



# STATE COMMISSION ASSESSMENT PANEL

**A COMMITTEE OF THE STATE PLANNING COMMISSION**

Minutes of the 155<sup>th</sup> Meeting of the  
State Commission Assessment Panel  
held on Wednesday 8<sup>th</sup> March 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

Members	Rebecca Rutschack (Deputy Presiding Member) John Eckert Emma Herriman Paul Leadbeter Grant Pember David Altmann
Secretary	Brittany Anderson (A/Governance Officer)
DTI Staff	Troy Fountain Margaret Smith Simon Neldner (3.2.1) Eric Alessi (3.2.1) Mollie O'Connor (2.2.1)

### 1.3. APOLOGIES

Rebecca Thomas (Presiding Member)  
Jaclyn Symons (Governance Officer)

**Note:** Meeting procedures of the SCAP have been modified in the light of COVID-19 and State Government protocols. Where possible participation in this meeting has been undertaken remotely to minimise risks.

## 2. SCAP APPLICATIONS

### 2.1. DEFERRED APPLICATIONS

### 2.2. NEW APPLICATIONS

#### 2.2.1 Silver Walnut Pty Ltd C/- Cavallo Forest 23002473

##### **Lot 42 Hay Flat Road, Normanville**

Land Division – one into 11 allotments (Torrens title) for residential purposes, reserve and road.

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

##### **Applicant**

- Mark Kwiatkowski (Adelaide Planning and Development Solutions)

The State Commission Assessment Panel discussed the application.

##### **RESOLVED**

The State Commission Assessment Panel, pursuant to section 110(14) of the *Planning, Development and Infrastructure Act 2016*, resolved to REFUSE TO PROCEED TO ASSESS Development Application 23002473 by Silver Walnut Pty Ltd for the following reason:

- 1) There is no reasonable prospect of a favourable assessment following consideration of the relevant Planning and Design Code policies:
  - a. Desired Outcome 1 of the Rural Zone.
  - b. Desired Outcome 1 of the Limited Land Division Overlay.

##### **ADVISORY NOTES**

If you are aggrieved by this decision, you have a right to seek a review of this decision by the State Planning Commission. An application for review must be made in a manner and form determined by the State Planning Commission and must be made within one month of this notice.

The prescribed form is contained in Attachment 1 of [Practice Direction 4 – Restricted Development](#). 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 Emmaus Christian College (Crown Sponsor: Department for Education) 100/V448/22

##### **7-9 Lynton Avenue, South Plympton**

Redevelopment of existing secondary school: staged construction of additional classrooms, undercroft car parking and the removal of a regulated tree.

Documentation from the applicant regarding the State 2 sports courts plan was tabled.

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

**Applicant**

- Andrew Linke (Emmaus Christian College)
- David Hutchison (Access Planning)
- Matthew Swinburne (Tonkin Schutz Design Build)

**Representors**

- Simon Burgoyne
- Christine Arnold

**Agency**

- Aya Shirai-Doull (ODASA)

**Council**

- Michael Hughes (City of Marion)
- Kai Wardle (City of Marion)

The State Commission Assessment Panel discussed the application.

**RESOLVED**

The State Commission Assessment Panel resolved to:

- 1) Defer the proposed development for the staged construction of additional classrooms, undercroft car parking and the removal of a significant tree at 7-9 Lynton Avenue, South Plympton, subject to the following:
  - a. Consider revised plans to reduce the bulk and scale and visual impact of the Stage 1 built form in relation to the residential development to the west, in particular with regard to PO 1.3 and PO 1.5 of the General Neighbourhood Zone.
  - b. Revised overshadowing diagrams in relation to Stage 1, including all structures on the adjoining allotments to the west including pergolas, fencing and the like, which identifies any overshadowing impacts.
  - c. Provision of a landscape concept plan, including details for the internal courtyard between Stages 1 and 3 and the landscape strip surrounding the undercroft/hardcourt element.
  - d. Provision of an updated lighting plan detailing the light spill to the adjoining properties in accordance with the *Australian Standard 4282:2019 – Control of the obtrusive effects of outdoor lighting*.

**4. MAJOR DEVELOPMENTS – VARIATIONS**

**5. REPORTING**

**6. COURT COMPROMISE**

**7. BRIEFINGS**

**8. PROCEDURAL MATTERS**

**9. OTHER BUSINESS**

**10. NEXT MEETING**

- 10.1. Wednesday, 12 April 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 12.23pm.

Confirmed 08/03/2023



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Rebecca Rutschack  
DEPUTY PRESIDING MEMBER