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NATIVE VEGETATION COUNCIL

ANNUAL REPORT

1 July 2015 to 30 June 2016



**Government
of South Australia**



Native Vegetation Council

Annual Report of the Native Vegetation Council 2015-16

30 September 2016

ABN: 14397029137

ISSN: 1838-4390 (Print)

1838-4404 (Online)

ISBN: 978-1-921800-67-2

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Supported by:

Native Vegetation Management Unit, Department of Environment, Water and Natural Resources

Regional Programs Branch, Department of Environment, Water and Natural Resources

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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 section 17 of the *Native Vegetation Act 1991*, the *Public Sector Act 2009*, the financial reporting requirements of the *Public Finance and Audit Act 1987* and the Department of Premier and Cabinet Circular DPC013 – Annual Reporting Requirements, I have pleasure in presenting the annual report of the Native Vegetation Council for the year ended 30 June 2016.

The *Native Vegetation Act 1991* remains a key legislative instrument supporting South Australia's Strategic Plan, the Planning Strategy for South Australia and the State Natural Resources Management Plan.

The Vision of the Native Vegetation Council is to provide balanced ecological, economic and social outcomes in order to deliver the effective protection, maintenance and restoration of South Australia's native vegetation. These outcomes will lead to an informed and knowledgeable community that is justifiably proud of its native vegetation and of the steps it is taking to enhance it.

I take this opportunity to thank the Members of the Native Vegetation Council for their commitment and contribution in delivering on the Strategic Directions of the Council. I also wish to acknowledge the significant work and support from the Native Vegetation Management Unit staff of the Department of Environment, Water and Natural Resources in assisting the Native Vegetation Council conduct its business.

The following annual report provides a comprehensive overview of the activities of the Native Vegetation Council for 2015-16.

Yours sincerely

Emily Jenke
Presiding Member
Native Vegetation Council

27 September 2016

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) and monitors the overall condition of the State's vegetation and makes decisions on a wide range of matters concerning native vegetation in South Australia. Its responsibilities include:

- review the condition of the native vegetation of the State
- advise the Minister in relation to—
 - (a) the preservation, enhancement and management of existing native vegetation
 - (b) the re-establishment of native vegetation on land where native vegetation has been cleared or degraded
 - (c) research into the preservation, enhancement and management of native vegetation and the re-establishment of native vegetation on cleared land
- keep the principles of clearance of native vegetation under review and to advise the Minister of any changes to the principles that it considers are necessary or desirable
- determine applications for consent to clear native vegetation under Part 5 of the Act
- assess and respond to applications referred to Council under the *Development Act 1993*
- encourage research into the preservation, enhancement and management of existing native vegetation
- encourage the re-establishment of native vegetation on land from which native vegetation has been cleared
- administer the Native Vegetation Fund pursuant to Division 3 of the Act
- such other functions as are assigned to the Council under this or any other Act.

The NVC provides decisions that seek to further the objects of the Act. Decisions are made that consider ecological, economic and social outcomes to enable the effective protection, maintenance and restoration of our native vegetation. The NVC has a vision where the community will be informed, knowledgeable and justifiably proud of its native vegetation and the steps it is taking to enhance it. To further the objects of the *Native Vegetation Act 1991*, the NVC Strategic Plan endorsed in March 2016, lists four priorities and a range of specific strategies to be implemented over the next two years, which are:

1. Improve the NVC's image.
2. Improve the societal value of native vegetation.
3. Consolidating key partnerships.
4. Exploring alternative areas of resourcing.

The NVC when performing its functions must take into account the provisions of the State Natural Resources Management (NRM) Plan, and any other relevant NRM plan. These strategic priorities align strongly with State NRM planning for 2012-17. Its vision suggests that 'we care for the land, water, air and sea that sustain us' and its goals are:

1. People taking responsibility for natural resources and making informed decisions.
2. Sustainable management and productive use of land, water, air and sea.
3. Improved condition and resilience of natural systems.

By being involved and working together with the NRM regions, local government and communities, the NVC supports the State NRM Plan with the implementation of programs to assist the ongoing improvement in the condition of our native vegetation.

OPERATIONS AND INITIATIVES

POLICY AND LEGISLATIVE MATTERS

Review of Native Vegetation Regulations 2003 under the Native Vegetation Act 1991

Over the past 18 months, the *Native Vegetation Regulations 2003* have been reviewed and revised to remove complexity and to streamline the approvals process where possible.

Following the release of two reports for feedback in 2014-15, Drafting Instructions for the new Regulations were completed in October 2015, and drafting of the Regulations by Parliamentary Council was approved in December 2015. The Draft Regulations have now been finalised and will be released for formal public consultation 4 July 2016 to 15 August 2016.

The intent and prescribed activities in the new Draft Regulations are not substantially different from the current regulations. However, restructuring has occurred to align all clearance activities with one of four approval pathways. The four approval pathways are:

1. Permitted clearance (self-assessment).
2. Fire hazard reduction.
3. Management of vegetation (requires a management plan).
4. Risk assessment:
 - a) Major Developments (s48 *Development Act 1993*)
 - b) Mining and petroleum activities
 - c) Exploration activities
 - d) Other activities where the level of risk associated with the activity is undefined.

The majority of existing prescribed activities have been retained, and some have been slightly modified to improve clarity. Only one activity was deleted from the prescribed activities in the Regulations – the use of native vegetation for fence posts. Feedback indicated that this was no longer required. Three other activities were incorporated to address gaps in the current Regulations:

- Clearance for cultural activities (non-commercial) by Aboriginal people is now exempt from approvals.
- Recreational trails; vehicle access tracks greater than 5m wide (for commercial vehicles).
- Interpretations of specific terms, such as infrastructure, to cover the range of activities that can reasonably be considered under such terms.

The risk assessment pathway is new, and will help to ensure that requirements for clearance approval are commensurate with the level of potential impact of the clearance.

The new Regulations also include the mitigation hierarchy as a guiding principle for all clearance activities, which encourages proponents to consider all options for avoiding or minimising clearance, thereby reducing the impact (and where appropriate, the required subsequent Significant Environmental Benefit). In addition, requirements for Significant Environmental Benefit (SEB) have been aligned with the requirements in the *Native Vegetation Act 1991* to increase consistency and remove potential for confusion.

As part of the process of revising the Regulations, the underpinning policies and processes, including application processes, guidelines and management plan templates, require revision.

To ensure that there are no unintended consequences, the implementation of the Regulations will be carefully monitored for the first 12 months.

Significant Environmental Benefit Regulations

The *Native Vegetation Act 1991* was amended by the *Native Vegetation (Miscellaneous) Amendment Act 2013* (Amendment Act). The Amendment Act was proclaimed on Monday 15 December 2013. The amendments included sections related to credit, assignment and third party

establishment of environmental benefits. However, these sections have remained suspended until work is undertaken to prepare associated policy, regulations and a public register.

The NVC, with the assistance of the Native Vegetation Management Unit (NVMU), developed regulations as required by the Amendment Act. In particular, the regulations establish the process for becoming an Accredited Third Party Provider and will establish the information that needs to be captured within the Significant Environmental Benefit (SEB) Register. The regulations also prescribe the accompanying fees.

The *Native Vegetation (Credit for Environmental Benefits) Regulations 2015* came into operation on 3 December 2015. Part 4A—Credit, assignment and third party establishment of environmental benefits of the *Native Vegetation Act 1991* also came into operation on that day.

Significant Environmental Benefit Policy

A new SEB Policy is currently under development. The policy will set out matters that the NVC or its delegate will take into account when considering what constitutes an SEB. This will ensure that the new vegetation assessment methods and the new scheme relating Credit, Assignment and Third Party Significant Environmental Benefits are introduced in a clear and consistent manner. It will also help maximise the environmental gains through the establishment of SEB areas and will provide clearance applicants with certainty and clarity when providing an SEB.

The policy and associated documents were released for public comment between December 2015 and March 2016. Significant comments were provided by a range of stakeholder and the general public. The NVC has carefully considered the comments and further amendments are being made to the Policy.

Rangelands Assessment Manual Development

In December 2015 the Draft Rangeland Assessment Manual was released for public comment. The document outlined the methodology to be used to assess rangeland environments where vegetation clearance and SEB areas are proposed.

A mixed reaction was received from several parties currently involved in the assessment of rangeland environments. The main issues raised were: the benchmarking process sourcing incomplete data and not representing all vegetation communities; the time and cost involved in undertaking the required fieldwork; the applicability of the method to assess certain vegetation groups; and issues with perennial/annual classifications.

Following the public consultation, key stakeholders and contributors met to discuss concerns and potential solutions. Consideration is being given to the applicability of a rapid assessment method being developed by the Department of Environment, Water and Natural Resources (DEWNR) Pastoral (for northern pastoral properties - Cattle Country) to assess the native vegetation value of proposed clearance and SEB areas in the rangelands. In February 2016 a field trip was conducted with staff from the DEWNR Pastoral Unit and the DEWNR NVMU to field test the method. The conclusion reached was that this rapid Rangelands Assessment Method could be modified to include parts of the 'Cattle Country' method and rectify the problems with benchmarking.

