

Public Forum Question and Response

Subject: SEPP 5 with Senior Living Policy

Question From: Mr Vincent De Luca

Meeting Date: 13 April 2004

Question:

Is Council aware of the Minister for Infrastructure & Planning, the Honourable Craig Knowles', statement to the Legislative Assembly on 18 February 2004 concerning the abolition of State Environmental Planning Policy 5 and replacing it with a new "Seniors Living Policy"? Particularly, I note his statement; "Local councils may continue to apply for exemption from State controls if they can demonstrate the area has a sufficient supply of housing for people over 55 years"?

a) Did the former Council apply in 1998 for an exemption from SEPP 5 developments?

Answer: The Manager Strategic Land Use and Planning advised that SEPP 5 did not apply to Warringah LGA; rather WLEP 2000 incorporated the controls contained in the SEPP. The LEP reflected the content of the SEPP and, as incorporated into WLEP 2000, it reflected the State Policy. Only six councils were exempted from the SEPP, the first exception was not received till June 2003. The Manager Strategic Land Use and Planning further advised that the former Council did enter into discussion with the Department of Infrastructure, Planning and Natural Resources (DIPNR) regarding an exemption for Warringah from SEPP 5 developments, however an exemption was not formally requested by Council.

b) What is the status of the State Government's "Senior Living Policy"?

Answer: The Manager Strategic Land Use and Planning advised that the new Senior's Living Policy was gazetted on 31 March 2004. The policy applies from 18 February 2004. It is a new State Government policy, and therefore applies to Warringah until such a time as the WLEP 2000 is amended or an exemption is obtained from the State Government.

c) Is Council of the opinion that the policy of minimum allotment sizes of 1000sqm will overcome the many problems we have experienced in Warringah with SEPP 5 development?

Answer: The Manager Strategic Land Use and Planning advised that the new minimum allotment sizes have the potential to produce better outcomes more easily achieved on larger parcels. As part of a package of measures it does have the potential to assist in achieving improved planning direction and outcomes, however the provision on its own will not overcome the problems experienced with SEPP 5. The Administrator raised the issue of lack of transport flow and the disparity between community opinion and SEPP 5 policy that one bus service to such developments is adequate. He wishes Warringah Council to relay these concerns back to the Minister DIPNR.

d) I note the exemption process outlined by the Minister that “Councils can apply to prevent applications for villages in locations that are determined by that council as important area of the local landscape, for example, locations that define an urban edge or a clear delineation between the town and country landscapes”. Has any work been undertaken to date by Council to identify any such areas in our Council area for exemption?

Answer: The LEP permits the location of development on lands zoned for urban purposes or on land immediately adjacent to urban lands. This directly reflects the Seniors Living Policy and has not been altered from the previous situation. The Draft Non Urban Lands Study provided information on sensitive non-urban lands including mapping of areas to be preserved. The WLEP 2000 reflects this in the relevant locality statements. The current process being undertaken as part of the Warringah Transition Plan is seeking strategic direction from the community in relation to issues of concern that need to be addressed in relation to development.