

EGROW 07

Moorebank R4 zoning - Findings of community engagement

Strategic Direction	Leading through Collaboration Encourage community participation in decision-making
File Ref	059282.2019
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Approved By	Tim Moore - Director, City Economy and Growth / Deputy CEO

EXECUTIVE SUMMARY

At the Ordinary Council meeting on 6 February 2019, Council considered a Notice of Motion regarding the R4 (High Density Residential) zone (R4 zone) in Moorebank, where it was resolved that Council:

1. *Notes that a proposal to rezone/downzone the current R4 in Moorebank could have been called for by any Councillor since September 2008;*
2. *Immediately write to the residents of Moorebank by way of direct mail correcting the original letter sent and making it clear that it is the Councillors responsibility to make recommendations for any zoning changes in the Moorebank area;*
3. *Immediately start separate community consultation with the residents of Moorebank with a view of reducing the density in the R4 zone; and*
4. *Present these findings to Council at the March meeting.*

A letter was sent to Moorebank residents on 19 February 2019 (**Attachment 1**). This letter included clarification on the rezoning process and invited residents to complete an online survey and to attend a community consultation session on the 7 March 2019 at the Moorebank Community Centre to express their views on the current zoning.

395 survey responses were received and approximately 112 people attended the community consultation session.

This report provides a summary of the findings resulting from the community consultation process as required by resolution 4 above.

RECOMMENDATION

That Council:

1. Notes that a local housing strategy is currently being prepared as part of the LEP Review process; and
2. Notes that a review of density and dwelling typologies will be undertaken as part of the LEP Review process.

REPORT

History of the R4 zone in Moorebank

In 2005, the NSW State Government released the *City of Cities Metropolitan Strategy for Sydney*. As part of this process, the State government identified a target for 20,000 new dwellings for Liverpool's established urban areas.

In 2006, the State government introduced a standard Local Environmental Plan (LEP) template which sought to make the format and provisions of all LEP's in NSW consistent. In response, Council undertook a review of the *Liverpool Local Environmental Plan 1997* (1997 LEP). As part of this process, a *Residential Development Strategy* (RDS) was adopted by Council in 2008 which identified strategies to achieve the State government target of 20,000 new dwellings in the existing urban area of the Liverpool LGA.

The RDS recommended the introduction of medium and high density zones around a number of centres across the Liverpool LGA including around the Moorebank shopping centre (see Figure 1).



Figure 1 – Zoning map

There are currently 293 properties in the Moorebank R4 zone including strata units, or 247 properties excluding strata units. Records indicate that a high proportion (approximately 70%) of these properties (excluding strata units) have transferred ownership since 2008.

Since 2008, five development applications for residential flat buildings in Moorebank have been approved, of these two have received occupation certificates. There are currently seven development applications under assessment including:

- DA-49/2019 - 2 Kalimna Street, Moorebank
- DA-627/2018 - 23 Harvey Ave, Moorebank
- DA-314/2017 - 2-4 Travers Street, Moorebank
- DA-1248/2016 - 101 Nuwarra Road, Moorebank
- DA-552/2018 - 31 Harvey Ave, Moorebank
- DA-100/2017 - 14 McKay Avenue, Moorebank
- DA-995/2017 - 32 McKay Avenue, Moorebank

Demographic Profile

According to the 2016 ABS Census, the suburb of Moorebank had a total population of 9,750 people and 3,290 dwellings in 2016. The majority of dwellings were separate houses (85.3%) followed by medium and high density dwellings (14.4%). In 2016, 28.5% of people owned their home, 49% were purchasing (have mortgages), and 17.1% were renting. Couples with children was the highest household type (46.6%) followed by couples without children (22.6%), lone person households (13.6%), single parent families (11.2%), and group households (1.3%).

Survey findings

In February 2019, Council commenced a community survey on ‘Liverpool Listens’ to better understand the community’s thoughts and ideas about current and future land uses in Moorebank. In particular, the survey asked residents whether they would like to reduce the current high density (R4) zoned land.

Summary of results

There were 395 responses to the survey. A diverse range of age groups are represented. The majority of respondents (78.6%) live outside of the R4 zone. The majority of respondents own their property (90.8%).

The survey indicates strong opposition to the current R4 zone with 78.2% of respondents strongly against the R4 zone (see Figure 2).

