



Preserving Our Heritage
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Director – Codes and Approvals Pathways
Department of Planning and Environment
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**Submission from The Hunters Hill Trust on
Proposed Revisions to the Medium Density Housing Code**

The Hunters Hill Trust is opposed to the proposed changes to the Medium Density Housing Code in the same way we are opposed to the similar changes proposed to the General Housing Code announced earlier this year. We believe the changes will have a negative impact on the character and amenity of existing neighbourhoods as a result of the following:

- Reliance on a one-size-fits-all code that does not allow for the differences that distinguish localities as a result of:
 - Differing topographical factors such as slope, tree cover, their relationship to rivers, seafronts, estuaries and other environmental features that would have an impact on the form of acceptable development.
 - Differing zonings relating to lot sizes, garden areas etc
 - Heritage and Conservation Areas
 - Differences in the character of existing neighbourhoods
- A reduction in oversight by planning professionals of developments that could adversely impact on the amenity and character of the neighbourhood as a result of inappropriate use of materials, forms etc., which are contrary to the planning objectives in Local Development Control Plans. This applies particularly to areas outside of Conservation Zones and in the vicinity of Heritage Items.
- A reduction in oversight by planning professionals of developments that could adversely impact on the amenity of those living in the immediate vicinity through:
 - The use of ugly inappropriate building forms
 - Loss of solar access
 - Loss of privacy
 - Loss of views etc.
- The removal of the rights of immediate neighbours and those in the near vicinity of development to have an input into what is proposed for next door or up the road. This right is essential to the maintenance of a sense of local community, harmony and civility between neighbours. Already with existing complying and exempt development these rights have been eroded and the new code will continue this negative trend.

We believe that:

- All medium density development should be subject to Development Applications and the assessment by Local Council.

- The proposed new code does not allow for proper environmental protection and pays no heed to the urgent necessity to address the challenges of Climate Change.
- The proposed new code does not address the bigger picture and the need to assess development in the context of infrastructure provision, tree clearing, bushfires, flooding, stormwater, topography etc.
- The continuation of the demise of the suburban backyard and all the advantages of shade, open space, native animal habitat etc will be further eroded.

Heritage and Conservation

In relation to the Heritage and Conservation, we would like the Department to confirm that conservation areas and heritage items will continue to be excluded from Complying and Exempt development and that development of heritage items and in conservation areas will still require particular oversight by local councils.

We would also make the point that Heritage and Conservation are not concepts that are set in aspic. It is essential that neighbourhoods and individual buildings be continuously assessed for their particular character and heritage significance. As well, it is essential that buildings of more recent eras be assessed for their significance to ensure the preservation of the historical record of European building in Australia. Such considerations are not assisted by the proposed revisions to the Housing Code.

These changes will see the removal of yet more development proposals from proper oversight by planning and heritage professionals, which will continue a disturbing Governmental trend that seems less and less concerned about maintaining the character of our suburbs or about ensuring the conservation and preservation of our built heritage.

Growth, growth and more growth

Finally, we believe that what is driving the introduction of the revised code is the central premise that NSW must have continuous population growth to maintain a continuously growing economy.

In all the recently announced planning initiatives population growth has been the driver of the proposals. There been no rational explanation as to why continuous growth should be accepted as the norm and no government policy has been directed towards the creation of an economy that does not rely on continuous growth.

No explanation has been given about how the impact of this growth will play out in the future. The arithmetic of even a "modest" growth rate of say 3% will lead to a doubling in 35 years. Very soon our place, be it our state, our country and eventually our planet will become untenable

Worse still, the government is abrogating its public responsibility to ensure the public good by handing over planning to developers and their handmaidens, the private certifiers. The private sector is only interested in short term profit, it has no interest in the public good.

The responsibility for the public good rests with the Government and the public service for which it is responsible and over which it has oversight. We urge the Government to rethink these changes and to take back its basic responsibility for planning in NSW.

Yours sincerely,

Tony Coote

A handwritten signature in blue ink that reads "Tony Coote". The signature is written in a cursive, slightly slanted style.

President The Hunters Hill Trust