through reports from the community, observations by DEW and Landscape SA staff and the Department's change detection program. Civil enforcement proceedings commenced in the ERD Court 19 March 2021;
- The Department has concluded an investigation of clearance of native vegetation on Kangaroo Island where approximately 1.4 hectares were

cleared when a landowner constructed a dam in a location he had been specifically ordered not to clear in 2010. This matter is currently being adjudicated with a view to undertake criminal and civil action in the ERD Court;

- Civil proceedings concluded in relation to clearance of over 30 hectares of native vegetation including white Cyprus pine and low woodland following a criminal investigation.
- An individual is subject to civil proceedings for the clearance of approximately 83 hectares for two centre pivots following a guilty plea in criminal proceedings in 2015. Negotiations are ongoing with a further conference scheduled in the event that an agreement cannot be negotiated; and
- One company and one individual were subject to an ongoing matter in relation to illegally clearing approximately 10 hectares of native vegetation including Ridge-fruited Mallee, Dune Stringy Bark and Sand-Heath Yacca. Civil proceedings commenced after the director of the company pleaded guilty to breaches of the *Native Vegetation Act 1991* in March 2019.

## Risk management

### Fraud detected in the agency

Category/nature of fraud	Number of instances
It is declared that there were no instances of fraud detected in the activities undertaken by the Council in this reporting period.	0

NB: Fraud reported includes actual and reasonably suspected incidents of fraud.

### Strategies implemented to control and prevent fraud

Strategies to detect instances of fraud are reported in the DEW Annual Report 2021-22.

Data for previous years is available at: <https://data.sa.gov.au/data/datasert/native-vegetation-council-annual-report-data>.

### Public interest disclosure

Number of occasions on which public interest information has been disclosed to a responsible officer of the agency under the *Public Interest Disclosure Act 2018*:

Zero.

Data for previous years is available at: <https://data.sa.gov.au/data/datasert/native-vegetation-council-annual-report-data>.

Note: Disclosure of public interest information was previously reported under the *Whistleblowers Protection Act 1993* and repealed by the *Public Interest Disclosure Act 2018* on 1/7/2019.

## Reporting required under any other act or regulation

Act or Regulation	Requirement
N/A	N/A

## Reporting required under the *Carers' Recognition Act 2005*

N/A

## Public complaints

### Number of public complaints reported

Complaint categories	Sub-categories	Example	Number of Complaints 2021-22
Communication	Communication quality	Inadequate, delayed or absent communication with customer	1
Policy	Policy content	Policy content difficult to understand; policy unreasonable or disadvantages customer	1
No case to answer	No case to answer	Process query	4
		<b>Total</b>	<b>6</b>

Additional Metrics	Total
Number of positive feedback comments	0
Number of negative feedback comments	6
Total number of feedback comments	6
% complaints resolved within policy timeframes	100%

Further reporting on this matter is contained within the Department for Environment and Water (DEW) Complaints Register and DEW Annual Report 2021-22.

Data for previous years is available at: <https://data.sa.gov.au/data/dataset/native-vegetation-council-annual-report-data>.

## Service Improvements

### Service Improvements resulting from complaints or consumer suggestions over 2021-2022.

The Branch now responds to all phone enquiries direct from the public, rather than going through the Customer Service Centre located in the Waymouth Street Office. This service improvement streamlines the experience for members of the public.

Improvements to the Council's website are reviewed on an annual basis to ensure that it can be easily navigated and the requirements of the *Native Vegetation Act 1991* is explained in 'plain English' to facilitate understanding.

The Branch has continued to develop fact sheets for stakeholders and the general public, providing guidance on policies and procedures relating to native vegetation.

The Council has continued in its endeavours to be transparent in its decision making process in engaging with its key stakeholders and the wider South Australian community on native vegetation policy and applications to clear native vegetation, through direct engagement and on its website.

The Native Vegetation Branch (the Branch) continues to work with Information Technology Services to improve the quality and usability of the online application for clearance portal.

