



STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 166th Meeting of the
State Commission Assessment Panel
held on Wednesday 27 September 2023 commencing at 9:30am
Level 9, 83 Pirie Street Adelaide / Microsoft Teams video conferencing

1. OPENING

1.1. ACKNOWLEDGEMENT OF COUNTRY

The Presiding Member acknowledged the traditional custodians of the land on which the State Commission Assessment Panel meets, and paid respect to Elders past, present and emerging.

1.2. PRESENT

Presiding Member	Rebecca Thomas
Members	John Eckert Paul Leadbeter David Altmann Jenny Newman Don Donaldson
Secretary	Myles Graham, Governance Officer
DTI Staff	Troy Fountain Margaret Smith Nathan Grantham (2.2.1) Ben Williams (3.2.1) Greg Ahrens (3.2.1) Robert Kleeman (3.2.1)

1.3. APOLOGIES

Rebecca Rutschack (Deputy Presiding Member)

2. SCAP APPLICATIONS

2.1. DEFERRED APPLICATIONS

2.2. NEW APPLICATIONS

2.2.1 Kildalton Farm Pty Ltd C/- Future Urban Pty Ltd 23005879

2415 Murbko Road, Murbko

Land division comprising the division of three (3) allotments into six (6) Community Lots and the construction of five (5) dwellings.

The Presiding Member welcomed all in attendance to the State Commission Assessment Panel hearing:

Applicant

- Alex Marshall
- Andrew Marshall
- Jason Cattonar (Future Urban)
- Ali Field (Botten Levinson Lawyers)
- Helen Moriss (Botten Levinson Lawyers)

The State Commission Assessment Panel discussed the application.

RESOLVED

1) Pursuant to section 110(14) of the *Planning, Development and Infrastructure Act 2016*, the State Commission Assessment Panel resolve to REFUSE TO PROCEED TO ASSESS Development Application 23005879 by Kildalton Farm Pty Ltd for land division comprising the division of three (3) existing allotments into six (6) Community Title allotments and the construction of five (5) dwellings at 2415 Murbko Road, Murbko for the following reasons:

1. There is no reasonable prospect of a favourable assessment of the proposed development as it does not meet the intent of the Rural Zone, Limited Land Division Overlay and the Conservation Zone, specifically:
 - a. The proposed residential allotments would not ensure that the productive value of rural land for a range of primary production activities is supported, protected and maintained by minimising fragmentation through the division of land; and
 - b. The proposed residential allotments would not conserve and enhance the natural environment and natural ecological processes to provide opportunities for the public to experience these through low-impact recreational and tourism development.

ADVISORY NOTES

- a. If you are aggrieved by this decision, you have a right to seek a review of this decision by the Commission. An application for review must be made in a manner and form determined by the Commission and must be made within one month of this notice. The prescribed form is contained in Attachment 1 of Practice Direction 4 - Practice Direction 4:
https://plan.sa.gov.au/resources/planning/practice_directions/practice_direction_4_restricted_and_impact_assessed_development_2019. Further information can be found on the PlanSA website on the 'Decisions and appeals' webpage.

2.3. RESERVED MATTERS

3. CROWN DEVELOPMENTS (ADVISORY ITEMS)

3.1. DEFERRED APPLICATIONS

3.2. NEW APPLICATIONS

3.2.1 Minister for Health and Wellbeing C/- MasterPlan (SA)

110/V025/23

5 Maturin Road, Glenelg

Partial change of use from residential aged care facility to a community health facility (providing a therapeutic addiction recovery service).

The Deputy Presiding Member welcomed all in attendance to the State Commission Assessment Panel hearing:

Applicant

- Simon Schrapel AM (Uniting Communities)
- Nick Wilson (MasterPlan SA)

Council

- Anthony Marroncelli (City of Holdfast Bay)

The State Commission Assessment Panel discussed the application.

RESOLVED

- 1) That the State Commission Assessment Panel provide its recommendation in confidence (published in the SCAP Confidential Minutes – 27 September 2023) to the Minister for Planning.

4. MAJOR DEVELOPMENTS – VARIATIONS

5. REPORTING

6. COURT COMPROMISE

7. BRIEFINGS

8. PROCEDURAL MATTERS

9. OTHER BUSINESS

10. NEXT MEETING

- 10.1. Wednesday 11 October 2023 at Level 9, 83 Pirie Street, Adelaide SA 5000 / Via Microsoft Teams video conferencing.

11. REVIEW OF SCAP INSTRUCTIONS TO STAFF AND UPCOMING AGENDA ITEMS

12. CONFIRMATION OF THE MINUTES OF THE MEETING

13. MEETING CLOSE

- 13.1. The Presiding Member thanked all in attendance and closed the meeting at 12:14pm.

Confirmed 27/09/2023



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Rebecca Thomas
PRESIDING MEMBER