

Native Vegetation Council



Reference: 2020/3097/373

Contact: Andrew Groom
Telephone: 8207 7727

10 September 2020

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Adelaide SA 5001

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Port Wakefield to Port Augusta Alliance
Attn: Dylan George
GPO Box 1533
Adelaide SA 5001

DECISION NOTIFICATION Clearance Application – 2020/3097/373

Dear Dylan,

I refer to your application to the Native Vegetation Council dated 9 July 2020 for the clearance of native vegetation for the construction of a highway, associated stormwater infrastructure, fencing, borrow pit, laydown area and site office compound.

The Native Vegetation Council considered your application in conjunction with a report from the Native Vegetation Branch, Department for Environment and Water.

On the basis of the information presented, Council resolved to grant consent to your application **subject** to the conditions outlined in the attached Decision Notification. The consent remains valid for a maximum of two (2) years from the date of this Decision.

Please note that these conditions are an integral part of the consent and are legally binding under the *Native Vegetation Act 1991*. Any areas of existing native vegetation to be set aside or vegetation planted as a condition of this consent have the full protection of the Act.

Monitoring

The Native Vegetation Council has initiated a program of monitoring of conditions attached to any clearance consent. As part of this program you as the landowner may be contacted by an officer of Department for Environment and Water to arrange inspections.

Effect of Consent

Please note that the attached Decision Notification grants consent under the *Native Vegetation Act 1991* only and does not imply approval under any other legislation. It is the responsibility of the landowner to obtain all relevant approvals for any proposed development.

If you have any questions regarding your application or the proposed conditions please do not hesitate to contact the assessment officer referred to at the top of this letter.

Yours sincerely,

Adam Schutz
Delegate
Native Vegetation Council



Government
of South Australia

DECISION NOTIFICATION
Native Vegetation Act 1991

Landowner: Commissioner of Highways

Application Number: 2020/3097/373

Dated: 10/9/2018

Parcel: Road reserves along Princes Highway, Balaklava Road and Copper Coast Highway
D123098 A180
D123342 A315
D123712 A320
D123712 A69
D123713 A325
D123225 A330
D50244 A53
D50244 Q52
D50244 Q51
D123225 A340
HUNDRED of Inkerman and Goyder

Note: In respect of the proposed clearance you are informed that the Native Vegetation Council makes this decision in accordance with the *Native Vegetation Act 1991* and accepts no responsibility to release the landowner from the requirements of the Commonwealth *Environment Protection & Biodiversity Conservation Act 1999*.

In respect of the proposed clearance, subject to the conditions listed below, you are informed that the Native Vegetation Council:

Approves clearance of 32.719 ha and 4 scattered trees in the area shown on the attached "Decision Plan" numbered 2018/3097/373 for the purpose of highway construction, associated stormwater infrastructure, fencing, borrow pit, laydown area and site office compound.

CONDITIONS

Endorse the maximum clearance area of 32.719 ha and 4 scattered trees, subject to the following conditions:

1. PRIOR to any clearance being undertaken the landowner must obtain, if necessary, an approval for a change in land use under the *Development Act 1993*, from the Wakefield Regional Council.
2. PRIOR to any clearance the applicant is to ensure that they have received permission of all landholders where works are occurring.
3. Clearance to be confined to the area shown on the attached Regulation Advice Plans 1-3 2020/3097/373 and as described within the Consultant report titled "*Native Vegetation Clearance Data Report Port Wakefield Overpass and Highway Duplication Clearance under the Native Vegetation Regulations 2017 September 2020 Prepared by Jeremy Tiller*".

4. Within two months of the completion of the clearance of native vegetation, in accordance with this decision, a report is to be provided to the Native Vegetation Branch detailing actual extent of clearance and the corresponding payment into the Native Vegetation Fund that is required to achieve the Significant Environmental Benefit. Once the report has been received and reviewed by the Native Vegetation Branch, an invoice will be sent detailing the final SEB payment amount. The payment must be made within one month of receiving the invoice.

Note; it is understood that the Department for Infrastructure and Transport will be paying the required amount into the Native Vegetation Fund on behalf of Port Wakefield to Port Augusta Alliance.

