



Minutes of Meeting

Meeting No. 136

Date	Thursday, 2 February 2023
Venue	Inparri Kuu Seminar Room, Level 9, 83 Pirie Street and Microsoft Teams
Members	Craig Holden (Chair), Stuart Moseley, Elinor Walker, Stephanie Johnston, Sally Smith (Ex Officio)
Apologies	Noelle Hurley
DTI Staff	Kate Southcott, Margaret Smith, Troy Fountain, Paul Bennett, Brett Steiner, Cherie Gill, Chris Rudd, Grant Croft, Nadia Gencarelli, Chelsea Lucas, Jessica Koop, Ben Sieben, Brett Miller, Robert Kleeman, Simon Neldner, Steven Murphy
External	Item 5.1 Deputation: Craig Rowe, C L Rowe and Associates Pty Ltd Workshop 1 Greater Adelaide Growth Planning – Sub-Regional Demand and Quantification of Growth Options: Malcolm Griffin, Managing Director, PSA Consulting

1 GENERAL BUSINESS

1.1 Acknowledgement of Country

The Chair acknowledged the traditional custodians of the land on which the Commission meets, and paid respect to Elders past and present.

1.2 Welcome and Apologies

The Chair welcomed all in attendance to the meeting.

1.3 Declaration of Conflict of Interest / Ongoing Duty of Disclosure / Gifts and Benefits

Noelle Hurley declared a potential perceived bias and was an apology for the whole meeting. Craig Holden confirmed a previously declared perceived bias in relation to **Item 7.2 Update on the Whalers Way Orbital Launch Complex Assessment Report** due to being a member of the State Commission Assessment Panel (SCAP) when a related Item was considered. In the absence of the Chair, the Commission Members present appointed Stuart Moseley to be Chair for **Items 7.2**.

1.4 SPC Actions Register

The Commission noted the status of the Action Items.

1.5 PLUS Issues Register

The Commission noted the status of the Issues Register.

1.6 Chair's Report

The Commission resolved to:

- 1) Approve the designation of this item as Not Confidential (Release Immediately).
- 2) Note the Chair's report as read.

1.7 Member Updates

The Commission noted the Member updates.

1.8 SPC Confidential Minutes for Adoption – 19 January 2023

The Commission formally adopted the SPC Confidential Minutes of the 19 January 2023 meeting.

1.9 SCAP Minutes for Noting – 25 January 2023

The Commission noted the SCAP Minutes of the 25 January 2023 meeting.

1.10 Code Amendments Initiation Advice

The Commission noted the Code Amendments Initiation Advice.

1.11 Register of SCAP Appeals

The Commission noted the Register of SCAP Appeals.

2 CORRESPONDENCE

2.1 Amendments to the *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019 (Planning and Land Use Services)*

The Commission noted the correspondence.

2.2 Water Sensitive Urban Design (WSUD) Project Update and Development Industry Engagement (Green Adelaide)

The Commission noted the correspondence.

2.3 Letter to Stakeholder (Minister for Planning)

The Commission noted the correspondence.

2.4 Letter to Minister for Planning regarding Lot 5 Hampden Way Strathalbyn Code Amendment (Alexandrina Council)

The Commission noted the correspondence.

2.5 Confidential (Confidential)

The Commission noted the correspondence.

3 ADDITIONAL RESOURCES

Nil

4 MATTERS FOR ADVICE TO MINISTER

4.1 Scotty's Corner Code Amendment

Nadia Gencarelli addressed the Commission.

The Commission resolved to:

- 1) Approve the designation of this item as Not Confidential (Release Delayed). To be released following the final decision by the Minister for Planning (the Minister) on whether or not to adopt the Scotty's Corner Code Amendment (the Code Amendment) – anticipated March 2023.
- 2) Approve and authorise the Chair of the Commission to sign the advice to the Minister as provided in **Attachment 1**.
- 3) Approve and authorise the Chair to make any minor editorial and technical amendments to the attachments as required.
- 4) Note progress on strengthening guidance material to ensure the requirements of the Community Engagement Charter are being met.

5 MATTERS FOR DECISION

5.1 SCAP Decision Review Request

Deputation: Craig Rowe, C L Rowe and Associates Pty Ltd addressed the Commission.

The Chair thanked the depute for his time and the depute left the meeting

Margaret Smith and Troy Fountain addressed the Commission.

