



Public Minutes of Meeting

Meeting No. 99

Date	Thursday 5 August 2021 at 9.30am
Venue	Microsoft Teams and Kardi Munainty Meeting Room, Ground Floor, 50 Flinders Street, Adelaide
Members	Helen Dyer (Chair), Craig Holden, Allan Holmes, Sally Smith (Ex-Officio)
In Attendance	Chelsea Lucas, Ben Sieben, Kate Southcott (AGD)
Presenters	AGD Staff: Anita Allen, Ameya Sawant, Brett Steiner, Rhiannon Hardy, Andrew Mitchell, Brad McCormack, Tom Victory

1. GENERAL BUSINESS

1.1. Acknowledgement of Country

The Chair acknowledged the traditional owners 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.

In the absence of Helen Dyer (Chair), the Commission members present appointed Allan Holmes to preside over the 5 August 2021 meeting for agenda item 2.1 Hackham Code Amendment, in accordance with Section 4.2 of the State Planning Commission's Governance Manual.

1.3. Declaration of Conflict of Interest / Gifts and Benefits

Helen Dyer declared a conflict of interest (due to Holmes Dyer having been consulted on this matter) and did not partake in the consideration of agenda item 2.1 Hackham Code Amendment.

Helen Dyer considered the prospect of having a conflict of interest (due to Holmes Dyer having undertaken planning work for an aged-care provider) for item 4.2 Future Living Code Amendment – Proposal to Initiate. After careful consideration of whether there is a conflict, Helen determined that at the initiation phase, aged-care providers are a wide enough class of people that no such direct conflict exists.

Craig Holden considered the prospect of having a conflict of interest (due to Craig being on the board of an aged-care provider) for item 4.2 Future Living Code Amendment – Proposal to Initiate. After careful consideration of whether there is a conflict, Craig determined that at the initiation phase, aged-care providers are a wide enough class of people that no such direct conflict exists.

1.4. Action Register

The Commission noted the status of the Action items.

1.5. Chair's Report

The Commission noted the Chair's update.

1.6. Members Updates

The Commission noted the Members updates.

1.7. SPC Minutes & Confidential Minutes for Adoption – 22 July 2021

The Commission formally adopted the SPC minutes and confidential minutes of the 22 July 2021 meeting.

1.8. SCAP Minutes and Confidential Minutes for Noting – 21 & 28 July 2021

The Commission noted the SCAP minutes and confidential minutes of the 21 July 2021 and 28 July 2021 meeting.

2. CORRESPONDENCE

2.1. Hackham Code Amendment (Minister for Planning and Local Government)

The Commission noted the correspondence.

3. MATTERS FOR ADVICE TO MINISTER

4. MATTERS FOR DECISION

4.1. Code Amendment Delegations

Anita Allen, Brett Steiner and Chelsea Lucas addressed the Commission.

The Commission resolved to:

1. Approve the designation of this item as Not Confidential (Release Immediately).
2. Note the Department will provide the Commission with a fortnightly report on all code amendments lodged for initiation, noting which code amendments are proposed to be dealt with under delegation and which are proposed to be provided to the Commission for decision;
3. Note the Department will exercise existing delegations with respect to code amendments as limited by the instrument of delegation dated 18 March 2021 as shown in Attachment 2, and further excluding all code amendments where:
 - (a) the Commission has resolved to deal with the code amendment itself, through its regular report provided by the Department on code amendments lodged for initiation; and
 - (b) the Chief Executive of the Department is either the proponent under section 73(2)(b)(i) of the Act, or the designated entity responsible for undertaking the code amendment under section 73(6) of the Act;
4. Delegate to the Executive Director, Planning and Land Use Services and the Director, Planning and Development in the Attorney General's Department, the powers and functions:

- (a) under section 73(6)(e) of the Act, to specify any person or body with which the designated entity must consult; and
 - (b) under section 73(6)(f) of the Act, to specify such investigations which must be carried out, and information which must be obtained by the designated entity;
- with such delegation being limited to proposed code amendments where the function of providing advice to the Minister under section 73(2)(b) of the Act has also been exercised under delegation; and
5. Note that the additional delegations and limitations provided for in resolutions 3 and 4 will be incorporated into the Commission's broader instrument of delegation as part of the 6-monthly review and update of that document in late September 2021.

4.2. Future Living Code Amendment

This item was considered in confidence, and is included in the SPC Confidential Minutes 5 August 2021.

