



# Proposed Planning Scheme Policy Amendment

## Consultation Report: Planning Scheme Policy for Development Works

**Total no. of submissions received: 12**

**No. of submissions in support or support subject to changes: 10**

**2 submissions raised matters outside the scope of the proposed planning scheme policy amendment**

### Key issues raised in submissions:

- Road infrastructure - kerb construction techniques and pavement thickness requirements
- Stormwater management - design requirements
- Lighting - lighting requirements for avoiding impacts on turtles, road and public lighting and standards
- Local parks - provision rate, desired standards of service, maintenance of park infrastructure, local park embellishments and guidelines
- Landscape infrastructure - landscape design for wildlife, landscape requirements, landscape bonds
- Constructed waterbodies
- Specifications and construction

## INTRODUCTION

The proposed *Sunshine Coast Planning Scheme 2014 (Planning Scheme Policy Amendment)* relating to the Planning Scheme Policy (PSP) for Development Works was placed on formal public consultation from 2 November to 4 December 2020.

**Part A** of this Report provides:

- an overview of the proposed planning scheme policy amendment and the public consultation process undertaken; and
- an overview of the submissions and key issues/concerns raised during the public consultation process.

**Part B** of this Report considers the key issues/concerns raised in submissions and outlines Council's response to these issues.

**Part C** of this Report provides a summary of additional changes proposed to the planning scheme policy amendment to address editorial changes and drafting refinements.

## PART A

### OVERVIEW OF PROPOSED PLANNING SCHEME POLICY AMENDMENT

The proposed planning scheme policy amendment has been prepared to refine and update the standards and specifications for the design, construction and delivery of new development asset infrastructure such as roads, drainage, landscaping and local parks.

### OVERVIEW OF PUBLIC CONSULTATION PROCESS

The proposed planning scheme policy amendment was placed on public consultation from 2 November to 4 December 2020. As part of the public consultation program, Council undertook the following community engagement activities:

- public notice published in the Courier Mail (including online in the Courier Mail and the Sunshine Coast Daily) on 31 October 2020;
- release of an industry newsflash;
- copy of public notice and amendment documentation made available at all Council offices, libraries and on Council's website;
- dedicated webpage on Council's 'Have Your Say' webpage, including a copy of the public notice, amendment documentation and an online submission form;
- briefings to key stakeholder groups (including Organisation Sunshine Coast Association of Residents (OSCAR) and affiliates and the Urban Development Institute of Australia (UDIA)); and
- phone and email enquiries.

## OVERVIEW OF SUBMISSIONS

During the public consultation period, Council received a total of 12 submissions

Of the total number of submissions received, 10 submissions outlined provisional or full support for the proposed planning scheme policy amendment.

2 submissions raised matters which are considered to be outside the scope of the proposed planning scheme policy amendment, including:

- need for Taxi/Uber/Limousine waiting bays and passenger collection lanes at shopping centres, events and airport; and
- concern about the safety of the pedestrian/bicycle underpass at the bridge over the Mooloolah River.

These matters have been referred to the relevant area within Council for consideration as appropriate.

The matters raised in submissions that are directly relevant to the proposed planning scheme policy amendment have been categorised into the following key issues:

Key issue	No. of submissions
Road infrastructure	2
Stormwater management	2
Lighting	5
Local parks	4
Landscape infrastructure	4
Constructed waterbodies	1
Specifications and construction	2

(Note: several submissions raised multiple issues, so the number of submissions identified in this table does not equal the total number of submissions received).

## PART B

### CONSIDERATION OF KEY ISSUES AND RESPONSES

This section of the report considers the key issues/concerns raised in submissions and Council's response to these issues.

#### *Proposed amendment as a whole*

**Key issue/concern 1:** *General support for the proposed planning scheme policy amendment.*

#### Response

The support outlined in various submissions for the proposed planning scheme policy amendment, is acknowledged and noted.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 2:** *Concern about the change in the use of the term 'must' to 'shall' in certain sections of the proposed planning scheme policy amendment.*

#### Response

Planning scheme policies (PSP's) support the implementation of the *Sunshine Coast Planning Scheme 2014* (the Planning Scheme), including specifying information that the Council may require for a development application, specifying the standards called up in the relevant planning scheme code or providing guidance or advice about satisfying assessment benchmarks in the planning scheme. The terminology used in a planning scheme policy therefore needs to reflect the intended purpose of a planning scheme policy.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 3:** *Request for references to Council's Open Space Landscape Infrastructure Manual to reflect that it is a guidance document.*

#### Response

It is noted that the purpose of Council's Open Space Landscape Infrastructure Manual (also referred to as the LIM), is to provide guidance during the design, development and delivery of Council controlled open space. Therefore, it is proposed to review the references to this

document in the PSP for Development Works to clarify that it is a guidance document.

**Recommendation: Amend references to the Open Space Landscape Infrastructure Manual (LIM) to clarify that it is a guidance document.**

### Road infrastructure

**Key issue/concern 1:** Request for Council to provide the reasoning and justification for the proposed change in the thickness of the upper sub-base course from 100mm to 125mm in Table SC6.14.2B (Street and road pavements and drainage) in SC6.14.2.5 (Road pavements and drainage). Considers that the proposed increase in the depth of 25% has significant cost implications for construction. Outlines that pavements are normally designed to a standard design procedure as per Austroads Guide to Pavement Technology part 2 – Pavement Structure Design, Figure 8.4 Design Chart for Granular Pavements with Thin Bituminous Surfacing.

#### Response

As asset custodians, whole of life, Council needs to accommodate future rehabilitation options/treatments that are of best value. With design lives set at relatively short timeframes (20 years), longer term provisions need to be incorporated. Currently in-situ stabilisation is by far the most cost effective and sustainable road pavement rehabilitation treatment (50 - 100% saving). To best ensure construction works don't damage and reduce the subgrade bearing capacity and avoid subgrade mixing contamination, minimum pavement thicknesses, including an increase in the upper sub base layer thickness to 125mm as proposed, are required based on Council's long term extensive experience in managing the full road network of 2,513 km.

For design of granular pavements with thin bituminous surfacing, the designs are to be prepared in accordance with Austroads Guide to Pavement Technology Part 2: Pavement Structural Design, Figure 8.4 (or Figure 12.2 for lightly trafficked roads).

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 2:** Request for Council to provide the reasoning and evidence for the proposed increase in the design traffic loading and minimum pavement thickness for neighbourhood collector street (bus route) and neighbourhood mixed use collector, in Table SC6.14.2B (Street and road pavements and drainage – relating to design of flexible pavements) in SC6.14.2.5 (Road pavements and drainage). Considers that the cost associated with an increase in pavement thickness of 50mm is substantial.

#### Response

A review of pavement thickness designs was undertaken, as there are many examples of roads constructed by developers and transferred to Council where the 20 year design life of the pavement has not been achieved for almost all collector roads constructed within the last 25 -30 years. This is just not asphalt surfacing fatigue but actual pavement plastic deformation.

This means that capital (renewal) funds are being utilised to undertake resurfacing, rehabilitation or full reconstruction much earlier than anticipated and diverting funds from other priority road improvement projects.

Council investigated the pavement design standards in planning codes from other Councils in South East Queensland (SEQ) to compare the pavement depth/thickness and traffic loadings (in ESA's) required. This benchmarking exercise with other large SEQ council's showed that the Sunshine Coast Council traffic loadings and pavement thickness were less than other council areas for various road classes.

A minimum thickness for access roads of 250mm, also allows the pavement to be in-situ stabilised (when required, in future) without contaminating the pavement layers with potentially inferior subgrade materials.

The increased cost to excavate and construct (say) 25mm thicker granular pavements is typically 10% (surfacing costs remaining unchanged) approximately only and an extra \$4.50/m<sup>2</sup>; this is outweighed by the benefits of achieving road pavements with a 20 year (or more) actual life.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 3:** Request for Council to clarify what constitutes a minor or major roundabout. Outlines that a roundabout was not previously included in this section of Table SC6.14.2B (Street and road pavements and drainage – relating to design traffic loading and pavement thickness) in SC6.14.2.5 (Road pavements and drainage) and there are no definitions with the new proposed planning scheme policy amendment.

#### Response

For roundabouts on major roads (with a classification of collector on one or more of the intersecting roads), deep strength ("deep lift") asphalt with polymer modified binder in the wearing course is mandatory. This is to better resist shear forces from braking, turning traffic and to overcome the likelihood of fatigue/crocodile cracking that occurs with thin asphalt surfaced granular pavements. This standard is now being required on all internal projects.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 4:** Request for Council to provide justification for the proposed change in the construction method, relating to the use of slip form wet mix placement method, as referred to in Table SC6.14.2B (Street and road pavements and drainage – relating to kerb and channel) of SC6.14.2.5 (Road pavements and drainage). Suggests removing this construction method, due to the delay it will cause to construction projects as a result of a lack of sub-consultants able to supply this method of construction.