## Compliance Statement

The Native Vegetation Council is compliant with Premier and Cabinet Circular 039 – complaint management in the South Australian public sector	Y
The Native Vegetation Council has communicated the content of PC 039 and the agency's related complaints policies and procedures to employees.	Y

## **Appendix: Audited financial statements 2021-22**



# **Native Vegetation Fund**

## **Financial Statements**

For the year ended 30 June 2022

**Native Vegetation Fund**  
**Certification of Financial Statements**  
*for the year ended 30 June 2022*

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We certify that the:

- financial statements for the Native Vegetation Fund:
  - are in accordance with the accounts and records of the Fund;
  - comply with relevant Treasurer's Instructions;
  - comply with relevant accounting standards; and
  - present a true and fair view of the financial position of the Fund at the end of the financial year and the result of its operation and cash flows for the financial year.
- internal controls employed by the Native Vegetation Fund for the financial year over its financial reporting and its preparation of financial statements have been effective



Vaughan Levitzke

**Presiding Member**

Native Vegetation Council

20 October 2022



John Schutz

**Chief Executive**

Department for Environment and Water

20 October 2022



Shaun O'Brien

**Chief Financial Officer**

Department for Environment and Water

20 October 2022

**Native Vegetation Fund**  
**Statement of Comprehensive Income**  
*for the year ended 30 June 2022*

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	<b>Note</b>	<b>2022 \$'000</b>	<b>2021 \$'000</b>
<b>Income</b>			
Intra-government transfers	2.1	1 258	1 227
Fees and charges	2.2	9 777	2 618
Interest revenues	2.3	-	4
Other income	2.4	-	7
<b>Total income</b>		<b>11 035</b>	<b>3 856</b>
<b>Expenses</b>			
Supplies and services	4.1	70	26
Grants and subsidies	4.2	2 474	2 239
Other expenses	4.3	9	17
<b>Total expenses</b>		<b>2 553</b>	<b>2 282</b>
<b>Net result</b>		<b>8 482</b>	<b>1 574</b>
<b>Total comprehensive result</b>		<b>8 482</b>	<b>1 574</b>

The accompanying notes form part of these financial statements. The net result and total comprehensive result are attributable to the SA Government as owner.

**Native Vegetation Fund**  
**Statement of Financial Position**  
*as at 30 June 2022*

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	<b>Note</b>	<b>2022 \$'000</b>	<b>2021 \$'000</b>
<b>Current assets</b>			
Cash and cash equivalents	5.1	18 526	10 820
Receivables	5.2	1 273	497
<b>Total current assets</b>		<b>19 799</b>	<b>11 317</b>
<b>Total assets</b>		<b>19 799</b>	<b>11 317</b>
<b>Current liabilities</b>			
Payables	6.1	11	11
<b>Total current liabilities</b>		<b>11</b>	<b>11</b>
<b>Total liabilities</b>		<b>11</b>	<b>11</b>
<b>Net assets</b>		<b>19 788</b>	<b>11 306</b>
<b>Equity</b>			
Retained earnings		19 788	11 306
<b>Total equity</b>		<b>19 788</b>	<b>11 306</b>

The accompanying notes form part of these financial statements. The total equity is attributable to the SA Government as owner.

**Native Vegetation Fund**  
**Statement of Changes in Equity**  
*for the year ended 30 June 2022*

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	Retained earnings \$'000	Total equity \$'000
<b>Balance at 1 July 2020</b>	<b>9 732</b>	<b>9 732</b>
Net result for 2020-21	1 574	1 574
<b>Total comprehensive result for 2020-21</b>	<b>1 574</b>	<b>1 574</b>
<b>Balance at 30 June 2021</b>	<b>11 306</b>	<b>11 306</b>
Net result for 2021-22	8 482	8 482
<b>Total comprehensive result for 2021-22</b>	<b>8 482</b>	<b>8 482</b>
<b>Balance at 30 June 2022</b>	<b>19 788</b>	<b>19 788</b>

The accompanying notes form part of these financial statements. All changes in equity are attributable to the SA Government as owner.

**Native Vegetation Fund**  
**Statement of Cash Flows**  
*for the year ended 30 June 2022*

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	<b>Note</b>	<b>2022 \$'000</b>	<b>2021 \$'000</b>
<b>Cash flows from operating activities</b>			
<i>Cash inflows</i>			
Intra-government transfers		1 258	1 227
Fees and charges		9 001	3 249
Interest received		-	5
Other receipts		-	7
<b>Cash generated from operating activities</b>		<b>10 259</b>	<b>4 488</b>
<i>Cash outflows</i>			
Payments for supplies and services		(70)	(26)
Payments of grants and subsidies		(2 474)	(2 433)
Other payments		(9)	(17)
<b>Cash used in operations</b>		<b>(2 553)</b>	<b>(2 476)</b>
<b>Net cash provided by / (used in) operating activities</b>		<b>7 706</b>	<b>2 012</b>
<b>Net increase / (decrease) in cash and cash equivalents</b>		<b>7 706</b>	<b>2 012</b>
Cash and cash equivalents at the beginning of the reporting period		10 820	8 808
<b>Cash and cash equivalents at the end of the reporting period</b>	5.1	<b>18 526</b>	<b>10 820</b>

The accompanying notes form part of these financial statements.

