



## DECISION NOTIFICATION Native Vegetation Regulations 2017

**Application Number: 2021/3143/822**

**To:** Andrew & Rebekah Rosser  
[REDACTED]  
St Peters SA 5069  
Email: [REDACTED]

**Date Received;** 14/06/2021  
**Date Registered:** 26/07/2020

Mobile: [REDACTED]

<b>Applicant</b>	Andrew & Rebekah Rosser
<b>Landholder</b>	1. Andrew & Rebekah Rosser 2. Grant High School Council Inc. (underground electricity cable)
<b>Purpose of application</b>	Clearance required for construction of a house, associated infrastructure and CFS requirements.
<b>Description of native vegetation under application</b>	1.036 ha native vegetation, including: <ul style="list-style-type: none"><li>• 0.746 hectares of <i>Leucopogon parviflorus</i> (Coast Beard-heath) +/- <i>Acacia longifolia</i> ssp. <i>sophorae</i> (Coastal Wattle) Tall Shrubland in moderate condition</li><li>• 0.290 hectares of <i>Acacia longifolia</i> ssp. <i>sophorae</i> (Coastal Wattle) and <i>Adriana quadripartita</i> (Coast Bitter-bush) Very Open Shrubland in poor condition.</li></ul>
<b>Location of the application</b>	Hundred of Waterhouse Local Government Area: District Council of Robe Parcel ID & Title ID: 1. H441800 S192 CT5481/64 (Rosser) 2. H441800 S517 CT5937/731 (Grant High School Council) [REDACTED] Douglas Dawson Track, Robe SA 5276

### 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. **Grants consent** to the clearance of 1.036 ha of coastal shrubland in moderate to poor condition, in the area shown on the attached Decision Plan 2021/3143/822 (Plan 1) 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.

### **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;  
*\*Note – it is acknowledged that Development Approval has been granted.*
2. Clearance to be confined to the areas on the attached Decision Plan 2021/3143/822 Plan 1 and in the submitted report titled: Native Vegetation Clearance Proposed New Dwelling, Rosser Property Robe, prepared by Peter Tucker, dated June 2020;
3. 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 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. Part of the Significant Environmental Benefit requirement (equivalent to 37.19 SEB points) is to be achieved by making a payment of \$33,225.45 (\$31,493.32 – GST exclusive - for clearance and \$1,732.13 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);
6. The landowner is to permanently set aside and actively manage an area of native vegetation totalling 3.104 ha (providing the balance of SEB points 20.58) as shown in the attached Plan numbered 2021/3143/822 Plan 2, for the growth of native vegetation and for no other purpose;
7. The landowner 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:
  - a. 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;
  - b. 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);
  - c. 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;

8. 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;
9. 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;
10. 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;
11. 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	Sarah Reachill, Manager
Position	<b>DELEGATE TO NATIVE VEGETATION COUNCIL</b>
Date	02/08/2021 (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:** 2021/3143/822      **Andrew & Rebekah Rosser**  
[REDACTED] **Douglas Dawson Track SA**  
**New dwelling and CFS requirements**

***The applicant, and all parties to the decision, have received a copy of the Decision Notification (decision date 02/08/2021) 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:

.....  
.....  
.....  
.....

