

DECISION NOTIFICATION FORM

Section 126(1) of the Planning, Development and Infrastructure Act 2016

TO THE APPLICANT(S):

Name: Seacliff Developments Pty Ltd
Postal address: c/- Alexander Symonds PO Box 1000 Kent Town SA 5071
Email: dmaasdorp@alexander.com.au

IN REGARD TO:

Development application no.: 22006232	Lodged on: 2 Aug 2022
Nature of proposed development: Land Division creating 134 Torrens Title allotments with associated public roads and reserves	

LOCATION OF PROPOSED DEVELOPMENT:

Location reference: 682 BRIGHTON RD SEACLIFF PARK SA 5049		
Title ref.: CT 5755/334	Plan Parcel: D17780 AL12	Council: CITY OF MARION

Location reference: 2B NEWLAND AV MARINO SA 5049		
Title ref.: CT 5774/145	Plan Parcel: D17780 AL11	Council: CITY OF MARION

Location reference: 17-27 SCHOLEFIELD RD SEACLIFF SA 5049		
Title ref.: CT 5774/145	Plan Parcel: D17780 AL11	Council: CITY OF HOLDFAST BAY

DECISION:

Decision type	Decision (granted/refused)	Decision date	No. of conditions	No. of reserved matters	Entity responsible for decision (relevant authority)
Planning Consent	Granted	7 Jun 2023	14	0	State Planning Commission
Land Division Consent	Granted	7 Jun 2023	31	0	State Planning Commission
Development Approval - Planning Consent; Land Division Consent	Granted	7 Jun 2023	45	0	City of Marion

FROM THE RELEVANT AUTHORITY: City of Marion
Date: 7 Jun 2023

CONDITIONS

Planning Consent

Condition 1

The application must be undertaken in accordance with the following;

- 'Proposed Plan of Division', dated '16.06.2022', Revision 'G'.
- Stormwater Management Plan (Ref. 2104095- C601/PB), dated '01.02.2023'

Condition 2

Prior to the commencement of any civil works being undertaken on the land in association with the approved development, a Soil Erosion and Drainage Management Plan (SEDMP) shall be prepared in accordance with best practice guidelines of the Environment Protection Authority 'Stormwater Management, Building and Construction', last modified 06 January 2021,

https://www.epa.sa.gov.au/environmental_info/water_quality/programs/stormwater/pollution_prevention_for_building_and_construction_activities

The SEDMP must be first approved in writing by the City of Marion, prior to the commencement of any civil works being undertaken on the land in association with the approved development. The person(s) having the benefit of this consent shall ensure that the management measures outlined in the approved SEDMP are complied with at all times to the satisfaction of the City of Marion.

Condition 3

Upon the completion of all works associated with each relevant stage, all necessary temporary road access arrangements and temporary barriers are to be installed on the land in accordance with the details submitted and shall conform at all times to Australian Standard AS/NZS 3845.1:2015 and shall be to the satisfaction of the City of Marion.

Condition 4

Discharge and management of all stormwater from the land shall be managed in accordance with the approved Stormwater Management Plan prepared by TMK dated 1 February 2023 and shall, at all times, be to the satisfaction of the City of Marion and the City of Holdfast Bay.

Condition 5

The first flush of rainfall on all impervious surfaces shall be retained on the land so as to limit additional stormwater volume discharges, unless otherwise approved in writing by the City of Marion.

Condition 6

Stormwater associated with the development shall not be discharged into any watercourse without the prior written approval of the City of Marion. In the event any discharge is proposed to any existing watercourse, the details of erosion prevention measures must first be provided to the City of Marion for its consideration, assessment and approval.

Conditions imposed by Environment Protection Authority under Section 122 of the Act

Condition 7

Remediation works must be undertaken in accordance with the *Construction Environmental Management Plan* prepared by Environmental Projects and dated 25 January 2023 and must be overseen by a suitably qualified and experienced site contamination consultant.

Condition 8

A land division certificate under section 138 of the *Planning, Development and Infrastructure (General) Regulations 2017* must not be issued until a statement of site suitability is issued certifying that the required remediation has been undertaken and the land is suitable for the proposed use.

Condition 9

For the purpose of the above condition and regulation 3(6) of the *Planning, Development and Infrastructure (General) Regulations 2017*, the statement of site suitability must be issued by a site contamination auditor informed by a completed site contamination audit report prepared in accordance with Part 10A of the *Environment Protection Act 1993*.