Variation of Native Vegetation Regulations 2003

With the advice and consent of the Executive Council, the Governor, on 28 April 2016 allowed a variation to regulation 5 – Exemptions – general of the *Native Vegetation Regulations 2003*. This new regulation 5(1)(zo) is for the purpose of SA Motorsports Park to clear native vegetation if:

- (i) the land on which the vegetation is situated is in the SA Motorsport Park; and
- (ii) the clearance is incidental to development that has been authorised under the *Development Act 1993*; and

- (iii) the clearance is undertaken in accordance with a management plan that has been approved by the State Coordinator-General appointed under the *Development Regulations 2008*; and
- (iv) the State Coordinator-General is satisfied, after taking into account the full nature and extent of clearance that is to be undertaken on the relevant land and any commitments that have been made with respect to the establishment, restoration or maintenance of native vegetation, that—
 - (A) there will be a significant environmental benefit on the land or within the same region of the State; or
 - (B) the owner of the land (or a person acting on his or her behalf) has, on application to the State Coordinator-General to proceed with clearing the vegetation in accordance with this provision, made a payment into the Fund or, if the State Coordinator-General is satisfied that it is appropriate in the circumstances, agreed to make a payment into the Fund, of an amount considered by the State Coordinator-General to be sufficient to achieve a significant environmental benefit, in the manner contemplated by section 21(6) of the Act, which outweighs the value of retaining the vegetation.

NATIVE VEGETATION COUNCIL GUIDELINES

Under section 25 of the Act and pursuant to various regulations the NVC must prepare draft guidelines in relation to the management of native vegetation. The NVC, by public advertisement and the South Australian Government Gazette, invites members of the public and stakeholders to comment on the draft guidelines within no less than two months following publication of the advertisement. The following guidelines have been either finalised or are in development.

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

Review of the Guidelines for Native Vegetation SEB Policy for the Clearance of Native Vegetation Associated with Minerals and Petroleum Industry has continued through 2015-16.

Mining has potential impact on fauna and flora through accelerated weed spread, increased erosion and flooding. This impact needs to be minimised as far as reasonably practicable. 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*.

The review of the Guidelines has been conducted by the DEWNR. Once the internal review is complete, key stakeholders will be involved in and consulted on the proposed changes. This will occur during the 2016-17 financial year.

NATIVE VEGETATION COUNCIL STRATEGIC DIRECTIONS

In February 2016 the NVC met to develop its Strategic Plan for 2016-17. Central to the day was a session on the Common Cause framework – a way to tap into the values that motivate people to undertake (or not undertake) preservation and conservation work around native vegetation.

The NVC undertook an intensive overview of work from the past, present and future. A vast range of indicators pointed to a natural world in decline, and public concern about the environment is at a 20 year low. The NVC realises that something must change drastically if it is to stop the loss of species or limit the impact on native vegetation across South Australia. If people are to care about natural resources and act to protect it, then values that motivate must be promoted.

Following on from this, the NVC focused on ways to reframe its work, in an effort to have it more highly valued by government and the community. The concept of caring for something for many generations to come is often harder to align with than the concern for ‘now’.

With this in mind, the NVC set the following strategic priorities for moving forward:

1. Improving the NVC's image.
2. Improving the societal value of native vegetation.
3. Consolidating key partnerships.
4. Exploring alternative sources of resourcing.

Improving the Native Vegetation Council Image

Communication

Promoting the understanding and awareness of community wellbeing, sustainable production and environmental outcomes relating to native vegetation in South Australia is of concern to the NVC. This financial year the NVC released six issues of the online eNews with the readership levels increasing to over 440. This financial year the NVC has conducted two consultations, the SEB Third Party Regulations and the Native Vegetation Regulation Review. In both instances over 50 key stakeholders were contacted for identified consultation prior to wider public consultation.

Native Vegetation Council Survey

The objective of the survey, conducted between July and August 2015, was to hear the community's views on key areas of native vegetation management. This helped the NVC to develop policy direction, strategies and implementation. The target audience consisted of consultants, local governments, stakeholders of the Act, agency staff, Heritage Agreement owners, SEB parties and NVC grant recipients. Sixty-five readers of NVC eNews contributed to the survey: 'Management of Native Vegetation in South Australia'. The responses showed passion and support for saving the native vegetation of this State.

The Native Vegetation Website

Throughout the 2015-16 financial year changes were made to the Native Vegetation website, in layout, content, design and features. New information sheets, new contact information and new enhancing functions were developed and uploaded. The most successful aspect has been the interactive version of four application forms. The application forms can be completed by the applicant online and easily emailed back to avoid the need for 'print and fill, scan or copy'.

The forms automated are:

- Clearance for house site application.
- Heritage Agreement area application.
- Native vegetation clearance application.
- Protecting revegetation application.

Improving the Societal Value of Native Vegetation

State Community Landcare Conference

Members of the NVC and staff from NVMU of DEWNR attended the State Community Landcare Conference from 14-16 September 2015.

The Conference topic "Landcare – connecting people and healthy landscapes" gave participants the opportunity to explore the four themes of the Conference: Biodiversity – Management and Conservation, Indigenous Land Management, People and Volunteers, and Sustainable Farming.

The NVC sponsored the Biodiversity – Management and Conservation theme at the conference. During the Biodiversity session on day two, a special session on Native Vegetation Reforms,

titled: “*Challenging the status quo; Changing, reforming and innovating native vegetation management in South Australia*” was conducted.

Small Farms Workshop

A representative from the NVC attended the Native Vegetation Management and Small Farm Irrigation workshop held in November 2015 at Glencoe. The presentation, including questions and answers, clarified common misconceptions about native vegetation management and farming was the main theme.

Heritage Agreement signage

New signs for proud property owners with a Heritage Agreement were developed in June 2016 and have been distributed on request. The signs are easily attached to a fence or gate adjoining the protected area making them quite visible to the community.

Consolidate Key Partnerships

Natural Resource Management Regions

The NVC recognises the key partnership with the NRM regions and the importance of awareness raising. The NVC members have this financial year taken a proactive role in the attending discussion session, and supporting the SEB Third Party Regulations and the consultation for the draft Native Vegetation Regulations under review.

Key Stakeholders

The NVC continues to work towards improving relationships with Development and Planning, with the aim of enhancing better understanding of the NVC involvement in the new Planning systems. Links on the Native Vegetation website have been created to encourage builders already engaged in the Development Act process to align better planning for development and protection of native vegetation.

Throughout the financial year 2015-16 the NVC continued to maintain good working relationships with Local Government. The NVC has worked with local councils in areas where the Act applies to link local council websites to the native vegetation web pages regarding clearing native vegetation when building or subdividing.

Native Vegetation Council Accredited South Australian Country Fire Service Training

In November 2015, the NVC supported a three-day training program for the accreditation of the South Australian Country Fire Service (SA CFS) Regional Prevention Officers. The training for accredited SA CFS officers assists the utilisation of regulation 5A for clearance for fire prevention and control authorised by the Chief Officer (or delegate) of the SA CFS.

The Officers undertook 4 modules of training. Modules included:

- Overview of the Act and Regulations.
- Clearance pathways.
- DEWNR Fire Management.
- Field Assessments – Describing/Classifying native vegetation.

Exploring Alternative Sources of Resourcing

This financial year the NVC has worked with DEWNR on scoping how native vegetation management can utilise the carbon market. The NVC is investigating opportunities to take a lead role in the facilitation of native vegetation sequestration outcomes. Several carbon case studies are under development that will be a focus for this coming financial year.

CLEARANCE OF NATIVE VEGETATION

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, maintaining ecosystem services and for managing land degradation processes such as salinisation.

With the exception of clearance provided for by *Native Vegetation Regulations 2003*, the clearance of intact native vegetation is not permitted by the Act.

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 2015-16, 28 clearance applications were approved with clearance consent being granted over 72.44 hectares of native vegetation. During this financial year, 295 bundles of brush cutting (*Melaleuca uncinata*) at an average green weight of 20 kg per bundle were reported. The NVC received three new applications and granted two extensions for brush cutting.

For the financial year 2015-16, SEBs established to offset the above clearance included the management or restoration of 96.48 hectares of native vegetation and agreed payments into the Native Vegetation Fund of \$61 312.22. Detailed information on section 28 applications is presented in Appendix 1.

SUMMARY OF CLEARANCE APPLICATIONS UNDER THE *NATIVE VEGETATION REGULATIONS 2003*

In 2015-16, 203 clearance matters consistent with the *Native Vegetation Regulations 2003* were approved, of which 92 were assessed by the NVMU, 101 assessed under delegation (as set out in Table 1), nine by the Native Vegetation Assessment Panel (NVAP) and one by the NVC. The total clearance of native vegetation, under the Regulations, for this reporting year was 1282.92 hectares and 1632 trees. The high number of trees cleared in this financial year includes 620 trees removed for the Bald Hills Road Interchange Stages 1 and 2. In addition, 321 trees were cleared for the Belair Rail Line vegetation maintenance.

A number of the Regulations require the establishment of an SEB. During the 2015-16 financial year, SEB payments established for matters considered under the Regulations, including those under delegation, totalled \$4 392 080.00 with other clearance requirements of an on ground SEB offset of 122.33 hectares. The SEB payments appear high for the 2015-16 financial year due to work on behalf of the Commissioner of Highways at the Bald Hills Road Interchange Stages 1 and 2, Victor Harbor Road Roundabout and the Northern Connector.

It should be noted that there is an ability to clear under the Regulations that does not require consultation with the NVC; e.g. clearance around a 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, DEWNR conducted 21 prescribed burns, totaling 3143.3 hectares, to strategically reduce fire fuel hazards in areas of South Australia's parks and reserves and five ecological burns totaling 66.9 hectares.