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

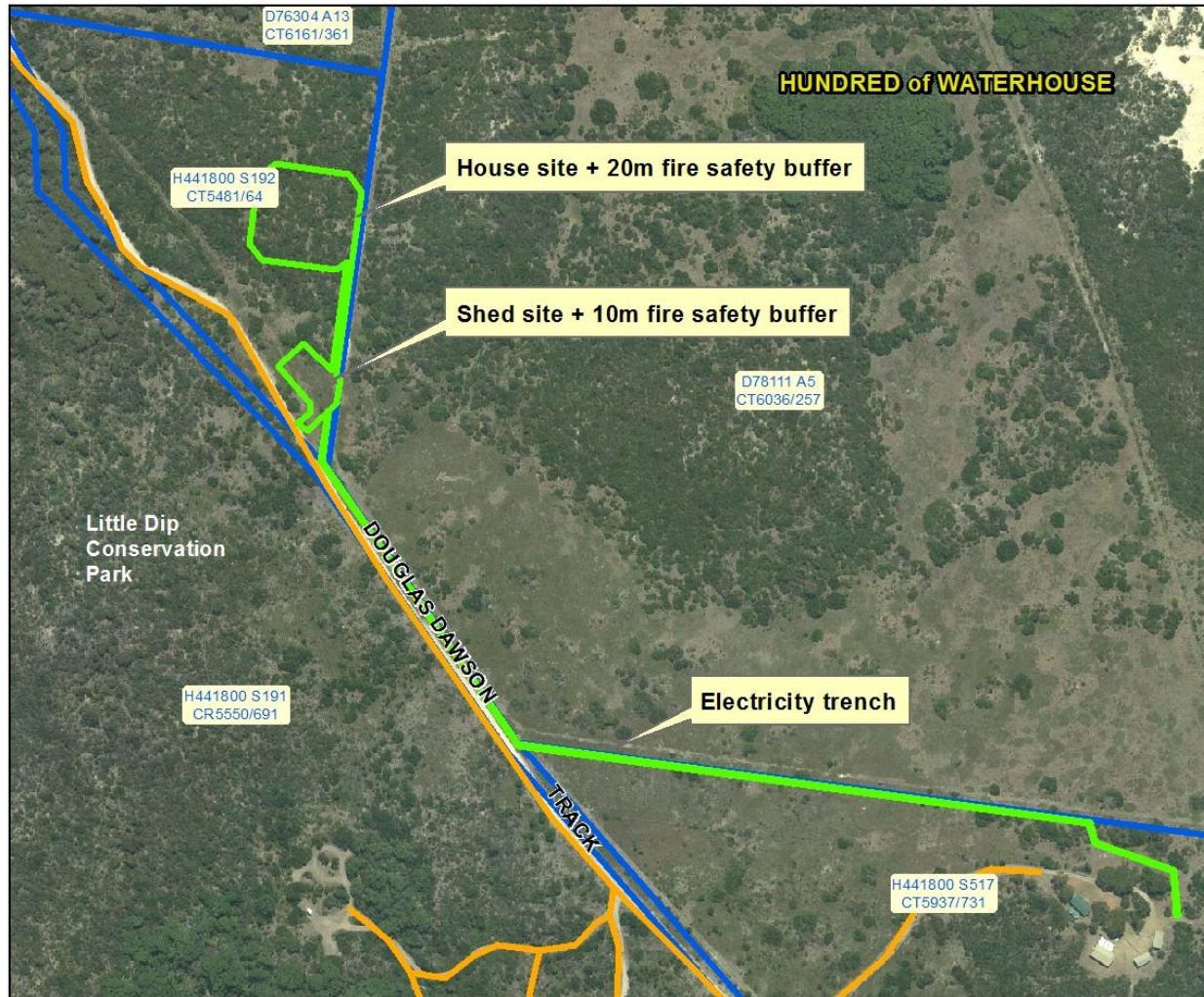
**Email:** sharon.gillam@sa.gov.au



# Native Vegetation Regulation Application A & R Rosser - Lot 192 Douglas Dawson Track, Robe



Government of South Australia  
Department for Environment  
and Water



## DECISION PLAN 1 of 2

TO FORM PART OF THE DECISION TO THE  
NATIVE VEGETATION COUNCIL

APPLICATION NO. 2021/3143/822

HUNDRED of WATERHOUSE

H441800 S192 CT5481/64  
H441800 S517 CT5937/731

-  Conditional Consent
-  Property/Section Boundary
-  Road

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

Imagery: Latest\_Imagery\_ImageMapsSA

Date: 27/07/2021  
Version: 01  
Datum: GDA94

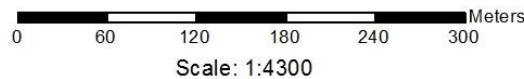
NVO: SG

Delegate, Native Vegetation Council

