



Minutes of Meeting

Meeting No. 147

Date	Thursday, 27 July 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 and Sally Smith (Ex Officio)
Apologies	Lisa Teburea
DTI Staff	Kate Southcott, Margaret Smith, Troy Fountain, Mollie O'Connor, Nadia Gencarelli, Heang Lim, Chelsea Lucas, Ameya Sawant
External	<p>Item 5.1 – Sally Ann Rowland, Stephanie Rowland (Silver Walnut Pty Ltd)</p> <p>Item 5.2 – Matthew Morrissey (Department for Infrastructure and Transport), Fiona Sellick (Department for Infrastructure and Transport)</p>

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 / Ongoing Duty of Disclosure / Gifts and Benefits

John Stimson declared a conflict of interest in relation to Freeling (Windy Acres) which is included in **Item 1.10 Code Amendment Initiation Advice** for noting. If this Item is before the Commission for discussion, John Stimson will declare a conflict of interest due to previous business interests and leave the meeting.

1.4 SPC Actions Register

The Commission noted the status of the Action Items.

1.5 PLUS Issues Register

The Commission noted the status of the Issues Register.

1.6 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.

1.7 Member Updates

The Commission noted the Member updates.

1.8 SPC Confidential Minutes for Adoption – 13 July 2023

The Commission formally adopted the SPC Confidential Minutes of the 13 July 2023 meeting.

1.9 Code Amendments Initiation Advice

The Commission noted the Code Amendments Initiation Advice.

1.10 Register of SCAP Appeals

The Commission noted the Register of SCAP Appeals.

1.11 Register of Complaints

The Commission noted the Register of Complaints.

2 CORRESPONDENCE

Nil

3 ADDITIONAL RESOURCES

Nil

4 MATTERS FOR ADVICE TO MINISTER

4.1 Proposal to Initiate the Jane Eliza Code Amendment

This item was considered in confidence and is included in the Commission's confidential minutes of the 27 July 2023 meeting.

4.2 Proposal to Initiate the McLaren Vale Township Code Amendment

This item was considered in confidence and is included in the Commission's confidential minutes of the 27 July 2023 meeting.

5 MATTERS FOR DECISION

5.1 SCAP Decision Review Request

Sally Ann Rowland and Stephanie Rowland (Silver Walnut Pty Ltd) addressed the Commission.

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

Margaret Smith, Troy Fountain and Mollie O'Connor addressed the Commission.

The Commission resolved to:

- 1) Approve the designation of this item as Not Confidential (Release Immediately), with the exception of Attachment 3, which is Confidential (Legal Advice).
- 2) Note the Decision Review Request from Silver Walnut Pty Ltd, care of Ms Sally-Ann Rowland and Ms Stephanie Rowland (the Applicant) to the Commission (Appendix A).

- 3) Note Development Application (DA) 23002473 documentation by the Applicant, for Restricted Development – Land Division to create 10 additional allotments (Torrens Title) for residential purposes including reserve and new road at Lot 42 Hay Flat Road, Normanville (Appendix B).
- 4) Note the Assessment Report and Minutes from the SCAP meeting held on 8 March 2023 (Appendix C).
- 5) Affirm the decision of the SCAP to refuse to proceed to assess DA 23002473 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 23002473 (Attachment 1).
- 7) Authorise the Chair to sign the letter to the Presiding Member of SCAP advising of the Commission’s decision to not to proceed to assess DA 23002473 (Attachment 2).
- 8) Note Attachment 3 regarding confidential verbal legal advice from the Crown Solicitor’s Office and agree to consider the matters raised in greater detail at a future Commission meeting.
- 9) Authorise the Chair to make any minor amendments to the letters as required.
- 10) Note that a staff representative from Planning and Land Use Services will contact the proponent and the Council to discuss the optimal outcome for the site and potential community benefit in a potential proponent led Code Amendment process.

5.2 Ministerial Building Standard – Additional Requirements for Designated Tunnel Protection Areas

This item was considered in confidence and is included in the Commission’s confidential minutes of the 27 July 2023 meeting.

5.3 Provisional List of Specialist Commission Members

This item was considered in confidence and is included in the Commission’s confidential minutes of the 27 July 2023 meeting.

6 MATTERS FOR NOTING

6.1 PlanSA Update – March to June 2023

This item was considered in confidence and is included in the Commission’s confidential minutes of the 27 July 2023 meeting.

6.2 Ex Officio Report – 1 April 2023 to 30 June 2023

This item was considered in confidence and is included in the Commission’s confidential minutes of the 27 July 2023 meeting.

7 OTHER BUSINESS

Nil

8 MEETING FINALISATION

8.1 Next Meeting

Thursday, 10 August 2023.

8.2 Confirmation of Minutes and Confidential Minutes

The Commission resolved that the Confidential Minutes of the meeting held today, 27 July 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 2.53pm.

Confirmed 27/07/2023

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

Craig Holden

Chair