

SCHEDULE FOUR - Report under the Native Vegetation 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: 8125

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 dominated by open woodland and comprising a diversity of species with uneven age classes. The proposed minor variation will occur across approximately 8662.64 hectares in accordance with the assessment methodology, with the exception of this minor variation here within Schedule 4. The invasive native species that are subject to this minor variation include White Cypress Pine (*Callitris glaucophylla*) and Bimble Box (*Eucalyptus populnea*).

Within the area proposed for Invasive Native Scrub (INS) treatment, White Cypress Pine and Bimble Box tree species are relatively dense in the size class above 20 cm diameter at breast height (dbh) and less than 30 cm dbh. The minor variation [see Clause 27 of the Native Vegetation (NV) Regulation 2005] is to increase the maximum dbh limit subject to clearing to 30 cm dbh for White Cypress Pine and Bimble Box species only.

All White Cypress Pine and Bimble Box tree species above 30 cm dbh in the area subject to INS treatment will be retained. All Mulga (*Acacia aneura*) above 20 cm dbh will be retained. All hollow bearing trees will be retained.

In areas where White Cypress Pine is dominant, there are approximately 143 stems per hectare greater than 20 cm dbh and less than 30 cm dbh. Where Bimble Box has regenerated densely, there is an average of approximately 60 stems per hectare. In certain areas to be managed Bimble Box and White Cypress Pine are both dense in the same area.

On average there are approximately 57 Bimble Box stems per hectare above 30 cm dbh throughout the area subject to INS treatment. For White Cypress Pine tree species there are approximately 87 stems per hectare greater than 30 cm dbh within the area subject to INS treatment.

After the INS is cleared from the vegetation community, the resultant vegetation structure will be an open woodland with approximately 144 stems of both Bimble Box and White Cypress Pine trees per hectare above 30 cm dbh. Non INS species will also be retained throughout these areas.

Strict adherence to the Assessment Methodology in this particular case is unreasonable and unnecessary because of the relative high densities of White Cypress Pine and Bimble Box tree species greater than 20 cm dbh and less than 30 cm dbh within the extent of INS throughout the property.

A mosaic of vegetation states with open woodland and areas of dense vegetation in the retained areas will be created following INS treatment and include: (i) retention of Bimble Box species above 30 cm dbh; (ii) retention of White Cypress Pine species above 30 cm dbh; (iii) retention of all Mulga INS trees above 20 cm dbh; (iv) retention of patches of 20 ha per 100 ha of native vegetation (20% retention); and (v) retention of all other native vegetation as required by the EOAM for the clearing type.

Description of the proposed clearing:

The proposed clearing involves the management of Invasive Native Scrub (INS) Species in the Cobar Penepplain IBRA region, and within both the Central West CMA and Western CMA boundaries. The INS species subject to clearing throughout the INS treatment areas include Bimble Box (*Eucalyptus populnea*), White Cypress Pine (*Callitris glaucophylla*), Mulga (*Acacia aneura*) and Budda (*Eremophila mitchelli*). In the opinion of the relevant Catchment Management Authority (or an officer of that Authority responsible for making this assessment) the invasive native species in the area to be managed satisfy the criteria for acting invasively.

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:

The Environmental Outcomes Assessment Methodology (EAOM) requires:

13) *For methods other than burning, any invasive native species that has a stem or trunk with a diameter at breast height (“dbh”) greater than the dbh specified in the column headed “Maximum dbh allowed to be cleared” in Table 7.1 is not cleared except as set out in 13A.*

13A) *The relevant Catchment Management Authority may vary the measurement in the column “Maximum dbh allowed to be cleared” in Table 7.1 by up to 5 centimetres if, in the judgement of the Catchment Management Authority, the variation is appropriate for the land to be cleared.*

Table 7.1 in the EOAM currently has the maximum dbh to be cleared for White Cypress Pine and Bimble Box tree species as 20 cm dbh which can be increased to up to 25 cm dbh with CMA judgement. The proposed minor variation is to change the maximum allowable dbh to be cleared for White Cypress Pine and Bimble Box tree species to 30cm dbh.

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

The INS Research Program being undertaken in central-west and western NSW has included vegetation sampling for stem densities and hollows by dbh class of INS species on the Cobar Penepplain of the Western Catchment. The results show that hollows do not usually occur in Bimble Box tree species under 30 cm dbh. The information also shows there are large trees greater than 30 cm dbh per hectare for both Bimble Box and White Cypress pine.

In order to achieve the intent of the EAOM, to maintain or create a mosaic of native vegetation states across the landscape and to improve or maintain environmental outcomes; the maximum allowable dbh to be cleared needs to be appropriate to the density and size classes of the invasive native species in the area to be managed.

Therefore:

The proposed minor variation improves or maintains environmental outcomes because the species that are subject to the minor variation are dense in the dbh class above 20 cm and less than 30 cm dbh in the area to be managed. All hollow bearing trees and all stems above 30 cm dbh in the area will be retained (approximately 144 trees per hectare on average). The retention of all Bimble Box and White Cypress Pine above 30 cm dbh, and all Mulga above 20 cm dbh, will create a mosaic of vegetation states (the goal of the INS assessment process) and improve or maintain environmental values.

With consideration of the intent of Chapter 7 of the EAOM, the data collected from vegetation sampling as part of the INS Research Program and my expert assessment of the area proposed to be cleared, it is my recommendation that the maximum allowable dbh to be cleared for Bimble Box and White Cypress Pine be varied to 30 cm dbh for PVP Request Number 8125.

Minor variation

The minor variation for PVP Request Number 8125 is the variation of the maximum allowable dbh to be cleared for Bimble Box and White Cypress Pine tree species to 30 cm dbh.