# **Native Vegetation Fund**

## **Notes to and forming part of the financial statements**

*For the year ended 30 June 2022*

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### **1. About the Native Vegetation Fund**

The Native Vegetation Fund (the Fund) is established pursuant to section 21 of the *Native Vegetation Act 1991* (the Act).

The Native Vegetation Council (the Council) is responsible for the administration of the Fund in accordance with the Act.

The financial activities of the Fund are conducted through an interest bearing deposit account established pursuant to section 21 of the *Public Finance and Audit Act 1987* and held with the Department of Treasury and Finance (DTF).

#### **1.1. Basis of preparation**

These financial statements are general purpose financial statements prepared in accordance with:

- section 23 of the *Public Finance and Audit Act 1987*;
- Treasurer's Instructions and Accounting Policy Statements issued by the Treasurer under the *Public Finance and Audit Act 1987*; and
- relevant Australian Accounting Standards applying simplified disclosures.

These are the first financial statements prepared in accordance with Australian Accounting Standards – Simplified Disclosures. There has been no impact on the recognition and measurement of amounts recognised in the statements of financial position, profit and loss and other comprehensive income and cash flows of the Fund as a result of the change in the basis of preparation.

For the purposes of preparing the financial statements, the Fund is a not-for-profit entity. The financial statements have been prepared based on a 12 month period and presented in Australian currency. All amounts in the financial statements and accompanying notes have been rounded to the nearest thousand dollars (\$'000). The historical cost convention is used unless a different measurement basis is specifically disclosed in the note associated with the item measured.

The Department for Environment and Water (DEW) prepares a Business Activity Statement on behalf of the Fund under the grouping provisions of the GST legislation. Under these provisions, DEW is liable for the payments and entitled to the receipts associated with GST. Therefore the Fund's net GST receivable/payable is recorded in DEW's Statement of Financial Position. GST cash flows applicable to the Fund are recorded in DEW's Statement of Cash Flows.

Assets and liabilities that are to be sold, consumed or realised as part of the normal 12 month operating cycle have been classified as current assets or current liabilities. All other assets and liabilities are classified as non-current.

Material accounting policies are set out throughout the notes.

#### **1.2. Objectives and programs**

##### **Objectives**

The major purpose of the Fund is to provide funds to be applied for research, preservation, enhancement and management of native vegetation in South Australia and encouraging the re-establishment of native vegetation on land from which it has been previously cleared.

In achieving its objectives, the Fund conducts its services through a single program, the Native Vegetation Fund. As the Fund conducts its services through a single program, a Statement of Income and Expenses by Program has not been prepared.

#### **1.3. Impact of COVID-19 pandemic on the Fund**

The COVID-19 pandemic did not have a material impact on the Fund during 2021-22.

**Native Vegetation Fund**  
**Notes to and forming part of the financial statements**  
*For the year ended 30 June 2022*

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**2. Income**

**2.1. Intra-government transfers**

	<b>2022</b>	<b>2021</b>
	<b>\$'000</b>	<b>\$'000</b>
Intra-government transfers	1 258	1 227
<b>Total Intra-government transfers</b>	<b>1 258</b>	<b>1 227</b>

Intra-government transfers are recognised on receipt. This relates to appropriation received through DEW.

**2.2. Fees and charges**

	<b>2022</b>	<b>2021</b>
	<b>\$'000</b>	<b>\$'000</b>
Significant environmental benefits *	9 504	2 587
Fees, fines and penalties	273	31
<b>Total fees and charges</b>	<b>9 777</b>	<b>2 618</b>

\* The owner of land on which native vegetation is growing or is situated, may apply for consent to clear the vegetation under section 28 of the Act. In consenting to the clearance of native vegetation under section 29 of the Act, the Council may attach a condition requiring the applicant to make a payment into the Fund of an amount considered by the Council to be sufficient to achieve a significant environmental benefit. The monies paid into the Fund must as far as practicable, be used to establish or regenerate native vegetation on land that is within the same region of the state as the cleared land and that has been selected by the Council for that purpose having regard to the Regional Biodiversity Plans approved by the Minister for that region.

Revenues from fees and charges are recognised when invoices are raised.