#### Response

The total length of kerb and channel (including traffic islands) on the Council managed road network is approximately 3,174 km.

Based on condition surveys, in excess of 10% (300km plus) is in poor to very poor condition due to various defects (cracking, spalling, missing "chunks", displaced sections). A further 47% is deemed to be in fair condition.

The Civil Asset Management Branch of Council is responsible for maintenance of kerb and channel and has a significant backlog of kerb and channel to be repaired/renewed. The cost to reinstate defective kerb and channel is approximately \$350 per lineal metre (due to the need to remove and replace adjacent

pavement). The cumulative cost of repairing defective kerb and channelling is well in excess of available renewal funding. Improving the quality and longevity (increased durability and strength) of kerb and channel will help to address the renewal funding required in future years.

The University of the Sunshine Coast was engaged to conduct testing to compare the performance of current standard kerb and channel (i.e. low slump extruded concrete finished with a slurry topping) to 32MPa concrete placed using a slip form machine. The test results clearly demonstrate the increased durability of slip form type kerb and channel and hence it is far superior to the current standard extruded kerb and channel in resisting damage from impact/traffic loads.

Whilst slip form kerb and channel has a slightly higher initial supply and placement cost, it has a significantly lower whole of life cost as the life is estimated to be at least double at 80 years (or more) compared to maximum of 40 years (or less) for extruded/slurry topped kerb and channel. It is acknowledged that there are limited compliant machines on the Sunshine Coast. This is largely due to this not being a mandated requirement to specify their use. They can be purchased quite readily as the manufacturer is based in Sydney (Arrow), and only needs a 12 week build time.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 5:** Request for Council to state what reinforcement is required in relation to the reference to 'concrete inverts in trafficable areas' in Table SC6.14.2B (Street and road pavements and drainage – relating to kerb and channel) of SC6.14.2.5 (Road pavements and drainage)

#### Response

The minimum reinforcement shall consist of SL92 mesh (placed with minimum cover of 50mm) to provide adequate tensile strength due to vehicle loadings.

**Recommendation: No change to the proposed amendment in response to this issue.**

## Stormwater management

**Key issue/concern 1:** Suggests that the term 'design' in Table SC6.14.3D (Stormwater quality design objectives – operational (post construction) phase of development) should be removed, on the basis that it implies that the given objectives do not need to be achieved under operational conditions.

**Key issue/concern 2:** Suggests that a 'note' is incorporated, which states that "appropriate evaluation, monitoring and maintenance of stormwater control measures (and associated reporting of their condition) must be undertaken to augment their design stormwater treatment function".

### Response

It is proposed to retain the term 'design' in the title of Table SC6.14.3 D (Stormwater quality design objectives – operational (post constructions) phase of development).

In relation to the submitter's suggestion to incorporate operational considerations relating to design performance outcomes being supported by maintenance, it is considered to be adequately addressed in clause (7), (8) and (11) of SC6.14.3.8 (Design requirements – stormwater quality).

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 3:** Support the requirements outlined in clause (8) of SC6.14.3.8 (Design requirements – stormwater quality) relating to lifecycle costing but suggests additional reference/guidance be provided on lifecycle costings of natural stormwater treatment assets.

### Response

Support for the proposed amendment in relation to lifecycle costing is acknowledged and noted. However, in relation to the suggestion for additional references/guidance on lifecycle costings of natural stormwater treatment assets, this is not supported. Existing guidance provided by Health Land and Water, as referenced in the proposed planning scheme policy amendment, is considered industry best practise and widely cited.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 4:** Suggests removing clause (9) and (14) of SC6.14.3.8 (Design requirements – stormwater quality), on the basis that it is unclear what 'natural' processes are and how they are potentially any better than 'unnatural' processes.

**Key issue/concern 5:** Suggests removing clause (18) of SC6.14.3.8 (Design requirements – stormwater quality) or recognise that GPT's and gully baskets provide removal of fine sediment and particulate bound nutrients.

**Key issue/concern 6:** Suggests removal of clause (22)(a) of SC6.14.3.8 (Design requirements – stormwater quality), on the basis that an 80-year sinking fund is considered excessive for many potential developer-contributed emerging technologies, such as high flow bioretention systems. Concerned that this will significantly limit innovation on the Sunshine Coast and that there are potentially more effective and appropriate solutions.

### Response

The suggested removal of various clauses in SC6.14.3.8 (Design requirements – stormwater quality), is not supported, as it is considered inconsistent with Council's flooding and stormwater policy position, outlined in clause 6.2a, 6.2b and 6.3e of the Environment and Liveability Strategy (ELS).

In relation to clause (9) it is proposed to include the term 'vegetated' to assist with interpretation of natural treatment.

In relation to clause (22)(a), it is proposed to amend the period for assets being trialled to a 30 year period.

**Recommendation:**

- (a) Amend clause (9) of SC6.14.3.8 (Design requirements – stormwater quality) to include the term 'vegetated'; and**
- (b) Amend clause (22)(a) of SC6.14.3.8 (Design requirements – stormwater quality) to refer to a 30 year period.**

**Key issue/concern 7:** Concerned about the reference to the Stormwater Quality Improvement Evaluation Protocol (SQIDEP) in clause (19), (20) and (21) of SC6.14.3.8 (Design requirements – stormwater quality (Proprietary and emerging stormwater quality treatment systems)), based on deficiencies/issues identified in the submission to Stormwater Australia from Stormwater Queensland and

NSW. Questions why Sunshine Coast Council adopts it.

#### Response

The suggested removal of references to SQIDEP is not supported. Council appreciates Stormwater Australia developing a national Stormwater Quality Improvement Device Evaluation Protocol (SQIDEP) that provides for the independent assessment of performance claims by proprietary device manufacturers. Adoption of SQIDEP aligns with Council's objective to protect and enhance the beautiful waterways and beaches of the region that are valued and enjoyed by residents and tourists alike, and contributes significantly to the sustainability of our local economy. SQIDEP constitutes a significant improvement in process for Council.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 8:** *Unclear where the guidance is in the Flooding and Stormwater Management Guidelines for clause (12), (16) and (17) of SC6.14.3.8 (Design requirements – stormwater quality).*

#### Response

In relation to the Flooding and Stormwater Management Guidelines, section 3 of the guidelines provides guidance on stormwater quality requirements for design and implementation.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 9:** *Request clarification of Note 2 of Table SC6.14.3A (QUDM development categories by urban zone) of SC6.14.3.3 (Design requirements – stormwater drainage systems). Suggests that this note should stipulate a maximum developable area to which the  $f_i$  value 0.6 applies, with the remaining site area to have a  $f_i$  value of 0 or revert back to the previous  $f_i$  value of 0.2 for the entire site.*

#### Response

It is proposed to amend Note 2 of Table SC6.14.3A (QUDM development categories by urban zone) of SC6.14.3.3 (Design requirements – stormwater drainage systems) to specify that: "C10 and  $f_i$  parameters for rural residential lots within the Rural Residential Growth Management Boundary apply to the whole of the

lot (less any vegetation covenants), however for Limited development zoning and Rural residential zoning outside of the Urban Growth Management Boundary and the Rural Residential Growth Management Boundary, for all land outside of the approved building envelope, the C10 and  $f_i$  parameters are 0.82 and 0.2 respectively. For vegetation covenants the parameters for Environmental management and conservation zoning apply."

This position is intended to ensure that any stormwater infrastructure delivered will cater for possible 'up zoning' within the life of the infrastructure.

**Recommendation: Amend Note 2 of Table SC6.14.3A (QUDM development categories by urban zone) of SC6.14.3.3 (Design requirements – stormwater drainage systems).**

**Key issue/concern 10:** *Request that the rainfall intensity increased rate, referred to in clause (6)(b) of SC6.14.3.3 (Design requirements – stormwater drainage systems), should be amended from 20% to 12%, based on the details outlined in ARR Book 1: Scope and Philosophy, Chapter 6: Climate Change Considerations, and a predicted design life of drainage infrastructure to be approximately 50 years.*

#### Response

The Flooding and Stormwater Management Guidelines outlines that the increased rainfall intensity allowance is based on RCP8.5, which is based on current trends of CO2 emissions. Council considers that this scenario should be adopted until such time that international efforts to reduce CO2 emissions are effective. ARR data hub indicates that the increase in rainfall intensity at 2100 is 19.7%, consistent with the 20% adopted by Council.

Council's Asset Management Plan for Stormwater indicates a useful design life for the piped network of 70 years. Further, in the case of overland flowpaths, there is no design life and the width estimated at design is fixed in perpetuity. It is not possible to easily increase the width of the overland flow footprint to improve capacity of the drainage system at a later date. Hence the argument for adopting a lower % rainfall intensity increase for climate change is not appropriate for overland flow paths. Therefore, the suggested change to the climate change allowance for rainfall intensity is not supported.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 11:** *Considers that clause (8) and (10) of SC6.14.3.3 (Design requirements – stormwater drainage systems) contradict each other and further clarification is sought.*

Response

Clause (8) relates to inter allotment stormwater systems and roofwater. Clause (10) relates to stormwater runoff (that is not inter allotment discharge) that may run off a discrete lot directly to the kerb and channel.

