

# Native Vegetation Council

81-95 Waymouth St, ADELAIDE SA 5000 | GPO Box 1047, ADELAIDE SA 5001  
Ph| 08 8303 9777; email| [nvc@sa.gov.au](mailto:nvc@sa.gov.au)



## DECISION NOTIFICATION

*Native Vegetation Act 1991 / Native Vegetation Regulations 2017*

**Application Number: 2021/3185/830**

**To:** Matthew Ackland  
Department for Environment and water  
81-95 Waymouth Street Adelaide  
GPO Box 1047, Adelaide, SA 5001

**Date received:** 27/08/2021  
**Date registered:** 31/08/2021

<b>Applicant</b>	Department for Environment and Water (DEW) – National Parks and Wildlife																																								
<b>Landholder</b>	<ul style="list-style-type: none"><li>- Crown Land: Minister for Climate, Environment and Water (Mount Remarkable National Park)</li><li>- District Council of Mount Remarkable (Horrocks Highway)</li><li>- Susan McCallum</li><li>- Simon Blieschke</li></ul>																																								
<b>Purpose of application</b>	Clearance required for the construction of a 41 kilometre (km) recreational mountain biking EPIC trail within the Mt Remarkable NP and adjoining properties.																																								
<b>Description of native vegetation under application</b>	Clearance of 6.171 hectares (ha) of native vegetation comprising Eucalypt Woodlands ( <i>E. albens</i> , <i>odorata</i> , <i>leucoxylon</i> ssp. <i>leucoxylon</i> , <i>camaldulensis</i> ssp. <i>camaldulensis</i> , <i>goniocalyx/cladocalyx</i> Woodlands). Vegetation to be removed will mainly comprise understorey with minimal clearance of trees.																																								
<b>Location of the application</b>	<p>Mount Remarkable National Park and adjoining properties in the Hundreds of Gregory and Wongyarra across numerous parcels as listed:</p> <table><thead><tr><th>Parcel</th><th>Title</th></tr></thead><tbody><tr><td colspan="2"><b>Mount Remarkable National Park</b></td></tr><tr><td>H330700 S405</td><td>CR5454/380</td></tr><tr><td>H331300 S489</td><td>CR5772/843</td></tr><tr><td>H330700 S404</td><td>CR5454/380</td></tr><tr><td>H331300 S474</td><td>CR5772/843</td></tr><tr><td>H331300 S471</td><td>CR5772/843</td></tr><tr><td colspan="2"><b>District Council of Mount Remarkable</b></td></tr><tr><td colspan="2">Road Reserve (Horrocks Highway historical extension)</td></tr><tr><td colspan="2"><b>Simon Blieschke</b></td></tr><tr><td>H331300 S205</td><td>CT6011/19</td></tr><tr><td>F199842 A96</td><td>CT5397/907</td></tr><tr><td>H331300 S311</td><td>CT5564/672</td></tr><tr><td>H331300 S312</td><td>CT5564/672</td></tr><tr><td>F216402 A103</td><td>CT5619/642</td></tr><tr><td>H331300 S202</td><td>CT6011/19</td></tr><tr><td colspan="2"><b>Susan McCallum</b></td></tr><tr><td>H331300 S336</td><td>CT5793/383</td></tr><tr><td>F184910 A828</td><td>CT5822/306</td></tr><tr><td>H331300 S335</td><td>CT5933/715</td></tr></tbody></table>	Parcel	Title	<b>Mount Remarkable National Park</b>		H330700 S405	CR5454/380	H331300 S489	CR5772/843	H330700 S404	CR5454/380	H331300 S474	CR5772/843	H331300 S471	CR5772/843	<b>District Council of Mount Remarkable</b>		Road Reserve (Horrocks Highway historical extension)		<b>Simon Blieschke</b>		H331300 S205	CT6011/19	F199842 A96	CT5397/907	H331300 S311	CT5564/672	H331300 S312	CT5564/672	F216402 A103	CT5619/642	H331300 S202	CT6011/19	<b>Susan McCallum</b>		H331300 S336	CT5793/383	F184910 A828	CT5822/306	H331300 S335	CT5933/715
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**Government  
of South Australia**

## Decision

The Native Vegetation Council has considered your application in accordance with the requirements of Regulation 12, Schedule 1; Clause 36 of the Native Vegetation Regulations 2017.

In respect of the application you are informed that the Native Vegetation Council:

1. **Grants consent**, subject to the following conditions to the clearance of 6.171 ha of native vegetation in the area shown on the attached Decision Plan(s) 2021/3185/830 for the purpose of constructing a recreational mountain bike trail.

The clearance of native vegetation meets the requirements of Native Vegetation Regulation 12, Schedule 1; Clause 36.

