

# Planning Scheme - Topics for consideration by SCRC relating to the 2024 PS proposal

## Key Overarching Topics:

### 1. Performance of the current Planning Scheme – SCRC review

- The Planning Scheme Review September 2020 document page 4 (Executive Summary) as reported to the Council Ordinary Meeting of 28 January states “The Planning Scheme review examines the operation of the Planning Scheme and whether it accords with current legislation, Council’s adopted vision and strategies and community expectations.” The report references internal consultation within council, and external with planning consultants using the Planning Scheme. Although Council referenced a number of consultation processes including recent amendments and development applications, they do not appear to have asked the community for comments overall.

There appears to be a void in the Review - that is: “what does the community say when asked the specific question about the operation of the Planning Scheme?”

OSCAR asks - Is the first round of non-statutory engagement seeking the review by the community of the current PS and its implementation?

- Questions to which the community would like to respond are:
  - Where has the current scheme worked/not worked?
  - What to continue from the existing PS and what to improve?
- How has the current Planning Scheme incorporated and applied the Principles of Ecological Sustainability as per the Planning Act 2016

### 2. Implementation of the current PS – issues of concern

- Code assessable vs Impact assessable –
  - How is an application deemed “code assessable”?
  - How much discretion does the current PS give the assessment officers in the designation of the assessment pathway and approval of a development before the application comes to Council? (This topic was widely raised in OSCAR consultation of member groups)
- Role of Private certifiers – what checks and balances are there? Why they are not obliged to put their approvals on Development-i?
- There is community concern regarding the number of “amendments” allowed after an approval has been given and classed as “minor amendments”. What provisions are employed or being considered by Council to prevent a “creeping” approval?
- How does the implementation of the current PS demonstrate “a balance that integrates” as per the Ecological Sustainability principles of the Planning Act 2016?

## Future principles, and policies

### 1. Community of communities – the identity of the SC.

- What are the characteristics considered by Council to define a community?
- How are these characteristics embodied and quantified in PO?
- Do they match Local Area Plans?
- Are railway towns combined as a single community for example?
- What constitutes a community – geographic only, does a community equal a LAP, or social groups for example interest or age groups particularly with respect to “ageing at home”?
- Are there “iconic’ communities on the SC and if so how are they recognised?

### 2. Population pressure

- What is the carrying capacity of SCRC LGA today, and in 2041? How does Council reach this conclusion – what factors are assessed to derive carrying capacity?

- What happens in the PS after 2041?
- What additional dwellings are required for each of the districts in the region in MT Fact sheet 14, for example, similar information to what was given for the coastal corridor; out of the target number of dwellings, how many have been built since 2016 so we know how many more are required by 2041.

### 3. Pandemic response and implications (also emergency response)

- How will the PS address health implications from medium and higher density dwellings and particularly with infill?
- Is council considering private and public open space outcomes commensurate with social and health outcomes?
- How is the PS to address issues relating to evacuation in case of emergency (particularly with older persons living in vertical retirement villages or aged care facilities, and younger children in schools)?

### 4. Catering for Housing choice

- Ageing and choice of housing – what research has been undertaken?
- For how is the “missing middle” of low set medium density, e.g. townhouses and 3-storey apartment blocks to be catered ?
- Affordable housing in SCRC LGA – is it achievable and how will such be provided? How does Council define “affordable housing”?

### 5. Climate change

- How will the CHAS in particular and other climate change impacts away from the coastal strip particularly urban areas and the hinterland more generally be incorporated in the new PS - what will be the Policy position?
- How will stormwater management be incorporated in the PS – what will be the policy position?

### 6. Flooding (also linked with Climate change and co-incident flooding)

- How does flood management within the urban footprint address cumulative small developments and incorporate climate change?
- How will overland flow be controlled with infill?
- How is the flood risk to current residents in urban areas on floodplains to be maintained through cumulative new major developments, redevelopments, infrastructure protection works and private fill associated with owners protecting their residences?

### 7. Biodiversity

- How many locally significant (rather than State or federally significant) species are listed? And where does their habitat translate into designated environmentally significant areas of the region? What protection does this habitat have?
- Biodiversity, wetlands and waterways mapping excludes state land, missing migratory birds, turtle and beach ecosystems thus removing the requirement for assessment during consideration of an adjoining development and accompanying off-site impacts. How is this issue considered in the PS (or future PS)
- How does the council resolve conflicts between Biodiversity strategic and overall objectives with those of development?

### 8. General

- How will the design strategy be incorporated into the new PS?
- How is “Best available science/knowledge” and “Evidence-based approach” addressed in the PS?

### **Hot topics**

- Relaxation of on-site parking requirements and payment in lieu
- Code assessable development
- Latitude given in amendments subsequent to or immediately preceding an approval, ie the incremental weakening of conditions by developers both before (in the draft conditions) and after approval while under construction
- Amenity issues – how do buildings look from the outside, eg mega apartment blocks from Pt Perry, Bradman Ave towers
- Apparent priority given to development over current residents and the valued local natural environment
- Concept of PS being a “living document”, appears to mean ‘anything’s acceptable if you use the “right” words’ rather than giving certainty to the community and developers