Members – Marion Council Assessment Panel
CITY OF MARION

NOTICE OF
MARION COUNCIL ASSESSMENT PANEL MEETING

Notice is hereby given that a Marion Council Assessment Panel Meeting will be held:

Wednesday 17 November 2021

Commencing at 3:00p.m.

Phar Lap Room,

Morphettville Racecourse

79 Morphett Road, Morphettville

A copy of the Agenda for the meeting is attached. Meetings are open to the public and interested members of the community are welcome to attend. Access to the Phar Lap Room will be via the Morphett Road entrance – 79 Morphett Road, Morphettville.

Meetings are open to the public. Due to COVID-19 venue limits, interested members of the community are welcome to attend by electronic means. Access to the meeting is via the link published on the City of Marion website on the day of the meeting; Council Assessment Panel (CAP) | Development Act Applications - pre 19 March 2021 | City of Marion

Please note the use audio and video recording devices, without the prior agreement of the Presiding Member, are not permitted.

Alex Wright
ASSESSMENT MANAGER

10 November 2021

CITY OF MARION
COUNCIL ASSESSMENT PANEL AGENDA
FOR MEETING TO BE HELD ON
WEDNESDAY 17 NOVEMBER 2021
COMMENCING AT 3:00PM

1. MEETING PROCEDURES

1.1 OPEN MEETING

1.2 PRESENT

1.3 APOLOGIES

1.4 IN ATTENDANCE

2. GENERAL OPERATIONS

No items listed for discussions

3. DEVELOPMENT ACT 1993 APPLICATIONS

No items listed for discussions

4. PDI ACT APPLICATIONS

4.1 DEVELOPMENT NO 21013079
373 DIAGONAL ROAD AND 45 MILLER STREET STURT
Demolition of existing building and construction of retail fuel outlet with associated fencing and signage

5. APPEALS UPDATE

- Verbal Update Provided

5.1 APPEALS AGAINST PANEL DECISIONS

- Verbal Update Provided

5.2 APPEALS AGAINST DELEGTED APPLICATIONS

- No items listed for discussions

6. POLICY OBSERVATIONS

No Items Listed for Discussion

7. OTHER BUSINESS

8. CONFIRMATION OF THE COUNCIL DEVELOPMENT ASSESSMENT PANEL MEETING HELD ON WEDNESDAY 17 NOVEMBER 2021

9. MEETING CLOSURE

2. GENERAL OPERATING PROCEDURES
CITY OF MARION
COUNCIL ASSESSMENT PANEL AGENDA
FOR MEETING TO BE HELD ON
WEDNESDAY 17 NOVEMBER 2021

REPORT REFERENCE: CAP171121 – 4.1
CITY OF MARION
COUNCIL ASSESSMENT PANEL AGENDA
FOR MEETING TO BE HELD ON
WEDNESDAY 17 NOVEMBER 2021

Originating Officer:	**David Bills – Consultant Planner (URPS)**
Applicant:	**Andrash Management Pty Ltd**
Development Description:	**Demolition of existing building and construction of Retail Fuel Outlet with associated fencing and signage**
Elements	**Retail Fuel Outlet, Advertisement, Advertising Hoarding, Fence**
Site Location:	**373 Diagonal Road and 45 Miller Street, Sturt**
Zone	**Suburban Activity Centre Zone**
Lodgement Date:	**9 August 2021**
Planning and Design Code:	**29 July 2021: Version 2021.10**
External Referrals:	**Commissioner of Highways** **EPA**
Internal Referrals:	**Traffic and Parking Coordinator** **Development Engineer**
Application Type:	**Performance Assessed**
Delegations Policy:	**Instrument of Delegation – CAP, Clause 5.1.1.1** *The delegation of the power to grant or refuse planning consent pursuant to Section 102(1)(a) of the Act is limited to applications in relation to which:* *Any Performance Assessed application that has undergone Public Notification where at least one representor has expressed opposition to the proposed development and has expressed their desire to be heard by the Panel.*
Public Notification	**Public Notification required**
Application No:	**21013079**
Recommendation:	**That Planning Consent be GRANTED subject to Conditions**

Appendices
Appendix 1: *Planning and Design Code guidelines*

Attachments
Attachment I: *Certificate of Title*
Attachment II: *Proposal Plan and supporting documentation*
Attachment III: *Representations*
Attachment IV: *Applicant's Response to Representations*
Attachment V: *External Referrals*

BACKGROUND

The Marion Council Assessment Panel considered a similar proposal on this site at its meeting on 20 September 2020. That proposal was for an application assessed under the former planning system.

This is a new application assessed against the Planning and Design Code and the previous proposal has no relevance to the assessment of this proposal.

SUBJECT LAND

The subject land is comprised of two allotments identified as 45 Miller Street and 373 Diagonal Road, Sturt and formally known as Allotments 8 and 12 within Deposited Plan 5555 comprising Certificates of Title Volume 5560, Folio 842 and Volume 5552, Folio 843 respectively.

The site is wholly located within the Suburban Activity Centre Zone of the Planning and Design Code (PDC).

The site has a 96 metre frontage to Miller Street, a 93 metre frontage to Diagonal Road and a total site area of 4,850 m2. The site is irregularly shape in a triangular configuration, with the intersection of Miller Street and Diagonal Road forming the apex at the northern end of the site. An easement runs through the centre of the northern allotment at 45 Miller Street to the favour of Council and a second easement is located in the southwestern corner of the Diagonal Road site accommodating underground electricity infrastructure.

The site currently contains a single storey building at the southern end of the site and associated open car park to the north. The buildng was formerly used as a restaurant. The car park has a number of low scale landscaping beds. There are no signficant or reuglated trees on the subject land.

Site access is currently provided via two crossovers to Miller Street and one crossover to Diagonal Road.

Site identified in blue

LOCALITY

The locality is reflective of the current (and historical) zoning. To the west of Miller Street is a small centre developed as a single storey building comprising a medical centre and pharmacy also located within the Suburban Activity Centre Zone.

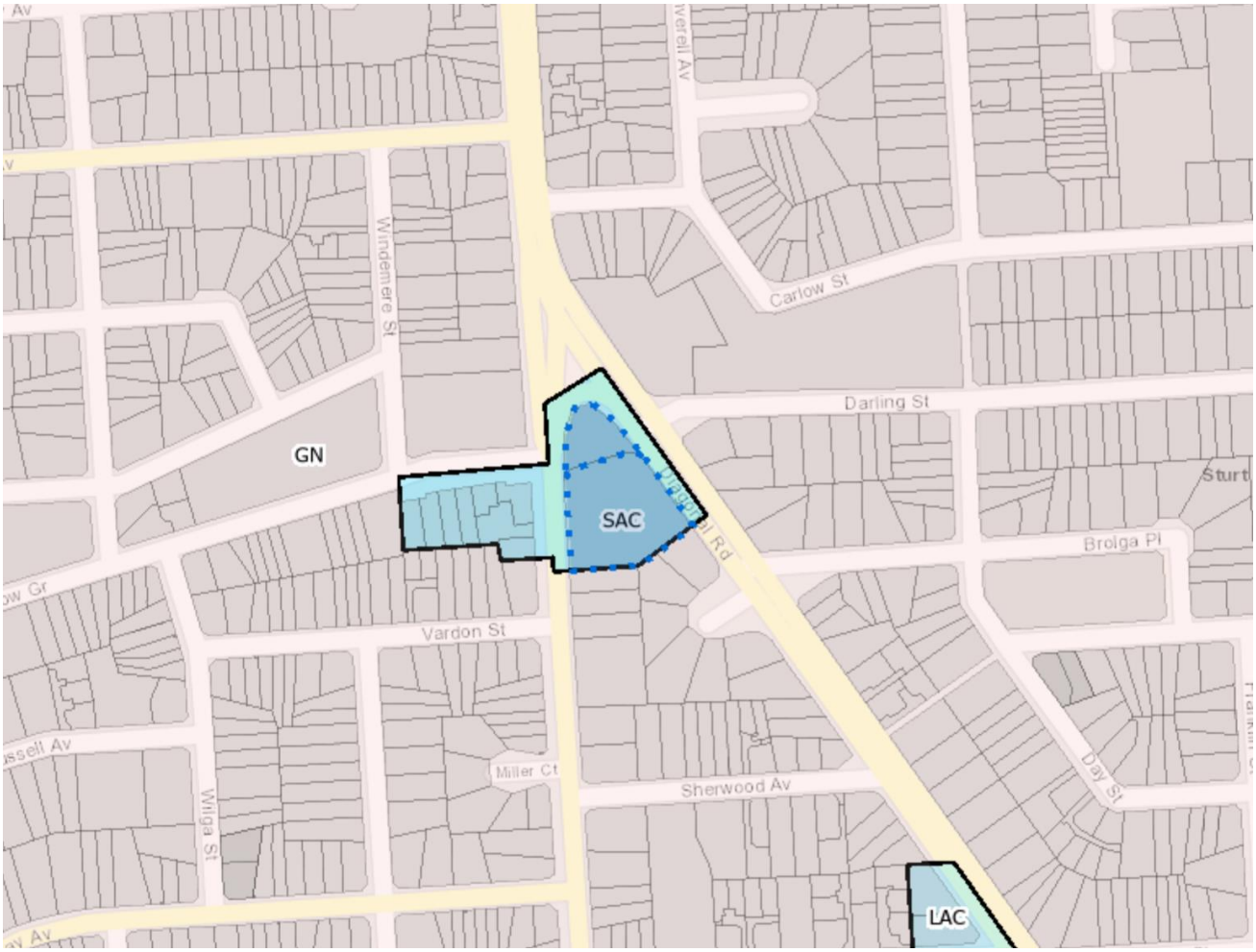
The remainder of the locality is residential and is predominantly single storey. Allotment sizes vary from larger lots (>700m^2) reflective of the initial suburban development from the 1950's to smaller recently created allotments (approx. 350m^2) created in response to urban infill opportunities

There is a notable large vacant parcel to the north west of the subject land with frontages to Miller Street and Harbrow Grove which was formerly a SAHT development that comprised two storey residential flat buildings.

The locality is characterised to a large degree by Diagonal Road which is a secondary arterial road under the care and control of the Department of Infrastructure and Transport. The most recently available traffic counts from 2020 identified an estimated average number of vehicles per day (two-way) of 9200 movements in the section between Seacombe Road and Miller Street and 15,900 movements from Miller Street to Sturt Road.