**2.3. Interest revenues**

	<b>2022</b>	<b>2021</b>
	<b>\$'000</b>	<b>\$'000</b>
Interest from entities within the SA Government	-	4
<b>Total interest revenues</b>	<b>-</b>	<b>4</b>

**2.4. Other income**

	<b>2022</b>	<b>2021</b>
	<b>\$'000</b>	<b>\$'000</b>
Refund of unspent grant funds	-	7
<b>Total other income</b>	<b>-</b>	<b>7</b>



**Native Vegetation Fund**  
**Notes to and forming part of the financial statements**  
*For the year ended 30 June 2022*

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**3. Board, committees and employees**

**3.1. Key management personnel**

Key management personnel of the Fund include the Minister for Climate, Environment and Water and the members of the Native Vegetation Council.

Total compensation for the Fund's key management personnel was \$51 000 (2021: \$33 000).

The compensation disclosed in this note excludes salaries and other benefits the Minister receives. The Minister's remuneration and allowances are set by the *Parliamentary Remuneration Act 1990* and the Remuneration Tribunal of SA respectively and are payable from the Consolidated Account under section 6 the *Parliamentary Remuneration Act 1990*.

***Transactions with key management personnel and other related parties***

No transactions with key management personnel or related parties occurred during 2021-22.

**3.2. Remuneration of council and committee members**

Members during the 2021-22 financial year were:

**Native Vegetation Council**

V J Levitzke (Presiding Member)  
 J H Neal  
 R S Hill  
 R B Sawers  
 M McCallum  
 K Weymouth

**Native Vegetation Assessment Panel**

V J Levitzke (Chairperson)  
 S Reachill\*  
 A Schutz\*  
 J H Neal

\* In accordance with the Premier and Cabinet's Circular No. 016, government employees did not receive any remuneration for board/committee duties during the financial year.

***Board and committee remuneration***

The number of members whose remuneration received or receivable falls within the following bands:

	2022	2021
\$0 - \$19 999	7	12
\$20 000 - \$39 999	1	-
<b>Total number of members</b>	<b>8</b>	<b>12</b>

The total remuneration received or receivable by members was \$51 000 (2021: \$33 000). Remuneration of members includes sitting fees, superannuation contributions, salary sacrifice benefits, fringe benefits and related fringe benefits tax. The remuneration of members is paid by DEW.

For the purposes of the table above, travel allowances and other out-of-pocket expenses paid to members have not been included as remuneration as it is considered to be reimbursement of out-of-pocket expenses incurred by relevant members.

**Native Vegetation Fund**  
**Notes to and forming part of the financial statements**  
*For the year ended 30 June 2022*

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**4. Expenses**

**4.1. Supplies and services**

	<b>2022</b>	<b>2021</b>
	<b>\$'000</b>	<b>\$'000</b>
Fee for service	42	8
Accommodation	11	9
General administration	5	3
Minor works	4	3
Legal costs	4	1
Travel and accommodation	1	-
Other	3	2
<b>Total supplies and services</b>	<b>70</b>	<b>26</b>

**4.2. Grants and subsidies**

	<b>2022</b>	<b>2021</b>
	<b>\$'000</b>	<b>\$'000</b>
Recurrent grants (i)	1 439	1 669
Significant environmental Benefit (SEB) grants	1 035	570
<b>Total grants and subsidies</b>	<b>2 474</b>	<b>2 239</b>

(i) Recurrent Grants

Contribution to Incentives Program for Native Vegetation Council (NVC)	549	441
Contribution to DEW for NVC Biodiversity Assessment Function	340	483
Contribution to DEW for Manager Native Vegetation Management Unit	149	73
Contribution to DEW Investigations and Compliance Unit	94	92
Contribution to the NVC for Council Operating Costs	77	90
Contribution to DEW for Principal Advisor Native Vegetation	68	134
Contribution to DEW for Coordinator, Governance and Administration	61	116
Contribution to DEW for NVC Administrative Support	56	83
Contribution to DEW for Operating Costs for Native Vegetation Branch (NVB)	45	35
Contribution to DEW for Compliance Function NVB	-	122
<b>Total recurrent grants</b>	<b>1 439</b>	<b>1 669</b>

For grants payable, the grant will be recognised as a liability and expense when the entity has a present obligation to pay the grant and the expense recognition criteria are met.

SEB grants are provided to restore, re-vegetate and protect areas of native vegetation within South Australia.

**Native Vegetation Fund**  
**Notes to and forming part of the financial statements**  
*For the year ended 30 June 2022*

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**4.3. Other expenses**

	<b>2022</b>	<b>2021</b>
	<b>\$'000</b>	<b>\$'000</b>
Audit fees	11	11
Impairment loss on receivables	(2)	6
<b>Total other expenses</b>	<b>9</b>	<b>17</b>

**Audit fees**

Audit fees paid/payable to the Auditor-General's Department relating to work performed under the *Public Finance and Audit Act 1987* were \$11 200 (2021: \$10 800). No other services were provided by the Auditor-General's Department.