To clarify this, it is proposed to amend Clause (10), as follows: *“To reduce sudden increases in roadway flow widths, discrete lot stormwater runoff discharges (that is not inter allotment discharge) in excess of 50 litres per second for the 5% AEP storm event are to be piped to a Council stormwater drainage system (i.e. gully (catchpit), access chamber, etc.) and not to the kerb and channel.”*

Further, the consequences of an inter allotment drainage systems that conveys stormwater from more than one lot becoming blocked affects a number of property owners and becomes an issue for Council. Drainage systems which only service one lot are the responsibility of that property owner so the consequences of them becoming blocked only affects that one property owner.

Banks of kerb adaptors out letting from an inter allotment drainage system are problematic from a maintenance point of view with larger pipes going to smaller, shallow cover, getting broken etc.

**Recommendation: Amend clause (10) of SC6.14.3.3 (Design requirements – stormwater drainage systems) to provide further clarification.**

**Key issue/concern 12:** *Considers that clause (8) does not reflect Figure SC6.14.3A (Inter-allotment stormwater locations) of SC6.14.3.3 (Design requirements – stormwater drainage systems).*

Response

Further detail in relation to the provision of a stub is provided in clause (14)(b) of SC6.14.3.3 (Design requirements – stormwater drainage systems). However, clause (8) is proposed to be amended to reference that “roofwater systems may also connect via stub” as per the figure.

**Recommendation: Amend clause (8) of SC6.14.3.3 (Design requirements – stormwater drainage systems) to reference that “roofwater systems may also connect via stub”.**

**Key issue/concern 13:** *Clarification sought in relation to clause (14)(d) of SC6.14.3.3 (Design requirements – stormwater drainage systems), as to whether this prevents the ability to include pumps within a basement to permit the drainage of down ramps.*

Response

In response to the submitter’s concerns, it is proposed to amend clause (14)(d) of SC6.14.3.3 (Design requirements – stormwater drainage systems) to include reference to “with the exception of systems that manage the runoff from basement ramps (with no additional discharge onto the ramp)”.

**Recommendation: Amend clause (14)(d) of SC6.14.3.3 (Design requirements – stormwater drainage systems) to include the following reference “with the exception of systems that manage the runoff from basement ramps (with no additional discharge onto the ramp)”.**

**Key issue/concern 14:** *Considers it excessive to request in clause (15)(c) of SC6.14.3.3 (Design requirements – stormwater drainage systems) that 1% AEP Climate Change runoff is to be catered for in inter-allotment drainage.*

Response

The 1% AEP Climate Change event is the defined flood event. It is appropriate that infrastructure is provided at the time of subdivision that enables off-site impacts to be managed up to and including this event. This is a measure to control stormwater related flooding, not just to manage minor system flows. Therefore, the suggestion to reduce the size of inter-allotment drains is not supported.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 14:** *Concerned about potential conflict between Council and State planning requirements in relation to fish passage requirements, as referred to in clause (18)(d) of SC6.14.3.3 (Design requirements – stormwater drainage systems).*

## Response

In response to the concerns raised in relation to potential conflict between Council and State planning requirements, it is proposed to amend clause (18)(d) of SC6.14.3.3 (Design requirements – stormwater drainage systems) to remove the reference to ‘pool and riffle systems where fish passage requirements are to be met’ and the paragraph relating to the exceptions for channels with a catchment area >30ha.

**Recommendation: Amend clause (18)(d) of SC6.14.3.3 (Design requirements – stormwater drainage systems) to remove reference to ‘pool and riffle systems where fish passage requirements are to be met’ and the paragraph relating to the exceptions for channels with a catchment area >30ha.**

*Key issue/concern 15: Considers that the minimum Mannings roughness value of 0.15 for open channel design, as referred to in clause (18)(e) of SC6.14.3.3 (Design requirements – stormwater drainage systems (open channels)), is excessive and requests that this value is returned to 0.12.*

## Response

Council requires the provision of vegetated channels designed using natural channel design principles. A 0.15 Mannings roughness represents a condition immediately prior to maintenance. This has been determined from observation of channels on the Sunshine Coast. Infrastructure needs to be designed to be effective during and throughout its design life (refer to the *Environment and Liveability Strategy* Flooding and Stormwater Policy Position 6.2(a)). This includes having an appreciation of the change in vegetation conditions between maintenance intervals.

**Recommendation: No change to the proposed amendment in response to this issue.**

*Key issue/concern 16: Suggests updating Figure SC6.14.3C (Berms) of SC6.14.3.3 (Design requirements – stormwater drainage systems) to reflect the dimensions identified in clause (18)(f) of SC6.14.3.3. Considers that it is not necessary to have a maintenance berm of 4.5m to incorporate a 2.5m access track, 3m is sufficient.*

## Response

The dimensions of the maintenance berm are unchanged from the current adopted planning scheme, the amendment provides clarity on the

requirements for an access track within the maintenance berm. The additional width is considered appropriate for the provision of maintenance activities beyond access. Therefore, the submitter’s suggestion to reduce the size maintenance berms is not supported.

**Recommendation: No change to the proposed amendment in response to this issue.**

*Key issue/concern 17: Requests more certainty and clarity from Council as to what constitutes ‘sufficiently stabilised and vegetation cover (including canopy)’, as referenced in clause (20) of SC6.14.3.3 (Design requirements – stormwater drainage systems). Suggests that a percentage based outcome would be a better solution and easier to calculate.*

## Response

The suggestion for clarity in relation to when a channel has been stabilised with vegetation cover is accepted. This guidance is considered to be best provided through a future amendment of the Flooding and Stormwater Management Guidelines. The guidance is anticipated to need to consider aspects such as ground cover, canopy cover, plant health, evidence of erosion, soil type, bank stabilisation materials, batter slope, upstream catchment area/slope, and peak flow velocities.

The submission to provide a percentage vegetation cover outcome for assessing channel stability is not supported.

**Recommendation: No change to the proposed amendment in response to this issue.**

*Key issue/concern 18: Concerned about the lack of consistency with the required design level as referenced in clause (21)(b) and (21)(d) of SC6.14.3.3 (Design requirements – stormwater drainage systems).*

## Response

The submitter’s comments are noted. It is proposed to amend clause (21)(d) to be consistent with the design level specified in clause (21)(b).

**Recommendation: Amend clause (21)(d) of SC6.14.3.3 (Design requirements – stormwater drainage systems) to refer to ‘1% AEP Climate Change’.**



**Key issue/concern 19:** *Considers that the requirements outlined in clause (21)(e) of SC6.14.3.3 (Design requirements – stormwater systems) relating to overland flow paths, is excessive for infill development, in that any piping of Probable Maximum Flood (PMF) off and infill site will still be restricted downstream underground drainage system designed for a smaller event capacity.*

#### Response

The requirement follows the Queensland Floods Commission of Inquiry recommendations for events above the Defined Flood Event (DFE) to be considered. This extends to the consideration of overland flow. It should be noted that the clause allows for the sizing to be dependent on impacts as a result of the overland flow path being blocked.

The submitter's suggestion to reduce the size of an underground drainage system when fully blocking an overland flow path is not supported. It is also noted that the PSP for Development Works requests consideration of a Probable Maximum Flood (PMF) drainage system in this rare situation but the ultimate decision to be informed by the Severe Storm Impact Statement. The PMF drainage system is not being mandated as having to be provided and is an undesirable solution only intended to be required in very rare instances.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 20:** *Suggests amending clause (23)(b) of SC6.14.3.3 (Design requirements – stormwater drainage systems) relating to overland flow paths, to read “water’s edge is to be offset at least 15 metres from allotment boundaries or roadway except where suitable buffer treatment or safety fencing is provided”.*

#### Response

The submitter's suggestion is accepted. It is proposed to amend clause (23)(b) of SC6.14.3.3 (Design requirements – stormwater drainage systems) relating to overland flow paths, accordingly.

**Recommendation: Amend clause (23)(b) of SC6.14.3.3 (Design requirements – stormwater drainage systems) relating to overland flow paths to read “water’s edge is to be offset at least 15 metres from allotment boundaries or roadway except where**

**suitable buffer treatment or safety fencing is provided”.**

**Key issue/concern 21:** *Request for clause (23)(c) of SC6.14.3.3 (Design requirements – stormwater drainage systems) relating to overland flow paths, to be clarified such that interim fencing is only relevant when the site is accessible to the public and is not a construction site. Suggests that this should also be able to be removed prior to the completion of on-maintenance, in consultation with Council.*

#### Response

The submitter's comments are noted. It is proposed to amend clause (23)(c) of SC6.14.3.3 (Design requirements – stormwater drainage systems) relating to overland flow paths, to specify that interim fencing is required ‘typically after construction is complete and during the on-maintenance period’.