The subject site and locality can be viewed via this google maps link.

Locality defined by report author



Site depicted in relation to existing zoning.

PROPOSED DEVELOPMENT

The proposal is described as:

“Change in the use of land to Retail Fuel Outlet (comprising control room, freestanding canopy, eight fuel dispensers, carwash comprising four manual bays, two automated bays, and two vacuum bays), with associated advertising, advertising hoardings, acoustic fencing, carparking and landscaping”

The proposal consists of:

- Construction of a building with a total area of 315 square metres which includes a retail shop with a point of sale, servery, office, amenities, and cool room storage area.
- The building will be constructed of a mixture of tilt up concrete, tiles, powder coated aluminium, aluminium fins, cladding, feature brick and glass in muted greys, blacks, and yellow detail (refer artist impression below). The building will have a height of 7.7 metres to the highest point of the roof.
- Freestanding canopy with a total height of 6.3 metres, covering 8 fuel dispensers, which service 16 bays
- A car wash with four manual bays, two automatic bays and two vacuum bays.
- Car parking for 17 vehicles (including one disabled car parking space) to the front of the building and a dedicated loading / service delivery area has been provided to the south western corner of the building.
- One freestanding pylon sign along the eastern Diagonal Road boundary and one freestanding pylon sign along the western Miller Street frontage, each with a height of 6.2 metres.
- Fascia signage to the control building and the freestanding canopy.
- Wide densely planted landscaping beds to the exterior of the site and within the parking areas.
- Acoustic wall along the southern boundary to provide an acoustic buffer to adjacent residential land uses with a height of 2.4 metres.
- Three x 110,000 litre underground fuel storage tanks.
- Amended crossover locations to allow access / egress to the site from Diagonal Road and Miller Street.
- The proposal will be managed by X Convenience and will operate between 5 am till midnight, 7 days per week.
- Enclosed, screened and well landscaped bin storage area.

The applicant has provided a number of supporting documents that form part of the attachment to this report including:

- Proposal plans prepared by Hodge Collard Preston
- Planning Assessment Report prepared by Adelaide Planning and Development Solutions
- Additional clarification prepared by Adelaide Planning and Development Solutions
- Environmental Noise Assessment prepared by Sonus
- Light Spill Assessment prepared by TMK Engineers
- Traffic and Parking Report prepared by MFY
- Stormwater Plans and Calculations prepared by Sagero Civil and Structural

PROCEDURAL MATTERS

Classification

The subject application is Performance Assessed by virtue of the proposed development not being listed within an Accepted, Deemed to Satisfy or Restricted classification under the Planning and Design Code.

Referrals

External Referrals

Commissioner of Highways
A copy of the Commissioner of Highways referral can be found in Attachments of this report.

Environment Protection Authority
A copy of the EPA referral can be found in Attachments of this report.

Internal Referrals

Traffic and Parking Coordinator - Traffic
The traffic engineer has reviewed the traffic impact assessment and is satisfied that vehicle manoeuvring, traffic movement and function and parking as proposed is appropriate.

Development Engineer – Stormwater
The stormwater engineer has reviewed the proposed stormwater management plan and is satisfied that stormwater management proposed is appropriate.

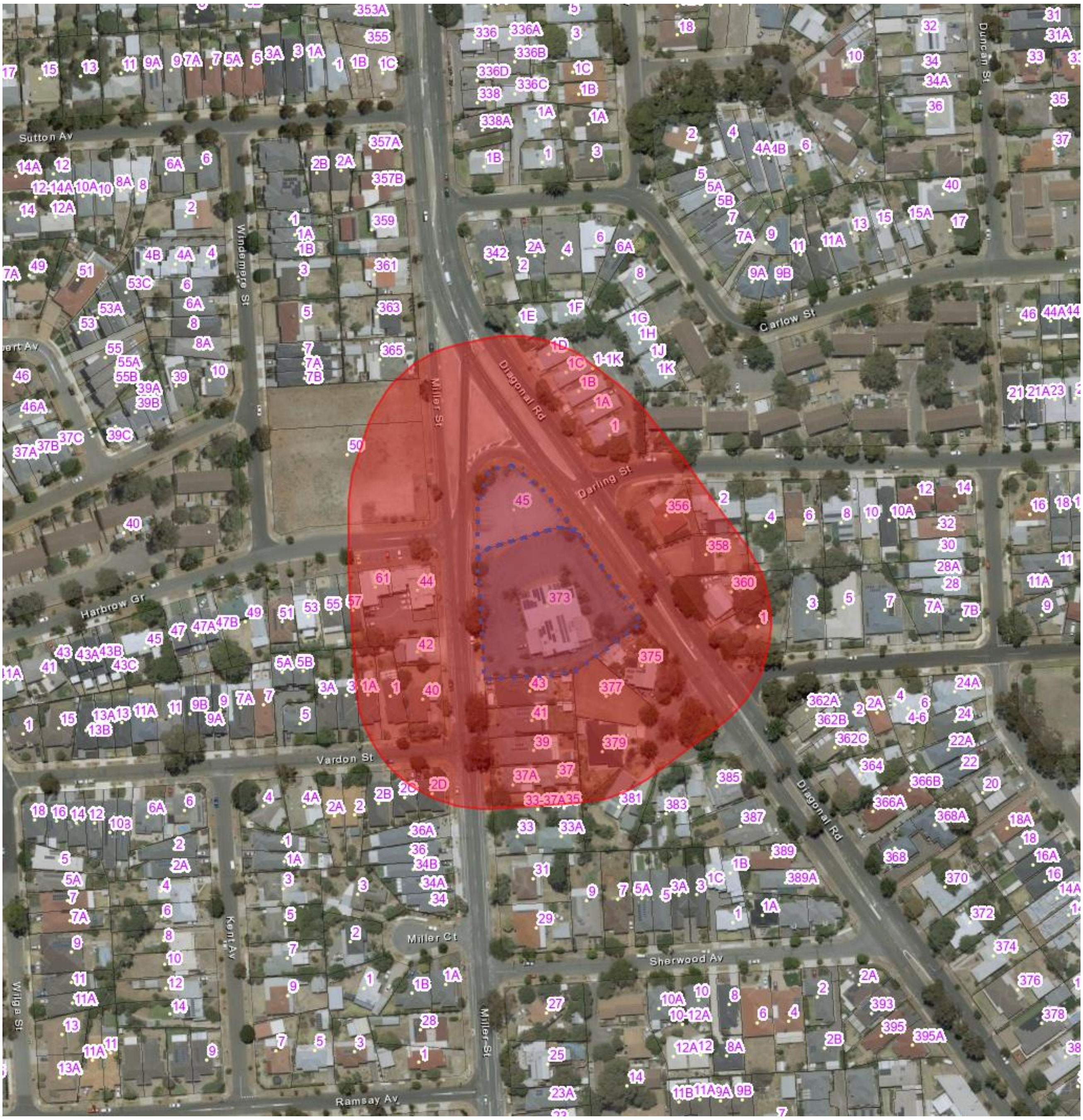
PUBLIC NOTIFICATION

Properties Notified	98
Public Notification Period	19 August – 9 September
Representations received	○ A total of 280 representations were received during the public notification period, however a number of duplicate representations were received. ○ 40 representors wish to be heard personally.
Applicant Response	A response by the applicant is included within the report attachments

Representors to be Heard

	ID number in Portal	Name	Address
1.	5	Samuel Dale	20 Darling Street, Sturt
2.	14	Kym Growden	18a Torquay Road, Sturt
3.	33	Samuel Ashfield	384 Diagonal Road, Sturt
4.	39	Neil Harris	41 Miller Street, Sturt
5.	43	Helen Pollard	39 Miller Street, Sturt
6.	57	Robert Juett	336b Diagonal Road, Sturt
7.	59	Steve Lorenzin	1a Fern Grove, Seacombe Gardens
8.	62	Radan Kukolj	6 Sherwood Avenue, Sturt
9.	75	Susan Harris*	41 Miller Street, Sturt
10.	76	Gayle Swansson	35 Miller Street, Sturt
11.	85	Simon Close	42 Miller Street, Sturt
12.	111	Ross Edwards	32 Seacombe Road, Darlington
13.	121	Susan Harris*	41 Miller Street, Sturt
14.	127	M Horsnell	17B Glamis Avenue, Seacombe Gardens
15.	143	Kenneth Gillespie	6 Brolga Place, Sturt
16.	157	Jesse Stevens	4/21 Caroona Avenue, Hove
17.	172	Colin & Marion Sampson	557 Morphett Road, Seacombe Gardens
18.	179	Mark Linn	375 Diagonal Road, Sturt
19.	181	George Watling	358 Diagonal Road, Sturt
20.	191	Robert Lang	3 Wentworth Street, Seacombe Gardens
21.	192	Joanne Taylor	7 Ramsay Avenue, Seacombe Gardens
22.	197	Murray Gannon	18 Miller Street, Seacombe Gardens
23.	199	George Watling	358 Diagonal Road, Sturt
24.	211	S. Shorter	1E Darling Street, Sturt
25.	231	V & R Edwards	15 Lynmouth Avenue, North Brighton
26.	234	Norman Walter	61 Dunbar Terrace, Glenelg East
27.	235	Suzanne McCullogh	4 Lalina Street, Happy Valley
28.	236	Helen Keele*	49 Harbrow Grove, Seacombe Gardens
29.	240	Donald Fleming	37 Miller Street, Sturt
30.	241	Geoff Bridgland	2 Plymouth Avenue, Sturt
31.	246	Kathleen Wall	59 Seacombe Road, Seacombe Gardens
32.	247	Helen O'Flaherty	18 White Crescent, Seacombe Gardens
33.	253	Anne Hiern	11c Torquay Road, Sturt
34.	256	Samuel Dale	20 Darling Street, Sturt
35.	263	Karl Peters	21A Darling Street, Sturt
36.	264	Helen Keele*	49 Harbrow Grove, Seacombe Gardens
37.	265	Frank Catanzariti	7 Russell Avenue, Seacombe Gardens
38.	269	Andrea Hunter	Unit 1/1 Plymouth Avenue, Sturt
39.	270	Abraham Palakat	43 Miller Street, Sturt
40.	271	Gayleen Bloom	25 Kent Street, Seacombe Gardens

** Person lodged more than one representation*


Sutton Av
Windermere St
Miller St
Diagonal Rd
Darling St
Carlow St
Duncan St
Harbrow Gr
Vardon St
Kent Av
Miller Ct
Sherwood Av
Ramsay Av
Wilga St

ASSESSMENT

Planning and Design Code

The subject land is in the Suburban Activity Centre Zone under the Planning and Design Code (as of Version 2021.10). It is not located within a Subzone.

