



# Minutes of Meeting

Meeting No. 111

<b>Date</b>	Thursday, 3 February 2022 at 9.30am
<b>Venue</b>	Microsoft Teams
<b>Members</b>	Craig Holden (Chair), Stuart Moseley, Elinor Walker, Sally Smith (Ex Officio)
<b>Apology</b>	Noelle Hurley
<b>In Attendance</b>	Kate Southcott (AGD)
<b>Presenters</b>	AGD Staff: Brett Steiner, Jason Bailey, Nadia Gencarelli, Rhiannon Hardy, Chris Powell, Leah Mignone, Chelsea Lucas, Ameya Sawant
<b>External</b>	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 respects 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

Stuart Moseley declared a conflict for Items 3.1 Proposal to Initiate the 306 Twartz Road, Gawler Belt Code Amendment (due to previous firm's multiple interests/clients in Roseworthy) and 3.3 Buckland Park Suburban Activity Centre Code Amendment – ERDC Report (due to previous involvement in preparing an EIS for the Buckland Park Project) and 3.6 19-29 Glynburn Road, Glynde Code Amendment – ERDC Report (due to formerly acting for ALDI) and left the meeting when these items were discussed.

### 1.4 Action Register

The Commission noted the status of the Action items.

### 1.5 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.

## 1.6 Members Updates

The Commission noted the Members updates.

## 1.7 SPC Confidential Minutes for Adoption – 20 January 2022

The Commission formally adopted the SPC Confidential Minutes of the 20 January 2022 meeting.

## 1.8 SCAP Minutes and Confidential Minutes – 31 January and 1 February 2022

The Commission noted the SCAP Minutes of 31 January and 1 February 2022.

## 1.9 Code Amendments Initiation Advice

The Commission noted the Code Amendments Initiation Advice.

## 2 CORRESPONDENCE

### 2.1 For approval: Draft letter to City & Central Consulting Pty Ltd – American River Tourism Resort

This Item was considered in confidence and is included in the SPC Confidential Minutes of 3 February 2022.

### 2.2 For noting: Glandore Character Area Preservation Code Amendment (City of West Torrens)

The Commission noted the correspondence.

### 2.3 For noting: Appointment of the 23<sup>rd</sup> Surveyor General of South Australia (Attorney-General's Department)

The Commission noted the correspondence.

## 3 MATTERS FOR ADVICE TO MINISTER

### 3.1 Proposal to initiate the 306 Twartz Road, Gawler Belt Code Amendment

Stuart Moseley declared a conflict for this Item and left the meeting while this Item was discussed.

Jason Bailey 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 and Local Government (the Minister) on initiation of the Code Amendment. Anticipated by 18 February 2022.
- 2) Advise the Minister that it:
  - 2.1) Recommends the approval of the 306 Twartz Road, Gawler Belt Code Amendment Initiation 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) 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 Land Vision Group Pty Ltd (on behalf of Platinum Property Retirement Pty Ltd and/or nominee) 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 of Primary Industries and Regions
  - South Australian Country Fire Service
  - Environment Protection Authority
  - Department for Infrastructure and Transport
  - Town of Gawler
  - Utility providers including SA Power Networks, ElectraNet Pty Ltd, 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
  - Land owners located within the Concept Plan Boundary identified on the Planning and Design Code Concept Plan 50 Roseworthy Township Expansion.
- 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:
  - Demonstrate that infrastructure deeds/agreements can be established to adequately provide the required infrastructure to the affected area, either:
    - a. by signing up to an existing agreement; or
    - b. by negotiation of a new agreement to the satisfaction of relevant infrastructure providers.
- 5) Recommend that the Minister approve the initiation of the Code Amendment by signing the Proposal to Initiate (**Attachment 1**) and approval letters with conditions (**Attachment 2**).

- 6) Approve and authorise the Chair of the Commission to sign the advice to the Minister as provided at **Attachment 3**.
- 7) Authorise the Chair to finalise any minor amendments to the advice and attachments as required.

### 3.2 Albert Park Mixed Use Code Amendment – Approval to undertake public consultation

Jason Bailey and Nadia Gencarelli addressed the Commission.

The Commission resolved to:

- 1) Approve the designation of this item as Not Confidential (Released Delayed). To be released following receipt of Commission advice by the Minister for Planning and Local Government (the Minister) on approval to undertake consultation on the Code Amendment (**Attachment 1**). Anticipated February 2022.
- 2) Note the preliminary advice from the Environment Protection Authority (EPA) provided in **Attachment 2**.
- 3) Advise the Minister that it has:
  - Determined that the Code Amendment (Attachment 1) demonstrates preparation in accordance with Practice Direction 2 – Preparation and Amendment of Designated Instruments (Practice Direction 2).
  - Chosen not to direct the Designated Entity to undertake any further action to comply with the conditions imposed by the Minister under section 73(5) of the Planning, Development and Infrastructure Act 2016 (the Act).
  - Resolved to approve the Code Amendment for the purposes of consultation in accordance with conditions stipulated by the Minister under section 73(5) of the Act.
- 4) Approve and authorise the Chair of the Commission to sign the letter of approval to the Designated Entity as provided in **Attachment 3**.
- 5) Approve and authorise the Chair to sign the letter of advice to the Minister as provided in **Attachment 4**.
- 6) Authorise the Chair to finalise any minor amendments to the advice and attachments.

