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PRE-GATEWAY REVIEW OF PLANNING PROPOSAL FOR LAND IN WARWICK FARM – RR_2018_LPOOL_001_00

The following comments are provided for the pre-Gateway review for the above planning proposal. Council considers the proposal lacks merit and that it should not proceed.

Background

The subject site is a 1.9 ha rectangular shaped group of allotments bounded by Freeman Street, Station Street and Nicholls Street, Warwick Farm. It is approximately 20m north of the Hume Highway and the entire site falls within 310m of Warwick Farm Station, which is immediately south of the site on the other side of the Hume Highway. The site is located approximately 1.5km from Macquarie Mall in the Liverpool CBD, or a 1.6km walk.

The site has been zoned R3 Medium Density Residential since the commencement of the Liverpool Local Environmental Plan (LLEP) 2008. This plan was informed by the Liverpool Residential Development Strategy, which zoned land for medium and high density residential around centres across the Liverpool LGA.

The planning proposal was lodged with Council in February 2016 seeking to make the following amendments to the LLEP:

- Rezone the land from R3 Medium Density Residential to R4 High Density Residential
- Increase Height of Building (HOB) from 8.5m to 42m
- Increase Floor Space Ratio (FSR) from 0.5:1 to 2.5:1

A concept master plan was detailed within the planning proposal which suggested the future development of the site in two stages to accommodate six x 6 story buildings and two x 14 storey buildings, with a total of 26,258.4 sqm GFA or approximately 291 dwellings. An FSR of 2.5:1 creates capacity on the subject site for approximately 525 dwellings.

Council's assessment of the proposal found that it lacked merit, that the FSR and HOB proposed was excessive and that there was no existing framework to rezone the site with consideration of the future surrounding land uses.

On 22 February 2017, Council resolved to defer consideration of a planning proposal for a nearby property located at Lot 1 Governor Macquarie Drive pending the development of a broader precinct-wide strategy for Warwick Farm. The draft Warwick Farm Precinct Strategy was prepared in July 2017 and recommended that the subject site and some surrounding sites were appropriate for higher densities. The draft Strategy recommended that a further review of development controls be undertaken to determine the appropriate levels of density that may be supported within the precinct. Council did not resolve to support the draft Strategy, and has not resolved to support this proposal or investigate options for the surrounding land and the Warwick Farm Precinct.

The subject site is also within the Liverpool Collaboration Area. A place strategy is currently in development for the "collaboration area" which will set the planning framework for future land uses and infrastructure within the area, having regard to input from a range of government agencies and stakeholders.

Assessment of Merit

Site Context

The proposal to rezone the subject land to R4 with 42m HOB and 2.5:1 FSR does not address the context of the local area in terms of opportunities and constraints. The site is surrounded to the north and west by land zoned R3 medium density, but which is predominately occupied by modest detached single storey dwellings. This land has a FSR control of 0.5:1 and a HOB control of 8.5m. To the east is the railway line, beyond which is the Sappho Road bulky goods retailing precinct and Peter Warren car dealership complex.

Proposing high density residential development with tower forms up to 14 storeys does not fit into the context of this area of Warwick Farm. The proposed density and height would more rightly be located within a district level or subregional centre. There is already land appropriately zoned R4 in Warwick Farm, north of the Hume Highway which are closer to the local shops and do not immediately adjoin the subject site. Rezoning the subject site would create an irrational pattern of high density uses with disconnected areas of R4 zoned land within the precinct.

Rezoning the subject site in isolation, without proper consideration of the surrounding land uses would also have an impact on the established residential character of the area. The proposal does not consider these impacts and makes no provisions for the improvement of social infrastructure or affordable housing.

Constraints and opportunities

It is clear from the location of the site and the surrounding infrastructure that there are opportunities for intensification of land use on the site and the surrounding area within the precinct. The site is near the Hume Highway and in proximity to Warwick Farm Station. The site is also close to open space and schools. However, there are significant constraints on the site and the surrounding area, and the opportunities presented do not mean that any rezoning proposal should be advanced no matter the relative scale.

