

# DECISION NOTIFICATION FORM

Section 126(1) of the *Planning, Development and Infrastructure Act 2016*

## TO THE APPLICANT:

Name: Baillie Lodges Pty Ltd
Postal address: PO Box 596, AVALON NSW 2017
Email: <a href="mailto:joel@baillielodges.com.au">joel@baillielodges.com.au</a>

## IN REGARD TO:

Development application no.: 520/P004/18 V1	Variation lodged on: 7 November 2022
Nature of proposed development: Variation to previous development authorisation – Rebuild of Southern Ocean Lodge Resort – construction of an ancillary solar farm, battery storage, fire pump house, wastewater irrigation area and firebreak.	

## LOCATION OF PROPOSED DEVELOPMENT:

Street address: 390 Hansen Bay Road, Karatta, Kangaroo Island			
Allotment. 9	Plan: DP25953	CT Volume 6186	Folio 561

## DECISION:

Decision type	Decision	Decision date	No. of conditions	No. of reserved matters	Entity responsible for decision
Planning consent	GRANTED	4 May 2021	54	1	Minister for Planning and Local Government
Building consent	GRANTED	15 February 2022	1	NIL	Minister for Planning and Local Government
<b>Development Authorisation</b>	GRANTED	10 March 2022	54	NIL	Minister for Planning and Local Government
Variation – Solar farm and battery	GRANTED	4 April 2023	55	2	Minister for Planning

**FROM THE RELEVANT AUTHORITY:** Minister for Planning

Date: 4 April 2023



**NICK CHAMPION MP**  
**MINISTER FOR PLANNING**

## **PREAMBLE:**

- On 21 June 2005 the Minister for Urban Development and Planning made a declaration (the Declaration) under section 46 (1) of the *Development Act 1993* in relation to proposed development for the purposes of establishing or operating an eco-tourism accommodation lodge on land at Hanson Bay on Kangaroo Island (the Lodge).
- The Declaration was published in the *Gazette* on 23 June 2005 at page 1867.
- The major development proposal was the subject of a Public Environmental Report (PER) and an Assessment Report under sections 46 and 46C of the *Development Act 1993*.
- Notice of the Governor's decision to grant a development authorisation under section 48 of the *Development Act 1993* in respect of the Lodge was published in the *Gazette* of 19 October 2006 at page 3725.
- The Lodge commenced operation in March 2008, but was largely destroyed by bushfires in January 2020.
- The Lodge's original proponent, Bailey Lodges Pty Ltd (the proponent), has proposed to rebuild the Lodge substantially as it was before it was destroyed.
- The Minister for Planning and Local Government made a variation to the Declaration under sections 46(4) and 46(5) of the *Development Act 1993* to allow the PER and Assessment Report relied on for the purposes of the original development authorisation to be updated to cover the rebuilding of the Lodge, so as to ensure the assessment process for the rebuilding could be conducted efficiently but without compromising the integrity of the process. The variation to the declaration was published in the *Gazette* on 24 December 2020 (p 6240).
- By letter dated 6 January 2021, the proponent sought development authorisation in respect of development for the purposes of rebuilding the Lodge substantially as it was before it was destroyed and operating it once it has been rebuilt (the proposed major development, or the development).
- The proposed major development has been the subject of an Amendment to the PER and an Amendment to the Assessment Report under section 47 of the *Development Act 1993*.
- On 4 May 2021, the Minister for Planning and Local Government approved a variation to the previous development authorisation, having regard to all relevant matters under section 48 (5) of the *Development Act 1993*. The variation to the development authorisation was published in the *Gazette* on 13 May 2021 (p 1381).
- On 15 February 2022, BuildServ (Building Surveyors and Consultants) issued a certificate of compliance with the Building Rules, pursuant to section 235(1) of the *Planning, Development and Infrastructure Act 2016*, and Regulation 61 of the *Planning, Development and Infrastructure (General) Regulations 2017*.
- On 10 March 2022, a final development authorisation was issued by the delegate of the Minister for Planning and Local Government.
- On 7 November 2022, Bailey Lodges Pty Ltd lodged a variation request for the construction of an ancillary solar farm, battery storage, fire pump house, wastewater irrigation area and firebreak and the deletion of the additional perimeter fire break on the outside of the site boundary fence.
- On 4 April 2023, the Minister for Planning approved a variation to the previous development authorisation, having regard to all relevant matters under section 115(8) of the *Planning, Development and Infrastructure Act 2016*.

