



Minutes of Meeting

Meeting No. 151

Date	Thursday, 5 October 2023
Venue	Inparri Kuu Seminar Room, Level 9, 83 Pirie Street and Microsoft Teams
Members	Craig Holden (Chair), Stephanie Johnston, Stuart Moseley, David O'Loughlin, John Stimson, Lisa Teburea and Sally Smith (Ex Officio)
Apologies	Nil
DTI Staff	Kate Southcott, Margaret Smith, Troy Fountain, Brad McCormack, Amy Barratt, Ben Sieben, Bret Woods, Chelsea Lucas, Jason Bailey, Nadia Gencarelli, Wendy Mulvihill
External	Deputation Item 5.1 – Dylan Furnell, meri Pappas, Alexandra Paxinos, Pablo Valler, Constantine Paxinos

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

David O'Loughlin declared a conflict of interest in relation to **Item 4.1 Code Amendment Determination Advice to the Minister for Planning – 107 Port Road Thebarton (Thebarton Brewery Precinct) Code Amendment** and **4.2 Advice to the Minister for Planning – Proposal to Initiate the Brompton Gasworks (Minor Amendments) Code Amendment** due to business interests and will leave the meeting when these Items are discussed.

John Stimson confirmed a previously declared conflict of interest in relation to **Item 5.4 Outline Consents Practice Direction** due to previously being involved in an Outline Consents workshop in a private capacity and will leave the meeting when this matter 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 September 2023

The Commission formally adopted the SPC Confidential Minutes of the 7 September 2023 meeting.

1.7 Code Amendments Initiation Advice

The Commission noted the Code Amendments 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.

1.10 GARP Engagement Activities

The Commission noted the update on GARP Engagement Activities.

2 CORRESPONDENCE

Nil

3 ADDITIONAL RESOURCES

Nil

4 MATTERS FOR ADVICE TO MINISTER

4.1 Code Amendment Determination Advice to the Minister for Planning – 107 Port Road Thebarton (Thebarton Brewery Precinct) Code Amendment

David O'Loughlin left the meeting.

This item was considered in confidence and is included in the Commission's confidential minutes of 5 October 2023.

David O'Loughlin returned to the meeting.

4.2 Advice to the Minister for Planning – Proposal to Initiate the Brompton Gasworks (Minor Amendments) Code Amendment

David O'Loughlin left the meeting.

This item was considered in confidence and is included in the Commission's confidential minutes of 5 October 2023.

David O'Loughlin returned to the meeting.

5 MATTERS FOR DECISION

5.1 State Commission Assessment Panel (SCAP) Decision Review Request: 22 Flagstaff Road, Flagstaff Hill

Dylan Furnell, Meri Pappas, Alexandra Paxinos, Pablo Valler and Constantine Paxinos addressed the Commission.

The Chair thanked the deputees for their time and they left the meeting.

Margaret Smith and Troy Fountain addressed the Commission.

The Commission resolved to:

- 1) Approve the designation of this item as Not Confidential (Release Immediately).
- 2) Note the Decision Review Request from Mr Dylan Furnell on behalf of Zaina Stacey Development Consultants (the Applicant) to the Commission (**Appendix A**).
- 3) Note Development Application DA 23011894 documentation by the Applicant for Restricted Development – Torrens-title land division comprising the division of one (1) allotment into three (3) allotments to create two (2) additional allotments at 22 Flagstaff Road, Flagstaff Hill (**Appendix B**).
- 4) Note the Assessment Report and Minutes from the SCAP meeting held on 26 July 2023 (**Appendix C**).
- 5) Affirm the decision of the SCAP to refuse to proceed to assess DA 23011894 under section 110 of the Planning, Development and Infrastructure Act 2016 (the Act).
- 6) Authorise the Chair of the Commission to sign the letter to the Applicant advising of the Commission's decision not to proceed to assess DA 23011894 (**Attachment 1**).
- 7) Authorise the Chair of the Commission to sign the letter addressed to the Presiding Member of the SCAP, advising of the Commission's decision to not proceed to assess DA 23011894 (**Attachment 2**).
- 8) Authorise the Chair to make any minor amendments to the letters as required.

5.2 Deputation, External Meeting and Event Policy Update

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.

5.3 Policy for referring applications for variations of a development authorisation to the Government Architect

Margaret Smith and Brad McCormack addressed the Commission.

This item was considered in confidence and is included in the Commission's confidential minutes of 5 October 2023.

5.4 Outline Consents Practice Direction

John Stimson left the meeting.

This item was considered in confidence and is included in the Commission's confidential minutes of 5 October 2023.

John Stimson returned to the meeting.

5.5 Amendments to State Planning Commission Practice Direction 12 (Conditions) 2020

Chelsea Lucas and Ben Sieben addressed the Commission.

The Commission resolved to:

- 1) Approve the designation of this item as Not Confidential (Release Immediately).
- 2) Authorise the Chair of the Commission to approve *State Planning Commission Practice Direction 12 (Conditions) 2020*, subject to a further change to prohibit conditions on development authorisations that prevent the leasing, renting or occupation of ancillary accommodation.
- 3) Authorise the Chair to sign the draft Gazette Notice at **Attachment 2** to give notice of amendments to State Planning Commission Practice Direction 12 (Conditions) 2020.
- 4) Note the Department will arrange for the Gazette Notice to be published in the Government Gazette.
- 5) Authorise the Chair to sign the letter at **Attachment 3** to the Minister for Planning advising that amendments have been made to State Planning Commission Practice Direction 12 (Conditions) 2020.
- 6) Note the Department will, following publication of the updated Practice Direction, seek the views of a broader range of stakeholders on changes regarding community titled land

divisions, and the Department will return to the Commission with further refinements to the Practice Direction as required.

5.6 Future Living Code Amendment – Update and Direction

Jason Bailey, Nadia Gencarelli and Andrew Mitchell addressed the Commission.

This item was considered in confidence and is included in the Commission's confidential minutes of 5 October 2023.

5.7 Building Fire Safety Committee – Amendment to Terms of Reference and Update to Membership

Wendy Mulvihill addressed the Commission.

The Commission resolved to:

- 1) Approve the designation of this item as Not Confidential (Release Immediately).
- 2) Approve the appointment of Ms Jodie Evans to the Building Fire Safety Committee (BFSC), and to the position of Chair, until 30 September 2026, as she is a person who holds prescribed qualifications in building surveying.
- 3) Approve and authorise the Chair of the Commission to sign the attached letter of appointment to Ms Jodie Evans (**Attachment 1**).
- 4) Authorise the Chair of the Commission to make minor amendments to the Attachment as required to finalise.

6 MATTERS FOR NOTING

6.1 Ex Officio Report – 1 July 2023 to 30 September 2023

This item was considered in confidence and is included in the Commission's confidential minutes of 5 October 2023.

6.2 SPC Communications and Engagement Update

Bret Woods addressed the Commission.

The Commission resolved to:

- 1) Approve the designation of this item as Not Confidential (Release Immediately).
- 2) Note the communication and engagement update report as read.

7 OTHER BUSINESS

Nil

8 MEETING FINALISATION

8.1 Next Meeting

Thursday, 2 November 2023.

8.2 Confirmation of Minutes and Confidential Minutes

The Commission resolved that the Confidential Minutes of the meeting held today, 5 October 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 4.25pm.

Confirmed 05/10/2023

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

Craig Holden

Chair