

DECISION NOTIFICATION FORM

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

TO THE APPLICANT(S):

Name: Seacliff Development Group
Postal address: Level 1, 27 Halifax Street Adelaide SA 5000
Email: phil@phillipbrunning.com

IN REGARD TO:

Development application no.: 24007160	Lodged on: 30 Apr 2024
Nature of proposed development: Construction of a retail shopping centre and indoor recreation facility, together with associated site works, retaining walls, car parking, advertising signage, roof mounted solar panels and landscaping	

LOCATION OF PROPOSED DEVELOPMENT:

Location reference: 17-27 SCHOLEFIELD RD SEACLIFF SA 5049		
Title ref.: CT 6294/783	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	20 Dec 2024	14	1	State Planning Commission
Building Consent	Still Required				To be Determined
Development Approval - Planning Consent; Building Consent	Still Required				City of Holdfast Bay

FROM THE RELEVANT AUTHORITY: Designated by Regs - Section 94(1)(a)(ii) at State Planning Commission
Date: 20 Dec 2024

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:

A final Stormwater Management Plan prepared in direct consultation with the City of Holdfast Bay and City of Marion, with appropriate consideration given to matters including:

- estimated volume of stormwater discharge from the proposed development site during peak storm periods compared to existing conditions;

- location and capacity of any stormwater storage and associated infrastructure (eg pumping equipment) required to adequately control peak stormwater discharge flows;
- filtration devices intended to maintain quality of stormwater runoff entering the existing street drainage network;
- any necessary modifications to, or replacement of, existing stormwater infrastructure; and
- opportunities for stormwater reuse within the development.

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

The plantings and landscaping identified on the approved landscaping plans prepared by 'GD Studia' 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 with any plants which become diseased or die must be replaced within the next available growing season with suitable species.

Condition 3

Waste management shall be undertaken in accordance with the approved waste management plan prepared by 'Colby Phillips' dated 3 October 2024.

Condition 4

The recommendations detailed in the acoustic report prepared by 'Resonate' dated 2 December 2024 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.

Condition 5

No vehicle deliveries or loading shall occur in the loading docks before 7:00am or after 10:00pm on any day.

Condition 6

The development shall be undertaken in accordance with the tree protection measures set out in the approved arborist report prepared by Project Green dated 28 March 2024.

Condition 7

The advertising signage herein approved, shall not move, flash, blink or rotate in any manner and the illumination must be kept to a level which ensures, that no hazard, difficulty or discomfort is caused to either approaching drivers on adjacent public roads or cause nuisance to adjoining residents.

Conditions imposed by Commissioner of Highways under Section 122 of the Act

Condition 8

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).

Note: Prior to undertaking detailed design, the applicant shall contact Mr Narendra Patel, Senior Network Integrity Engineer, Network Management Services on telephone (08) 7133 3208, mobile 0400 436 745 or via email: narendra.patel@sa.gov.au to progress this.

Condition 9

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 10

Stormwater run-off shall be collected on-site and discharged without impacting the safety or integrity of the adjacent roads. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's expense.

Conditions imposed by City of Marion under Section 122 of the Act

Condition 11

The development granted Planning Consent shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).

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

Condition 12

Remediation works must be undertaken in accordance with the *Conceptual Site Remediation Plan* prepared by *Environmental Projects* dated 22 October 2024 and must be overseen by a suitably qualified and experienced site contamination consultant.

Condition 13

A certificate of occupancy must not be granted in relation to a building on the relevant site until a Statement of Site Suitability (in the form described by *Practice Direction 14: Site Contamination Assessment 2021*) is issued certifying that the required remediation has been undertaken and the land is suitable for the proposed use.

Condition 14

For the purposes 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*.

ADVISORY NOTES

Planning Consent

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 Notes imposed by City of Marion under Section 122 of the Act

Advisory Note 4

The owner/applicant is advised that consent from any relevant easement or encumbrance owner may be required prior to any construction.

Easements may include, but are not limited to: drainage, Council easements (i.e. stormwater, encroachments, access etc), power transmission (SA Power Networks), telecommunications, or other forms of access (such as vehicle) rights of way.

Easements and encumbrances would be registered on the relevant Certificate of Title. The location of easements on the land would be shown on the Deposited Plan. A copy of the Certificate of Title and Deposited Plan can be obtained from the South Australian Integrated Land Information System (SAILIS) at: <https://sailis.lssa.com.au/home/auth/login>

Advisory Note 5

The applicant has a right of appeal against the conditions which have been imposed on this Planning Consent. 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 Court if wishing to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0289).

Advisory Note 6

The owner/applicant is advised that infrastructure located within Council road reserve (i.e. area between the kerb and allotment boundary) should be designed and constructed (including modified) in accordance with relevant / current Council standards. This includes, but is not limited to, driveway crossovers, alterations to kerbing and footpaths, stormwater easement connections and domestic stormwater connection to the street watertable.

Further information on the standards can be obtained via Council's website.

marion.sa.gov.au > Search Civil engineering > Click 'Civil engineering infrastructure - standard drawing index'

Advisory Note 7

If you are a developer or owner-builder, there are important Commonwealth telecommunications rules you need to comply with. For more information visit www.infrastructure.gov.au/tind

Advisory Note 8

If excavating, it is recommended you contact *Before You Dig Australia (BYDA)* (www.byda.com.au) to keep people safe and help protect underground infrastructure.

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

Advisory Note 9

The applicant/owner/operator is reminded of the 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.

CONTACT DETAILS OF CONSENT AUTHORITIES

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