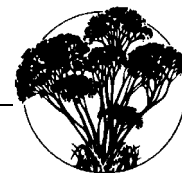


Native Vegetation Council

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 Act 1991*

Application Number: 2023/2006/894

To: [REDACTED]
20/01/2023

Date Received:

Date Registered: 20/01/2023

Applicant	[REDACTED]
Landholder	[REDACTED]
Purpose of application	Clearance required for expansion of existing inground dam from 4 ML to 21 ML with associated earthworks, at Hillside Winery
Description of native vegetation under application	Clearance consists of: <ul style="list-style-type: none">• 22.02 ha Sand-heath Yakka (<i>Xanthorrhoea caespitosa</i>) Very Open Shrubland in very poor condition; and 1 x Pink Gum (<i>Eucalyptus fasciculosa</i>) tree in good condition.
Location of the application	Local Government Area: Wattle Range Council Parcel ID/Title ID: D12839 A2 CT5472/177 Hundred: Short

Decision

The Native Vegetation Council has considered your application in accordance with the requirements of Section 28 of the *Native Vegetation Act 1991*.

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

1. **Grants consent** to clearance of 22.02 ha native vegetation and one (1) tree in the area shown on the attached Decision Plan 1 of 2 2023/2006/894 for the purpose of installing two 32-ha centre pivot irrigators.
2. **Grants consent**, subject to the following conditions, to the establishment of a new SEB credit area shown on the attached Decision Plan 2 of 2 2023/2006/894, over 32.88 ha providing 131.31 SEB points of credit, of which 106.76 points will be used for this application. This will leave 24.55 points of credit.

Reason for Decision:

The clearance of native vegetation under application is not Seriously at variance with the Principles of native vegetation clearance.



**Government
of South Australia**

The establishment of SEB Credit is considered to meet the requirements of Section 25A(1)(a)(i) of the Act.

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. Prior to any clearance being undertaken the applicant must obtain, if necessary, the relevant water allocation and irrigation licensing;
**It is noted that Water Licence No. 12423 is applicable to this property.*
2. Clearance to be confined to the 22.02 ha native vegetation and 1 scattered tree as shown on the attached Decision Plan 1 2023/2006/894, and in the submitted report: *Native Vegetation Clearance Data Report, Radford Property "Bondville", Short*, prepared by Peter Tucker, dated January 2023;
3. The applicant must ensure that only native vegetation approved for removal in accordance with this decision is removed;
4. 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;
5. 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;
6. The landowner is to permanently set aside and actively manage 32.88 ha of native vegetation providing the minimum 106.76 SEB points in the attached Plan numbered 2023/2006/894 Plan 2, for the growth of native vegetation and for no other purpose.
**Note – the proposed SEB area provides an additional 24.55 SEB credits points.*
7. The landowner is to manage the set aside in accordance with the SEB management plan to permanently maintain that land for the purpose of growth of native vegetation and management of environmental threats and degrading processes. The SEB management requirements include:
 - a. permanent exclusion of stock. Stock grazing may be permitted on occasions, but only if grazing is required for the sole purpose of ecological management and undertaken in accordance with an approved management plan;
 - b. where required, erect and maintain fences and gates in good stock proof condition at all times. Fencing to be completed prior to undertaking the clearance. (Note: Where the adjoining land is to be kept free of stock, no fencing is required unless grazing of the adjacent land is proposed);
 - c. undertaking an effective and ongoing weed and pest animal control program within the set-aside area to ensure the successful regeneration of native vegetation in the area;


- d. not to erect, place or permit any structure or dwelling to be placed on the SEB area, other than approved signs;
8. The applicant must provide an annual report to the Native Vegetation Council by the anniversary date of this decision, for a period of 10 consecutive years. After the tenth year, the landowner must provide a report at the reasonable request of the Native Vegetation Council;
9. The Significant Environmental Benefit requirement (equivalent to 131.31 SEB points) is to be achieved, in accordance with Section 25A of the *Native Vegetation Act 1991*, by deducting 106.76 SEB points from the newly established Radford SEB Area (2023/2006/894).