5. Should a report not be provided in accordance with Condition 4, a Payment of \$501,667.25 (\$475,513.97 for clearance, GST exclusive and \$26,153.28 Admin fee, GST inclusive) is to be made into the Native Vegetation Fund. The payment must be made within one month of receiving the invoice.
6. Clearance areas are to be defined with barriers, pegs, flags or temporary fencing to ensure that native vegetation outside the area is not damaged.
7. Vegetation cleared and any soil excavated is to be stockpiled in cleared areas and not to be dumped in native vegetation.
8. Works are undertaken as per the environmental management protection system as stated within the Tiller Consultant report dated September 2020.
9. Members of the Council or a person who is an authorised officer under the Native Vegetation Act may at a reasonable time enter the property of the landowner for the purpose of assessing and recording any matter relevant to this consent. A person undertaking such an assessment may be assisted by other suitable persons. Any such inspection will only be taken after there has been an attempt to contact the landowner; and
10. The landowner must adequately inform any prospective purchaser, lessee or occupier of the land affected by conditions in this consent, of the relevant conditions
11. The endorsement shall be valid for a period of 2 years from the decision date, after which time a new endorsement will be required.

REASONS FOR DECISION

The above conditions are imposed on this consent to ensure that:-

1. the loss of biodiversity resulting from the clearance will be outweighed by establishing a payment to the Native Vegetation Fund.
2. clearance of native vegetation is limited to the area actually approved.
3. the clearance is subject to appropriate conditions to ensure effective monitoring and reporting.

Signed : Dated : 11 September 2020 ('the Decision Date')

DELEGATE TO NATIVE VEGETATION COUNCIL

NOTES FOR APPLICANT

1. Subject to acceptance of the Native Vegetation Branch advice and suggested Conditions, any clearance authorised by a formal Notification must be completed within two (2) years of the date of the Notification, or a longer time as allowed by the Native Vegetation Council.
2. You will require a new consent before commencing or continuing the development if you are unable to satisfy the conditions of a consent.
3. If only partial clearance takes place, the conditions apply fully.
4. All areas set aside for revegetation or protection under a condition attached to a consent are protected in perpetuity under the *Native Vegetation Act 1991*. No clearance of native vegetation within these areas can occur without the consent of the Native Vegetation Council.
5. Please note that the native vegetation authorised for clearance under a Decision Notification may be a useful resource, as a source of seed for local revegetation projects, for woodcraft purposes or as firewood. Please consider notifying any local seed collection groups to offer them the opportunity of collecting seed at the time of clearance, and making any timber from the cleared trees available as firewood or for woodcraft.

Native Vegetation Regulation Application

Regulation 12(32) Works on behalf of the Commissioner of Highways



Government of South Australia
Department for Environment
and Water




DECISION PLAN 1

APPLICATION NO. 2020/3097/373

HUNDRED of Goyder & Inkerman

Port Wakefield Highway Road Reserve

D50244 Q51, Q52 & Q 53
D123225 A330

-  Total Project Area
-  Property/Section Boundary
-  Road

Produced for: Native Vegetation Council
By: Native Vegetation Branch
Department for Environment and Water

