

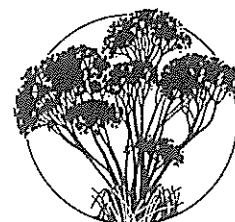
NATIVE VEGETATION COUNCIL

ANNUAL REPORT

1 July 2012 to June 2013



**Government
of South Australia**



Native Vegetation Council

Annual Report of the Native Vegetation Council 2012-13

30 September 2013

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<http://www.environment.sa.gov.au>

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Hon Ian Hunter MLC
Minister for Sustainability, Environment and Conservation
Parliament House
North Terrace
ADELAIDE SA 5000

Dear Minister

In accordance with the requirements of the *Native Vegetation Act 1991* (the Act), I have pleasure in presenting the annual report of the Native Vegetation Council (NVC) for the year ended 30 June 2013.

The *Native Vegetation Act 1991* remains a key legislative instrument supporting South Australia's Strategic Plan, the Planning Strategy for South Australia, the State Natural Resources Management Plan and the newly released Better Together: Principles of Engagement. In February 2012 the *Native Vegetation (Miscellaneous) Amendment Bill 2011* (the Bill) was introduced and restored (pursuant to section 57 of the *Constitution Act 1934*) to the Legislative Council Notice Paper. The amendments in the Bill aim to update the Act, further ensuring consistency with the State's other natural resources legislation. Amendments will strengthen landscape approaches to biodiversity conservation, add new expertise to the NVC, improve administration and give recognition to satellite surveillance technology to identify changes in vegetation cover. A government amendment relating to permitting a third party to provide a Significant Environmental Benefit (SEB) offset and establish an SEB credit has been developed since the Bill was restored. Throughout the early part of this financial year agency consultation on the Regulatory Impact Statement and the Cabinet Submission for the introduction of third party offsets occurred. Consultation with the Natural Resource Management (NRM) Boards and stakeholders of the Native Vegetation Act on the establishment of SEB credit, assignment and third party offset closed late January 2013. Consultation feedback has been reviewed and taken into account in readiness for the Native Vegetation Act Amendment's return to Parliament.

The twelve months covered in this annual report have seen the NVC take a proactive role in strengthening relationships with NRM regions. The NVC has actively worked with the regions through regional visits, regional forums, supporting educational briefings on legislative compliance and the development of regional partnerships. To improve biodiversity outcomes, the NVC considers achieving greater integration with the regions is a high priority. The NVC will continue to maintain good relationships not only with the NRM regions but with our key stakeholders: the Department of Environment, Water and Natural Resources (DEWNR), Local Government Association (LGA), South Australian Country Fire Service (SA CFS), the Department for Manufacturing, Innovation, Trade, Resources and Energy (DMITRE), and the Department of Planning, Transport and Infrastructure (DPTI).

The NVC has worked closely with Local Government on the importance of bushfire protection, public safety and managing remnant native vegetation on road sides. Updated Guidelines for assisting local councils to manage native vegetation on road-sides were introduced through a series of forums across South Australia in March 2013 aimed at LGA

members. This year the NVC identified and acknowledged a need for greater understanding and awareness about native vegetation in the state's roadside reserves. For this financial year, the NVC granted an additional \$70 000 for the management of roadside vegetation.

Under delegation from the NVC and in accordance with a Standard Operating Procedure, DPTI has powers and functions to achieve clearance of native vegetation for road infrastructure. Throughout the year the NVC worked closely with DPTI over amendments to the *Development Regulations 2008* to include native vegetation as a mandatory referral under certain circumstances.

This year the NVC continued to strengthen working relationships with the SA CFS to provide guidance, direction and advice on bushfire prevention as it relates to native vegetation management. The SA CFS has a standing invitation to attend NVC meetings.

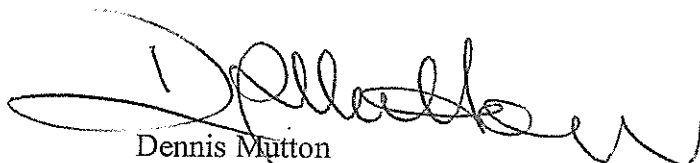
The Native Vegetation Council continues to work with DEWNR and key stakeholders for determining a more consistent and transparent method to calculate a Significant Environmental Benefit (SEB) for both on-ground programs and payment into the Fund. Under the *Native Vegetation Act 1991* and the *Native Vegetation Regulations 2003*, authorised clearance of native vegetation must be offset by an SEB.

This year the NVC released several Guidelines, all contributing to the delivery of South Australia's Strategic Plan (SASP). The draft Guideline for clearance through Ecological Burning directly contributes to achieving the delivery of the SASP Target 20 - Bushfire Preparedness, SASP Target 69 - Lose no species, and Target 72 - Increase participation in nature conservation. The guidelines for managing over-abundant growth of *Acacia cyclops* and *Acacia longifolia*, contribute to Target 70 - increase protection of agricultural cropping land from soil erosion. The Guidelines for managing roadside native vegetation contribute to achieving the delivery of the SASP Target 20 - Bushfire Preparedness, Target 69 - Lose no species, and to Target 72 - Increase participation in nature conservation

I take the opportunity to thank the Members for their commitment and contribution in delivering on the Strategic Directions of the NVC. I also wish to acknowledge the significant work and support from the DEWNR staff in assisting the NVC conduct its business.

The following annual report provides a comprehensive overview of the activities of the Native Vegetation Council for 2012-13.

Yours sincerely



Dennis Mutton
Presiding Member
Native Vegetation Council

Dated: 2 / 9 / 2013

PLANS AND OBJECTIVES

The Native Vegetation Council (NVC) provides expert advice on the *Native Vegetation Act 1991* (the Act) to the Minister for Sustainability, Environment and Conservation (the Minister) over matters related to:

- The preservation, enhancement and management of existing native vegetation; and
- The re-establishment of native vegetation on land where native vegetation has been cleared or degraded; and
- Research into the preservation, enhancement and management of native vegetation and the re-establishment of native vegetation on cleared land.

The NVC set the following strategic priorities for 2012-13:

1. Integration with regions
2. Relationship management
3. Planning
4. Governance
5. Monitoring and Evaluation

The NVC strategic priorities are consistent with outcomes and priorities of the DEWNR Corporate Plan, in particular Strategic Priority 1 – strengthen the regional NRM system and make it relevant for all South Australians, Strategic Priority 8 – provide exceptional opportunities for people to enjoy and use our parks and public places, and increasingly involve the community in their management, Strategic Priority 9 – meet the target for prescribed burning on high risk public land and maintain an appropriate bushfire response capacity and Strategic Priority 11 – use the NRM Reporting Framework to align monitoring arrangements and improve understanding of the state and condition of the state's natural resources.

The effective administration of the Act and the strategic priorities of the NVC, significantly contribute to the implementation of the South Australia's Strategic Plan (SASP) 2012-14, specifically, Target 69 *Lose no Species* (lose no known native species as a result of human impacts), Target 20 *Bushfire Preparedness* (increase the number of households in high bushfire prone areas that are prepared for a bushfire by 30% by 2020), Target 70 *Sustainable land management* (achieve a 25% increase in the protection of agricultural cropping land by 2020) and Target 72 *Nature Conservation* (increase participation in nature conservation activities by 25% by 2015).

By being involved and working together with the NRM regions, local government and communities, the NVC supports the State NRM Plan with the ongoing improvement in the condition of our natural resources.

ROLE, LEGISLATION AND STRUCTURE

The *Native Vegetation Act 1991* was proclaimed on 18 April 1991. Native vegetation means a plant or plants of a species indigenous to South Australia and includes a plant or plants growing in or under waters of the sea. The Act controls the clearance of native vegetation in addition to assisting the conservation, management and research of native vegetation on lands outside the National Parks and Wildlife parks and reserves system.

Principles of Clearance of Native Vegetation

Clearance means any activity that could cause substantial damage to native plants, including cutting down, removal, burning, poisoning, slashing of understorey, removal of branches (for example, brush cutting or woodcutting), drainage or flooding of land and, in some circumstances, grazing.

An important part of the Act is the set of provisions relating to clearance applications lodged by landholders. In deciding whether to consent to an application to clear native vegetation, the NVC must refer to the Principles of Clearance listed in Schedule 1 of the Act. The principles relate to plant species diversity, significant remnants, wetlands, soil erosion and the potential for clearance to exacerbate flooding. In general the NVC must not make a decision that is seriously at variance with these principles. In its deliberations on clearance applications the NVC also considers practical aspects of farm management, bushfire management, River Murray Flood Plain and the Adelaide Dolphin Sanctuary. The NVC may consent to clearance under specified conditions. Any clearance approved by the NVC in ordinary circumstances, may be subject to conditions ensuring that the approved clearance is offset by a Significant Environmental Benefit (SEB).

The SEB may be achieved 'on ground' through revegetation, regeneration or protection works on the same or adjacent properties or by a payment into the Fund.

Native Vegetation Fund

The Act establishes the Native Vegetation Fund (the Fund), monies from which are made available for the management of Heritage Agreement areas, research into the preservation, large scale conservation, restoration and management of native vegetation once established or reinstated on cleared land. The Fund consists of an annual allocation appropriated by Parliament, clearance application fees, monies paid into the Fund to achieve an SEB and penalties from civil and summary enforcement proceedings. The Act provides that monies paid into the Fund as SEB payments or penalties must be managed by the NVC to establish or regenerate native vegetation in the NRM region where the clearance or breach has occurred. The Auditor General may at any time, and must at least once in each year, audit the accounts of the Fund.

Compliance

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

To monitor and review the condition of native vegetation across the State, the NVC supports an ongoing change detection program that utilises satellite imagery.

Native Vegetation Regulations 2003

Associated with the Act are the *Native Vegetation Regulations 2003* (the Regulations). A number of the Regulations describe specific circumstances where clearance of native vegetation can be undertaken without the need for a formal consent from the NVC. Other regulations, while excluding the need to formally apply for the clearance of native vegetation, have detailed provisions that need to be fulfilled to the satisfaction of the NVC in order for the action to be considered exempt. This might include the need to establish an SEB. The

Regulations extend the definition of native vegetation to include the protection of certain dead trees where they provide, or have the potential to provide habitat for animals of a listed threatened species.

Clearance of native vegetation enabled by a regulation does not apply to land protected under a Heritage Agreement except where explicitly stated by that regulation.

In some cases, even though clearance may be exempt by the Regulations, there may be constraints under other legislation which need to be complied with, such as the *River Murray Act 2003*, *Water Resources Act 1997*, *Natural Resources Management Act 2004*, *Development Act 1993*, *Adelaide Dolphin Sanctuary Act 2005*, *River Murray Act 2003* and the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*.

The Native Vegetation (Miscellaneous) Amendment Bill 2011

The Bill was introduced in the House of Assembly in June 2011. The 2011 Bill introduced the same amendments as those previously introduced in 2008. Parliament was prorogued in December 2011 and subsequently the 2011 Bill lapsed. The 2011 Bill, having passed the House of Assembly was restored to the Legislative Council at the Second Reading Stage in February 2012.

Key issues are to increase flexibility in the delivery of SEB offsets, add new expertise to the NVC, minor modification to existing powers and penalties to improve administration of the legislation. Minor modifications have been made to existing powers and penalties to improve administration of the legislation, provide that a breach of a Heritage Agreement is a breach of the Act and provide better consistency with the *Natural Resources Management Act 2004*.