The following Overlays apply to the subject land:

- Airport Building Heights (Regulated) - All structures over 110 metres
- Hazards (Flooding - General)
- Major Urban Transport Routes
- Prescribed Wells Area
- Regulated and Significant Tree
- Traffic Generating Development

The following Variations apply to the subject land:

- Minimum building height is 2 levels
- Maximum building height is 4 levels
- Development should be constructed within a building envelope provided by a 30 or 45 degree plane, depending on orientation, measured 3m above natural ground at the boundary of an allotment

Land Use and Intensity

The Suburban Activity Zone contemplates an active commercial precinct supporting neighbourhood-scale shopping, business, entertainment and recreation facilities.

DPF 1.1 lists a range of contemplated land uses, including advertisements and retail fuel outlets. Notably, retail fuel outlet is defined in the Planning and Design Code as follows:

Means land used for:

a) the fuelling of motor vehicles involving the sale by retail of petrol, oil, liquid petroleum gas, automotive distillate and any other fuels; and
b) the sale by retail of food, drinks and other convenience goods for consumption on or off the land; and

both are operated as and constitute one integrated facility where on-site facilities, systems and processes, car parking and access and egress are all shared.

The use may also include one or more of the following secondary activities:

c) the washing and cleaning of motor vehicles
d) the washing of other equipment or things including dogs and other pets
e) the provision (on a paid or free basis) of facilities for charging electric vehicles
f) the hiring of trailers
g) selling of motor vehicle accessories and/or parts
h) the installation of motor vehicle accessories and/or parts.

The proposed development is consistent with this definition and is an envisaged land use within the Zone.

Given that the proposed development is envisaged within this Zone, the assessment of the proposed development is focussed on the following areas:

- Built Form and Character
- Building Height and Setbacks
- Advertisements
- Traffic, Access and Parking
- Interface Between Land Uses

- Landscaping
- Stormwater

Built Form and Character

Zone PO 2.1 states

> *Development complements adjacent development within the zone, and mitigates interface impacts on adjoining residential uses in neighbourhood-type zones through appropriate building siting, scale and design.*

There is no corresponding DPF for this Performance Outcome.

Adjacent development within the Zone is limited to the medical centre and shop to the west of Miller Street. That development has a primary frontage to Harbrow Grove and presents an inactive frontage to Miller Street.

Notwithstanding this, the proposed development complements this adjacent development in terms of being an envisaged and complementary land use and though the siting of the main building further north than the existing building to reinforce the non-residential cluster of buildings around the Harbor Grove and Miller Street intersection.

The proposed development mitigates interface impacts on residential development by:

- siting of the main building at the northernmost part of the site
- aligning the car wash openings in a north south orientation supported by new acoustic fencing on the southern boundary to minimise noise impacts
- providing landscaping around the perimeter of the site

The Environmental Noise Assessment concludes that the development can achieve the relevant requirements of the Environment Protection (Noise) Policy 2007 subject to the treatments outlined in the report. On this basis, the facility has been designed to minimise adverse impacts and not unreasonably affect the amenity of sensitive receivers, thereby achieving the relevant provisions of the Planning and Design Code related to environmental noise. This demonstrates that the interface impacts have been mitigated by the layout and design of the facility.

Similarly, the light spill assessment concludes that the modelled maximum spill on all boundaries for external lighting based on the above lighting layout and type complies with the criteria outlined in AS4282:2019. The modelled illumination level on ground plane on the proposed carpark (main and disabled both) based on the above lighting layout and type complies with the criteria outlined in AS1158.3.1.

Given that the proposed development is an envisaged use within the Zone, it is considered that, on balance, the design, scale and siting of the building and the general site arrangement is consistent with PO 2.1 to complement adjacent development and mitigate interface impacts.

PO 2.2 states:

> *Buildings are sited and designed to create pedestrian, vehicular, open space and visual linkages between the various built-form elements within the zone and adjoining main roads and thoroughfares.*

The site characteristics are such that the subject land is physically separated from other parts of the Zone by roads with irregular allotment boundaries. The nature of the proposed use as a retail fuel outlet, combined with the allotment configuration, results in a proposed development where

pedestrian, open space and visual linkages between built form elements are not able to be established.

The proposed development does create visual linkages through the site and achieves a satisfactory built form outcome through the location of the main building at the northern end of the site to reinforce the corner of Miller Street and Diagonal Road. The siting of the buildings away from the residential development to the south and the reinforcement of the primary corner is considered to result in a positive relationship that generally satisfies PO 2.2.

PO 2.3 states:

> *Vehicular access points and car parks are coordinated and consolidated to enable the shared use of parking spaces.*

The integrated nature of the uses within the development results in a shared parking space arrangement. This is further reinforced by the 'island' nature of the site which is physically separated from the remainder of the Zone by Miller Street. PO 2.3 has been satisfied.

PO 2.4 states:

> *Development promotes the use of pedestrian and cyclist connections to centre facilities and services.*

The nature of the primary use of the site is for the fuelling and maintenance of vehicles. Accordingly, the promotion of pedestrian and cyclist connections must be balanced with vehicle access and parking. Separated pedestrian access is provided across the southern face of the main building with connections to both Miller Street and Diagonal Road. PO 2.4 is considered to have been satisfied.

Building Height and Setbacks

The minimum building height for this Zone is two storeys.

The proposed development includes a mezzanine dining level and has an overall height of 7.7m at its tallest point.

This provision has been satisfied.

PO 3.2 states:

> *Buildings mitigate visual impacts of building massing on residential development within a neighbourhood-type zone.*

The visual impact from the building massing has been mitigated by the siting of the main building at the northernmost part of the site, separated from adjoining residential areas by roads to the west, north and east, and by significant setbacks to the south.

The car wash building is located greater than 10 metres from the closest part of the southern boundary, and separated by landscaping and a new 2.4m acoustic barrier fence. The main building is located more than 70 metres from the residential areas to the south.

It is considered that PO 3.2 has been satisfied.

PO 3.3 states:

> *Buildings on an allotment fronting a road that is not a State maintained road, and where land on the opposite side of the road is within a neighbourhood-type zone, provides an orderly transition to the built form scale envisaged in the adjacent zone to complement the streetscape character.*

An orderly transition is provided through the siting approach, overall height akin to a two storey dwelling and large physical separation by roads. It is considered that PO 3.3 has been satisfied.

Advertisements

PO 4.1 states:

Advertisements are sited and designed to achieve an overall consistency of appearance along individual street frontages.

PO 4.2 states:

Freestanding advertisements:

a) identify the associated business(es)
b) are of a size that is commensurate with the scale of the centre and the street frontage
c) avoid visual clutter
d) positively respond to the context without dominating the locality.

Fascia signage is flush with the wall with no hoardings visible. The fascia signage is consistent with General Development DPF 2.3 'Advertisements' in that less than 15% of the walls of the building that the signage is attached to will be covered in signage.

Two 6.2m freestanding signs are proposed, one to each street frontage. These signs incorporate the fuel price displays which are a statutory requirement for retail fuel outlets.

The Suburban Activity Centre Zone specifically contemplates advertisements within the Zone in DPF 1.1.

Zone DPF 4.2 contemplates that freestanding advertisements:

a) do not exceed 8m in height, the adjacent building wall height, or the zone's height allowance (whichever is the lesser)
b) do not have a sign face that exceeds 6m2 per side.

The proposed height of the signs at 6.2 metres is well below the 8m height contemplated within the Zone.

The Miller Street facing sign is located on a part of the site immediately opposite the balance of the Suburban Activity Zone. Whilst Miller Street is a local road, the positioning of the site is well within that part of the road that is not subject to residential zoning.

The Diagonal Road sign is located along a main road frontage and positioned near the intersection of Diagonal Road and Darling Street where direct impacts to dwellings opposite the site is minimised.

The overall signage area is approximately 9.4 square metres, however this is comprised of both signage relating to the retail functions on the site as well as mandatory fuel price displays.

The signs integrate multiple signage relating to the proposed uses and result in an approach to signage that avoids visual clutter, is of a site appropriate for the overall street frontages and size of the site.

Whilst the signs have a display area larger than contemplated in DPF 4.2, the overall height is substantially lower than the maximum contemplated. Within the context of a Suburban Activity Centre (Miller St) and a state maintained road (Diagonal Road) the proposed height of the signs is considered to be acceptable.

The applicant notes that any lighting used at the site will comply with AS 4282-1997-Control of the Obtrusive Effects of Outdoor Lighting (including illuminated signage), and AS 1158.1 Public Lighting Code for the illumination level of the car parking area.

The Commissioner of Highways has proposed the following notes in its direction to the Council:

> *1. Signage shall not contain any element of LED or LCD display, except for the fuel prices on the pylon sign. The fuel prices shall be white characters on a black background.*
>
> *2. Signage shall not flash, scroll, move or change, with the exception of the LED fuel price signs, which may change on an as-needs basis.*
>
> *3. Signage shall not be permitted to operate in such a manner that could result in impairing the ability of a road user by means of high levels of illumination or glare. Accordingly, all illuminated signs visible from the arterial road network shall be limited to a low level of illumination (i.e. < 150Cd/m2), except in the case of electronic signage, which shall be limited to the following stepped luminance levels:*
>
> *Ambient Conditions Sign Illuminance Vertical Component (Lux) Sign Luminance (Cd/m2)*
>
> *Sunny Day 40000 6300*
> *Cloudy Day 4000 1100*
> *Twilight 400 300*
> *Dusk 40 200*
> *Night <4 150*
>
> *4. Signage shall, in the case of electronic signage, incorporate an automatic error detection system which will turn the display off or to a blank, black screen should the screen or system malfunction.*

The approach to signage and advertisements is considered to satisfy the relevant signage criteria in the Planning and Design Code.