The subject site has relatively poor amenity. The railway line and Hume Highway are both visually unpleasant interfaces which generate large amounts of noise, and in the case of the Hume Highway, pollution. Visual amenity is reduced by the car sales yard on the eastern side of the railway line, which would not provide a pleasant outlook for residential flat buildings. The immediate and surrounding area also does not have the quality of footpaths or tree planting which would be expected for a development of the proposed density.

The site has poor active transport connectivity. It is not within walking distance to existing retail and urban services needed to support the increased density. While there is a school, a community centre, a playground and open space nearby, there are few local shops and the existing neighbourhood centre does not have the range of services which would be expected to support the scale of development proposed. The closest available services to support the development would be the Liverpool City Centre, which is accessible by car or train, but is not within walking distance of the site.

Despite the site's proximity to Warwick Farm Station, the existing access to the station does not encourage pedestrian movements. Access to the station is through an underpass below the Hume Highway which has a poor perception of public safety. This underpass does not comply with the requirements of crime prevention through environmental design and there is poor visibility of the area surrounding the entries and exits from inside the underpass. The only other way to directly walk from the site towards the Liverpool City Centre is along a path between an embankment and public housing apartments and then along the Hume Highway. This route has a low perception of safety and very poor amenity.

The current R3 zoning of the site expresses an intended future use of the site for medium rather than high density development. Ensuring viability of redevelopment could take the form of modestly increasing the building height or floor space ratio controls rather than rezoning for high density residential. This would be more in keeping with the current level of amenity of the site and its access to retail and urban services within walking distance.

Relationship to other centres

The FSR and HOB in this proposal are argued on the basis of comparisons with other centres within Liverpool which were rezoned in 2008 under the framework of the Liverpool Residential Development Strategy. The proponent asserts that because this site has access to a train station, it should have a greater FSR than centres such as Miller, Casula or Moorebank. This argument misrepresents the strategic intent of the Residential Development Strategy and the LLEP 2008.

The LLEP 2008 concentrates residential density around *centres* instead of strictly around transport nodes. This reflects the range of retailing, urban services and employment which centres provide within walking distance, but which are not accessible from locations such as the subject site. This approach to zoning permits a built form that reinforces the role of local centres as a nexus of the local community, a function that a train station by itself does not perform. It is this basis, as well as consideration of land ownership, on which the subject site is zoned R3 whilst the land to the west around Mannix Parade in Warwick Farm is zoned R4.

The FSR and HOB controls proposed are out of scale with the hierarchy of densities proposed in other centres in Liverpool and in the Liverpool City Centre. The R4 zoned land in the northern and western parts of the Liverpool City Centre has a base FSR of 2.0, with an FSR of up to 3:1 allowable with bonus provision, and a HOB of 35m. The scale of development proposed for the subject site is thus

higher than that for a similar land use within the Liverpool City Centre, which has better access to a variety of services and facilities. Rezoning the subject site with the proposed provisions would reduce the legibility of the Liverpool City Centre by creating denser development outside and on the fringe of Liverpool's CBD.

A better comparison within the Liverpool LGA for the appropriate density for the subject site is other centres as zoned under the LLEP 2008. The R4 zoned land around these centres has FSRs of 0.75-1.2:1 and HOBs of 15-18m depending upon the local context and the position within the centre. The proposal is therefore out of scale with these centres, and so does not fit into the policy context of proposed building form in the Liverpool LGA.

Urban design and staging

The concept masterplan submitted with the proposal is inconsistent with the proposed HOB and FSR controls for the site. While the masterplan depicts a development with a combined FSR across the subject site of 1.5:1, the proposed FSR is 2.5:1. The proposed FSR cannot be supported without assessing the full impacts of built form at that scale.

The submitted concept masterplan places the majority of the proposed density on the northern most part of the site, which is the area furthest from Warwick Farm Station. This distribution of density would not reflect a rational transition to lower densities and would have greater impacts on the dwellings to the north which are less likely to be rezoned in the future. The use of Maerten's Theory of Scale to justify the land use arrangement are misleading in the justification for the proposed FSR and HOB.