**Note: The SEB credit currently available under Section 25A(1)(a) of the Act is 131.31 SEB points of credit. The deduction of 106.76 points of credit subsequently reduces the available credit to 24.55 SEB points. The 24.55 SEB points of credit will be available for future applications to clear native vegetation or the assignment of credit under Section 25B of the Act, subject to Native Vegetation Council Policy in place at the time.*
10. The 24.55 SEB points of credit remaining are available for future use to achieve an environmental benefit required under the Act, or for the assignment of those credits in accordance with Section 25B of the Act. The Native Vegetation Council will consider the extent to which the attached conditions of this approval have been complied with when considering any application to apply or assign credits and may adjust the value of the credits accordingly.
11. A Heritage Agreement be entered into with the Minister for Environment and Water over 32.88 hectares of native vegetation contained in SEB Area as delineated on the attached plan and be signed by the landowner and returned to the Native Vegetation Branch, within four (4) weeks of receipt of the agreement documents.
12. During the active timeframe of the Native Vegetation Management Plan associated with application 2023/2006/894, the Native Vegetation Council may request, in writing, a review and update of the plan if the monitoring conducted indicates that vegetation is not improving in condition to the extent that is expected, or if the actions are unlikely to achieve the objectives specified in the plan, or if new management threats are identified.
13. The Native Vegetation Council reserves the rights to revoke the credits or refuse the assignment of credits under Section 25B of the Act, if the Native Vegetation Council are of the opinion that the applicant has failed to sufficiently comply with the conditions of this approval or the associated SEB Management Plan (2023/2006/894).
14. 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;
15. 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.
16. The applicant must adequately inform any prospective purchaser, lessee or occupier of the land affected by conditions in this consent, of the relevant conditions.

17. The decision shall be valid for a period of 2 years from the decision date, after which time a new application will be required.

Expiry date of approval

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

Signature	
Name	Vaughan Levitzke
Position	CHAIR, NATIVE VEGETATION ASSESSMENT PANEL
Date	28/02/2023 (Decision Date)

Attachment 1 – SEB Credit Assignment

Table 1: 2023/2006/894 Credit available, credit assigned and credit remaining per vegetation association.

Vegetation Association	SEB credit points available for assignment	SEB credit points assigned	SEB credit points remaining
<i>Eucalyptus viminalis ssp. cygnetensis</i> Open Forest over <i>Xanthorrhoea</i> <i>caespitosa</i>	131.31	106.76	24.55
TOTAL SEB CREDIT POINTS	131.31	106.76	24.55

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: 2023/2006/894

2 x centre pivot irrigators

The applicant, and all parties to the decision, have received a copy of the Decision Notification (decision date 28/02/2023) 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: sharon.gillam@sa.gov.au

Native Vegetation Clearance Application Radford - 253 Nelsons Road, Short - centre pivot irrigators



Government of South Australia
Department for Environment
and Water




DECISION PLAN 1 of 2

TO FORM PART OF THE DECISION OF THE
NATIVE VEGETATION COUNCIL

APPLICATION NO. 2023/2006/894

HUNDRED of SHORT

Parcel & Title:
D12839 A2 CT5472/177

-  Conditional Consent
(22.02 ha + 1 x scattered tree)
-  Property/Section Boundary
-  Road


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

Imagery: Latest_Imagery_ImageMapSA

Date: 20/02/2023
Version: 01
Datum: GDA2020

NVO: SG




Chair, Native Vegetation Assessment Panel

Decision Date: 28/02/23



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Scale: 1:14000

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Native Vegetation Clearance Application Radford - Lot 3 Clay Wells Rd, Short - On-ground SEB