Traffic, Access and Parking

The General Development Policies of the Planning and Design Code under the Transport, Access and Parking set out a range of provisions relating to access, parking, traffic and site management. The provision of car parking spaces is set out in Table 1 – General Off-Street Car Parking Requirements.

The applicant submitted a Traffic and Parking Report by MFY has been provided with the application documentation and addresses matters related to traffic, movement, access and parking.

In summary this report found the following:

- the forecast additional traffic associated with the proposal will be within the daily fluctuation already experienced on Diagonal Road and Miller Street and, as such, will have no appreciable impact on the road network.
- All loading and unloading of vehicles and vehicular parking is able to be undertaken on-site.
- The access points have been sited and designed to accommodate the proposal and will not conflict with neighbouring access points or any road intersections.
- The proposal has been designed to allow for safe and convenient access through the site for all type of vehicles, including catering for a 19 metre semi-trailer, service and delivery vehicles and allow for queuing of vehicles on-site behind the petrol filling points as shown in the Traffic

and parking assessment by MFY. The delivery of fuel via tankers and other delivery vehicles will not result in interruption to vehicular movements in the car parking areas or limit access/egress internally to and from the site as shown in the MFY report.

- The proposed development provides 17 parking spaces (including one disabled space) in addition to the car parking spaces under the freestanding fuel canopy which will provide sufficient parking for the proposed development in accordance with Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements.

This report has been reviewed by Council's Senior Traffic Engineer who is satisfied with the design and provision of the site layout, access, manoeuvring and car parking provision.

DIT has reviewed the proposal as part of a statutory referral and supports the proposed development subject to conditions. A copy of this referral advice is provided within the Attachments.

Traffic Generating Development Overlay PO 1.1 states 'Development designed to minimise its potential impact on the safety, efficiency and functional performance of the State Maintained Road network.'

The MFY traffic report and DIT referral advice have considered the impact of the development on the performance of the State Maintained Road network and consider the proposal to be satisfactory.

One representation included a review from Phil Weaver and Associates on the traffic impacts of the development. This review considered that appropriate on-site car parking and vehicle manoeuvring within the site has been suitably addressed, but anticipates that there will be significant relocation of a proportion of existing traffic movements on Diagonal Road onto Miller Street by those drivers travelling south-east in particular to access the proposed development.

PO 1.1 above requires consideration of impacts on the State Maintained Road network only. With regard to impacts in residential streets and other sensitive receivers, PO 1.2 limits consideration to commercial and industrial vehicle movements.

> *PO 1.2 - 'Development is designed to discourage commercial and industrial vehicle movements through residential streets and adjacent other sensitive receivers.'*

Whilst there may be additional traffic in Miller Street, the MFY report notes the proposal will generate approximately 75 additional trips on the road network. This forecast, however, will not all be additional volumes as the existing land use is estimated to currently generate in the order of 30 trips in the peak hour. As such, the proposed development will only increase the traffic volume by approximately 45 trips during the pm peak hour.

Such movements are considered to be acceptable as the safety, efficiency and functional performance of the State Maintained Road network is achieved and the residential street. The application demonstrates that tanker access can be achieved into and from the site from Diagonal Road only, thereby achieving consistency with PO 1.2.

Whilst Miller Street is a Council maintained road and not a State maintained road, it nevertheless is not a minor residential street and contains a bus route with associated bus stops. It is identified as a collector road with approximately 5000 vehicles per day. The proposed development is consistent with the relevant Code provisions relating to movement networks, supported by the applicant's traffic advice, DIT referral advice and Council's engineers.

Mr Weaver contests the findings of MFY on the basis that "*Significantly the assessment undertaken by MFY does not take into consideration the restricted nature of access into and out of the subject development noting that drivers will be unable to turn either right in or right out of the proposed development to and from Diagonal Road*". The MFY report appears to be based on the existing

crossovers will be closed and access to the proposed development will be provided by two new crossovers on Diagonal Road and one new crossover on Miller Street. The proposed crossovers on Diagonal Road will operate as separate ingress and egress points. The MFY report appears to very clearly have considered the proposal in the context of no right in or right out of the proposed development to and from Diagonal Road.

On this basis the traffic, access and parking provisions of the Planning and Design Code are considered to have been satisfactorily addressed.

Interface Between Land Uses
Noise and Hours of Operation

General Development Policies Interface between Land Uses PO 2.1 states:

Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:

a) the nature of the development
b) measures to mitigate off-site impacts
c) the extent to which the development is desired in the zone
d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land.

There is no corresponding DPF that applies for the proposed use.

The applicant proposes that 'Retail fuel outlet' operate from 5am until 12 midnight, 7 days per week with the following amendments as required by the Sonus acoustic assessment in order to achieve compliance with the relevant standards:
• restricting hours of operation of the car/dog washing bays to 7am until 10pm;
• restricting hours of rubbish collection and deliveries to between 9am and 7pm on Sunday and public holiday and 7am until 7pm any other day;
• restricting hours of fuel delivery to between 7am and 10pm;

Additional recommendations have been also made in the Sonus report relating to the construction of specific fences; installing absorption in nominated locations; constructing the manual wash bays and auto wash buildings using specific methods; installing glass doors on the auto wash buildings; reducing the noise from any alarms as far as practical; and ensuring all inspection points, grated trenches, etc. are correctly fixed.

Interface between Land Uses PO 4.1 states:

PO 4.1
Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).

DTS/DPF 4.1
Noise that affects sensitive receivers achieves the relevant Environment Protection (Noise) Policy criteria.

On the basis that the predicted noise levels from the development will achieve the relevant requirements of the Environment Protection (Noise) Policy 2007 subject to the treatments outlined in the Sonus report, it is considered that the proposal satisfies DPF 4.1 and that the hours of operation are appropriate in terms of acoustic impact on the locality.

Lighting

The applicant has provided an Environmental Light Modelling Assessment with the application documents.

The report concludes that the modelled maximum spill on all boundaries for external lighting based on the above lighting layout and type complies with the criteria outlined in AS4282:2019 (Control of the obtrusive effects of outdoor lighting).

The modelled illumination level on ground plane on the proposed carpark (main and disabled both) based on the above lighting layout and type complies with the criteria outlined in AS1158.3.1 (Lighting for roads and public spaces Pedestrian area (Category P) lighting).

The following Performance Outcomes in the Code under the Interface Between Land heading in the General Development Policies state:

> *PO 6.1*
> *External lighting is positioned and designed to not cause unreasonable light spill impact on adjacent sensitive receivers (or lawfully approved sensitive receivers).*
>
> *PO 6.2*
> *External lighting is not hazardous to motorists and cyclists.*

There are no DPF applicable for these provisions.

The application details demonstrate that the relevant Standard AS4282:2019 (Control of the obtrusive effects of outdoor lighting) has been met whilst simultaneously providing sufficient lighting for roads and public spaces Pedestrian area.

Conformity with AS4282:2019 (Control of the obtrusive effects of outdoor lighting) is accepted as demonstrating that external lighting is positioned and designed to not cause unreasonable light spill impact on adjacent sensitive receivers and not hazardous to motorists and cyclists.

On the basis that the proposed development provides sufficient lighting for the site to be safely operated as well as preventing obtrusive effects of outdoor lighting, it is considered that proposed development is appropriate and will not unreasonably impact amenity within the locality.

Odour

PO 5.1 and 5.2 under the Interface Between Land heading in the General Development Policies state:

> *PO 5.1*
> *Development with the potential to emit harmful or nuisance-generating air pollution incorporates air pollution control measures to prevent harm to human health or unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) within the locality and zones primarily intended to accommodate sensitive receivers.*
>
> *PO 5.2*
> *Development that includes chimneys or exhaust flues (including cafes, restaurants and fast food outlets) is designed to minimise nuisance or adverse health impacts to sensitive receivers (or lawfully approved sensitive receivers) by:*
>
> *a) incorporating appropriate treatment technology before exhaust emissions are released*
> *b) locating and designing chimneys or exhaust flues to maximise the dispersion of exhaust emissions, taking into account the location of sensitive receivers.*

The EPA has considered the impact of odour and air quality in its referral advice.

The EPA advises that the application documentation includes a planning report prepared by Adelaide Planning and Development Solutions Pty Ltd (APDS) dated 2 June 2021 which confirms that a Stage 2 vapour recovery system would be installed for the fuel bowsers which would direct vapours back into the tank during vehicle refuelling.

Given the distance to the nearest sensitive receivers and the proposed installation of both a Stage 1 and Stage 2 vapour recovery system, the EPA considers the petroleum storage and dispensing would not result in unacceptable air quality impacts. Conditions are directed in this regard.

Stormwater Management

Roof water is considered appropriate to be discharged to existing Council infrastructure.

The following provisions under the Design heading in the General Development Policies state:

> *PO 31.1*
> *Development likely to result in significant risk of export of litter, oil or grease includes stormwater management systems designed to minimise pollutants entering stormwater.*
>
> *PO 31.2*
> *Water discharged from a development site is of a physical, chemical and biological condition equivalent to or better than its pre-developed state.*
>
> *PO 32.1*
> *Areas for activities including loading and unloading, storage of waste refuse bins in commercial and industrial development or wash-down areas used for the cleaning of vehicles, vessels, plant or equipment are:*
>
> *a) designed to contain all wastewater likely to pollute stormwater within a bunded and roofed area to exclude the entry of external surface stormwater run-off*
> *b) paved with an impervious material to facilitate wastewater collection*
> *c) of sufficient size to prevent 'splash-out' or 'over-spray' of wastewater from the wash-down area*
> *d) designed to drain wastewater to either:*
> *i. a treatment device such as a sediment trap and coalescing plate oil separator with subsequent disposal to a sewer, private or Community Wastewater Management Scheme*
> *or*
> *ii. a holding tank and its subsequent removal off-site on a regular basis.*

There are no corresponding DPF's for any of these provisions.

The EPA has considered water quality as part of its advice as follows:

Potentially contaminated stormwater runoff can be generated at retail petrol stations from the hard surfaced forecourt areas including re-fuelling areas, parking areas, footpaths, loading areas and other trafficable areas. Pursuant to the Environment Protection (Water Quality) Policy 2015, occupiers of land must take all reasonable and practicable measures to avoid the discharge or deposit of pollutants (including petroleum products) into any waters or onto land in a place from which it is reasonably likely to enter any waters.

