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LACHLAN CATCHMENT
MANAGEMENT AUTHORITY

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Friday, May 22nd, 2009

Ref: A145431

Dr John Williams
Comissioner
Natural Resources Commission
GPO Box 4206
SYDNEY NSW 2001

Re: Environmental Outcomes Assessment Methodology

Dear Dr Williams

I refer to the Natural Resources Commission's call for comments on the amendments to the Environmental Outcomes Assessment Methodology proposed by the Department of Environment and Climate Change, as posted on your website in May 2009.

Overall, the Lachlan Catchment Management Authority (LCMA) believes that the proposed amendments should provide greater clarity, certainty and flexibility in the PVP process for both landholders and PVP assessment officers, while continuing to fulfill the objectives of the *Native Vegetation Act 2003*. However, the following comments are offered in relation to 12 of the 109 amendments proposed.

Item	Proposed Amendment	LCMA Response
11 & 12	Replace Points 2 and 3 with: "2. a) less than 50% of the groundcover vegetation is indigenous species; or ..."	It is unclear whether suggested replacement wording for 2(a) refers to percentage area cover or percentage of native species. It is suggested that wording similar to that contained in Info Sheet 12 is used instead – "live native vegetation cover must comprise less than 50% of total live cover,..." to avoid ambiguity.
12	Replace with: "1. a) less than 50% of the groundcover vegetation is indigenous species; or ..."	It is unclear whether suggested replacement wording for 1(a) refers to percentage area cover or percentage of native species. It is suggested that wording similar to that contained in Info Sheet 12 is used instead – "live native vegetation cover must comprise less than 50% of total live cover,..." to avoid ambiguity.
26	Insert new dot point: "Contribution of Site Value offsets to Landcape Value (offset site(s) only). Additional Site Value offsets may contribute to Landscape Value in Mitchell Landscapes and vegetation types that are less than or equal to 30% cleared in the Catchment Management Authority. Where the Site Value score is more than that Site Value offset requirements the additional Site Value score may contribute to offsets for Landscape Value, as defined in Table 5.6."	The basis for this change is unclear from the information provided, as is how the table will be used. Also, the table refers to landscape and vegetation types that are greater than 30% cleared rather than less than 30% cleared. As this recommendation has the potential to change assessment outcomes, greater clarification of the basis for change and how the table should be applied is recommended.



Item	Proposed Amendment	LCMA Response
30	<p>Delete. Replace with new paragraph, note and table:</p> <p>“Percent cover of native vegetation is scored within circles of 100ha and 1000ha as a combination of native vegetation extent and condition. Judgement is applied when scoring percent cover of native vegetation in the circles to determine vegetation condition from imagery.</p> <p>[Replacement Table 5.2 breaks down circles into 11 by 10% increments of assessment as opposed to the previous 4 categories]</p>	<p>The breakdown of the current 30 – 70% category into smaller increments is welcomed. However, the need to break the entire assessment into 10% increments is questioned. The finer detail of mapping required will increase the amount of time taken to assess applications and add a level of subjectivity to the assessment process that is currently rarely experienced due to the lesser number of increment boundaries (eg assessment of whether cover is 39% or 41% may be given greater weight than is warranted from an ecological perspective).</p>
34	Table 5.6	The table refers to vegetation that is GREATER than 30% cleared.
45	Remove “feral herbivore control” and replace with “feral and/or over-abundant native herbivore control”	The inclusion of the words “over-abundant native herbivore control” allows for a high degree of subjectivity to be exercised by landholders in determining what level of native herbivore grazing will have a detrimental effect on vegetation condition. Additionally, lethal control of native herbivores requires a permit from the NSW National Parks and Wildlife Service. Inclusion of this management action within a PVP is not within the authority of the Native Vegetation Act 2003. Therefore, it is suggested that either this wording is removed, or that the definition is expanded to clarify the meaning of ‘detrimental effect’ and that it is made explicit that the inclusion of this management action does not infer granting of permits required under the National Parks and Wildlife Act 1974 from the NSW National Parks and Wildlife Service.
48	Delete	There is no guidance given as to how this change will operate in practice – i.e. how will it be scored and what is the basis for this?
49	<p>Add new dot point:</p> <ul style="list-style-type: none"> “management actions other than the ten actions listed above may be required in combination with one or more of the ten management actions to improve the condition variables. These could include controlling disturbance, ecological burning, ecological thinning, and reducing water extraction from wetlands” 	It is recommended that a definition and methodology for additional management actions given as examples listed should be included within the EOAM to avoid improper use of these management practices. For example, a definition and methodology for conducting ecological burning is critical to ensure that fire sensitive species are not adversely affected.
80	Delete the words: “of the centre”	It is unclear whether the intent of this change is to allow for the centre point of the circle to be moved to elsewhere within the property or whether it is intended that the assessment takes place within 1.75km from the boundaries of the property (in any/all directions).
93	Add new Point 4.b) xii):	This is included as Point 4. m) in Section 5.6 in the revised

Item	Proposed Amendment	LCMA Response
	...	EOAM document.
108	Add definition of "overabundant native herbivore"	See comment on inclusion of "overabundant native herbivore" in item 45 above. Include definition of 'ecological burning', 'ecological thinning' etc in this section section.

Due to the short time-frame given for consideration of the proposed amendments, this submission has not yet been approved by the LCMA Board. Accordingly, please consider this entire submission as confidential at this stage. Once the LCMA Board has considered and approved this submission, I will write to advise whether we wish to release our comments to the public. We would like to reserve the right to amend or withdraw our comments at that time.

Please do not hesitate to contact me on 02 6851 9503 or email chris.glennon@cma.nsw.gov.au if you have any queries in relation to this submission.

Yours sincerely



Chris Glennon
General Manager
Lachlan Catchment Management Authority