The proposal suggests staging the development in order to reflect the private ownership of the northern part of the site and the public ownership of the southern part. However, the social housing owned by the NSW Government in the southern part of the site is fragmented, making the orderly development of this land along the lines suggested by the proposal difficult to achieve. Rather, the suggested staging and massing in the concept masterplan appear to be conceived primarily to benefit some landowners over others, which is not an appropriate basis for the planning of the site.

Social impact

Warwick Farm is an area with large amounts of social housing and considerable socio-economic disadvantage. The area has high rates of crime and limited access to retail and urban services within a walking distance.

The 2016 census recorded 952 dwellings in Warwick Farm, north of the Hume Highway. The proposed rezoning would create capacity for approximately 527 dwellings on the subject site, with capacity for approximately 2,418 dwellings if the same FSR were applied to all land identified as appropriate for intensification in the Draft Warwick Farm Precinct Strategy, or 6,691 dwellings if it were applied to all residentially zoned land between the Hume Highway and Brickmakers Creek. The realisation only a part of all of these capacities would be a wholesale change to the dominant built form and demographic makeup of the local area. Such a change would result in significant social impacts, including the displacement of the existing population. These impacts have not been assessed by this proposal.

It is important that any redevelopment of Warwick Farm makes provision for the retention of diverse housing tenures, including social housing within the area, as well as the possible increase of affordable housing. The necessary background work to support this framework has not been undertaken.

Council, however will undertake this task as part of its future housing strategy. The proposal does not make any provision for social or affordable housing.

Framework for rezoning

Unlike stand-alone sites such as Lot 1 Governor Macquarie Drive, which was recently subject to a rezoning review, the subject site is surrounded by other sites with similar characteristics and the same land use. A spot rezoning is not suitable for the subject site because a determination that the proposed densities have merit would inevitably require the rezoning of the surrounding land at the same density. Before this occurs, the cumulative impact of development on the available infrastructure, including transport and social infrastructure, must be considered. Any necessary infrastructure improvements must be identified before the land is rezoned. No such assessment has taken place.

As well as infrastructure, a framework for rezoning in Warwick Farm would need to consider the built form outcomes for the wider precinct. This would include the relationship between the densities and typologies on different land parcels, any required infrastructure such as new roads or through site links, development controls to manage impacts of increasing density and improvements to the public domain, and a transition in density and building height away from the centre and train station. None of these considerations have been established, and so it is unclear what the relationship between the proposed densities on the subject site and the surrounding development would be. Spot rezoning in this context would undermine the future rational planning and amenity of the precinct.

Any future redevelopment of Warwick Farm importantly would require deliberation on increasing the size of the existing neighbourhood centre to provide a wider range of facilities and services and to improve safety and amenity. This would likely require infrastructure works and would need to take place as part of a broader redevelopment of the precinct. It is premature to rezone the subject site, and establish a precedent for rezoning the larger area before a framework can be established for the expansion of the existing centre that would support the increased density.

Liverpool Council will be undertaking a comprehensive review of its LEP in accordance with the Western City District Plan, *Metropolis of Three Cities* and the Western Sydney City Deal. This review will commence shortly with a timeframe of two years established in the Western Sydney City Deal. This review would be the appropriate place to consider a rezoning proposal such as this, and to establish a detailed strategic framework for the area.

Strategic policy context – Western City District Plan

Intensification of the residential land use of the site would fulfil some of the objectives of *Western City District Plan* (WCDP), including providing increased housing diversity, and locating housing near transport to deliver a 30 minute city. However, it would be contrary to other parts of the WCDP in ways which broadly align with the concerns outlined above.

The WCDP recognises in Planning Priority W9 the need to plan for growth in Liverpool, with one of the stated aims of the “collaboration area” to undertake urban renewal of Warwick Farm and retain a social housing mix (WCDP p 80). However, overdevelopment of sites at the fringe of the Liverpool City Centre, such as the subject site, threaten to detract from the development momentum in the core of the City Centre where Council is currently seeking to encourage mixed use development. This would detract from other aims of the WDCP for the Liverpool City Centre outlined in action 42.

While the proposal would support more housing in line with Priority W5, this priority also has a strong emphasis on appropriate planning for housing in the right locations. Liverpool Council is already on track to meet its 0-5 year housing targets of 8,250 dwellings and there is ample land zoned R4 around the Liverpool City Centre and other centres to accommodate short-medium term growth. There is no need to rezone more land for high density residential before Council conducts a housing study.