The EPA notes that the proposed development includes car wash and dog wash elements on the same site as the petrol station. As part of its assessment, the EPA has only considered run-off (stormwater and spills) for the 'site' pertaining to the proposed petrol station.

The proposed stormwater management measures for the petrol station are detailed in the following:
• 'Grading Plan and Details' Sheet 1, Project No. SA190085, Drawing No. C03, Issue C, 15.7.21
• 'Stormwater Plan, Notes, Legend and Schedule' Sheet 1 & 2, Project No. SA190085, Drawing No. C02, Issue C, 15.7.21

The information provided identifies that all runoff (including spills) from hardstand areas would be collected via a series of grated inlet pits and pass to a SPEL Puraceptor Class 1 full retention oil/water separator (P.080.C1.2C). It is proposed that this has a 10,000 litre capacity retention tank to capture a major spill on site from a delivery truck.

A further two underground stormwater detention tanks (each with the capacity of 23m3) and a pumping station (incorporating 23m3 detention) is proposed to achieve 'pre-development flow' detention prior to a controlled discharge to the Council stormwater system.

This is satisfactory to the EPA and a condition to this effect is directed.

The proposal is considered to meet the relevant stormwater provisions of the Code.

Landscaping

General Development Policies under the Design heading include the following:

> *PO 1.5*
> *The negative visual impact of outdoor storage, waste management, loading and service areas is minimised by integrating them into the building design and screening them from public view (such as fencing, landscaping and built form) taking into account the form of development contemplated in the relevant zone.*
>
> *PO 3.1*
> *Soft landscaping and tree planting is incorporated to:*
> *a) minimise heat absorption and reflection*
> *b) maximise shade and shelter*
> *c) maximise stormwater infiltration*
> *d) enhance the appearance of land and streetscapes*
> *e) contribute to biodiversity.*
>
> *PO 3.2*
> *Soft landscaping and tree planting maximises the use of locally indigenous plant species, incorporates plant species best suited to current and future climate conditions and avoids pest plant and weed species.*

The proposal includes a landscaping plan. This plan responds to the landscape requirements with a gated and screened bin store is provided to the east of the car wash building that is integrated into overall design and includes black screening slats to screen this area from public view.

Soft landscaping is provided to the perimeter of the site planted with a range of trees, ground covers and shrubs to soften the appearance of the site and maintain sight lines for motorists.

Given the nature of the proposed use, there is some inherent conflict between the requirement for vehicle manoeuvring areas, sight lines and ability to incorporate significant areas of landscaping for heat absorption and reflection.

The proposed approach to landscaping is considered to be satisfactory for the proposed use and commensurate with similar new facilities within Metropolitan Adelaide.

CONCLUSION

As a result of the above considerations, it is my view that the proposed development is not seriously at variance to the Planning and Design Code, in accordance with Section 126(1) of the Planning, Development and Infrastructure Act 2016.

The proposed land use is a kind of development specifically envisaged in Zone DTS/DPF 1.1 and is generally an appropriate kind of development for the site and the Zone generally.

Assessed against the Code I note:

- The proposed building height is consistent with the minimum building height for the zone.
- The visual impact from the building massing has been mitigated by the siting of the main building at the northernmost part of the site, separated from adjoining residential areas by roads to the west, north and east, and by significant setbacks to the south.
- The car wash building is located greater than 10 metres from the closest part of the southern boundary and separated by landscaping and a new 2.4m acoustic barrier fence. The main building is located more than 70 metres from the residential areas to the south.
- The proposal is provided with parking provisions and access arrangements that meet the relevant Standards and Council requirements.
- The impact on the traffic conditions in the locality is acceptable.
- The predicted noise levels from the development will achieve the relevant requirements of the Environment Protection (Noise) Policy 2007.
- The light spill assessment concludes that the modelled maximum spill on all boundaries for external lighting based on the above lighting layout and type complies with the criteria outlined in AS4282:2019.
- Given the distance to the nearest sensitive receivers and the proposed installation of both a Stage 1 and Stage 2 vapour recovery system, the EPA considers the petroleum storage and dispensing would not result in unacceptable air quality impacts
- Roof water is considered appropriate to be discharged to existing Council infrastructure and the EPA is satisfied with the proposed stormwater and runoff management from the site.
- The proposal is provided with landscaping that generally satisfies the relevant Code provisions.
- The proposed advertisements are appropriate, will comply with AS 4282-1997 and satisfy the relevant signage criteria in the Planning and Design Code.

It is considered that the development exhibits sufficient merit when assessed on balance against the relevant Desired Outcomes and Performance Outcomes to warrant Planning Consent subject to the conditions and notes listed below.

RECOMMENDATION

Having considered all relevant planning matters in relation to the subject development application:

(a) The Panel notes this report and concur with the findings and reasons for the recommendation;

(b) The Panel concurs that the proposed development is not seriously at variance to the Planning and Design Code, in accordance with Section 126(1) of the Planning, Development and Infrastructure Act 2016; and

(c) That Planning Consent for Development Application ID: 21013079 for a "Change in the use of land to Retail Fuel Outlet (comprising control room, freestanding canopy, eight fuel dispensers, carwash comprising four manual bays, two automated bays, and two vacuum bays), with associated advertising, advertising hoardings, acoustic fencing, carparking and landscaping" at 373 Diagonal Road, Sturt and 45 Miller Street, Sturt be GRANTED subject to the following Conditions.

CONDITIONS

1. **The development shall be undertaken and maintained in accordance with the plans and details submitted with and forming part of Development Application No.100/2020/568, being the following documentation;**
   - **Planning statement prepared by Adelaide Planning and Development Solutions dated 22 July 2021;**
   - **Traffic and Parking Report prepared by MFY dated May 2021;**
   - **Environmental Noise Assessment report prepared by SONUS dated May 2021;**
   - **Landscape plan prepared by Hodge Collard Preston dated 6 May 2021;**
   - **Stormwater plans prepared by SAGERO dated 15 July 2021 Dwg No. C01C to C05C;**
     and;
   - **Drawings prepared by Hodge Collard Preston Dwg No. SK30 – REV A, SK27 – REV A, SK25 – REV D, SK26 – REV B, SK33 – REV B, SK28 – REV D, SK29-REV D, SK31 – REV A.**

   Except where varied by the following conditions of consent.

2. **The hours of operation of the facility shall be restricted to the following times:**
   - **5:00am to Midnight of each day, seven days per week.**

3. **Operation of the automatic car wash bays, manual car wash bays, dog wash bays and vacuum bays shall be restricted to the following times;**
   - **7am and 10pm of each day, seven days per week.**

4. **Fuel deliveries shall be restricted to the following times;**
   - **7am and 10pm of each day, seven days per week.**

5. **Rubbish collection and deliveries (which may also use the service bay) shall be restricted, in accordance with the Environment Protection (Noise) Policy 2007, to the following times;**
   - **9am and 7pm on a Sunday or public holiday.**
   - **7am and 7pm on any other day.**

6. **All car parking areas driveways and vehicle maneuvering area must be constructed, sealed and drained in accordance with the recognized engineering practices prior to**

the occupation of the premises or the use of the development herein approved and maintained in a good condition at all times.'

7. **Wheel stopping devices shall be placed within each parking bay so as to prevent damage to adjoining fenced, buildings or landscaping to the reasonable satisfaction of the Council.**

8. **Designated accessible car parking spaces shall be designed and provided in accordance with the provisions contained in Australian Standards AS 2890.6.2009.**

9. **All car parking spaces shall be line marked or delineated in a distinctive fashion prior to occupation of the premises, with the marking maintained in a clear and visible condition at all times.**

10. **All areas nominated as landscaping or garden areas on the approved plans shall be planted and maintained with a suitable mix and density of native trees, shrubs and groundcovers prior to the occupation of the premises to the reasonable satisfaction of the Council.**

11. **New vegetation proposed to be planted shall be nurtured and maintained in good health and condition at all times with any diseased or dying plants being replaced, to the reasonable satisfaction of the Council.**

12. **All external lighting of the site, including car parking areas and buildings, shall be located, directed, shielded and of an intensity not exceeding lighting in adjacent public streets, so as not to cause nuisance or loss of amenity to any person beyond the site in accordance with AS 4282-1997- Control of the Obtrusive Effects of Outdoor Lighting (including illuminated signage), and AS 1158.1 Public Lighting Code for the illumination level of the car parking area.**

13. **Driveways, parking and maneuvering areas and footpaths must be lit in accordance with the Australian Standards Association Code AS 1158 during the hours of darkness that they are in use. Such lights must be directed and screened so that overspill of light into the nearby properties is avoided and motorists are not distracted. Such lighting shall be maintained at all times, to the reasonable satisfaction of the Council.**

14. **All waste and other rubbish shall be stored in a manner so that it does not created insanitary conditions, unreasonable nuisance or pollution to the environment (including the prevention of any materials entering the stormwater system either by wind or water), to the reasonable satisfaction of Council.**

15. **All waste and other rubbish shall be screened from public view, to the reasonable satisfaction of Council.**

16. **The development shall be constructed, operated and maintained in accordance with the recommendations of the Sonus Environmental Noise Assessment Report dated May 2021 and include the following measures below, unless and any acoustic treatment associated with mechanical plant be reviewed during the detailed design have different sound power levels or should a different number of units be proposed to those specified within the report prepared by Sonus dated May 2021.**

General Activity

- **Construct fences 2.4 high along the southern boundary of the site for the extent shown as GREEN in Figure 1 (p.9). The fenced should be constructed from a minimum of 0.42 BMT sheet steel ('Colorbond" or similar) or a material with the same or greater surface density (kg/m2). An airtight seal should be achieved at all junctions as far as practicable, including at the ground and other fences. The height of the fences should be measured from the highest side being either neighbouring or site side;**
- **Should amplified music played outdoors be proposed, it should be set at a level which is inaudible at the property boundary;**
- **Reduce noise from any alarms produced by site equipment, such as for compressed air, as far as practicable, and;**
- **Ensure there are no irregularities on the site and all inspection points, grated trenches, etc. are correctly fixed to remove the potential for impact noise being generated when driven over.**