The Commission resolved to:

- 1) Approve the designation of this item as Not Confidential (Release Immediately), with the exception of the final paragraph under 'Background' within this report which is designated as Confidential (Draft Advice or Documents) and to be redacted.
- 2) Note the Decision Review Request from the Applicant to the Commission (**Appendix A**).
- 3) Note Development Application (DA) 22022965 documentation by Deb Hoey and Simon Meathrel (the Applicant), C/- Craig Rowe and Associates, for the development of a land division creating and additional allotment, Back Valley (**Appendix B**).
- 4) Note the Assessment Report and Minutes from the State Commission Assessment Panel (SCAP) meeting held on 12 October 2022 (**Appendix C**).
- 5) Affirm the decision of the SCAP to refuse to proceed to assess DA 22022965.
- 6) Authorise the Chair of the Commission to sign the letter to the Applicant advising of the Commission's decision not to proceed to assess DA 22022965 (**Attachment 1**).
- 7) Authorise the Chair to sign the letter to the Presiding Member of SCAP advising of the Commission's decision to not to proceed to assess DA 22022965 (**Attachment 2**).
- 8) Authorise the Chair to make any minor amendments to the letters as required.

9) Note the Confidential (Draft Advice or Documents) information provided in the final paragraph under 'Background' within this report.

5.2 SPC Work Plan 2022-23 – Mid-Cycle Update

This Item was considered in confidence, and is included in the Confidential minutes of 2 February 2023.

5.3 SCAP EOI and Recruitment Process

This Item was considered in confidence, and is included in the Confidential minutes of 2 February 2023.

5.4 Assessment Panel Members – Complaint Handling Procedure

This Item was considered in confidence, and is included in the Confidential minutes of 2 February 2023.

5.5 Codes of Conduct – Guidance Material

Chelsea Lucas, Jessica Koop and Ben Sieben addressed the Commission.

The Commission resolved to:

- 1) Approve the designation of this item as Not Confidential (Release Immediately).
- 2) Endorse the guidance material produced by Planning and Land Use Services (PLUS) at **Attachment 1** to assist the Commission, Assessment Panel Members, Accredited Professionals, Infrastructure Scheme Coordinators, and Joint Planning Board Members in determining whether a conflict of interest exists in a matter before them.

5.6 Building Envelope Plans

Margaret Smith and Brett Miller addressed the Commission.

The Commission resolved to:

- 1) Approve the designation of this item as Not Confidential (Release Immediately).
- 2) Approve the delegation for the assessment of Building Envelope Plans, where the Commission is the designated authority, to staff who are classified at a PO4 level, or above, within the State Assessment Directorate of Planning and Land Use Services, pursuant to Regulation 19A of the *Planning, Development and Infrastructure (General) Regulations 2017*.

5.7 Practice Direction 17

Margaret Smith, Robert Kleeman and Simon Neldner addressed the Commission.

The Commission resolved to:

- 1) Approve the designation of this item as Not Confidential (Release Delayed), excluding **Appendices D** and **E** which are classified as Confidential (Draft Advice or Documents). The 'Not Confidential (Release Delayed)' papers are to be released following Gazettal and publication on the SA Planning Portal. Anticipated in February 2023.

- 2) Approve the revised Practice Direction 17 – Impact Assessed Development (Practice Direction 17) as shown in **Attachments 1 and 3** (Assessment Requirements Template), to be issued by the Commission under section 42(1) of the Planning, Development and Infrastructure Act 2016 (the Act).
- 3) Delegate to the Director, State Assessment, Planning and Land Use Services (PLUS), the power under section 42(4)(a) of the Act to publish a Notice in the *Government Gazette* and on the SA Planning Portal to give effect to the approved variations to Practice Direction 17.

6 MATTERS FOR NOTING

6.1 SPC Communications and Engagement Update

Steven Murphy addressed the Commission.

The Commission resolved to:

- 1) Approve the designation of this item as Not Confidential (Release Immediately).
- 2) Note the communications and engagement update report as read.

7 OTHER BUSINESS

7.1 Workshop 1: Greater Adelaide Growth Planning – Sub-Regional Demand and Quantification of Growth Options

Malcolm Griffin, Paul Bennett, Brett Steiner, Cherie Gill, Chris Rudd and Grant Croft addressed the Commission.

The Commission noted the Workshop Presentation.

7.2 Update on the Whalers Way Orbital Launch Complex Assessment Report

Craig Holden confirmed a previously declared perceived bias in relation to **Item 7.2 Whalers Way Orbital Launch Complex Assessment Report** due to being a member of the State Commission Assessment Panel (SCAP) when a related Item was considered.

In the absence of the Chair, the Commission Members present appointed Stuart Moseley to be Chair for **Item 7.2**.

This Item was considered in confidence, and is included in the Confidential minutes of 2 February 2023.

8 MEETING FINALISATION

8.1 Next Meeting

Thursday, 16 February 2023.

8.2 Confirmation of Minutes and Confidential Minutes

The Commission resolved that the Confidential Minutes of the meeting held today, 2 February 2023, be confirmed as a true and accurate record.

8.3 Meeting Close

The Chair thanked all in attendance and declared the meeting closed at 4.27pm.

Confirmed 02/02/2023



Craig Holden

Chair

Confirmed 02/02/2023



Stuart Moseley

Chair, Item 7.2