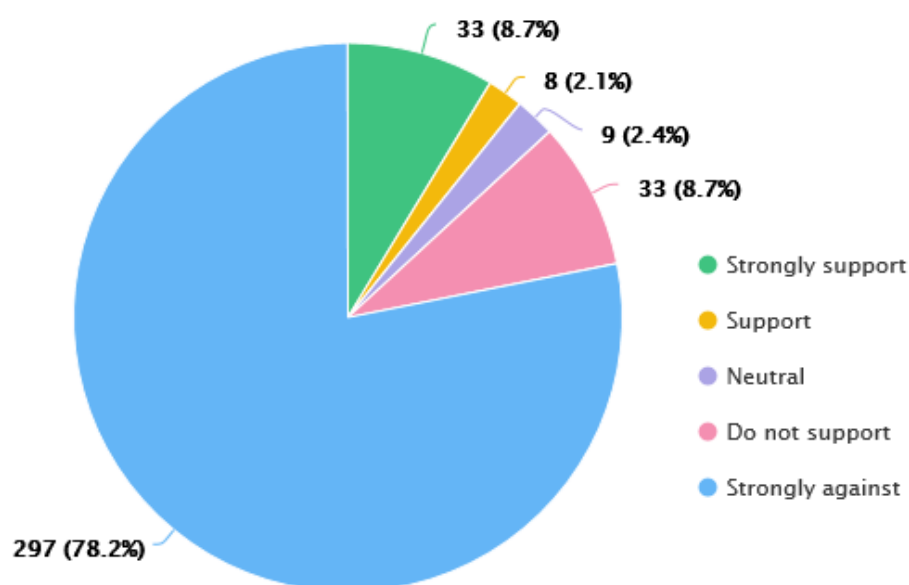


Figure 2 – Respondent level of support for the current R4 zone

There were approximately 75 respondents (19.3% of total respondents) who said they live in the R4 zone. Respondents in this group were largely opposed to the R4 zone, while there was also a relatively significant group who strongly supported the zone (See Figure 3).

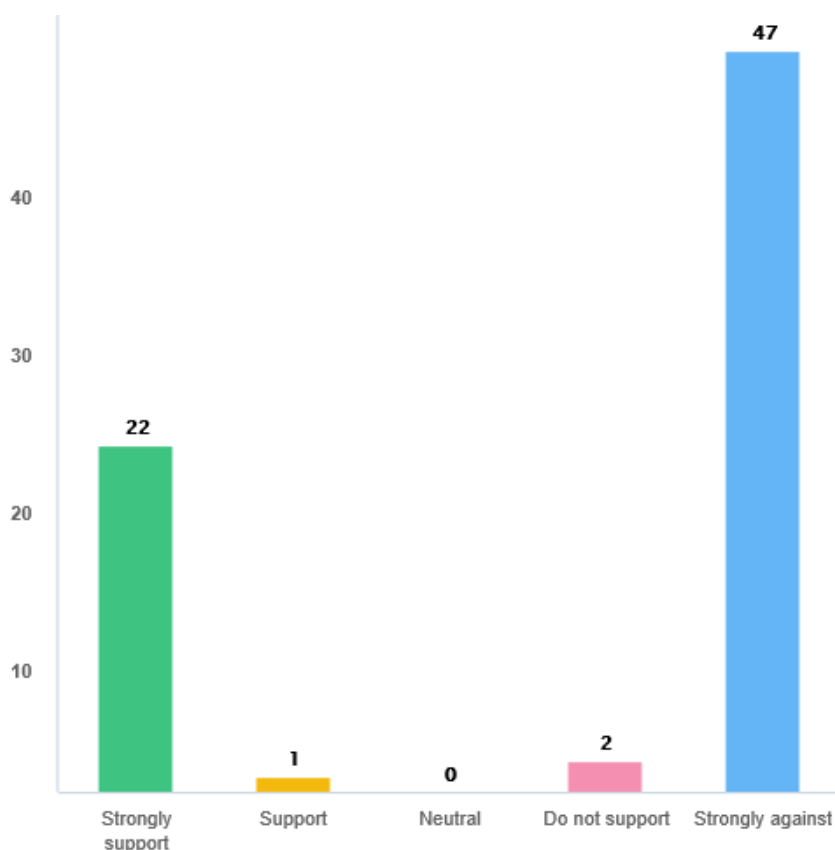


Figure 3 – Respondent level of support for the current R4 land (Respondents who live in the R4 zone)

Summary of reasons given for strong opposition to the R4 zone

(Not in any particular order)

- Lack of supporting infrastructure and services (especially public transport);
- Concern about traffic congestion (existing and potential);
- Lack of parking in the area (on street, commuter, and at Moorebank Shopping Centre);
- Concerns about local character and amenity;
- Concerns about changes to community profile;
- Concerns about building design including height and scale;
- Concern about pollution from additional road users; and
- Need for the Moorebank Shopping Centre to be upgraded.