Conditions imposed by Commissioner of Highways under Section 122 of the Act**Condition 10**

The Ocean Boulevard/Schofield Road intersection shall be upgraded to provide a right turn lane on Ocean Boulevard with a total length of 150m. All road works shall be designed and constructed in accordance with Austroads Guidelines, Australian Standards and DIT's Master Specification. The road works shall be designed and constructed to DIT's satisfaction, with all costs (including design, construction, project management and any changes to road drainage, lighting etc. required) being borne by the applicant. The works shall be undertaken prior to any development occurring within the Neighbourhood Activity Centre (as per the Road Infrastructure Deed).

Condition 11

All access to allotments shown on Alexander Symonds Plan of Division, Ref: 20A0505.RES, Drawing No. 20A0505PROP RES, Revision G dated 16 June 2022 shall be gained via the internal road network. No direct vehicular access to Ocean Boulevard or Clubhouse Road shall be permitted.

Condition 12

The redundant crossover on Ocean Boulevard shall be closed and reinstated to Council's kerb and gutter standards at the applicant's expense prior to issue of Section 138 land division certificates.

Condition 13

Any infrastructure within the road reserve that is demolished, altered, removed or damaged during the construction of the project shall be reinstated to the satisfaction of the relevant asset owner, with all costs being borne by the applicant.

Condition 14

Stormwater run-off shall be collected on-site and discharged without impacting the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

Land Division Consent**Condition 1**

Upon the completion of all works associated with each stage, all drainage infrastructure that is necessary to be installed on the land so as to ensure that all roads and allotments that are created can be adequately drained, shall be constructed to the satisfaction of the City of Marion and the City of Holdfast Bay.

Condition 2

All roads and drainage infrastructure within the City of Marion shall be constructed in accordance with the Council's Standard Drawings, *City of Marion Standard Drawings Combined 11 April 2022*, dated 11 April 2022 <https://cdn.marion.sa.gov.au/sp/CoM-Standard-Drawings-Combined-11-April-2022.pdf> and shall be to the satisfaction of the City of Marion.

Condition 3

Any drain which is necessary for the safe and efficient drainage of the land and the disposal of stormwater and effluent from the land shall be provided and constructed on the land in accordance with recognised engineering practice and shall be to the satisfaction of the City of Marion and City of Holdfast Bay.

Condition 4

All culverts, underground drains and inlets reasonably necessary for any proposed road forming part of the development shall be constructed on the land, in accordance with recognised engineering practice and shall be in accordance with the *City of Marion Standard Drawings Combined 11 April 2022*, dated 11 April 2022 <https://cdn.marion.sa.gov.au/sp/CoM-Standard-Drawings-Combined-11-April-2022.pdf> and shall be to the satisfaction of the City of Marion.

Condition 5

All stormwater infrastructure which is necessary for the safe and efficient drainage of the land and the safe and efficient disposal of stormwater from the land shall be designed and installed on the land in accordance with recognised engineering practice, and shall be to the satisfaction of the City of Marion and the City of Holdfast Bay.

Condition 6

All side entry pits associated with the approved development shall be double chamber units comprising a concrete lintel frame and shall be constructed in accordance with the Council's Standard Drawings, *City of Marion Standard Drawings Combined 11 April 2022*, dated 11 April 2022 <https://cdn.marion.sa.gov.au/sp/CoM-Standard-Drawings-Combined-11-April-2022.pdf> and shall be to the satisfaction of the City of Marion.

Condition 7

All centrally graded road carriageways shall include a centralised spoon drain that shall be engineered so as to withstand heavy vehicle traffic loads, and shall be constructed to the satisfaction of the City of Marion.

Condition 8

The minimum road carriageway widths, as measured from the inside face of each kerb shall be constructed in accordance with the TMK Road Plan – Sheet 1 of 2 and Sheet 2 of 2, dated 06.09.22, and shall be to the satisfaction of the City of Marion. Any subsequent amended plan shall be provided to the City of Marion for consideration and approval. Any indented parking bays on roads are to be constructed in accordance with the City of Marion's requirements as set out in **City of Marion Road Hierarchy Plan, dated November 2005**, date and hyperlink, i.e. Council's Road Hierarchy Plan, dated 31 June 2017, https://cdn.marion.sa.gov.au/sp/City-of-Marion-Road-Hierarchy-Plan-1_2021-11-30-032632_slsh.pdf.

Condition 9

All road verges on both sides of any carriageway shall be no less than 3.2 metres wide, when measured from the inside face of the adjoining kerb, and shall have a crossfall of 2.5%, and shall be to the satisfaction of the City of Marion.

Condition 10

Adequate road corner cut-offs shall be provided where deemed necessary to ensure the provision of adequate sight lines for road users (including cyclists and pedestrians) to the satisfaction of the City of Marion.