The amendments update evidentiary provisions to ensure the admissibility of evidence derived from remotely-sensed imagery, unless proof to the contrary is produced. The amendments will ensure offences lie within the criminal jurisdiction of the Environment, Resources and Development Court.

The Bill clarifies that the Act applies to that part of the City of Mitcham consisting of the suburbs Bellevue Heights, Blackwood, Coromandel Valley, Craighburn Farm, Eden Hills, Glenalta and Hawthorndene.

OBJECT OF THE NATIVE VEGETATION ACT

The object of the Act is to provide for

- The conservation, protection and enhancement of native vegetation in the State.
- The provision of incentives and assistance to landholders in relation to the preservation, enhancement and management of native vegetation.
- The encouragement of research into the preservation, enhancement and management of native vegetation.

FUNCTIONS OF THE NATIVE VEGETATION COUNCIL

The NVC's principal functions pursuant to the Act include:

- to keep the condition of the native vegetation of the State under review
- to advise the Minister about matters pertaining to the preservation and management of existing native vegetation, and the re-establishment of native vegetation
- to keep the principles of clearance of native vegetation under review
- to determine applications for consent to clear native vegetation

- to encourage research into the preservation, enhancement and management of native vegetation and the re-establishment of native vegetation on cleared land
- to encourage the re-establishment of native vegetation on land from which native vegetation has been cleared
- to administer the Fund.

MEMBERSHIP

The NVC is established under section 7 of the Act and consists of seven members appointed by the Governor. All members of the NVC must have some knowledge of, and experience in, the preservation and management of native vegetation. The Governor appointed the present NVC membership on 1 September 2011 for a two-year term expiring on 2 September 2013.

As at 30 June 2013 the NVC membership was as follows:

Presiding Member

Dennis Ray Mutton, Nominee of the Minister for Sustainability, Environment and Conservation

Members

Jennifer Anne Lillecrapp, Nominee of the South Australian Farmers Federation

Maurice Colm Roche, Nominee of the Conservation Council of S.A.

Penelope Ann Paton, Nominee of the Natural Resources Management Council

Jayne Alison Bates, Nominee of the Local Government Association Inc.

Bruce Conrad Munday, Nominee of the Minister for Sustainability, Environment and Conservation

Deputy Members

Ernest Alex Ratcliff (Deputy to Lillecrapp)

Jeanette Ann Gellard (Deputy to Roche)

Dianne Catherine Ashby (Deputy to Paton)

Barry Kym McHugh (Deputy to Bates)

Joseph Lindsay Keynes (Deputy to Munday)

The Commonwealth Minister for Environment and Conservation declined to nominate a person to be appointed to the NVC as is allowed for under subsection 8(1)(f) of the Act.

The Chief Officer, South Australian Country Fire Service has a standing invitation to attend meetings of the NVC.

Committees

Native Vegetation Assessment Panel

Chair: Bruce Munday, Nominee of the Minister for Sustainability, Environment and Conservation

Maurice Colm Roche, Nominee of the Conservation Council of S.A.

Jennifer Lillecrapp, Nominee of the South Australian Farmers Federation

Deputy to Chair: Dennis Mutton

Native Vegetation Council Fire Committee

Chair: Jayne Bates, Nominee of the Local Government Association Inc.

Adam Gray, Nominee of the Local Government Association Inc

Leigh Miller, Nominee of the South Australian Country Fire Service

Deputy to Chair: Maurice Roche

Deputy to Bates: Maurice Roche

Deputy to Gray: David Hitchcock

Deputy to Miller: Richard Wald

Native Vegetation Council Grants Committee

Chair: Dennis Mutton, Nominee of the Minister for Sustainability, Environment and Conservation

Penny Paton, Nominee of the Natural Resources Management Council

Bruce Munday, Nominee of the Minister for Sustainability, Environment and Conservation

MEETINGS: GENERAL AND SPECIAL

During the financial year 2012-13 six formal meetings of the NVC were convened including an August meeting held in Murray Bridge as part of a South Australian Murray Darling Basin NRM regional visit and an April meeting held in Stansbury as part of a Northern and Yorke NRM regional visit. One extra meeting was held out of session this financial year.

The NVC members (no government employees) received the following remuneration as determined by the Governor:

Native Vegetation Council Remuneration

Presiding Member: Annual stipend \$22 500

Members: Sitting Fee \$206 per four hours

Native Vegetation Assessment Panel

Chair: Sitting Fee \$221 per four hours

Member: Sitting Fee \$177 per four hours

Native Vegetation Council Grants Committee Remuneration

Chair: Sitting Fee \$129 per four hours

Member: Sitting Fee \$103 per four hours

GOVERNANCE ARRANGEMENTS

As required by section 16 of the *Native Vegetation Act 1991*, the NVC was assisted by the Secretary, the Principal Advisor and, as required, by other officers employed by the Department of Environment, Water and Natural Resources (DEWNR) under the *Public Sector Act 2009*.

The numbers and the expertise of staff from the DEWNR working on native vegetation issues are of critical importance to the NVC, as it relies almost solely on the DEWNR officers, in particular members of the Native Vegetation and Biodiversity Management Unit (NVBMU) for legislative, technical, scientific and administration advice. Reporting on this matter is contained within the DEWNR annual Report 2012-13.

HIGHLIGHTS, OPERATIONS AND INITIATIVES

POLICY MATTERS

During 2012-13 the NVC continued to focus on policies and procedures for the protection and conservation of native vegetation.

Although the NVC developed no new policies of its own during the year, the requests for comment on developing policies, frameworks and guidelines of its stakeholders continues to be encouraging. Throughout the reporting year NVC has continue to work closely with the Department of Planning, Transport and Infrastructure on the *Development (Schedule 8) Variation Regulations 2013* under the *Development Act 1993* for native vegetation to be a mandatory referral within designated areas of South Australia.

Significant Environmental Benefit Metrics and Policy Review

The NVC, supported by DEWNR, is reviewing the policy relating to SEB offsets and the way in which the SEB requirement is calculated. Consultation with relevant government agencies, peak environmental and industry groups on the proposed changes began in April 2013 and will continue through the coming financial year. The proposed changes aim to:

- deliver greater clarity and rigour through a more consistent approach to native vegetation assessment, applicable to all clearance applications and within all NRM regions across the State;
- adhere to key biodiversity offset principles to provide more appropriate environmental offsets to meet the objects of the *Native Vegetation Act 1991* and to reflect national and international standards; and
- use a realistic calculation of the payment to the Native Vegetation Fund where an in lieu payment is proposed instead of an on-ground offset.

Framework for Third Party Significant Environmental Benefits Offsets

A Framework for an 'Approved Third Party Significant Environmental Benefits Offsets Scheme' is being developed to provide a consistent and defined approach for organisations and individuals seeking to be a third party provider of SEB offsets.

ROADSIDE VEGETATION MANAGEMENT REVIEW

Native vegetation along roadsides is significant for many reasons. It has often not been cleared or grazed, and in some areas is virtually the only remaining example of the original native vegetation. It provides habitat for native wildlife, and often supports populations of threatened species. Native vegetation along roadsides is protected in South Australia through both the *Local Government Act 1999* and the *Native Vegetation Act 1991*. The NVC and the Local Government Association (LGA) continue to work together on reviewing and assessing the issues surrounding management of roadside native vegetation.

The review involved the streamlining of processes for the development and implementation of NVC endorsed Roadside Vegetation Management Plans (RVMP) for local councils, as well as updating the 1997 *Guidelines for the Management of Roadside Vegetation* and the 2004 *Preparing Roadside Vegetation Management Plans - Guidelines for Local Government*.

The 2012 *Guidelines for the Management of Roadside Vegetation*, along with an operational template, designed to assist with the development and implementation of the RVMPs was promoted in March 2013 through a series of state-wide forums for local councils. Councils

are encouraged to use the templates and tailor the management of their roadside native vegetation to suit their requirements.

NATIVE VEGETATION COUNCIL GUIDELINES

Under section 25 of the *Native Vegetation Act 1991* and pursuant to various *Native Vegetation Regulations 2003* the NVC must prepare draft guidelines in relation to the management of native vegetation. The NVC, by public advertisement and the Government Gazette, invite members of the public and stakeholders to comment on the draft guidelines within no less than two months following publication of the advertisement. In 2012-13 the following draft guidelines were prepared for consultation.

Guideline for clearance through Ecological Burning

The purpose of this guideline is to inform landowners and land managers on the preparation of a management plan (or standard operating procedure) for carrying out and monitoring an ecological burn (approved by NVC) in areas protected by the *Native Vegetation Act 1991*. Monitoring is a requirement of approval and involves collecting data on the effects on species and species' response to fire. Results from the monitoring outcomes play an important role in future planning of management strategies. The type of fire (or fire regime) plays an important role in influencing plant and animal species' response to a fire event. The guideline will also assist in the protection of plant and animal species. Public and stakeholders comment closes 1 August 2013.

Guidelines for clearance for preserving or enhancing ecological processes through Aboriginal cultural resource activity

The NVC recognises that Aboriginal culture is a living culture and is based on holistic understanding of people sustained by, and sustaining, country. The guidelines are being developed to provide specific guidance in relation to the management of native vegetation to preserve or enhance biological diversity through traditional cultural resource activities which involves the clearance of native vegetation. 'Cultural resource activity' is the collection of native and introduced plants and animals and other natural materials for subsistence, medicinal and other cultural purposes. It may also refer to the activities associated with visiting or interacting with a place or landscape, such as culture camps.

Guidelines for clearance of Western Coastal Wattle (*Acacia cyclops*)

Acacia cyclops is considered to be a plant indigenous to coastal and near-coastal environments in the Eyre Peninsula Natural Resources Region west of Ceduna. It is acknowledged that the species has been introduced to other areas of the State originally by revegetation and from plantings. The species however, represents a threat to native bushland due to its ability to rapidly colonise areas. This guideline aims to facilitate the clearance of *Acacia cyclops* that is causing land management problems. Public and stakeholders comment will close on 3 July 2013.

Clearance of *Acacia longifolia* in the South East Natural Resources Management Region Under Regulation 5(1)(zj)

Along with *Acacia cyclops*, *Acacia longifolia* has subsequently been distributed widely into new parts of Australia (and the world). Being closely related forms of the same species, *Acacia cyclops*, and *Acacia longifolia* have readily spread, with hybrids appearing to be particularly vigorous. This guideline, in response to landowner concerns over the increase

and invasion of *Acacia longifolia*, has been developed to assist in managing the problem. Public and stakeholders comment will close on 3 July 2013.

Review of the Guidelines for Native Vegetation SEB Policy for the Clearance of Native Vegetation Associated with Minerals and Petroleum Industry

Clearance of native vegetation for mining activities is subject to the provisions of the *Native Vegetation Act 1991* and *Native Vegetation Regulations 2003*. Whilst exemptions apply under the Regulations for mining, petroleum and geothermal activities, those exemptions are subject to a requirement that all mining, petroleum and geothermal operations (other than exploration) that involve the clearance of native vegetation, must be undertaken in accordance with a management plan that the NVC is confident will result in an SEB.

The guidelines are to provide operators involved with activities under the *Mining Act 1971* and *Petroleum Act 2000* with an understanding of the processes involved for applicants to comply with the clearance of native vegetation and the SEB requirements under the *Native Vegetation Act 1991*.