## Conditions of approval

This approval is subject to the conditions specified below. These conditions have been imposed to ensure that the impacts on native vegetation and biodiversity from approved clearance is adequately minimised and mitigated;


1. The applicant must ensure that only native vegetation approved for removal in accordance with this decision is removed. Prior to clearance commencing, the applicant must advise all persons undertaking the vegetation removal or working on site, of all relevant conditions of approval and associated statutory requirements.
2. Prior to clearance commencing, the applicant must define the area or trees approved for clearance with markings, barriers, pegs, flags or temporary fencing. The markings, barriers, pegs, flags or temporary fencing must remain in place, in good condition and clearly visible, for the period in which clearance is occurring.
3. Immediately prior to clearance, the applicant must;
  - a) Engage a suitably qualified ecologist to undertake a pre clearance survey along the bike trail to identify the presence of any threatened plant species (species listed under the *National Parks and Wildlife Act 1972* or *Environment Protection and Biodiversity Conservation Act 1999*), and if they are present, their location is to be identified by markings, barriers, pegs, flags or temporary fencing; and
    - I. Any impacts on these plants are to be avoided and no clearance or any other impact activities are to occur within a minimum distance of 2m of the plant where possible; or
    - II. Where the clearance is not avoidable, the species and location of the plant is to be recorded and a report is to be provided to the NVC within 2 months of the conclusion of the development of the bike track detailing what plants were impacted and why the impacts couldn't be avoided.
4. The Significant Environmental Benefit requirement (equivalent to 452.64 SEB points) is to be achieved by making a payment into the Native Vegetation Fund of \$344,587.15 (\$328,178.24 for clearance and \$16,408.91 for the administration fee (GST exclusive)) prior to any clearance occurring (Note an invoice will be sent once the attached form 'Decision Notification acknowledgement' form is signed and returned.);
5. Members of the NVC or a person who is an authorised officer under the 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.

6. Non-compliance with any of the conditions of this approval must be reported to the Native Vegetation Council as soon as practical after the non-compliance being detected, but must be within a maximum of seven days. The report must include details of the nature of the breach, the location and extent of the breach and the actions taken and associated timing for completion of those actions, to address the breach.
7. No clearance is to occur until the attached form, "Decision Notification Acknowledgement", is signed and returned to confirm that the applicant and anyone else who is a party to the agreement, understand and will comply with the decision, including all the associated conditions.
8. The applicant must adequately inform any prospective purchaser, lessee or occupier of the land affected by conditions in this consent, of the relevant conditions.

### Expiry date of approval

The approval to clear native vegetation in accordance with this decision ceases after two (2) years from the decision date (for amended decisions, enter the original decision date).

Signature	
Name	Vaughan Levitzke PSM
Position	<b>CHAIR, NATIVE VEGETATION ASSESSMENT PANEL</b>
Date	22/03/2022 (Decision Date)

### Notes

#### 1. Effect of Consent

This 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. This includes any approval that might be required in relation to the *Commonwealth Environment Protection & Biodiversity Conservation Act 1999*.

#### 2. Conditions

Please note that these conditions are an integral part of the consent and are legally binding under the *Native Vegetation Act 1991* and *Native Vegetation Regulations 2017*. Should **any** clearance occur in accordance with this decision, the conditions are enforceable in full.

Any conditions of consent are binding on and enforceable against the person granted the approval, any current and future owners of the land, any occupier of the land and any person who acquires the benefit of the clearance.

#### 3. Amended decisions

Where a decision is amended, all previous versions of the decision are null and void.

If an application to amend a decision will substantially alter the nature of the original application or conditions of approval, the Native Vegetation Council may require a new application be submitted.

**4. SEB Areas**

All areas established as a condition of consent to provide a significant environmental benefit, whether through revegetation, management or protection of an area of native vegetation, 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. Monitoring**

The Native Vegetation Council undertakes a program of monitoring of conditions attached to any clearance consent. As part of this program, the landowner may be contacted by an officer of Department to arrange inspections. Should it be evident that the conditions have not be applied with in full, the landholder will be informed in writing of the nature of breach of the conditions and given an opportunity to comply with the conditions. However, if the breach of the conditions is substantial, ongoing or irreversibly, then the Council may take compliance actions under Section 31 of the *Native Vegetation Act 1991*.

**6. Use of cleared vegetation**

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 providing hollows for relocation. 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 for woodcraft or hollow relocation.

**DECISION NOTIFICATION ACKNOWLEDGEMENT**

**Application Number:** 2021/3185/830

***The applicant, and all parties to the decision, have received a copy of the Decision Notification (decision date 22/03/2022) are fully aware and will comply with the decision and all the attached conditions.***

Name of applicant: .....

Signature of applicant or seal of Company and authorised signatory, including the signature of any other parties to the decision:

.....

.....

.....

.....

Date: .....