Organisation with delegated officers	No of clearance decisions	Ha Native Vegetation cleared	Trees Removed
DSD Mining	2	11.19	12
DSD Energy	3	431	0
SA Water	7	211.78	1
DPTI	76	235.62	1257
Forestry SA	6	151.4	0
ElectraNet	2	.038	14
SA CFS	5	2.54	4

Table 1: Clearance decisions under Regulations by delegation 2015-16

Clearance	Financial Year 2014-15	Financial Year 2015-16
CC Application under section 28	19	28
Ha under section 28	90.91	72.44
Trees under section 28	46	48
CC under Regulations	205	210
Ha under Regulations	2326.65	1282.64
Trees under Regulations	1016	1632
\$ SEB under Regulations	733 333.31	4 392 080.00
\$ SEB under section 28	10 414.84	61 312.22
Ha SEB offset under Regulations	581.8	122.33
Ha SEB offset under section 28	143.35	96.48

Table 2: Clearance statistics for comparison of financial year 2014-15 and 2015-16

NRM Region	No of clearance decisions	Ha Native Vegetation cleared	Trees Removed
Adelaide & Mount Lofty Ranges	79	311.94	666
Alinytjara Wilurara	8	156.74	0
Eyre Peninsula	20	14.36	4
Kangaroo Island	5	13.09	47
Northern and Yorke	22	13.19	54
SA Murray Darling Basin	29	46.87	796
South Australian Arid Lands	18	590.35	3
South East	22	127.38	62

Table 3: Clearance decisions under Regulations by NRM Region 2015-16

NATIVE VEGETATION COUNCIL COMMITTEES

The NVC has the power to establish a committee/s under section 10 of the Act.

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. During 2015-16, the NVAP held seven in-house meetings and one out-of-session meeting.

NATIVE VEGETATION COUNCIL FIRE COMMITTEE

The NVC Fire Committee was disbanded in September 2015. However, the NVC continues to have a representative on the State Bushfire Coordination Committee, a peak bushfire management committee responsible for all aspects of bushfire management in South Australia. The NVC is also represented on the Ecological Technical Reference Group, providing technical and policy support.

NATIVE VEGETATION COUNCIL GRANTS COMMITTEE

The NVC Grants Committee was not re-appointed in September 2015. The NVC agreed at its meeting on 28 October 2015 to consider, until the end of this financial year, all associated procedures and grant applications for the conservation, restoration and management of native vegetation, through its bimonthly meetings. This became necessary due to the decline in the ability to support a Grants program.

Significant Environmental Benefit Grants

The NVC launched the SEB Grants Program in October 2008. Funding for these works is provided from payments into the Native Vegetation Fund by landowners, developers, government agencies and mining companies to achieve the SEB required to offset the approved clearance of native vegetation in South Australia. The SEB Grants Program creates opportunities to work at a landscape scale and allows strategic investment at an appropriate scale.

Since the introduction of the SEB Grants Program, the NVC has supported more than 74 projects across the eight NRM regions resulting in over 200 301 hectares of on ground works, committing to almost \$15 million for conservation enhancement and landscape management works in an effort to improve biodiversity.

The SEB Grants Program resumed in the 2015-16 year, following a review conducted in 2014-15. This financial year the program supported one new SEB grant and an extension to a 2013-14 SEB Grant. The NVC committed a further \$23 430 to Ardeotis Biological for habitat restoration and recovery on Arkaba. The NVC also committed \$650 000.00 to Nature Glenelg Trust for the purchase and restoration of the Marshes and Mount Burr Swamp. The Marshes and Mount Burr Swamp is a 300.9 hectares private property adjacent to an existing 596.5 hectare nature reserve in the South East of South Australia. The Marshes and Mount Burr Swamp form part of a wetland complex that is listed in the Directory of Important Wetlands in Australia (DIWA).

This project will:

- enable perpetual protection & restoration of wetlands at a strategic (DIWA listed) site

- grow the National Reserve System (NRS) estate in an under-represented bioregion, and increase an existing NRS reserve by 50%
- contribute to the recovery of at least 5 EPBC Act listed species (and 36 State listed species)
- provide a community hub and demonstration site for the public to experience, learn about, and become directly involved in all aspects of wetland restoration and management.

Research Grants

The NVC Research Grants introduced in 1998 to provide funding for research into the preservation, enhancement and management of native vegetation in South Australia have been suspended since July 2014. Since its introduction, the NVC has supported 163 research projects across the State and contributed over \$1.6 million in funding for native vegetation-related research. The NVC continues to honour its commitment to previously approved grants.

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. The NVC in July 2014 resolved to suspend the Heritage Agreement Grants, pending a review of the program and availability of resources.

VEGETATION MANAGEMENT ACTIVITIES

Heritage Agreement Applications

This innovative program was started in 1980 because of concern over excessive native vegetation clearance in the agricultural region of the State and pioneered formal ‘off park’ conservation in Australia. It has been well supported by South Australian landholders; there are now 1,588 separate Heritage Agreements over 2831 native vegetation sites. This ensures the long-term protection of approximately one million hectares of the State’s original vegetation.

During 2015-16 two new Heritage Agreements applications were received. Five requests for variations and subdivisions to existing Heritage Agreements were received. Eleven Heritage Agreements were registered by the Minister or his delegate.

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 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. Financial assistance for the fencing of Heritage Agreements is prioritised by need and availability of funds. In 2015-16 the NVC expended \$84 512.70 over 17 kilometres across five Heritage Agreements and in doing so contributed to the ongoing conservation and protection of a total of 2103.4 hectares.

Roadside Vegetation Management

Road reserves have developed beyond providing for vehicle transport, to include provision of a variety of services, including telecommunications, gas, electricity, water and effluent mains. This vegetation is extremely valuable from a biodiversity perspective and can contain important remnant vegetation within heavily cleared areas. Road reserves often contain the only significant remnants of native vegetation in rural areas of South Australia. The NVC, in the past, has supported local government road authorities to maintain and improve roadside native vegetation by offering an allocation from the Fund for projects such as roadside conservation markers and/or roadside vegetation surveys. This financial year, the NVC was unable to commit new funding for these projects but continues to support projects from previous years.

The NVC continues to support local government road authorities in meeting their commitment to road management. In 2015-16 the NVC continued the ongoing support for 56 Roadside Vegetation Management Plans. This financial year the NVC approved two Roadside Management Plans.

COMPLIANCE WITH THE NATIVE VEGETATION ACT 1991

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

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

Reports Received 2015-16: Alleged Illegal Clearance

During the 2015-16 financial year the Investigation and Compliance Unit received or detected a total of 140 reports of potential clearance of native vegetation contrary to the *Native Vegetation Act 1991*. The reports are presented according to each NRM region in Table 4 below alongside data for the seven preceding financial years.

NRM Region	08-09	09-10	10-11	11-12	12-13	13-14	14-15	15-16
Adelaide & Mount Lofty Ranges	77	49	50	53	61	60	21	29 (27%)
Alinytjara Wilurara						1		
Eyre Peninsula	31	48	34	14	17	22	34	11 (10%)
Kangaroo Island	10	18	14	15	10	11	4	8 (7%)
Northern & Yorke	23	37	28	29	24	25	8	14 (13%)
SA Arid Lands	2	1	1	1	2	1		
SA Murray Darling Basin	44	48	36	36	34	34	22	25 (23%)
South East	36	54	48	33	26	23	13	22 (20%)
Sub-total	223	225	211	181	174	177	102	109
Change Detection Program	0	0	0	50	41	22	28	31 (28%)
TOTAL*	223	255	211	231	215	199	130	140

Table 4: Reports received by NRM Region 2007-08 to 2015-16

The number of total reports, 140, received for 2015-16 is below the average number recorded over the past nine years of collecting data. Of the 140 reports, 31 (28%) were detected through the Change Detection Program (CDP). The CDP analyses satellite imagery on an annual basis to detect changes in native vegetation cover.

Action taken from Reports received 2015-16: alleged illegal clearance

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

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

- Exempt (non-native) - Where clearance has been investigated and the vegetation is assessed to be non-native.
- Exempt (*Native Vegetation Regulations 2003*) - Where clearance has been investigated and assessed to be exempt under the Regulations.
- No further action – Where the offender or exact location of the clearance cannot be determined or clearance has occurred in accordance with a formal clearance approval or is outside of the statutory timeframes or jurisdiction of the Act, no further action is taken.
- Education letter – Where clearance is assessed as trivial, occurs by accident or through ignorance, an educational letter may be sent that identifies that clearance has occurred and provides information about native vegetation, its value and obligations for its protection.
- Written caution – Where clearance is trivial, minor, accidental or mistaken, and not a repeat occurrence, a formal caution may be 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 or may occur. These notices are commonly referred to as ‘stop work’ or ‘make good’ notices. A make good order requires the landowner to undertake minor remedial works to rectify clearance actions and can only be issued if the clearance is assessed as minor.
- Expiation – A \$750 fine may be issued by an authorised officer, with the authority of the NVC. This is issued when the clearance is assessed to be minor.
- Refer for investigation – Where it is believed that a moderate or serious offence has occurred, an investigation is required to gather further evidence to pursue legal proceedings.
- Pending further information – This status is given to new reports of clearance still in the investigative stage.

Figure 1 summarises the actions taken from reports of alleged illegal clearance for the 2015-16 financial year, and Figure 2 averages out the actions taken across an eight-year period from the 2008-09 financial year to 2015-16 financial year.