**Recommendation: Amend clause (23)(c) of SC6.14.3.3 (Design requirements – stormwater drainage systems) relating to overland flow paths to specify that interim fencing is required “typically after construction is complete and during the on-maintenance period”.**

**Key issue/concern 22:** *Suggests that Council should provide mapping of areas affected by sea-level rise with regards to drainage and design of pipes.*

#### Response

Council has provided public mapping of areas affected by sea level rise through the draft Coastal Hazard Adaptation Strategy.

It is not clear how such mapping assists with specification of pipes, given the mapping represents surface inundation and pipes are located subsurface. It is considered that this remains a matter for the designing engineer and RPEQ when specifying design inverts. Therefore, the submitter's suggestion to provide mapping of areas affected by sea-level rise for the specification of pipes, is not supported.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 23:** *Concerned that the PSP no longer includes reference to a blockage requirement for the hydraulic calculations for field inlets and pipes and recommends that this should still be included as part of the design process.*

## Response

The submitter's comments are accepted. It is proposed to amend clause (53) of SC6.14.3.3 (Design requirements – stormwater drainage systems) relating to field inlets and pipe outlets to include “(c) A minimum 50% blockage factor is to be adopted for design calculations; where Australian Rainfall and Runoff design guidance indicates a higher design blockage factor, this is to be adopted. Where debris is expected, a raised grate inlet with a locking device is required.”

**Recommendation: Amend clause (53) of SC6.14.3.3 (Design requirements – stormwater drainage systems) relating to field inlets and pipe outlets to include “(c) A minimum 50% blockage factor is to be adopted for design calculations; where Australian Rainfall and Runoff design guidance indicates a higher design blockage factor, this is to be adopted. Where debris is expected, a raised grate inlet with a locking device is required.”**

**Key issue/concern 24:** Notes that clause (6) and (7) of SC6.14.3.4 (Design requirements – discharge rights and land tenure (Discharge rights required through downstream private land)), requires consent to be obtained from the downstream landowner to permit an easement within their property. Concerned that the PSP does not provide options if the landowner refuses to provide easement consent, regardless of the changes to flow regime or if non-worsening has been achieved.

## Response

The PSP for Development Works provides policy not solutions for implementation of policy. As outlined in previous correspondence in relation to the Flooding and Stormwater Management Guidelines, where this issue has previously been addressed, the policy basis also considers the consequences of downstream blockages. Therefore, the submitter's suggestion to provide policy solutions when downstream owner consent is not provided, is not supported.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 25:** Concerned about clause (9) of SC6.14.3.4 (Design requirements – discharge rights and land tenure (Easements generally)), requires drainage easements to be registered prior to lot creation. All easements

are registered after construction works and at plan sealing.

## Response

The submitter's comments are accepted. It is proposed to amend clause (9) of SC6.14.3.4 (Design requirements – discharge rights and land tenure) relating to easements, to “All drainage easements required over downstream properties shall be registered prior to Operational Works approval. All drainage easements internal to the development site shall be registered prior to plan seal being granted by Council”.

**Recommendation: Amend clause (9) of SC6.14.3.4 (Design requirements – discharge rights and land tenure) relating to easements, requires drainage easements, to “All drainage easements required over downstream properties shall be registered prior to Operational Works approval. All drainage easements internal to the development site shall be registered prior to plan seal being granted by Council”.**

**Key issue/concern 26:** Considers that the term ‘actionable nuisance’ is vague and considers that the use of term ‘enjoyment’ within this definition is ambiguous and creates ambiguity as to how actionable nuisance can be realistically applied.

## Response

The term ‘actionable nuisance’ is required as it is evident that most consultants only consider impact in terms of peak flood level impacts. It is necessary to consider aspects of nuisance in addition. The term ‘actionable nuisance’ indicates that the nuisance needs to be of a scale that warrants an action to be taken in response to the nuisance. The suggestion to remove the term ‘actionable nuisance’ is not supported.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 27:** Concerned about clause (6)(c) of SC6.14.3.5 (Design requirements – impact mitigation and actionable nuisance). Considers that if stormwater detention basins are adopted on site, it is impossible to ensure there is no increase in duration. Believes that the purpose of a detention basin is to delay and retain water to discharge at pre-development levels.

## Response

The submitter's comments are accepted. It is proposed to amend clause (6)(c) of SC6.14.3.5 (Design requirements – impact mitigation and actionable nuisance) to “*demonstrate that changes on property external to the development site in relation to peak levels and flows, timing of peak flows, duration of inundation, lot coverage by flood extent and flow velocity will not cause an unacceptable impact or nuisance as detailed in the Flooding and Stormwater Management Guidelines. Refer to Table SC6.14.3B (Triggers for application of peak flow management objective)*”.

**Recommendation: Amend clause (6)(c) of SC6.14.3.5 (Design requirements – impact mitigation and actionable nuisance) to “demonstrate that changes on property external to the development site in relation to peak levels and flows, timing of peak flows, duration of inundation, lot coverage by flood extent and flow velocity will not cause an unacceptable impact or nuisance as detailed in the Flooding and Stormwater Management Guidelines. Refer to Table SC6.14.3B (Triggers for application of peak flow management objective)”.**

**Key issue/concern 28:** *Concerned about clause (20)(b) of SC6.14.3.8 (Design requirements – stormwater quality (Proprietary and emerging stormwater quality treatment systems)), in that it provides additional onus on Sunshine Coast specific testing, which may not be required if testing has occurred within the SEQ region. Suggest amending to South East Queensland, not Sunshine Coast Council Local Government Area.*

**Key issue/concern 29:** *Considers that clause (20)(c) of SC6.14.3.8 (Design requirements – stormwater quality (Proprietary and emerging stormwater quality treatment systems)), contradicts clause (20)(a). Considers that trial results need to be independently peer reviewed as part of getting any SQIDEP certification (which is not yet endorsed by leading industry bodies).*

## Response

In relation to Key issue/concern 28 and 29, SQIDEP is intended to validate performance claims of proprietary devices. The need for additional field testing on the Sunshine Coast relates to demonstrating through observation by Council staff that such infrastructure will not be a burden or liability for Council. This requirement

is a learned outcome from Council experience on previous field trials. It is also noted that this requirement only applies to devices proposed to be dedicated to Council and does not affect the use of SQIDEP validated devices, which remain as private assets. Therefore, the submitter's suggestion to remove the requirement for field testing on the Sunshine Coast is not supported.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 30:** *Suggests that a statement outlining that ‘Council will be required to provide indemnity against the landowner/developer/civil construction firm etc. for any unsupervised inspections unless otherwise noted by Council’, should be included in clause (22)(e) of SC6.14.3.8 (Design requirements – stormwater quality (Proprietary and emerging stormwater quality treatment systems)).*

## Response

Clause (22)(e) of SC6.14.3.8 (Design requirements – stormwater quality (Proprietary and emerging stormwater quality treatment systems)), requires documentary evidence associated with the granting of access permissions to Council. Any requirements for indemnity can be appropriately included in such documentation. Therefore, the submitter's suggestion to included detail within the PSP for Development Works on indemnity for unsupervised inspections is not supported.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 31:** *Suggests including a statement in SC6.14.3.10 (Guidelines) which states that the latest version of the relevant guideline is to be utilised unless otherwise specified by Council.*

## Response

The submitter's comments are accepted. It is proposed to amend the Note in SC6.14.3.10 (Guidelines), which clarifies this.

**Recommendation: Amend SC6.14.3.10 (Guidelines) to include reference to “unless otherwise specified by Council”.**

## Lighting

**Key issue/concern 1:** Object to the removal of the requirement in Table SC6.14.2A (Street and road works) of SC6.14.2.4 (Geometric and engineering design), which relates to “street lights to be designed and located to face away from beaches so as not to disorientate turtle nestlings or nesting females”.

### Response

Council is committed to minimising the impact of lighting on wildlife, particularly in sensitive areas such as turtle nesting beaches and the like. The wording "Street lights are designed and located to face away from beaches so as not to disorientate turtle nestlings or nesting females" was removed from the proposed PSP for Development Works, as the specific/prescriptive requirements for lighting design and installation in such areas will be captured in Council's Electrical, Lighting and Telecommunications Design and Construction Standards (currently in development and intended to be implemented as an attachment / sub-set of the Urban Lighting Master Plan). It is intended that the requirements of these standards will go beyond the previous wording (orientation of lights away from beaches), and stipulate much more comprehensively best-practice design/installation principles for such areas. This will include; overall lighting levels, location and visibility of light fixtures, the use of shielding where appropriate, light source colour, lighting control elements, etc.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 2:** Request for the proposed PSP for Development Works Amendment to include reference to the Sea Turtle Sensitive Area Code, A Model Code for Local Government.

