

# Minutes of Meeting

Meeting No. 14

<b>Date</b>	Thursday, 1 March 2018 at 9.30am
<b>Venue</b>	Ground Floor Meeting Room, 50 Flinders Street, Adelaide
<b>Members</b>	Tim Anderson QC (Chair), Janet Finlay, Matt Davis, Fairlie Delbridge, Allan Holmes, Michael Lennon, Sally Smith (Ex Officio)
<b>In Attendance</b>	Danielle Mansour (Governance Unit, DPTI)
<b>Presenters</b>	Anita Allen, Andrew Humby, Therese McNicol, Nadia Gencarelli, Alex McKenzie

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## 1. GENERAL BUSINESS

### 1.1 Open Meeting

9:37am

### 1.2 Welcome and Apologies

Allan and Fairlie arriving at 10am

### 1.3 Declaration of Conflicts of Interests / Gifts & Benefits

Fairlie Delbridge declared a conflict of interest in relation to item 7.1 and left the meeting while this matter was discussed.

### 1.4 Chair's Report (verbal)

- Ground floor meeting room opening – 14 February 2018
- Regional Council Visits – David Lake, DPTI and Chair
  - Whyalla, 6 Feb
  - Mt. Gambier, 9 Feb
  - Mallala, 16 Feb – councils
- SPC Workshop – 15 Feb
- West Torrens Council Meeting – 20 Feb
- SCAP review – commenced 21 Feb
- UDIA Lunch – 22 Feb
- Aged Care Symposium meeting – 28 February 2018

### 1.5 Members Report (verbal)

Michael discussed his attendance at the Property Council event

### 1.6 Confirmation of Minutes of previous meeting – 1 February 2018

Minutes were confirmed by Commission members.

## 2. CONFIDENTIAL MATTERS

### 2.1 Theme papers

*Discussions regarding Theme Papers are confidential*

## 3. STRATEGIC MATTERS

Nil

## 4. MATTERS FOR ADVICE TO MINISTER

Nil

## 5. MATTERS FOR DECISION

### 5.1 Heritage Places (Institutions and Colleges) North Adelaide DPA

#### DISCUSSION

- Commission members discussed the lack of attention to statutory criteria proposed by Council when determining Heritage places. There was also differing views in Council about how the criteria should be applied.
- There is a significant cost burden placed on property owners for expert heritage advice to defend a weak argument. Question of equity when there is no ability to apply costs back to authority making the determination in the first place.
- The Commission wants the proponents to strive for discipline and rigour with submissions based on statutory requirements.
- These issues need to be communicated to an incoming Minister.

#### DECISION

The Commission resolved to:

- Approve the attached Hearing Panel Report as the basis for preparing the State Planning Commission's advice to the Minister for Planning in accordance with section 25(15) of the *Development Act 1993*.
- Delegate the finalisation of the State Planning Commission's advice (including minor amendments) to the Chair and to forward it to the Minister for Planning.
- For the Chair to prepare a letter to Minister including issues discussed together with advice and flagging the Commission's desire to meet with the Minister to further discuss. The letter will be circulated to members out of session.

## 5.2 Heritage Development Plan Amendment

### DISCUSSION

- The Commission discussed the need for one commission member with two heritage experts rather than three commission members as was used on the Heritage Places (institutions and Colleges) North Adelaide DPA.
- Heritage is one of Commission's priorities and therefore some of these issues will be managed through the Code process.

### ACTIONS

- Heritage Panel members to an agreed framework in which to operate.
- Commission to invite Lord Mayor in.

### DECISION

The Commission resolved to:

- Establish a Hearing Panel to hear submissions and make recommendations to the Minister for Planning on the following Development Plan Amendments (DPA):
  - Southern Heritage Places DPA – by the Mid Murray Council
  - Heritage Places DPA – by the City of Charles Sturt
  - Local Heritage – Public Places DPA – by the Adelaide Hills Council.
- Include the following heritage experts, as former members of the Local Heritage Advisory Committee, on the Hearing Panel:
  - Jason Schulz
  - Hamish Angas
- The following Commission members to be included on the listed DPA Hearing Panels:
  - Southern Heritage Places DPA – by the Mid Murray Council – *Allan Holmes*
  - Heritage Places DPA – by the City of Charles Sturt – *Matt Davis*
  - Local Heritage – Public Places DPA – by the Adelaide Hills Council – *Michael Lennon*

## 5.3 DPTI – Planning and Development Panel of Providers – Specialist Advice

### DISCUSSION

- Anita explained the avenues of specialist advice available to the Commission.
- No further procurement process is needed to use someone from the panel of providers as all members went through a tender process to be on the Panel.
- Matt identified that there could be some further specialist architectural advice required when testing policy of the Planning and Design Code. Anita advised that DPTI could go through another process and call for something more specific. Anita to work with Matt on what the desired skill sets are out of session.
- Sally advised the Commission that approximately 250 people have volunteered to be used to test the Planning and Design Code and the Commission should remember they can also call upon these people for testing purposes.

- The Commission discussed the need for Specialist Members and a vote was taken. The majority of the Commission did not support Specialist members and prefer to call in expertise when needed for advisory purposes. The Commission can consider whether the current expertise and skill base of the Commission is sufficient through the Commission performance review

## **DECISION**

The Commission resolved to:

- Note that the DPTI Planning and Development Panel of Providers list, as well as the broader DPTI Panel of Provider lists are available for use by the State Planning Commission as required.
- Advise DPTI whether there are gaps in the Panels that could be expanded upon.
- Consider the composition and expertise of Commission members as part of the Commissions' performance review.

## **6. MATTERS FOR NOTING**

### **6.1 ePlanning Project**

- The Commission noted the paper as read.
- The Commission agreed to have this item presented in more detail at a future Commission workshop.

### **6.2 Risk Register (*Note: Attachment 2 – SPC Governance charger has been uploaded separately*)**

The Commission noted:

- the paper as read; and
- risk levels have not been amended over the preceding quarter; and
- the outstanding controls/treatments that require action.

## **7. CORRESPONDENCE**

### **7.1 Letter from Minister – Southern Innovation**

- Correspondence noted

### **ACTION**

The Commission requested that in the future DPTI provide a paper on complex DPA's noting the variances between the Commission's advice to the Minister and the Minister's final determination.

## **8. OTHER BUSINESS**

### **8.1 Action List**

- The Commission noted the Action List.

**ACTION**

- Dannie to review the Action list and remove administrative tasks.

**8.2 Communication and Engagement Plan**

**ACTION**

Therese and Allan to further progress the discussion around the Communication and Engagement Plan out of session.

**9. NEXT MEETING**

Thursday 29 March 2018

**10. MEETING CLOSE**

The Chair thanked all in attendance and declared the meeting closed at 2.26pm.

Confirmed as a true and accurate record:

A handwritten signature in black ink, appearing to read 'Tim Anderson', written in a cursive style.

**Tim Anderson QC**  
Chair

9 March 2018