As part of the review process, an internal agency consultation is in progress and will be followed by discussions with DMITRE. The NVC will then release the draft through public advertisement and the Government Gazette for public and stakeholder comment.

NATIVE VEGETATION COUNCIL STRATEGIC DIRECTIONS

RELATIONSHIPS MANAGEMENT

Communication

Lifting the understanding and awareness of community wellbeing, sustainable production and environmental outcomes relating to native vegetation in South Australia has been a priority for the NVC this financial year. This has been achieved through NRM regional visits, regional forums and training and education sessions which have also built better relations with DEWNR, NRM Boards, LGA, landholders and the community. Twenty three native vegetation information sheets have been updated with a further twelve developed. The DEWNR Managing Native Vegetation website has been re-vamped to reflect more clearly the work undertaken in the protection of the State's remaining native vegetation. Guidelines and information sheets have been published and appear on the website www.environment.sa.gov.au/managing-natural-resources/Native_vegetation

Throughout the year the NVC has been successful in the release of several news bulletins, including featured articles in the Islander (Kangaroo Island) and the Yorke Peninsula Country Times.

Native Vegetation Council and Local Government Forums

To promote the release of the reviewed and updated *Guidelines for the Management of Roadside Vegetation* and the *Preparing Roadside Vegetation Management Plans - Guidelines for Local Government* the NVC held four one day forums at Naracoorte, Clare, Port Lincoln and Mount Barker. The focus was roadside native vegetation management for local councils with issues relating to clearance guidelines, pest control, fire, public safety and funding support. Local government is a key contributor to the protection and management of native vegetation. Thirty five individual councils from across the state attended the highly successful forums, which included participation from SA CFS, DEWNR, native vegetation consultants and interested community members.

Bushland Rapid Assessment Technique (BushRAT)

During 2012-13 staff from the NVBMU developed BushRAT, a native vegetation condition assessment method used to assess the biodiversity value of bushland in a consistent manner within the agricultural zone. The method scores a variety of attributes under the headings of vegetation condition, conservation values and landscape context and then weights the attributes according to their importance and/or consistent measurability. BushRAT is intended for use in most assessments undertaken by the NVC, including clearances under section 28 of the Act, under Regulations, assessments of potential SEB offset areas, Heritage Agreement assessment and compliance assessments.

Training in BushRAT methodology is available to relevant parties. A three day training session was held in June 2013 with staff from local government, DMITRE, SA Water, DEWNR and native vegetation consultants. Further sessions towards the latter part of 2013 are planned for other regions, including Kangaroo Island and the South East.

Habitat Restoration Workshops

Three Habitat Restoration Workshops were run at Waite Campus, Urrbrae in September 2012, and a fourth workshop was run in November 2012 in the Coorong with Ngarrindjeri Ruwe group who have been involved in carrying out re-vegetation works for the Coorong Lower Lakes and Murray Mouth Program. The aim of the workshops was to develop a standardised approach for NVBMU and NRM staff, SEB contractors and practitioners to planning and implementation of restoration projects to achieve improved outcomes for SEBs and other restoration based projects.

Following the theory of the workshop with the Ngarrindjeri, a site visit was undertaken to Bonney Reserve and Warrengie to look at restoration work the group had carried out on Ngarrindjeri land and to look at a difficult limestone and sand cliff site with erosion issues and rabbit problems. The group worked together to identify some possible solutions to restore the site.

INTEGRATION WITH THE NRM REGIONS

Regional Visits

The NVC seeks to undertake two trips to regional South Australia during the course of each year as an opportunity to identify and discuss issues with local communities, local government and NRM Boards. This is an opportunity for the NVC to strive towards improving processes and procedures for the clearance and preservation of native vegetation while still recognising the need to maintain the objectives of the Act.

The NVC August 2012 visit to the South Australian Murray Darling Basin NRM region offered the opportunity to discuss several topics relevant to the Act, such as trail bike and off-road four wheel drive damage to native vegetation, firewood collection and grader damage due to widening of gravel roads during maintenance activities.

The NVC visited several projects sites supported by grants provided by the Native Vegetation Incentives Program. Projects included:

- The protected critical habitat area of the endangered Regent Parrot at Hog Wash Bend Conservation Park.
- The restoration of 350 ha of dune top habitat for mallee bird species such as the Purple-gaped Honeyeater, the Southern Scrub-robin and the White-fronted Honeyeater as part of the Woorinen Sands ecological restoration project in the northern mallee surrounding Bakara Conservation Park.

In April 2013 the NVC visited Northern and Yorke Peninsula NRM region providing an opportunity to consider local issues and build awareness among the community about native vegetation management practices. The NVC held a community forum at Port Wakefield and met with local government, SA CFS and Regional NRM staff. One topic of discussion was roadside native vegetation on narrow rural roads and the safe passage for large farm machinery. With the introduction of new farming practices and technologies which can impact on native vegetation, there is a need for clarity on how NVC can work with landholders and local councils to best manage it. The NVC visited the Snowtown Wind Farm and the SEB site near Kulpara. The SEB site proved to be a suitable native grasslands offset area and is showing signs of biodiversity improvement. Weed management, feral animal control and grazing management will aid in habitat recovery for endangered species such as the pygmy bluetongue lizard, resident on site.

Kangaroo Island Strategic Partnership

In December 2012 the NVC and the Kangaroo Island NRM Board formally agreed on five focus areas for the provision of effective native vegetation management services to the Kangaroo Island community. These were: effective and efficient provision of advice to landholders, develop Kangaroo Island narrow leaf mallee management plan, improve process for breaches of the Act, improve processes for advice to key stakeholders, clearer role of the Kangaroo Island NRM Board involvement in native vegetation management.

South Australian Arid Lands (SAAL) Strategic Partnership

Natural resources management within the SAAL region is guided by three statutory bodies: NVC, SAAL NRM Board and the Pastoral Board. As part of the 2012-13 budget, the NVC funded \$57 000 towards a strategic partnership with the SAAL NRM Board to further relationships focussing on a greater collaboration on rangelands-specific policy, technical advice, procedures and strategic interests for matters relating to native vegetation management within the SAAL region. Throughout the year the three statutory bodies have worked together to progress both the Guidelines around Waterpoints and the *Policy Framework – Process for Developing a Joint Land Condition Policy* for the region.

PLANNING

Schedule 8 of the Development Act 1993

In order to strengthen the relationship between the *Native Vegetation Act 1991* and the *Development Act 1993* the NVC this year continued to work closely with the Department of Planning, Transport and Infrastructure over the amendments to the *Development Regulations 2008* to include native vegetation as a mandatory referral. On 15 April 2012 Cabinet recommended that the necessary amendments to the *Development Regulations 2008* be made to include native vegetation as a mandatory referral within designated areas. These amendments will enable clarity and guidance at the beginning of the development planning process when assessing impacts of development on native vegetation.

The amendment to the *Development Regulations 2008* gives the Native Vegetation Council 'power of direction' over any development application that is within twenty (20) metres of substantially intact native vegetation. The NVC's 'power of direction' will only apply in those circumstances in which a local council Development Plan contains a map showing an area of 'substantially intact native vegetation'. Neither the Minister nor local councils are bound to include a substantially intact native vegetation zone.

GOVERNANCE

The NVC may, with the approval of the Minister under section 15 of the *Native Vegetation Act 1991*, delegate any of its powers or functions. Following the 2011-12 review of its powers and functions under delegation, the new NVC Instrument of Delegation and the Schedule of Powers and Functions was endorsed by the Minister for Sustainability, Environment and Conservation in March 2013.

MONITORING AND EVALUATION

Significant Environmental Benefit Monitoring and Compliance Program

The SEB Monitoring and Compliance program has continued to develop and implement a monitoring program for on-ground SEB offsets. This is to ensure that environmental gains are being achieved and are sufficient.

To improve the process for assessing native vegetation for clearance applications and on-ground SEB offsets in the rangeland region, a vegetation assessment methodology for the rangelands of South Australia is being developed. This is complementary to the BushRAT method developed for assessments within the agricultural zone.

A review of the on-ground SEB offsets areas approved by Delegated authorities (SA Water, DPTI and DMITRE) initiated an on-ground monitoring program of the offsets. The monitoring program will enable ongoing improvement to the quality and effectiveness of offsets being provided by Delegated authorities.

A process is being developed for reviewing and approving the required Native Vegetation Management Plans for on-ground SEB offsets. This will improve the enforceability of the management plans and ensure sufficient biodiversity gains are achieved and the proponents are more accountable for the conditions assigned to their consent to clear.

Significant Environmental Benefit Credit Register

A person can, with the approval of the NVC, establish an environmental on-ground credit for the purpose of a future SEB offset requirement. A register is being developed by DEWNR to record information about SEB offsets and will include available credit for subsequent use by a clearance applicant. The register aims to detail, amongst other things, the parties involved, the consent to which the transaction relates, the land affected and the amount of credit available.

This will be publicly accessible via the NVC website which will ensure an appropriate level of transparency and accountability.

Civil Court Orders Monitoring

The NVC supported DEWNR to develop and implement an effective monitoring regime to ensure compliance with the *Native Vegetation Act 1991*. Outstanding fines and civil payments are traced and recovered through the monitoring regime. Site visits by DEWNR staff continue to ensure compliance with Civil Court Orders issued by the Environment, Resources and Development Court that require remediation works and/or management of native vegetation to be carried out, payments into the fund or a combination of both management and payment.

CLEARANCE ISSUES

Since the enactment of the former *Native Vegetation Management Act 1985* and the *Native Vegetation Act 1991*, South Australia has been a national leader in managing the clearance of

native vegetation. This has had important outcomes for the protection of biodiversity and for control over land degradation, including salinisation.

With the exception of clearance provided for by *Native Vegetation Regulations 2003*, the clearance of intact native vegetation with significant biodiversity value is not permitted by the Act without approval.

Following the introduction of the *Native Vegetation Regulations 2003*, the range of activities and development able to be assessed under the Regulations has broadened. Since 2003 there has been a trend towards a higher proportion of matters seeking clearance approval under the Regulations rather than formal clearance applications under section 28 of the Act.

SUMMARY OF CLEARANCE APPLICATIONS UNDER SECTION 28 OF THE NATIVE VEGETATION ACT 1991

During 2012-13, 26 clearance applications were approved with clearance consent being granted to 1128 ha of native vegetation. This included the clearance of 37 trees and 811 ha of new brush cutting (*Melaleuca uncinata*) that is anticipated to regenerate naturally. Three extensions to brush cutting applications were granted in this reporting year.

For 2012-13, SEB established to offset the above clearance included the management or restoration of 287 ha of native vegetation and agreed payments into the Native Vegetation Fund of \$56 796.

Detailed information on section 28 applications is presented in Appendix 1.

SUMMARY OF CLEARANCE MATTERS UNDER THE NATIVE VEGETATION REGULATIONS 2003

In 2012-13, 245 clearance matters consistent with the *Native Vegetation Regulations 2003* were approved of which 101 were assessed by the NVBM Unit, 114 assessed under delegation (as set out in Table 1) and 30 by Native Vegetation Assessment Panel (NVAP). The total clearance of native vegetation, under the Regulations for this reporting year was 3614 ha and 1598 trees.

A number of the Regulations require the establishment of an SEB. During the 2012-13 financial year, SEB payments established for matters considered under the Regulations, including those under delegation totalled \$859 567 with other clearance requirements of an on ground SEB offset of 2004 ha.