Of the 109 reports received this financial year a total of 44 reports (39%) were considered to be either No Further Action required (22%) or Exempt – Regulation (17%) under the *Native Vegetation Regulations 2003*. The majority of the exempt clearances relate to fence line clearance, roadside safety or bushfire protection around dwellings. Some clearances detected through the CDP were verified as planted vegetation, seasonal variations in cover or the result of wild fires.

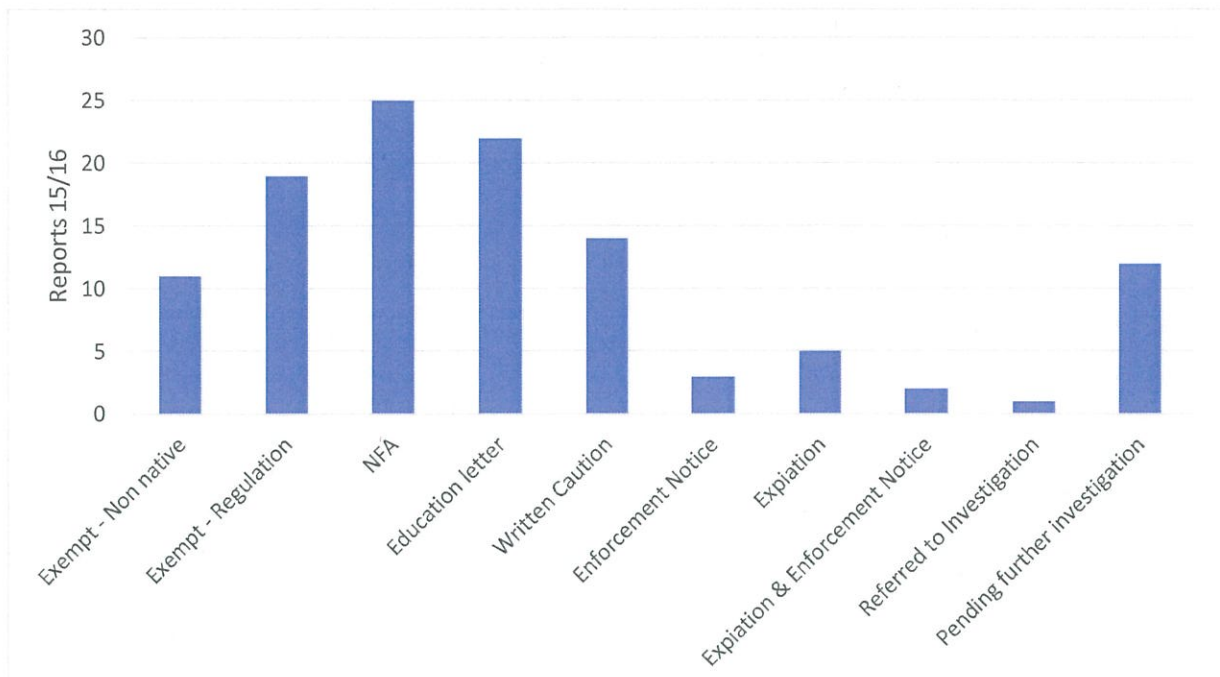


Figure 1: Action taken from reports received for 2015–16 financial year

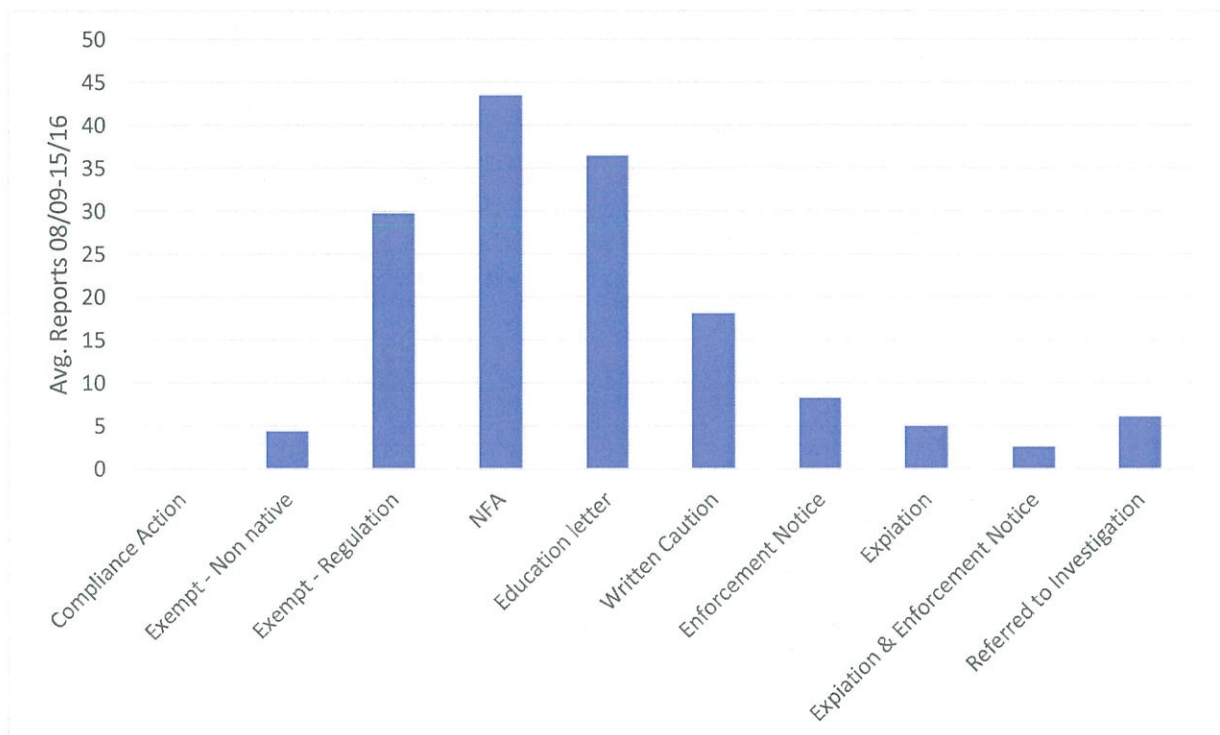


Figure 2: Average of actions taken from reports received – 2008-09 to 2015-16 financial year

During 2015-16 the Native Vegetation Compliance Steering Committee was dissolved and replaced by the DEWNR Prosecution Steering Committee (PSC) hosted by the Regional Programs Branch, Partnerships and Stewardship.

Permanent voting members include the Director, Regional Programs Branch (DEWNR) and the Manager, Compliance Unit (DEWNR). Managers from the relevant business area are invited to attend meetings and have voting rights. Non-voting members include the Prosecution Liaison

Officer of the Compliance Unit (DEWNR), the Investigator with carriage of the matter and any Subject Matter Experts required.

The majority of prosecution decisions are relatively straightforward and do not need to be considered by the PSC – these decisions are made between the Manager, Compliance Unit, the Prosecution Liaison Officer and a Manager from the relevant business unit.

More complex decisions are referred to the PSC. These are matters that may involve:

- Legal complexity (might require CSO rather than in-house prosecution).
- High profile/contentious matters with a higher than usual degree of public/political interest.
- High costs/risk to DEWNR.
- An inability to make a decision at manager level.

Prosecution decisions (both at PSC and management level) are informed by the Director of Public Prosecutions' (DPP) '*Statement of Prosecution Policy and Guidelines*' (*the DPP Guidelines*).

Criminal Prosecutions

For the 2015-16 financial year one court matter was finalised on 3 February 2016. The defendant was not convicted for breaching a section 31E Enforcement Notice. However the defendant was fined \$400, plus the victim of crime levy and court costs totalling \$750.

There are currently two ongoing prosecution matters before the courts and three matters under investigation with a view to prosecution. Two matters are in the preliminary stages of an investigation with the DEWNR Investigation and Compliance Unit.

Civil Enforcement Proceedings

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

There was one civil matter initiated during the 2015-16 financial year, adjourned to the end of the year. There are two civil matters that have been lodged in the ERD Court and are 'on hold' pending the outcome of the criminal prosecution. This is because the NVC must under section 26(2a) of the Act initiate civil enforcement proceedings once an offender has been convicted of clearing native vegetation without consent.

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

Native Vegetation Compliance Changes

As part of the DEWNR Compliance Reform Project, the ongoing regionalisation of native vegetation compliance continued during 2015-16. The transition of the compliance function to the regions is in progress with Kangaroo Island regional staff recently appointed as Authorised Officers under the Act to provide support to the NVC and the Coordinator Native Vegetation Compliance. Further nominations for Authorised Officers have been called. Training for all Authorised Officers will commence in the near future.

With guidance from the Investigation and Compliance Unit, Authorised Officers from Kangaroo Island and the South East have received reports, investigated and actioned minor incidents of illegal native vegetation clearances.

The NVC continued in the 2015-16 year to support the Investigation and Compliance Unit with a budget of \$220 951 for the Coordinator Native Vegetation Compliance and the Prosecution Liaison Officer.

The Coordinator Native Vegetation Compliance within DEWNR's Investigation and Compliance Unit continues to receive, assess and actioned unlawful clearance reports. The Coordinator Native Vegetation Compliance is also responsible for monitoring civil court orders and reporting on breaches of the Act.

The Prosecution Liaison Officer within DEWNR's Investigation and Compliance Unit continues to provide assistance and advice on breaches of the Act.

