

- ITEM 10.2** **NOTICE OF MOTION NO 24/2015 - NEED FOR REFORM OF AFFORDABLE HOUSING SEPP**
- TRIM FILE REF** **2015/356127**
- ATTACHMENTS** **1 Sydney Morning Herald Article**
 2 How Liveable is Your Suburb? (Extract from Sydney Morning Herald Article)

Submitted by: Councillor Vincent De Luca OAM

MOTION

A. That this Council notes with concern:

1. That despite 800 objections, Warringah Council's WDAP recommended approval of the proposed Affordable Housing Development at Grover Avenue, Cromer, two votes to one.
2. The WDAP relied upon legal advice submitted by the developer in order to overcome strict compliance with the SEPP.
3. The dissenting comments of the Community Representative on the Panel:

"Although the subject land is suitable for the development of an 8 unit boarding house in terms of site area and dimensions (frontage and depth) its location in the midst of an established, and essentially single residential community, is totally inappropriate from both a community and planning perspective.

Of principal concern is the fact that the proposed development will position up to 16 persons on a single residential lot; most of whom will almost certainly be 'transient', with little or no long term commitment to the established community. If the business model proves successful in terms of client demand it could give rise to similar developments nearby, with the further erosion of the existing community fabric. Such an outcome would be contrary to a principal aim of the WLEP 2011 to 'Protect and enhance the residential use and amenity of existing residential environments'".

4. The Australian Housing and Urban Research Institutes previous submission on the legislation:

"Where possible buildings should conform to existing planning controls and not 'pioneer' a building type"

5. The Law Society of NSW submission to the Government about the Affordable Housing SEPP:

"The AHSEPP ought to be amended so as to ensure that such incentive schemes are only implemented after appropriate consideration is given to the types of development permitted in the particular zone as well as issues such as density, location, and design. This will ensure that development is suitable for that area and that the amenity of neighbouring properties is not adversely affected".

B. That this Council resolves to write to the NSW Premier, The Hon Mike Baird MP and NSW Minister for Planning, The Hon Dr Rob Stokes MP, calling for the NSW Government to:

1. Urgently review the Affordable Housing SEPP and amend the legislation so that
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appropriate consideration is given to local planning controls, the types of development permitted in the particular zone as well as issues such as density, location, and design and adverse effects on adjoining residences and local communities.

2. Amend the legislation to give Councils the power to compel an applicant to pay for certain independent studies and independent legal advice (as determined by the consent authority) on issues of concern to the assessing officer of the consent authority.
 3. Amend the legislation that all Affordable Housing must be within 250m of an hourly public transport service, a shopping centre, doctor and chemist.
 4. The consent authority and/or decision maker must have regard to public interest considerations.
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FUNDING SOURCE

I have been advised by staff that this motion can be carried out within current operational budget.

VOTING

For the resolution: Crs Giltinan, Gobert, Harrison, Heins, Menano-Pires, Moskal and Regan

Against the resolution: Crs Daley and De Luca

CARRIED

9.0 NOTICES OF RESCISSION

Nil

10.0 NOTICES OF MOTION

10.1 NOTICE OF MOTION NO 23/2015 - COUNCIL EXPENDITURE ON ADVERTISING ON LOCAL GOVERNMENT REFORM

Cr De Luca / Cr Giltinan

MOTION

1. That this Council notes with concern:
 - A. The excessive expenditure of ratepayers' money by Warringah Council amounting to \$226,657.81 on advertising and other material in pursuance of a one northern beaches.
 - B. The use of the Warringah Council Mayoral Column and other Warringah Council publications, for criticising other Councils and Mayors of adjoining Councils.
 - C. Warringah Council Media Releases claiming that should Warringah Council be divided into two Councils children will lose their child care places and the new Hospital will be in jeopardy.
2. That this Council resolves that all advertising and expenditure on the amalgamation campaign cease and that Council staff are not to participate in the amalgamation campaign.

VOTING

For the motion: Crs Daley, De Luca and Giltinan

Against the motion: Crs Gobert, Harrison, Heins, Menano-Pires, Moskal and Regan

LOST

10.2 NOTICE OF MOTION NO 24/2015 - NEED FOR REFORM OF AFFORDABLE HOUSING SEPP

Cr De Luca / Cr Giltinan

MOTION

- A. That this Council notes with concern:
 1. That despite 800 objections, Warringah Council's WDAP recommended approval of the proposed Affordable Housing Development at Grover Avenue, Cromer, two votes to one.
 2. The WDAP relied upon legal advice submitted by the developer in order to overcome



strict compliance with the SEPP.

3. The dissenting comments of the Community Representative on the Panel:

"Although the subject land is suitable for the development of an 8 unit boarding house in terms of site area and dimensions (frontage and depth) its location in the midst of an established, and essentially single residential community, is totally inappropriate from both a community and planning perspective.

Of principal concern is the fact that the proposed development will position up to 16 persons on a single residential lot; most of whom will almost certainly be 'transient', with little or no long term commitment to the established community. If the business model proves successful in terms of client demand it could give rise to similar developments nearby, with the further erosion of the existing community fabric. Such an outcome would be contrary to a principal aim of the WLEP 2011 to 'Protect and enhance the residential use and amenity of existing residential environments'".

4. The Australian Housing and Urban Research Institutes previous submission on the legislation:

"Where possible buildings should conform to existing planning controls and not 'pioneer' a building type"

5. The Law Society of NSW submission to the Government about the Affordable Housing SEPP:

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- B. That this Council resolves to write to the NSW Premier, The Hon Mike Baird MP and NSW Minister for Planning, The Hon Dr Rob Stokes MP, calling for the NSW Government to:

1. Urgently review the Affordable Housing SEPP and amend the legislation so that appropriate consideration is given to local planning controls, the types of development permitted in the particular zone as well as issues such as density, location, and design and adverse effects on adjoining residences and local communities.
2. Amend the legislation to give Councils the power to compel an applicant to pay for certain independent studies and independent legal advice (as determined by the consent authority) on issues of concern to the assessing officer of the consent authority.
3. Amend the legislation that all Affordable Housing must be within 250m of an hourly public transport service, a shopping centre, doctor and chemist.
4. The consent authority and/or decision maker must have regard to public interest considerations.

Councillor Daley left the chamber at 7:29pm and returned to the chamber at 7:31pm

VOTING

For the motion: Crs De Luca Giltinan and Gobert