Car Wash Activity

- **Install glass doors to the entry and exit of the automatic car wash, shown in PINK in Figure 1 (p. 9), which automatically close during operation (i.e. close before the start of the wash cycle, and do not open until the wash cycle, including any drying, has ceased). The doors should be constructed from a minimum of 10.38mm thick laminated glass (or a material with a higher surface density in kg/m2) and be sealed as close to airtight as possible at all junctions when closed;**
- **Construct the auto wash building roof from the following (or similar):**
- **0.42 BMT sheet steel roof;**
- **Thermal insulation as required (minimum thickness of 50mm and density of 11kg/m2);**
- **A layer of 13mm thick plasterboard sheeting ceiling (or similar)**
- **Construct auto wash buildings and plant room walls as proposed from a minimum of 90mm thick concrete blockwork. Alternative constructions can be assessed if required;**
- **Utilise 44mm thick solid core doors for access into the plant room with acoustic seals all around such as Raven RP24. RP32 and RP17i or acoustic equivalent to the frame, threshold and meeting stile (if relevant);**
- **Construct 'full-height' partitions between manual car wash bays (including the easternmost end bay), shown as PURPLE in Figure 1 (p. 9) and as proposed, and seal airtight as far as practicable to the underside of the canopy;**
- **Restrict the height of the southern openings to the manual and automatic wash bays to 2.7m. The infill paneling above this height can be constructed from glass or fibre cement sheeting, or another similar material; and,**
- **Install acoustic absorption material to the underside of the canopy and internal walls of the manual wash bays. The absorption material should be installed to the full practicable area of the wash bays (a gap between the bottom of the absorption and the car wash floor can be provided for waterproofing). The absorption material should be 50mm thick polyester insulation with a minimum density of 32kg/m3, or a proprietary weather proof product with an "NRC" rating of 0.8 or greater ("Stratocell Whisper" or similar). It should be installed to the canopy and walls in accordance with Figure 2 (p. 10) and Figure 3 (p. 11) respectively.**

Mechanical Plant

- **Incorporate an in-line attenuator to the discharge side of any significant exhaust fan if installed;**

- **Locate all mechanical plant on the control building roof within the area indicated in YELLOW in Figure 1 (p. 9); and**
- **Construct mechanical plant screens on the control building rood and ensure a minimum height of 1m above the tallest unity for the extent shown in Figure 1 (p. 9) as RED to the north, east and west sides of the platform and returning along the southern side of the platform for a length such that there is no direct line of sight between the roof plant and a dwelling (the feature roof will provide some shielding depending on the final arrangement). All screens should be constructed from a minimum of 0.42 BMT sheet steel ("Colorbond" or similar) or a material with the same or greater surface density (kg/m2). The barrier should be sealed are tight at all junctions, noting that a small gap may be required at the roof join for drainage.**

ENVIRONMENTAL PROTECTION AUTHORITY CONDITIONS

17. **Prior to operation, all fuel storage tanks (apart from diesel and LPG) must be fitted with a Stage 1 vapour recovery system (which includes underground storage tank vent pipes being fitted with a pressure vacuum relief valve) that directs the displaced vapours back into the tank during filling.**

18. **Prior to operation, all fuel dispensers (apart from diesel and LPG) must be fitted with a Stage 2 vapour recovery system that directs vapours into the tank during vehicle refueling.**

19. **Prior to operation, all underground fuel storage tanks must be double walled and fitted with a leak detection system designed and installed in accordance with clause 4.5 of the Australian Standard 4897-2008 The design, installation and operation of underground petroleum storage systems.**

20. **Prior to operation, all fuel lines between the underground storage tanks and fuel dispensers must be double contained and fitted with a leak detection system, designed and installed in accordance with clause 4.5 of Australian Standard 4897-2008 The design, installation and operation of underground petroleum storage systems.**

21. **Stormwater runoff from all hardstand areas of the petrol station (including the refueling and fuel delivery areas) must be managed in accordance with 'Grading Plan and Details' Sheet 1, Project No. SA190085, Drawing No. C03, Issue C, 15.7.21 and 'Stormwater Plan, Notes, Legend and Schedule' Sheet 1 & 2, Project No. SA190085, Drawing No. C02, Issue C, 15.7.21 and must be directed via grates and grade changes to the SPEL Puraceptor full retention oil/water separator (no bypass function) that:**
    a) **has as a minimum spill capture capacity of 10,000 litres**
    b) **reduces oil content in the outlet to less than 5 mg/L (as confirmed by independent third party scientific testing)**
    c) **operates effectively in the event of a power failure**

COMMISSIONER OF HIGHWAYS CONDITIONS

22. **Access to Diagonal Road and Miller Street shall be gained as shown on Hodge Collard Preston, Proposed Site Plan, Project No. 166.19, Drawing No. SK25, Revision D dated 21 July 2021. The access points shall be suitably signed and line-marked to reinforce the desired traffic flow. Chevron line-marking shall also be incorporated in the design to reduce the width of the access for passenger vehicles while still permitting access for delivery vehicles.**

23. **The existing flush median at the Diagonal Road / Darling Street intersection shall be replaced by a solid median, as shown on MFY Report 19-0285 (Final dated 12 May**

2021), Figure 1: Proposed median treatment on Diagonal Road at the Darling Street intersection, and the existing pedestrian refuge and ramps on Diagonal Road shall be relocated to allow for the construction of the new ingress. All road works deemed required to facilitate safe access to the development shall be designed and constructed in accordance with Austroads, Australian Standards and DIT Master Specifications with all costs (including but not limited to design, construction, project management and any changes to road drainage, lighting etc. required) being borne by the applicant.

24. All vehicles shall enter and exit the site in a forward direction.

25. 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.

26. Any obsolete crossover/s (or any portion thereof) on Diagonal Road and Miller Street shall be closed and reinstated to Council's kerb and gutter standards at the applicant's expense prior to the operation of the development.

27. All off-street parking shall be designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009. Clear sightlines, as shown in Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' in AS/NZS 2890.1:2004, shall be provided at the property line to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpath. The internal maneuvering areas for commercial vehicles shall be designed in accordance with AS2890.2:2018.

28. The largest vehicle permitted on-site shall be restricted to a 19.0 metre semi-trailer.

29. All off street parking shall be designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009. Clear sightlines, as shown in Figure 3.3 'Minimum Sight Lines for Pedestrian Safety in AS/NZS 2890.1:2004, shall be provided at the property line to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpath. The internal maneuvering areas for commercial vehicles shall be designed in accordance with AS2890.2:2018.

41. Stormwater run-off shall be collected on-site and discharged without jeopardizing the integrity and safety of the adjacent roads. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicants expense.

Notes

1. **Any construction over an easement to Council is required to achieve Council's easements guidelines and a request shall be submitted to Council for approval prior to any works.**
2. **A Section 221 Permit under the Local Government Act is required for any works external to the site.**

<u>Environment Protection Authority Notes</u>

3. **The applicant is reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act, to take all reasonable and practicable measures to ensure that the activities on the whole site, including during constructions, do not pollute the environment in a way which causes or may cause environmental harm.**

4. **The applicant/owner/operator are reminded that any sludge or oily residue collected within the forecourt full retention oil/water separator is required to be removed by an EPA licensed waste transporter to a licensed waste depot.**

5. **An environmental authorization in the form of a license is required for the operation of this development. The applicant is required to contact the Environment Protection Authority before acting on this approval to ascertain licensing requirements. Information on applying for a license (including license application forms) can be accessed here: http://www.epa.sa.gov.au//business_and_industry/applying_for_a_license**

6. **A license may be refused where the applicant has failed to comply with any conditions of development approval imposed at the direction of the Environment Protection Authority.**

7. **EPA information sheets, guidelines documents, codes of practice, technical bulletins etc. can be accessed on the following web site: http://www.epa.sa.gpv.au**

Commissioner of Highways Notes

8. **Prior to undertaking detailed design, the applicant shall contact DIT Network Management Services, Mr Narendra Patel, Senior Network Integrity Engineer, on telephone (08) 8226 8244, Mobile 0400 436 745 or via email: narendra.patel@sa.gov.au. The applicant shall enter into a Developer Agreement with DIT to undertake the above works.**

9. **Signage shall not contain any element of LED or LCD display, except for the fuel prices on the pylon sign. The fuel prices shall be white characters on a black background.**

10. **Signage shall not flash, scroll, move or change, with the exception of the LED fuel price signs, which may change on an as-needs basis.**

11. **Signage shall not be permitted to operate in such a manner that could result in impairing the ability of a road user by means of high levels of illumination or glare. Accordingly, all illuminated signs visible from the arterial road network shall be limited to a low level of illumination (i.e. < 150Cd/m2), except in the case of electronic signage, which shall be limited to the following stepped luminance levels:**

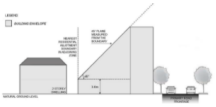
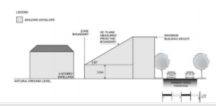
Ambient Conditions	Sign Illuminance Vertical Component (Lux)	Sign Luminance (Cd/m2)
Sunny Day	40000	6300
Cloudy Day	4000	1100
Twilight	400	300
Dusk	40	200
Night	<4	150

12. **Signage shall, in the case of electronic signage, incorporate an automatic error detection system which will turn the display off or to a blank, black screen should the screen or system malfunction.**