**5. Financial assets**

**5.1. Cash and cash equivalents**

	<b>2022</b>	<b>2021</b>
	<b>\$'000</b>	<b>\$'000</b>
Deposits with the Treasurer	18 526	10 820
<b>Total cash and cash equivalents</b>	<b>18 526</b>	<b>10 820</b>

***Deposits with the Treasurer***

The Fund is established under section 21 of the *Native Vegetation Act 1991*. The Native Vegetation Fund deposit account was established under section 21 of the *Public Finance and Audit Act 1987* and is held with DTF.

**5.2. Receivables**

	<b>2022</b>	<b>2021</b>
	<b>\$'000</b>	<b>\$'000</b>
<b><u>Contractual receivables</u></b>		
From government entities	214	226
From non-government entities	1 063	277
Less impairment loss on receivables	(4)	(6)
<b>Total contractual receivables</b>	<b>1 273</b>	<b>497</b>

Contractual receivables arise in the normal course of selling goods and services to other government agencies and to the public. Contractual receivables are normally settled within 30 days after the issue of an invoice or the goods/services have been provided under a contractual arrangement.

Receivables are non-interest bearing. Receivables are held with the objective of collecting the contractual cash flows and they are measured at amortised cost.

Impairment losses relate to receivables arising from contracts with customers that are external to SA Government.

**Native Vegetation Fund**  
**Notes to and forming part of the financial statements**  
*For the year ended 30 June 2022*

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**6. Liabilities**

**6.1. Payables**

	<b>2022</b>	<b>2021</b>
	<b>\$'000</b>	<b>\$'000</b>
<b><u>Current</u></b>		
Accrued expenses	11	11
<b>Total payables</b>	<b>11</b>	<b>11</b>

Payables and accruals are raised for all amounts owing but unpaid. Sundry payables are normally settled within 30 days from the date the invoice is first received. All payables are non-interest bearing. The carrying amount of payables represents fair value due to their short-term nature.

**7. Outlook**

**7.1. Unrecognised commitments**

Commitments include operating arrangements arising from contractual sources and are disclosed at their nominal value.

	<b>2022</b>	<b>2021</b>
	<b>\$'000</b>	<b>\$'000</b>
Within one year	170	309
Later than one year but not longer than five years	301	337
Later than five years	164	218
<b>Total expenditure commitments</b>	<b>635</b>	<b>864</b>

The Fund's expenditure commitments are for the delivery of grant programs.

**7.2. Contingent assets and liabilities**

Contingent assets and contingent liabilities are not recognised in the Statement of Financial Position, but are disclosed by way of a note and, if quantifiable, are measured at nominal value.

As at the reporting date, civil proceedings had commenced against landowners who have been convicted of breaching the Act.

The potential amount of fines and/or damages to be received should the proceedings be successful are not quantifiable and as such no estimate of the potential financial effect can be made. There is also the potential for costs to be awarded against the Council for any unsuccessful prosecutions.

**Native Vegetation Fund**  
**Notes to and forming part of the financial statements**  
*For the year ended 30 June 2022*

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**7.3. Restrictions on contributions received**

The Council is restricted on its use of monies in the Fund according to the provisions of the Act. Section 21(6) of the Act specifies that the Council must as far as practicable, use monies paid into the Fund to achieve a significant environmental benefit to offset the approved clearance of native vegetation. Expiation fees, penalties handed down by the Magistrates Court, financial benefits (as determined by the Environment, Resources and Development Court (ERD)) gained from illegal clearance and exemplary damages (as determined by the ERD Court), must be spent within the same region of the State as the land cleared.

	<b>2022</b>	<b>2021</b>
	<b>\$'000</b>	<b>\$'000</b>
Hills and Fleurieu	3 368	2 385
Northern and Yorke	3 397	2 128
Murraylands and Riverland	3 401	1 783
SA Arid Lands	3 347	1 549
Eyre Peninsula	2 086	1 122
Alinytjara Wilurara	758	629
Limestone Coast	728	480
Kangaroo Island	637	402
Green Adelaide (metropolitan region)	256	110
<b>Total restrictions on contributions received</b>	<b>17 978</b>	<b>10 588</b>

**7.4. Events after the reporting period**

There are no known events after balance date that affect these financial statements in a material manner.