### Response

It is not proposed to include reference to the Sea Turtle Sensitive Area Code, A Model Code for Local Government in the proposed PSP for Development Works Amendment. The application of this code requires the identification of Sea Turtle Sensitive Area's on an Overlay Map, which is outside the scope of the proposed planning scheme policy amendment. It is proposed that this matter is considered as part of the preparation of the new planning scheme.

**Recommendation: Reference to the Sea Turtle Sensitive Area Code, A Model Code for Local Government is considered as part of the preparation of the new planning scheme.**

**Key issues/concern 3:** Support for and against the inclusion of the requirement in clause (2) of SC6.14.6.26 (Lighting) for lighting of areas that are adjacent to foreshores where turtle nesting sites occur, to be in compliance with the National Light Pollution Guidelines for Wildlife and Council's lighting conditions for developments within 100m, 1.5km or 18km of turtle nesting habitat. Concern about the implementation of this requirement.

### Response

Support for the inclusion of clause (2) is acknowledged and noted. However, having regard to the concerns raised in relation to the implementation of this requirement, it is proposed to amend clause (2) of SC6.14.6.26 (Lighting) to clarify that lighting of areas adjacent to foreshores where turtle nesting sites occur, should consider the principles and intent of the National Light Pollution Guidelines for Wildlife including Marine Turtles, Seabirds and Migratory Shorebirds and Council's lighting conditions for developments within 100m, 1.5km or 18km of turtle nesting habitat.

It is also proposed to amend the reference to the National Light Pollution Guidelines for Wildlife including Marine Turtles, Seabirds and Migratory Shorebirds in Table SC6.14.2A (Street and road works) of SC6.14.2.4 (Geometric and engineering design) relating to Electrical, Lighting and Telecommunications, to be generally consistent with clause (2) of SC6.14.6.26 (Lighting) and to include reference to the National Light Pollution Guidelines for Wildlife including Marine Turtles, Seabirds and Migratory Shorebirds in SC6.14.2.6 (Guidelines).

**Recommendation:**

- (a) Amend clause (2) of SC6.14.6.26 (Lighting) to clarify that lighting of areas adjacent to foreshores where turtle nesting sites occur, should consider the principles and intent of the National Light Pollution Guidelines for Wildlife including Marine Turtles, Seabirds and Migratory Shorebirds and Council's lighting conditions for developments within 100m, 1.5km or 18km of turtle nesting habitat.
- (b) Amend the reference to the National Light Pollution Guidelines for Wildlife including

**Marine Turtles, Seabirds and Migratory Shorebirds in Table SC6.14.2A (Street and road works) of SC6.14.2.4 (Geometric and engineering design) in relation to Electrical, Lighting and Telecommunications, to be generally consistent with clause (2) of SC6.14.6.26 (Lighting).**

**(c) Amend SC6.14.2.6 (Guidelines) to include reference to the *National Light Pollution Guidelines for Wildlife including Marine Turtles, Seabirds and Migratory Shorebirds*.**

**Key issues/concern 4:** Concern that the requirements in Table SC6.14.2A (Street and road works) of SC6.14.2.4 (Geometric and engineering design) relating to Electrical, lighting and telecommunications, need to be more specific and provide clearer direction, particularly in relation to road lighting.

#### Response

The evolution of Council's Electrical Lighting and Telecommunications infrastructure planning dictates that lighting needs to be considered in the broader context of both electrical and telecommunications elements. It is agreed that there are certainly "gaps" in the technical requirements associated with Electrical Lighting and Telecommunications infrastructure in the road reserve. However, these technical requirements are better suited to be contained within a specific standards document (currently in development).

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issues/concern 5:** Need to be clear on which version of AS/NZS 1158.3.1 (as referred to in Table SC6.14.2A (Street and road works) of SC6.14.2.4 (Geometric and engineering design)), is required as there are substantial differences between the 2005 and 2020 versions.

#### Response

Clause (4) of SC6.14.1.3 (General advice) outlines that 'where published standards, guidelines and documents are referenced in the planning scheme policy, it is to be interpreted that the reference is the most current version (including any amendments) of that published standard, guideline or document'.

It is proposed to update the title of AS/NZS 1158 to 'Lighting for roads and public spaces'.

**Recommendation: Amend Table SC6.14.2A (Street and road works) of SC6.14.2.4 (Geometric and engineering design) relating to Electrical, lighting and telecommunications, to correct the title of AS/NZS 1158 to 'Lighting for roads and public spaces'.**

**Key issues/concern 6:** Concern raised in relation to the reference to the Sunshine Coast Council Public Lighting Policy in Table SC6.14.2A (Street and road works) of SC6.14.2.4 (Geometric and engineering design), which is not currently published. Support outlined for this document to be produced.

#### Response

The concerns raised in relation to the inclusion of a document that is not currently published is noted. It is therefore proposed to remove reference to the Sunshine Coast Council Public Lighting Policy as well as the Sunshine Coast Council Electrical, Lighting and Telecommunications Design and Construction Standards. Council is currently in the process of:

- looking at high level policy requirements through an update/refinement of the Urban Lighting Master Plan; and
- developing technical specifications / standards for the design and construction of lighting, electrical and telecommunications infrastructure in the public realm. It is intended that these specifications/ standards will sit as an attachment to the Urban Lighting Master Plan.

**Recommendation: Amend Table SC6.14.2A (Street and road works) of SC6.14.2.4 (Geometric and engineering design) relating to Electrical, lighting and telecommunications, to remove reference to the Sunshine Coast Council Public Lighting Policy and the Sunshine Coast Council Electrical, Lighting and Telecommunications Design and Construction Standards.**

**Key issue/concern 7:** Suggests that a more specific document is required for conduit arrangement incorporating the range of NPL3 options to be included in Table SC6.14.2A (Street and road works) of SC6.14.2.4 (Geometric and engineering design) relating to Electrical, lighting and telecommunications.

#### Response

The suggestion for a more specific document for conduit arrangement is accepted. It is proposed

that this matter will be covered in the Electrical, Lighting and Telecommunications Design and Construction Standards (currently in development and intended to be implemented as an attachment / sub-set of the Urban Lighting Master Plan).

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 8:** *Suggests including reference to AS/NZS 4282, where compliance is required in Table SC6.14.2A (Street and road works) of SC6.14.2.4 (Geometric and engineering design) relating to Electrical, lighting and telecommunications.*

#### Response

The suggestion to include reference to AS/NZS 4282 relating to the control of the obtrusive effects of outdoor lighting, is noted. It is proposed to include reference to this Australian Standard in Table SC6.14.2A (Street and road works) of SC6.14.2.4 (Geometric and engineering design) relating to Electrical, lighting and telecommunications, however compliance requirements are intended to be on a case by case basis, at the discretion of Council.

**Recommendation: Amend Table SC6.14.2A (Street and road works) of SC6.14.2.4 (Geometric and engineering design) relating to Electrical, lighting and telecommunications, to include reference to AS/NZS 4282:2019 – Control of the obtrusive effects of outdoor lighting.**

**Key issue/concern 9:** *Concerned about the value of the reference to 'lighting devices should be selected to minimise energy consumption' in Table SC6.14.2A (Street and road works) of SC6.14.2.4 (Geometric and engineering design), as this is considered to be a generic statement.*

#### Response

At a high level, the reference to 'lighting devices should be selected to minimise energy consumption' in Table SC6.14.2A (Street and road works) of SC6.14.2.4 (Geometric and engineering design), communicates Council's continued commitment to energy reduction and sustainability.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 10:** *Considers it more appropriate to utilise 'Energex' standards in Table SC6.14.2A (Street and road works) of SC6.14.2.4 (Geometric and engineering design), as some ERGON and Energex standards are jurisdiction specific.*

#### Response

The submitter's comments are accepted. It is proposed to amend the reference in Table SC6.14.2A (Street and road works) of SC6.14.2.4 (Geometric and engineering design), to refer to 'Energex', to align with localised standards implemented under broader Energy QLD requirements relevant to the Sunshine Coast Region.

**Recommendation: Amend Table SC6.14.2A (Street and road works) of SC6.14.2.4 (Geometric and engineering design), to refer to 'Energex Standards, Specifications and Engineering Drawings'.**

**Key issue/concern 11:** *Outlines that Council needs road and public lighting specific documents, as there are currently gaps and overlaps. Suggests a range of modifications associated with road lighting, including updating references to NPL 3.*

#### Response

It is agreed that this level of detail is currently missing. Council is currently in the process of developing this information, which is expected to be released in mid to late 2021. It is intended that the technical requirements currently contained in the Urban Lighting Master Plan and the Open Space Landscape Infrastructure Manual (LIM) will be migrated (and expanded upon) in Council's Electrical, Lighting and Telecommunications Design and Construction Standards (currently in development and intended to be implemented as an attachment / sub-set of the Urban Lighting Master Plan).

The submitter's comments raised in relation to the reference to NPL 3 are noted. It is proposed to include a dual reference of 'NPL 3 (Rate 3)', which is intended to be contained within Council's Electrical, Lighting and Telecommunications Design and Construction Standards.

