

Native Vegetation Council

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DECISION NOTIFICATION *Native Vegetation Regulations 2017*

Application Number: 2021/3091/520

To: Western Districts Memorial Community Sports Club
c/- Greg Bald
Via: kath.gregbald@bigpond.com

Date Received: 26/3/2021
Date Registered: 26/3/2021

Applicant	Western Districts Memorial Community Sports Club
Landholder	Kangaroo Island Council
Purpose of application	Clearance of native vegetation for construction of new sporting facilities including clubrooms, courts and water tanks.
Description of native vegetation under application	0.5508ha of Brown Stringybark (<i>Eucalyptus baxteri</i>) low open woodland in burnt condition
Location of the application	D95087 A100, Hundred of Gosse, CR 6198/781

Decision

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. **Consent** to the clearance 0.5508ha of Brown Stringybark (*Eucalyptus baxteri*) in the area shown on the attached Decision Plan 2021/3091/520 for the purpose specified in this decision.
2. **Approves the achievement** of the Significant Environmental Benefit by the use of 64.47 SEB Credit that have been assigned via application 2021/2014/520 in accordance with Section 25B of the *Native Vegetation Act 1991* (see Appendix 1). The use of SEB points of credit subsequently reduces the available credit to 208.26 SEB points.

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. 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.




**Government
of South Australia**

2. No clearance to occur until Development Approval has been obtained under the *Planning, Development and Infrastructure Act 2016* (including Building Rules Consent where required).
3. Prior to clearance commencing, the applicant must define the area or 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.
4. The Significant Environmental Benefit requirement (equivalent to 64.47 SEB points) is to be achieved by the use of SEB credits assigned in accordance with Section 25B of the *Native Vegetation Act 1991* (approved Decision Notice 2021/2014/520). The SEB provides 64.47 SEB points.
5. 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.
6. 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.
7. 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.
8. 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	Vaughan Levitzke PSM
Position	CHAIR, NATIVE VEGETATION ASSESSMENT PANEL
Date	24/8/2021 (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 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: 2021/3091/520

The applicant, and all parties to the decision, have received a copy of the Decision Notification (decision date 24/8/2021) 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: brianna.fyffe2@sa.gov.au

APPENDIX 1: SEB POINTS PER VEGETATION ASSOCIATION

The following table shows the SEB credit points deducted as a result of this decision from SEB area 2021/2014/520. The points will be updated on the Native Vegetation Credit Register.

Site Number	Vegetation Association	Andrew Fogden existing SEB points	Western Districts utilised SEB points	Andrew Fogden balance SEB points
1	KI 0501 <i>Eucalyptus cladocalyx, Eucalyptus fasciculosa, Eucalyptus cosmophylla +/- Eucalyptus obliqua</i> mid open woodland over <i>Bursaria spinosa ssp. spinosa, Leptospermum lanigerum, Xanthorrhoea semiplana ssp. tateana, Acacia paradoxa</i> shrubs over <i>Prostanthera spinosa</i> and <i>Pteridium esculentum</i> in good condition.	43.58	NA	43.58
2	KI 0301 <i>Eucalyptus baxteri, Eucalyptus obliqua, Eucalyptus cosmophylla</i> low open woodland over <i>Allocasuarina striata, Banksia marginata +/- Hakea rostrata +/- Allocasuarina muelleriana ssp. notocolpica</i> shrubs in good regenerative condition.	30.11	30.11	0
3	KI 0302 <i>Eucalyptus baxteri +/- Eucalyptus obliqua +/- Eucalyptus cosmophylla</i> low woodland over <i>Xanthorrhoea semiplana ssp. tateana, Hakea rostrata, Banksia marginata</i> shrubs in moderate post fire regenerative condition.	25.91	NA	25.91
4	KI 0501 <i>Eucalyptus cladocalyx, Eucalyptus fasciculosa, Eucalyptus cosmophylla +/- Eucalyptus obliqua</i> mid open woodland over <i>Bursaria spinosa ssp. spinosa, Leptospermum lanigerum, Xanthorrhoea semiplana ssp. tateana, Acacia paradoxa</i> shrubs over <i>Prostanthera spinosa</i> and <i>Pteridium esculentum</i> in good regenerative post fire condition.	0	0	0
5	KI 2501 <i>Leptospermum continentale, Acacia provincialis, Eucalyptus baxteri, Eucalyptus cosmophylla</i> mid shrubland over <i>Hakea rugosa, Melaleuca squamea, Sprengelia incarnata, Hakea rostrata</i> and <i>Gahnia sieberiana</i> sedges in good condition	93.99	NA	93.99
6	KI 0501 <i>Eucalyptus cladocalyx, Eucalyptus fasciculosa, Eucalyptus cosmophylla +/- Eucalyptus obliqua</i> mid open woodland over <i>Bursaria spinosa ssp. spinosa, Leptospermum lanigerum, Xanthorrhoea semiplana ssp. tateana, Acacia paradoxa</i> shrubs over <i>Prostanthera spinosa</i> and <i>Pteridium esculentum</i> in good regenerative post fire condition.	79.14	34.36	44.78
TOTAL		272.73	64.47	208.26

Native Vegetation Clearance Application



DECISION PLAN (1 of 1)




TO FORM PART OF THE DECISION TO THE NATIVE VEGETATION COUNCIL

APPLICATION NO. 2021/3091/520

HUNDRED of GOSSE

File Plan/Allotment D95087 A100

Certificate of Title CR 6198/781

-  **Conditional Consent**
-  **Property/Section Boundary**
-  **Road**

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

Imagery: Kangarooland_29May-17Jul2020

Date: 17 August 2021
 Version: 01
 Datum: GDA94



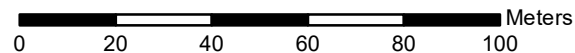
Delegate, Native Vegetation Council

Decision Date: 24/08/2021



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