### 3.3 Buckland Park Suburban Activity Centre Code Amendment – ERDC Report

Stuart Moseley declared a conflict for this Item and left the meeting while this Item was discussed.

Jason Bailey and Nadia Gencarelli addressed the Commission.

The Commission resolved to:

- 1) Approve the designation of this item and attachments as Not Confidential (Release Delayed). To be released following final decision of the Environment, Resources and Development Committee (the Committee) of Parliament on the Buckland Park Suburban Activity Centre Zone Code Amendment (the Code Amendment).
- 2) Note that under section 74(2) of the Planning, Development and Infrastructure Act 2016 (the Act) the Minister for Planning and Local Government (the Minister) has referred the Code Amendment to the Committee within 28 days of it coming into effect, but has requested an extension of time until 28 February 2022 to provide the report under section 74(3) of the Act.
- 3) Note the Code Amendment referred to the Committee must be accompanied by a report prepared by the Commission that sets out the matters provided for in section 74(3) of the Act.
- 4) Approve and authorise the Chair of the Commission to finalise the report to the ERDC on the Code Amendment to address matters discussed in the meeting regarding compliance with section 74(3)(b) (Attachment 3).
- 5) Approve and authorise the Chair to sign the minute at Attachment 4 providing the report on the Code Amendment to the Minister, who will subsequently refer the Commission's report to the Committee under section 74(3) of the Act.

### 3.4 65- 73 Mooringe Avenue, Plympton Code Amendment – ERDC Report

Jason Bailey and Nadia Gencarelli addressed the Commission.

The Commission resolved to:

- 1) Approve the designation of this item and attachments as Not Confidential (Release Delayed). To be released following final decision of the Environment, Resources and Development Committee (the Committee) of Parliament on the 65-73 Mooringe Avenue, Plympton Code Amendment (the Code Amendment).
- 2) Note that under section 74(2) of the Planning, Development and Infrastructure Act 2016 (the Act) the Minister for Planning and Local Government (the Minister) has referred the Code Amendment to the Committee within 28 days of it coming into effect, but has requested an extension of time until 28 February 2022 to provide the report under section 74(3) of the Act.

- 3) Note the Code Amendment referred to the Committee must be accompanied by a report prepared by the Commission that sets out the matters provided for in section 74(3) of the Act.
- 4) Approve and authorise the Chair of the Commission to finalise the report to the ERDC on the Code Amendment to address matters discussed in the meeting regarding compliance with section 74(3)(b) (Attachment 3).
- 5) Approve and authorise the Chair to sign the minute at Attachment 4 providing the report on the Code Amendment to the Minister, who will subsequently refer the Commission's report to the Committee under section 74(3) of the Act.

### **3.5 Port Bonython Code Amendment – ERDC Report**

Jason Bailey and Nadia Gencarelli addressed the Commission.

The Commission resolved to:

- 1) Approve the designation of this item and attachments as Not Confidential (Release Delayed). To be released following final decision of the Environment, Resources and Development Committee (the Committee) of Parliament on the Port Bonython Code Amendment (the Code Amendment).
- 2) Note that under section 74(2) of the Planning, Development and Infrastructure Act 2016 (the Act) the Minister for Planning and Local Government (the Minister) has referred the Code Amendment to the Committee within 28 days of it coming into effect, but has requested an extension of time until 28 February 2022 to provide the report under section 74(3) of the Act.
- 3) Note the Code Amendment referred to the Committee must be accompanied by a report prepared by the Commission that sets out the matters provided for in section 74(3) of the Act.
- 4) Approve and authorise the Chair of the Commission to finalise the report to the ERDC on the Code Amendment to address matters discussed in the meeting regarding compliance with section 74(3)(b) (Attachment 3).
- 5) Approve and authorise the Chair to sign the minute at Attachment 4 providing the report on the Code Amendment to the Minister, who will subsequently refer the Commission's report to the Committee under section 74(3) of the Act.

### 3.6 19-29 Glynburn Road, Glynde Code Amendment – ERDC Report

Stuart Moseley declared a conflict for this Item and left the meeting while this Item was discussed.

Jason Bailey and Nadia Gencarelli addressed the Commission.

