



Minutes of Meeting

Meeting No. 156

Date	Thursday, 1 February 2024
Venue	9.02 Inparri Kuu Seminar Room, Level 9, 83 Pirie Street and Microsoft Teams
Members	Craig Holden (Chair), Stuart Moseley, Stephanie Johnston, David O'Loughlin, John Stimson, Lisa Teburea and Sally Smith (Ex Officio)
Apologies	Nil
DTI Staff	Kate Southcott, Marc Voortman, Brett Steiner, Cherie Gill, Clare Ashmeade, Matthew Ballard, Benjamin Murphy, Chris Rudd, Grant Croft, Steven Murphy, Nadia Gencarelli, Chelsea Lucas, Ben Sieben, Robert Kleeman, Lee Webb
DTI CE	David Reynolds, Chief Executive, Department for Trade and Investment

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

Craig Holden confirmed a previously declared perceived bias in relation to **Item 4.3 Major Development/ Impact Assessed Development – Whalers Way Orbital Launch Complex** due to being a member of the State Commission Assessment Panel when a related item was considered and will leave the meeting when this item is discussed.

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 – 14 December 2023

The Commission formally adopted the SPC Confidential Minutes of the 14 December 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.

2 CORRESPONDENCE

2.1 Letter from the Minister for Planning to SPC Chair

The Commission noted the correspondence from the Minister for Planning.

3 ADDITIONAL RESOURCES

Nil

4 MATTERS FOR ADVICE TO MINISTER

4.1 Code Amendment Initiation Advice to the Minister for Planning – Proposal to Initiate the Freeling West 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) Advise the Minister that it:
 - 2.1 Recommends initiation of the Freeling West 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) 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 engagement.
 - 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.
 - c) Prior to the adoption of the Code Amendment, the Designated Entity must demonstrate, to the satisfaction of the Minister for Planning, 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, to the satisfaction of all relevant infrastructure providers.

- d) Explore the application of the Suburban Neighbourhood Zone or other similar zones from the Code as an alternative to the Established Neighbourhood Zone. The Established Neighbourhood Zone is generally applied where limited change is expected in established areas and has no Concept Plan functionality and fewer Deemed-to-Satisfy pathways available.
- 2.2 Recommends that Walton Rural Pty Ltd 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 Education
 - Affordable Housing Unit of the SA Housing Authority
 - Department for Environment and Water
 - Department for Infrastructure and Transport
 - Department of Primary Industries and Regions
 - Environment Protection Authority (EPA)
 - South Australian Country Fire Service
 - 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:
- A comprehensive infrastructure analysis by an appropriately qualified expert (or experts) that identifies all future infrastructure works required to accommodate the development of the affected area as proposed by the Code Amendment and provides a strategy which offers a funding and delivery solution for all required infrastructure works (noting that Light Regional Council has stated that it expects that Infrastructure Deed/s will be required).
 - Stormwater investigations to ensure there is no run-off to the existing township nor the surrounding allotments (or such other arrangements as may be agreed to by Council, Designated Entity and the affected land owners).
 - Conduct a search of the Register of Aboriginal Sites and Objects (Taa wika) to identify any identified Aboriginal heritage considerations, including any identified cultural sites and objects.
 - Ensure the Concept Plan outlines a layout that ensures future township growth is not constrained including consideration of connectivity to existing and potential future residential areas and pedestrian connectivity, possibly along the watercourse into the township.
- 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 and 3**).
- 6) Approve and authorise the Chair of the Commission to sign the advice to the Minister as provided in **Attachment 4**.
- 7) Authorise the Chair to finalise any minor amendments to the advice and attachments as required.

4.2 Practice Direction 12 – Community Title Land Divisions

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. Note the feedback at **Appendix A** and **Appendix B** received in relation to the amendments made to Practice Direction 12 on 13 October 2023.
3. Authorise the Chair of the Commission to sign the draft Gazette Notice at **Attachment 2** to give notice of amendments to *State Planning Commission Practice Direction 12 (Conditions) 2020*.
4. Authorise the Chair of the Commission to sign the letter at **Attachment 3** to the Minister for Planning advising that further amendments have been made to *State Planning Commission Practice Direction 12 (Conditions) 2020*.
5. Authorise the Chair of the Commission to sign the letter at **Attachment 4** advising that further amendments have been made to *State Planning Commission Practice Direction 12 (Conditions) 2020* and send it to the following stakeholders:
 - a. Local Government Association;
 - b. Planning Institute of Australia (SA);
 - c. Housing Industry Association;
 - d. Master Builders Association;
 - e. Property Council of Australia;
 - f. Urban Development Institute of Australia (SA);
 - g. Consumer and Business Services; and
 - h. All local councils.
6. Authorise the Chair of the Commission to make any amendments to the Attachments as required to finalise.
7. Note the status of the new draft *State Planning Commission Practice Direction 19 (Community Title Land Divisions) 2024*, subject to changes to 5(1)(f) as discussed in the meeting.
8. The Department to provide further advice to the Commission following the MLG (Subcommittee) meeting with advice on possible further changes to PD12, draft Practice Direction 19 and a potential bonding mechanism.

4.3 Major Development / Impact Assessed Development – Whalers Way Orbital Launch Complex

Craig Holden left the meeting for this Item.

In the absence of the Chair, Commission Members present elected Stuart Moseley to be Chair for this item.

This Item was considered in confidence and is included in the Commission's confidential minutes of 1 February 2024.

Craig Holden was present for the remainder of the meeting.

5 MATTERS FOR DECISION

Nil

6 MATTERS FOR NOTING

6.1 SPC Communications and Engagement Update

Steven Murphy 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

7.1 Workshop 1: Greater Adelaide Regional Plan Investigations Workshop 1 – Outer North

David Reynolds, Marc Voortman, Brett Steiner, Cherie Gill, Clare Ashmeade, Matthew Ballard, Benjamin Murphy, Chris Rudd and Grant Croft addressed the Commission.

This Item was considered in confidence and is included in the Commission's confidential minutes of 1 February 2024.

8 MEETING FINALISATION

8.1 Next Meeting

Thursday, 15 February 2024.

8.2 Confirmation of Minutes and Confidential Minutes

The Commission resolved that the Minutes of the meeting held today, 1 February 2024, be confirmed as a true and accurate record.

8.3 Meeting Close

The Chair thanked all in attendance and declared the meeting closed at 4.22pm.

Confirmed 01/02/2024



Craig Holden

Chair

Confirmed 01/02/2024



Stuart Moseley

Acting Chair for Item 4.3