## **RESERVED MATTERS:**

1. Final plans and specifications (including layout plans, elevations and cross-sections) for the extension of the Generator Room and for the Fire Pump House.
2. Compliance with the Building Rules in relation to the solar farm, battery storage facility (including extension of the Generator Room) and Fire Pump House (refer to advisory notes below for further information).

## **CONDITIONS OF PLANNING CONSENT:**

1. Except where minor amendments may be required by other legislation or by conditions imposed herein, the proposed major development shall be undertaken in accordance with:
  - (a) drawings in the design package titled 'Southern Ocean Lodge Rebuild and Enhancements 2020', prepared by Max Pritchard Gunner Architects, dated 01/12/2020, including:
    - Site Plan (Scale 1:1500)
    - Layout Plan – Spa Retreat: Gym & Pool (Scale 1:200).
    - Layout Plan – Ocean Pavilion (Scale 1:200).
    - Layout Plan – Accessible Flinders Suite and Flinders Suite (Scale 1:100).
    - Layout Plan – Remarkable Suite 01: 1 & 2 Bedroom (Scale 1:200).
    - Layout Plan – Remarkable Suite 02: 1 & 2 Bedroom (Scale 1:200).
    - Layout Plan – Osprey Suite (Scale 1:100)except to the extent they may be varied by the final approved plans and specifications below;
  - (b) the following documents:
    - Development application, dated 6 January 2021 (except to the extent that it may be varied by a subsequent document in this paragraph).
    - Amended Public Environmental Report, Southern Ocean Lodge prepared by Baillie Lodges and Parsons Brinkerhoff dated February 2021 (original dated 24 March 2006) (except to the extent that it may be varied by a subsequent document in this paragraph).
    - Assessment Report prepared by the Minister for Urban Development and Planning dated September 2006, as amended by the Amendment to Assessment Report prepared by the Minister for Planning and Local Government dated March 2021;

(c) the final approved plans and specifications (except to the extent that it may be varied by a subsequent document in this paragraph):

- Max Pritchard Gunner Architects
  - Site plans set 01-100 to 01-102 (4 Sheets, including cover), dated December 2021
  - Floor, Section, Elevations etc set 02-101 to 02-800 (86 Sheets, including cover) dated December 2021
  - Suite and Room details set 100 to 732 (148 Sheets, including cover) dated December 2021
  - Ocean Pavilion set 101 to 802 (75 sheets, including cover) dated December 2021
  - Spa set 101 to 802 (54 sheets, including cover) dated December 2021
  - Staff Accommodation set 06.1-101 to 06.1-701 (39 sheets, including cover) dated December 2021
  - SOL 2 - General Specification dated 2022/02/09 Rev A
- Meinhardt / BSP Design
  - Fire Services Drawings set 1653-FG-100 to 1653-FG\_341 (68 sheets, including cover) dated January 2022
  - Fire Engineering Performance Solution Report – SOL -0 Report 1653.FE3 dated 31 January 2022 Final.
- PT Design – Full Calculation Set – Project 22327 dated 24 January 2022
- Southern Ocean Lodge – Emergency Response Procedures (6 pages)
- Southern Ocean Lodge – Operational Fire Safety Plan (24 pages)
- Stantec – SOL – NCC Section J Compliance Report – dated 19 January 2022
- Baillie Lodges – Letter to Buidserv – Performance Solutions – dated Feb 2022
- Southern Ocean Lodge - Construction Environmental Management and Monitoring Plan (CEMMP) – including CEMIP - dated 14 December 2021

