



Clearance associated with the Grazing of Domestic Stock – Changing Stock Species

Native Vegetation Council Guideline under Regulation 11(26) of the *Native Vegetation Regulations 2017* |
1 July 2017

BACKGROUND

The *Native Vegetation Act 1991* prevents the clearance of native vegetation other than through approval by the Native Vegetation Council or in accordance with activities contained within the *Native Vegetation Regulations 2017*.

This Guideline is issued under the *Native Vegetation Act 1991* and relates specifically to lands that are currently grazed, contain native vegetation and for which the applicant seeks to change stock species.

The Native Vegetation Council must approve any actions proposed via a Management Plan under this Guideline prior to those actions being undertaken.

Under the *Native Vegetation Act 1991* and *regulation 11(26)*, clearance of native vegetation by changing livestock species **may** occur provided it does not cause permanent degradation of native vegetation and:

- the landowner has prepared a Management Plan that complies with this Guideline;
- the Management Plan has been approved by the NVC; and
- the grazing is undertaken in accordance with that Management Plan.

PURPOSE OF THIS GUIDELINE

The purpose of this guideline is to inform landowners and land managers about the information that should be included in the preparation of a Management Plan for an application to change livestock species grazing on native vegetation in a manner and at a rate that **will not cause permanent degradation of the native vegetation**.

For more information

Native Vegetation Branch
Department of Environment,
Water and Natural Resources

T (08) 8303 9777

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www.environment.sa.gov.au/nativevegetation

REGULATION 11(26)

Regulation 11(26): Grazing of domestic stock allows for the clearance of native vegetation to introduce a new grazing regime that is not consistent with that grazed over the last 10 years. Changing the species of domestic stock or the manner and rate of grazing from that undertaken over the last 10 years must not cause permanent degradation of native vegetation, and therefore requires a Management Plan (described below).

For ongoing grazing practices that will not cause permanent degradation of the native vegetation, a Management Plan is not required. In this instance, the manner and rate of grazing will be consistent with the manner and rate at which the land has previously been grazed by domestic stock of the same species during the previous 10 years. See regulation 8(5) for ongoing grazing practices.

If the grazing regime is being introduced into long ungrazed native vegetation or if it is likely to result in permanent degradation, the application must be submitted as a clearance application under the *Native Vegetation Act 1991*.

YOU WILL NEED TO DEVELOP A MANAGEMENT PLAN IN LINE WITH NVC REQUIREMENTS

The following information is a summary of what needs to be considered when planning to change stock species (note, for land held under Pastoral Lease, see the Guideline for the Expansion or Intensification of Grazing). DEWNR staff or the NVC's Accredited Consultants can assist with this task, see: www.environment.sa.gov.au/nativevegetation.

What you need to consider

1. Introduction

- A brief outline of the clearance proposed under the regulation exemption (i.e. What are you seeking to do? Why you are preparing a Management Plan under this Guideline?)

2. Property information

Including:

- Brief description of the property
- Landowner, manager and/or lessee details
- Location within the property of native vegetation, including native vegetation under grazing
- Current domestic livestock type, breed and stocking rate
- Property plan showing fences and existing waters (both constructed and natural) in native vegetation grazing area
- Proposed livestock type, numbers and areas they will graze (include annual average stocking rate per hectare)
- Proposed transition from current to new stock species, or co-grazing strategy (if applicable)
- Description of existing fence types

3. Vegetation and Landscape Assessment

The Management Plan will need to describe the types of vegetation and landscapes that the change of species will potentially graze or otherwise impact on. Information to put in the plan includes:

- Land system(s) and vegetation communities
- Plant species, vegetation communities or sites of conservation significance
- Description of fodder plants present for proposed livestock species, including presence and location of preferred feed plants i.e plants to be cleared or potentially cleared by the change in livestock species
- Water sources including those identified as biologically or culturally important

4. Proposed management, including risk management

The ecological risks need to be identified, assessed and managed. Risks could include weed infestation, adverse impacts to off-target species, risks to threatened species populations and vegetation communities, pests and impacts to soil and water. The following sub-headings are provided as guides only, please use those that are relevant to your application:

- Management of potential impacts such as:
 - reduction or change in vegetation cover
 - change in species composition (including stratum impacts)
 - degrading sites of conservation significance (e.g. habitat for threatened species and ecological communities, or critical habitats such as waterholes)
 - loss of seed stock
 - soil disturbance
 - erosion
 - weed prevention and management
 - feral animal management
 - total grazing pressure management (ie managing the impacts of livestock grazing with other herbivores and feral animals). Note that co-grazing at the paddock level is not supported.
 - water resource management, e.g. what sources will be used, is there the required amount to run the operation, how will important waterpoints be protected?
 - the Management Plan needs to include information on stock management if the market or enterprise fails

A landowner should be able to demonstrate how they have adhered to the Mitigation Hierarchy as part of preparing a Management Plan. For information on the Mitigation Hierarchy visit <http://www.environment.sa.gov.au/managing-natural-resources/native-vegetation/clearing/mitigation-hierarchy>.