**Recommendation: No change to the proposed amendment in response to this issue.**

## Local parks

**Key issue/concern 1:** *General support for the proposed new section relating to Local parks (SC6.14.5), including SC6.14.5.4 (Local park provision rate) and SC6.14.5.5 (Local park desired standards of service).*

### Response

Support for the proposed new section on Local parks (SC6.14.5), including sections relating to local park provision rate and desired standards of service, are acknowledged and noted.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 2:** *Concern that the local park provision rate specified in clause (2) of SC6.14.5.4 (Local park provision rate) is contradictory and not clear or logical.*

**Key issue/concern 3:** *Concern that the ratio of local parks needs improvement and that all covenants are actively monitored and compliant in accordance with approval conditions and enduring intent.*

### Response

In relation to the provision rate for local parks, it is intended that local parks are delivered in areas where a current shortfall exists or growth is taking place and that they are located a short walk for residents in the surrounding local community. The provision rate, is consistent with the desired standards of service outlined in the *Environment and Liveability Strategy 2017*. The provision rates are comparable with other similar local government authorities and industry best practice.

Having regard to the comments raised, it is proposed to make additional drafting changes to clause (2) of SC6.14.5.4 (Local park provision rate) to clarify that the local park provision rate applies to development exceeding 200 lots or dwellings (whichever is greater) and located greater than 500 metres from a local park.

In relation to covenants, covenants are not relevant in the context of local park provision. The primary purpose of a local park is to provide both passive and active recreation uses and therefore the use of a covenant is not appropriate.

**Recommendation: Amend clause (2) of SC6.14.5.4 (Local park provision rate) to clarify that the provision applies for**

**development exceeding 200 lots or dwellings (whichever is greater) and located greater than 500 metres from a local park.**

**Key issue/concern 4:** *Unclear in Table SC6.14.5.6 (Local park embellishments) of SC6.14.5.6 (Local park standard embellishments) if all the embellishments listed are to be included in a local park. Not supported if all embellishments are to be included. Suggest changing Table heading to "Optional embellishments to be included in a local park."*

### Response

Table SC6.14.5.6 (Local park embellishments) of SC6.14.5.6 (Local park standard embellishments) is intended to provide guidance on the embellishments to be included in a local park, as well as optional embellishments and embellishments not acceptable in a local park.

It is proposed to amend the list of embellishments, outlined in Table SC6.14.5.6 (Local park embellishments), to be consistent with other Council policy and guidance documents, including the *Environment and Liveability Strategy 2017* and the *Open Space Landscape Infrastructure Manual (LIM)*. It is also proposed to amend clause (2) of SC6.14.5.6 (Local park standard embellishments) to clarify that Council will only accept limited additional/optional embellishments 'dependent on the location of the park, its characteristics and in regard to other park facilities in the area'.

### **Recommendation:**

- (a) Amend Table SC6.14.5.6 (Local park embellishments) of SC6.14.5.6 (Local park standard embellishments) to be consistent with other Council policy and guidance documents.**
- (b) Amend clause (2) of SC6.14.5.6 (Local park standard embellishments) to provide further clarification in relation to provision of additional/optional embellishments to be dependent on the location of the park, its characteristics and to have regard to other park facilities in the area.**

**Key issue/concern 5:** *Concern about the implementation of the section on Local parks (SC6.14.5) and suggests that it may be better included in the Local Government Infrastructure Plan (LGIP).*

## Response

The LGIP identifies Council's plans for trunk infrastructure. The trunk infrastructure network identified in the LGIP is intended to service 'catchment' areas or a wider district. Local parks are not classified as trunk infrastructure, and therefore incorporating local parks in the LGIP is not appropriate.

**Recommendation: No change to the proposed amendment in response to this issue.**

### **Landscape infrastructure**

**Key issue/concern 1:** Support for the proposed amendments relating to SC6.14.6.4 (Retention of vegetation and topographic features in layout and design of landscapes) and SC6.14.6.14 (Landscape design for wildlife).

## Response

Support for the proposed amendments relating to SC6.14.6.4 (Retention of vegetation and topographic features in layout and design of landscapes) and SC6.14.6.14 (Landscape design for wildlife) is acknowledged and noted.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 2:** Suggests including reference to the development of a kangaroo management plan/conservation plan in SC6.14.6.14 (Landscape design for wildlife).

## Response

It is not proposed to include reference to a Macropod (kangaroo) Management Plan in the PSP for Development Works at this time, as it is still in draft form. It is recommended that this matter be considered as part of the preparation of the new planning scheme.

**Recommendation: Reference to a Macropod (kangaroo) Management Plan in the planning scheme and relevant planning scheme policy, is considered as part of the preparation of the new planning scheme.**

**Key issue/concern 3:** Suggests greater clarity about the requirements for deep planting and planting in natural ground in clause (4) of SC6.14.6.6 (Landscape design).

## Response

It is proposed to remove the reference to 'deep planting', in clause (4) of SC6.14.6.6 (Landscape design), and retain the original text

"established in sufficient natural ground", as the process of deep planting can be complex and not consistent for all plant species.

**Recommendation: Amend clause (4) of SC6.14.6.6 (Landscape design) to remove reference to 'deep planting' and retain the original text "established in sufficient natural ground".**

**Key issue/concern 4:** Suggests deleting clause (6)(d) of SC6.14.6.4 (Retention of vegetation and topographic features in layout and design of landscapes), which requires neighbours to be notified 5 days prior to the removal of vegetation, as this is difficult to administer.

## Response

The submitter's comments are accepted. It is proposed to remove clause (6)(d) from SC6.14.6.4 (Retention of vegetation and topographic features in layout and design of landscapes).

**Recommendation: Remove clause (6)(d) of SC6.14.6.4 (Retention of vegetation and topographic features in layout and design of landscapes).**

**Key issue/concern 5:** Considers that the requirements for fauna protection require refinement in line with community expectations and industry advancement.

**Key issue/concern 6:** Suggests that various sections within the PSP for Development Works requires further review and refinement, including the need for more illustrative elements relating to landscaping and other matters such as landscape bonds and signage.

## Response

The submitter's comments raised in Key issue/concern 5 and 6 are noted. It is acknowledged that community expectation is changing with respect to the quality and quantity of open space and landscape areas associated with an emerging more dense urban form. It is also noted that various sections within the planning scheme policy may require further review/refinement in response to the comments raised. In this regard, it is proposed that these matters be further considered as part of the preparation of the new planning scheme.

**Recommendation: That the matters raised in Key issue/concern 5 and 6 are considered as part of the preparation of the new planning scheme.**



**Key issue/concern 7:** *Suggests deleting references to public art, as this is not operational work and is subject to a separate approval process.*

#### Response

The submitter's comments are accepted. It is proposed to clarify in clause (3) of SC6.14.6.23 (Furniture and fixtures) that public art is not assessable development and to provide further clarity in relation to the requirements for where public art and community acknowledgements are proposed.

**Recommendation: Amend clause (3) of SC6.14.6.23 (Furniture and fixtures) to clarify that public art is not assessable development and to provide further clarity in relation to the requirements for where public art and community acknowledgements are proposed.**

**Key issue/concern 8:** *Suggests that SC6.14.6.17, relating to Engineered planting requires further refinement to ensure that they are a viable option for the local climate.*

#### Response

The submitter's comments are accepted. It is proposed to amend clause (1) of SC6.14.6.17 (Engineered planting) to provide further clarification around the requirements for engineered planting.

**Recommendation: Amend clause (1) of SC6.14.6.17 (Engineered planting) to provide clarity in relation to the requirements for engineered planting.**

**Key issue/concern 9:** *Suggests that the sections/clauses referring to bushfire require review in light of recent legislative changes.*

**Key issue/concern 10:** *Considers that green breaks for fire mitigation should be encouraged by Council at the interface between rural and urban areas.*

**Key issue/concern 11:** *Recommends that Council consider the following matters in relation to bushfire/landscape issues:*

- (a) *the impact resulting from the creation of waterway and wildlife corridors on potential propagation of wildlife across the landscape;*
- (b) *minimisation of flammable trees within bushfire prone areas; and*
- (c) *conservation areas be designed and developed with appropriate infrastructure to enable effective fire management.*

#### Response

It is not proposed to undertake a detailed review of the bushfire related sections in the PSP for Development Works at this time, as detailed planning work is currently being undertaken to align with updated legislative requirements, which is intended to inform the preparation of the new planning scheme. It is proposed that the matters raised in Key issue/concern 9-11 are considered as part of this process.

However, it is proposed to include references to the Department of Infrastructure, Local Government and Planning's *Natural Hazards, Risk and Resilience – Bushfire (December 2019) State planning Policy –state interest guidance material*; and the *Queensland Fire and Emergency Services (2019) Planning for Bushfire Resilient Communities*, to provide further guidance in relation to landscape design relating to bushfire hazard issues.