In this reporting year the Department of Planning, Transport and Infrastructure (DPTI) paid into the Fund \$306 000 as SEB payment for the Dukes Highway project. Clearances for the Dukes Highway project are reported under delegation.

Note that there is an ability to clear under the Regulations that does not require consultation with the NVC, eg clearance around prescribed building or structure under Regulation 5(1)(k). Hence the amount of this clearance is unknown.

In addition to clearance outlined in Table 1 and Table 2, DEWNR conducted 68 prescribed burns for fuel reduction totaling 547 ha and six ecological burns totaling 127 ha in South Australia's Parks and Reserves.

Table 3 gives an indication of clearance statistics for the financial year 2012-13 compared to the previous financial year 2011-12.

Organisation with delegated officers	No of clearance decisions	Ha Native Vegetation cleared	Trees Removed
DMITRE Mining	6	477.2	0
DMITRE Energy	4	435.3	0
SA Water	18	411.5	14
Department of Planning, Transport and Infrastructure	60	14.57	1196
Forestry SA	7	218.5	0
ElectraNet	7	1.8	0
SA CFS	12	11.4	4

Table 1: Clearance decisions under Regulations by delegation 2012-13

NRM Region	No of clearance decisions	Ha Native Vegetation cleared	Trees Removed
Adelaide & Mount Lofty Ranges	92	505.85	336
Alinytjara Wilurara	0	0	0
Eyre Peninsula	27	567.15	6
Kangaroo Island	7	112.66	1
Northern and Yorke	29	1582.22	58
SA Murray Darling Basin	42	29.53	141
South Australian Arid Lands	13	506.09	0
South East	35	296.77	80

Table 2: Clearance decisions under Regulations by NRM Region 2012-13

Clearance	Financial Year 2011-12	Financial Year 2012-13
CC Application under section 28	20	26
Ha under section 28	1712	1128
Trees under section 28	30	37
Brush cutting under section 28	600	811
CC under Regulations	179	249
Ha under Regulations	2095	3614
Trees under Regulations	2995	1598
\$ SEB under Regulations	794144	859567
\$ SEB under section 28	8278	56796
Ha SEB offset under Regulations	32236	2004
Ha SEB offset under section 28	2166	287

Table 3: Comparison of financial year 2011-12 and 2012-13

NATIVE VEGETATION COUNCIL COMMITTEES

NATIVE VEGETATION ASSESSMENT PANEL

In September 2007 the NVC established the Native Vegetation Assessment Panel (NVAP) as a subcommittee, to determine vegetation clearance matters, Heritage Agreement applications and other operational issues pursuant to the *Native Vegetation Act 1991* and the *Native Vegetation Regulations 2003*.

The NVAP is a panel for operational decision-making, under the delegation of the NVC. It hears representations from proponents in relation to matters under Regulation and pursuant to subsection 29(10)(b) for clearance applications. In making decisions, the NVAP has regard to comments as required, including regional NRM Board comment (under subsection 29(5) of the Act) and local government comment. The NVAP also has delegation to initiate civil proceedings in the ERD Court and provide direction on the terms of any order sought from the ERD Court to make good a breach of the Act. The NVAP has established clear policies on decision-making and has access to outside expertise as required.

The Minister's representative, Dr Bruce Munday, chairs the NVAP meetings with the balance of the three-member committee being Mr Maurice Roche (Conservation Council of SA nominee) and Ms Jennifer Lillecrapp (SA Farmers Federation nominee). The members' deputies support the Committee in the absence of a member. During 2012-13 NVAP held eleven meetings including two meetings out of session.

NATIVE VEGETATION COUNCIL FIRE COMMITTEE

The NVC Fire Committee was established by the NVC in 2006 and has delegation under regulation 5(1)(y) of the *Native Vegetation Regulations 2003* for all matters involving the clearance of native vegetation by, or on behalf of, a local council complying with a management plan approved by the NVC. The Fire Committee also has delegation under regulation 5(1)(zi) if the purpose of the clearance is to preserve or enhance ecological processes. Amendments to the *Native Vegetation Regulations 2003* in September 2009 and amendments to the *Fire and Emergency Services Act 2005* changed the role of the Fire Committee from a decision making body on native vegetation clearance associated with bushfire prevention plans to that of an advising body on the planning process associated with bushfire prevention plans. The committee continues to approve Fire Management Plans for DEWNR, ForestrySA and SA Water in accordance with their Standard Operating Procedures.

The membership of the Fire Committee is made up of a member from the NVC, a representative from SA Country Fire Service and a representative from the LGA. The committee is elected for a term of two years and under its TOR may, at the end of the two year term, be re-elected.

During 2012-13 four fire management plans submitted by the City of Mitcham were re-endorsed for a period of ten years with a review after five years or earlier if required.

Throughout 2012-13 the Fire Committee continued to support the South Australian State Plan Target 20: Bushfire preparedness: Increase the number of households in high bushfire prone areas that are prepared for a bushfire by 30% by 2020.

NATIVE VEGETATION COUNCIL GRANTS COMMITTEE

Significant Environmental Benefit Grants

The NVC launched the Significant Environmental Benefit (SEB) Grants Program in October 2008. The NVC Grants Committee oversees the SEB grants, establishes SEB priorities, and assesses applications for the allocation of funds.

SEB grants provide an opportunity for organisations seeking funding for biodiversity projects that will assist in the large-scale conservation, restoration and management of native vegetation across NRM regions at a landscape scale. Funding of approved SEB projects is sourced from SEB payments made into the NVC Fund to offset the loss of biodiversity through the approved clearance of native vegetation by landowners, developers, government agencies and mining companies in South Australia.

SEB Grant applications are assessed against the NVC priorities and consistency with strategies and priorities identified in regional NRM plans.

The 2012-13 NVC SEB Grants were advertised for two consecutive weeks in February 2013. Of the sixteen projects received, four projects were through the NVC and Southern Ocean Lodge SEB grant scheme. This new scheme has the potential to deliver further environmental benefits to Kangaroo Island and in its first year has proven to be highly successful. Of the 16 applications, a total of six SEB Grant projects for 2012-13 were endorsed. Almost \$750 000 has been allocated to the six projects. Biosecurity SA and the NRM regions of Northern and Yorke, Eyre Peninsula, South Australian Arid Lands and Alinytjara Wilurara will receive \$500 000 over three years for their project to examine the management of buffel grass which is presenting a significant risk to native flora and fauna. A further \$222 000 has been allocated to projects aimed at weed control. The Botanic Gardens of Adelaide received \$22 000 to monitor and collect seeds of eighteen threatened orchids species in the South East. The seed bank collection will act as an insurance policy for these species, safeguarding against extinction within their natural habitat.

Research Grants

To provide funding for research into preservation, enhancement and management of native vegetation in South Australia the NVC introduced the Research Grants in 1998. The provisions for Research Grants is consistent with section 14(e) of the *Native Vegetation Act 1991* and section 13(2) of the *Native Vegetation Regulations 2003*. The grants are available to private landholders, local government, State Government agencies, organisations, community groups and research institutes.

The 2012-13 NVC Research Grants were advertised in July 2012. Five applications totalling \$146 937 were considered by the Grants Committee to meet the criteria for a Research Grant. The project 'Measuring restoration outcomes in semi-arid systems: Ecological processes' has been awarded funding for a three year period. Applications funded were within five of the eight NRM regions.

Heritage Agreement Grants

The Heritage Agreement Grant Scheme was instigated in 1995 in response to landholder requests for assistance (in addition to fencing) to manage Heritage Agreement areas. Over the past 18 years landholders have shown considerable interest in receiving grants to improve biodiversity in Heritage Agreement areas. The Heritage Agreement Grants provide financial assistance of up to \$3000 annually to landholders for the conservation and management of their Heritage Agreement areas. A 'once-off' grant of \$3500 is available to assist landholders develop a management plan for the Heritage Agreement area.

A significant feature of this Grant Scheme is that it builds landholder capability and encourages use of best practice techniques in managing Heritage Agreements. Regional Bush Management Advisors and regional NRM officers are an integral part of this process by supporting the scheme with up to date technical advice.

The Heritage Agreement Grant applications were advertised in August 2012 and again in May 2013. For the financial year 2012-13, 44 new applicants were allocated funding to the total value of \$156 902.

The majority of projects for 2012-13 were for the control of pest plants in the Heritage Agreement areas. There were five approved applications for management plans.

VEGETATION MANAGEMENT ACTIVITIES

HERITAGE AGREEMENT APPLICATIONS

Under section 23 of the Act activities met by the Native Vegetation Fund include the establishment of a Heritage Agreement, a Heritage Agreement Grant, contribution towards fencing costs and provision for remission of rates or taxes in respect to that land. The landholder retains legal ownership of the land under a Heritage Agreement. A Heritage Agreement is registered on the title of the land and passes on to, and is binding on, any subsequent owners for the term of the agreement. Agreements are generally written in perpetuity. The creation of a Heritage Agreement directly contributes to achieving the delivery of the SASP targets 69 – Lose no species, Target 70 – increase protection of agricultural cropping land from soil erosion and Target 72 – Increase participation in nature conservation.

During 2012-13 the NVC and NVAP considered 22 applications over 1454.22 ha for the Minister to enter into Heritage Agreements. For the financial year 14 Heritage Agreements comprising of a total 1724.71 ha were registered by the Minister to be placed under the protection of section 23E of the Act where the value of the vegetation is sufficient to warrant the application of the controls against clearance. This protected land supports the wider state reserve system managed under the *National Parks and Wildlife Act 1972*.

HERITAGE AGREEMENT FENCING

Consistent with section 14(e) of the Act, as one of a limited number of incentives, Heritage Agreements include a clause to allow the Minister to provide fencing so as to exclude stock from the Heritage Agreement area. This is on the condition that the landholder maintains the fencing over the remainder of its useful life. In 2012-13 the NVC approved funding for \$238 650 to erect 72.43 kilometres of fencing across 24 Heritage Agreements and in so doing, contributed to the protection of a total of 122 406 ha. This program has been critical for the effective management of areas protected under Heritage Agreements by supporting and enhancing landowner commitment to the management of these important areas.

ROADSIDE VEGETATION MANAGEMENT

During 2012-13, the NVC endorsed and finalised three Roadside Management Plans submitted by the Flinders Rangers Council, District Council of Cleve and the District Council of Yorke Peninsula. The Roadside Management Plans for the District Council of Barunga West and the Wakefield Regional Council have been approved subject to amendments being made prior to endorsement.

The NVC supports local government road authorities in meeting not only their commitment to road management but also their aim of maintaining and improving roadside native vegetation. This financial year the NVC identified and endorsed the need for a greater

understanding and awareness of native vegetation in the state's roadside reserves by providing nearly \$70 000 funding for this purpose. Local councils across the state were invited to submit project proposals aimed at developing a better understanding of where roadside native vegetation exists and how it can be best managed. The Rural City of Murray Bridge received \$25 000 to assess, protect and manage vegetation on its road reserves. Alexandrina Council received \$22 800 towards revitalising its roadside marker scheme. The Whyalla City Council received \$2042 towards its significant roadside vegetation marking and monitoring program. The Tatiara District Council received \$19 000 to improve the management and protection of its roadside vegetation by developing a management plan that will outline the ecological values of the roadside vegetation.