Below are the Outcomes for each Incident per NRM Region

NRM Region	Detail of Clearance	Outcome
Adelaide Mt Lofty Ranges	Lower Hermitage - Clearance of Yaccas	Education Letter
Adelaide Mt Lofty Ranges	Crafers - Clearance of 3 Stringy Barks	Written Caution
Adelaide Mt Lofty Ranges	Victor Harbor - Dog Park construction	Education Letter
Adelaide Mt Lofty Ranges	Mt Barker - Clearance within road reserve for house access	Written Caution
Adelaide Mt Lofty Ranges	South Para - Fenceline clearance	Written Caution
Adelaide Mt Lofty Ranges	Wasleys - Clearance of 2 Peppermint Box trees	Written Caution
Adelaide Mt Lofty Ranges	Finniss - Fenceline clearance	NFA
Adelaide Mt Lofty Ranges	Humbug Scrub - 1 Burnt tree	Education Letter
Adelaide Mt Lofty Ranges	Belair - Clearance for a Water Tank	Education Letter
Adelaide Mt Lofty Ranges	Tooperang - Firewood harvesting	NFA
Adelaide Mt Lofty Ranges	Glenburnie Road - Council clearance	Written Caution
Adelaide Mt Lofty Ranges	Verdun - Clearance of trees	NFA
Adelaide Mt Lofty Ranges	Lyndoch - Pruning of trees	Exempt - Regulation
Adelaide Mt Lofty Ranges	Pitt Rd Reserve - Paracombe- vegetation clearance	NFA
Adelaide Mt Lofty Ranges	Aldgate Church - Vegetation clearance	Education Letter
Adelaide Mt Lofty Ranges	Thompson Beach - House block clearance	Exempt - Regulation
Adelaide Mt Lofty Ranges	Boot Hill Rd Kangarilla - Removal of dead trees and live understorey	Education Letter
Adelaide Mt Lofty Ranges	Goolwa - Lakeside clearance	Exempt - non native

Adelaide Mt Lofty Ranges	Nicholls Rd Bradbury - Vegetation clearance	Education Letter
Adelaide Mt Lofty Ranges	Reynella - Grassland clearance	Exempt - non native
Adelaide Mt Lofty Ranges	Serafino Wines - Burial of vegetation	NFA
Adelaide Mt Lofty Ranges	Basket Range - Clearance for tracks	Exempt - Regulation
Adelaide Mt Lofty Ranges	Buckland Park Rd - Removal of Red Gums	Written Caution
Adelaide Mt Lofty Ranges	Fleurieu Swamp - Clearance of reeds	Education Letter
Adelaide Mt Lofty Ranges	Winding Way (Belair) - Death of Grey Box	NFA
Adelaide Mt Lofty Ranges	Littlehampton - Trees damaged during subdivision	Written Caution
Adelaide Mt Lofty Ranges	Ridge Rd - Clearance of vegetation	Exempt - Regulation
Adelaide Mt Lofty Ranges	Ashton - Clearing trees	Exempt - non native
Eyre Peninsula	Cleve - Road reserve fenceline clearance	Enforcement Notice
Eyre Peninsula	Lucky Bay - SEA Transport SEB amendments	NFA
Eyre Peninsula	Pillaworta Rd - Roadside clearance	NFA
Eyre Peninsula	CDP - Enge	Exempt - non native
Eyre Peninsula	CDP - Koppio Land clearance	NFA
Eyre Peninsula	Unknown location - Clearance of planted trees	Exempt - non native
Eyre Peninsula	CDP - Miltalie - 2 areas of land cleared	NFA
Eyre Peninsula	CDP - Wallis - Patches totalling 5-6ha	Education Letter
Eyre Peninsula	North Shields - Clearance in swamp area	Exempt - Regulation
Eyre Peninsula	Elliston - Roadside clearance	Education Letter
Kangaroo Island	Seddon - Clearance of approx 2ha veg	Expiation & Enforcement Notice
Kangaroo Island	Western River - Unauthorised Burn off	Education Letter
Kangaroo Island	Pelican Lagoon - Regrowth clearance	Education Letter
Kangaroo Island	CDP - Dudley - Clearance of large patches	Exempt - Regulation
Kangaroo Island	Cassini - Fenceline clearance	Exempt - Regulation
Kangaroo Island	Newland - Large area of vegetation	Expiation
Kangaroo Island	Playford Hwy KI - Roadside clearance	Exempt - Regulation
Northern & Yorke	Beetaloo Valley - Fenceline clearance	Written Caution

Northern & Yorke	Port Wakefield - EPBC clearance	Enforcement Notice
Northern & Yorke	Wandearah - Saltbush paddock clearance	Expiation
Northern & Yorke	Clare Racecourse - Clearance of trees	Exempt - non native
Northern & Yorke	Hardwicke Bay - Excavating soil and veg	Exempt - Regulation
Northern & Yorke	Yappala Station - 200m x 10m strip cleared	Exempt - Regulation
Northern & Yorke	Auburn - Removal of paddock trees	Exempt - non native
Northern & Yorke	Yorke Peninsula - Removal of calitris	Education Letter
Northern & Yorke	McCabes Rd - Clearance after fire	Written Caution
Northern & Yorke	Telowie - Corner of a paddock cleared	Education Letter
Northern & Yorke	Carrieton 1 - Clearance of native pine and bluebush	Written Caution
Northern & Yorke	Collins Rd (E of Melrose) - Roadside clearance	NFA
Northern & Yorke	South of Moonta - Clearance for firewood	Exempt - Regulation
SA Murray Darling Basin	Renmark - Clearance of Red Gums next to river	Exempt - Regulation
SA Murray Darling Basin	Murbko - Riverside clearance	NFA
SA Murray Darling Basin	Blackfellows Creek - Road reserve turnaround	Education Letter
SA Murray Darling Basin	Sedan - Off-road track	NFA
SA Murray Darling Basin	Hindmarsh Island - Reed clearance	Education Letter
SA Murray Darling Basin	Wombats Rest - Murray River crown clearance	NFA
SA Murray Darling Basin	Goolwa - Subdivision in Residential Zone	Exempt - Regulation
SA Murray Darling Basin	Hartley - Chaunceys lane road reserve	Education Letter
SA Murray Darling Basin	Springton - Motorbike Clearance	Education Letter
SA Murray Darling Basin	Blanchetown - Heavy pruning of Red Gum	Written Caution
SA Murray Darling Basin	Lyrup - Mallee Clearance	Education Letter
SA Murray Darling Basin	Ponde - Horse grazing, change of land use	NFA
SA Murray Darling Basin	Highland Valley - Roadside clearance	Written Caution
SA Murray Darling Basin	Walker Flat - Lignum clearance	Expiation & Enforcement Notice
SA Murray Darling Basin	Langs Landing - Cutting of Red Gum limb	NFA
SA Murray Darling Basin	Cliff View Dr Walkers Flat - Reed clearance	Education Letter

SA Murray Darling Basin	Yundi T Junction - Removal of scattered trees	Exempt - non native
SA Murray Darling Basin	Jervois Rd - Lignum & reed clearance	NFA
SA Murray Darling Basin	Cliff View Rd - Riverside clearance	Expiation
SA Murray Darling Basin	Eden Valley - Removal of red gums	Education Letter
SA Murray Darling Basin	Murbko - Clearance of a single tree	NFA
SA Murray Darling Basin	Greenways - Vegetation clearance	NFA
SA Murray Darling Basin	Scrubby Flat - Clearance of reeds	Education Letter
SA Murray Darling Basin	Signal Flat Rd - Removal of scattered trees	Expiation
South East	Robe - Caravan Park	Enforcement Notice
South East	Mundulla - Clearance of red gums	NFA
South East	Tintinara - Roadside Spraying	NFA
South East	Robe - Coastal walkway	Written Caution
South East	Beachport - Wattle range council clearance	NFA
South East	Brinkworth - Vegetation Rolling	Exempt - Regulation
South East	CDP - Balagup P/L	NFA
South East	Mil-Lel - Large Red Gum clearance	Exempt - Regulation
South East	Port MacDonnell - Smiths Rd clearance	Exempt - Regulation
South East	Hatherleigh - Tree clearance	Expiation
South East	Tailem Bend Motorsports Park - Removal of roadside trees	Exempt - Regulation
South East	Old Coorong Rd - Coastal clearance	Written Caution
South East	CDP - Zadow	Exempt - non native
South East	South of Keith - 7 trees felled	NFA
South East	Robe - Industry Subdivision Clearance	Exempt - Regulation
South East	Robe - Lake Fellmongery NV clearance	NFA
South East	Beachport 2 - Coastal clearance	Exempt - non native
South East	Wirrega - Clearance of scattered trees	Exempt - non native
South East	Swedes Rd - Roadside clearance	Exempt - Regulation

ROLE, LEGISLATION AND STRUCTURE

The *Native Vegetation Act 1991* was proclaimed on 18 April 1991. Native vegetation is defined under the Act as 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.

OBJECTS OF THE NATIVE VEGETATION ACT

The objects of the Act are 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.

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, the 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 an 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 Native Vegetation 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. However, the Council may use the money to establish, regenerate or maintain native vegetation in a region of the State other than the region where the relevant land is located if:

- (a) the Council is satisfied that the environmental benefit to be achieved in the other region will outweigh the value of achieving a significant environmental benefit within the region where the relevant land is located; and

- (b) the native vegetation includes or supports:
 - (i) plants of a rare, vulnerable or endangered species; or
 - (ii) plants that provide habitat for rare, vulnerable or endangered species of native animals; or
 - (iii) the whole, or a part, of a plant community that is rare, vulnerable or endangered; or
 - (iv) a significant remnant of vegetation in an area which has been extensively cleared; and
- (c) the establishment, regeneration or maintenance of the native vegetation is carried out in accordance with guidelines adopted under section 25 that apply to such establishment, regeneration or maintenance.