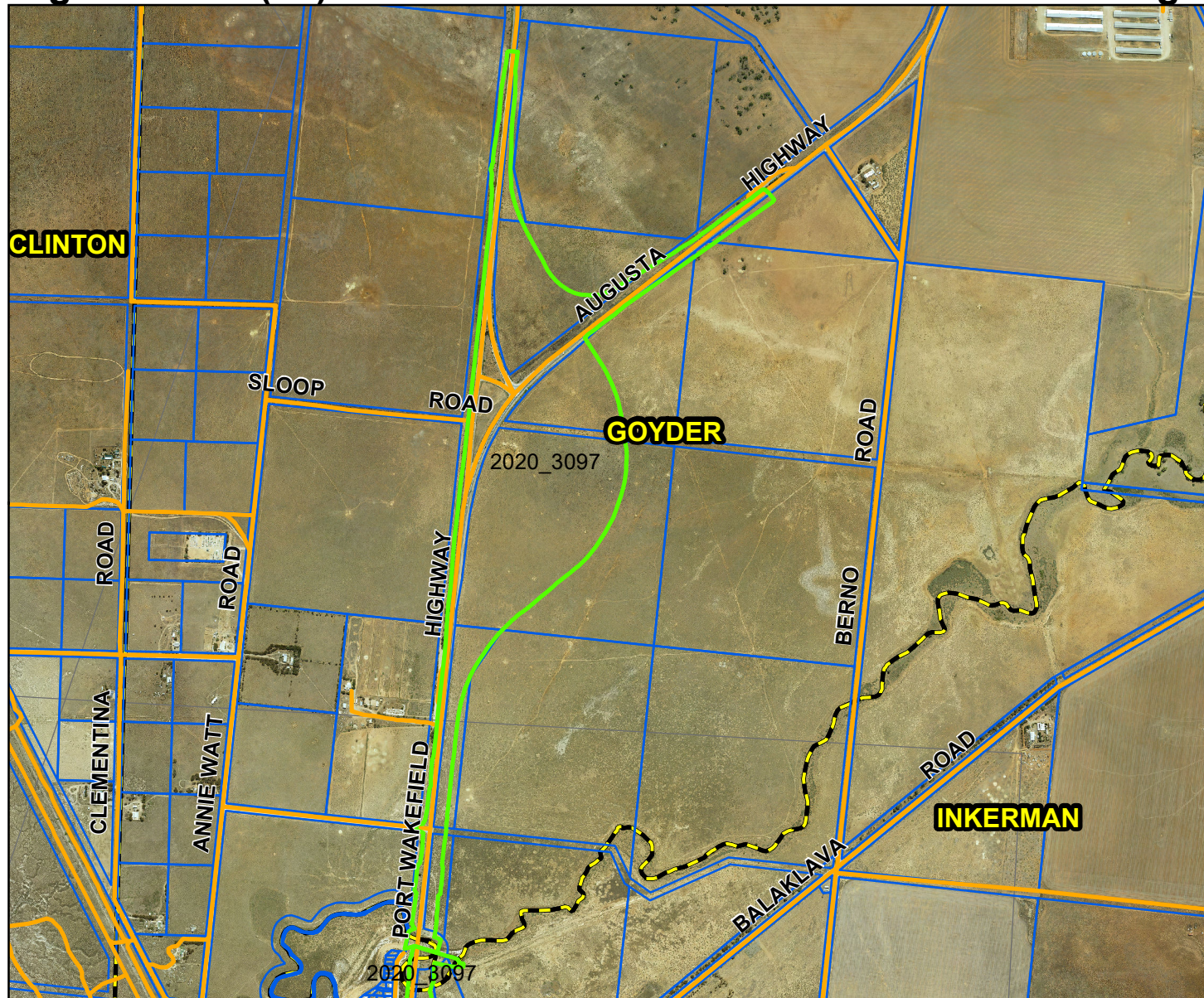
Imagery: Greater Yorke Peninsula (2018)

Date: 10/09/2020
Version: 01
Datum: GDA94

SO: AG

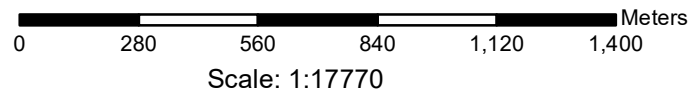


Native Vegetation Council



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Native Vegetation Regulation Application

Regulation 12(32) Works on behalf of the Commissioner of Highways



Government of South Australia
Department for Environment
and Water

DECISION PLAN 2

APPLICATION NO. 2020/3097/373

HUNDRED of Goyder & Inkerman

Port Wakefield Highway Road Reserve
Balaklava Road Reserve

D123712 A320
D123341 A310
F121587 A1
F175527 A207
D123142 A230 A231 A232

- Total Project Area
- Property/Section Boundary
- Road

Produced for: Native Vegetation Council
By: Native Vegetation Branch
Department for Environment and Water

Imagery: Greater Yorke Peninsula (2018)

Date: 10/09/2020
Version: 01
Datum: GDA94

SO: AG



Native Vegetation Council



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Native Vegetation Regulation Application

Regulation 12(32) Works on behalf of the Commissioner of Highways



Government of South Australia




Department for Environment
and Water

DECISION PLAN 3

APPLICATION NO. 2020/3097/373

HUNDRED of Inkerman

Port Wakefield Highway Road Reserve

-  Total Project Area
-  Property/Section Boundary
-  Road

Produced for: Native Vegetation Council
By: Native Vegetation Branch
Department for Environment and Water