COMPLIANCE WITH THE NATIVE VEGETATION ACT 1991

REPORTS RECEIVED 2012-13: ALLEGED ILLEGAL CLEARANCE

During 2012-13 the Compliance and Monitoring Team within the NVBMU received and detected a total of 215 reports alleging clearance of native vegetation contrary to the *Native Vegetation Act 1991*. These reports are presented by NRM region in Table 1 alongside data for the seven preceding financial years.

NRM Region	05-06	06-07	07-08	08-09	09-10	10-11	11-12	12-13
Adelaide and Mount Lofty Ranges	60	54	59	77	49	50	53	61 (35%)
Eyre Peninsula	29	15	25	31	48	34	14	17 (10%)
Kangaroo Island	27	12	4	10	18	14	15	10 (6%)
Northern and Yorke	23	17	11	23	37	28	29	24 (14%)
SA Arid Lands	6	8	2	2	1	1	1	2 (1%)
SA Murray Darling Basin	36	21	30	44	48	36	36	34 (20%)
South East	48	31	30	36	54	48	33	26 (15%)
Sub-total								174
Change Detection Program (CDP)								41
TOTAL	229	157	161	223	255	211	231	215

Table 1: Reports received by NRM Region 2005-06 to 2012-13

The number of total reports received for 2012-13 is above the average number (209) of reports recorded over the seven years of collecting data. Of the 215 reports 41 (19%) were detected using the Change Detection Program (CDP). The CDP uses satellite imagery as a mechanism to detect changes in native vegetation cover.

Action taken from Reports received 2012-13: Alleged Illegal Clearance

A range of options are available to resolve a report of illegal clearance. The Native Vegetation Compliance Guidelines provide direction to officers on the use of the various compliance and enforcement tools. These Guidelines provide transparency and consistency in the enforcement of the Act and are important principles of administration. The following is a list of options available to resolve a report of clearance:

Exempt Non-native - Where clearance has been investigated and assessed to be non-native vegetation as per the Act.

Exempt – Native Vegetation Regulation 2003 - Where clearance has been investigated and assessed to be in accordance with the Regulation.

No Further Action – Investigation has not been able to determine the offender or the clearance has occurred outside of the jurisdiction of the Act.

Education Letter – Where clearance is assessed to be trivial as per the Native Vegetation Guidelines and occurs by accident or through ignorance. An educational letter is sent that states the clearance that has occurred and includes information about native vegetation, its value and obligations for its protection.

Written Caution – Where clearance is trivial, minor, accidental or mistaken, and not a repeat occurrence, a formal caution is issued.

Enforcement Notice (section 31E of the Act) – Expressly authorised officers may issue this administrative order where they have reasonable grounds to believe that clearance has occurred. 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 to be minor.

Expiation – A \$500 fine may be issued by an authorised officer, with the authority of the NVC. This is issued when the clearance is assessed to be minor.

Refer for Investigation – action is taken where it is believed that a moderate or serious offence under the Act has occurred and an investigation is required to gather further evidence to pursue legal proceedings.

Pending Further Information – New clearance reports still in the process of investigation within the NVBMU.

Figure 1 summarises the actions taken from reports of alleged illegal clearance for 2012-13 financial year. Of the 215 reports received for the financial year 48 reports (27%) were considered to be exempt under the *Native Vegetation Regulations 2003*. The majority of the exempt clearances related to fenceline clearance, roadside safety, bush fire protection around dwellings or detected through the CDP and verified to be planted vegetation, seasonal variation in cover or the result of wild fires.

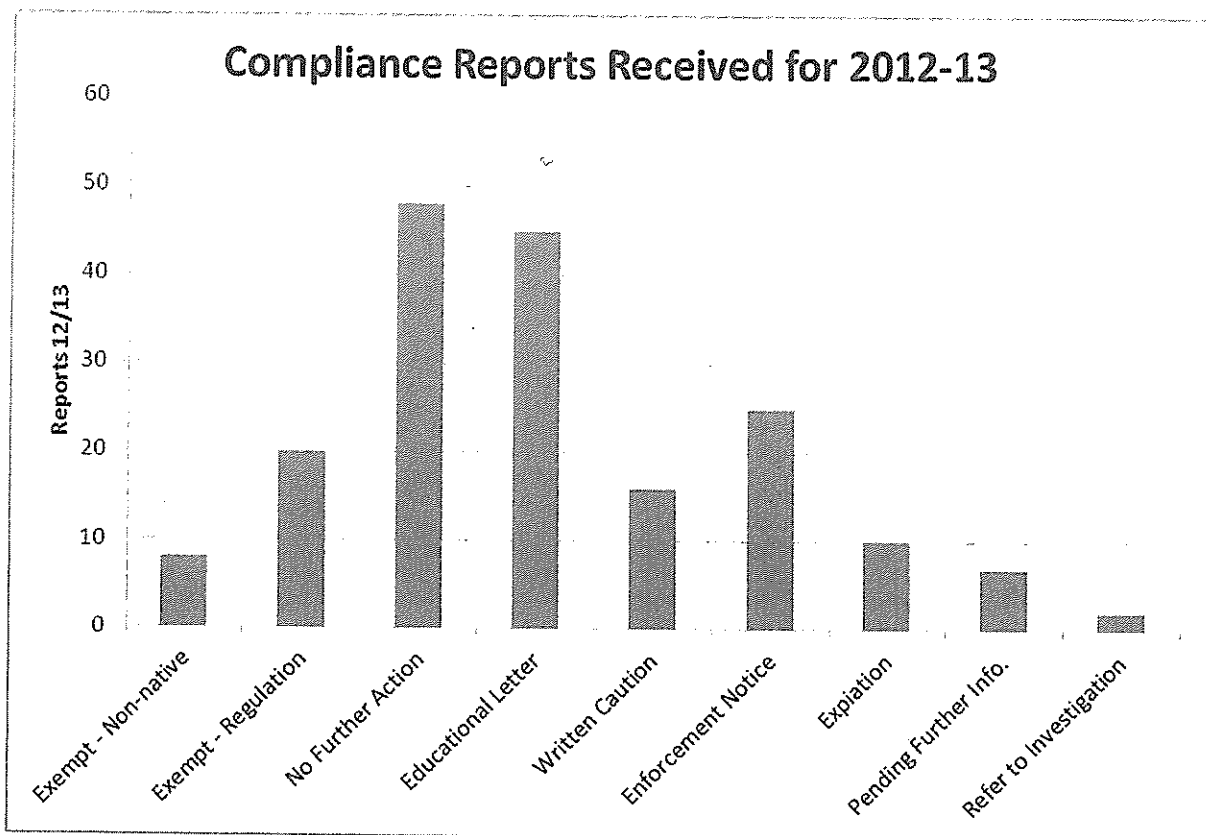


Figure 1: Action taken from Reports received for 2012-13 financial year.

NATIVE VEGETATION COMPLIANCE STEERING COMMITTEE

The operation of the Native Vegetation Compliance Steering Committee continued as an effective mechanism to review and establish directions and priorities for investigations into possible breaches of the Act. For the reporting year 2012-13 the membership of the Committee was comprised of representatives from DEWNR and the NVC.

CRIMINAL PROSECUTIONS

For the 2012-13 financial year there were no criminal prosecutions finalised.

There are currently three ongoing prosecution matters before the courts and a further two incidents have been referred to the Crown Solicitors Office for advice as to sufficiency of evidence to proceed to prosecution.

CIVIL PROCEEDINGS

The *Native Vegetation Act 1991* makes provision for the ERD Court to issue an order to 'make good' the illegal clearance of native vegetation. That order can include requirements to re-establish native vegetation on the areas cleared, provide for the payment into the Native Vegetation Fund for exemplary damages and a payment taking into account any financial benefit the respondent may have gained, or could reasonably expect to gain from the illegal clearance. The ERD Court can also require the respondent to publicise the environmental and other consequences that would follow the breach and the terms of the order made by the Court. This is an important process to discourage the clearance of native vegetation and the consideration of any subsequent penalties by the proponent as a 'cost of development'.

Under section 26(2a) of the Act, the NVC must initiate civil proceedings in the ERD Court where the Magistrates Court have recorded a conviction of clearing native vegetation without

consent. The Act also allows the NVC to initiate civil actions separately without a prior conviction being made. Civil 'make good' proceedings in the ERD Court can also be initiated for a breach of a Heritage Agreement.

The ERD Court finalised seven matters during 2012-13 financial year. Of the seven matters one resulted in orders for 2200 ha of native vegetation to be formally placed under a Heritage Agreement between the landowner and the Minister for Sustainability, Environment and Conservation, and five required remediation work to be undertaken and one was a payment into the Native Vegetation Fund.

The NVC has four continuing actions in the ERD Court to 'make good' the illegal clearance of native vegetation. Three of these are in the final stages of conferencing.

In January 2012 the NVC provided funding for a Senior Compliance Officer Role. The primary role was to effectively monitor and ensure compliance with Civil Court Orders under the Act and to manage the Civil Monitoring Program. There are currently 27 civil cases still requiring; remediation works and/or management of native vegetation to be carried out; payments into the fund; or a combination of both management and payment.

Payments into the NVC fund required from 12 Court Orders total \$245 810. Approximately \$250 000 in fines and civil payments paid by offenders and respondents and not received by the NVC have been traced, recovered and paid into the fund. Almost 3400 ha of native vegetation have been placed under Heritage Agreements due to Court Orders.

ADDITIONAL MATTERS

EMPLOYEE NUMBERS, GENDER AND STATUS

The NVC has no staff of its own and relies on staff resources from DEWNR. Members of the NVC are aware of and abide by the employment opportunity policies and programs of the DEWNR. Reporting on this matter can be viewed in the DEWNR Annual Report for 2012-13.

The gender balance of the NVC is taken into consideration when members are appointed. During this reporting period the gender balance was three male and three female members. In the same reporting period the gender balance for deputy members was two female and three male deputy members.

The following matters are also contained in the DEWNR annual report 2012-2013:

- Executives
- Leave Management
- Workforce Diversity
- Voluntary Flexible Working Arrangements
- Performance Development
- Leadership and Management Development
- Accredited Training Packages
- Employment Opportunity Programs
- Reporting Against The Carers Recognition Act

WORK HEALTH AND SAFETY AND INJURY MANAGEMENT

There were no incidents reported by the NVC in this financial year. As a user of the DEWNR facilities and equipment, the NVC is aware of and abides by DEWNR's Policies and Procedures. Reporting on this matter is contained within the DEWNR Annual Report for 2012-13.

CONTRACTUAL ARRANGEMENTS

During the reporting period the NVC did not enter into contractual agreements exceeding \$4 million in value.

ACCOUNT PAYMENT PERFORMANCE

DEWNR provides the administrative resources for processing account payments for the NVC. Reporting on this matter is contained in the DEWNR Annual Report for 2012-13.

The Auditor General audits the Native Vegetation Fund annually.

FRAUD

Financial services are provided to the NVC by the DEWNR. Reporting on strategies to detect instances of fraud is contained in the DEWNR Annual Report for 2012-13.

It is declared that there were no instances of fraud detected in the activities undertaken by the NVC during this reporting year.

CONSULTANTS

The NVC did not hire consultants during the reporting period. However, the NVC has utilised the advice and services of SA Country Fire Services, DEWNR, Crown Solicitors Office, other government agencies, industry and the community sector. The NVC wishes to thank those persons who have been so generous in sharing their knowledge and expertise with the members.