The Auditor-General may at any time, and must at least once in each year, audit the accounts of the Fund and the activities resulting in payments into the Fund.

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* and the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*.

ROLE OF THE NATIVE VEGETATION COUNCIL

The NVC is responsible for the conservation, protection and enhancement of the native vegetation of South Australia and, in particular, remnant native vegetation. This is in order to prevent further reduction of biological diversity and degradation to land and soil, loss of quantity and quality of native vegetation and loss of critical habitat.

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; and
- advise the Minister about matters pertaining to the preservation and management of existing native vegetation, and the re-establishment of native vegetation; and
- take into account and seek to further the objects of the Act; and
- take into account and seek to further the principles of clearance of native vegetation; and
- take into account the provisions of the State NRM plan and any other relevant NRM plan under the *Natural Resources Management Act 2004*; and
- determine applications for consent to clear native vegetation; and

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

MEMBERSHIP

The NVC is established under section 7 of the Act and consists of seven members. All members must have some knowledge of, and experience in, the preservation and management of native vegetation. The Minister for Environment, Water and Natural Resources appointed the following membership.

Acting Presiding Member

Bruce Conrad Munday, Nominee of the Minister for Sustainability, Environment and Conservation (31 August 2014 to 12 July 2015)

Presiding Member

Emily Jenke, Nominee of the Minister for Sustainability, Environment and Conservation. (appointed 13 July 2015 to 2 September 2015)

Members

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

Penelope Ann Paton, Nominee of the Natural Resources Management Council

Maurice Colm Roche, Nominee of the Conservation Council of SA

Emie Louise Borthwick, Nominee of the Primary Producers SA

Barry Kym McHugh, Nominee of the Local Government Association Inc

Vacant, Nominee of the Minister for Sustainability, Environment and Conservation (in consultation with the Minister for Planning)

Deputy Members

Joseph Lindsay Keynes (Deputy to Munday)

Roger Barrington Wickes (Deputy to Paton)

Vacant (Deputy to Roche)

Roger David Farley (Deputy to Borthwick)

Helen Anne MacDonald (Deputy to McHugh)

Vacant (Deputy to nominee with planning, mining or development expertise)

The Minister appointed the present NVC membership for a two-year term from 14 September 2015 expiring on 13 September 2017.

Presiding Member

Emily Jenke, Nominee of the Minister for Sustainability, Environment and Conservation

Members

Joseph Lindsay Keynes, Nominee of the Minister for Sustainability, Environment and Conservation

Penelope Ann Paton, Nominee for Natural Resources Management

Maurice Colm Roche, Nominee of the Conservation Council of SA

Natalie Pauline Paimelle Sommerville, Nominee of the Primary Producers SA

Ronald Mark Chown, Nominee of the Local Government Association Inc

Mark Donald Graham Adcock, Nominee of the Minister for Sustainability, Environment and Conservation (in consultation with the Minister for Planning)

Deputy Members

Kerri Muller (Deputy to Keynes)

Roger Barrington Wickes (Deputy to Paton)

Maryanne Healy (Deputy to Roche)

Roger David Farley (Deputy to Sommerville)

Penelope Ann Morgan (Deputy to Chown)

Anna Glavinic (Deputy to Adcock)

The Director Preparedness Operations, South Australian Country Fire Service has a standing invitation to attend meetings of the NVC.

Committees

Native Vegetation Assessment Panel (1 July 2015 to 2 September 2015)

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

Maurice Colm Roche, Nominee of the Conservation Council of SA

Emie Louise Borthwick, Nominee of the Primary Producers SA

Native Vegetation Assessment Panel (14 September 2015 to 30 June 2016)

Chair: Joseph Lindsay Keynes, Nominee of the Minister for Sustainability, Environment and Conservation

Maurice Colm Roche, Nominee of the Conservation Council of SA

Ronald Mark Chown, Nominee of the Local Government Association Inc.

Native Vegetation Council Grants Committee (1 July 2015 to 2 September 2015)

Chair: Penelope Ann Paton, Nominee for Natural Resources Management

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

Maurice Colm Roche, Nominee of the Conservation Council of SA

Native Vegetation Council Grants Committee (14 September 2015 to 28 October 2015)

Chair: Penelope Paton, Nominee for Natural Resources Management

Maurice Colm Roche, Nominee of the Conservation Council of SA

At the NVC October 2015 meeting, this committee was absorbed into the full NVC on a trial basis until 30 June 2016. The future of this committee is yet to be decided.

Meetings: General and Special

During the 2015-16 financial year six formal meetings and two Out of Sessions meetings of the NVC were convened. The Native Vegetation Assessment Panel held seven formal meetings and the Native Vegetation Council Grants Committee held no meetings for this financial year.

Attendance by appointed members at meetings for term 1 July 2015 to 2 September 2015:

Member	Meeting Attendance	Comments
Emily Jenke	0	Native Vegetation Council
Bruce Conrad Munday	1	Native Vegetation Council
	2	Native Vegetation Assessment Panel
Penelope Ann Paton	1	Native Vegetation Council
Maurice Colm Roche	1	Native Vegetation Council
	2	Native Vegetation Assessment Panel
Emie Louise Borthwick	1	Native Vegetation Council
	2	Native Vegetation Assessment Panel
Barry Kym McHugh	0	Native Vegetation Council

Attendance by appointed members at meetings for term 14 September 2015 to 30 June 2016:

Member	Meeting Attendance	Comments
Emily Jenke	5	Native Vegetation Council
	2	Native Vegetation Council Out of Session
	1	Native Vegetation Assessment Panel
Penelope Ann Paton	4	Native Vegetation Council
	1	Native Vegetation Council Out of Session
Maurice Colm Roche	5	Native Vegetation Council
	2	Native Vegetation Council Out of Session
	5	Native Vegetation Assessment Panel
Joseph Lindsay Keynes	5	Native Vegetation Council
	2	Native Vegetation Council Out of Session
	4	Native Vegetation Assessment Panel
Natalie Pauline Paimelle Sommerville	4	Native Vegetation Council
	2	Native Vegetation Council Out of Session
Ronald Mark Chown	5	Native Vegetation Council
	2	Native Vegetation Council Out of Session
	4	Native Vegetation Assessment Panel
Mark Donald Graham Adcock	4	Native Vegetation Council
	2	Native Vegetation Council Out of Session
Penelope Ann Morgan	2	Native Vegetation Council
	1	Native Vegetation Assessment Panel
Kerri Muller	2	Native Vegetation Council
	1	Native Vegetation Assessment Panel
Roger Barrington Wickes	2	Native Vegetation Council
	1	Native Vegetation Council Out of Session
Maryanne Healy	1	Native Vegetation Council
Roger David Farley	1	Native Vegetation Council
Anna Glavinic	1	Native Vegetation Council

Governance Arrangements

As required by section 16 of the Act the NVC was assisted by the Secretary, the Manager of NVMU, the Coordinator Assessment and Stakeholder Liaison Officer and, as required, by other officers employed by DEWNR under the *Public Sector Act 2009*.

The numbers and the expertise of staff from DEWNR working on native vegetation issues are of critical importance to the NVC, as it relies almost solely on DEWNR officers, in particular members of the NVMU, for legislative, technical, scientific and administration advice. Reporting on this matter is contained within the DEWNR Annual Report 2015-16.

Management of Human Resources

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

Native Vegetation Council Remuneration

Presiding Member:

Annual stipend \$20 000

Sitting Fee \$258 per four hour session

Out of session duties \$64.50 per hour

Members:

Sitting Fee \$206 per four hours

Out of session duties \$51.50 per hour

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

Employee numbers, gender and status

The NVC has no staff of its own and relies on staff resources from DEWNR. However, 2.6 DEWNR FTEs are funded by the Native Vegetation Fund. Members of the NVC are aware of and abide by the employment opportunity policies and programs of DEWNR. Reporting on this matter can be viewed in the DEWNR Annual Report for 2015-16.

The gender balance of the NVC is taken into consideration when members are appointed. During the period 1 July 2015 to 2 September 2015 the gender balance was three male and three female members. During the period 14 September 2015 to 30 June 2016 the gender balance was four male and three female members. For the period 1 July 2015 to 2 September 2015 the gender balance for deputy members was three male and three female. During the period 14 September 2015 to 30 June 2016 the gender balance for deputy members was two male and four female.

The following matters are also contained in the DEWNR annual report 2015-16:

- Workforce Diversity
- Executives
- Leave Management
- Performance Development
- Leadership and Management Development
- Employment Opportunity Programs
- Work Health and Safety and Injury Management
- Reporting Against *Carers Recognition Act 2005*
- Disability Access and Inclusion Plans
- Government Buildings Energy Strategy
- Public Complaints
- Sustainability Reporting
- Financial Performance
- Account Payment Performance

ASBESTOS MANAGEMENT IN GOVERNMENT BUILDINGS

The NVC uses the facilities and services of staff of DEWNR. Reporting on these matters is contained in the DEWNR Annual Report for 2015-16.

URBAN DESIGN CHARTER

The NVC in 2015-16 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 2015-16 financial year.

REGIONAL IMPACT ASSESSMENT STATEMENT

The NVC did not undertake any Regional Impact Assessment Statements during the 2015-16 financial year.

