

South Australia

# **Native Vegetation (Yoorndoo Ilga Solar Project) Amendment Regulations 2023**

under the *Native Vegetation Act 1991*

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## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Native Vegetation (Yoorndoo Ilga Solar Project) Amendment Regulations 2023*.

### **2—Commencement**

These regulations come into operation on the day on which they are made.

## **Part 2—Amendment of *Native Vegetation Regulations 2017***

### **3—Insertion of regulation 23A**

After regulation 23 insert:

#### **23A—Clearance on Yoorndoo Ilga Solar Project area land**

- (1) Pursuant to section 27(1)(b) of the Act, native vegetation may, subject to any other Act or law to the contrary, be cleared if—
    - (a) the land on which the vegetation is situated is in the Yoorndoo Ilga Solar Project area; and
    - (b) the clearance is incidental to a development that has been authorised under the *Planning, Development and Infrastructure Act 2016*; and
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- (c) the clearance is undertaken in accordance with a management plan that has been approved by the Council; and
  - (d) the Council is satisfied, after taking into account the full nature and extent of clearance that is to be undertaken on the relevant land and any commitments that have been made with respect to the establishment, restoration or maintenance of native vegetation, that the holder of a development authorisation (or a person acting on their behalf) has, on application to the Council to proceed with clearing the vegetation in accordance with this provision, made a payment into the Fund or, if the Council is satisfied that it is appropriate in the circumstances, agreed to make a payment into the Fund, of an amount considered by the Council to be sufficient to achieve a significant environmental benefit, in the manner contemplated by section 21(6) or (6a) of the Act, which outweighs the value of retaining the vegetation.
- (2) In this regulation—
- Yoorndoo Ilga Solar Project area*** means the land within the shaded area in the map set out in Schedule 2A and described as the "Yoorndoo Ilga Solar Project Development Site".

#### 4—Insertion of Schedule 2A

After Schedule 2 insert:

### Schedule 2A—Yoorndoo Ilga Solar Project map



## **Native Vegetation (Yoorndoo Ilga Solar Project) Amendment Regulations 2023**

Part 2—Amendment of *Native Vegetation Regulations 2017*

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### **Editorial note—**

As required by section 10AA(2) of the *Legislative Instruments Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 2 November 2023

No 108 of 2023