OVERSEAS TRAVEL

It is declared that no member of the NVC has travelled overseas on the business of the NVC during this reporting period.

DISABILITY ACCESS AND INCLUSION PLAN

Members of the NVC are aware of and abide by their obligations under the *Commonwealth Disability Discrimination Act 1992* and the *SA Equal Opportunity Act 1984*.

Reporting on this matter is contained in the DEWNR Annual Report for 2012-13.

ASBESTOS MANAGEMENT

The NVC uses the facilities and services of staff of the DEWNR. Reporting on these matters is contained in the DEWNR Annual Report for 2012-13.

URBAN DESIGN CHARTER

The NVC in 2012-13 continued to maintain the Government of South Australia's commitment to good urban design through the management of native vegetation in public places.

No events occurred in this reporting period that required the NVC to consider the principles of Urban Design contained in the South Australian Urban Design Charter.

FREEDOM OF INFORMATION - INFORMATION STATEMENTS

As a DEWNR administered entity, the NVC participates and abides by the arrangements outlined in the DEWNR Freedom of Information regime.

Reporting on this matter is contained in the DEWNR Information Statement published on the web www.environment.sa.gov.au

WHISTLEBLOWERS PROTECTION ACT 1993

Reporting requirements against the *Whistleblowers Protection Act 1993* require the NVC to report on the number of occasions on which public interest information has been disclosed to a Responsible Officer of the agency.

There were no disclosures made during the 2012-13 financial year.

ENERGY EFFICIENCY ACTION PLAN REPORTS

The NVC uses the facilities and services of staff of the DEWNR. Reporting on these matters is contained in the DEWNR Annual Report for 2012-13.

GREENING OF GOVERNMENT OPERATIONS

The NVC uses the facilities and services of staff of the DEWNR. Reporting on these matters is contained in the DEWNR Annual Report for 2012-13.

REGIONAL IMPACT ASSESSMENT STATEMENT

The NVC undertook no Regional Impact Assessment Statements in 2012-13.

FREEDOM OF INFORMATION – STATISTICAL REPORTING

The NVC uses the facilities and services of staff of the DEWNR. Reporting on these matters is contained in the DEWNR Annual Report for 2012-13.

**FINANCIAL STATEMENT OF THE NATIVE VEGETATION FUND
FOR THE YEAR ENDED 30 JUNE 2012**

Audited financial statements are attached (Appendix 3).

APPENDIX 1: NATIVE VEGETATION CLEARANCE UNDER SECTION 28: 2012-13

Type of Clearance	Number of clearance applications	Area (ha) of degraded native vegetation - Consented to clear	Area (ha) of scrubland - Refused to clear	Number of individual trees - Consented to clear	Number of individual trees - Refused to clear	Significant Environmental Benefit (SEB) Area (ha)	Significant Environmental Benefit (SEB) *3 Payment (\$)
Brushcutting*1	6	811.30					
Irrigation (Centre Pivots)	3			6	11	5.975	\$40,657.50
Industrial Development	3	1.15				2.0	\$4,256.00
Dam Expansion	3			30		15.3	
Miscellaneous developments*2	4	1.06				5.0	\$7,166.10
Recreational	3	.965		1			\$4,716.00
Farm Management	4	313.63	37.1			258.7	
TOTAL	26	1128.10	37.1	37	11	286.975	\$56,795.60

*1 Brushcutting applications do not require an SEB component, it is expected that regeneration will occur over time.

*2 Miscellaneous developments include applications land backfill

*3 Figures for SEB requirements are for agreed amounts and all SEB payments and works may not have been finalised.

APPENDIX 2: NATIVE VEGETATION CLEARANC UNDER REGULATIONS: 2012-13

Regulation	Description	No of Applications 2011-12	No of Applications 2012-13
5(1)(a)	Dwellings and Associated Structures	6	17 + 6 [◊]
5(1)(ab)	Residential Sub-division	5	0
5(1)(b)	Prescribed buildings and structures other than dwellings	1	0
5(1)(d)	Public Interest or Infrastructure	38+4 [♦] +3 [∅]	50+4 [♦] +7 [∅]
5(1)(da)	Minor Clearance - Developments	0	3
5(1)(e)	Repair or maintenance works of the Crown	2	1+6 [♦]
5(1) (g)	Repair or Maintenance of Infrastructure	1	1
5(1)(h)	Commissioner of Highways	6+47 [▲]	13+60 [▲]
5(1)(l)	Avoid Damage	18	7
5(1)(lb)	Public Safety	7	5
5(1)(t)	Vehicle Track	0	1 + 1 [◊]
5(1)(y)	Roadside vegetation (management)	0	6
5(1)(zc) & (zd)	Mining Exploration & Operations	5 [■]	8 [■]
5(1)(zfa)	Regrowth Management Plan	3	7
5(1)(zi)	Preserving, Enhancing Biological Diversity	10+5 [♦]	15+8 [♦]
5(1)(zj)	Management Problems	1	3
5(1)(zk)	Pest Plant & Animal	1	2
5A	Clearance for fire prevention and control	12 [►] +5 [◊]	2+7 [►] +5 [◊]
	TOTAL	179	245

♦ applications assessed by SA Water under delegation from the NVC

▲ applications assessed by DPTI under SOP endorsed by the NVC

■ applications assessed by DMITRE under delegation from the NVC

► applications assessed by Forestry SA under delegation from the NVC

∅ applications assessed by ElectraNet under delegation from the NVC

◊ applications assessed by SA CFS under NV Regulation 5A

APPENDIX 3: FINANCIAL STATEMENTS OF THE NATIVE VEGETATION FUND 2012-13

Native Vegetation Fund
Annual Financial Statements

For the Year Ended 30 June 2013

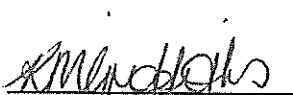
Native Vegetation Fund

Certification of the Financial Statements

We certify that the attached general purpose financial statements for the Native Vegetation Fund:

- comply with relevant Treasurer's Instructions issued under Section 41 of the *Public Finance and Audit Act 1987*, and relevant Australian accounting standards;
- are in accordance with the accounts and records of the Native Vegetation Fund; and
- present a true and fair view of the financial position of the Native Vegetation Fund as at 30 June 2013 and the results of its operation and cash flows for the financial year.

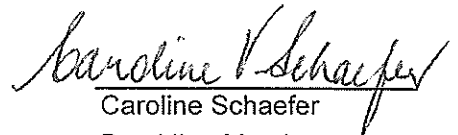
We certify that the internal controls employed by the Native Vegetation Fund for the financial year over its financial reporting and its preparation of the general purpose financial statements have been effective throughout the reporting period.



Michelle Griffiths
Chief Financial Officer
Department of Environment,
Water and Natural Resources
1 October 2013



Allan Holmes
Chief Executive
Department of Environment,
Water and Natural Resources
2 October 2013



Caroline Schaefer
Presiding Member
Native Vegetation Fund

3 October 2013

Native Vegetation Fund
Statement of Comprehensive Income
For the Year Ended 30 June 2013

	Note	2013 \$'000	2012 \$'000
Expenses			
Supplies and services	5	240	324
Grants and subsidies	6	4 096	2 563
Other Expenses	7	8	(54)
Total expenses		<u>4 344</u>	<u>2 833</u>
Income			
Revenues from fees and charges	8	2 016	1 632
Grant revenues	9	228	-
Interest revenues	10	218	314
Total income		<u>2 462</u>	<u>1 946</u>
Net cost of providing services		<u>1 882</u>	<u>887</u>
Revenues from SA Government			
Revenues from SA Government	11	1,004	980
Total revenues from SA Government		<u>1,004</u>	<u>980</u>
Net result		<u>(878)</u>	<u>93</u>
Total comprehensive result		<u>(878)</u>	<u>93</u>

The net result and total comprehensive result are attributable to the SA Government as owner

The above statement should be read in conjunction with the accompanying notes

Native Vegetation Fund
Statement of Financial Position
As at 30 June 2013

	Note	2013 \$'000	2012 \$'000
Current assets			
Cash and cash equivalents	12	6 789	6 628
Receivables	13	172	1,099
Total current assets		<u>6 961</u>	<u>7 727</u>
Current liabilities			
Payables	14	<u>714</u>	<u>602</u>
Total current liabilities		<u>714</u>	<u>602</u>
Total liabilities		<u>714</u>	<u>602</u>
Net assets		<u>6 247</u>	<u>7 125</u>
Equity			
Retained earnings		<u>6 247</u>	<u>7 125</u>
Total equity		<u>6 247</u>	<u>7 125</u>
The total equity is attributable to the SA Government as owner			
Unrecognised contractual commitments	17		
Contingent assets and liabilities	18		

The above statement should be read in conjunction with the accompanying notes

Native Vegetation Fund

Statement of Changes in Equity For the Year Ended 30 June 2013

	Retained Earnings	Total
	\$'000	\$'000
Balance at 30 June 2011	7 032	7 032
Net result for 2011-12	93	93
Total comprehensive result for 2011-12	<u>93</u>	<u>93</u>
Balance at 30 June 2012	<u>7 125</u>	<u>7 125</u>
Net result for 2012-13	(878)	(878)
Total comprehensive result for 2012-13	<u>(878)</u>	<u>(878)</u>
Balance at 30 June 2013	<u>6 247</u>	<u>6 247</u>

All changes in equity are attributable to the SA Government as owner

The above statement should be read in conjunction with the accompanying notes

Native Vegetation Fund
Statement of Cash Flows
For the Year Ended 30 June 2013

	Note	2013 \$'000	2012 \$'000
Cash flows from operating activities			
Cash outflows			
Payments for supplies and services		(240)	(324)
Payments of grants and subsidies		(3,984)	(2 709)
Other payments		(8)	(9)
Cash used in operations		<u>(4,232)</u>	<u>(3 042)</u>
Cash inflows			
Fees and charges		2 936	1 004
Receipts from grants		228	-
Interest received		225	321
Cash generated from operations		<u>3,389</u>	<u>1,325</u>
Cash flows from SA Government			
Receipts from SA Government		<u>1,004</u>	<u>980</u>
Cash generated from SA Government		<u>1,004</u>	<u>980</u>
Net cash provided by/(used in) operating activities	15	<u>161</u>	<u>(737)</u>
Net increase/(decrease) in cash and cash equivalents		<u>161</u>	<u>(737)</u>
Cash and cash equivalents at the beginning of the period		6 628	7 365
Cash and cash equivalents at the end of the period	12	<u>6 789</u>	<u>6 628</u>

The above statement should be read in conjunction with the accompanying notes

Native Vegetation Fund

Note Index

For the Year Ended 30 June 2013

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Native Vegetation Fund
Notes to and forming part of the Financial Statements
For the Year Ended 30 June 2013

1 Objectives of the Native Vegetation Fund

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

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

In accordance with the provisions of the Act, the Council has delegated certain functions to officers within the Department of Environment, Water and Natural Resources (DEWNR), who provide technical and administrative support including the use of certain plant and equipment, office accommodation and various administrative services. These services are provided by DEWNR at no charge to the Council and have not been recognised in the financial statements of the Fund as it is impractical to determine the value of these services.

2 Summary of significant accounting policies

(a) Statement of compliance

The Fund has prepared these financial statements in compliance with section 23 of the *Public Finance and Audit Act 1987*.