CONTRACTUAL ARRANGEMENTS

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

FRAUD

Financial services are provided to the NVC by DEWNR. Reporting on strategies to detect instances of fraud is contained in the DEWNR Annual Report for 2015-16.

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 CFS, 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

This information will be published on the websites maintained by DEWNR.

RECONCILIATION STATEMENT

The NVC would like to acknowledge the land on which it meets is the traditional lands for the Kaurna people and that it respects their spiritual relationship with their country. The NVC also acknowledges the Kaurna people as the custodians of the Adelaide region and that their cultural and heritage beliefs are still as important to the living Kaurna people today.

In fulfilling its functions, the NVC is cognisant of the cultural and natural heritage of traditional owners and strives to achieve positive outcomes wherever these matters are concerned.

ACKNOWLEDGEMENTS

The NVC would like to thank the Minister and staff of DEWNR for the support and encouragement that it has received over the year.

APPENDIX 1: NATIVE VEGETATION CLEARANCE UNDER SECTION 28: 2015-16

Type of Clearance	Number of clearance applications	Area (ha) of degraded native vegetation – <i>Consented</i> to clear	Area (ha) of scrubland – <i>Refused</i> to clear	Number of individual trees – <i>Consented</i> to clear	Number of individual trees – <i>Refused</i> to clear	Significant Environmental Benefit (SEB) *2 Payment (\$)	Significant Environmental Benefit (SEB) Area (ha)
Brushcutting	3	Reported by Bundle	0	0	0	0	0
Residential	3	0.36	0.07	3	0	\$16 938.51	0
Industrial	1	2.00	0	0	0	0	16
Cemetery	1	0.20	0	0	0	0	1.6
Centre Pivots	3	9.70	1.04	19	0	\$17 954.66	44.5
Cycle Trail	2	2.10	0	0	0	0	5.8
Walking Trail	1	0.28	0	0	0	0	2.8
Amenity Purposes*1	3	2.68	0	0	0	\$10 220.00	0.48
Recreational	4	12.03	0	0	0	0	1.13
Farm Management	4	43.09	0	15	0	\$11 820.23	21.09
Vineyard	3	0	0	11	0	\$4 378.82	3.08
TOTAL	28	72.44	1.11	48	0	\$61 312.22	96.48

*1 Amenity Purposes include applications for composting site

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

**APPENDIX 2: NATIVE VEGETATION CLEARANCE
UNDER REGULATIONS: 2015-16**

Regulation	Description	No of Applications 2014-15	No of Applications 2015-16
5(1)(a)	Dwellings and Associated Structures	19	13
5(1)(ab)	Residential Sub-division	8	4
5(1)(b)	Prescribed buildings and structures other than dwellings	0 + 8♦ + 1◊	0 + 3♦ + 2◊
5(1)(d)	Public Interest or Infrastructure	27	34
5(1)(da)	Minor Clearance – Developments	4	7
5(1)(e)	Repair or maintenance works of the Crown	1	0
5(1)(g)	Repair or Maintenance of Infrastructure	3	1
5(1)(h)	Commissioner of Highways	13 + 31▲	10 + 45▲
5(1)(k)	Clearance around prescribed building and structure	0 +	0
5(1)(l)	Avoid Damage	9	10
5(1)(lb)	Public Safety	6 + 35▲	10 + 31▲ + 2♦
5(1)(s)	Clearance for fenceline	1	0
5(1)(u)	Clearance for walking track	1	1
5(1)(y)	Roadside vegetation (management)	0	1
5(1)(zc) & (zd)	Mining Exploration & Operations	0 + 8■	0 + 5■
5(1)(zfa)	Regrowth Management Plan	2	0
5(1)(zfb)	Previously cleared degraded, once used for agriculture	0	1
5(1)(zg)	Maintenance of Pasture	2	0
5(1)(zh)	Grazing of Native Vegetation	1	0
5(1)(zi)	Preserving, Enhancing Biological Diversity	7 + 4♦	9 + 2♦
5(1)(zj)	Management Problems	3	0
5(1)(zk)	Pest Plant & Animal	0 +	0
5(1)(zo)	Vegetation is situated in the SA Motorsport Park	0	1
5A	Clearance for fire prevention and control	0 + 7► + 4◊	0 + 6► + 5◊
	TOTAL	205	203

♦ applications assessed by SA Water under delegation from the NVC

▲ applications assessed by DPTI under SOP endorsed by the NVC

■ applications assessed by DSD 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 STATEMENT OF THE NATIVE VEGETATION FUND FOR THE YEAR ENDED 30 JUNE 2016

Audited financial statements are attached.



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**To the Presiding Member
Native Vegetation Council**

As required by section 22(2) of the *Native Vegetation Act 1991*, I have audited the accompanying financial report of the Native Vegetation Fund for the financial year ended 30 June 2016. The financial report comprises:

- a Statement of Comprehensive Income for the year ended 30 June 2016
- a Statement of Financial Position as at 30 June 2016
- a Statement of Changes in Equity for the year ended 30 June 2016
- a Statement of Cash Flows for the year ended 30 June 2016
- notes, comprising a summary of significant accounting policies and other explanatory information
- a Certificate from the Presiding Member of the Native Vegetation Council and the Chief Executive and Acting Chief Financial Officer of the Department of Environment, Water and Natural Resources.

The Board's responsibility for the financial report

The Members of the Council are responsible for the preparation of the financial report that gives a true and fair view in accordance with the Treasurer's Instructions promulgated under the provisions of the *Public Finance and Audit Act 1987* and Australian Accounting Standards, and for such internal control as the Members of the Council determine is necessary to enable the preparation of financial report that is free from material misstatement, whether due to fraud or error.

Auditor's responsibility

My responsibility is to express an opinion on the financial report based on the audit. The audit was conducted in accordance with the requirements of the *Public Finance and Audit Act 1987* and Australian Auditing Standards. The Auditing Standards require that the auditor comply with relevant ethical requirements and that the auditor plan and perform the audit to obtain reasonable assurance about whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation of the financial report that gives a true and fair view in order to design audit procedures that are appropriate in the circumstances.

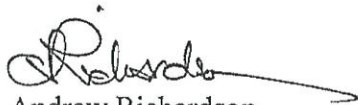
An audit also includes evaluating the appropriateness of the accounting policies used and the reasonableness of accounting estimates made by the Members of the Council, as well as evaluating the overall presentation of the financial report.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

My report refers only to the financial statements described above and does not provide assurance over the integrity of publication of the financial report on websites nor does it provide an opinion on any other information which may have been hyperlinked to/from these statements.

Opinion

In my opinion, the financial report gives a true and fair view of the financial position of the Native Vegetation Fund as at 30 June 2016, its financial performance and its cash flows for the year then ended in accordance with the Treasurer's Instructions promulgated under the provisions of the *Public Finance and Audit Act 1987* and Australian Accounting Standards.

A handwritten signature in black ink, appearing to read 'A. Richardson', with a long horizontal flourish extending to the right.

Andrew Richardson

Auditor-General

31 October 2016

Native Vegetation Fund

Financial Statements

For the year ended 30 June 2016

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 2016 and the results of its operations 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.



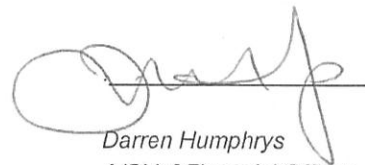
Emily Jenke
Presiding Member
Native Vegetation Council

27 /10/2016



Sandy Pitcher
Chief Executive
Department of Environment,
Water and Natural Resources

27 /10/2016



Darren Humphrys
A/Chief Financial Officer
Department of Environment,
Water and Natural Resources

27 /10/2016

Native Vegetation Fund
Statement of Comprehensive Income
for the year ended 30 June 2016

		2016	2015
	Note	\$'000	\$'000
Expenses			
Supplies and services	5	399	72
Grants and subsidies	6	2 486	2 895
Other	7	9	9
Total expenses		2 894	2 976
Income			
Fees and charges	8	1 645	695
Interest	9	79	123
Other	10	11	-
Total income		1 735	818
Net cost of providing services		1 159	2 158
Revenues from SA Government			
Revenues from SA Government	11	1 080	1 054
Total revenues from SA Government		1 080	1 054
Net result		(79)	(1 104)
Total comprehensive result		(79)	(1 104)

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 2016

	Note	2016 \$'000	2015 \$'000
Current assets			
Cash and cash equivalents	12	3 850	4 304
Receivables	13	327	108
Total current assets		4 177	4 412
Total assets		4 177	4 412
Current liabilities			
Payables	14	69	225
Total current liabilities		69	225
Total liabilities		69	225
Net assets		4 108	4 187
Equity			
Retained earnings		4 108	4 187
Total equity		4 108	4 187

The total equity is attributable to the SA Government as owner

Unrecognised contractual commitments 16

Contingent assets and liabilities 17

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 2016

	Retained Earnings \$'000	Total equity \$'000
Balance at 30 June 2014	5 291	5 291
Net result for 2014-15	(1 104)	(1 104)
Total comprehensive result for 2014-15	(1 104)	(1 104)
Balance at 30 June 2015	4 187	4 187
Net result for 2015-16	(79)	(79)
Total comprehensive results for 2015-16	(79)	(79)
Balance at 30 June 2016	4 108	4 108

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 2016

	Note	2016 \$'000	2015 \$'000
Cash flows from operating activities			
Cash outflows			
Payments for supplies and services		(376)	(72)
Payments of grants and subsidies		(2 665)	(2 721)
Other payments		(9)	(9)
Cash used in operations		(3 050)	(2 802)
Cash inflows			
Fees and charges		1 423	682
Interest received		82	125
Other receipts		11	-
Cash generated from operations		1 516	807
Cash flows from SA government			
Receipts from SA government		1 080	1 054
Cash generated from SA government		1 080	1 054
Net cash used in operating activities		(454)	(941)
Net decrease in cash and cash equivalents		(454)	(941)
Cash and cash equivalents at 1 July		4 304	5 245
Cash and cash equivalents at 30 June	12	3 850	4 304

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

Native Vegetation Fund
Notes to and forming part of the financial statements
for the year ended 30 June 2016

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 financial statements are general purpose financial statements. The accounts have been prepared in accordance with Australian Accounting Standards (Reduced Disclosure Requirements), and comply with Treasurer's Instructions and Accounting Policy Statements promulgated under the provisions 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.

