

Minutes

Meeting No. 8

Date	Thursday, 19 October 2017 at 9.30am
Venue	Dr Alice Rigney Room, Level 5, 50 Flinders Street, Adelaide
Members	Tim Anderson QC (Chair), Matt Davis, Fairlie Delbridge, Allan Holmes, Michael Lennon, Sally Smith (Ex Officio)
In Attendance	Sue Rudall, (Governance Unit - DPTI)
Presenters	Chris Kwong, Andrew Mitchell
Apologies	Janet Finlay

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1. OPEN MEETING

- 1.1 Welcome and Apologies
- 1.2 Declaration of Conflicts of Interests / Gifts & Benefits

The following declaration of interest was noted:

- Matt Davis:
 - Redevelopment of Festival Plaza
 - Work with Prospect Council on urban corridor zone

The following declaration of benefits was noted for the purposes of the Gifts and Benefits Register:

- Matt Davis declared flights, dinner and accommodation related to his attendance (not as a Commission member) at Australian Institute of Architects/ ABC Big Ideas Panel Discussion in Canberra on 14 September 2017.

Likely future declarations of benefits flagged for the following:

- Fairlie Delbridge – flagged planned attendance (not as a Commission member) Australian Housing and Urban Research Institute (AHURI) National Housing Conference from 29 November until 1 December 2017 in Sydney (not as Commission member)
- Michael Lennon will also be speaking at the AHURI Conference (not as Commission member).

1.3 Chair's Report

In addition to the Chair's written report, which the Commission noted, the Chair also spoke at the Master Builder's Association of South Australia 2017 State Building Industry Forum on 12 October 2017 at the Hilton Hotel regarding the Commission's role and its achievements to date.

1.4 Members' Report

Allan Holmes reported:

- Discussion of issues related to the trial of Joint Planning Boards with Anita Crisp, Executive Officer, Central Region of Councils, SA (Sally aware of issues)
- Interest in discussing coastal / sea walls
- Management of environmental consequences of dredging ports.

1.5 Ex Officio's Report

Actions:

- DPTI to provide Commission with quarterly ex officio reports and:
 - Separate daily media reports (including links where available) and hot topic articles as they arise (to personal email unless advised otherwise)
 - Separate quarterly Development Assessment monitoring including:
 - further detail regarding significant major developments undergoing assessment – and indicate status (current/dormant); and
 - overview of projects going through case management/design review.
 - Separate quarterly agenda report re the statutory (assessment related) powers of the Commission, delegations currently in place to SCAP and DPTI officers, and monitoring/reporting on the exercise of those delegated powers.
 - In longer term (by 30 June 2018) to re-package delegations of more complex matters to SCAP, less so to DPTI delegates, with separate framework for major development guidelines (with Commission).
- Commission Chair to speak to SCAP Chair regarding the Commission taking over policy regarding guidelines for the major development assessment process.

2. CONFIDENTIAL MATTERS

2.1 See items 4.1 and 4.2

3. STRATEGIC MATTERS

3.1 Nil

4. MATTERS FOR ADVICE TO MINISTER

Andrew McKeegan, DPTI Chief Development Officer, joined meeting for remainder of agenda

4.1 Confidential

Inner and Middle Metropolitan Corridor (Design) Development Plan Amendment
– Finalisation of Report to Minister for Planning

Discussions regarding advice to Minister (Confidential)

4.2 Confidential

Inner and Middle Metropolitan Corridor (Sites) Development Plan Amendment
– Finalisation of Report to Minister for Planning

Discussions regarding advice to Minister (Confidential)

5. MATTERS FOR DECISION

5.1 State Planning Policies

DISCUSSION

- The Commission considered the correspondence received from the Minister for Planning dated 27 September 2017 (Attachment 1) requesting the Commission initiate the preparation of the inaugural suite of State Planning Policies.
- Two Commission members to be nominated by the Chair to work closely with DPTI as ‘Commission Champions’ for the State Planning Policies project.

DECISION

The Commission resolved that the theme papers and list of State Planning Policies be considered and rationalised to achieve better consistency of language.

The Commission resolved to initiate the preparation of the inaugural suite of State Planning Policies and endorsed the proposed implementation approach to developing draft State Planning Policies.

5.2 State Planning Commission Governance Charter

DISCUSSION

- Allan will provide further feedback on the draft Commission Governance Charter out of session.
- Commission Members provided feedback as to presentation of agenda papers:
 - Lengthy and/or complex matters to be formatted to assist Members’ investment of effort to note any materials which are unchanged from those previously provided to the Commission, and emphasise those which have been amended or are new.
 - Michael offered to share *Diligent for Boards* with Governance team in order to help investigate alternatives to current system which is complex and labour intensive.
- Discussion by Chair as to appointment of Deputy Chair.

DECISIONS

Allan to meet with Sue out of session to discuss comments on draft Charter prior to returning to Commission for endorsement.

DPTI Governance team to explore more user friendly alternatives to provide materials to Members.

5.3 Planning Reform Implementation Strategy and Work Program – Month-to-Month Work and Decision Making Schedule

DISCUSSION

While the draft toolkit is due soon the Commission noted that this timeframe will require review in order to allow for review by Matt Davis before it is provided for the Commission’s consideration.