(d) the following documents:

- Variation application, dated 7 November 2022 (except to the extent that it may be varied by a subsequent document in this paragraph).
  - Attachment 1: Site Plans – SOL SCAP Variation – Sheets SC1 to SC4, dated November 2022.
  - Attachment 2: Solar Panel Specifications.
  - Attachment 3: Battery Storage Specification.
  - Heritage Agreement Plans – Sheets 131 and 132, dated November 2022.

2. No building works related to the approved variation of the development may commence until a favourable decision has been notified to the applicant by the Minister or the Minister's delegate in respect of the reserved matters referred to above and until a final development authorisation under section 115(8) of the Act is granted.
3. Unless otherwise specifically provided for in these conditions or otherwise agreed to in writing with the Minister for Planning, all costs necessary for compliance with these conditions shall be met solely by the proponent.
4. Should the development cease during the period between the commencement of earthworks and final completion, the proponent shall undertake all necessary steps to reinstate the land and make good any damage or disturbance.
5. All works and site activities during construction and post-construction remediation shall be undertaken in accordance with the approved Construction Environmental Management and Monitoring Plan (CEMMP).
6. The CEMMP shall be monitored to ensure the implementation of mitigation measures for the predicted impacts and be reviewed on a regular basis to ensure the measures are effective. A report on the outcomes of each review shall be provided to the Department for Trade and Investment - Planning and Land Use Services.
7. Council, utility or state agency maintained infrastructure that is demolished, altered, removed or damaged during the construction of the development shall be reinstated to Council, utility or state agency specifications as applicable. All costs associated with these works shall be met by the proponent.
8. Roof stormwater during the construction phase must be piped to water storage tanks or discharged at least 5 metres away from buildings, any septic systems or site boundaries and without damage to the surrounding land and flora.
9. Revegetation of impacted areas shall be undertaken as soon as possible following construction. Biomattening or mulching on cleared areas shall occur until revegetation is established.
10. During construction and while the development is operating, all liquids or chemical substances that have the ability to cause environmental harm must be stored within a bunded compound that has a capacity of at least 120% of the volume of the largest container, in accordance with the EPA 'Bunding and Spill Management Guidelines' (2016).
11. The Kangaroo Island Council shall be given seven (7) days written notice by the proponent prior to the commencement of works associated with the construction of the development, and be provided with the contact details for the person responsible for coordinating the works and ongoing operation covered by this approval.
12. An Operational Environmental Management and Monitoring Plan (OEMMP), which identifies measures to manage and monitor potential impacts during operation of the development, shall be submitted for assessment and approval by the Minister for Planning (or delegate), prior to commencement of operations.
13. The development shall be operated in accordance with the approved OEMMP.

14. The OEMMP shall be monitored to ensure the implementation of mitigation measures for the predicted impacts and be reviewed at regular intervals and updated where necessary, to ensure the measures are effective or when a significant change in project scope and/or performance is detected. A report on the outcomes of each review shall be provided to the Department for Trade and Investment - Planning and Land Use Services.
15. Pedestrian access arrangements over Crown land and management of its impacts shall be in accordance with the requirements of the Department for Environment and Water. The beach shall remain unobstructed for public access.
16. All stormwater runoff from car parking areas, driveways and other hard surfaced areas shall be collected, contained, treated as necessary, and disposed of in a stormwater management system so that there is no contamination of water resources (surface or underground).
17. The restaurant shall not be open to the general public.
18. The helipad shall only be used for emergencies and for the transportation of guests subject to the following conditions:
  - (a) The helipad shall be used in accordance with the Helicopter Management Plan dated 11 May 2009.
  - (b) All approaches and take-offs shall be to the north of the helipad (as indicated in the aerial photograph attached to the Helicopter Management Plan showing acceptable flight paths), and flight paths over the coastline shall be avoided in all situations.
  - (c) All flight movements into and out of the helipad shall be approved by Southern Ocean Lodge in advance.
  - (d) Southern Ocean Lodge shall advise helicopter pilots of the conditions of helipad use prior to any flight into or out of Southern Ocean Lodge (through the provision of an information sheet).
  - (e) Flight movements into and out of the helipad (other than emergency movements) shall not exceed 24 in any calendar year (1 movement = 1 landing and 1 take off). Each flight movement shall be monitored, recorded and reported in the OEMMP.

