

SCHEDULE FIVE

Report under the NV Act 2003 in relation to a Minor Variation

(Clause 27 of the Native Vegetation Regulation 2005)

This report has been prepared by a Level 3 Accredited Expert for the purposes of clause 27(4) of the Native Vegetation Regulation 2005.

Accreditation number: 30619

PVP Request number: 8640

Summary

I am of the opinion that:

- a) a minor variation to the Assessment Methodology would result in a determination that the proposed clearing will improve or maintain environmental outcomes (other than a variation that is not allowable under this clause), and
- b) strict adherence to the Assessment Methodology is in the particular case unreasonable and unnecessary.

The proposed minor variation improves or maintains environmental outcomes by creating a mosaic of native vegetation, comprising of a predominantly native groundcover with an open woodland structure dominated by Bimble Box (*Eucalyptus populnea*), Black Box (*Eucalyptus largiflorens*) and Belah (*Casuarina cristata*). The proposed minor variation will occur across approximately 20375.85 hectares in accordance with the assessment methodology, with the exception of this minor variation here within Schedule 4. The invasive native species that is subject to this minor variation is restricted to Mimosa Bush (*Vachellia farnesiana*). No other Invasive Native Scrub (INS) species are present within the area proposed for treatment.

Mimosa Bush (*Vachellia farnesiana*) is relatively dense to highly dense in patches, across the entire area proposed for clearing. The landscape unit proposed for INS treatment is a flat plain comprising medium to heavy clay soils. Mimosa Bush favours alluvial clay soils on open plains near watercourses. The foliage and young green pods of the Mimosa Bush are palatable to cattle and sheep. Therefore grazing stock in areas where Mimosa Bush is present will increase the spread of this species, which is a potential weed of native grasslands. It is highly probable that within two to five years the density of Mimosa Bush will increase throughout the area.

Description of the proposed clearing:

The proposed development involves the clearing of Mimosa Bush (*Vachellia farnesiana*) which is listed as an Invasive Native Scrub (INS) Species in the Central West Catchment Management area. The proposed clearing is located within the Darling Riverine Plains IBRA region.

In the opinion of the relevant Catchment Management Authority (or an officer of that Authority responsible for making this assessment) Mimosa Bush satisfies the criteria for acting invasively throughout the area to be managed.

Mimosa Bush (*Vachellia farnesiana*) is the only INS species subject to clearing throughout the areas approved for treatment.


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Initials

All native tree species will be retained throughout the INS areas subject to treatment. All hollow bearing trees will be retained. All non INS species will be retained throughout the area subject to INS treatment.

Mimosa Bush will be retained in one area, within the property boundary and be no less than fifty (50) ha in area.

The clearing of Mimosa Bush will not result in the introduction into the cleared areas of any non-native perennial vegetation.

The proposed minor variation does not relate to any of the following aspects of the Assessment Methodology:

- a) riparian buffer distances or associated offset requirements,
- b) classification of vegetation as likely habitat for threatened species,
- c) classification of a plant species as a threatened species or a component of an endangered ecological community,
- d) classification of the condition of vegetation,
- e) classification of the vegetation type or landscape type as over-cleared,
- f) the assessment of the regional value of vegetation.

Details of the proposed minor variation:

Under the *Native Vegetation Regulation 2005: Environmental Outcomes Assessment Methodology - Invasive Native Scrub Assessment* the following applies:

For methods of clearing plants at a paddock scale with nil to minimal disturbance to soil and groundcover, clearing plants at a paddock scale with temporary disturbance to the soil and groundcover and clearing of plants at paddock scale with longer-term disturbance to soil and groundcover, the following applies:

- If more than 100 hectares (ha) is to be cleared, then a minimum of 10% of the area of native vegetation on that area must be retained on each 100 ha. This criterion is additional to the areas to be retained listed directly below in section a), b) and c).
 - a) a minimum of 20% of the native vegetation on the area to be cleared is retained; and
 - b) if more than 500 ha is to be cleared, then a minimum of 20% of the native vegetation on each 500 ha area must be retained (hence at least 100ha must be retained); and b) can be counted as part of a)
 - c) the 20% retained native vegetation may not be cleared by any other method.

The proposed development involves clearing Mimosa Bush over an area greater than 500 ha. Therefore, under the current EOAM assessment, 20% per 500ha would have to be retained as part of the overall 20% INS retention. Given that Mimosa Bush is highly likely to spread through grazing and can behave like a weed in grasslands, the retention requirements are considered impractical.

The minor variation [see Clause 27 of the Native Vegetation (NV) Regulation 2005] is to allow complete removal of Mimosa Bush (*Vachellia farnesiana*) within the INS area(s) subject to clearing. Mimosa Bush will be retained in one area, within the property boundary and be no less than fifty (50) ha in area.

Strict adherence to the Assessment Methodology in this particular case is unreasonable and unnecessary because of the relative high densities of Mimosa Bush shrub species within the extent of INS throughout the property. Whilst Mimosa Bush (*Vachellia farnesiana*) is acting invasively on the property under interest, it also has the potential to spread (movement through water, stock & native fauna) to neighbouring properties. The spread of Mimosa Bush can alter native vegetation communities and reduce the grazing potential of properties, where open grassy woodlands dominate the local area.

Reasons for recommending the proposed minor variation: (include evidence that the minor variation will improve or maintain environmental outcomes)

In order to achieve the intent of the EAOM, a mosaic of native vegetation states across the landscape are to be maintained or improved. The proposed minor variation improves or maintains environmental outcomes because the species that are subject to the minor variation are dense and it is highly probably that it will become highly dense in the following years.

All native trees and shrubs excluding Mimosa Bush will be retained throughout the subject area and a mosaic of vegetation states (the goal of the INS assessment process) will be maintained throughout the subject area which will improve or maintain environmental values. After the INS is cleared from the vegetation community, the resultant vegetation structure will be an open woodland with groundcover dominated by native species.

With consideration of, the intent of Chapter 7 of the EAOM, the data collected during the property vegetation plan field inspection and my expert assessment of the area proposed to be cleared of Mimosa Bush, it is my recommendation that all Mimosa Bush is able to be removed from within the areas subject to the clearing of Mimosa Bush.

Minor variation

The minor variation for PVP Request Number 8640 is the variation of the retention of Mimosa Bush.