

Native Vegetation Council

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DECISION NOTIFICATION *Native Vegetation Regulations 2017*

Application Number: 2020/3150/292

To: Department for Infrastructure and Transport
Catherine Gray, Senior Environmental Advisor
GPO Box 1533
Adelaide SA 5001

Date Received; 26/11/2020
Date Registered: 26/11/2020

Applicant	Department for Infrastructure and Transport	
Landholder	Commissioner of Highways	
Purpose of application	Clearance of native vegetation for the Gawler Rail Electrification Project.	
Description of native vegetation under application	62 trees consisting <ul style="list-style-type: none">- <i>Eucalyptus camaldulensis</i> var <i>camaldulensis</i>- 26 trees (including a clump of 8 trees) for complete removal)- 36 trees for pruning (mixed major and minor)	
Location of the application	CT Vol. 5662 Folio 912 CT Vol. 6054 Folio 421 CT Vol. 5499 Folio 326 CT Vol. 5505 Folio 854 CT Vol. 6128 Folio 476 CT Vol. 6182 Folio 891 CT Vol. 5697 Folio 94	CT Vol. 56544 Folio 93 CT Vol. 57876 Folio 94 CT Vol 5723 Folio 412 CT Vol 5452 Folio 392 CT Vol 6182 Folio 891 CT Vol 5499 Folio 326 Hundred of Mudla Wirra and Munno Para

Decision

The Native Vegetation Council has consider 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:

1. **Grants consent** to the complete clearance of 26 trees and the pruning of 36 trees in the area shown on the attached Decision Plan 2020/3150/929, and as indicated within DIT '*Application to Clear Native Vegetation*' document dated 25/11/2020 when read in conjunction the EBS '*Native Vegetation Clearance Assessment Gawler Rail Electrification Project*' data report dated 11 September 2020, for the Gawler Rail Electrification Project.

Reason for Decision:

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



**Government
of South Australia**


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 landowner must ensure that only native vegetation approved for clearance (refer to attached Decision Plans numbered 2020/3150/292) is cleared whether by the landowner or any other person undertaking clearance.
2. Where trees are to be pruned, pruning must be conducted in accordance with the Australian Standard for Pruning Amenity Trees (AS4373-2007). Branches or limbs are to be cut cleanly back to the nearest trunk.
3. **Payment** of \$59,331.86 (\$56,506.53 for clearance and \$2825.33 administration fee (GST inclusive) to be made within 1 month of receiving an invoice from the Native Vegetation Branch or any other NVB agreed payment method.
4. Department of Infrastructure and Transport is permitted to submit an updated assessment of the clearance undertaken (within 3 months of the decision date) should clearance be less than what is approved to allow a potential SEB amendment.
5. Members of the Native Vegetation Council or a person who is an authorised officer under the *Native Vegetation Act 1991* 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
6. The landowner 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 decision date.

Signature	
Name	Emily Jenke
Position	PRESIDING MEMBER, NATIVE VEGETATION COUNCIL
Date	20/01/2021 (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 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: 2020/3150/292

The applicant, and all parties to the decision, have received a copy of the Decision Notification (decision date 20/01/2021) 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: Andrew.groom@sa.gov.au