#### Native Vegetation Council

19. Prior to the commencement of commercial operations, the proponent shall provide a definitive statement from the Native Vegetation Council, that the requirements of the *National Vegetation Act 1991*, in respect to the provision of a Significant Environmental Benefit (SEB) and finalisation of a Heritage Agreement over the remainder of the property (subject of the previous major development declaration), have been agreed to the reasonable satisfaction of the Minister for Planning.
20. Prior to the commencement of construction of the solar farm and battery storage system, the proponent shall provide a definitive statement from the Native Vegetation Council, that the requirements of the *National Vegetation Act 1991*, in respect to the provision of a Significant Environmental Benefit (SEB) and finalisation of a Heritage Agreement that specifically relates to the approved variation, have been agreed to the reasonable satisfaction of the Minister for Planning.

#### South Australian Country Fire Service (CFS) Conditions

21. Given the location of the development is considered high risk due to the vulnerable nature of tourists, the development shall be constructed to a standard no lower than BAL (Bushfire Attack Level) 29.
22. Access to the development once it is operational shall be of all-weather construction, with a minimum formed road with surface width of 6 metres, and must allow forward entry and exit for large fire-fighting vehicles.
23. The all-weather road shall allow fire-fighting vehicles to safely enter and exit the site in a forward direction by incorporating either:
  - (a) A loop road around the buildings, or
  - (b) A turning area with a minimum radius of 12.5 metres, or
  - (c) A 'T' or 'Y' shaped turning area with a minimum formed length of 11 metres and minimum internal radii of 9.5 metres.
24. Given the length of the access road and hazard present, the access road shall provide opportunities for large vehicles to turn around at 200 metres intervals and within 30 metres of habitable buildings (or as otherwise agreed by the CFS).
25. The access road shall have minimum internal radii of 9.5 metres on all bends.
26. Overstorey vegetation overhanging the access road shall be kept pruned to achieve a minimum vehicular clearance of not less than 6 metres in width and a vertical height clearance of 4 metres.
27. Understorey vegetation either side of the access road shall be reduced and kept to a maximum height of 30 cm for a distance of 3 metres (or as otherwise agreed by the CFS).
28. A minimum supply of 100,000 litres of water shall be dedicated and available at all times for bushfire response purposes times once the development is operational. Consequently, the bushfire fighting water storage facility, and all water supply outlets, pipes, pumps, connections, hoses and other infrastructure and equipment for bushfire fighting shall be in place and operational prior to the development becoming operational.
29. The bushfire fighting water storage facility (and any support structure) shall be constructed of non-combustible material and shall be clear of vegetation for a distance of at least 10 metres.

