



TITLE: SIGNIFICANT ENVIRONMENTAL BENEFIT

REFERENCE NUMBER:	Doc/16/128669
RESPONSIBLE DEPARTMENT:	Planning and Development
APPLICABLE LEGISLATION:	Native Vegetation Act 1991 Local Government Act 1999
STRATEGIC PLAN:	Goal Area 4 The Natural Environment and Sustainable Living Objective NE:1 Environmental Leadership
RELATED POLICIES:	<ul style="list-style-type: none">• Biodiversity Plan• Urban Forest Policy (draft)
SUPPORTING PROCEDURES:	<ul style="list-style-type: none">• NVC Delegation Sign Off sheet TRIM 12/033713
ENDORSED BY COUNCIL:	5 June 2017
NEXT REVIEW DATE:	June 2021

1. POLICY STATEMENT

This policy provides guidance for the identification of preferred Significant Environmental Benefit offsets as required under the Native Vegetation Act 1991.

The policy details the practices that are to be implemented when native vegetation clearance is necessary on Council roadsides and/or Council land and where this clearance is required to be offset through the Significant Environmental Benefits (SEB) requirements of the Native Vegetation Act 1991 as determined by the Native Vegetation Council.

2. POLICY OBJECTIVES

The primary policy objectives of this Policy are to:

- To ensure compliance with the Native Vegetation Act, Sections 27 and 28.
- To provide for an appropriate level of delegation to Council staff for efficient and effective project management.
- To integrate SEB offset requirements with the plans and strategies for other Council land assets

- To minimize the long term impacts on natural assets; in relation to built assets as a part of urban development, civil works and utilities.
- To provide a consistent approach to the identification of preferred SEB requirements and the implementation of these requirements as determined by the Native Vegetation Council.
- To ensure SEB offset requirements are adequately addressed within project budgets.
- To promote SEB offset works occurring within the Council area.

3. DEFINITIONS

DEWNR – Department of Environment, Water and Natural Resources

Council land includes all local government land that is owned by Council or under Council's care and control. It includes Community Land and road reserves.

Native Vegetation is as defined in the Native Vegetation Act 1991.

Significant Environmental Benefit Offset needs to provide an environmental gain over and above the damage being done to the native vegetation in the clearing activity. This usually involves the protection of a separate area of land for conservation. (DEWNR fact sheet)

4. ROLES & RESPONSIBILITIES

Council:

- To monitor, review and amend policy as necessary

Chief Executive Officer:

- To delegate authority to general managers to make decisions about SEB offsets

General Managers:

- **GM Planning and Development: Delegated authority** to approve the SEB offset mechanism on a case by case basis.
- **GM Council Services: Delegated authority** to approve the SEB offset mechanism on a case by case basis.

5. SPECIFIC POLICY INFORMATION

POLICY OVERVIEW

- 5.1 The Department of Environment Water and Natural Resources (DEWNR) and the Native Vegetation Council (NVC) assess all applications to clear native vegetation in South Australia. In most situations, when a clearance application is approved, conditions are attached to ensure that the clearance is offset by restoration work that provides a Significant Environmental Benefit (SEB).
- 5.2 Significant environmental benefit offsets and projects are usually designed to address the following priorities:
- to assist in the enhancement of biodiversity to meet targets established in regional NRM Plans and Regional Biodiversity Plans
 - to enhance remnant native vegetation through the implementation of active management activities, including buffering through the establishment and management of rehabilitation, habitat enhancement or plantings
 - to assist in the rehabilitation, protection and management of key areas identified through biodiversity analysis
 - to provide for long-term biodiversity outcomes, such as addressing the potential impacts of climate change
 - to assist in the conservation of National, State or Regionally listed plant species and vegetation communities
- 5.3 Examples of works commonly undertaken to offset authorised clearance include:
1. the establishment and management of a set-aside area to encourage the revegetation and natural regeneration of native vegetation.
 2. the protection and management of an established area of native vegetation (Credit Bank)
 3. a payment to the Native Vegetation Fund
- 5.4 DENWR monitors and analyses the progress of these offsets to ensure compliance with conditions of clearance and that a biodiversity benefit is achieved.
- 5.5 Council has an obligation to comply with these conditions and to ensure that negotiated SEB offsets are realistic and able to be implemented and managed appropriately within project plans and budgets.
- 5.6 Council staff will need to incorporate SEB option decisions into project budgeting and recurrent maintenance budgets as appropriate.

- 5.7 Council considers the clearance of native vegetation should be avoided wherever possible but recognises that in some circumstances this is not possible. Where vegetation removal is required it is preferable that measures to compensate for this clearance should be targeted within the Council district and preferably close to the location where the clearance occurs. (Subject to NVC cooperation)
- 5.8 To provide guidance to staff the following Policy areas have been identified to address the three main ways in which Council and/or developers can offset vegetation clearance.
- 5.9 Restoration or revegetation, Credit Banks and contributions to the Native Vegetation Fund will all be considered when making an assessment on which SEB option is preferred. Subject to budget considerations, revegetation will be the preferred SEB option with contributions to the Native Vegetation Fund the least preferred. Other options not identified in this policy may be considered on a case by case basis. Factors that influence which option to be selected are further discussed below.

6 Revegetation

Where possible Council will consider the use of revegetation to offset native vegetation clearance as the preferred option to ensure works benefit the district. Whether revegetation is chosen as the preferred option will be assessed against the following:

- size of area required to be revegetated
- availability of suitable area as determined by the relevant officer
- current management and maintenance regime of identified land and capacity of Council to implement and maintain revegetated area
- future plans on, or adjacent to, the site that may have future impacts on the revegetation works
- adequacy of the available funds over a defined period to implement the revegetation project (Council and/or developer)

7. Credit Bank

Should restoration or revegetation not be a viable option for SEB offsets, Credit Banks will be considered. Credit Banks require management of existing remnant vegetation areas over and above the level to which they are currently managed. For example where Council currently spends \$1000 on weed management at a site annually, the establishment of a Credit Bank would increase that level of investment to a level to the satisfaction of the Native Vegetation Council. Required investment should be determined before a decision is made to use Credit Banks.

Where Credit Banks are the preferred option the following issues should be considered:

- proposed remnant vegetation site and current level of investment in management of the vegetation within the proposed site
- amount and adequacy of the available funds over a defined period to implement the required vegetation management (Council and/or developer)
- other requirements of the Native Vegetation Council, e.g. Heritage Agreements and management plans

8. Contributions to the Native Vegetation Fund

Contributions to the Native Vegetation Fund is the least preferred option to satisfy SEB requirements however will be considered where the budget is restricted or where suitable sites are unavailable.

In recommending the preferred SEB offset mechanism the project manager will liaise with the:

- Manager Open Space and Environment
- Landscape Technical Officer
- Urban Forest Officer

in conjunction with the Native Vegetation Council.

9. REVIEW

This Policy will be reviewed every four (4) years or earlier in the event of changes to legislation or related Policies and Procedures or if deemed necessary by the relevant staff

10 ACCESS TO THE POLICY

The Policy is available for public inspection at the Customer Service Centre, at the Local Government Centre, 6 Dutton Road, Mount Barker, South Australia and on the Council's website www.mountbarker.sa.gov.au.

11. FURTHER INFORMATION

For further information on this Policy, please contact:

Title: David Cooney
Address: PO Box 54, Mount Barker
South Australia, SA, 5251
Telephone: 83917226
Email: dcooney@mountbarker.sa.gov.au