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NSW Planning and Environment
[Submitted online](#)

MEDIUM DENSITY HOUSING CODE

I am writing on behalf of members of the Willoughby Environmental Protection Association (WEPA) Inc in response to the call for comments on the draft [Medium Density Housing Code](#) and the associated [Design Guide](#). WEPA, which was established in 1981, is a community-based group with a commitment to protecting the environment particularly the local bushland and biodiversity in our immediate and nearby LGAs. While our primary interest is the City of Willoughby on Sydney's North Shore, our members are also involved with environmental matters at state and national levels.

WEPA appreciates the need for increased medium density housing across Sydney but we are strongly of the belief that this can and should be done in a way which is both fair to the community and environmentally sensitive. We have considered the proposed expansion of 'code complying development' to include medium density development and remain concerned that the changes outlined will have a deleterious impact on community involvement in decision-making about their environment and on the preservation of green space and urban trees.

The size and building types covered by medium density applications can have a significant impact on existing home owners and investors in our suburbs with their quality of life and life-long investments reduced markedly by unsympathetic developments. These developments also threaten existing open space, urban trees and nearby bushland – all issues on which local communities will have a high level of interest.

WEPA strongly supports the following observations made by the Total Environment Centre which finds that:

- the proposed Medium Density Housing Code fails on environment protection, climate change and governance grounds;
- the expansion of code-complying development across all residential zones removes the ability to undertake effective local planning to determine and maintain the character and/or amenity of our suburbs;

- the proposed Code is a gift to commercial developers at the expense of local residents;
- the Code fails to address cumulative impacts. Existing infrastructure, tree clearing, bushfires, flood mitigation, stormwater runoff, privacy and topography would not be assessed in the absence of a full development application and across multiple developments;
- the Code relies upon private certifiers for compliance at a time when serious concerns exist over numerous cases of private certifiers providing certification in cases that have been shown later to be non-compliant;
- in some areas the Code will pose a broadscale threat to existing 'backyard' vegetation or tree canopy – resulting in loss of open space, climate change mitigation and biodiversity.

WEPA notes that the Government is currently giving primacy to community involvement in its Greater Sydney Commission district planning exercise. In such circumstances, it would seem to be directly counter-productive to deprive residents of a say on developments in their own streets. The Government is also well aware of the 'heat island' effect threatening the liveability of our city through the removal of trees and open space and yet is considering giving the green light to developers to reduce tree coverage and open space without the consideration of the communities most affected.

For these reasons, WEPA is firmly of the belief that development applications should be retained for all medium density applications and Local Councils should be the planning authority.

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