



Minutes of Meeting

Meeting No. 125

Date	Thursday, 18 August 2022
Venue	Kardi Munaintya Meeting Room or by Microsoft Teams
Members	Craig Holden (Chair), Stuart Moseley, Elinor Walker, Noelle Hurley, Steven Griffiths and Sally Smith (Ex Officio)
Apologies	Nil
DTI Staff	Kate Southcott, Brett Steiner, Nadia Gencarelli, Robert Kleeman, Sarah Elding, Jessica Koop, Ameya Sawant
External	Deputation Item 5.2: Jason Cattonar (Future Urban), Steve and Anne Grace (owner/applicant), Bryanni Lane (Future Urban)

1 GENERAL BUSINESS

1.1 Acknowledgement of Country

The Chair acknowledged the traditional custodians of the land on which the Commission meets, and paid respects 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 / Gifts and Benefits

Nil.

1.4 SPC Action Register

The Commission noted the status of the Action items.

1.5 Planning and Design Code Issues Register

This Item was considered in confidence and is included in the SPC Confidential Minutes of 18 August 2022.

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 – 4 August 2022

The Commission formally adopted the SPC Confidential Minutes of the 4 August 2022 meeting.

1.9 SCAP Confidential Minutes and Minutes for Noting – 10 August 2022

The Commission noted the SCAP Minutes for Noting of the 10 August 2022 meeting.

1.10 Code Amendments Initiation Advice

The Commission noted the Code Amendments Initiation Advice.

2 CORRESPONDENCE

2.1 Letter to the Minister for Planning in support of the 1 Walkerville Terrace, Gilberton Code Amendment (ERDC)

The Commission noted the correspondence.

2.2 Negotiated Civil Penalty of Unlawful Removal of a Regulated Tree (City of Mitcham)

The Commission noted the correspondence.

3 ADDITIONAL RESOURCES

3.1 Gold Tape? Staged Releases: Peering Behind the Land Supply Curtain Report (Matusik Missive)

The Commission noted the additional resources.

4 MATTERS FOR ADVICE TO MINISTER

4.1 Proposal to Initiate the Ceduna Rural Zone Code Amendment

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 final decision by the Minister for Planning (the Minister) on initiation of the Code Amendment. Anticipated by November 2022.
- 2) Recommend that the Proposal to Initiate (Attachment 1) the Ceduna Rural Zone Code Amendment under section 73(2)(b)(vii) of the Planning, Development and Infrastructure Act 2016 (the Act) not be supported on the grounds that it conflicts with the State Planning Policies and the Commission's principles for rural living development. In particular, the proposed rezoning would unduly restrict the future growth of the Ceduna township, noting

that there is a significant supply of rural living already available to accommodate any existing demand and a small supply of deferred urban land to accommodate township expansion.

- 3) Authorise the Chair of the Commission to write to the Minister advising him of the Commission's decision not to support the Proposal to Initiate the Ceduna Rural Code Amendment on the grounds provided in resolution 2.

4.2 Proposal to Initiate the Edithburgh Rural Living Zone Code Amendment

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 final decision by the Minister for Planning (the Minister) on initiation of the Code Amendment. Anticipated by late September 2022.
- 2) Advise the Minister that it:
 - 2.1 Recommends the approval of the Proposal to Initiate the Edithburgh Rural Living Zone Code Amendment under section 73(2)(iv) 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) 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 consultation).
 - b) 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 the Yorke Peninsula Council (the Council) 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:
 - Narungga/Adjahdura people
 - Department of Primary Industries and Regions SA
 - Environment Protection Authority
 - Department for Environment and Water
 - South Australian Country Fire Service
 - 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) Not specify further investigations or information requirements pursuant to section 73(6)(f) of the Act in addition to that outlined in the Proposal to Initiate.
 - 5) Recommend that the Minister approve the initiation of the Code Amendment by signing the Proposal to Initiate (**Attachment 1**) and approval letter with conditions (**Attachment 2**).
 - 6) Approve and authorise the Chair of the Commission to sign the advice to the Minister as provided in **Attachment 3**.
 - 7) Authorise the Chair to finalise any minor amendments to the advice and attachments as required.

4.3 Character Area Policy Development

This Item was considered in confidence and is included in the SPC Confidential Minutes of 18 August 2022.

5 MATTERS FOR DECISION

5.1 Deputations, External Meeting and Event Policy

Kate Southcott addressed the Commission.

The Commission resolved to:

- 1) Approve the designation of this item as Not Confidential (Release Immediately).
- 2) Note the marked-up version of the Deputation, External Meeting and Event Policy (the Policy) at Attachment 1.
- 3) Approve and authorise the Chair of the Commission to make any minor amendments as required to finalise the Policy.
- 4) Authorise Planning and Land Use Services (PLUS) to publish the final Policy once approved.
- 5) Approve an annual review of the Policy as part of the Commission's annual Governance Audit.

5.2 SCAP Decision Review Request – 9 Regano Road, Flagstaff Hill

Robert Kleeman and Sarah Elding addressed the Commission.

The Commission resolved to:

- 1) Approve the designation of this item as Not Confidential (Release Immediately).
- 2) Note Development Application (DA) 22005978 by Mr Steve Grace (the Applicant), C/- Future Urban, for the Torrens Title land division creating two allotments from one existing allotment at 9 Regano Road, Flagstaff Hill (Appendix A).

- 3) Note the Decision Review Request from the Applicant to the Commission (Appendix E).
- 4) Affirm the decision of the State Commission Assessment Panel (SCAP) to refuse to proceed to assess DA 22005978.
- 5) Authorise the Chair of the Commission to sign the letter to the Applicant advising him of the decision of the Commission not to proceed to assess DA 22005978 (Attachment 1).
- 6) the Chair to sign the letter to the Presiding Member of SCAP advising of the Commission's decision not to proceed to assess DA 22005978 (Attachment 2).
- 7) Authorise the Chair to make any minor or editorial amendments to the attachments as required to finalise.

5.3 Standard Approach to ERDC requests on Code Amendments

This Item was considered in confidence and is included in the SPC Confidential Minutes of 18 August 2022.

5.4 Confidential

This Item was considered in confidence and is included in the SPC Confidential Minutes of 18 August 2022.

6 MATTERS FOR NOTING

6.1 PlanSA Update – June & July 2022

This Item was considered in confidence and is included in the SPC Confidential Minutes of 18 August 2022.

6.2 Ex Officio Report – 1 April to 30 June 2022

This Item was considered in confidence and is included in the SPC Confidential Minutes of 18 August 2022.

7 ANY OTHER BUSINESS

7.1 Proposed Memorandum of Understanding with the Local Government Association of South Australia

This Item was considered in confidence and is included in the SPC Confidential Minutes of 18 August 2022.

7.2 Green Adelaide Tree Guidelines

This Item was considered in confidence and is included in the SPC Confidential Minutes of 18 August 2022.

8 MEETING FINALISATION

8.1 Next Meeting

Thursday, 1 September 2022

8.2 Confirmation of Minutes and Confidential Minutes

The Commission resolved that the Confidential Minutes of the meeting held today, 18 August 2022 be confirmed as a true and accurate record.

8.3 Meeting close

The Chair thanked all in attendance and declared the meeting closed at 3.09pm.

Confirmed 18/08/2022

A handwritten signature in grey ink, appearing to read 'Craig Holden', with a long horizontal flourish extending to the right.

Craig Holden
Chair