

Monday 9 July 2018

MEDIUM DENSITY HOUSING CODE DEFERRED WITH ONLY A 12-MONTH REPRIEVE – LEGAL CHALLENGE COMMENCED BY CITY OF RYDE

The City of Ryde has commenced proceedings in the Land and Environment Court against the State Government’s Medium Density Housing Code.

As the Minister for Planning, The Hon. Anthony Roberts, stated, the Code was recently deferred for 12 months to allow for “infrastructure in certain areas to catch up”.

Since the announcement was made by the Minister, the City of Ryde has no confidence that State infrastructure will improve to a satisfactory level in the 12 months to 1 July 2019, when the Code is due to take effect in the Ryde Local Government Area. The City of Ryde is also concerned with the impacts that development under the Code will cause to our community and environment.

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To assist in addressing residents’ concerns about overdevelopment, the City (with the knowledge of the NSW Government) is undertaking a review of the Ryde Local Environment Plan (LEP), which is due to be completed by July 2020. The review of the LEP is required to help address monumental growth that has been imposed on our community by the NSW Government.

The City also recently resolved to place a moratorium on new planning proposals involving residential uses until the completion of the new city-wide housing strategy and the Greater Sydney Commission’s infrastructure plan. The moratorium will prevent developers from rezoning land for additional residential uses while the City undertakes the detailed strategic work required to ensure growth is appropriately located and supported by the necessary infrastructure with assistance from the Greater Sydney Commission.

The City of Ryde believes that it is not logical to implement the Code during the Planning Proposal moratorium period and prior to the review of the LEP concluding.

That is why the City requested the NSW Government to be excluded from the provisions of the Code given these unique circumstances.

The Mayor of the City of Ryde, Jerome Laxale has stated:

“We have had no choice but to commence legal proceedings against this Government to hold them to their promise.

“We were told that the Code needed to be deferred to allow for new infrastructure. It is clear that the deferral is just to get the Government through the next State Election.

“Ryde has been targeted by the State Government and we have had enough. In the last 4 years, 64% of all new dwellings were approved under NSW planning programs.”

“We have 2 State Government priority precincts, an enormous new housing target, and State-stacked planning panels that wave through nearly every development application. Our residents have had a gutful.”

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