Appendix 1 – Planning and Design Code guidelines

Suburban Activity Centre Zone			
DO1:	An active commercial precinct supporting neighbourhood-scale shopping, business, entertainment and recreation facilities to provide a focus for business and community life and most daily and weekly shopping needs of the community. Buildings and pedestrian areas create a high quality, activated public realm that is integrated with pedestrian and cycle networks and establish well-defined connections to available public transport services.		
PO 1.1	Shops, office, entertainment, health and recreation related uses and other businesses that provide a range of goods and services to the surrounding neighbourhood and district.	**DPF 1.1**	Development comprises one or more of the following: a) Advertisement b) Cinema c) Community facility d) Consulting room e) Dwelling f) Educational establishment g) Emergency services facility h) Hospital i) Hotel j) Indoor recreation facility k) Library l) Office m) Place of worship n) Pre-school o) Recreation area p) Residential flat building q) Retail fuel outlet r) Retirement Facility s) Shop t) Supported Accommodation u) Tourist accommodation
PO 1.5	Development sited and designed to achieve or maintain a vibrant and interesting streetscape within retail areas.	**DPF 1.5**	Any of the following: a) shop, other than a bulky goods outlet with a gross leasable floor area more than 500m2 b) cinema c) hotel d) licensed premises.
PO 1.6	Changes in the use of land encourage the efficient reuse of commercial premises to maintain and enhance vibrancy within activity centres.	**DPF 1.6**	A change of use to a shop, consulting room or office (or any combination thereof) satisfies any one of the following: a) the area to be occupied by the proposed development is in an existing building and is currently used as a shop, office, consulting room or any combination of these uses b) if the proposed change of use is for a shop that primarily involves the handling and sale of foodstuffs, areas used for the storage and collection of refuse are sited at least 10m from the site of a dwelling (other than a dwelling directly associated with the proposed shop) c) if the proposed change of use is for a shop that primarily involves heating and cooking of foodstuffs in a commercial kitchen and is within 30m of any neighbourhood-type zone boundary or a dwelling (other than a dwelling directly associated with the proposed shop), an exhaust duct and stack (chimney) exists or is capable of being installed for discharging exhaust emissions d) if the change in use involves a gross leasable floor area greater than 250m2 and has direct

			frontage to an arterial road, it achieves either (i) or (ii):: i) the primary vehicle access (being the access where the majority of vehicles access / egress the site of the proposed development) from a road that is not an arterial road ii) the development is located on a site that operates as an integrated complex containing two or more tenancies (and which may comprise more than one building) where facilities for off-street vehicle parking, vehicle loading and unloading, and the storage and collection of refuse are shared e) off-street vehicular parking exists in accordance with the rate(s) specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas to the nearest whole number, except in any of the following circumstances: i) the building is a local heritage place ii) the required contribution will be made into a relevant car parking offset scheme (other than where a relevant contribution has previously been made) iii) the development is located on a site that operates as an integrated complex containing tow or more tenancies (and which may comprise more than one building) where facilities for off-street vehicle parking, vehicle loading and unloading, and the storage and collection of refuse are shared. .
PO 2.1	Development complements adjacent development within the zone, and mitigates interface impacts on adjoining residential uses in neighbourhood-type zones through appropriate building siting, scale and design.	**DPF 2.1**	None are applicable.
PO 2.2	Buildings are sited and designed to create pedestrian, vehicular, open space and visual linkages between the various built-form elements within the zone and adjoining main roads and thoroughfares.	**DPF 2.2**	None are applicable.
PO 2.3	Vehicular access points and car parks are coordinated and consolidated to enable the shared use of parking spaces.	**DPF 2.3**	None are applicable.
PO 2.4	Development promotes the use of pedestrian and cyclist connections to centre facilities and services.	**DPF 2.4**	None are applicable.
PO 3.1	Building height is consistent with the form expressed in any relevant Maximum Building Height Levels Technical and Numeric Variation and Maximum Building Height Metres Technical and Numeric Variation, and is otherwise generally low rise to complement the established streetscape and local character.	**DPF 3.1**	Building height is not greater than 4 levels Building height is not less than 2 levels

PO 3.2	Buildings mitigate visual impacts of building massing on residential development within a neighbourhood-type zone.	**DPF 3.2**	Interface Height Buildings constructed within a building envelope provided by a: (a) 45 degree plane measured from a height of 3 metres above natural ground level at the boundary of an allotment used for residential purposes within a neighbourhood-type zone as shown in the following diagram (except where this boundary is a southern boundary):  (a) in relation to a southern boundary, 30 degree plane grading north, measured from a height of 3m above natural ground at the boundary of an allotment used for residential purposes within a neighbourhood-type zone as shown in the following diagram:  Buildings constructed within a building envelope provided by a 30 degree plane measured from a height of 3m above natural ground level at the boundary of an allotment used for residential purposes within a neighbourhood-type zone as shown in the following diagram: 
PO 3.3	Buildings on an allotment fronting a road that is not a State maintained road, and where land on the opposite side of the road is within a neighbourhood-type zone, provides an orderly transition to the built form scale envisaged in the adjacent zone to complement the streetscape character.	**DPF 3.3**	None are applicable.
PO 4.1	Advertisements are sited and designed to achieve an overall consistency of appearance along individual street frontages.	**DPF 4.1**	
PO 4.2	Freestanding advertisements: a) identify the associated business(es) b) are of a size that is commensurate with the scale of the centre and the street frontage c) avoid visual clutter d) positively respond to the context without dominating the locality.	**DPF 4.2**	Freestanding advertisements: a) do not exceed 8m in height, the adjacent building wall height, or the zone's height allowance (whichever is the lesser) b) do not have a sign face that exceeds 6m2 per side.
Airport Building Heights (Regulated) Overlay			
DO1:	Management of potential impacts of buildings and generated emissions to maintain operational and safety requirements of registered and certified commercial and military airfields, airports, airstrips and helicopter landing sites.		
PO 1.1	Building height does not pose a hazard to the operation of a certified or registered aerodrome.	**DPF 1.1**	Buildings are located outside the area identified as 'All structures' (no height limit is prescribed) and do not exceed the height specified in the Airport Building Heights (Regulated) Overlay which applies to the subject site as shown on the SA Property and Planning Atlas. In instances where more than one value applies to the site, the lowest value relevant to the site of the proposed development is applicable.
Traffic Generating Development Overlay			
DO1:	Safe and efficient operation of Urban Transport Routes and Major Urban Transport Routes for all road users.		
DO2:	Provision of safe and efficient access to and from urban transport routes and major urban transport routes.		
PO 1.1	Development designed to minimise its potential impact on the safety, efficiency and functional performance of the State Maintained Road network.	**DPF 1.1**	Access is obtained directly from a State Maintained Road where it involves any of the following types of development: a) land division creating 50 or more additional allotments b) commercial development with a gross floor area of 10,000m2 or more

			c) retail development with a gross floor area of 2,000m2 or more d) a warehouse or transport depot with a gross leasable floor area of 8,000m2 or more e) industry with a gross floor area of 20,000m2 or more f) educational facilities with a capacity of 250 students or more.
Major Urban Transport Routes Overlay			
DO 1	Safe and efficient operation of Major Urban Transport Routes for all road users.		
DO 2	Provision of safe and efficient access to and from Major Urban Transport Routes.		
DO 1.1	Access is designed to allow safe entry and exit to and from a site to meet the needs of development and minimise traffic flow interference associated with access movements along adjacent State Maintained Roads	**DPF 1.1**	(c) where the development will result in over 7 dwellings, or is a non-residential land use: I. it will not result in more than one access point servicing the development site II. vehicles can enter and exit the site using left turn only movements III. vehicles can enter and exit the site in a forward direction IV. vehicles can cross the property boundary at an angle between 70 degrees and 90 degrees V. have a width of between 6m and 7m (measured at the site boundary), where the development is expected to accommodate vehicles with a length of 6.4m or less VI. have a width of between 6m and 9m (measured at the site boundary), where the development is expected to accommodate vehicles with a length from 6.4m to 8.8m VII. have a width of between 9m and 12m (measured at the site boundary), where the development is expected to accommodate vehicles with a length from 8.8m to 12.5m VIII. provides for simultaneous two-way vehicle movements at the access; A. with entry and exit movements for vehicles with a length up to 5.2m vehicles being fully within the kerbside lane of the road and B. with entry movements of 8.8m vehicles (where relevant) being fully within the kerbside lane of the road and the exit movements of 8.8m vehicles do not cross the centreline of the road.
DO 2.1	Sufficient accessible on-site queuing adjacent to access points is provided to meet the needs of development so that all vehicle queues can be contained fully within the boundaries of the development site, to minimise interruption of the functional performance of the road and maintain safe vehicle movements.		No applicable DPF's

PO 7.1	Access points designed to minimise negative impact on roadside drainage of water.	**PDF 7.1**	Development does not: (a) decrease the capacity of an existing drainage point (b) restrict or prevent the flow of stormwater to an existing drainage point and system.
Clearance from Overhead Powerlines			
DO1:	Protection of human health and safety when undertaking development in the vicinity of overhead transmission powerlines.		
PO 1.1	Buildings are adequately separated from aboveground powerlines to minimise potential hazard to people and property.	**DPF 1.1**	One of the following is satisfied: a) a declaration is provided by or on behalf of the applicant to the effect that the proposal would not be contrary to the regulations prescribed for the purposes of section 86 of the Electricity Act 1996 b) there are no aboveground powerlines adjoining the site that are the subject of the proposed development.
Design			
DO1:	Development is: a) contextual - by considering, recognising and carefully responding to its natural surroundings or built environment and positively contributes to the character of the immediate area b) durable - fit for purpose, adaptable and long lasting c) inclusive - by integrating landscape design to optimise pedestrian and cyclist usability, privacy and equitable access, and promoting the provision of quality spaces integrated with the public realm that can be used for access and recreation and help optimise security and safety both internally and within the public realm, for occupants and visitors d) sustainable - by integrating sustainable techniques into the design and siting of development and landscaping to improve community health, urban heat, water management, environmental performance, biodiversity and local amenity and to minimise energy consumption.		
PO 1.5	The negative visual impact of outdoor storage, waste management, loading and service areas is minimised by integrating them into the building design and screening them from public view (such as fencing, landscaping and built form) taking into account the form of development contemplated in the relevant zone.	**DPF 1.5**	None are applicable.
PO 3.1	Soft landscaping and tree planting is incorporated to: a) minimise heat absorption and reflection b) maximise shade and shelter c) maximise stormwater infiltration d) enhance the appearance of land and streetscapes e) contribute to biodiversity.	**DPF 3.1**	None are applicable.
PO 3.2	Soft landscaping and tree planting maximises the use of locally indigenous plant species, incorporates plant species best suited to current and future climate conditions and avoids pest plant and weed species.	**DPF 3.2**	None are applicable.
PO 5.1	Development is sited and designed to maintain natural hydrological systems without negatively impacting: a) the quantity and quality of surface water and groundwater	**DPF 5.1**	None are applicable.

