



Native Vegetation Council

Reference: 2021/3202/781

Contact: Sharon Gillam
Telephone: 08 8463 6927

81-95 Waymouth St
ADELAIDE SA 5000

GPO Box 1047
Adelaide SA 5001

2 December 2021

Peter Hall
[REDACTED]

Ph| 08 8303 9777

nvc@sa.gov.au

DECISION NOTIFICATION

Application – 2021/3202/781

Dear Peter,

I refer to your application to the Native Vegetation Council for the clearance of native vegetation for a house site on your property at [REDACTED], Sceale Bay (CT5914/19). As part of your application, you requested a review and reduction of the required SEB payment to offset the clearance of native vegetation. The Native Vegetation Assessment Panel (NVAP) would like to thank you for attending its meeting held on Tuesday 30 November 2021.

At the meeting NVAP considered your personal circumstances and the work that has been undertaken in managing the vegetation within the Heritage Agreement area. Whilst NVAP is very supportive of your efforts to manage the vegetation, the Panel determined that the SEB has already been reduced to the absolute minimum possible and there is no basis for further reductions.

The NVAP has granted consent to the clearance applied for, subject to the conditions outlined on the attached Decision Notification. As detailed in the attached Decision Notification, you are required to sign and return the Decision Notification Acknowledgement form prior to undertaking any clearance.

Please contact Sharon Gillam via email Sharon.Gillam@sa.gov.au or phone 08 8463 6927 if you have any further questions.

Yours sincerely,

Vaughan Levitzke PSM
Chair, Native Vegetation Assessment Panel

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



DECISION NOTIFICATION Native Vegetation Regulations 2017

Application Number: 2021/3202/781

To: Peter Hall

Email: [REDACTED]

Date Received;

11/08/2021

Date Registered:

20/09/2020

Mobile: [REDACTED]

Applicant	Peter Hall
Landholder	Peter Hall
Purpose of application	Clearance required for construction of a new dwelling, associated infrastructure including a carport/garage, rainwater tanks, and CFS requirements.
Description of native vegetation under application	0.36 ha of native vegetation, consisting of <i>Eucalyptus gracilis</i> (Yorrell), <i>E. calcareana</i> (Nundroo Mallee), <i>E. oleosa</i> ssp. <i>ampliata</i> (Red Mallee) Mallee over Open Sclerophyll Shrubland and Chenopod Understorey
Location of the application	Hundred of Wrenfordsley Local Government Area: District Council of Streaky Bay Parcel ID & Title ID: D39887 A100 CT5914/19 [REDACTED], Sceale Bay SA 5680

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:

Grants consent to:

1. The relocation of the existing Exclusion Zone on HA 1133.1 to the proposed new location, in the area shown on the attached Decision Plan 2021/3202/781; and
2. The clearance of 0.36 ha of mallee heath shrubland, in the area shown on the attached Decision Plan 2021/3202/781 for the purpose of constructing a new dwelling, associated infrastructure and CFS requirements.

Reason for Decision:

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



Government
of South Australia

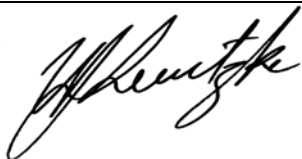
Conditions of approval

This approval is subject to the conditions specified below 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). Clearance must be limited to what is permitted in the approval, but only to the extent required to facilitate development in accordance with the development approval;
2. No clearance to occur until approval has been granted by the Native Vegetation Council to relocate the Exclusion Zone on Heritage Agreement 1133.1 from the existing location to the proposed new location, as shown on the attached Decision Plan 2021/3202/781;
3. Clearance to be confined to the areas on the attached Decision Plan 2021/3202/781 and in the submitted data report titled: Native Vegetation Clearance Proposal – Peter Hall New Dwelling, prepared by Matt Launer, dated 23 July 2021;
4. 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;
5. Prior to clearance commencing, the applicant must define the area 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;
6. The Significant Environmental Benefit requirement (equivalent to 19.56 SEB points) is to be achieved by making a payment of \$10,277.82 (\$9,742.01 – GST exclusive - for clearance and \$535.81 for administration – GST inclusive) to the Native Vegetation Fund, and is to be made within one month of invoice date. (Note the invoice will be sent once the attached form ‘Decision Notification acknowledgement’ is signed and returned);
7. 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;
8. 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;
9. 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;
10. 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	30/11/2021 (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: 2021/3202/781 **Peter Hall**
[Redacted] **Sceale Bay**
HA Exclusion Zone relocation and
New dwelling and CFS requirements

