

**MINUTES OF LIMESTONE COAST SOUTHERN REGIONAL ASSESSMENT PANEL
HELD AT THE CITY HALL, , 10 WATSON TERRACE, MOUNT GAMBIER
ON TUESDAY, 20 DECEMBER 2022 AT 5.00 P.M.**

PRESENT: Mr Mark Teakle (Presiding Member), Mr Ian Von Stanke, Ms Meg Redman,
Ms Lamorna Alexander

OFFICERS IN ATTENDANCE: Assessment Manager - Mrs T Tzioutziouklaris
Executive Administrator, City of Mount Gambier - Mrs S Dohnt

OFFICERS AS OBSERVERS: Planning Consultant, Planning Chambers - Mr D Dawson
Building and Compliance Officer, DC of Grant - Mr Jake Turner
Team Leader Development Services, DC Grant - Mr John Best
Planning Officer, DC Grant - Mrs Trudy Glynn

1 ACKNOWLEDGEMENT OF COUNTRY

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR FIRST NATIONS PEOPLES HAVE WITH THE LAND.

2 APOLOGY(IES)

Nil

3 CONFIRMATION OF MINUTES

LIMESTONE COAST SOUTHERN REGIONAL ASSESSMENT PANEL RESOLUTION

Moved: Ian Von Stanke

Seconded: Lamorna Alexander

That the minutes of the Limestone Coast Southern Regional Assessment Panel meeting held on 15 November 2022 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

4 QUESTIONS WITHOUT NOTICE

5 INVITEES

- As from 1 October 2017, every Council is required to establish an Assessment Panel under provisions within the Planning, Development and Infrastructure Act 2016 to determine and make decisions on development applications as delegated to the Panel.
- When the Panel is considering an application, it must assess the proposal against the Planning and Design Code.
- The meeting itself is informal, however, all decisions made by the Assessment Panel are formal.

- Representors will be allocated 5 minutes to make their presentation, after which, Panel Members may ask questions to clarify any issues. It is solely a question and answer session. There will be no debate entered into.
- Council Officers will advise you of the decision as soon as practical after the meeting.

Invitees for Item 6.1 – 10 Milsteads Road, Port MacDonnell

The Representor, Richard Sage spoke at 5.02 p.m.

The Representor, Gretel Sneath spoke at 5.08 p.m.

The Applicant, Steve Moingard spoke at 5.21 p.m.

6 REPORTS

6.1 TOURIST FACILITY INCLUDING TOURIST ACCOMMODATION (20 GLAMPING TENTS), CAFÉ, ACTIVITY CENTRE, CAMP KITCHEN AND AMENITIES, OUTDOOR EVENT SPACE (100 PEOPLE), RECEPTION/SHOP AND ASSOCIATED CONSERVATION WORKS, UPGRADED AMENITIES, CARPORT, PARKING, SOLAR SYSTEM AND ENTRANCE GATES

LIMESTONE COAST SOUTHERN REGIONAL ASSESSMENT PANEL RESOLUTION

The Limestone Coast Regional Assessment Panel Moved:

1. That Limestone Coast Southern Regional Assessment Panel Report No. AR22/86549 titled 'Tourist facility including tourist accommodation (20 glamping tents), café, activity centre, camp kitchen and amenities, outdoor event space (100 people), reception/shop and associated conservation works, upgraded amenities, carport, parking, solar system and entrance gates' as presented on 20 December 2022 be noted.
2. It is recommended that the Limestone Coast Southern Regional Assessment Panel/SCAP resolve that:
 - (a) Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
 - (b) Development Application Number 22022947, by Stephen Moignard is **granted** Planning Consent subject to the following reasons/conditions/reserved matters:

CONDITIONS

1. Development shall be undertaken in accordance with the approved plans, except where varied by the following conditions.
2. The events and associated noise generating activities shall meet the requirements of the *Environment Protection (Noise) Policy 2007*.
3. A maximum of 6 events per year shall be hosted upon the subject land with a maximum of 100 guests. The proponent shall keep a register of events held upon the property, including the number of guests in attendance, for inspection of the Council upon request.

4. Any live or recorded entertainment at events held upon the land shall conclude at 10pm.
5. The site shall be maintained in a neat and tidy condition at all times, to the reasonable satisfaction of Council.
6. The carpark shall be surfaced with an all-weather material and designed to meet the relevant Australian Standard AS 2890.1.
7. A wastewater approval for all new septic systems and alterations to existing systems is required prior to the issuing of Full Development Approval.
8. Elevations of the ground mounted solar array shall be provided to the satisfaction of Council prior to the issue of Building Rules Consent for these structures.
9. A Community Event Management Plan is to be provided to the District Council of Grant identifying how waste, traffic, parking and noise is to be managed to minimise any nuisance within the subject locality prior to any event occurring on the subject land.

Conditions imposed by Native Vegetation Council under Section 122 of the Act

10. Prior to any clearance of native vegetation, the Native Vegetation Council must provide written confirmation that the Significant Environmental Benefit requirements under the Native Vegetation Act 1991 have been satisfied.
11. Clearance areas are to be defined with barriers, pegs, flags or temporary fencing to ensure that native vegetation outside the approved area is not damaged.
12. Native Vegetation and trees retained in close proximity to the construction activity zone are to be protected with barriers (i.e. fencing or flagging) in accordance with the Australian Standard for Protection of Trees on Development Sites AS 4970-2009;
13. Stockpiled materials, including cleared vegetation and excavated soil is not to be placed under native trees or on top of native understorey outside the approved area
14. Construction vehicles, equipment or materials are not to be stored or placed on top of native vegetation outside the approved clearance area
15. Construction vehicles, equipment or materials are not to be stored or placed within the Tree Protection Zone of retained trees
16. Pruning is to be conducted in accordance with the Australian Standard for Pruning Amenity Trees (AS4373-2007). Branches or limbs are to be cut cleanly back to the nearest fork

17. To offset the loss of any large, hollow bearing trees the landholder is to arrange for appropriate hollows from cleared trees to be carefully removed and relocated to a nearby suitable area.

ADVISORY NOTES

Advisory Notes imposed by Native Vegetation Council under Section 122 of the Act

1. The clearance of native vegetation must be undertaken in accordance with the approval of the Native Vegetation Council under the *Native Vegetation Act 1991* as set out in Decision Notification 2022/3292/732

Advisory Notes imposed by Minister responsible for the administration of the Heritage Places Act 1993 under Section 122 of the Act

2. Please note the following requirements of the Heritage Places Act 1993.
 - (a) If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity must cease and the SA Heritage Council must be notified.
 - (b) Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works. For further information, contact the Department for Environment and Water.
3. Please note the following requirements of the Aboriginal Heritage Act 1988.
 - (A) If Aboriginal sites, objects or remains are discovered during excavation works, the Aboriginal Heritage Branch of the Aboriginal Affairs and Reconciliation Division of the Department of the Premier and Cabinet (as delegate of the minister) is to be notified under section 20 of the *Aboriginal Heritage Act 1988*.

CARRIED

7 MOTIONS WITHOUT NOTICE

Nil

8 MEETING CLOSE

The Meeting closed at 7.04 p.m.

The minutes of this meeting were confirmed at the Limestone Coast Southern Regional Assessment Panel.

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PRESIDING MEMBER