	b) the depth and directional flow of surface water and groundwater c) the quality and function of natural springs.		
PO 7.1	Development facing the street is designed to minimise the negative impacts of any semi-basement and undercroft car parking on the streetscapes through techniques such as: a) limiting protrusion above finished ground level b) screening through appropriate planting, fencing and mounding c) limiting the width of openings and integrating them into the building structure.	**DPF 7.1**	None are applicable.
PO 7.2	Vehicle parking areas are appropriately located, designed and constructed to minimise impacts on adjacent sensitive receivers through measures such as ensuring they are attractively developed and landscaped, screen fenced and the like.	**DPF 7.2**	None are applicable.
PO 7.3	Safe, legible, direct and accessible pedestrian connections are provided between parking areas and the development.	**DPF 7.3**	None are applicable.
PO 7.4	Street level vehicle parking areas incorporate tree planting to provide shade and reduce solar heat absorption and reflection.	**DPF 7.4**	None are applicable.
PO 7.5	Street level parking areas incorporate soft landscaping to improve visual appearance when viewed from within the site and from public places.	**DPF 7.5**	None are applicable.
PO 7.6	Vehicle parking areas and associated driveways are landscaped to provide shade and positively contribute to amenity.	**DPF 7.6**	None are applicable.
PO 7.7	Vehicle parking areas and access ways incorporate integrated stormwater management techniques such as permeable or porous surfaces, infiltration systems, drainage swales or rain gardens that integrate with soft landscaping.	**DPF 7.7**	None are applicable.
Design in Urban Areas			
DO1:	Development is: a) contextual - by considering, recognising and carefully responding to its natural surroundings or built environment and positively contributing to the character of the locality b) durable - fit for purpose, adaptable and long lasting c) inclusive - by integrating landscape design to optimise pedestrian and cyclist usability, privacy and equitable access and promoting the provision of quality spaces integrated with the public realm that can be used for access and recreation and help optimise security and safety both internally and within the public realm, for occupants and visitors d) sustainable - by integrating sustainable techniques into the design and siting of development and landscaping to improve community health, urban heat, water management, environmental performance, biodiversity and local amenity and to minimise energy consumption.		
PO 3.1	Soft landscaping and tree planting are incorporated to: a) minimise heat absorption and reflection b) maximise shade and shelter c) maximise stormwater infiltration d) enhance the appearance of land and streetscapes.	**DPF 3.1**	None are applicable.

PO 5.1	Development is sited and designed to maintain natural hydrological systems without negatively impacting: a) the quantity and quality of surface water and groundwater b) the depth and directional flow of surface water and groundwater c) the quality and function of natural springs.	**DPF 5.1**	None are applicable.
PO 7.2	Vehicle parking areas appropriately located, designed and constructed to minimise impacts on adjacent sensitive receivers through measures such as ensuring they are attractively developed and landscaped, screen fenced and the like.	**DPF 7.2**	None are applicable.
PO 7.3	Safe, legible, direct and accessible pedestrian connections are provided between parking areas and the development.	**DPF 7.3**	None are applicable.
PO 7.4	Street-level vehicle parking areas incorporate tree planting to provide shade, reduce solar heat absorption and reflection.	**DPF 7.4**	Vehicle parking areas that are open to the sky and comprise 10 or more car parking spaces include a shade tree with a mature canopy of 4m diameter spaced for each 10 car parking spaces provided and a landscaped strip on any road frontage of a minimum dimension of 1m.
PO 7.5	Street level parking areas incorporate soft landscaping to improve visual appearance when viewed from within the site and from public places.	**DPF 7.5**	Vehicle parking areas comprising 10 or more car parking spaces include soft landscaping with a minimum dimension of: a) 1m along all public road frontages and allotment boundaries b) 1m between double rows of car parking spaces.
PO 7.6	Vehicle parking areas and associated driveways are landscaped to provide shade and positively contribute to amenity.	**DPF 7.6**	None are applicable.
PO 7.7	Vehicle parking areas and access ways incorporate integrated stormwater management techniques such as permeable or porous surfaces, infiltration systems, drainage swales or rain gardens that integrate with soft landscaping.	**DPF 7.7**	None are applicable.
PO 9.1	Fences, walls and retaining walls of sufficient height maintain privacy and security without unreasonably impacting visual amenity and adjoining land's access to sunlight or the amenity of public places.	**DPF 9.1**	None are applicable.
Interface between Land Uses			
DO1:	Development is located and designed to mitigate adverse effects on or from neighbouring and proximate land uses.		
PO 1.2	Development adjacent to a site containing a sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers is designed to minimise adverse impacts.	**DPF 1.2**	None are applicable.
PO 2.1	Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to: (a) the nature of the development (b) measures to mitigate off-site impacts		None are applicable.

	(c) the extent to which the development is desired in the zone (d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land.		
PO 4.1	Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).	**DPF 4.1**	Noise that affects sensitive receivers achieves the relevant Environment Protection (Noise) Policy criteria.
PO 5.1	Development with the potential to emit harmful or nuisance-generating air pollution incorporates air pollution control measures to prevent harm to human health or unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) within the locality and zones primarily intended to accommodate sensitive receivers.	**PDF 5.1**	None are applicable.
PO 5.2	Development that includes chimneys or exhaust flues (including cafes, restaurants and fast food outlets) is designed to minimise nuisance or adverse health impacts to sensitive receivers (or lawfully approved sensitive receivers) by: (a) incorporating appropriate treatment technology before exhaust emissions are released (b) locating and designing chimneys or exhaust flues to maximise the dispersion of exhaust emissions, taking into account the location of sensitive receivers.	**DPF 5.2**	None are applicable.
PO 6.2	External lighting is positioned and designed to not cause unreasonable light spill impact on adjacent sensitive receivers (or lawfully approved sensitive receivers).	**DPF 6.1**	None are applicable.
PO 6.2	External lighting is not hazardous to motorists and cyclists	**DPF 6.2**	None are applicable.
Transport, Access, and Parking			
DO1:	A comprehensive, integrated and connected transport system that is safe, sustainable, efficient, convenient and accessible to all users.		
PO 1.1	Development is integrated with the existing transport system and designed to minimise its potential impact on the functional performance of the transport system.	**DPF 1.1**	None are applicable.
PO 1.2	Development is designed to discourage commercial and industrial vehicle movements through residential streets and adjacent other sensitive receivers.	**DPF 1.2**	None are applicable.
PO 1.3	Industrial, commercial and service vehicle movements, loading areas and designated parking spaces are separated from passenger vehicle car parking areas to ensure efficient and safe movement and minimise potential conflict.	**DPF 1.3**	None are applicable.
PO 1.4	Development is sited and designed so that loading, unloading and turning of all traffic avoids interrupting the operation of and	**DPF 1.4**	All vehicle manoeuvring occurs onsite.

	queuing on public roads and pedestrian paths.		
PO 2.2	Walls, fencing and landscaping adjacent to driveways and corner sites are designed to provide adequate sightlines between vehicles and pedestrians.	**DPF 2.2**	None are applicable.
PO 3.6	Driveways and access points are separated and minimised in number to optimise the provision of on-street visitor parking (where on-street parking is appropriate).	**DPF 3.6**	Driveways and access points: a) for sites with a frontage to a public road of 20m or less, one access point no greater than 3.5m in width is provided b) for sites with a frontage to a public road greater than 20m: c) a single access point no greater than 6m in width is provided or d) not more than two access points with a width of 3.5m each are provided.
PO 3.8	Driveways, access points, access tracks and parking areas are designed and constructed to allow adequate movement and manoeuvrability having regard to the types of vehicles that are reasonably anticipated.	**DPF 3.8**	None are applicable.
PO 3.9	Development is designed to ensure vehicle circulation between activity areas occurs within the site without the need to use public roads.	**DPF 3.9**	None are applicable.
PO 4.1	Development is sited and designed to provide safe, dignified and convenient access for people with a disability.	**DPF 4.1**	None are applicable.
PO 5.1	Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as: a) availability of on-street car parking b) shared use of other parking areas c) in relation to a mixed-use development, where the hours of operation of commercial activities complement the residential use of the site, the provision of vehicle parking may be shared d) the adaptive reuse of a State or Local Heritage Place.	**DPF 5.1**	Development provides a number of car parking spaces on-site at a rate no less than the amount calculated using one of the following, whichever is relevant: a) Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements b) Transport, Access and Parking Table 2 - Off-Street Vehicle Parking Requirements in Designated Areas c) if located in an area where a lawfully established carparking fund operates, the number of spaces calculated under (a) or (b) less the number of spaces offset by contribution to the fund.
PO 6.1	Vehicle parking areas are sited and designed to minimise impact on the operation of public roads by avoiding the use of public roads when moving from one part of a parking area to another.	**DPF 6.1**	Movement between vehicle parking areas within the site can occur without the need to use a public road.
PO 6.2	Vehicle parking areas are appropriately located, designed and constructed to minimise impacts on adjacent sensitive receivers through measures such as ensuring they are attractively developed and landscaped, screen fenced, and the like.	**DPF 6.2**	None are applicable.
PO 6.5	Vehicle parking areas that are likely to be used during non-daylight hours are provided with sufficient lighting to entry and exit points to ensure clear visibility to users.	**DPF 6.5**	None are applicable.
PO 6.7	On-site visitor parking spaces are sited and designed to be accessible to all visitors at all times.	**DPF 6.7**	None are applicable.

5. APPEALS UPDATE
CITY OF MARION
COUNCIL ASSESSMENT PANEL AGENDA
FOR MEETING TO BE HELD ON
WEDNESDAY 17 NOVEMBER 2021

5.1 APPEALS AGAINST PANEL DECISIONS

New Appeals

DA No.	Address	Appeal Lodged	Recommendation	Decision	Current Status

On-going Appeals

DA No.	Address	Appeal Lodged	Recommendation	Decision	Current Status
100/2020/2362	411 Morphett Rd, Oaklands Park	9/6/2021	APPROVE	REFUSE	Preliminary argument on whether the compromise proposal has changed the essential nature of development was heard by Commissioner Rumsby on 19 October 2021. Awaiting judgement.
100/2020/534	341 Diagonal Road, Seacombe Gardens	22/3/2021	REFUSE	REFUSE	Conference scheduled for Friday, 12 November 2021 at 9:15am

5.2 APPEALS AGAINST DELEGATED APPLICATIONS

DA No.	Address	Appeal Lodged	Recommendation	Decision	Current Status

6. POLICY OBSERVATIONS
CITY OF MARION
COUNCIL ASSESSMENT PANEL AGENDA
FOR MEETING TO BE HELD ON
WEDNESDAY 17 NOVEMBER 2021