The applicant, and all parties to the decision, have received a copy of the Decision Notification (decision date 30/11/2021) 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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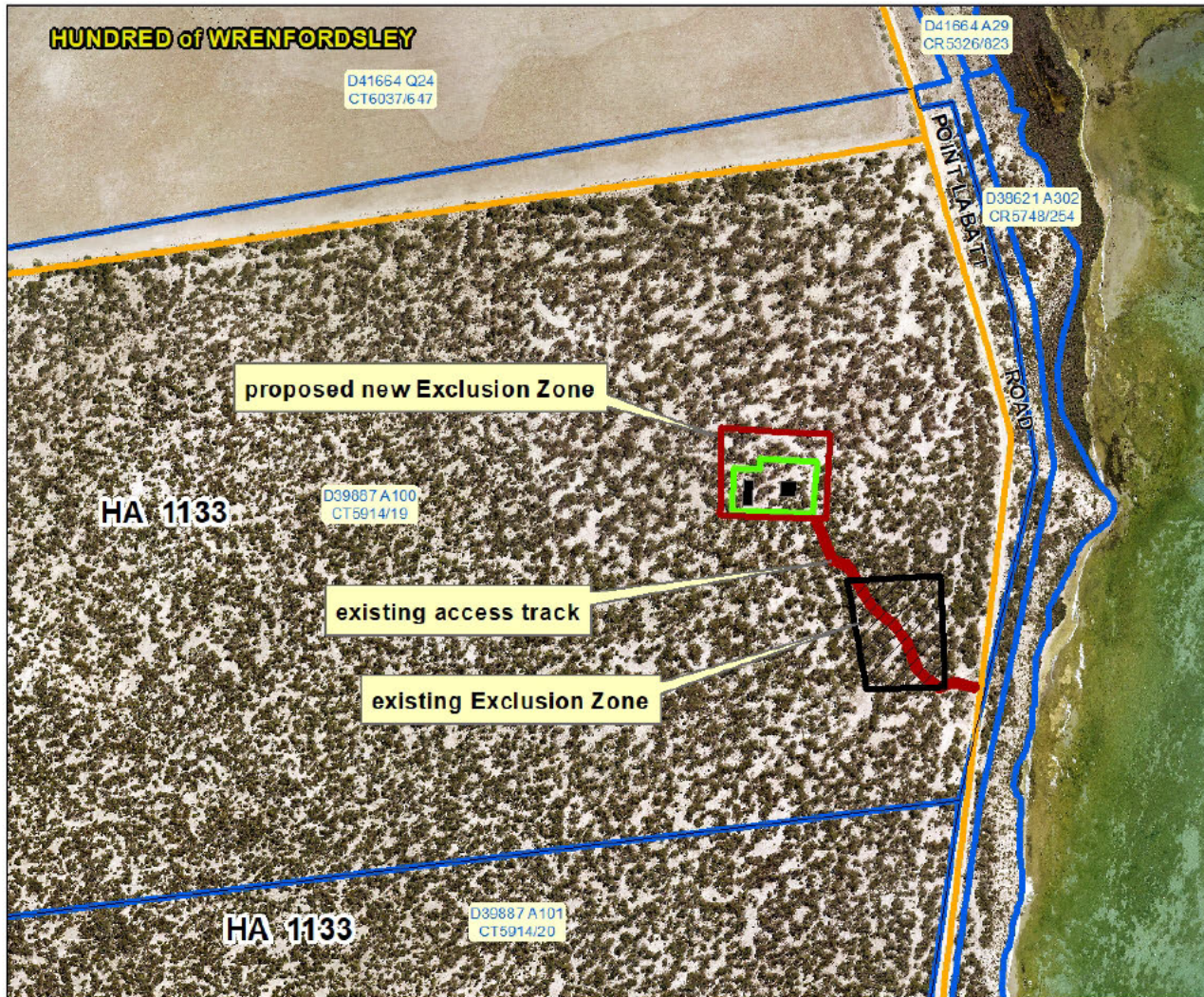
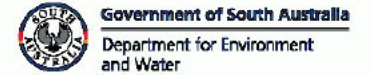
Date:

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: **sharon.gillam@sa.gov.au**

Native Vegetation Regulation Application Peter Hall - [REDACTED] Scale Bay (HA 1133.1)






DECISION PLAN

TO FORM PART OF THE DECISION TO THE
NATIVE VEGETATION COUNCIL

APPLICATION NO. 2021/3202/781

HUNDRED of WRENFORDSLEY

D39887 A100 CT5914/19

-  Conditional Consent (0.36 ha)
-  Property/Section Boundary
-  Road

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

Imagery: Latest_Imagery_ImageMapsSA

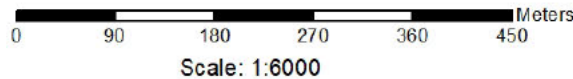
Date: 25/10/2021
Version: 01
Datum: GDA94

NVO: SG



Delegate, Native Vegetation Council

Dated: 30 November 2021



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47