Government of South Australia
Department for Environment
and Water

DECISION PLAN 2 of 2

TO FORM PART OF THE DECISION OF THE
NATIVE VEGETATION COUNCIL

APPLICATION NO. 2023/2006/894

HUNDRED of SHORT

D57595 A4 CT5873/589

-  Offset area
-  Property/Section Boundary
-  Road


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

Imagery: Latest_Imagery_ImageMapSA

Date: 20/02/2023
Version: 01
Datum: GDA2020

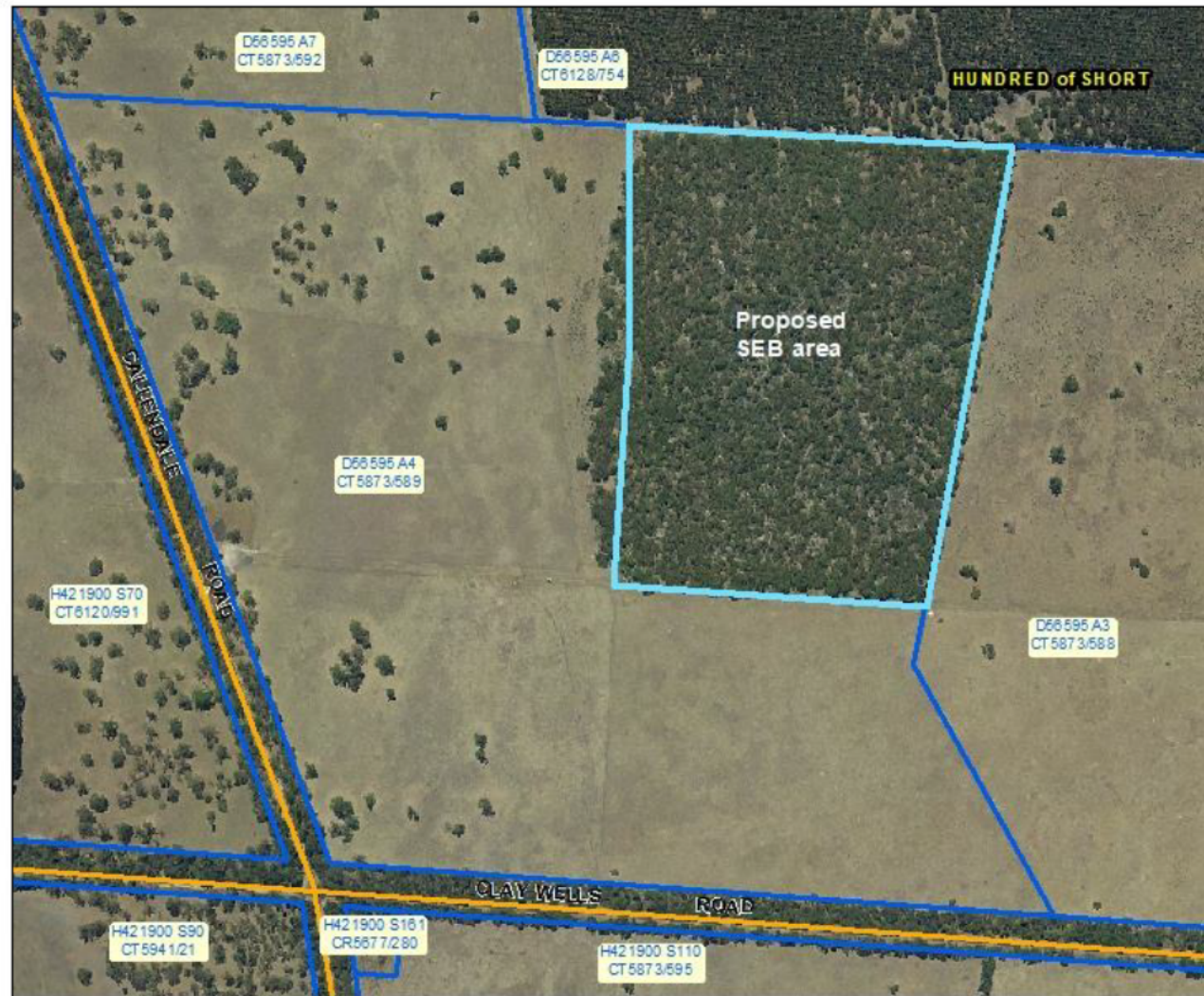
NVO: SG




Chair, Native Vegetation Assessment Panel

Decision Date: 28/02/23

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