The financial statements are general purpose financial statements. The accounts have been prepared in accordance with relevant Australian Accounting Standards, and comply with Treasurer's Instructions and Accounting Policy Statements promulgated under the provision of the *Public Finance and Audit Act 1987*.

The Fund has applied Australian Accounting Standards that are applicable to not-for-profit entities, as the Fund is a not-for-profit entity.

Australian Accounting Standards and interpretations that have recently been issued or amended but are not yet effective have not been adopted by the Fund for the reporting period ending 30 June 2013. Refer to Note 3.

(b) Basis of preparation

The preparation of the financial statements requires:

- the use of certain accounting estimates and requires management to exercise its judgement in the process of applying the Fund's accounting policies. Areas involving a higher degree of judgement or where assumptions and estimates are significant to the financial statements, are outlined in the applicable notes;
- accounting policies are selected and applied in a manner which ensures that the resulting financial information satisfies the concepts of relevance and reliability, thereby ensuring that the substance of the underlying transactions or other events are reported; and
- compliance with Accounting Policy Statements issued pursuant to section 41 of the *Public Finance and Audit Act 1987*. In the interest of public accountability and transparency the Accounting Policy Statements require the following note disclosures, which have been included in this financial report:
 - (a) revenues, expenses, financial assets and liabilities where the counterparty/transaction is with an entity within the SA Government as at reporting date, classified according to their nature.
 - (b) Native Vegetation Council/Committee member and remuneration information, where a council/committee member is entitled to receive income from membership other than a direct out-of-pocket reimbursement.

The Fund's Statement of Comprehensive Income, Statement of Financial Position and Statement of Changes in Equity have been prepared on an accrual basis and are in accordance with historical cost convention.

The Statement of Cash Flows has been prepared on a cash basis.

The financial statements have been prepared based on a twelve month period and presented in Australian currency.

The accounting policies set out below have been applied in preparing the financial statements for the year ended 30 June 2013 and the comparative information presented.

(c) Reporting entity

The financial activities of the Fund are primarily conducted through an interest bearing deposit account established pursuant to section 8 of the *Public Finance and Audit Act 1987* and held with the Department of Treasury and Finance (DTF).

The Fund's sources of revenue include:

- money appropriated by Parliament for the purposes of the Fund.
- fees payable in respect of applications to the Council to clear native vegetation.
- expiation fees and penalties recovered in respect of offences against the Act.
- interest from investment of the Fund.

(d) Comparative information

The presentation and classification of items in the financial statements are consistent with prior periods except where specific accounting standards and/or accounting policy statements has required a change.

Where presentation or classification of items in the financial statements have been amended, comparative figures have been adjusted to conform to changes in presentation or classification in these financial statements unless impracticable.

Where the Fund has applied an accounting policy retrospectively; retrospectively restated items in the financial statements; or reclassified items in the financial statements, it has provided three Statements of Financial Positions and related notes.

The restated comparative amounts do not replace the original financial statements for the preceding period.

(e) Rounding

All amounts in the financial statements and accompanying notes have been rounded to the nearest thousand dollars (\$'000).

Native Vegetation Fund
Notes to and forming part of the Financial Statements
For the Year Ended 30 June 2013

(f) Taxation

The Fund is not subject to income tax. The Fund is liable for fringe benefits tax and goods and services tax (GST). DEWNR prepares a Business Activity Statement on behalf of the Fund under the grouping provisions of the GST legislation. Under these provisions, DEWNR is liable for the payments and entitled to the receipts associated with GST. Therefore the Fund's net GST receivable/payable is recorded in DEWNR's Statement of Financial Position. GST cash flows applicable to the Fund are recorded in DEWNR's Statement of Cash Flows. Unrecognised contractual commitments and contingencies are disclosed net of the amount of GST recoverable from, or payable to the Australian Taxation Office. If GST is not payable to, or recoverable from the Australian Taxation Office, the commitments and contingencies are disclosed on a gross basis.

(g) Events after the reporting period

Adjustments are made to amounts recognised in the financial statements, where an event occurs after 30 June and before the date the financial statements are authorised for issue, where those events provide information about conditions that existed at 30 June.

Note disclosure is made about events between 30 June and the date the financial statements are authorised for issue where the events relate to a condition which arose after 30 June and which may have a material impact on the results of subsequent years.

(h) Income

Income is recognised to the extent that it is probable that the flow of economic benefits to the Fund will occur and can be reliably measured. Income has been aggregated according to its nature and has not been offset unless required or permitted by a specific accounting standard, or where offsetting reflects the substance of the transaction or other event. The notes accompanying the financial statements disclose income where the counterparty/transaction is with an entity within the SA Government as at reporting date, classified according to their nature.

The following are specific recognition criteria:

Fees and charges

Revenues from fees and charges are derived from the provision of goods and services to other SA Government agencies and to the public. This revenue is recognised upon delivery of the service to the clients or by reference to the stage of completion.

Revenues from SA Government

Appropriations for program funding are recognised as revenues when the Fund obtains control over the funding. The Fund receives its appropriation income as an intra-government transfer via DEWNR. Control over appropriations is normally obtained upon receipt.

(i) Expenses

Expenses are recognised to the extent that it is probable that the flow of economic benefits from the Fund will occur and can be reliably measured.

Expenses have been aggregated according to their nature and have not been offset unless required or permitted by a specific accounting standard, or where offsetting reflects the substance of the transaction or other event.

The following are specific recognition criteria:

Grants and subsidies

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

All contributions paid by the Fund have been contributions with unconditional stipulations attached.

(j) Current and non-current classification

Assets and liabilities are characterised as either current or non-current in nature. Assets and liabilities that are sold, consumed or realised as part of the normal operating cycle even when they are not expected to be realised within twelve months after the reporting date have been classified as current assets or current liabilities. All other assets and liabilities are classified as non-current.

Where asset and liability line item combine amounts expected to be realised within twelve months and more than twelve months, the Fund has separately disclosed the amounts expected to be recovered or settled after more than twelve months.

(k) Assets

Assets have been classified according to their nature and have not been offset unless required or permitted by a specific accounting standard, or where offsetting reflects the substance of the transaction or other event.

Where an asset line item combines amounts expected to be settled within twelve months and more than twelve months, the Fund has separately disclosed the amounts expected to be recovered after more than twelve months.

Cash and cash equivalents

Cash and cash equivalents in the Statement of Financial Position includes cash at bank and on hand.

For the purposes of the Statement of Cash Flows, cash and cash equivalents consists of cash and cash equivalents as defined above.

Cash is measured at nominal value.

~

Native Vegetation Fund
Notes to and forming part of the Financial Statements
For the Year Ended 30 June 2013

Receivables

Receivables arise from fees and penalties and compensation payments recovered in respect to offences against the Act. Receivables are generally settled within 30 days after the issue of an invoice or the goods/services have been provided under a contractual arrangement.

Collectability of receivables is reviewed on an ongoing basis. An allowance for doubtful debt is raised when there is objective evidence that the Fund will not be able to collect the debt. Bad debts are written off when identified.

(l) Liabilities

Liabilities have been classified according to their nature and have not been offset unless required or permitted by a specific accounting standard, or where offsetting reflects the substance of the transaction or other event.

Where a liability line item combines amounts to be expected to be settled within twelve months and more than twelve months, the Fund has separately disclosed the amounts expected to be settled after more than twelve months.

Payables

Payables include creditors and accrued expenses.

Creditors represent the amounts owing for goods and services received prior to the end of the reporting period that are unpaid at the end of the reporting period. Creditors include all unpaid invoices received relating to the normal operations of the Native Vegetation Fund.

Accrued expenses represent goods and services provided by the other parties during the period that are unpaid at the end of the reporting period and where an invoice has not been received.

All payables are measured at their nominal amount, are unsecured and are normally settled within 30 days from the date the invoice is first received.

(m) Unrecognised contractual commitments and contingent assets and liabilities

Commitments include operating, capital and outsourcing arrangements arising from contractual or statutory sources and are disclosed at their nominal value.

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.

Unrecognised contractual commitments and contingencies are disclosed net of the amount of GST recoverable from, or payable to the Australian Taxation Office. If GST is not payable to, or recoverable from the Australian Taxation Office, the commitments and contingencies are disclosed on a gross basis.

3 New and revised accounting standards and policies

The Fund did not voluntarily change any of its accounting policies during 2012-13.

Australian Accounting Standards and Interpretations that have recently been issued or amended but are not yet effective, have not been adopted by the Fund for the period ending 30 June 2013. The Fund has assessed the impact of the new and amended standards and interpretations and considers there will be no impact on the accounting policies or the financial statements of the Fund.

4 Activities of the Fund

In achieving its objectives, the Fund conducts all of its activities through the one program - 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.



Native Vegetation Fund

Notes to and forming part of the Financial Statements For the Year Ended 30 June 2013

5 Supplies and services

	2013	2012
	\$'000	\$'000
Accommodation and property	15	8
Travel and accommodation	2	-
Vehicles - Aircraft	3	-
Contractors	39	25
Fee for service	18	35
Minor works	117	238
General administration	45	16
Other	1	2
Total Supplies and services	240	324

6 Grants and subsidies

	2013	2012
	\$'000	\$'000
Payment of Heritage Agreement Grant Schemes	119	99
Contribution to the Native Vegetation Council Secretariat for Heritage Agreements Grant Officer	-	45
Contribution to the Native Vegetation Council Secretariat for contract position - Research Officer	67	67
Contribution to the Native Vegetation Council Secretariat for contract position - NV Incentives Support Officer	51	-
Contribution to the Native Vegetation Council Secretariat for contract position - Prosecution Liaison Officer	40	-
Contribution to the Native Vegetation Council Secretariat for contract position - NVC Communication and Engagement Officer	70	-
Contribution to the Native Vegetation Council Secretariat for the SEB Metrics Review BushRAT	13	-
Contribution to the Native Vegetation Council Secretariat for the Communication Strategy BushRAT	4	-
Contribution to the Native Vegetation Council Secretariat for photocopier and maintenance	18	18
Contribution to the Industry Support Officer SAAL Region	57	-
Contribution to DEWNR for statewide vegetation cover monitoring	182	182
Contribution to DEWNR for change detection program	228	174
Research grants	3 045	1 842
Local Government grants	197	136
Other grants	5	-
Total Grants and subsidies	4 096	2 563

Grants and subsidies paid/payable to entities within SA Government

The following grants and subsidies (included in the grants and subsidies amounts shown above) were provided to entities within the SA Government:

	2013	2012
	\$'000	\$'000
Payment of Heritage Agreement Grant Schemes	-	99
Contribution to the Native Vegetation Council Secretariat for Heritage Agreements Grant Officer	-	45
Contribution to the Native Vegetation Council Secretariat for contract position - Research Officer	67	67
Contribution to the Native Vegetation Council Secretariat for contract position - NV Incentives Support Officer	51	-
Contribution to the Native Vegetation Council Secretariat for contract position - Prosecution Liaison Officer	40	-
Contribution to the Native Vegetation Council Secretariat for contract position - NVC Communication and Engagement Officer	70	-
Contribution to the Native Vegetation Council Secretariat for the SEB Metrics Review BushRAT	13	-
Contribution to the Native Vegetation Council Secretariat for the Communication Strategy BushRAT	4	-
Contribution to the Native Vegetation Council Secretariat for photocopier and maintenance	18	18
Contribution to the Industry Support Officer SAAL Region	57	-
Contribution to DEWNR for statewide vegetation cover monitoring	182	182
Contribution to DEWNR for change detection program	228	174
Research grants	1 941	716
Other grants	5	-
Total Grants and subsidies paid/payable to entities within SA Government	2 676	1,301

7 Other Expenses

	2013	2012
	\$'000	\$'000
Other (incl audit fees)	8	9
Bad Debts	-	(63)
Total Other Expenses	8	(54)

Audit fees paid/payable to the Auditor-General's Department relating to the audit of financial statements

Total Audit fees

8	9
8	9

Other services

No other services were provided by the Auditor-General's Department

8 Revenues from fees and charges

	2013	2012
	\$'000	\$'000
Fees, fines and penalties	299	(40)
Significant environmental benefits*	1 717	1,672
Total Revenues from fees and charges	2,016	1,632

Native Vegetation Fund

Notes to and forming part of the Financial Statements

For the Year Ended 30 June 2013

Fees and charges received/receivable from entities within the SA Government

The following fees and charges (included in the fees and charges revenues shown above) were received/receivable from entities within the SA Government:

	2013	2012
	\$'000	\$'000
Significant environmental benefits	750	834
Total Fees and charges received/receivable from entities within the SA Government	750	834

* 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.

