



Minutes of Meeting

Meeting No. 145

Date	Thursday, 29 June 2023
Venue	Inparri Kuu Seminar Room, Level 9, 83 Pirie Street and Microsoft Teams
Members	Stephanie Johnston (Acting Chair), Stuart Moseley, Elinor Walker, Sally Smith (Ex Officio)
Apologies	Craig Holden
DTI Staff	Kate Southcott, Brett Steiner, Cherie Gill, Jessica Porter, Clare Ashmeade, Nick Kretschmer, Jason Bailey, Nadia Gencarelli, Damien Gencarelli, Chelsea Lucas, Jessica Koop, Margaret Smith, Robert Kleeman, Simon Neldner
External	Nil

1 GENERAL BUSINESS

1.1 Acknowledgement of Country

The Acting 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

In the absence of the Chair, all Commission Members present appointed Stephanie Johnston to be Acting Chair for this meeting.

The Acting Chair welcomed all in attendance to the meeting.

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

Nil

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 Acting Chair's Report

The Commission resolved to:

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

1.7 Member Updates

The Commission noted the Member updates.

1.8 SPC Confidential Minutes for Adoption – 1 June 2023

The Commission formally adopted the SPC Confidential Minutes of the 1 June 2023 meeting.

1.9 SCAP Confidential Minutes and Minutes for Noting – 24 May and 14 June 2023

The Commission noted the SCAP Confidential Minutes and Minutes for Noting from the 24 May and 14 June 2023 meetings.

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.

1.12 Register of Complaints

The Commission noted the Register of Complaints.

2 CORRESPONDENCE

2.1 SCAP Decision Review Request

The Commission resolved to:

- 1) Approve the designation of this item as Not Confidential (Release Immediately).
- 2) Note the SCAP Refusal Decision Application.
- 3) Authorise the Chair to approve the request for a deputation.
- 4) Authorise the PLUS to make the necessary arrangements as set out in the Commission's Deputation, External Meeting and Event Policy.
- 5) Authorise PLUS and the Chair to authorise future deputation requests of this type.

3 ADDITIONAL RESOURCES

Nil

4 MATTERS FOR ADVICE TO MINISTER

4.1 Mount Compass Code Amendment

This Item was considered in confidence and is included in the Commission's confidential minutes of the 29 June 2023 meeting.

4.2 Tunnels Protection Code Amendment

Jason Bailey and Nadia Gencarelli 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 Early Commencement of the Code Amendment. Anticipated by August 2023.
- 2) Approve and authorise the Acting Chair of the Commission to sign the advice to the Minister recommending approval of the Tunnel Corridor and Asset Protection Overlay Code Amendment for the purposes of Early Commencement, as provided in **Attachment 1**.
- 3) Authorise the Acting Chair to finalise any minor amendments to the advice and attachments as required.

5 MATTERS FOR DECISION

5.1 Site Contamination Phase 2

This Item was considered in confidence and is included in the Commission's confidential minutes of the 29 June 2023 meeting.

5.2 Rural Living Principles

Brett Steiner, Jessica Porter and Dean Fisher addressed the Commission.

The Commission resolved to:

- 1) Approve the designation of this item as Not Confidential (Release Immediately).
- 2) Approve the principles in Appendix A that expand on the relevant State Planning Policies (SPPs) to guide the circumstances in which the Commission will support rural living (in both Code Amendments and Regional Plans), and the investigations required to demonstrate strategic alignment.
- 3) Note that the principles in Appendix A will be communicated to practitioners in relation to Code Amendment Proposals and the Regional Planning Program via direct letter from the Commission to councils and planning practitioners.
- 4) Authorise PLUS to include a preamble to explain that the principles constitute guidance to PLUS from the Commission to assist in the application of SPPs to the drafting of Regional Plans, and will cease to have application once the Regional Plans are updated.
- 5) Approve and authorise the Acting Chair to finalise the letter to the Local Government Association (**Attachment 1**).
- 6) Approve and authorise the Acting Chair to finalise the letter to councils and planning practitioners.
- 7) Authorise the Acting Chair to finalise any minor amendments to Attachment 1 and the letter to councils and planning practitioners as required.

5.3 Delegations Under the *Planning, Development and Infrastructure Act 2016 – 2023* Review and Update

Chelsea Lucas addressed the Commission.

The Commission resolved to:

- 1) Approve the designation of the item as Not Confidential (Release Delayed), with the meeting papers for the item to be released following final adoption of the updated delegations by the Commission and the State Commission Assessment Panel (SCAP).
- 2) Approve the draft Instrument of Delegation at **Attachment 2**, with the instrument to be effective from the date of signing by the Chair.
- 3) Authorise the Acting Chair to sign the Instrument of Delegation as approved, including accepting all mark-up and making any minor amendments as required to finalise.

5.4 CONFIDENTIAL

This Item was considered in confidence and is included in the Commission's confidential minutes of the 29 June 2023 meeting.

6 MATTERS FOR NOTING

6.1 Bilateral negotiations for Environment Protection and Biodiversity Conservation Act 1999

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 Immediately), with the exception of Appendix D which is classified as Confidential (Draft Advice or Documents).
- 2) Note the work being undertaken to draft and confirm accredited assessment arrangements with the Department of Climate Change, Energy, the Environment and Water for the consideration of Matters of National Environmental Significance (MNES) under the *Environment Protection and Biodiversity Conservation Act 1999* for a joined-up assessment process for Impact Assessed, Crown Development and Essential Infrastructure projects under the *Planning, Development and Infrastructure Act 2016*.

6.2 Post Decision Evaluation – Impact Assessed Developments

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 Immediately), with the exception of Appendices A – C (Draft Advice or Documents).

- 2) Note the work undertaken by Planning and Land Use Services to develop the Post-Decision Evaluation – Impact Assessed Developments feedback guidance [Plan SA, 28 April 2023] in **Attachment 1**.
- 3) Note that future evaluations will include a survey of submitters.

7 OTHER BUSINESS

7.1 Commission Thanks

The Commission Members extended their thanks to Elinor Walker on her last Commission meeting following her appointment as the Director of Housing, Infrastructure, Planning and Development Unit.

7.2 Workshop 1: Country Regional Plans – Theme: Natural Resources, Environment and Landscape (including Climate Change)

The Commission noted the Workshop discussion.

7.3 Workshop 2: Regional Plans – Digital Solution

The Commission noted the workshop discussion.

7.4 Workshop 3: Regional Plans – Kangaroo Island Growth Plans

The Commission noted the workshop discussion.

8 MEETING FINALISATION

8.1 Next Meeting

Thursday, 13 July 2023.

8.2 Confirmation of Minutes and Confidential Minutes

The Commission resolved that the Confidential Minutes of the meeting held today, 29 June 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 4.20pm.

Confirmed 29/06/2023



Stephanie Johnston

Acting Chair