4.3. Local Design Review Code Amendment

Anita Allen, Rhiannon Hardy and Brad McCormack addressed the Commission.

The Commission resolved to:

1. Approve the designation of this item as Not Confidential (Release Delayed) – to be released at the time public consultation on the Code Amendment commences, anticipated Thursday 12 August 2021;
2. Approve the draft Local Design Review Code Amendment (Attachment 1) for consultation;
3. Authorise the Ex-Officio to approve the Local Design Review Code Amendment Engagement Plan (Attachment 2), subject to the changes discussed at the meeting having been made;
4. Authorise the Chair to write to the following entities (Attachment 3) to advise of the consultation:
 - (a) Minister for Planning and Local Government (Attachment 4)
 - (b) All South Australian councils
 - (c) Association of Consulting Architects
 - (d) Australian Institute of Architects
 - (e) Australian Institute of Landscape Architects
 - (f) Housing Industry Association
 - (g) Local Government Association
 - (h) Master Builders Association
 - (i) Planning Institute of Australia
 - (j) Property Council of Australia
 - (k) Urban Development Institute of Australia; and
5. Authorise the Chair to finalise any minor amendments to the attachments.

4.4. The 30-Year Plan for Greater Adelaide – 2017 Update Report Card

Anita Allen addressed the Commission.

The Commission resolved to:

1. Approve the designation of this item as Not Confidential (Release Delayed) with publication of papers for this item to occur together with publication of Attachment 1.
2. Note the Report Card on the six strategic targets from the 30-Year Plan for Greater Adelaide - 2017 Update as shown at Attachment 1;
3. Request that the Department amend the 30-Year Plan for Greater Adelaide - 2017 Update as discussed at the meeting;
4. Note that the amended 30-Year Plan for Greater Adelaide - 2017 Update will be circulated out-of-session; and
5. Authorise the Department to publish the amended graphically designed version of the 30 Year Plan for greater Adelaide – 2017 Report Card on the PlanSA Portal.

4.5. SPC Strategic Plan

Chelsea Lucas addressed the Commission.

The Commission resolved to:

1. Approve the designation of this item as Not Confidential (Release Immediately).
2. Note the draft Strategic Plan 2021/22 as shown in Attachment 1 and the updated draft Work Plan for 2021/22 as shown in Attachment 2;
3. Authorise the Chair to approve the Strategic Plan 2021/22 and Work Plan for 2021/22 following amendments reflecting discussions at the meeting.
4. Authorise the Department to publish the updated Strategic Plan 2021/22 on the Commission's website.

4.6. ICAC Referral – July 2021

This item was considered in confidence, and is included in the SPC Confidential Minutes 5 August 2021.

5. MATTERS FOR NOTING

5.1. Environment and Food Production Areas (EFPA) Review Update

This item was considered in confidence, and is included in the SPC Confidential Minutes 5 August 2021.

5.2. PlanSA Update (confidential item)

This item was considered in confidence, and is included in the SPC Confidential Minutes 5 August 2021.

6. ANY OTHER BUSINESS

6.1. 2018 Character Preservation Acts Review Recommendations

Anita Allen and Tom Victory addressed the Commission.

The Commission resolved to:

1. Approve the designation of this item as Not Confidential (Release Delayed), to be released together with other communications material.
2. Recommend to the Minister for Planning and Local Government (the Minister) that, with respect to the eight locations identified for the Commission's consideration arising from the 2018 Review of the Barossa Valley and McLaren Vale Character Preservation Acts (the 2018 Review), no changes are undertaken at this time given that:
 - a) the Commission has concluded that there is sufficient land supply within Greater Adelaide for the next 15 years to accommodate housing and employment growth;
3. Authorise the Chair to approve and sign a letter to the Minister advising of the Commission's recommendations; and
4. Authorise the Chair to approve a statement outlining the Commission's recommendations to the Minister.

7. MEETING FINALISATION

7.1. Next Meeting

Thursday 19 August 2021 at 11:00am at 21-25 Nile Street, Port Adelaide.

7.2. Confirmation of Minutes and Confidential Minutes

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

7.3. Meeting close

The Chair thanked all in attendance and declared the meeting closed at 1.24pm.

Confirmed 5/8/2021



Helen Dyer

Chair (all agenda items with the exception of 2.1)

Confirmed 5/8/2021



Allan Holmes

Presiding Member (agenda item 2.1)