Condition 11

All roads shall be designed and constructed in a manner which provides for safe and convenient access from adjoining driveways. Batter grades from all roads to adjoining allotments within the approved division shall be no steeper than 1 in 5, unless otherwise approved in writing by the City of Marion.

Condition 12

All roads shall be designed in such a way so as to provide for the safe movement of all road users within the approved development, to the satisfaction of the City of Marion.

Condition 13

The width of the road at the head of every cul-de-sac must be at least 20 metres for a length of not less than 20 metres, or such other dimensions as may be acceptable to the City of Marion, provided such dimensions are first approved in writing by the City of Marion. Adequate provision shall be made for the turning of vehicles at the head of a cul-de-sac.

Condition 14

All intersections or bends are to accommodate the turning of the agreed design vehicle without crossing any centreline or conflicting with any parked vehicles; and ensure that a 12.5m truck can manoeuvre while maintaining at least 300mm clearance from any roadside obstruction or parked vehicles.

Condition 15

All road pavement shall be designed and constructed to provide for a 20 year design life and shall be designed in accordance with the Austroads Pavement Research Group 21 document entitled; "A guide for the design of new pavements for light traffic" dated 3 March 2006 <https://austroads.com.au/publications/pavement/ap-t36-06> and the ARRB publication entitled "Sealed Local Road Manual" dated 2021 <https://www.arrb.com.au/bestpracticeguides> save and except the additional requirement for collector roads, namely that the minimum pavement thickness shall be 350mm incorporating 50mm asphalt seal, unless, in the City of Marion's opinion, the design of the road requires a greater depth, which depth shall be to the satisfaction of the City of Marion.

Condition 16

Road reserves must only be filled with materials that are in accordance with Australian Standard 3798, and such filling must be supervised and subsequently certified by a suitably qualified Engineer, to the City of Marion's satisfaction.

Condition 17

Before the roadway of any proposed road is sealed, the applicant must satisfy the Council that all connections for water supply and sewerage services to any allotment delineated on the approved plan, which, in the opinion of the Chief Executive of the South Australian Water Corporation are necessary and need to be laid under the surface of the proposed road, have been made.

Condition 18

Road batters shall be constructed in a manner so as to ensure that such batters are stable and that the risk of soil erosion is minimised, and shall be to the satisfaction of the City of Marion.

Condition 19

Footpaths shall be constructed on both sides of the street (excluding laneways) and shall be constructed in accordance with the City of Marion's Standard Drawings, *City of Marion Standard Drawings Combined 11 April 2022*, dated 11 April 2022 <https://cdn.marion.sa.gov.au/sp/CoM-Standard-Drawings-Combined-11-April-2022.pdf> and shall be to the satisfaction of the City of Marion.

Condition 20

Footpaths and driveway crossovers shall be constructed using reinforced concrete paving and shall be at least 1.5 metres wide, and shall be constructed in accordance with the City of Marion's Standard Drawings, *City of Marion Standard Drawings Combined 11 April 2022*, dated 11 April 2022 <https://cdn.marion.sa.gov.au/sp/CoM-Standard-Drawings-Combined-11-April-2022.pdf> and shall be to the City of Marion's satisfaction.

Condition 21

All paths associated with the development shall be constructed in accordance with the City of Marion's Standard Drawings, *City of Marion Standard Drawings Combined 11 April 2022*, dated 11 April 2022

<https://cdn.marion.sa.gov.au/sp/CoM-Standard-Drawings-Combined-11-April-2022.pdf>, and shall be to the satisfaction of the City of Marion.

Condition 22

Any damaged or required reinstatements to exposed aggregate footpaths are to be repaired by removal and reinstatement of whole footpath segments between control joints in matching concrete mix, and shall be to the satisfaction of the City of Marion.

Condition 23

All kerbing shall be of barrier kerbing type construction and shall be constructed in accordance with the City of Marion's Standard Drawings, *City of Marion Standard Drawings Combined 11 April 2022*, dated 11 April 2022 <https://cdn.marion.sa.gov.au/sp/CoM-Standard-Drawings-Combined-11-April-2022.pdf>, and shall be to the satisfaction of the City of Marion.

Condition 24

Barrier kerb inverts shall be provided to all allotments within the approved plan of division and shall be constructed to the satisfaction of the City of Marion.

Condition 25

The person(s) having the benefit of this consent shall, at their cost, ensure that any electricity mains are placed underground with all electricity services to be installed in accordance with recognised engineering practice, and shall be to the satisfaction of the City of Marion.

