



Minutes of Meeting

Meeting No. 155

Date	Thursday, 14 December 2023
Venue	9.02 Inparri Kuu Seminar Room, Level 9, 83 Pirie Street and Microsoft Teams
Members	Stuart Moseley, Stephanie Johnston, David O'Loughlin, Lisa Teburea and Sally Smith (Ex Officio)
Apologies	Craig Holden, John Stimson
DTI Staff	Kate Southcott, Robert Kleeman, Lee Webb, Jason Bailey, Daniel Clapp, Rhiannon Hardy
External	Item 4.3: Kathryn Bellette, Melissa Chrystal and Wendy Boyce, Environment Protection Authority

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, present and emerging.

1.2 Welcome and Apologies

The Chair welcomed all in attendance to the meeting.

1.3 Declaration of Conflict of Interest / Gifts and Benefits

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

David O'Loughlin declared a conflict of interest in relation to **Item 4.1 Code Amendment Initiation Advice to the Minister for Planning – Proposal to Initiate the John Rice Avenue Elizabeth South Residential Code Amendment** and **Item 4.2 Code Amendment Initiation Advice to the Minister for Planning – Proposal to Initiate the Konanda Road Smithfield Medium-High Density Residential Code Amendment** due to his role on the Renewal SA Board and will leave the meeting when these Items are considered.

2 CORRESPONDENCE

Nil

3 ADDITIONAL RESOURCES

Nil

4 MATTERS FOR ADVICE TO MINISTER

4.1 Code Amendment Initiation Advice to the Minister for Planning – Proposal to Initiate the John Rice Avenue Elizabeth South Residential Code Amendment

David O’Loughlin left the meeting.

Jason Bailey and Daniel Clapp addressed the Commission.

The Commission resolved to:

- 1) Approve the designation of this item as Not Confidential (Release Delayed), with the meeting papers for the item to be released following final decision by the Minister for Planning (the Minister) on initiation of the Code Amendment.
- 2) Advise the Minister that it:
 - 2.1 Recommends approval to initiate the John Rice Avenue Elizabeth South Residential Code Amendment under section 73(2)(b)(i) of the *Planning, Development and Infrastructure Act 2016* (the Act), subject to the following condition applied under section 73(5) of the Act:
 - a) The Code Amendment is prepared by a person with qualifications and experience that is equivalent to an Accredited Professional—Planning Level 1 under the Act.
 - b) The affected area for the Code Amendment be expanded to include consideration of the vacant land on the southern side of John Rice Avenue east of the Renewal SA owned land to enable its suitability for medium density residential development to be considered.
 - c) The Traffic and transport investigations proposed in part 4.12 of the Proposal to Initiate be expanded to consider connectivity, movement and accessibility to and from the affected area into the wider locality.
 - d) The Code Amendment investigate the retention of existing vegetation.
 - 2.2 Recommends that the Chief Executive of the Department for Trade and Investment (the Department) be the Designated Entity for undertaking the Code Amendment process.
- 3) Specify that the Designated Entity consults with the following nominated individuals and entities, under section 73(6)(e) of the Act:
 - Department for Infrastructure and Transport
 - Affordable Housing Unit of the SA Housing Authority
 - Renewal SA
 - Adelaide Airport Limited
 - Environment Protection Authority
 - Department for Environment and Water
 - Department for Education
 - Utility providers, including SA Power Networks, ElectraNet, APA Group, SA Water, Epic Energy, NBN, and other telecommunications providers

- State Members of Parliament for the electorates in which the proposed Code Amendment applies.
- 4) Recommend that the Minister approve the initiation of the Code Amendment by signing the Proposal to Initiate (**Attachment 1**) and approval letters (**Attachment 2** and **Attachment 3**).
- 5) Approve and authorise the Acting Chair of the Commission to sign the advice to the Minister as provided in **Attachment 4**.
- 6) Authorise the Acting Chair to finalise the amendments to the advice and attachments as discussed by the Commission.

David O'Loughlin returned to the meeting.

4.2 Code Amendment Initiation Advice to the Minister for Planning – Proposal to Initiate the Konanda Road Smithfield Medium-High Density Residential Code Amendment

David O'Loughlin left the meeting.

Jason Bailey and Daniel Clapp addressed the Commission.

This item was considered in confidence and is included in the Commission's confidential minutes of 13 December 2023.

David O'Loughlin returned to the meeting.

4.3 Proposal to Initiate the Site Contamination Development Assessment Scheme Code Amendment

Kathryn Bellette, Melissa Chrystal and Wendy Boyce addressed the Commission.

The Chair thanked the EPA for their time, and they left the meeting.

Jason Bailey and Rhiannon Hardy addressed the Commission.

This item was considered in confidence and is included in the Commission's confidential minutes of 13 December 2023.

5 MATTERS FOR DECISION

5.1 Major Development / Impact Assessed Development – Whalers Way Orbital Launch Complex by Southern Launch

Robert Kleeman and Lee Webb addressed the Commission.

This item was considered in confidence and is included in the Commission's confidential minutes of 13 December 2023.

5.2 Heritage Sub-Committee Review

Sally Smith addressed the Commission.

The Commission resolved to:

- 1) Approve the designation of this item as Not Confidential (Release Immediately).
- 2) Note the Heritage Sub-committee Terms of Reference (**Appendix A**).
- 3) The Commission formed the view that the Sub-Committee is not required to inspect properties at the pre initiation stage.

- 4) Note PLUS will bring a paper in the New Year to respond to the issues discussed by the Commission.

6 MATTERS FOR NOTING

Nil

7 OTHER BUSINESS

Nil

8 MEETING FINALISATION

8.1 Next Meeting

Thursday, 18 January 2024.

8.2 Confirmation of Minutes and Confidential Minutes

The Commission resolved that the Confidential Minutes of the meeting held today, 14 December 2023, be confirmed as a true and accurate record.

8.3 Meeting Close

The Acting Chair thanked all in attendance and declared the meeting closed at 3.06pm.

Confirmed 14/12/2023



Stuart Moseley

Acting Chair