(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 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.
- The selection and application of accounting policies 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.
- 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 disclosure, that has been included in this financial report:

- (a) 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 12 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 2016 and the comparative information presented.

Native Vegetation Fund
Notes to and forming part of the financial statements
for the year ended 30 June 2016

(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 have 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.

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).

(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.

(g) Events after the end of 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.

Native Vegetation Fund
Notes to and forming part of the financial statements
for the year ended 30 June 2016

2 Summary of significant accounting policies (continued)

(h) Income

Income is recognised to the extent that it is probable that the flow of economic benefits to 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 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

Grants from SA Government for program funding are recognised as revenues when the Fund obtains control over the funding. Control over Grants from SA Government 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 to be sold, consumed or realised as part of the normal operating cycle even when they are not expected to be realised within 12 months after the reporting date have been classified as current assets or current liabilities. All other assets and liabilities are classified as non-current.

(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.

Cash and cash equivalents

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

Cash is measured at nominal value.

Receivables

Receivables arise from fees and penalties and compensation payments 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.

Native Vegetation Fund
Notes to and forming part of the financial statements
for the year ended 30 June 2016

2 (k) Assets (continued)

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.

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 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 of 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 2015.-16.

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 2016

5 Supplies and services

	2016	2015
	\$'000	\$'000
Accommodation and property	11	14
Fee for service	257	2
Minor works	94	47
General administration	37	3
Other	-	6
Total supplies and services	399	72

6 Grants and subsidies

	2016	2015
	\$'000	\$'000
Payment of Heritage Agreement Grant Schemes	1	59
Contribution to the Native Vegetation Council Secretariat for NVC Administrative Support	168	163
Contribution to the Native Vegetation Council Secretariat for Biodiversity Assessment Function	59	58
Contribution to the Native Vegetation Council Secretariat for contract positions - NV Incentives Program Management	160	143
Contribution to the Native Vegetation Council for Council Operating Costs	90	52
Contribution to DEWNR for Manager Native Vegetation Management Unit	132	129
Contribution to the Native Vegetation Council Secretariat for contract position - NVC Communication and Engagement Officer	31	61
Contribution to DEWNR for Coordinator, Assessment and Stakeholder Liaison	121	117
Contribution to the Native Vegetation Council Secretariat for the Communication Strategy BushRAT	-	7
Contribution to DEWNR for Coordinator, Governance and Administration'	107	104
Contribution to DEWNR for Regional Transition NV Officers	180	175
Contribution to DEWNR for Operating Costs NVMU	47	28
Contribution to DEWNR Investigations and Compliance Unit	221	187
Contribution to DEWNR for Change Detection Program	123	119
Contribution to DEWNR for South East Woodland Restoration program	-	475
Research grants	1 026	970
Local Government grants	20	47
Other grants	-	1
Total grants and subsidies	2 486	2 895

Native Vegetation Fund
Notes to and forming part of the financial statements
for the year ended 30 June 2016

7 Other expenses

	2016	2015
	\$'000	\$'000
Audit fees	9	10
Bad and doubtful debts	-	(1)
Total other expenses	9	9

8 Revenues from fees and charges

	2016	2015
	\$'000	\$'000
Fees, fines and penalties	10	16
Significant environmental benefits*	1 635	679
Total revenues from fees and charges	1 645	695

* 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 Interest revenues

	2016	2015
	\$'000	\$'000
Interest from entities within the SA Government	79	123
Total interest revenues	79	123

10 Other income

	2016	2015
	\$'000	\$'000
Refund of unspent grant funds	11	-
Total other income	11	-

11 Revenues from SA Government

	2016	2015
	\$'000	\$'000
Grants from SA Government	1 080	1 054
Total revenues from SA Government	1 080	1 054

Native Vegetation Fund
Notes to and forming part of the financial statements
for the year ended 30 June 2016

12 Cash and cash equivalents

	2016	2015
	\$'000	\$'000
Deposits with the Treasurer	3 850	4 304
Total cash and cash equivalents	3 850	4 304

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

	2016	2015
	\$'000	\$'000
Current		
Receivables	321	99
Accrued interest	6	9
Total current receivables	327	108

Movement in the allowance for doubtful debts

The allowance for doubtful debts (allowance for impairment loss) is recognised when there is objective evidence (i.e. 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)

	2016	2015
	\$'000	\$'000
Carrying amount at the beginning of the period	-	(1)
Decrease in the allowance	-	1
Carrying amount at the end of the period	-	-

14 Payables

	2016	2015
	\$'000	\$'000
Current		
Creditors	37	216
Accrued expenses	32	9
Total current payables	69	225

Native Vegetation Fund
Notes to and forming part of the financial statements
for the year ended 30 June 2016

15 Financial risk management/financial instruments

Financial risk management

Risk management is managed by DEWNR's corporate services section and DEWNR's risk management policies are in accordance with the *Risk Management Policy Statement* issued by the Premier and Treasurer and the principles established in the Australian Standard *Risk Management Principles and Guidelines*.

The Fund's exposure to financial risk (liquidity, credit and market) is insignificant based on past experience and current assessment of risk.

The Fund is funded principally from appropriation by the SA Government. 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.

There have been no changes in risk exposure since the last reporting period.

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.

The carrying amounts of each of the following categories of financial assets and liabilities: receivables and payables measured at cost are detailed below.

	Notes	2016 Carrying amount / Fair value \$'000	2015 Carrying amount / Fair value \$'000
Financial assets			
Cash and cash equivalents	12	3 850	4 304
Receivables ⁽¹⁾	13	327	108
Total financial assets		4 177	4 412
Financial liabilities			
Payables ⁽¹⁾	14	60	216
Total financial liabilities		60	216

⁽¹⁾ Receivable and payable amounts disclosed here exclude amounts relating to statutory receivables and payables (e.g. Commonwealth, State and Local Govt taxes, fees and charges; Auditor-General's Department audit fees). 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 levies, tax and equivalents 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).

Native Vegetation Fund
Notes to and forming part of the financial statements
for the year ended 30 June 2016

16 Unrecognised contractual commitments

	2016	2015
	\$'000	\$'000
Expenditure commitments		
Within one year	-	399
Total expenditure commitments	-	399

The Fund's expenditure commitments include payments to a number of organisations for research grants, DEWNR for the Change Detection Program, the funding of the Native Vegetation Incentives Management Program and for heritage agreements.

17 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.

18 Restrictions on contributions received

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

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

	2016	2015
	\$'000	\$'000
South East	629	639
Mount Lofty Ranges Greater Basin	222	325
SA Murray Darling Basin	122	274
Kangaroo Island	76	104
Northern & Yorke Agricultural District	261	521
SA Arid Lands	257	266
Eyre Peninsula	235	268
Alinytjara Wilurara	143	151
Total restrictions on contributions received	1 945	2 548

Native Vegetation Fund
Notes to and forming part of the financial statements
for the year ended 30 June 2016

19 Remuneration of council and committee members

Members during 2015-16 financial year were:

Native Vegetation Council

McHugh B K (retired 02/09/15)	Healy M M * (deputy; appointed 14/09/15)
Munday B C (retired 02/09/15)	Jenke E C (appointed 13/07/15)
Paton P A	Morgan P A (deputy; appointed 14/09/15)
Roche M C	Muller K L (deputy; appointed 14/09/15)
Borthwick E L (retired 02/09/15)	Sommerville N P P (appointed 14/09/15)
Keynes J L	Adcock M D G * (appointed 14/09/15)
Farley R D (deputy)	Chown R M (appointed 14/09/15)
Wickes R B (deputy)	

Native Vegetation Council Fire Committee

Disbanded 02/09/15

Miller L R * (retired 02/9/15)
Hyatt N (retired 02/09/15)
McHugh B K (retired 02/09/15)

Native Vegetation Assessment Panel

Borthwick E L (retired 02/09/15)
Chown R M (appointed 28/10/15)
Keynes J L (appointed 28/10/15)
Munday B C (retired 02/09/15)
Roche M C

Native Vegetation Council Grants Committee

In remission since 02/09/15; no members currently appointed

Munday B C (retired 02/09/15)
Paton P A (retired 02/09/15)
Roche M C (retired 02/09/15)

	2016 \$'000	2015 \$'000
The number of members whose remuneration received or receivable falls within the following bands:		
Nil	2	2
\$1 - \$9 999	12	7
\$20 000 - \$29 999	1	-
Total number of members	15	9

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 \$42 000 (2015: \$17 000) 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. The exception being Ms Mary-Anne Healy (Native Vegetation Council), a TVSP recipient, who sought and was granted exemption for the Chief Executive of the Department of the Premier and Cabinet.

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.

20 Events after the reporting period

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