The Commission noted the need for greater alignment between the work programs for the State Planning Policies and Theme Papers.

The Commission noted the Work Program.

5.4 Specialist Members

DISCUSSION

The Commission discussed the Specialist Members' categories list and the need to appoint specialist members as opposed to seeking expert advice to enable Commission members to make informed decisions. It was determined not to approve the list at this time but to return to it once there is more information regarding the disciplines for which Specialist Members could be required.

DECISION

- The Commission discussed the need for Specialist Members.
- Rather than seeking appointment of Specialist Members at this time, the Commission requested a list of providers of professional advice should it be required, noting that nomination and selection processes and Ministerial approval of Specialist Members would require significant lead time should they be needed in future.
- The Commission also determined not to delegate the ability for Building Committee to issue practice directions as to meeting procedures and information required for applications.

5.5 State Planning Commission - Building Committee

DISCUSSION

The Commission discussed the membership of the Building Committee and the proposed Terms of Reference and Operating Procedures.

DECISION

- DPTI to confirm appointment process for Building Committee and circulate members' *curriculum vitae* to Commission
- The Commission did not approve the Terms of Reference and Operating Procedures nor delegation of final ratification of the Terms of Reference to the Committee
- The Commission resolved to further consider the Terms of Reference following their amendment (speak to Allan) at its next meeting on 9 November.
- Commission requested consideration of nominating an architect to the Building Committee or list of providers of advice.

5.6 Nullarbor Parks Draft Management Plan

DECISION

- The Commission:
 - Noted the report as read
 - Resolved that the draft Management Plan for the Nullarbor Parks prepared by DEWNR is consistent with the:
 - Principles and policies of the Eyre and Western Region Plan (April 2012).

- Provisions of the Land Not Within a Council Area (Eyre, Far North, Riverland and Whyalla) Development Plan (consolidated 18 October 2012).
- Approved the Chair writing to the Department of Environment and Natural Resources (DEWNR) pursuant to Section 38(2a)(a) of the National Parks and Wildlife Act 1972, advising that the draft Management Plan prepared by DEWNR is suitable for public consultation and consistent with the the messages and policies of the Eyre and Western Region Plan and the Land Not Within a Council Area (Eyre, Far North, Riverland and Whyalla) Development Plan. A draft letter has been prepared for your consideration (see Attachment 1).

5.7 Yellabinna and Wanna Manda Parks Draft Management Plan

DECISION

- The Commission:
 - Noted the report as read
 - Resolved that the draft Management Plan for the Yellabinna and Wanna Manda Parks prepared by DEWNR is consistent with the:
 - Principles and policies of the Eyre and Western Region Plan (April 2012) and the Far North Region Plan (July 2010).
 - Provisions of the Land Not Within a Council Area (Eyre, Far North, Riverland and Whyalla) Development Plan (consolidated 18 October 2012) Ceduna Council (consolidated 18 October 2012) and Streaky Bay (DC) (consolidated 11 February 2016) Development Plans.
 - Approved the Chair writing to the DEWNR pursuant to Section 38(2a) (a) of the National Parks and Wildlife Act 1972, advising that the draft Management Plan prepared by DEWNR is suitable for public consultation and consistent with the messages and policies of the to the Eyre and Western Region and Far North Region Plans and the Land Not Within a Council Area (Eyre, Far North, Riverland and Whyalla) Ceduna Council and Streaky Bay Development Plans. A draft letter has been prepared for your consideration (see Attachment 1).

6. MATTERS FOR NOTING

6.1 Minutes of Previous Meeting for Noting – 28 September 2017

The Commission noted the Minutes.

6.2 Minutes from Committee Meetings

Nil

6.3 SCAP Delegations Review – progress report

The Commission noted the progress report and requested review of the delegations framework for major developments from the Commission to SCAP and DPTI as quickly as possible.

ACTION

Simone Fogarty to attend Commission meeting to meet members and hear more of SCAP role, plus individual members may attend SCAP meetings in future.

6.4 Policy Theme Papers

DECISION

Per its decision at 5.1, the Commission requested better alignment between the language used in the State Planning Policies and Code theme papers, to reflect the State Planning Policies requested by the Minister.

7. GENERAL BUSINESS

7.1 Action List

The Commission noted the Action List.

7.2 Correspondence

- Letter from Adelaide City Council regarding Community Engagement Charter

The Commission noted that the Chair and DPTI met with Mayor ACC.

- Letter from Mr Peter Holmes, received 26 September 2017

The Chair to prepare a draft response for consideration by Commission Members.

8. OTHER BUSINESS

ACTION

Matt and Allan requested further information by COB Friday:

- Amended Community Engagement Charter
- Charter Guide
- Summary of submissions
- Key submissions.

Depending on feedback from Matt and Allan as Charter Champions, the next iteration of the Charter will be circulated to other members by COB on 24 October in preparation for the Special Meeting on 26 October.

9. NEXT MEETING

26 October 2017 (10am – 12noon) - Special Meeting

9 November 2017 - Regular Commission meeting

10. MEETING CLOSE

Confirmed as a true and accurate record:



Tim Anderson QC
Chair
5 October 2017