30. The bushfire fighting water supply storage facility shall be clearly identified and fitted with at least one outlet of at least 50mm diameter terminating with a compliant SA CFS fire service adapter, which shall be accessible to bushfire fighting vehicles at all times.
31. The water supply outlet(s) shall be easily accessible and clearly identifiable from the access road and at a distance of no greater than 30 metres from the habitable buildings (or as otherwise agreed by the CFS).
32. The dedicated fire fighting water supply storage facility and its location shall be identified with suitable signage (i.e. blue sign with white lettering "FIRE WATER").
33. Access for fire-fighting vehicles to the dedicated fire fighting water supply shall be of all-weather construction, with a minimum formed road surface width of 3 metres, to be constructed prior to the commencement of operations.
34. Prior to the commencement of operations a flat hardstand area (capable of supporting fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes) shall be constructed adjacent to the fire fighting water supply at a distance equal to or less than 6 metres from the water supply outlet.
35. Water storage outlets shall be positioned so that an SA CFS appliance can easily connect to it rear facing.
36. A gravity fed water supply outlet can be remotely located from the storage facility to provide adequate access.
37. All non-metal water supply pipes for bushfire fighting purposes (other than flexible connections and hoses for fire-fighting) shall be buried below ground to a minimum depth of 300mm with no non-metal parts above ground level.
38. All water supply pipes for draughting purposes shall be capable of withstanding the required pressure for draughting.
39. The dedicated fire-fighting water supply for delivery to fire hose reels shall be pressurised by a pump that is adequate with respect to the site layout and delivery requirements to achieve a minimum of .33 L/s at the nozzle, and operates independently of mains electricity.
40. The dedicated fire-fighting water supply pump shall be located such that the operator's safety is assured when operating the pump during a bushfire. Due to the extensive site layout and the likelihood of the pump being located at a distance from the fire hose reel, a remote and/or automatic start feature shall be incorporated.
41. The fire-fighting pump and any flexible connections to the water supply shall be protected by a non-combustible cover that allows adequate air ventilation for efficient pump operation.
42. All bushfire fighting water pipes and connections between the water storage facility and a pump shall be no smaller in diameter than the diameter of the pump inlet.
43. A fire-fighting hose (or hoses) shall be located so that all parts of the buildings are within reach of the nozzle end of the hose and if more than one hose is required, they shall be positioned to provide maximum coverage of the buildings and surrounds (i.e. at opposite ends of a building).
44. All fire-fighting hoses shall be capable of withstanding the pressures of the supplied water.
45. All fire-fighting hoses shall be of reinforced construction manufactured in accordance with AS 2620 or AS 1221.
46. All fire-fighting hoses shall have a minimum nominal internal diameter of 18mm and a maximum length of 36 metres.
47. All fire-fighting hoses shall have an adjustable metal nozzle, or an adjustable PVC nozzle manufactured in accordance with AS 1221.
48. All fire-fighting hoses shall be readily available at all times once the development is operational.
49. A vegetation management zone (VMZ) shall be established prior to the commencement of operations, and maintained thereafter, within 20 metres of the habitable buildings (or the property boundaries – whichever comes first) as follows:
  - (a) Low threat species, planted in a mosaic pattern in clumps no greater than 3m<sup>2</sup> and separated by rubble/concrete paths/gaps minimum 1m in width.
  - (b) Species are considered low threat if they are kept in optimum health, and therefore shall be irrigated and dead material shall be removed and grasses cropped to 100mm in fire danger season.
  - (c) Ground covers and small shrubs, whilst low threat, are notorious for accumulating dead leaf litter from neighbouring hazardous species, and therefore the area shall be kept free from dead and accumulated vegetation.
  - (d) Vegetation within the VMZ shall not provide a continuous pathway from the adjoining hazard to the buildings; therefore, no vegetation is permitted within 1m of the structure or the adjoining hazard.
50. A Bushfire Buffer Zone ('B Zone') shall be established prior to the commencement of operations, and maintained thereafter, for a distance of 70 metres (or such lesser distance, not less than 20 metres, as may be reasonably acceptable to the CFS, depending on the nature of vegetation management and whether sprinklers are installed for fire management) as a buffer between the VMZ and the surrounding bush.
51. Prior to the commencement of operation, the proponent shall prepare and implement a Bushfire Survival Plan (BSP) and an Emergency Response Plan (ERP) to the reasonable satisfaction of the CFS. The BSP shall be designed specifically for the

purpose of any guests who may be in residence during a bushfire event and be prepared in accordance with the SA CFS 'Bushfire Safety and Survival for Business and Organisations' document (as updated or substituted from time to time). The BSP shall:

