



Minutes of Meeting

Meeting No. 159

Date	Thursday, 21 March 2024
Venue	9.02 Inparri Kuu Seminar Room, Level 9, 83 Pirie Street and Microsoft Teams
Members	Craig Holden (Chair), Stuart Moseley, Stephanie Johnston, David O'Loughlin, John Stimson, Lisa Teburea and Sally Smith (Ex Officio)
Apologies	Nil
DTI Staff	Kate Southcott, Marc Voortman, Brett Steiner, Clare Ashmeade, Matt Ballard, Ben Murphy, Grant Croft, Jason Bailey, Rhiannon Hardy, Daniel Clapp, Nadia Gencarelli, Dylan Grieve, Chelsea Spangler, Robert Kleeman, Lee Webb

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

John Stimson made a proactive declaration of a conflict of interest in relation to Coventry Road, Kudla noted in **Item 1.7 Code Amendment Initiation Advice** and will leave the meeting if this Item comes before the Commission for discussion.

David O'Loughlin confirmed a previously declared a conflict of interest in relation to **Item 4.1 Code Amendment Initiation Advice to the Minister for Planning – Proposal to Initiate the Thebarton and Mile End Urban Corridor Zone Review Code Amendment** due to his membership of the Renewal SA Board and will leave the meeting when this item is considered.

Craig Holden confirmed a previously declared conflict of interest in relation to **Item 5.1 Major Development/ Impact Assessed Development – Whalers Way Orbital Launch Complex by Southern Launch** and will leave the meeting when this item is considered.

1.4 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.

1.5 Member Updates

The Commission noted the Member updates.

1.6 SPC Confidential Minutes for Adoption – 7 March 2024

The Commission formally adopted the SPC Confidential Minutes of the 7 March 2024 meeting.

1.7 Code Amendment Initiation Advice

The Commission noted the Code Amendment Initiation Advice.

1.8 Register of SCAP Appeals

The Commission noted the Register of SCAP Appeals.

1.9 Register of Complaints

The Commission noted the Register of Complaints.

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 Thebarton and Mile End Urban Corridor Zone Review Code Amendment

David O'Loughlin left the meeting.

Jason Bailey, Rhiannon Hardy and Daniel Clapp addressed the Commission.

This item was considered in confidence and is included in the Commission's confidential minutes of 21 March 2024.

David O'Loughlin returned to the meeting.

4.2 Initiation of the Accommodation Diversity Code Amendment

Jason Bailey, Rhiannon Hardy and Daniel Clapp addressed the Commission.

This item was considered in confidence and is included in the Commission's confidential minutes of 21 March 2024.

4.3 Code Amendment Initiation Advice to the Minister for Planning – Proposal to Initiate the Mill Road, Waterloo Corner Code Amendment

Nadia Gencarelli and Dylan Grieve 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 initiation of the Mill Road, Waterloo Corner Code Amendment under section 73(2)(vii) of the *Planning, Development and Infrastructure Act 2016* (the Act), subject to the following conditions applied under section 73(5)(b) of the Act:
 - a) Prior to adoption of the Code Amendment, the Designated Entity must demonstrate to the satisfaction of the Minister for Planning, that all necessary agreements or deeds are fully executed as required to secure the funding and/or delivery of all infrastructure required to accommodate the development of the affected area, as proposed by the Code Amendment (to the satisfaction of all relevant infrastructure providers).
 - b) The scope of the proposed Code Amendment does not include the creation of new planning rules, and is limited to the spatial application of zones, subzones, overlays, or technical and numerical variations provided for under the published Planning and Design Code on the date the Amendment is released for engagement.
 - c) 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.
 - 2.2 Recommends that Emdev Pty Ltd be the Designated Entity responsible for undertaking the Code Amendment.
- 3) Specify that the Designated Entity consults with the following nominated individuals and entities, under section 73(6)(e) of the Act:
 - Department for Environment and Water
 - Department for Infrastructure and Transport
 - Department of Primary Industries and Regions
 - Environment Protection Authority
 - South Australian Country Fire Service
 - Department for Energy and Mining
 - Utility providers including SEAGas, 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) Specify the following further investigations or information requirements under section 73(6)(f) of the Act in addition to those outlined in the Proposal to Initiate:
 - A comprehensive infrastructure analysis by an appropriately qualified expert (or experts) that identifies all future infrastructure works required to accommodate the development of the affected area as proposed by the Code Amendment and provides

a strategy that offers a funding and delivery solution for all required infrastructure works (noting that the Councils have stated that they expect that Infrastructure Deed(s) will be required). Consideration should be given to understanding any potential consolidated infrastructure impacts associated with the proposed Code Amendments being undertaken directly adjacent to the affected area (being overseen by Ekistics, URPS and Future Urban). Investigations should also consider any recommendations from network planning currently underway by the Department for Infrastructure and Transport.

- Demonstrate integration and coordination of infrastructure between the Code Amendments being undertaken directly adjacent to the affected area (being overseen by Ekistics, URPS and Future Urban).
 - Stormwater investigations to ensure there is no run-off to the existing buildings nor the surrounding allotments (or such other arrangements as may be agreed to by the Councils, Designated Entity and the affected landowners).
 - Conduct a search of the Register of Aboriginal Sites and Objects (Taa wika) to identify any relevant Aboriginal heritage considerations, including any identified cultural sites and objects.
 - Explore the use of a Concept Plan that outlines a layout that ensures connectivity and integration with existing and future adjacent uses, for example, through the identification of interface buffers, stormwater treatments, transport linkages etc.
- 5) Recommend that the Minister approve the initiation of the Code Amendment by signing the Proposal to Initiate (**Attachment 1**) and approval letters with conditions (**Attachments 2 and 3**).
 - 6) Approve and authorise the Chair of the Commission to sign the advice to the Minister as provided in **Attachment 4**.
 - 7) Authorise the Chair to finalise any minor amendments to the advice and attachments as required.

