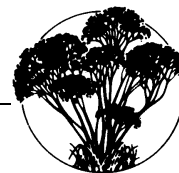


Native Vegetation Council

81-95 Waymouth St, ADELAIDE SA 5000 | GPO Box 1047, ADELAIDE SA 5001

Ph| 08 8303 9777; email| nvc@sa.gov.au



DECISION NOTIFICATION *Native Vegetation Regulations 2017*

Application Number: 2021/3066/010

To: Attention: Melissa Peake
Environmental Impact Assessment Officer
SA Water
250 Victoria Square
ADELAIDE SA 5000
Email: Melissa.peake@sawater.com.au

Date Received: 23/03/2021
Date Registered: 07/04/2021

Mob: 0484 593 830

Applicant	SA Water
Landholder	Crown
Purpose of application	Clearance required to construct a new water supply pipeline.
Description of native vegetation under application	<p>26.79 ha native vegetation. The clearance area is a linear corridor 10 m wide and 24 km long, along road reserve. The vegetation varies across the 24 km of roadside, with the dominant vegetation association <i>Maireana pyramidata</i> low open shrubland, in poor condition. Creek crossings are dominated by <i>Acacia victoriae</i> tall open shrubland. The vegetation has been heavily impact by grazing and drought, with many areas of disturbance caused by past mining, construction and vehicle movements along the roadway.</p> <p>Five vegetation associations will be impacted:</p> <ul style="list-style-type: none">• <i>Acacia victoriae</i> (Elegant Wattle) tall open shrubland• <i>Maireana pyramidata</i> (Black Bluebush) low open shrubland• <i>Nitraria billardierei</i> (Nitre Bush) low shrubland• <i>Tecticornia</i> spp. (Samphire) low shrubland• Bare ground
Location of the application	<p>Local Government: Pastoral Unincorporated Area</p> <p>Parcel ID/Title ID: n/a - road reserve.</p> <p>Hundred: Out of Hundreds</p> <p>The pipeline will be located along the Outback Highway, between the townships of Copley and Lyndhurst, in the Far North of SA. The pipeline will be in road reserve on the eastern side of the highway.</p>

Decision

The Native Vegetation Council has considered your application in accordance with the requirements of Regulation 12, Schedule 1; Clause 34 of the *Native Vegetation Regulations 2017*.

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



**Government
of South Australia**

1. **Grants consent** to the clearance of 26.79 ha native vegetation in the area shown on the attached Decision Plan 2021/3066/010 for the purpose of constructing a new pipeline along the Outback Highway between Lyndhurst and Copley, to ensure the continued supply of water to the township of Lyndhurst, in Far North SA.

Reason for Decision:

The clearance of native vegetation meets the requirements of Native Vegetation Regulation 12, Schedule 1; Clause 34.

Conditions of approval


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

1. Clearance to be confined to the 26.79 ha native roadside vegetation as shown on the attached Decision Plan 2021/3066/010, and in the submitted report: *Native Vegetation Clearance Data Report, SA Water Copley – Lyndhurst Water Pipeline*, prepared by Anne Brown, dated 13 March 2021;
2. The applicant must ensure that only native vegetation approved for removal in accordance with this decision is removed;
3. 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;
4. Prior to clearance commencing, the applicant must define the vegetation 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;
5. Infrastructure construction is undertaken in a way that machinery, vehicle movement and material laydown areas are restricted to the approved clearance area, existing tracks or areas devoid of native vegetation;
6. When undertaking any clearing or other activity authorised under this approval, the applicant or anyone acting on their behalf must take the following steps to minimise the risk of the introduction and spread of weeds and dieback (Phytophthora):
 - i) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
 - ii) ensure that no known Phytophthora or weed-affected soil, mulch, fill or other material is brought into the area to be cleared;
 - iii) restrict the movement of machines and other vehicles to the limits of the areas to be cleared;
 - iv) where Phytophthora is known or likely to occur within the area of clearance, to minimise any spread, avoid machinery movement when or in areas where soils are wet or muddy;
7. Any excavation or fill material surplus to the requirements of the development must be disposed of such that it will not:
 - i) adversely impact on native vegetation;
 - ii) contribute to erosion or sedimentation;

- iii) facilitate the spread of pest plant and pathogenic material;
8. The Significant Environmental Benefit requirement (equivalent to 674.78 SEB points) is to be achieved by making a payment of \$38,513.32 (\$36,505.52 – GST exclusive - for clearance and \$2,007.80 for administration – GST inclusive) to the Native Vegetation Fund, and is to be made within one month of invoice date. (Note the invoice will be sent once the attached form 'Decision Notification acknowledgement' is signed and returned);
 9. 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;
 10. 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;
 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.

Expiry date of approval

The approval to clear 1.56 ha native vegetation in accordance with this decision ceases after 2 years from the decision date.

Signature	
Name	Sarah Reachill
Position	DELEGATE TO NATIVE VEGETATION COUNCIL
Date	20/04/2021 (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 been 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: 2021/3066/010 **Melissa Peake**
SA Water
Construction of a new pipeline
located on the Outback Highway,
between Copley and Lyndhurst, in Far
North SA

The applicant, and all parties to the decision, have received a copy of the Decision Notification (decision date 20/04/2021) are fully aware and will comply with the decision and all the attached conditions.