- (a) Give clear directions to persons who may be unfamiliar with the area/locality and unfamiliar with what protective actions they may need to take to protect their lives and safety during a bushfire event, including when to take such protective actions.
  - (b) Not expect guests to be involved in fire-fighting operations.
  - (c) Be on display for guests.
52. The BSP and ERP shall be reviewed annually and submitted to the CFS for approval, prior to the commencement of each fire danger season.
53. Due to the high risk location, the proponent shall implement a 'leave early' approach for guests and staff, as a 'stay and defend' strategy poses an unacceptable risk to life. In addition, the proponent shall consider reducing operating hours and restricting activities on days of heightened fire risk or bushfire events.
54. The proponent shall ensure that onsite staff have adequate training, including through the implementation of a skills maintenance schedule, for first attack firefighting, site specific systems and evacuation procedures. This shall be to the reasonable satisfaction of the CFS.
55. A Manifest Box shall be installed at the entrance of the property. The Box shall be red and marked with white writing 'Fire Protection system' (or similar) and be clearly visible to fire crews as they access the property. The Box shall contain a site plan highlighting vehicle access, turning ability, building location, water supply (i.e. fill locations), fire protection equipment and on-site hazards or storage of dangerous materials (i.e. LPG, fuels or chemicals). A list of emergency contact phone numbers shall also be included. The Box shall be designed to the reasonable satisfaction of the CFS.

#### **CONDITIONS OF BUILDING CONSENT:**

1. The operating policy to not allow guests under the age of 10 years of age shall continue to apply for the operating life of the facility. Should this policy cease to apply for any reason, all swimming pools and spas will be required to be protected, prior to any further occupation of the facility, by swimming pool safety barriers complying with AS1926 'Swimming Pool Safety' current at the time the change in policy takes place BCA-G1.1

#### **ADVISORY 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. The proponent shall have substantially commenced the works herein approved on site not later than 4 May 2023 and completed the development not later than 4 May 2026, failing which an extension of time may be sought from the Minister for Planning or the authorisation may be cancelled.
3. A decision on Building Rules will only be made after a Building Rules assessment and certification has been undertaken and issued by a private certifier, in accordance with the provisions of the *Planning, Development and Infrastructure Act 2016*, and after the Minister for Planning receives a copy of all relevant certification documentation, as outlined in Regulation 61 of the *Planning, Development and Infrastructure (General) Regulations 2017*.
4. Pursuant to Regulation 61 of the *Planning, Development and Infrastructure (General) Regulations 2017*, the proponent is advised that a private certifier conducting a Building Rules assessment must:
  - (a) provide to the Minister a certification in the form set out in the Regulations in relation to the building works in questions; and
  - (b) to the extent that may be relevant and appropriate:
    - i. issue a schedule of essential safety provisions;
    - ii. assign a classification to the building under these regulations; and
    - iii. ensure that the appropriate levy has been paid under the *Construction Industry Training Fund Act 1993*.
5. A private certifier undertaking the Building Rules assessment must ensure that the assessment and certification are consistent with this provisional development authorisation (including any conditions or advisory notes that apply in relation to this provisional development authorisation).
6. The proponent's CEMMP and OEMMP should be prepared taking into consideration, and with explicit reference to, relevant Environment Protection Authority policies and guideline documents, including but not limited to:
  - Environment Protection (Air Quality) Policy 2016.
  - Environment Protection (Noise) Policy 2007.
  - Environment Protection (Water Quality) Policy 2015.
  - Environment Protection (Waste to Resources) Policy 2010.

- Environment Protection Authority Bunding and Spill Management Guideline 2016.
- Environment Protection Authority Handbooks for Pollution Avoidance.
- Environment Protection Authority Stormwater Pollution Prevention Code of Practice for the Building and Construction Industry 1999.
- Environment Protection Authority guideline 'Construction environmental management plan (CEMP) 2019'.
- any other legislative requirements, Guidelines and Australian Standards requiring compliance.