4.4 Code Amendment Initiation Advice to the Minister for Planning – Proposal to Initiate the Mumford Road, Waterloo Corner Code Amendment

Nadia Gencarelli and Dylan Grieve 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 initiation of the Mumford Road Code Amendment under section 73(2)(vii) of the *Planning, Development and Infrastructure Act 2016* (the Act), subject to the following conditions applied under section 73(5)(b) of the Act:
 - a) Prior to the adoption of the Code Amendment, the Designated Entity must demonstrate, to the satisfaction of the Minister for Planning, that all necessary agreements or deeds are fully executed as required to secure the funding and/or delivery of all infrastructure required to accommodate the development of the affected area, to the satisfaction of all relevant infrastructure providers.

- b) The scope of the proposed Code Amendment does not include the creation of new planning rules, and is limited to the spatial application of zones, subzones, overlays, or technical and numerical variations provided for under the published Planning and Design Code (the Code) on the date the Amendment is released for engagement.
 - c) 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.
- 2.2 Recommends that John Buttrose, F. Agostino Nominees Pty Ltd, Gurinder Pal Singh, Stamatis Choimes be the Designated Entity responsible 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:
- City of Playford
 - Department for Environment and Water
 - Department for Infrastructure and Transport
 - Department for Energy and Mining
 - Environment Protection Authority
 - South Australian Country Fire Service
 - Utility providers including SEAGas, 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) Specify the following further investigations or information requirements under section 73(6)(f) of the Act in addition to those outlined in the Proposal to Initiate:
- A comprehensive infrastructure analysis by an appropriately qualified expert (or experts) that identifies all future infrastructure works required to accommodate the development of the affected area as proposed by the Code Amendment and provides a strategy that offers a funding and delivery solution for all required infrastructure works. Consideration should be given to understanding any potential consolidated infrastructure impacts associated with the proposed Code Amendments being undertaken directly adjoined to the affected area (being overseen by Ekistics, URPS and Future Urban). Investigations should also consider any recommendations from network planning currently underway by the Department for Infrastructure and Transport. Stormwater investigations to ensure there is no run-off to the existing buildings nor the surrounding allotments (or such other arrangements as may be agreed to by Council, Designated Entity and the affected landowners).

- Demonstrate integration and coordination of infrastructure between the Code Amendments being undertaken directly adjacent to the affected area (being overseen by Ekistics, URPS and Future Urban).
 - Stormwater investigations to ensure there is no run-off to the existing buildings nor the surrounding allotments (or such other arrangements as may be agreed to by the Councils, Designated Entity and the affected landowners).
 - Conduct a search of the Register of Aboriginal Sites and Objects (Taa wika) to identify any relevant Aboriginal heritage considerations, including any identified cultural sites and objects.
 - Explore the use of a Concept Plan that outlines a layout that ensures connectivity and integration with existing and future adjacent uses, for example, through the identification of interface buffers, stormwater treatments, transport linkages etc.
- 5) Recommend that the Minister approve the initiation of the Code Amendment by signing the Proposal to Initiate (**Attachment 1**) and approval letter(s) with conditions (**Attachment 2 and 3**).
- 6) Approve and authorise the Chair of the Commission to sign the advice to the Minister as provided in **Attachment 4**.
- 7) Authorise the Chair to finalise any minor amendments to the advice and attachments as required.

4.5 Code Amendment Initiation Advice to the Minister for Planning – Proposal to Initiate the 28-58 Mumford Road, Waterloo Corner Code Amendment

Nadia Gencarelli and Dylan Grieve addressed the Commission.

This item was considered in confidence and is included in the Commission's confidential minutes of 21 March 2024.

5 MATTERS FOR DECISION

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

Craig Holden left the meeting.

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

Robert Kleeman and Lee Webb addressed the Commission.

This item was considered in confidence and is included in the Commission's confidential minutes of 21 March 2024.

Craig Holden returned to the meeting.

6 MATTERS FOR NOTING

Nil

7 OTHER BUSINESS

7.1 Workshop 1: Greater Adelaide Regional Plan Investigations Workshop 4 – Inner and Middle Metropolitan Growth Areas

Marc Voortman, Brett Steiner, Clare Ashmeade, Ben Murphy, Matt Ballard and Grant Croft from DTI-PLUS addressed the Commission.

The Commission noted the Investigations Workshop 4 – Inner and Middle Metropolitan Growth Areas Presentation.

8 MEETING FINALISATION

8.1 Next Meeting

Thursday, 4 April 2024.

8.2 Confirmation of Minutes and Confidential Minutes

The Commission resolved that the Confidential Minutes of the meeting held today, 21 March 2024, be confirmed as a true and accurate record.

8.3 Meeting Close

The Chair thanked all in attendance and declared the meeting closed at 4:14pm.

Confirmed 21/03/24

Craig Holden

Chair

Confirmed 21/03/24

Stuart Moseley

Chair, Item 5.1