The Commission resolved to:

- 1) Approve the designation of this item and attachments as Not Confidential (Release Delayed). To be released following final decision of the Environment, Resources and Development Committee (the Committee) of Parliament on the 19-29 Glynburn Road, Glynde Code Amendment (the Code Amendment).
- 2) Note that under section 74(2) of the Planning, Development and Infrastructure Act 2016 (the Act) the Minister for Planning and Local Government (the Minister) has referred the Code Amendment to the Committee within 28 days of it coming into effect, but has requested an extension of time until 28 February 2022 to provide the report under section 74(3) of the Act.
- 3) Note the Code Amendment referred to the Committee must be accompanied by a report prepared by the Commission that sets out the matters provided for in section 74(3) of the Act.
- 4) Approve and authorise the Chair of the Commission to finalise the report to the ERDC on the Code Amendment to address matters discussed in the meeting regarding compliance with section 74(3)(b) (**Attachment 3**).
- 5) Approve and authorise the Chair to sign the minute at Attachment 4 providing the report on the Code Amendment to the Minister, who will subsequently refer the Commission's report to the Committee under section 74(3) of the Act.

### 3.7 Riverbank Precinct Code Amendment – ERDC Report

Jason Bailey and Rhiannon Hardy addressed the Commission.

The Commission resolved to:

- 1) Approve the designation of this item and attachments as Not Confidential (Release Delayed). To be released following final decision of the Environment, Resources and Development Committee (the Committee) of Parliament on the Riverbank Precinct Code Amendment (the Code Amendment).
- 2) Note that under section 74(2) of the Planning, Development and Infrastructure Act 2016 (the Act) the Minister for Planning and Local Government (the Minister) must refer the Code Amendment to the Committee within 28 days of it coming into effect.
- 3) Note the Code Amendment referred to the Committee must be accompanied by a report prepared by the Commission that sets out the matters provided for in section 74(3) of the Act.

- 4) Approve and authorise the Chair of the Commission to make any minor editorial and technical amendments, address matters discussed in the meeting to comply with section 74(3)(b) of the Act, and to sign the report addressed to the Committee on the Code Amendment (Attachment 5).
- 5) Approve and authorise the Chair to sign the Minute at Attachment 6 providing the report on the Code Amendment to the Minister, who will subsequently refer the Commission's report to the Committee under section 74(3) of the Act.

## 4 MATTERS FOR DECISION

### 4.1 Role and function of the Building Technical Panel (BTP)

This Item was considered in confidence and is included in the SPC Confidential Minutes of 3 February 2022.

### 4.2 Delegations under the PDI Act – 2022 Updates

Chelsea Lucas addressed the Commission.

The Commission resolved to:

- 1) Approve the designation of the item as Not Confidential (Release Delayed), with the meeting papers for the item to be released following final adoption of the updated delegations by the Commission and the State Commission Assessment Panel (SCAP).
- 2) Approve the draft Instrument of Delegation at Attachment 2, with the instrument to be effective from the date of signing by the Chair.
- 3) Authorise the Chair to sign the Instrument of Delegation as approved, including making any minor amendments as required to finalise.

### 4.3 Deputations, External Meeting and Event Policy

Chelsea Lucas addressed the Commission.

The Commission resolved to:

- 4) Approve the designation of this item as Not Confidential (Release Immediately), with the exception of **Attachments 1 and 3** as Confidential (Draft Advice or Documents).
- 5) Approve the designation of the Deputation, External Meeting and Event Policy Agenda Report on 9 December 2021 as Confidential (Draft Documents or Advice).
- 6) Approve the amendments to the Deputation, External Meeting and Events Policy at Attachment 2 and authorise the Chair to approve further amendments to provide greater flexibility to allow longer time for deputations where approved by the Chair.
- 7) Authorise the Attorney-General's Department (the Department) to publish the Deputation, External Meeting and Event Policy once approved.



## 5 MATTERS FOR NOTING

### 5.1 PlanSA Update – December 2021

This Item was considered in confidence and is included in the SPC Confidential Minutes of 3 February 2022.

### 5.2 Open Space and Trees Project – Update and advice on interaction with Green Adelaide work

This Item was considered in confidence and is included in the SPC Confidential Minutes of 3 February 2022.

## 6 ANY OTHER BUSINESS

### 6.1 Infrastructure Scheme

The Commission discussed Infrastructure Schemes and will schedule a workshop during 2022.

## 7 MEETING FINALISATION

### 7.1 Next Meeting

Thursday, 17 February 2022 at 9:30am by Teams or in the Kardi Munaintya Room.

### 7.2 Confirmation of Minutes and Confidential Minutes

The Commission resolved that the Confidential Minutes of the meeting held today, 3 February 2022 be confirmed as a true and accurate record.

### 7.3 Meeting close

The Chair thanked all in attendance and declared the meeting closed at 4.48pm.

Confirmed 03/02/2022



**Craig Holden**  
Chair