



DECISION NOTIFICATION Native Vegetation Regulations 2017

Application Number: 2021/3212/580

To: Department for Infrastructure and Transport
c/- Catherine Grey
Senior Environmental Advisor
Via: Catherine.Gray@sa.gov.au

Date Received: 7/9/2021
Date Registered: 29/9/2021

Applicant	Department for Infrastructure and Transport
Landholder	Commissioner of Highways
Purpose of application	Intersection upgrades along Long Valley Road.
Description of native vegetation under application	<p>Site 4 – Tindale Road, Maintenance Marker 8-9</p> <ul style="list-style-type: none"> • 0.03 ha of <i>Eucalyptus camaldulensis</i> ssp. <i>camaldulensis</i> Open Forest over <i>Acacia melanoxylon</i>, <i>Phalaris aquatica</i> and <i>Dactylis glomerata</i> • 2 scattered River Red Gums (<i>Eucalyptus camaldulensis</i> var. <i>camaldulensis</i>) <p>Site 1 – Bonython Road, Maintenance Marker 10-11</p> <ul style="list-style-type: none"> • 0.44 ha <i>Eucalyptus camaldulensis</i> ssp. <i>camaldulensis</i> Open Woodland over <i>Acacia pycnantha</i>, <i>Themeda triandra</i>, <i>Phalaris aquatica</i>, <i>oxalis pes-caprae</i> • 10 scattered River Red Gums (<i>Eucalyptus camaldulensis</i> var. <i>camaldulensis</i>) <p>Site 6 – Archer Hill Road, Maintenance Marker 11</p> <ul style="list-style-type: none"> • 0.18 ha <i>Eucalyptus leucoxyton</i> Open Woodland over <i>Acacia Paradoxa</i>, <i>Acacia pycnantha</i> and <i>Phalaris</i> sp. (Vegetation Association C1) • 0.08ha <i>Eucalyptus camaldulensis</i> / <i>Eucalyptus leucoxyton</i> +/- <i>Eucalyptus viminalis</i> ssp. <i>cygnetensis</i> Open Woodland over <i>Acacia paradoxa</i>, <i>Acacia pycnantha</i> and <i>Phalaris</i> sp. (Vegetation Association C2) • 5 scattered River Red Gums (<i>Eucalyptus camaldulensis</i> var. <i>camaldulensis</i>) • 1 scattered Rough-barked Manna Gum (<i>Eucalyptus viminalis</i> ssp. <i>viminalis</i>) <p>Site 3 – Pursell Road, Maintenance Marker 11-12</p> <ul style="list-style-type: none"> • 0.13 ha <i>Eucalyptus leucoxyton</i> Open Woodland over <i>Acacia Paradoxa</i>, <i>Acacia pycnantha</i> and <i>Phalaris</i> sp. (Vegetation Association C1) • 0.08ha <i>Eucalyptus camaldulensis</i> Open Forest over <i>Acacia paradoxa</i> and <i>Phalaris</i> sp. (Vegetation Association E1) • 13 scattered River Red Gums (<i>Eucalyptus camaldulensis</i> var. <i>camaldulensis</i>) <p>Site 2 – Treutler Road, Maintenance Marker 13-14</p> <ul style="list-style-type: none"> • 0.16ha <i>Eucalyptus camaldulensis</i> / <i>Eucalyptus leucoxyton</i> +/- <i>Eucalyptus viminalis</i> ssp. <i>cygnetensis</i> Open Forest over <i>Acacia pycnantha</i> (Vegetation Association D1) • 0.06ha <i>Eucalyptus leucoxyton</i> and <i>Allocasuarina verticillata</i> Woodland over <i>Microlaena stipoides</i> var. <i>stipoides</i>, <i>Themeda triandra</i> and <i>Dactylis glomerata</i> (Vegetation Association D2) • 3 scattered River Red Gums (<i>Eucalyptus camaldulensis</i> var. <i>camaldulensis</i>)



Location of the application	Long Valley Road reserve between Maintenance Markers 8 and 14 from Wistow to Bugle Ranges and Gemmells
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Decision

The Native Vegetation Council has considered your application in accordance with the requirements of Regulation 12, Schedule 1; Clause 32 of the *Native Vegetation Regulations 2017*.

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

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| <ol style="list-style-type: none">1. Grants consent to the clearance of 34 trees and 1.17ha of native vegetation in the area shown on the attached Decision Plans 2021/3212/580 for the purpose of intersection upgrades. |
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Reason for Decision:

The clearance of native vegetation meets the requirements of Native Vegetation Regulation 12, Schedule 1; Clause 32.

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. The Significant Environmental Benefit requirement (equivalent to 78.89 SEB points) is to be achieved by making a payment into the Native Vegetation Fund of \$76,112.04 (\$72,141.11 for clearance GST exclusive and \$3,967.93 for the administration fee GST inclusive) prior to any clearance occurring.