The WCDP outlines the need for place based planning in order to create great places in Planning Priority W6. It specifically discusses the need to “integrate site-specific planning proposals with precinct-wide place and public domain outcomes through place-based planning”, with local centres to be the focal point of neighbourhoods (WCDP pp 36, 48-54). No consideration has been given to precinct-wide place and public domain outcomes in this site-specific planning proposal, and overdeveloping this site risks undermining the role of the build form in consolidating the local centre. Similarly, the WCDP emphasises the need for urban renewal to be located near existing centres as well as regional transport (WCDP p 42), while the justification of the FSR in this proposal only considers proximity to transport infrastructure.

Draft Warwick Farm Strategy

The draft Warwick Farm Strategy considered the subject site, as well as the block immediately to the west and the existing R4 zoned land as potentially appropriate for uplift. The draft Strategy considered a low, medium and high yield scenario for the land, with FSRs of 1.5:1, 2.0:1 and 2.5:1 respectively. It determined that the high yield scenario, which had the same FSR as proposed in this proposal, could not be supported until detailed investigation was undertaken to determine whether the traffic created could be accommodated and if so what road improvements would be required.

Furthermore, the draft Strategy was a high-level strategic document about potential future land uses in Warwick Farm. It was not a detailed structure plan or master plan, and did not establish what the impacts on existing infrastructure of proposed development would be, or what improvements would be necessary to support the growth. The draft Strategy has not been endorsed by Council.

Collaboration Area

The WCDP designated Liverpool as a collaboration area, where a collaborative process between the Greater Sydney Commission, Liverpool Council, government agencies and the private sector would be used to create a place strategy for Liverpool, Warwick Farm and the Moorebank/ Georges River precincts. This strategy is close to finalisation and according to the WCDP will identify the roles of Council and other agencies in delivering the agreed future land use vision for the area. This is likely to include what infrastructure upgrades may be necessary to support growth.

It is premature to consider this planning proposal while a strategy for the long-term land use of the area is being prepared. This is particularly true given the precedent that rezoning the subject site is likely to create for the surrounding land.

Conclusion

It is clear that there exist opportunities for intensification of residential use on the subject site and that the site provides good access to public transport infrastructure, schools and open space. However, this does not mean that any planning proposal for the subject site should proceed no matter what scale of uplift is proposed.

This proposal is an ad-hoc spot rezoning which is out of scale with regard to the planned and surrounding built form and one which would establish a precedent for future rezoning. The concept masterplan and proposed provisions are inconsistent and the proposed urban design framework would lead to an irrational pattern of distributing density within the precinct.

The surrounding area does not currently provide the level of amenity or access to retail and urban services that would be expected to support the proposed scale of development. The following necessary elements of a rezoning of the area have not been demonstrated:

- The cumulative impact of development on traffic or social infrastructure;
- What infrastructure is required to support future redevelopment;
- Social impacts of redevelopment including the displacement of the existing population;
- The appropriate built form on a precinct wide basis, including the appropriate outcome for different land parcels and a transition to lower density;
- The necessary level of affordable housing and redevelopment of social housing that should be delivered; and
- How the existing neighbourhood centre should be redeveloped to support increased population and improve amenity.

The proposal for this site is not necessary for the continued provision of housing in the Liverpool LGA to meet housing targets, and would likely detract from the legibility and continued redevelopment of the Liverpool City Centre.

Any consideration of rezoning of the subject site needs to take place within a comprehensive framework for the wider precinct, which considers the appropriate built form for the various allotments within the precinct and the cumulative impact on infrastructure from the resultant development. For this reason, the planning proposal does not have merit with regard to the scale of development proposed, lacking both a sufficient evidence base, as well as the satisfactory address of the wider precinct planning framework. Any rezoning for this site would more appropriately be considered as part of the upcoming comprehensive LEP review.

Should you require further clarification regarding the above, please contact Ash Chand, Executive Planner, phone 9821 9285, or email ChandA@liverpool.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Smith', with a stylized flourish at the end.

David Smith
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