Dated: 02/08/2021



Native Vegetation Council



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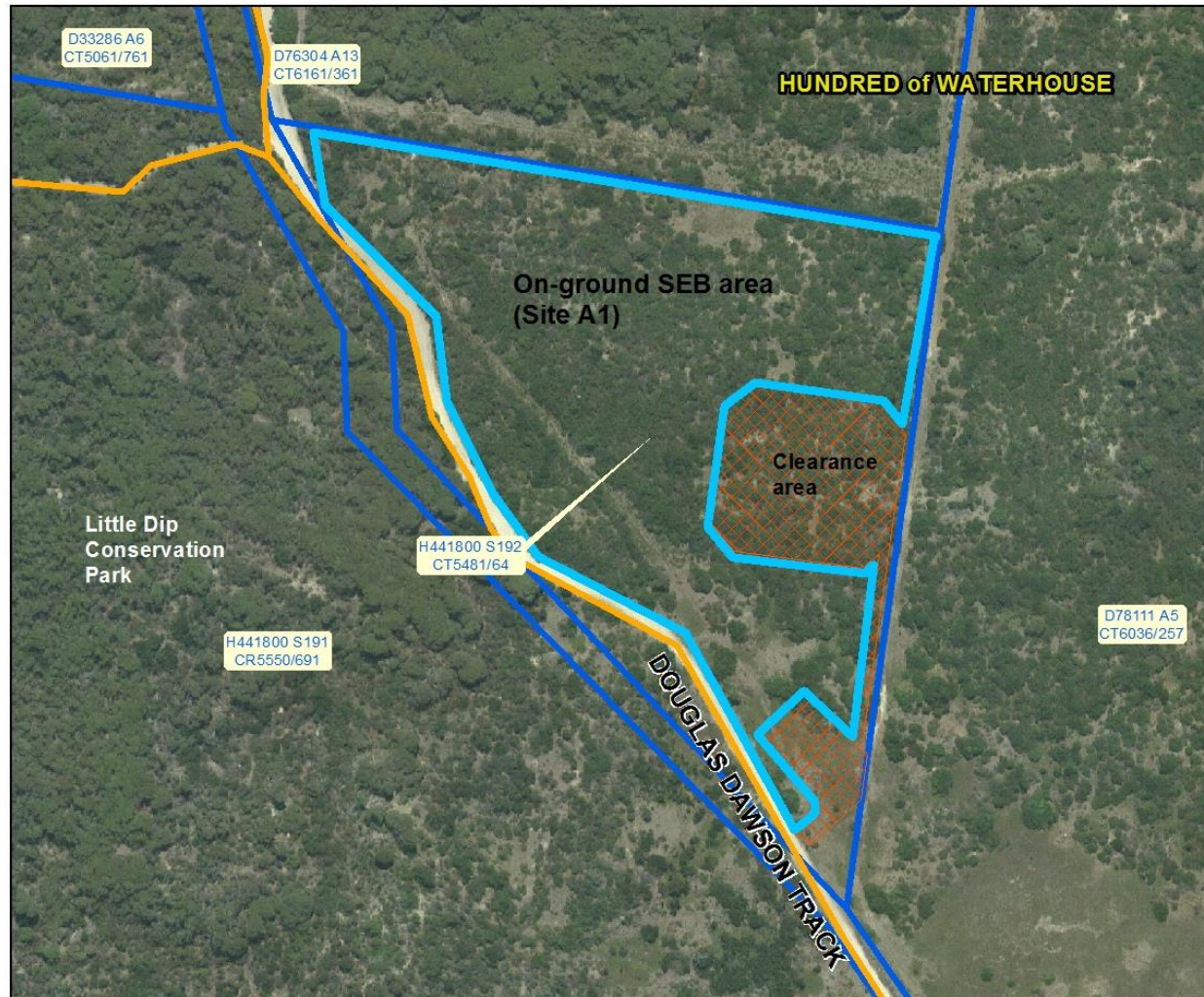




# Native Vegetation Regulation Application A & R Rosser - Lot 192 Douglas Dawson Track, Robe



Government of South Australia  
Department for Environment  
and Water



## DECISION PLAN 2 of 2

TO FORM PART OF THE DECISION TO THE  
NATIVE VEGETATION COUNCIL

APPLICATION NO. 2021/3143/822

HUNDRED of WATERHOUSE

H441800 S192 CT5481/64

-  Offset area
-  Property/Section Boundary
-  Road

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

Imagery: Latest\_Imagery\_ImageMapsSA

Date: 29/07/2021  
Version: 01  
Datum: GDA94

NVO: SG

Delegate, Native Vegetation Council

Dated: 02/08/2021



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