Name of applicant: Tim Kildea

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



.....
Manager Environment and Heritage
.....

Date: 20/4/2021

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

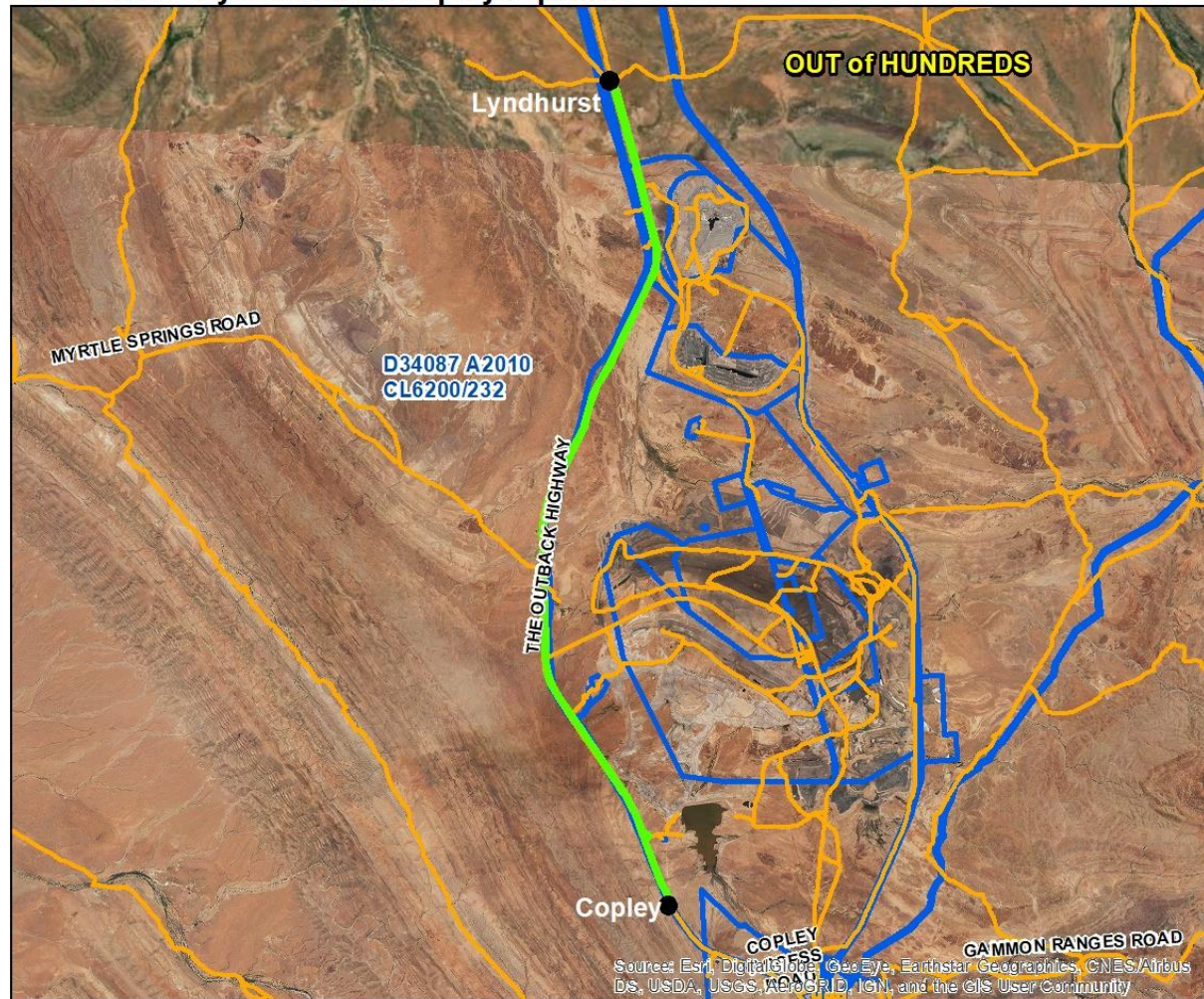
Send to: Native Vegetation Branch
C/o
Department for Environment and Water
GPO Box 1047 Adelaide SA 5001

Email: sharon.gillam@sa.gov.au

**Native Vegetation Regulation Application
Regulation 12(34) - Infrastructure
SA Water - Lyndhurst to Copley Pipeline**



Government of South Australia
Department for Environment
and Water



DECISION PLAN

**TO FORM PART OF THE DECISION TO THE
NATIVE VEGETATION COUNCIL**

APPLICATION NO. 2021/3066/010

OUT of HUNDREDS

Road Reserve, Lyndhurst to Copley

-  **Conditional Consent**
-  **Property/Section Boundary**
-  **Road**

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

Imagery: FlindersRanges_23-30Jan2010_70cm

Date: 12/04/2021
Version: 01
Datum: GDA94

SO: SG

Delegate, Native Vegetation Council

Dated: 20/04/21

Decision Date: 20/04/21



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0 2,100 4,200 6,300 8,400 10,500 Meters
Scale: 1:135000