Imagery: Greater Yorke Peninsula (2018)

Date: 10/09/2020

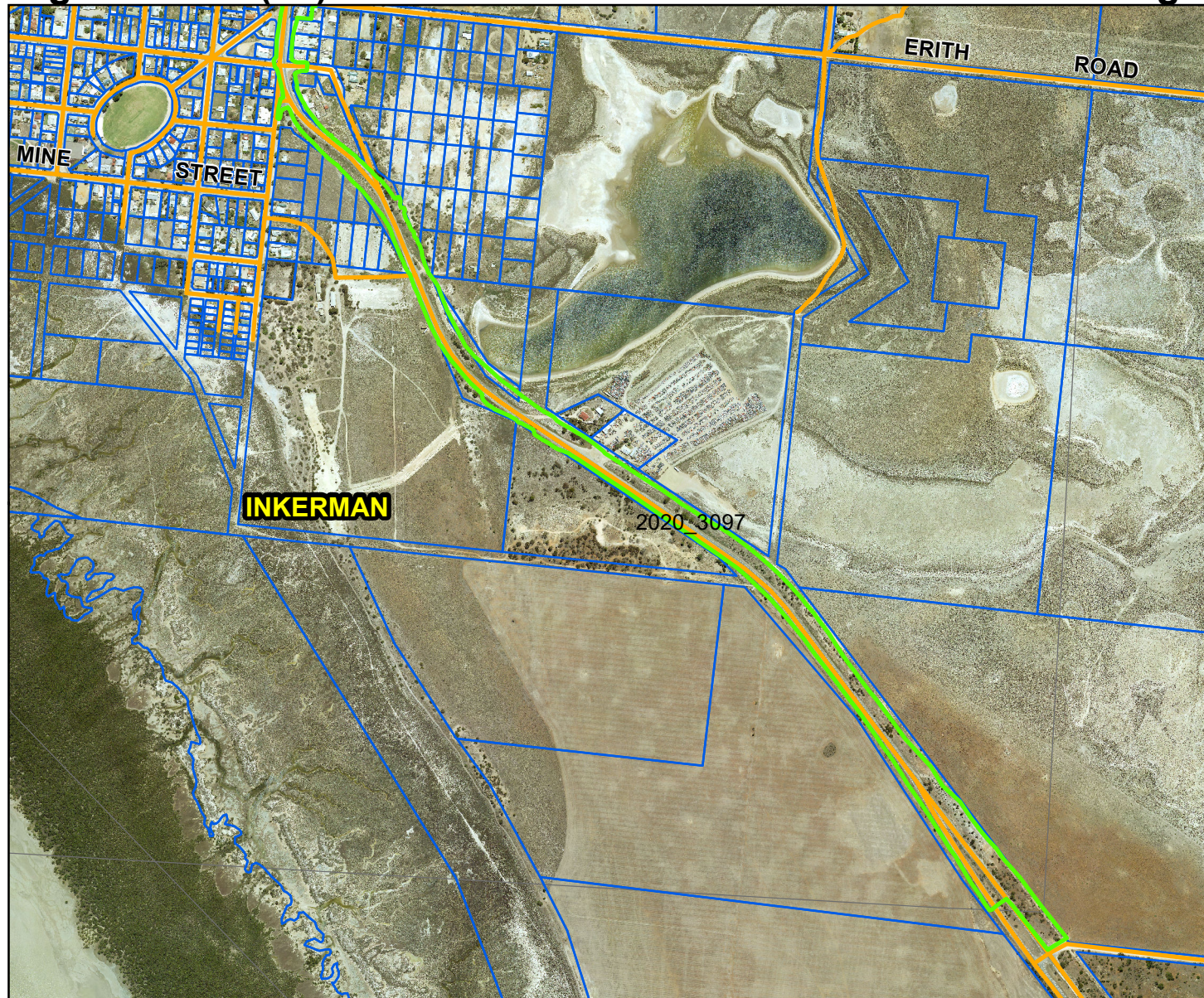
Version: 01

Datum: GDA94

SO: AG



Native Vegetation Council



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