

Friday 12 April 2019

COUNCIL ACKNOWLEDGES LAND AND ENVIRONMENT COURT DECISION

The Land and Environment Court has today dismissed a claim lodged by the City of Ryde that the NSW Government's Medium Density Code be ruled invalid.

The City of Ryde commenced proceedings in the Land and Environment Court on behalf of residents over the NSW Government's Medium Density Housing Code, alleging the government failed to consider certain environmental issues it was legally required to undertake before implementing the code.

In his judgement handed down today, Justice Brian Preston SC, chief judge of the court, dismissed Council's claim and ruled that the Medium Density Housing Code was valid.

City of Ryde Mayor, Cllr Jerome Laxale, acknowledged the decision of the court.

"While it is a disappointing outcome, the City of Ryde respects the court's decision," Cllr Laxale.

"However, our community does not respect the NSW Government's continued targeting of Ryde with overdevelopment. Coupled with the Priority Precinct program, the City of Ryde still maintains that the Medium Density Housing Code will have dire consequences for our entire community.

"The code is yet another example of NSW Government intervention with the intention of overdeveloping Ryde. First it was Priority Precincts, cramming 15000 dwellings into Macquarie Park, and now the code will lead to planning chaos in our quietest streets.

"If implemented, the code will completely change the character of our City as it will mean the number of sites capable of being developed for medium density housing would have increased substantially.

"Overnight, the City of Ryde could be transformed from predominantly low-density neighbourhoods with the required supporting infrastructure in place to medium density neighbourhoods outstripping available infrastructure and putting untold strain on our local natural areas. It is these serious concerns that led Council to commence legal proceedings against the NSW Government and the code.

"The code could also result in an additional 60,000 residents in these neighbourhoods – five times higher than the targets set by the Greater Sydney Commission."

Cllr Laxale said Council would lobby new NSW Planning Minister Rob Stokes for the City of Ryde to be permanently exempt from the Medium Density Housing Code.

"We will continue our campaign for the NSW Government to give us a complete exemption from the Medium Density Housing Code and support Council in its efforts to continue its work in successfully delivering diverse and affordable housing supply for the community," Cllr Laxale said.

"I was particularly heartened to read that the new Planning Minister is not wedded to particular government policies currently in place. I will request a meeting with him to work through the situation created by the NSW Government's planning laws and help shape policies that will deliver appropriate development and infrastructure while maintaining our City's great character."

Following today's decision by the Land and Environment Court, the City of Ryde will continue to undertake its review of the Ryde Local Environment Plan, which is due to be completed by July 2020.

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