

# 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](mailto:nvc@sa.gov.au)



## DECISION NOTIFICATION Native Vegetation Regulations 2017

**Application Number: 2023/3132/010**

**To:** Ika Shima Trading Pty Ltd  
Attention: [REDACTED]  
13 Emerson Grove  
Tranmere SA 5073

**Date Received;** 12/01/2023  
**Date Registered:** 12/07/2023

Email: [REDACTED]@[ikashima.com.au](mailto:ikashima.com.au) Mob: [REDACTED]

<b>Applicant</b>	Ika Shima Trading Pty Ltd
<b>Landholder</b>	Che Metcalfe
<b>Purpose of application</b>	Clearance required for construction of tourist accommodation and associated infrastructure including desalination plant, solar panels, internal access tracks and outdoor recreational facilities.
<b>Description of native vegetation under application</b>	<p><b>20.107 ha</b> of native vegetation over ten vegetation associations as follows:</p> <ul style="list-style-type: none"><li><b>VA1: 2.868 ha</b> of <i>Olearia axillaris</i> shrublands</li><li><b>VA2: 0.046 ha</b> of Coastal shrublands on sand dunes</li><li><b>VA3: 1.421 ha</b> of Dense <i>Olearia axillaris</i> back-dune</li><li><b>VA4: 0.031 ha</b> of Saltmarsh</li><li><b>VA5: 0 ha</b> Mallee woodland – <i>no clearance</i></li><li><b>VA6: 0.023 ha</b> of <i>Allocasuarina verticillata</i> woodland</li><li><b>VA7: 14.491 ha</b> of Weedy Grasslands</li><li><b>VA8: 1.224 ha</b> of Native Grasslands</li><li><b>VA9: 0.003 ha</b> Cliff tops</li><li><b>VA10: 0 ha</b> Regenerating <i>Distichlis distichophylla</i> with <i>Olearia axillaris</i> - <i>no clearance</i></li></ul>
<b>Location of the application</b>	<p>Local Government Area: City of Port Augusta</p> <p>Parcel ID/Title ID: H510700 S384 CT5428/104 H510700 S385 CT5427/858 H510700 S386 CT5428/105</p> <p>Hundred: Louth</p> <p>Location: Lot 384, 385 &amp; 386 Louth Bay SA 5607 (Louth Island)</p>

**Decision**



**Government  
of South Australia**

The Native Vegetation Council has considered your application in accordance with the requirements of Regulation 12, Schedule 1; Clause 33 of the *Native Vegetation Regulations 2017*.

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

1. **Grants consent** to the clearance of 20.107 ha of native vegetation in the area shown on the attached Decision Plan 2023/3132/010 Plan 1 for the purpose specified in this decision.
2. **Grants consent**, subject to the following conditions, to the establishment of a new SEB area shown on the attached Decision Plan 2 of 2, over 60.13 ha providing 367.65 SEB points of gain, of which 365.58 points will be used for the points required for this application. This will leave zero points of credit.

### Reason for Decision:

The clearance of native vegetation meets the requirements of Native Vegetation Regulation 12, Schedule 1; Clause 33.

### 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. No clearance to occur until Development Approval has been obtained under the *Planning, Development and Infrastructure Act 2016* (including Building Rules Consent where required).
2. Clearance to be confined to the 20.107 ha native vegetation as shown on the attached Decision Plan 2023/3132/010 Plan 1 of 2, and in the submitted report: *Native Vegetation Clearance Data Report, Ika Shima Luxury Eco Resort (Rumi on Louth)*, prepared by Succession Ecology, V2 dated 29/06/2023;
3. 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.
4. Prior to clearance commencing, the applicant must define the area and 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;
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. Any excavation or fill material surplus to the requirements of the development must be disposed of such that it will not:
  - adversely impact on native vegetation;
  - contribute to erosion or sedimentation;
  - facilitate the spread of pest plant and pathogenic material;
7. The landowner is to permanently set aside and actively manage an area of native vegetation totalling 60.13 ha (providing 367.65 SEB points) as shown in the attached Plan numbered 2023/3132/010 Plan 2, for the growth of native vegetation and for no other purpose;
  - Note – the proposed SEB area provides no additional SEB credits points.

8. The applicant 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:
  - 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;
  - 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);
  - undertaking an effective and ongoing weed and declared animal pest control program within the set-aside area to ensure the successful regeneration of native vegetation in the area;
9. 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;
10. A Heritage Agreement be entered into with the Minister for Environment and Water over 60.13 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.
11. During the active timeframe of the Native Vegetation Management Plan associated with application 2023/3132/010, 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.
12. 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;
13. 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;
14. 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.
15. 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 decision date.

Signature	
Name	Marilyn Henderson
Position	<b>CHAIR, NATIVE VEGETATION ASSESSMENT PANEL</b>
Date	08/08/2023 (Decision Date)

## Attachment 1 – SEB Credit Assignment

**Table 1: 2023/3132/010** Credit assigned and credit remaining per vegetation association.

Vegetation Association	Area (ha)	SEB credit points available for assignment	SEB credit points assigned	SEB credit points remaining
<i>Olearia axillaris</i> shrublands	27.09	174.76	174.76	0
Coastal Shrublands on sand dunes	0.19	0.82	0.82	0
Dense <i>Olearia axillaris</i> shrublands	23.46	129.98	129.98	0
Mallee woodland	6.31	41.82	41.82	0
<i>Allocasuarina verticillata</i> woodland	3.08	20.27	18.2	2.07
<b>TOTAL SEB CREDIT POINTS</b>	<b>60.13</b>	<b>367.65</b>	<b>365.58</b>	<b>2.07*</b>

\*The very limited points remaining is considered insufficient to utilise as future credit points, and effectively amount to zero.

## 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:** 2023/3132/010      **Ika Shima Trading Pty Ltd**  
**Attention:** [REDACTED]  
**Ika Shima Luxury Resort**  
**Louth Island SA**

*The applicant, and all parties to the decision, have received a copy of the Decision Notification (decision date 08/08/2023) 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](mailto:sharon.gillam@sa.gov.au)

# Native Vegetation Clearance Application Ika Shima tourist accommodation, Louth Island



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. 2023/3132/010


HUNDRED of LOUTH

Parcel & Title:

H510700 S384 CT5428/104

H510700 S385 CT5427/858

H510700 S386 CT5428/105

 Conditional Consent  
(20.107 ha )

 Property/Section Boundary

 Road

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

Imagery: Latest\_Imagery\_ImageMapSA

Date: 13/07/2023

Version: 01

Datum: GDA2020

NVO: SG

*M. Henderson*



Delegate, Native Vegetation Council

Decision Date:



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Scale: 1:20000

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## Native Vegetation Clearance Application Louth Island - 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. 2023/3132/010

HUNDRED of LOUTH

Parcel & Title:

H510700 S385 CT5427/858

H510700 S386 CT5428/105

-  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: 13/07/2023  
Version: 01  
Datum: GDA2020

NVO: SG

*M. Henderson*



Delegate, Native Vegetation Council

Decision Date:



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Scale: 1:20000

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