The following management and monitoring plans may be incorporated into the CEMMP or OEMMP as appropriate:

- Vegetation Monitoring and Management Plan.
  - Site Construction Monitoring and Management Plan.
  - Stormwater Monitoring and Management Plan.
7. All works and activities will need to be undertaken in accordance with the general environmental duty as defined in Part 4, section 25(1) of the *Environmental Protection Act 1993* (which requires that a person must not undertake any activity which pollutes, or may pollute, the environment, without taking all reasonable and practical measures to prevent or minimise harm to the environment), and all other relevant obligations and duties under the *Environmental Protection Act 1993*.
  8. The proponent is reminded of its obligation under the *Aboriginal Heritage Act 1988* whereby any "clearance" work, which may require permission to disturb, damage or destroy Aboriginal Sites, must be undertaken with the full authorisation of the Minister for Aboriginal Affairs and Reconciliation, according to section 23 of the Act.
  9. The proponent, and all agents, employees and contractors, such as construction crew, are reminded of the need to be conversant with the provisions of the *Aboriginal Heritage Act 1988*, particularly the requirement to immediately contact the Attorney-General's Department - Aboriginal Affairs and Reconciliation in the event that archaeological items (especially skeletal material) are uncovered during earthmoving.
  10. The proponent is reminded of its obligations under the *Native Vegetation Act 1991* and the *Native Vegetation Regulations 2017* whereby any native vegetation clearance must be undertaken in accordance with a management plan that has been approved by the Native Vegetation Council that results in a significant environmental benefit on the property where the development is being undertaken, or a payment is made into the Native Vegetation Fund of an amount considered by the Native Vegetation Council to be sufficient to achieve a significant environmental benefit in the manner contemplated by section 21(6) of the *Native Vegetation Act 1991*, prior to any clearance occurring.
  11. The proponent is reminded that, under the *National Parks and Wildlife Act 1972*, permits are required for the 'taking of protected animals', such for the capture and relocation of animals during construction and the destruction or relocation of animals during operation.
  12. The proponent is reminded of its obligations under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*, not to undertake any activity that could have a significant effect on any matter of National Environmental Significance without the approval of the Commonwealth Minister for the Environment.
  13. The wastewater treatment system shall be designed and operated by the proponent to ensure that the general obligations of the Environment Protection (Water Quality) Policy 2015 and the SA Health On-site Wastewater Systems Code (April 2013) are met, and to ensure that effluent does not overflow or escape from drains, pipes, sumps, tanks, storage/treatment basins into any watercourse, or into stormwater drains which do not drain into the effluent collections, treatment and disposal system, except where the effluent complies with criteria in the above Policy.
  14. Should the proponent wish to vary the Impact Assessed Provisional Development authorisation, an application to the Minister for Planning must be submitted, provided that the variation remains within the ambit of the Public Environmental Report (now Environmental Impact Statement) and Assessment Report referred to in this provisional development authorisation. If a variation involves substantial changes to the proposal, the proponent may be required to prepare an amended EIS for public consultation.
  15. The Minister has a specific power to require testing, monitoring and auditing under section 117 of the *Planning, Development and Infrastructure Act 2016*.

## **BUILDING ADVISORY NOTES:**

1. Refer to Certificate of Compliance advisory notes issued by BuildServ dated 15 February 2022.

**INFORMATION TO BE INCLUDED ON DECISION TO GRANT DEVELOPMENT APPROVAL  
PURSUANT TO SECTION 99(4) OF THE ACT**

**CONTACT DETAILS OF CONSENT AUTHORITIES:**

Name: Minister for Planning	Type of consent: Provisional Development Authorisation
Postal Address: GPO Box 1815	
Telephone: 08 7109 7060	Email: <a href="mailto:scapadmin@sa.gov.au">scapadmin@sa.gov.au</a>