

**MINUTES OF LIMESTONE COAST SOUTHERN REGIONAL ASSESSMENT PANEL
HELD AT THE LEVEL 1 COMMITTEE ROOM, CIVIC CENTRE, 10 WATSON TERRACE,
MOUNT GAMBIER
ON TUESDAY, 16 MAY 2023 AT 5.00 P.M.**

PRESENT: Mr Mark Teakle (Presiding Member), Mr Ian Von Stanke, Ms Lamorna Alexander, Ms Cheryle Pedler (virtual)

OFFICERS IN ATTENDANCE: Assessment Manager - Mrs T Tzioutziouklaris
Executive Administration - Mrs S Dohnt

OFFICERS AS OBSERVERS: Planning Consultant - Mr J Mason
Planning Officer, Wattle Range - Ms D Sampat
Planning Officer, Wattle Range - Mr R Shah

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)

COMMITTEE RESOLUTION

Moved: Mark Teakle

Seconded: Lamorna Alexander

That the apology from Ms Meg Redman be received.

CARRIED

3 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Lamorna Alexander

Seconded: Ian Von Stanke

That the minutes of the Limestone Coast Southern Regional Assessment Panel meeting held on 18 April 2023 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

4 QUESTIONS WITHOUT NOTICE

Nil

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.

6 REPORTS

6.1 DA23007343: 15A WALLACE STREET MOUNT GAMBIER SA 5290 - TOURIST ACCOMMODATION

COMMITTEE RESOLUTION

The Limestone Coast Southern Regional Assessment Panel Moved:

1. That Limestone Coast Southern Regional Assessment Panel Report No. AR23/29511 titled 'DA23007343: 15A Wallace Street Mount Gambier SA 5290 - Tourist Accommodation' as presented on 16 May 2023 be noted.
2. Having had regard to the provisions of the Planning and Design Code, the Application and all supporting documentation, the change of use of the dwelling for the purpose of 'Tourist Accommodation'
3. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having regard to the provisions of the Planning and Design Code, all documentation and representations received, it is considered that the application is NOT at variance with the provisions of the Planning and Design Code and consent is recommended subject to the following conditions:
 1. The development shall be carried out in accordance with the Plan/s as approved by Council and with the Conditions of Approval.
 2. Fast growing dense planting must be established along the northern boundary of the subject site so as to provide a screen/buffer between the subject land and the adjacent property at 13 Wallace Street, to the south.
 3. Landscaping shall be undertaken and maintained at all times. Should any tree, shrub, ground cover or other plant die, become diseased or otherwise fail to thrive at any time, it shall be forthwith replaced.
 4. 2.1 metre high fencing be constructed along the northern boundary with the height to be taken from the lower side.

General Notes

- 1) No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
- 2) Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.

- 3) This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.
- 4) Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).
- 5) A decision of the Commission in respect of a development classified as restricted development in respect of which representations have been made under section 110 of the Act does not operate—
 - a. until the time within which any person who made any such representation may appeal against a decision to grant the development authorisation has expired; or
 - b. if an appeal is commenced—
 - i. until the appeal is dismissed, struck out or withdrawn; or
 - ii. until the questions raised by the appeal have been finally determined (other than any question as to costs).

CARRIED

6.2 DA 894/280/2011 - EXTENSION OF TIME REQUEST (THIRD REQUEST) - 76 WIND TURBINES AN ASSOCIATED INFRASTRUCTURE

COMMITTEE RESOLUTION

The Limestone Coast Southern Regional Assessment Panel Moved:

- 1. That Limestone Coast Southern Regional Assessment Panel Report No. AR23/30127 titled 'DA 894/280/2011 - Extension of Time Request (Third Request) - 76 Wind Turbines an Associated Infrastructure' as presented on 16 May 2023 be noted.
- 2. That given the applicant has demonstrated they are pursuing the application and have had unforeseen interruptions to finalising it, it is considered reasonable to support the extension request for works to commence by 12 May 2026 and to be completed by 12 May 2028.

CARRIED

7 MOTIONS WITHOUT NOTICE

Nil

8 MEETING CLOSE

The Meeting closed at 5:31.

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

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PRESIDING MEMBER