5. Monitoring requirements

To ensure that the condition and extent of native vegetation and natural resources are maintained, a monitoring program is required. A Management Plan will only be approved where it includes a monitoring component adequate to measure and/or report on changes to vegetation and ecological processes resulting from changing stock species. The monitoring programs needs to facilitate adaptive management (minimum of three years). Applicants can assist with the collection of their own monitoring data, and provide the information to DEWNR. If monitoring detects severe grazing impacts there may be an additional requirement to monitor the recovery of species and ecological communities.

6. Check other legislation

Consider whether the activity might trigger the application of other legislation, as approval within this Guideline is applicable only to the *Native Vegetation Act 1991*.

Other legislation that landowners need to be aware of and abide by may include:

- Environmental Protection and Biodiversity Conservation Act 1999 (Cth)
- Pastoral Land Management and Conservation Act 1989
- Natural Resources Management Act 2004
- National Parks and Wildlife Act 1972
- Aboriginal Heritage Act 1988
- Water Resources Act 1997
- Animal Welfare Act 1985
- Livestock Act 1997

7. Natural Resources Management (NRM) Board consultation

It is recommended that applicants liaise with the regional DEWNR staff for relevant biodiversity and landscape context information. Evidence of consultation with the relevant NRM Board should be provided, together with any issues raised by that Board.

APPROVAL

The Management Plan should be lodged with the Native Vegetation Council for approval.

Clearance, including by grazing, in areas outside of the area(s) approved would be a breach of the *Native Vegetation Act 1991*.

If it becomes evident through monitoring that the grazing by the new species of livestock as prescribed in the Management Plan is causing unacceptable impacts to native vegetation, steps must be taken immediately to address the impact. If action is not taken to reduce impacts, approval to change stock species will be withdrawn.

In receiving approval under Regulation 11(26), it should be noted that the NVC is approving compliance with the *Native Vegetation Act 1991* **only** and these approvals are based on compliance with all other necessary approvals. It is up to the applicant to ensure compliance with any and all other legislation.

Note: If the lodgement of the Management Plan is to be undertaken by a person other than the owner or crown lessee, written permission and authorisation is required from the owner(s) or crown lessees to be provided before the application will be processed.

To read more about these and other Regulations and their application refer to the *Guide to the Native Vegetation Regulations 2017*, which is available at www.environment.sa.gov.au/nativevegetation.

Guidelines issued in relation to the clearance or management of native vegetation are legally enforceable. Adhering to these guidelines will ensure that there is no breach of the *Native Vegetation Act 1991*.

Any loss or damage that occurs as a result of the clearance activities is at the risk and liability of the landowner.

Ongoing requirements after approval

- Annual written reports to the NVC for a minimum of five years including monitoring outcomes;
- A post-clearance report to the NVC that details activity including the area(s) cleared with dates; and
- If reporting is required for another party, the NVC may consider its appropriateness for our reporting requirements.

USEFUL REFERENCE SITES

- Department of Environment, Water and Natural Resources

www.environment.sa.gov.au

www.environment.sa.gov.au/managing-natural-resources/Plants_Animals/Threatened_species_ecological_communities/Conservation_status_of_threatened_species

- Native Vegetation Council

www.environment.sa.gov.au/nativevegetation

- Natural Resources Management

www.nrm.sa.gov.au

www.naturalresources.sa.gov.au/aridlands/home

- Department of Premier and Cabinet (Aboriginal Heritage)

<http://dpc.sa.gov.au/aboriginal-affairs-and-reconciliation-division>

- Commonwealth Department for Sustainability, Environment, Water, People and Conservation (for EPBC Act)

www.environment.gov.au/epbc/index.html

- Department of Primary Industries and Regions SA

www.pir.sa.gov.au

LODGING A MANAGEMENT PLAN

For information contact the Native Vegetation Branch, DEWNR: phone 8303 9777

The proposed Management Plan, together with supporting information, should be:

posted to: Native Vegetation Council, GPO Box 1047, ADELAIDE SA 5001 or

emailed to: nvc@sa.gov.au or

faxed to: (08) 8303 9780

There is no application fee for lodgment of this Management Plan nor is there a requirement for a Significant Environmental Benefit offset.