9 Grant revenues

	2013	2012
	\$'000	\$'000
Refund of unspent grant funds	228	-
Total Grant revenues	228	-

10 Interest revenues

	2013	2012
	\$'000	\$'000
Interest from entities within the SA Government	218	314
Total Interest revenues	218	314

11 Revenues from SA Government

	2013	2012
	\$'000	\$'000
Appropriations from Consolidated Account pursuant to the Appropriation Act	1,004	980
Total Revenues from SA Government	1,004	980

12 Cash and cash equivalents

	2013	2012
	\$'000	\$'000
Deposits with the Treasurer	6 771	6 628
Cash on hand and imprest accounts	18	-
Total Cash and cash equivalents	6 789	6 628

Interest rate risk

Cash deposits are recognised at their nominal amounts and interest is credited to revenue as it accrues. The Fund invests surplus funds with the Treasurer. Interest is earned on the average monthly balance at rates based on the DTF 90 day average overnight cash interest rate and interest is paid at the end of each quarter.

13 Receivables

	2013	2012
	\$'000	\$'000
Current		
Receivables	156	1 076
Less: Allowance for doubtful debts	(1)	(1)
	155	1,075
Accrued interest	17	24
Total Current receivables	172	1 099

Receivables from entities within the SA Government

The following receivables (included in the receivables amount shown above) were receivable from entities within the SA Government:

	2013	2012
	\$'000	\$'000
Receivables	114	860
Accrued interest	17	24
Total Receivables from entities within the SA Government	131	884

Native Vegetation Fund

Notes to and forming part of the Financial Statements

For the Year Ended 30 June 2013

Movement in the allowance for doubtful debts

The allowance for doubtful debts (allowance for impairment loss) is recognised when there is objective evidence (ie calculated on past experience and current and expected changes in client credit rating) that a receivable is impaired. An allowance for impairment loss has been recognised in 'other expenses' in the Statement of Comprehensive Income for specific debtors and debtors assessed on a collective basis for which such evidence exists.

Movements in the allowance for doubtful debts (impairment loss):

	2013 \$'000	2012 \$'000
Carrying amount at the beginning of the period	(1)	(64)
Decrease in the allowance	-	63
Carrying amount at the end of the period	(1)	(1)

Interest rate and credit risk:

Receivables are raised for all goods and services provided for which payment has not been received. Receivables are normally settled within 30 days. Receivables, prepayments and accrued revenues are non-interest bearing.

Other than as recognised in the allowance for doubtful debts, it is not anticipated that counterparties will fail to discharge their obligations. The carrying amount of receivables approximates net fair value due to being receivable on demand. There is no concentration of credit risk.

14 Payables

	2013 \$'000	2012 \$'000
Current		
Creditors	706	594
Accrued expenses	8	8
Total Current payables	714	602

Current payables to entities within the SA Government

The following payables (included in the payables amount shown above) were payable to entities within the SA Government:

	2013 \$'000	2012 \$'000
Creditors	554	362
Accrued expenses	-	8
Total Current payables to entities within the SA Government	554	370

Interest rate and credit risk

Creditors and accruals are raised for all amounts billed but unpaid. Sundry creditors are normally settled within 30 days. All payables are non-interest bearing. The carrying amount of payables represents fair value due to the amounts being payable on demand.

15 Cash flow reconciliation

	2013 \$'000	2012 \$'000
Reconciliation of cash and cash equivalents at the end of the reporting period:		
Cash and cash equivalents disclosed in the Statement of Financial Position	6 789	6 628
Cash and cash equivalents disclosed in the Statement of Cash Flows	6 789	6 628
Reconciliation of net cash provided by operating activities to net cost of providing services		
Net cash provided / (used in) by operating activities	161	(737)
Less revenues from SA Government	(1,004)	(980)
Movement in assets and liabilities		
(Decrease)/increase in receivables	(927)	684
(Increase)/decrease in payables	(112)	146
Net cost of providing services	(1,882)	(887)

16 Financial instruments/financial risk management

Categorisation of financial instruments

Details of the significant accounting policies and methods adopted including the criteria for recognition, the basis of measurement, and the basis on which income and expenses are recognised with respect to each class of financial asset, financial liability and equity instrument are disclosed in Note 2 "Summary of significant accounting policies".

Statement of Financial Position line item	Note number	2013		2012	
		Carrying amount \$'000	Fair value \$'000	Carrying amount \$'000	Fair value \$'000
Financial assets					
Cash and cash equivalents	12	6 789	6 789	6 628	6 628
Receivables ⁽¹⁾	13	172	172	1 099	1 099
Financial liabilities					
Payables ⁽¹⁾	14	706	706	594	594

Native Vegetation Fund

Notes to and forming part of the Financial Statements

For the Year Ended 30 June 2013

⁽¹⁾ Receivable and payable amounts disclosed here exclude amounts relating to statutory receivables and payables. In government, certain rights to receive or pay cash may not be contractual and therefore in these situations, the requirements will not apply. Where rights or obligations have their source in legislation such as levy receivables/payables, tax equivalents, commonwealth tax etc they would be excluded from the disclosure. The standard defines contract as enforceable by law. All amounts recorded are carried at cost (not materially different from amortised cost).

Fair value

The Fund does not recognise any financial assets or financial liabilities at fair value. Refer to Note 2 Summary of Significant Accounting Policies and Notes relevant to financial assets and financial liabilities.

Credit risk

Credit risk arises when there is the possibility of the Fund's debtors defaulting on their contractual obligations resulting in financial loss to the Fund. The Fund measures credit risk on a fair value basis and monitors risk on a regular basis.

The carrying amount of financial assets as detailed in the above table represents the Fund's maximum exposure to credit.

No collateral is held as security and no credit enhancements relate to financial assets held by the Fund.

The Fund has minimal concentration of credit risk. The Fund has policies and procedures in place to ensure that transactions occur with customers with appropriate credit history. The Fund does not engage in high risk hedging for its financial assets.

Allowances for Impairment of financial assets are calculated on past experience and current and expected changes in client credit rating. Other than receivables, there is no evidence to indicate that financial assets are impaired. Refer to Note 10 for information on the allowance for impairment in relation to receivables.

Ageing analysis of Financial Assets

The following table discloses the ageing of financial assets, past due, including impaired assets past due:

Financial assets Item	Current (Not overdue) \$'000	Overdue for < 30 days \$'000	Overdue for 30-60 days \$'000	Overdue for > 60 days \$'000	Total \$'000
2013					
Not impaired Receivables	162	-	9	2	173
Impaired Receivables	-	-	-	(1)	(1)
2012					
Not Impaired Receivables	894	-	24	182	1,100
Impaired Receivables	-	-	-	(1)	(1)

Maturity analysis of financial assets and liabilities

All financial assets and financial liabilities are due to mature within one year.

Liquidity Risk

Liquidity risk arises where the Fund is unable to meet its financial obligations as they are due to be settled. The Fund works with the Department of Treasury and Finance to determine the cash flows associated with its Government approved program of work and to ensure funding is provided through SA Government budgetary processes to meet the expected cash flows.

The Fund settles undisputed accounts within 30 days from the date of the invoice or date the invoice is first received. In the event of a dispute, payment is made 30 days from resolution.

The Fund's exposure to liquidity risk is insignificant based on past experience and current assessment of risk.

The carrying amount of financial liabilities recorded in the Table Categorisation of financial instruments represent the Fund's maximum exposure to financial liabilities.

Market Risk

The Fund has no interest bearing liabilities as at the end of the reporting period. There is no exposure to foreign currency or other price risks

Sensitivity disclosure analysis

A sensitivity analysis has not been undertaken for the interest rate risk of the Fund as it has been determined that the possible impact on profit and loss or total equity from fluctuations in interest rates is immaterial.

17 Unrecognised contractual commitments

Expenditure commitments - Other

Within one year

Later than one year but not later than five years

Later than five years

Total Other commitments

2013
\$'000

2012
\$'000

980

2 095

858

1 627

161

232

1 999

3 954

The Fund's commitments include payments to a number of organisations for research grants, DEWNR for the change detection program, the funding of a research officer and for heritage agreements.

Native Vegetation Fund

Notes to and forming part of the Financial Statements

For the Year Ended 30 June 2013

18 Contingent assets and liabilities

As at the reporting date, criminal proceedings have commenced against several landowners who have been alleged to have breached the Act. Civil proceedings had also 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.

19 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. Exemption 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.

Fines, penalties and charges of significant environmental benefit are to be utilised in the following areas:

	2013 \$'000	2012 \$'000
South East	531	1,521
Mount Lofly Ranges Greater Basin	899	1,293
SA Murray Darling Basin	417	948
Kangaroo Island	133	120
Northern & Yorke Agricultural District	592	1,204
SA Arid Lands	252	(38)
Eyre Peninsula	188	411
Alinytjara Wilurara	333	406
Total Restrictions on contributions received	3 345	5 865

20 Remuneration of Council and committee members

Members of the council and committees during 2012-13 financial year were:

Native Vegetation Council

Bates JA	Mutton DR
Lillecrapp JA	Paton PA
McHuch BK	Roche MC
Munday BC	

Native Vegetation Council Fire Committee

Bates JA
Gray A
Miller LR *

Native Vegetation Assessment Panel

Lillecrapp JA
Munday BC
Ratcliff EA
Roche MC

Native Vegetation Council Grants Committee

Munday BC
Mutton DR
Paton PA

* Denotes government employees

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

	2013	2012
Nil	9	12
\$1 - \$9 999	7	6
\$20 000 - \$29 999	1	1
	17	19

Remuneration of members reflects all costs of performing board member duties including sitting fees, superannuation contributions, salary sacrifice benefits and fringe benefits and any fringe benefits tax paid or payable in respect of those benefits. The total remuneration received or receivable by members was \$48 095 (2012: \$54 638) and has not been recognised in these financial statements. The remuneration of members is provided by DEWNR.

*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.

Unless otherwise disclosed, transactions between members and the Fund are on conditions no more favourable than those that is reasonable to expect the entity would have adopted if dealing with the related party at arm's length in the same circumstances.

For the purposes of this table, 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 direct out-of-pocket expenses incurred by relevant members.

21 Events after the reporting period

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