

Minutes of Meeting

Meeting No. 135

Date	Thursday, 19 January 2023
Venue	Inparri Kuu Seminar Room, Level 9, 83 Pirie Street and Microsoft Teams
Members	Craig Holden (Chair), Stuart Moseley, Elinor Walker, Stephanie Johnston, Sally Smith (Ex Officio)
Apologies	Noelle Hurley
DTI Staff	Brittany Anderson, Jenny Cottnam, Nadia Gencarelli, Ameya Sawant, Callum Hastie, Chelsea Lucas, Ben Sieben, Stuart Dowie, Wendy Mulvihill, Simon Neldner, Laura Kerber
External	Nil

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

Noelle Hurley declared a potential perceived bias and was an apology for the whole meeting.

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 – 15 December 2022

Stuart Moseley advised of updated advice and consideration warranting the following changes:

- **Item 1.3 (Declaration of Conflict of Interest / Ongoing Duty of Disclosure / Gifts and Benefits)** – Update the wording from “potential perceived conflict of interest” to “potential perceived bias”.
- **Item 6.1 (Residential Land Supply Update 2022)** – Removal of the declaration of a perceived conflict of interest.
- **Item 7.1 (Deputation No. 2)** – Update the wording from “potential conflict of interest” to “potential perceived bias”.

The Commission agreed with these changes and formally adopted the SPC Confidential Minutes of the 15 December 2022 meeting.

1.9 SCAP Minutes for Noting – 14 December 2022

The Commission noted the SCAP Minutes of the 14 December 2022 meeting.

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.

2 CORRESPONDENCE

2.1 Rural Living Code Amendments (URPS)

The Commission resolved to note the correspondence.

2.2 Section 225 Civil Penalty Notice (Mellor Olsson Lawyers)

The Commission resolved to note the correspondence.

2.3 Update on Private Bushfire Shelters (Building Policy Team, Planning and Land Use Services)

The Commission resolved to note the correspondence.

2.4 Email enclosing 2022 Report: Tree Preservation and Bushfire Prevention – A Comparison of Australia’s Bushfire Clearance Exemptions (Conservation Council of SA)

The Commission resolved to note the correspondence.

2.5 Council and Regional Assessment Panels (Adelaide Hills Council)

The Commission resolved to note the correspondence.

2.6 Assessment Panel Chairs and Assessment Managers Forum (Local Government Association)

The Commission resolved to note the correspondence.

3 ADDITIONAL RESOURCES

3.1 (a) State Planning Policy 2.5 – Rural Planning Guidelines Version 3 December 2016 (Western Australian Planning Commission)

(b) State Planning Policy 2.5 – Rural Planning December 2016 (Western Australian Planning Commission)

The Commission noted the additional resources.

3.2 Concordia Structure Planning Process (Department for Trade and Investment, Planning and Land Use Services)

The Commission noted the additional resources.

4 MATTERS FOR ADVICE TO MINISTER

4.1 Proposal to Initiate the Sandy Lane Industrial Estate 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.
- 2) Not make a recommendation to the Minister on the Proposal to Initiate the Sandy Lane Industrial Estate Code Amendment (**Attachment 1**) at this stage, under section 73(2)(b)(vii) of the *Planning, Development and Infrastructure Act 2016* (the Act), on the basis that insufficient information has been provided to warrant proceeding further on the matter.
- 3) Authorise the Chair of the Commission to write to both the Proponent and the District Council of Robe (the Council) advising that the Commission:
 - a) Accepts the need for industrial land in the region.
 - b) Requests the provision of further justification to demonstrate that the site is appropriate for the intended purposes, having consideration to:
 - Impacts on the future growth directions for Robe.
 - Infrastructure constraints and upgrade needs (including road, potable water, and wastewater).
 - c) Requires the establishment of appropriate funding mechanisms between Council and the Proponent for the provision of required infrastructure
 - d) Encourages a collaborative approach to addressing employment land demand in Robe and to considering the Proposal, including concurrent consideration with the Regional Planning Program.

5 MATTERS FOR DECISION

Nil.

6 MATTERS FOR NOTING

6.1 PlanSA Update – December 2022

This item was considered in confidence. The resolutions are included in the confidential minutes of the 19 January 2023 meeting.

6.2 Certificate of Title Requirements

Chelsea Lucas and Ben Sieben addressed the Commission.

The Commission resolved to:

- 1) Approve the designation of this item as Not Confidential (Release Immediately), with the exception of Appendix B which is designated as Confidential (Legal Advice or Litigation).
- 2) Note the outcomes of Planning and Land Use Services (PLUS) investigating possible regulatory change to mandate a Certificate of Title being provided for land division development applications.
- 3) Note the outcomes of the review of the efficacy of the checkbox facility in the Development Application Processing (DAP) System.
- 4) Approve PLUS removing the checkbox facility from the DAP System and authorise the Chair of the Commission to approve an acknowledgement and/or disclaimer regarding Certificates of Title to be included in the DAP System instead of the checkbox facility.

6.3 Building Policy Matters Update

This item was considered in confidence. The resolutions are included in the confidential minutes of the 19 January 2023 meeting.

7 OTHER BUSINESS

7.1 Presentation: Update on SA-NSW Interconnector Project

Simon Neldner and Laura Kerber addressed the Commission.

The Commission resolved to note the update on SA-NSW Interconnector Project.

7.2 Meeting Attendance

This item was considered in confidence. The resolutions are included in the confidential minutes of the 19 January 2023 meeting.

8 MEETING FINALISATION

8.1 Next Meeting

Thursday, 2 February 2023.

8.2 Confirmation of Minutes and Confidential Minutes

The Commission resolved that the Confidential Minutes of the meeting held today, 19 January 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 4.33pm.

Confirmed 19/01/2023

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

Craig Holden

Chair