



Native Vegetation Council

81-95 Waymouth Street
Adelaide SA 5000

Our Ref: NVC FOI 23-02

GPO Box 1047,
Adelaide SA 5001

8 May 2023

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Dear 

I refer to your application pursuant to the *Freedom of Information Act 1991* (FOI Act) that the Department for Environment and Water (DEW) transferred to the Native Vegetation Council (Council) on 27 March 2023.

SCOPE

You seek access to the following:

Documents, including but not limited to correspondence, application and approval for clearance (and any conditions attached to the approval) issued under the Native Vegetation Act 1991 for Lefevre Cultural Park Wetland construction for stormwater management (Allotment 2 in DP 20023 and Allotment 2 in DP 28523, Hundred of Pt Adelaide)

Documents, including but not limited to correspondence, regarding the administration of the SEB granted at Biodiversity Park

Nil documents

Section 23(1)(b) of the Act states that an agency must notify an applicant in writing if the application relates to a document that is not held by the agency. I hereby advise that searches of the Council's records have shown that the Councils holds no documents regarding the administration of the SEB granted at Biodiversity Park.

DETERMINATION

Searches of the Council's records have found seventeen (17) documents held by the Council within scope of your request.

As the Principal Officer of the Council, I have determined to grant you full access to seven (7) documents, partial access to nine (9) documents and no access to one (1) document.

Section 20 of the Act provides that an agency may refuse access to a document if it is an exempt document under the Act. Parts of the document and document to which I am refusing access and the reasons for the refusal are summarised in Attachment 1 (Document Schedule). Some exemption clauses in schedule 1 of the Act require an agency to weight up the public interest as the deciding factor to determine whether access should be given or not. Where applicable, all public interest claims are presented in the document schedule.

In accordance with [PC045 – Disclosure logs for Non-personal information](#), once a determination has been provided, the agency is required to make available on our website information and documents that have been disclosed. Information will be publicised online at <https://www.environment.sa.gov.au/about-us/boards-and-committees/native-vegetation-council/nvc-foi-disclosure-log>

FEES AND CHARGES

Under clause 5(a) of the *Freedom of Information (Fees and Charges) Regulations 2018*, I am waiving your FOI application fees and charges as a holder of a concession card.

YOUR APPEAL RIGHTS

If you are dissatisfied with this determination, you have the right to apply for an External Review. All applications for External Review should be made to the Ombudsman SA. Information about how to make an application for External Review can be found in the attached FOI Fact Sheet (Attachment 3).

If you have any queries in relation to the above please contact Ms Zeljka Danilovic, Coordinator, Governance and Policy on telephone number 8303 9777 or email nvc@sa.gov.au

Yours sincerely



Dr Marilyn Henderson
Presiding Member
Native Vegetation Council

Encl:

1. Attachment 1 – Document Schedule
2. Attachment 2 – Document Release
3. Attachment 3 – FOI Fact Sheet – Your Rights to Review and Appeal

Freedom of Information application: 23/02 - Member of Public									
Doc #	Date	Author	No. of pages	Document type	Determination	Clause	Reason	Public Interest Test - Contrary to release	Public Interest Test - In favour of release
01	27/07/2009	Third party	227	Report	Partial Release	Section 20(1)(c) - Document usually and currently available for purchase	Appendix A - Certificate of Title (pp. 36-40) is withheld as this document is usually and currently available for purchase.	Under section 20(1)(c) of the FOI Act, an agency may refuse access to a document if it is a document that is usually and currently available for purchase.	
02	28/09/2009	Third parties, NVC	3	Email messages	Partial Release	6(1) - Documents affecting personal affairs	Redaction over third party officer's mobile phone number. Release of mobile phone number into the public domain may result in unsolicited phone calls being received outside of business hours.	The redactions do not impact the flow, readability or understanding of the content of the document.	
03	29/09/2009	Third parties, NVC	57	Email messages with 3 attachments	Partial Release	6(1) - Documents affecting personal affairs 16 - Documents concerning operations of agencies	Redaction over third party officer's mobile phone number. Release of mobile phone number into the public domain may result in unsolicited phone calls being received outside of business hours. Redaction over third party officer's signature. Release of signature into the public domain may result in fraudulent and illegal use of the signature.	The redactions do not impact the flow, readability or understanding of the content of the document.	
04	1/10/2009	NVC	1	Plan (map)	Full Release				
05	1/10/2009	NVC	1	Plan (map)	Full Release				
06	2/10/2009	Third parties, NVC	4	Email	Partial Release	6(1) - Documents affecting personal affairs	Redaction over third party officer's mobile phone number. Release of mobile phone number into the public domain may result in unsolicited phone calls being received outside of business hours.	The redactions do not impact the flow, readability or understanding of the content of the document.	
07	7/10/2009	NVC	4	Draft notification	Full Release				
08	7/10/2009	NVC	3	Draft notification	Full Release				
09	7/10/2009	NVC	5	Notification	Partial Release	6(1) - Documents affecting personal affairs 16 - Documents concerning operations of agencies	Redaction over staff member's signature. Release of signature into the public domain may result in fraudulent and illegal use of the signature.	The redactions do not impact the flow, readability or understanding of the content of the document.	
10	20/10/2009	Third party	4	Land title information	No release	Section 20(1)(c) - Document usually and currently available for purchase	Certificate of Title is usually and currently available for purchase.	Under section 20(1)(c) of the FOI Act, an agency may refuse access to a document if it is a document that is usually and currently available for purchase.	
11	30/10/2009	Third party	4	Acknowledgement Form	Partial Release	6(1) - Documents affecting personal affairs 16 - Documents concerning operations of agencies	Redaction over third party officers' signatures. Release of signatures into the public domain may result in fraudulent and illegal use of the signature.	The redactions do not impact the flow, readability or understanding of the content of the document.	
12	21/07/2010	Third party	2	Letter	Partial Release	6(1) - Documents affecting personal affairs 16 - Documents concerning operations of agencies	Redaction over third party officer's signature. Release of signature into the public domain may result in fraudulent and illegal use of the signature.	The redactions do not impact the flow, readability or understanding of the content of the document.	
13	5/08/2010	Unknown	1	Map	Full Release				
14	18/08/2010	Third party	9	Letter	Partial Release	6(1) - Documents affecting personal affairs 16 - Documents concerning operations of agencies	Redaction over third party officer's signature. Release of signature into the public domain may result in fraudulent and illegal use of the signature.	The redactions do not impact the flow, readability or understanding of the content of the document.	
15	8/11/2010	NVC	1	Draft letter	Full Release				
16	16/11/2010	NVC	1	Draft letter	Full Release				
17	16/11/2010	NVC	2	Letter	Partial Release	6(1) - Documents affecting personal affairs 16 - Documents concerning operations of agencies	Redaction over staff member's signature. Release of signature into the public domain may result in fraudulent and illegal use of the signature.	The redactions do not impact the flow, readability or understanding of the content of the document.	