#### **Recommendation:**

- (a) **That the bushfire matters raised in Key issue/concern 9-11 are considered as part of the preparation of the new planning scheme.**
- (b) **Amend the PSP for Development Works to include reference to the Department of Infrastructure, Local Government and Planning's *Natural Hazards, Risk and Resilience – Bushfire (December 2019) State planning Policy –state interest guidance material*; and the *Queensland Fire and Emergency Services (2019) Planning for Bushfire Resilient Communities*.**

**Key issue/concern 12:** *Concerned about the reduction in the acceptable percentage of weeds permitted prior to handover, from 5% to 2% in SC6.14.6.5 (Management of weeds), on the basis that it is difficult to measure. Request that it remains at 5%. Consider that the requirement for the removal of weeds is to be staged is problematic, in that reinfestation often occurs prior to handover in stages that had previously been cleared.*

#### Response

In relation to concerns raised with regard to SC6.14.6.5 (Management of weeds), it is considered that the standards of maintenance, in particular the management of invasive weeds, throughout the maintenance period, needs improvement. Therefore, it is proposed that the permitted level of weed cover at handover is

retained at 2% and that the requirement for weed maintenance to be performed throughout the maintenance period is also retained.

**Recommendation: No change to the proposed amendment in response to this issue.**

*Key issue/concern 13: Considers that the existing wording of clause (2)(j) of SC6.14.6.6 (Landscape design) does not mention risk and seems to emphasise asset protection measures. Considers that landscape design needs to respond to the risk posed by bushfire hazard. Suggests the following changes - "incorporates fire mitigation strategies to help reduce bushfire risk to acceptable levels".*

#### Response

The submitter's comments are noted. It is proposed to amend the wording of clause (2)(j) of SC6.14.6.6 (Landscape design) to consider the risks posed by bushfire hazards.

**Recommendation: Amend clause (2)(j) of SC6.14.6.6 (Landscape design) to "considers adjacent bushfire prone areas in accordance with Benchmark 7 of the Natural hazards, risk and resilience – Bushfire State Planning Policy – state interest guidance material".**

*Key issue/concern 14: Disagrees with the need for an ecological restoration or bush regeneration consultant being required to undertake a Bushland Regeneration Works Plan, as required in clause (13) of SC6.14.6.6 (Landscape design). Suggests that a Landscape architect should be included as a suitably qualified consultant for undertaking this work.*

#### Response

It is agreed that a Landscape Architect holds the necessary qualifications for bushland regeneration and for undertaking a Bushland Regeneration Works Plan. It is proposed to amend clause (13) of SC6.14.6.6 (Landscape design) and update Table SC6.14.6A to include reference to a 'landscape architect' in relation to Bushland regeneration works plan and report.

**Recommendation: Amend clause (13) of SC6.14.6.6 (Landscape design) and update Table SC6.14.6A to include reference to a 'landscape architect' for Bushland regeneration works plan and report.**

*Key issue/concern 15: Clarification sought on why the term 'rehabilitation/revegetation' plan has changed to 'bushland regeneration works' and the term 'bushland operational assessment'*

*has been included in Table SC6.14.6A (Landscape documentation) of SC6.14.6.6 (Landscape design).*

#### Response

The term 'bushland regeneration works' was substituted for 'rehabilitation/revegetation' as this is the standard term used by Council for this type of activity and better describes the activity. A 'bushland operational assessment' is the standard assessment method used by Council to inform bushland condition and inform the development of a regeneration works plan for bushland areas. This allows consistent and effective management of a bushland reserve when council takes control of the land. Council uses a number of suitably qualified local contractors to undertake bushland operational assessments.

**Recommendation: No change to the proposed amendment in response to this issue.**

*Key issue/concern 16: Disagrees with the requirement for a 60m buffer adjoining heavily trafficked roads or the North Coast Railway, as specified in clause (1)(c) of SC6.14.6.15 (Landscape buffers). Considers this requirement is excessive and the buffer should be determined on a case-by-case basis, including other consideration of other factors at the site.*

#### Response

The requirement for a 60 metre adjoining a heavily trafficked road or the North Coast Railway, is considered appropriate, noting that there is the opportunity for a lesser width if circumstances allow and appropriate justification is provided.

**Recommendation: Recommendation: No change to the proposed amendment in response to this issue.**

*Key issue/concern 17: Clarification sought about what a fire management buffer is considered to be, as referred to in clause (1)(f) of SC6.14.6.15 (Landscape buffers).*

#### Response

The submitter's comments are accepted. It is proposed to delete this clause.

**Recommendation: Delete clause (1)(f) of SC6.14.6.15 (Landscape buffers).**

**Key issue/concern 18:** Recommends that “Fire risk management is also to be considered in selection of suitable plants” in clause (3) of SC6.14.6.16 (Landscape screening) is reworded to refer to bushfire rather than fire and the requirement to be limited to bushfire prone areas, inclusive of areas within a bushfire buffer or potential impact zone.

#### Response

The submitter’s comments are accepted. It is proposed to amend clause (3) of SC6.14.6.16 (Landscape screening) to include reference to Benchmark 7 of the *Natural hazards, risk and resilience - Bushfire State Planning Policy – state interest guidance material and Bushfire Resilient Communities Technical Reference Guide for the State Planning Policy State Interest ‘Natural Hazards, Risk and Resilience - Bushfire’*, which are considered appropriate for providing guidance on the selection of suitable plants for landscape screening in bushfire prone areas.

**Recommendation: Amend clause (3) of SC6.14.6.16 (Landscape screening) to include reference to Benchmark 7 of the Natural hazards, risk and resilience - Bushfire State Planning Policy – state interest guidance material and Bushfire Resilient Communities Technical Reference Guide for the State Planning Policy State Interest ‘Natural Hazards, Risk and Resilience - Bushfire’ as guidance documents for the selection of suitable plants for landscape screening in bushfire prone areas.**

**Key issue/concern 19:** Considers that street trees should not take priority in the design of streetscapes. Suggest rewording clause (3) of SC6.14.6.18 (Streetscape landscapes) to read “should be considered”.

#### Response

The suggested rewording of clause (3) of SC6.14.6.18 (Streetscape landscapes), is not supported, as it is considered that the use of the words ‘where practicable’ is appropriate. The provision of street trees is also intended to provide shade and amenity, not just shade.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 20:** Concern that the requirement for developers to provide a sticker with developer details during the on maintenance period on the park activity entry sign (refer clause (2)(n) and clause (4)(c) of SC6.14.6.21 (Recreational equipment), could potentially deter a developer from providing this type of embellishment/asset. Question whether it is necessary for the developer’s details to be available to the public when the constructed/installed equipment, layout, selection (etc.) would have already been approved by Council.

#### Response

In relation to comments raised with regard to clause (2)(n) and (4)(c) of SC6.14.6.21 (Recreation equipment), it is considered the responsibility of the developer to maintain the playground equipment and all associated assets to a certified standard in line with AS4685 Playground Equipment and Surfacing, during the maintenance period (prior to handover to Council). The details of the developers contact person need to be clearly displayed as the maintenance and compliance of playground equipment and associated infrastructure are the developer’s responsibility, and not a Council asset.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 21:** Disagrees with the specified number of static exercise stations, outlined in clause (4)(a) of SC6.14.6.21 (Recreation equipment), on the basis that it does not consider site constraints, budget, site location, layout or selection. Suggests that the provision should read “static exercise stations installed to manufacturers specifications”.

#### Response

Agreed. It is proposed to remove the requirement for ‘six’ static exercise stations in clause (4)(a) of SC6.14.6.21 (Recreational equipment), as space limitations do not always allow for six.

It is also proposed to include reference to the Australian Standard AS16630:2021 - Permanently installed outdoor fitness equipment – safety requirements and test methods.

**Recommendation: Amend clause (4)(a) of SC6.14.6.21 (Recreational equipment) to: (a) remove reference to the word ‘six’; and**

**(b) include reference to Australian Standard to AS16630:2021 -Permanently installed outdoor fitness equipment – safety requirements and test methods.**

**Key issue/concern 22:** Suggests changing the reference to 'fire proof fence' to 'fire resistant fence' in Table SC6.14.6G (Fence and screening type) of SC6.14.6.25 (Fencing, walls and screening), on the basis that there are very few standard fence types, including fauna fences, that are fire proof.

#### Response

The submitter's comments are accepted. It is agreed that the term fire 'proof' fence, referred to in Table SC6.14.6G (Fence and screening type) of SC6.14.6.25 (Fencing, walls and screening), is not appropriate. It is proposed to update the table to refer to fire 'resistant' fence.

**Recommendation: Amend Table SC6.14.6G (Fence and screening type) of SC6.14.6.25 (Fencing, walls and screening) to refer to 'fire resistant fence' rather than 'fire proof fence'.**

**Key issue/concern 23:** Suggests updating Table SC6.14.6G (Fence and screening type) of SC6.14.6.25 (Fencing, walls and screening) to outline that in designated bushfire prone areas, pine timber fences and timber retaining walls should be avoided within 5 metres of a building envelope. In such circumstances fencing constructed from non-combustible materials should be used.