Condition 26

All necessary electrical services shall be installed on the land in accordance with recognised engineering practice, to the satisfaction of the City of Marion.

Condition 27

The location and details of any temporary drainage easements that are required to be created in association with the development must be identified on a final plan, which must be provided to the City of Marion for its assessment and approval, prior to clearance being made pursuant to section 138 of the PDI Act 2016.

Condition 28

A final plan depicting all proposed easements on the land, including the purpose, location and dimensions of any easement, together with the details of the land which is burdened by/in favour of any easement shall be provided to the relevant authority for its assessment and approval in consultation with the City of Marion and the City of Holdfast Bay prior to clearance being made pursuant to section 138 of the PDI Act 2016.

Conditions imposed by SPC Planning Services under Section 122 of the Act**Condition 29**

A final plan complying with the requirements for plans set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Planning Commission for Land Division Certificate purposes.

Conditions imposed by South Australian Water Corporation under Section 122 of the Act

Condition 30

The necessary infrastructure for this development is likely to be constructed by the developer under a Land Development Agreement.

In order to facilitate clearance, SA Water's easement, financial and Augmentation requirements shall be met by the developer.

Water is available to the site. A 150mm main is to be constructed off the existing 600mm main along Scholefield Rd to service the shopping centre. Internal mains to be constructed which will link the proposed 150mm main Scholefield Rd into the existing 200mm main in Ocean Blvd.

An ongoing investigation is taking place regarding sewer servicing and further details and appropriate servicing strategy will be provided in due course.

If a connection/s off an existing main is required, an investigation will be carried out to determine if the connection/s to your development will be costed as standard or non-standard.

Conditions imposed by DPTI Public Transport under Section 122 of the Act

Condition 31

SAPTA will support the application on the condition that Stop 43 Ocean Blvd - south west side remains accessible for Adelaide Metro Buses in their current location. In the instance where a stop is requested to be relocated by the applicant, SAPTA advises that Council are wholly responsible for notifying/consulting impacted residents and businesses, with the new location to be determined in conjunction with SAPTA. Council must notify the applicant that they are responsible for covering all costs associated with bus stop relocation, and if a suitable alternate location cannot be identified the stop must remain in the current position. Any new stops must meet DDA compliance. Any temporary impact to the bus stops during construction should be directed to Wayne Stewart

ADVISORY NOTES

Planning Consent

Advisory Note 1

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

Advisory Note 2

The applicant has a right of appeal against the conditions which have been imposed on this Planning Consent or Development Approval. Such an appeal must be lodged at the Environment, Resources and Development Court within two months from the day of receiving this notice or such longer time as the Court may allow. The applicant is asked to contact the ERD Court if wishing to appeal. The ERC Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0289).

Advisory Note 3

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 Notes imposed by Environment Protection Authority under Section 122 of the Act

Advisory Note 4

The applicant/owner/operator are reminded of its general environmental duty, as required by section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable measures to ensure that activities on the site and associated with the site (including during construction) do not pollute the environment in a way which causes or may cause environmental harm.

Advisory Notes imposed by Commissioner of Highways under Section 122 of the Act

Advisory Note 5

Prior to undertaking detailed design, the applicant shall contact Mr Narendra Patel, Senior Network Integrity Engineer, Network Management Services on telephone (08) 8226 8244, mobile 0400 436 745 or via email: narendra.patel@sa.gov.au to progress this.

Advisory Note 6

This section of Ocean Boulevard Road was proclaimed a controlled access road on 8 October 1987. Allotment 12 in DP 17780 has a proclaimed means of access to Ocean Boulevard Road which will become redundant as part of this development. The Department will update its records to reflect this change.

Land Division Consent

Advisory Note 1

A person who has made a representation on a development classified as restricted development may appeal the decision. Such an appeal must be lodged at the Environment Resource and Development Court within 15 business days after the date of the decision.

Advisory Notes imposed by DPTI Mark Maintenance under Section 122 of the Act

Advisory Note 2

The following development application has been examined for PSM requirements: (see attachment)

DA 100/D516/22 App ID 22006232

4 PSM's are required to be placed at the positions marked on the attachment.

The following numbers shall be used: **6627/30027- 6627/30030**

The new PSM's must be witnessed.

The following is to be supplied once the PSM's have been placed:

- Location sketches
- MGA 2020 coordinates

CONTACT DETAILS OF CONSENT AUTHORITIES

Name: State Planning Commission	Type of consent: Planning and Land Division
Telephone: +611800752664	Email: spcapplications@sa.gov.au
Postal address: GPO Box 1815, ADELAIDE SA 5001	