

# KOGARAH RESIDENTS' ASSOCIATION INCORPORATED

ESTABLISHED IN 1921 BY THE RESIDENTS OF KOGARAH AS PART OF THE PROGRESS ASSOCIATION MOVEMENT

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By email: [codes@planning.nsw.gov.au](mailto:codes@planning.nsw.gov.au)

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## MEDIUM DENSITY DEVELOPMENT CODE

Our Association has resolved to strongly oppose the expansion of code complying development to include medium density housing in traditional low rise residential areas – ie. terrace and town houses, manor homes (4 dwellings in a block), and dual occupancy blocks. This will also see the majority of housing applications accessed by private certifiers.

Many design standards are effectively weakened. The changes also have major implications for environmental objectives. Further, the one size fits all approach effectively homogenises our city, thereby losing the distinct character of so many parts of Sydney.

The proposals of the Medium Density Development Code, raise many issues of contention for our Association, including:

1. Development applications should be retained for all medium density applications, and Local Councils should be the planning authority.
2. The expansion of code-complying development for medium density housing will apply to R1, R2 and R3, thereby impacting the existing character of large parts of Sydney and effectively removing a large part of the development cycle from the existing controls.
3. The Code overrides local planning controls and promotes higher scale development away from transport nodes, and promotes the use of cars vs public transport.
4. The one-size-fits-all approach will see large parts of Sydney homogenised, thereby losing the distinct character of Sydney, especially its built heritage.
5. The Code enables private certification contrary to good planning practice, and increasing the risk of corruption.
6. The Code does not address the cumulative impacts - 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.
7. The inherent loss of deep soil and open space within a development will reduce tree canopy.
8. The Code appears designed to deliver housing targets and will reduce the use of architects and design professionals, thereby effectively 'dumbing down' good design outcomes.

9. Specific standards are reduced, ie internal ceiling heights from 2.7 to 2.4 for level 2 rooms and sunlight and daylight access.
10. The proposed street patterns do not address the necessary subdivision needed for the medium density development.
11. Building separations should be greater than high-density development.
12. The proposed standards enable the re-development of suburbs, without sufficient checks and balances.
13. The Code contradicts LEP standards for many Councils, thereby enabling development of area contrary to the work many communities and councils have done in terms of future planning for their suburb.
14. Multi-dwelling and master planned communities should not be included in the Code.
15. The proposed FSR and landscape standards are contrary to intent of the Federal Government's Green City Policy (2016), i.e. cities should enable high levels of trees, foliage and green space for the purpose of provide health benefits.
16. The proposed testing through the L & E Court is flawed. Rather, councils working with communities are best placed to understand an area's strengths and constraints.

The proposed Code also contradicts representations by the Planning Minister, when the Minister announced that the EP&A Act is being reviewed. Suggesting changes would only capture items that had general consensus when the planning 'reforms' stalled in Parliament, the proposed Code contradicts this premise.

In addition, the Code has been prematurely released for comment, before the outcomes of regional and district plans are agreed (e.g the draft District Plans for Greater Sydney, which are intended to inform changes to the metropolitan plan) vs following any changes.

We look forward to your response.

Yours respectfully,



Leesha Payor, Honorary Secretary  
Kogarah Residents' Association Incorporated

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