



Minutes of Meeting

Meeting No. 132

Date	Thursday, 24 November 2022
Venue	Inparri Kuu Seminar Room, Level 9, 83 Pirie Street and Microsoft Teams
Members	Craig Holden (Chair), Noelle Hurley, Stephanie Johnston, Stuart Moseley, Elinor Walker, Sally Smith (Ex Officio)
Apologies	Nil
DTI Staff	Kate Southcott, Paul Bennett, Brett Steiner, Chelsea Lucas, Ben Sieben, Jessica Koop, Margaret Smith, Robert Kleeman, Lee Webb, Greg Ahrens, Jason Bailey, Nadia Gencarelli, Tom Victory, Ameya Sawant, Nick Buick, Stuart Dowie
External	Item 4.2 – Proposal to Initiate the Stanley Flat Code Amendment Deputation: Anita Allen (Associate Director, URPS), David Petruzzella (Senior Consultant, URPS), Andrew Christiansen (Director, Development and Community, Clare and Gilbert Valleys Council)

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

Craig Holden declared a conflict in relation to **Items 5.3 Confidential** and **5.4 Confidential** and will leave the meeting when these Items occur.

Noelle Hurley declared a conflict of interest in relation to **Item 6.1 Whalers Way Orbital Launch Complex – Draft Assessment Report** due to personal relationships and will leave the meeting when this Item occurs.

Craig Holden declared a perceived bias in relation to **Item 6.1 Whalers Way Orbital Launch Complex – Draft Assessment Report** due to being a member of the State Commission Assessment Panel (SCAP) when a related Item was considered and will leave the meeting when this Item occurs.

In the absence of the Chair, the Commission Members present appointed Stuart Moseley to be Chair for **Items 5.3, 5.4 and 6.1**.

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 – 10 November 2022

The Commission formally adopted the SPC Confidential Minutes of the 10 November 2022 meeting.

1.9 SCAP Minutes for Noting – 9 November 2022

The Commission noted the SCAP Minutes of the 9 November 2022 meeting.

1.10 BTP Minutes for Noting – 28 October 2022

The Commission noted the BTP Minutes of the 28 October 2022 meeting.

1.11 Code Amendments Initiation Advice

The Commission noted the Code Amendments Initiation Advice.

1.12 Register of SCAP Appeals

The Commission noted the Register of SCAP Appeals.

2 CORRESPONDENCE

2.1 South Australia's Planning System (Dr Michael Llewellyn-Smith)

The Commission noted the correspondence.

2.2 Significant and Regulated Tree Regulations, Letter and Response (Mr John Fulbrook MP and the Hon Nick Champion MP)

The Commission noted the correspondence.

3 ADDITIONAL RESOURCES

3.1 *Meet in the Middle: Medium Density Key to Curbing Urban Sprawl* (Ted Tabet, *The Urban Developer*, 9 November 2022)

The Commission noted the additional resources.

4 MATTERS FOR ADVICE TO MINISTER

4.1 Port Pirie Smelter Transformation EIS Amendment – Pre-Treatment Plant

This Item was considered in confidence and is included in the SPC Confidential Minutes of 24 November 2022.

4.2 Proposal to Initiate the Stanley Flat Code Amendment

Deputation 1: Anita Allen (Associate Director, URPS), David Petruzzella (Senior Consultant, URPS), Andrew Christiansen (Director, Development and Community, Clare and Gilbert Valleys Council)

The Commission noted the Deputation and thanked the deputees for their time before they departed the meeting.

Paul Bennett 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 final decision by the Minister for Planning (the Minister) on initiation of the Code Amendment. Anticipated by December 2022.

2) Advise the Minister that it:

2.1 Holds significant concerns about the strategic land supply context however, given the significant land supply shortfall in the region, accept initiation of this proposal as an immediate means of alleviating demand. Given the constraints on the existing urban-zoned land within the township, it is considered that the efficient use of the affected area is paramount. The Commission considers that Council should be strongly encouraged to undertake strategic planning and Code Amendments as a priority to increase land supply in the region.

2.2 Recommends the approval of the Stanley Flat 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 approval of the Code Amendment, the Designated Entity must demonstrate to the satisfaction of the Minister 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 (the Code) (on the date the Amendment is released for consultation).

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.

2.3 Recommends that Nicholls Sunset Pty Ltd (care of URPS) 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:
 - Department for Infrastructure and Transport
 - South Australian Country Fire Service
 - Department for Environment and Water
 - Native Vegetation Council
 - 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) 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:
 - Conduct a search of the Register of Aboriginal Sites and Objects (Taa wika) to identify relevant Aboriginal heritage considerations, including any identified cultural sites and objects.
 - Unless there is a landscape or topographical constraint, apply a minimum allotment size Technical and Numeric Variation (TNV) between 1200 – 3000 square metres to create additional residential land supply.
 - Prepare a Concept Plan which demonstrates integration of the road network with adjoining residential areas and enables future densification of the area.
- 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**).
- 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.

5 MATTERS FOR DECISION

5.1 Assessment Panel Member Code of Conduct

This Item was considered in confidence and is included in the SPC Confidential Minutes of 24 November 2022.

5.2 Assessment Panel Member Complaint Handling Procedure

This Item was considered in confidence and is included in the SPC Confidential Minutes of 24 November 2022.

5.3 CONFIDENTIAL: Complaint CAPM2022-5

Craig Holden declared a conflict in relation to **Item 5.3: CONFIDENTIAL: CAPM2022-5** and left the meeting when this Item occurred.

In the absence of the Chair Commission members present appointed Stuart Moseley as Chair for this item.

This Item was considered in confidence and is included in the SPC Confidential Minutes of 24 November 2022.

5.4 CONFIDENTIAL: Complaint CAPM2022-9

Craig Holden declared a conflict in relation to **Item 5.4: CONFIDENTIAL: CAPM2022-9** and left the meeting when this Item occurred.

In the absence of the Chair Commission members present appointed Stuart Moseley to be chair for this item.

This Item was considered in confidence and is included in the SPC Confidential Minutes of 24 November 2022.

6 MATTERS FOR NOTING

6.1 Whalers Way Orbital Launch Complex – Draft Assessment Report

Craig Holden declared a perceived bias in relation to this Item due to being a member of the State Commission Assessment Panel (SCAP) when a related Item was considered and left the meeting when this Item occurred.

Noelle Hurley declared a conflict of interest in relation to this Item due to personal relationships and left the meeting when this Item occurred.

In the absence of the Chair, Commission members present appointed Stuart Moseley to be chair for this item.

This Item was considered in confidence and is included in the SPC Confidential Minutes of 24 November 2022.

6.2 Draft Stormwater Guide for the Planning and Design Code

This Item was considered in confidence and is included in the SPC Confidential Minutes of 24 November 2022.

6.3 PlanSA Monthly Report – October 2022

This Item was considered in confidence and is included in the SPC Confidential Minutes of 24 November 2022.

6.4 Private Bushfire Shelters

This Item was considered in confidence and is included in the SPC Confidential Minutes of 24 November 2022.

7 OTHER BUSINESS

Nil

8 MEETING FINALISATION

8.1 Next Meeting

Thursday, 8 December 2022.

8.2 Confirmation of Minutes and Confidential Minutes

The Commission resolved that the Confidential Minutes of the meeting held today, 24 November 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 4.20pm.

Confirmed 24/11/2022



Craig Holden

Chair

Confirmed 24/11/2022



Stuart Moseley

Chair, Items 5.3, 5.4 and 6.1