**Note:** Sign and return this form by post or email to:

**Send to:** Native Vegetation Branch  
C/o  
Department for Environment and Water  
GPO Box 1047 Adelaide SA 5001

**Email:** emma.eichler@sa.gov.au



# Native Vegetation Clearance Application



Government of South Australia  
Department for Environment  
and Water

## DECISION PLAN (1 of 1)

TO FORM PART OF THE DECISION OF THE  
NATIVE VEGETATION COUNCIL

APPLICATION NO. 2021/3185/830

HUNDRED of Gregory & Wongyarra

Mount Remarkable National Park

Multiple parcels including Crown land & Private

-  Conditional Consent
-  Previous approval
-  Property/Section Boundary
-  Road

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

Imagery: Flinders Ranges (2017)

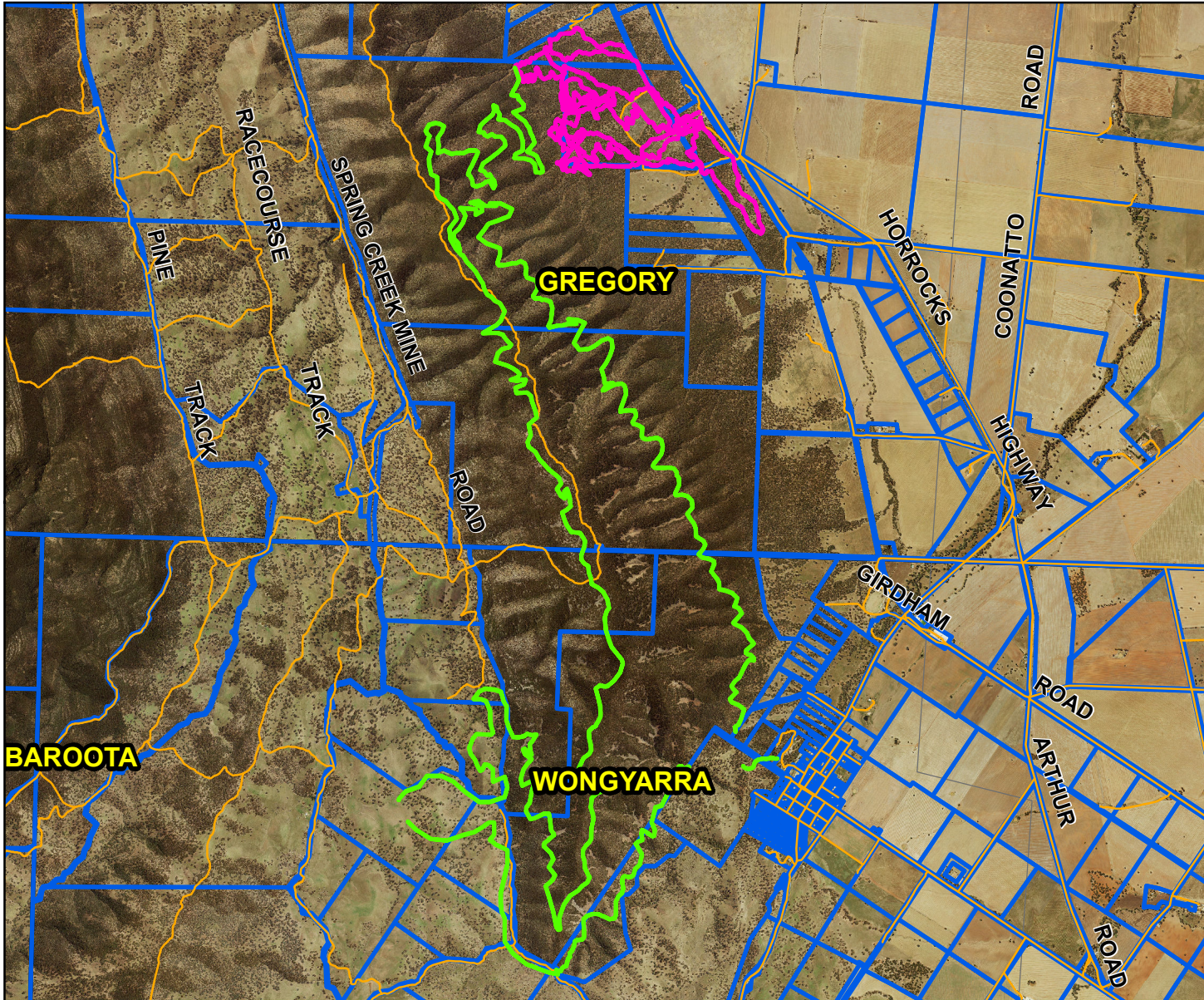
Date: 15/03/2022  
Version: 01  
Datum: GDA94



Native Vegetation Council

Delegate, Native Vegetation Council

Decision Date: 22 March 2022



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