



28 August 2023

Hon. John Carey
Minister for Planning; Lands; Housing; Homelessness
Minister.Carey@dpc.wa.gov.au

Dear Minister Carey,
Medium Density Housing Code Deferral- Australian Institute of Landscape Architects (AILA) WA
Disappointed by decision but hope for an Opt-In alternative.

The recent decision by yourself to defer the implementation of the Medium Density Housing Code comes as a disappointment, casting a shadow over the potential for positive change in our communities. The code, initially aimed at enhancing the quality of medium-density housing, was poised to address critical liveability issues such as mental health, green spaces & tree canopy, housing diversity, and overall housing affordability. Many members of our industry have reached out to AILA WA to express their disappointment and concern in what this means for the housing industry in general and the key issues this policy sought to address.

It is disheartening to learn that concerns raised by developers have led to this deferral. While acknowledging the challenges that come with implementing new regulations, it is essential we do not lose sight of long-term benefits that the code promised to deliver. The housing shortage and affordability crisis faced by our nation necessitate innovative solutions that consider the diverse needs of our changing society.

The rationale behind the deferral, citing potential cost inflation and challenges faced by builders and developers, does not negate the pressing need for improved planning and design in our housing sector. The Property Council of Australia and Housing Industry Association's concerns about potential price increases underscore the complexity of the issue. However, the greater cost to society of maintaining the status quo and perpetuating poorly designed housing cannot be underestimated.

Promoting innovation, choice, and diversity in the housing industry is crucial for progress. It is imperative we do not hinder our capacity to evolve and meet the demands of our growing population. The deferral of the code risks perpetuating a cycle where the housing needs of our changing society are left unmet by current players in the industry.

The planned code held the potential to incentivize sustainable, accessible, and affordable housing options. Density bonuses for smaller homes and dwellings with high levels of accessible design would have allowed for greater inclusivity and catered to a wider range of residents, including the elderly and individuals with disabilities. By deferring the code, we are delaying the opportunity to create homes that are functional, adaptable, and supportive of diverse lifestyles.



Furthermore, the reduction in the application area of the new code for townhouses and medium-density homes leaves us questioning the commitment to improving housing quality and accessibility across the board. While challenges and complexities exist, it is our responsibility to overcome them collectively to ensure that our communities are equipped for a sustainable and liveable future.

The deferral raises concerns about our environmental impact. As we prioritize decarbonization in various sectors, the inability to make headway in decarbonizing our housing sector is a missed opportunity. The codes support and incentivise tree retention which is a critical requirement as we face increasing urban heat in a drying climate. The code also requires critical provision for gardens associated with each dwelling. Delaying energy-efficient and environmentally conscious housing designs means that less-efficient homes will continue to operate for decades, contributing to a higher-carbon future.

Considering these, the AILA strongly urge a reconsideration of the decision to defer the Medium Density Housing Code. It is crucial to work collaboratively, engage with industry experts, and find innovative solutions to ensure that good planning, sustainable design, and affordability remain at the forefront of our housing development efforts. We must not lose sight of the long-term benefits, including mental & physical health associated with access to green space, that a well-implemented code could bring to our communities, ensuring that we shape our cities and suburbs to meet the needs of current and future generations.

Opt-in Alternative

If reconsideration is not an option, then we are eager to explore other ways to increase housing supply and believe there are opportunities to retain the new MD Codes alongside your direction to maintain a pathway to use the 2021 R-Codes in areas coded R30 and R40. We are aware of various projects designed under the anticipated MD Codes that will not proceed without such an option. At a time when we need immediate housing supply this is an important consideration. It will allow for innovative developers to still explore creative solutions and for the codes to demonstrate alternative outcomes and contribute to housing diversity and affordability. We urge you and the DPLH to explore the legal and operational solutions to ensure the key outcomes the policy sought to achieve can still be realised, if not in their entirety, in some shape or form. AILA WA will provide whatever support we can to assist in this endeavour.

Yours Sincerely

Giles Pickard
WA President
Australian Institute of Landscape Architects