



# STATE COMMISSION ASSESSMENT PANEL

## A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 219<sup>th</sup> Meeting of the  
State Commission Assessment Panel  
held on Wednesday 28 January 2026 commencing at 9:00am  
Level 9, 83 Pirie Street Adelaide or 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 and present.

#### 1.2. PRESENT

Presiding Member	Rebecca Rutschack
Members	David Altmann (Deputy Presiding Member) via MS Teams Don Donaldson via MS Teams Paul Leadbeter Mark Adcock (Occasional Member)
Secretary	Amy Arbon
DHUD Staff	Nathan Grantham Callum Hastie

#### 1.3. APOLOGIES

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## 2. SCAP APPLICATIONS

### 2.1. DEFERRED APPLICATIONS

#### 2.1.1 Community Housing Ltd 23037188 183 Devonport Terrace, Prospect

Construction of a 5-level residential flat building, associated masonry fencing and tree damaging activity

Member, Jenny Newman, declared a conflict of interest due to her employer's engagement with the application and according, was not present for this agenda item.

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

Applicant:

- Nitsan Taylor
- Jason Behrndt
- Nick Grbin
- Chris Bentick

Agency:

- Damien Heffernan (ODASA)
- Adam Navarro (Affordable Housing, DHUD)
- Belinda Beltrame (Affordable Housing, DHUD)

Council:

- Susan Giles (City of Prospect)

Observing:

- Elizabeth Rushbrook

The Presiding Member thanked all in attendance and closed the public hearing.

The State Commission Assessment Panel discussed the application.

### RESOLUTION

The State Commission Assessment Panel resolved that:

- 1) The proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.
- 2) Development Application Number 23037188, by Community Housing Ltd is GRANTED Planning Consent subject to the following Reserved Matters and Conditions:

### RESERVED MATTERS

#### Planning Consent

Pursuant to section 102 (3) of the *Planning, Development and Infrastructure Act* of 2016, the following matter(s) shall be reserved for further assessment prior to the granting of Development Approval.

**Reserved Matter 1**

The applicant shall submit a final detailed schedule of external materials and finishes, and a physical samples board in consultation with the Government Architect to the satisfaction of the State Planning Commission.

**CONDITIONS****Planning Consent****Condition 1**

The development authorisation granted herein shall be undertaken in accordance with the stamped approved plans, drawings, specifications and other documents submitted to the State Planning Commission, except where varied by conditions below (if any).

**Condition 2**

Payment of an amount calculated in accordance with the Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 be made into the relevant urban trees fund (or if an urban trees fund has not been established for the area where the relevant tree is situated, or the relevant authority is the Commission or an assessment panel appointment by the Minister or a joint planning board, the Planning and Development Fund) in lieu of planting 1 or more replacement trees.

Payment must be made prior to the undertaking of development on the land.

**Condition 3**

The recommendations detailed in the Traffic and Parking report, dated 31 July 2025 prepared by CIRQA shall be fully incorporated into the development.

Such measures shall be undertaken prior to the occupation or use of the development and maintained at all times to the satisfaction of the Relevant Authority.

**Condition 4**

The recommendations detailed in the Stormwater Management Plan, dated 1 July 2025 prepared by WGA shall be fully incorporated into the development.

Such measures shall be made operational prior to the occupation or use of the development and maintained at all times to the satisfaction of the Relevant Authority.

**Condition 5**

Waste Management shall be undertaken in accordance with the Approved Waste Management Plan prepared by Colby Phillips Advisory and dated 30 June 2025.

**Condition 6**

The planting and landscaping identified on the approved plans granted Planning Consent shall be undertaken in the first planting season concurrent with or following substantial completion of the development.

Such planting and landscaping shall be irrigated and maintained thereafter, and any plants which become diseased or die, must be replaced within the next available growing season with suitable species.

***Conditions imposed by Minister responsible for the administration of the South Australian Housing Trust Act 1995 under Section 122 of the Act*****Condition 7**

For the purposes of securing the provision of dwellings for affordable housing as contemplated by the Affordable Housing Overlay, a minimum of 100% of the dwellings comprised or to be comprised in the development that is the subject of this condition must be 'affordable housing' that meets the relevant criteria for affordable housing as determined by the Minister responsible for the South Australian Housing Trust Act 1995 under Regulation 4 of the South Australian Housing Trust Regulations 2010.

**ADVISORY NOTES****Advisory Note 1**

The approved development must be substantially commenced within 24 months of the date of Development Approval and completed within 3 years from the operative date of the approval, unless this period has been extended by the relevant authority.

**Advisory Note 2**

This consent or approval will lapse at the expiration of 24 months from its operative date (unless this period has been extended by the Relevant Authority).

**Advisory Note 3**

No works, including site works can commence until a Development Approval has been granted.

**Advisory Note 4**

A Construction Environmental Management Plan (CEMP) should be prepared in collaboration with, and to the satisfaction of, the Local Government Authority prior to the issue of Development Approval.

The approved CEMP shall be implemented throughout the development and should incorporate, without being limited to, the following matters:

- Car parking and access arrangements for tradespersons
- Siting of materials storage
- Site offices
- Work in the Public Realm
- Hoarding
- Site amenities
- Traffic requirements including construction access/egress and heavy vehicle routes
- Reinstatement of infrastructure
- Site contamination management, if required (prepared by a suitably qualified and experienced site contamination consultant in accordance with EPA guidelines)

**Advisory Note 5**

All Council, utility or state-agency maintained infrastructure (i.e. roads, kerbs, drains, crossovers, footpaths etc) that is demolished, altered, removed or damaged during the construction of the development shall be reinstated to Council, utility or state agency specifications. All costs associated with these works shall be met by the proponent

**Advisory Note 6**

The applicant is reminded of the requirements of the Fences Act 1975. Should the proposed works require the removal, alteration or repair of an existing boundary fence or the erection of a new boundary fence, a 'Notice of Intention' shall be served to adjoining owners.

Please contact the Legal Services Commission for further advice on 1300 366 424 or refer to their web site at [www.lsc.sa.gov.au](http://www.lsc.sa.gov.au)

**Advisory Note 7**

Removal of the street tree should not occur until the City of Prospect has been paid the amenity cost calculated by their consulting arborist. Contact the council directly to discuss the cost and payment methods.

**2.2. NEW APPLICATIONS****2.3. RESERVED MATTERS****3. CROWN DEVELOPMENTS (ADVISORY ITEMS)****3.1. DEFERRED APPLICATIONS****3.2. NEW APPLICATIONS****4. MAJOR DEVELOPMENTS – VARIATIONS**

**5. REPORTING**

**6. COURT COMPROMISE**

**7. BRIEFINGS**

**8. PROCEDURAL MATTERS**

**9. OTHER BUSINESS**

**10. NEXT MEETING**

- 10.1.** Wednesday 11 February 2026, Level 9, 83 Pirie Street, Adelaide SA 5000 / 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 10:00AM

Confirmed: 28/01/2026



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Rebecca Rutschack  
PRESIDING MEMBER