Note: An invoice will be sent once the attached form 'Decision Notification acknowledgement' form is signed and returned.

4. 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.
5. 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.
6. 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.
7. 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 2 years from the original decision date (27 October 2021).

Signature	
Name	Adam Schutz
Position	DELEGATE TO NATIVE VEGETATION COUNCIL
Date	3/2/2022 (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: 2021/3212/580

The applicant, and all parties to the decision, have received a copy of the Decision Notification (decision date 3/2/2022) 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:

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.....

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: brianna.fyffe2@sa.gov.au

Native Vegetation Clearance Application



DECISION PLAN (1 of 5)





TO FORM PART OF THE DECISION OF THE NATIVE VEGETATION COUNCIL

APPLICATION NO. 2021/3212/580

HUNDRED of MACCLESFIELD

Road reserve, F1849 A11 and F18953 A2

Certificate of Title CT5497/992 and CT5459/422

-  Conditional Consent
-  Clearance consent - scattered trees
-  Property/Section Boundary
-  Road

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

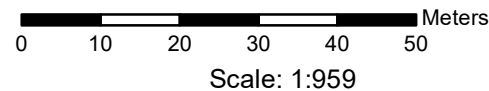
Imagery: AdelaideMetro_7-22Jan2021

Date: 19/10/2021
 Version: 01
 Datum: WGS_1984




Delegate, Native Vegetation Council

Decision Date: 27/10/2021



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Native Vegetation Clearance Application







DECISION PLAN (2 of 5)

TO FORM PART OF THE DECISION OF THE NATIVE VEGETATION COUNCIL

APPLICATION NO. 2021/3212/580

HUNDRED of MACCLESFIELD AND STRATHALBYN

Road reserve

-  Conditional Consent
-  Clearance consent - scattered trees
-  Property/Section Boundary
-  Road

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

Imagery: AdelaideMetro_7-22Jan2021

Date: 19/10/2021
 Version: 01
 Datum: WGS_1984

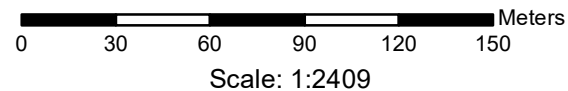


Delegate, Native Vegetation Council

Decision Date: 27/10/2021



Native Vegetation Council



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Native Vegetation Clearance Application





DECISION PLAN (3 of 5)

TO FORM PART OF THE DECISION OF THE NATIVE VEGETATION COUNCIL

APPLICATION NO. 2021/3212/580

HUNDRED of MACCLESFIELD AND STRATHALBYN

Road reserve

-  Conditional Consent
-  Clearance consent - scattered trees
-  Property/Section Boundary
-  Road

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

Imagery: AdelaideMetro_7-22Jan2021

Date: 19/10/2021
 Version: 01
 Datum: WGS_1984

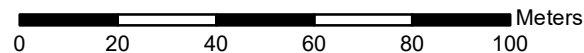


Delegate, Native Vegetation Council

Decision Date: 27/10/2021



Native Vegetation Council



Scale: 1:1542

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Native Vegetation Clearance Application



DECISION PLAN (4 of 5)





TO FORM PART OF THE DECISION OF THE NATIVE VEGETATION COUNCIL

APPLICATION NO. 2021/3212/580

HUNDRED of MACCLESFIELD AND STRATHALBYN

Road reserve, D65235 A300

Certificate of Title CT5931/36

-  Conditional Consent
-  Clearance consent - scattered trees
-  Property/Section Boundary
-  Road

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

Imagery: AdelaideMetro_7-22Jan2021

Date: 27/1/2022
 Version: 01
 Datum: WGS_1984



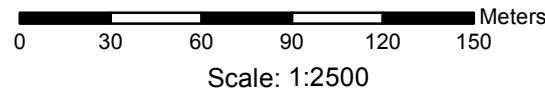
Delegate, Native Vegetation Council

Decision Date: 3/2/2022



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Native Vegetation Clearance Application



DECISION PLAN (5 of 5)





TO FORM PART OF THE DECISION OF THE NATIVE VEGETATION COUNCIL

APPLICATION NO. 2021/3212/580

HUNDRED of STRATHALBYN

Road reserve and F122 A17

Certificate of Title CT5420/239

-  Conditional Consent
-  Clearance consent - scattered trees
-  Property/Section Boundary
-  Road

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

Imagery: SouthernFleurieuPeninsula_9-23Jan2021

Date: 19/10/2021
Version: 01
Datum: WGS_1984

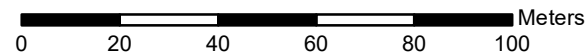


Delegate, Native Vegetation Council

Decision Date: 27/10/2021



Native Vegetation Council



Scale: 1:1542

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