

DEVELOPMENT ACT 1993

SECTION 48(8)

*Notice of Delegation**Preamble*

1. On 21 June 2005 the Minister for Urban Development and Planning made a 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 (the Lodge) on land at Hanson Bay on Kangaroo Island (the Declaration). The Declaration was published in the *Gazette* on 23 June 2005 at p.1867.
2. On 19 October 2006 the Governor granted provisional development authorisation in relation to the Lodge. The development authorisation was varied a number of times, most recently on 12 November 2012. The Lodge was opened to the public in 2008.
3. The Lodge has been destroyed by bushfire and the owner is proposing to rebuild it substantially as it was before it was destroyed.
4. The Minister for Planning and Local Government has pursuant to section 46(4) and 46(5) of the *Development Act 1993*, varied the Declaration to allow the PER and Assessment Report relied on for the purposes of the development authorisation to be updated to cover the rebuilding of the Lodge so as to ensure the assessment process for the rebuilding can be conducted efficiently but without compromising the integrity of the process.
5. It is appropriate to delegate to the Minister for Planning and Local Government my power to make a decision on an application for development authorisation in relation to the rebuilding of the Lodge and certain of my other powers arising under section 48 of the *Development Act 1993*.

NOTICE

PURSUANT to section 48(8) of the *Development Act 1993* and with the advice and consent of the Executive Council, I delegate to the Minister for Planning and Local Government my powers under section 48 of the *Development Act 1993* as follows:

- (a) the power to grant a development authorisation for development for the purposes of rebuilding the Lodge, following its destruction by bushfire in 2019-2020 substantially as it was before it was destroyed, or operating it once it has been rebuilt (which development authorisation may be provisional, reserving a decision on a specified matter or specified matters until further assessment); and
- (b) the power to attach to a development authorisation so granted any conditions the Minister for Planning and Local Government may determine should be so attached (including conditions that must be complied with in the future); and
- (c) the power to refuse approval to such development; and
- (d) if a development authorisation so granted is a provisional development authorisation, the power to make a decision on any reserved matter or matters; and
- (e) the power from time to time to vary (or to refuse to vary) a development authorisation so granted (but not so as to authorise development other than for the purposes of rebuilding the Lodge substantially as it was before its destruction or operating it once it has been rebuilt); and
- (f) in relation to a development authorisation so granted or a variation of such a development authorisation, the power from time to time to vary or revoke conditions, or to attach new conditions.

Given under my hand at Adelaide.

Dated: 21 January 2021

HIEU VAN LE
Governor