#### Response

The submitter's comments are accepted. It is proposed to amend SC6.14.6.25 (Fencing, walls and screening) to include a new clause which addresses the submitters concerns in relation to pine and timber fencing within 5 metres of a building envelope.

**Recommendation: Amend SC6.14.6.25 (Fencing, walls and screening) to include a new clause (3) which states that "In designated bushfire prone areas, pine timber fences and retaining walls are to be avoided within 5 metres of a building envelope. In such circumstances, fencing from non-combustible materials is to be used."**

**Key issue/concern 24:** Considers that the term 'fire relief', as referred to in Table SC6.14.6G (Fence and screening type) of SC6.14.6.25 (Fencing, walls and screening), is unclear and its intent requires further explanation.

#### Response

The submitter's comments are not supported. Fire exclusion fences are to be in accordance with a site specific bushfire management plan. These considerations are taken into account by a bushfire consultant.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 25:** Recommends that Council consider the following in relation to bushfire/landscape issues:

- *The impact resulting from the creation of waterway and wildlife corridors may have on the potential propagation of wildfire across the landscape. Vegetation corridors should be designed to limit the spread of high intensity wildfire through the landscape.*
- *Minimisation of flammable trees such as those from the genus Melaleuca, Eucalyptus, Corymbia etc. within bushfire prone areas. The policy may conflict with policy directions for the provision of koala food trees etc.*
- *Proposed conservation areas be designed and developed with appropriate infrastructure to enable effective fire management. Appropriate infrastructure may include 'fire management blocks', fire trails, prescribed burning, gates, signage and water provision. Council should develop guidelines to ensure proposed conservation reserves are 'fire management ready'.*

#### Response

The submitter's comments are noted. It is proposed that the further guidance material and consideration of the matters raised are considered as part of the preparation of the new planning scheme.

**Recommendation: That further guidance and consideration of bushfire/landscape matters (outlined in Key issue/concern 25 above), are considered as part of the preparation of the new planning scheme.**

**Key issue/concern 26:** Concern that greater clarity is needed in relation to the requirements for maintenance during the maintenance defects/liability period.

#### Response

The need for greater clarity in relation to the requirements for maintenance is noted. It is

proposed that this matter is considered as part of the preparation of the new planning scheme.

**Recommendation: Review the requirements for maintenance during the maintenance defects/liability period as part of the preparation of the new planning scheme.**

### **Constructed waterbodies**

**Key issue/concern 1:** Request for stronger and clearer principles to be included in SC6.14.8.6 (Key guiding principles) for constructed waterbodies (CWB's) not to be used for flood mitigation/storage purposes. Suggest that the policy intent articulated in Part C and the Desired Standards of Service of the Environment and Liveability Strategy 2017 (ELS) for constructed waterbodies is 'rolled up' in the planning scheme.

#### Response

The ELS Desired Standards of Service for waterways and wetlands outlines that new constructed waterbodies are avoided unless an overriding need in the public interest is demonstrated. This is consistently reflected in Performance Outcome PO18 of the Stormwater management code of the planning scheme and in the key guiding principles outlined in clause (2) of SC6.14.8.6 of the proposed PSP for Development Works.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 2:** Request the removal of the reference to "improved marketability of waterfront property" in clause (3)(c) of SC6.14.8.8 (Consideration of beneficial uses and values/functions in demonstrating ONPI (Overriding need in the public interest)).

#### Response

It is proposed to retain the reference to "improved marketability of waterfront property" in clause (3)(c) of SC6.14.8.8. The purpose of this section and clause is to present the benefits that will assist in determining where the responsibility for funding/management may lie.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 3:** Support for strengthening the terminology in SC6.14.8.10 clause (5)(d) relating to the minimum design requirements for fresh and brackish/saltwater constructed

*waterbodies (CWB's) and clause (18) relating to CWB design and management reporting requirements.*

Support for the proposed amendments to clause (5)(d) and (18) of SC6.14.8.10 is acknowledged and noted. However, in relation to clause 5(d) it is proposed to make additional drafting changes to clarify that the design of constructed waterbodies 'shall avoid or reduce reliance on pumping or other mechanical intervention'. This proposed change provides the opportunity for a pumping system in appropriate circumstances to ensure maximum water quality outcomes can be achieved by a proposal, only once the overriding need in the public interest (ONPI) provisions have been satisfied.

**Recommendation: Amend clause 5(d) of SC6.14.8.10 (CWB design – minimum requirements) to provide for the option of a pumping system.**

### **Specifications and construction**

**Key issue/concern 1:** Objects to the requirement for the developer to maintain works for a minimum of 36 months in clause (2)(c) of Appendix SC6.14C (Guide to industry best practice landscape maintenance activities for road reserves and public open space areas).

#### Response

A 36 month period is required for sensitive landscape areas, allowing time for rehabilitation of the land and habitats and plantings to be monitored, ensuring a successful full establishments. A period of less time can be implemented if deemed necessary through the condition process with approvals.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 2:** Concern that there are sections where the request for a hard copy has been removed and is inconsistent.

#### Response

The submitter's comments are noted. It is proposed to review references to the format of documentation to be provided to Council.

**Recommendation: Amend the following clauses to provide clarification and consistency in relation to the requirements for the provision of 'as constructed' documentation to Council:**

- **Table SC6.14.6A (Landscape documentation (As constructed plans));**
- **clause (9) of SC6.14.10.9; and**
- **clause (23)(a) of SC6.14.10.9.**

**Key issue/concern 3:** Consider that the flowchart in Appendix SC6.14E (Typical development construction process) in SC6.14.10 (Specifications and construction) requires review, as some parts are illegible.

#### Response

The submitter's comments are accepted. It is proposed to delete the existing flowchart and replace with a revised flowchart.

**Recommendation: That the flowchart in Appendix SC6.14.E (Typical development construction process) in SC6.14.10 (Specifications and construction) is replaced to improve clarity.**

## PART C

### ADDITIONAL DRAFTING CHANGES

In the post consultation review of the proposal planning scheme policy amendment, drafting changes have also been identified to respond to other matters not raised in the submissions, such as minor editorial and drafting refinements to improve the clarity and efficiency of the proposed planning scheme policy amendment, including:

- Amend clause (19) of SC6.14.3.3 (Design requirements – stormwater drainage systems (Open channels)), to clarify the requirements for design of open channels through parkland or open space.
- Include a new clause in SC6.14.3.3 (Design requirements – stormwater drainage systems (Gully pits and catch pits)) to provide further clarification in relation to existing Lip in line pits in conflict with proposed infrastructure.
- Amend clause 5(b) of SC6.14.8.10 (CWB design – minimum requirements) to clarify the intent of the clause.
- Amend SC6.14.3.6 (Design requirements – open space integration) to clarify the requirements for stormwater and open space to be complementary co-located and integrated.
- Amend clause (2) of SC6.14.3.4 (Design requirements – discharge rights and land tenure) to clarify the requirements in relation to GPTs where required to be located in parks and open space.
- Inserting additional references to Council's Flooding and Stormwater Management Guidelines, where relevant.
- Amendments to Table SC6.14.5.5 (Local park specifications) to clarify flood immunity requirements for park infrastructure.
- Amend SC6.14.6.7 (Landscape management and maintenance) to provide further clarity and guidance.
- Insert a new clause (2)(f) under SC6.14.6.22 (Landscape structures) to provide further guidance in relation to the provision of landscape structures of steel construction.
- Amend Table SC6.14.6G (Fence and screening type) of SC6.14.6.25 (Fencing, walls and screening) and SC6.14.9.12 (Retaining walls) to provide further guidance and clarification in relation to the requirements for retaining walls.
- Amend Appendix SC6.14C (Guide to industry best practice landscape maintenance activities for road reserves and public open space areas) to provide further guidance and improve clarity in relation to establishment and maintenance requirements.
- Amend Appendix SC6.14D (Landscape Maintenance Checklist) to provide further guidance and clarity in relation to the requirements for amenity trees, gardens and turf.
- Amend SC6.14.7.5 (Waterfront structures which are not prescribed tidal work) to include a new clause providing further guidance in relation to the provision of safety barriers on decks.
- Amend SC6.14.10.10 (On and off maintenance) to provide further clarification in relation to the type of certificates required to be supplied to Council.

## **SUMMARY**

Whilst the submissions raise a number of issues/concerns in relation to the proposed planning scheme policy amendment, it is considered that the responses provided in this consultation report adequately address these issues/concerns.

As documented in this report, where appropriate, changes to the public consultation version of the proposed planning scheme policy amendment have been recommended following the consideration of submissions (as outlined in Part B of this report).

In addition to responding to issues raised in submissions, separate drafting changes have also been identified to address minor editorial and drafting matters (as outlined in Part C of this report).