Summary of reasons given for strong support for the R4 zone

(Not in any particular order)

- Impacts on property values;
- Improving housing affordability;
- A need to increase housing supply;
- Providing a greater choice of housing in the area;
- Apartments have already been built and approved – concern about amenity impacts of neighbouring lots if land is downzoned; and
- Provides an opportunity for more economic growth in the area.

Summary of the desired future of Moorebank

(Not in any particular order)

- No high rise buildings;
- Family friendly;
- Peaceful, relaxed, safe and quiet;
- Easily accessible (less congestion, improved public transport and parking
- Homes with backyards;
- Upgraded and well maintained community facilities; and
- Upgraded shopping centre / restaurants.

Summary of preferred actions from Council

Respondents were asked to rank options to address the density issue in Moorebank.

On balance, the ranking of options is as follows:

1. Rezone R4 land to medium density residential.
2. Reduce the extent of the R4 zone.
3. Review the permissible height and scale of buildings.
4. Redistribute the current density across a larger area.
5. Rezone R4 land to medium density residential and identify other areas in Moorebank for R4 land.

Community Consultation Event

A community consultation event was held on 7 March 2019 at the Moorebank Community Centre between 6pm and 8pm. Approximately 112 people attended.

The event provided an opportunity for residents to discuss their thoughts and ideas about the Moorebank R4 zone directly with senior Council staff. Councillors were also invited to the event. Residents also had an opportunity to complete the survey at the event and to

participate in an engagement activity to post their thoughts and ideas about the future of Moorebank. A summary of the feedback from this event is provided in **Attachment 2**.

Key considerations for downzoning residential land

The following are key considerations for any proposal to downzone land:

- Downzoning land and reducing development potential may have a negative impact on land and property values.
- Ministerial Directions (issued under Section 9.1 (formally s.117) of the *Environmental Planning and Assessment Act 1979*) stipulates that a planning proposal must not contain provisions which will reduce the permissible residential density of land. A planning proposal may be inconsistent with the terms of this direction if Council can satisfy the Secretary of the Department of Planning and Environment (DPE) that the provisions of the proposal are justified by a strategy or study or is of minor significance. A copy of the Ministerial Direction is included in **Attachment 3**.
- Council is undertaking a Local Housing Strategy which will inform the review of the Liverpool LEP 2008, which can be used as the basis for any rezoning decisions.
- Since 2008, five development applications for residential flat buildings in Moorebank have been approved, of these two have received occupation certificates. There are currently seven development applications under assessment by Council. Planning law requires that any development applications lodged prior to any change to the LEP must be assessed and determined in accordance with the zoning and development standards applying before the change. There is a risk that there will be an influx of development applications for apartment buildings in the area to take up the development potential in the existing development controls. Therefore it will be important to carefully consider this likely outcome and the resulting built form and urban design issues in any rezoning proposal.
- Should downzoning occur, it is likely that a savings and / or transitional provision would be required to be included in the LEP to afford landowners an opportunity to lodge development applications under the current planning provisions.

Proposed Way Forward

Council is undertaking an accelerated review of the *Liverpool Local Environmental Plan 2008*, including the preparation of a Local Strategic Planning Statement (LSPS) and a Local Housing Strategy (LHS). The LHS is an LGA wide strategy and will review the density and dwelling typologies in Moorebank, together with other locations across the established areas.

The accelerated LEP Review process provides an opportunity to undertake an evidence based review of housing typology and density in Moorebank and other parts of the Liverpool

LGA. The draft LSPS will be adopted by Council and publicly exhibited in July 2019 and the draft LEP will be reported to Council by September 2019 and will be on public exhibition in early 2020.

Conclusion

The results of the community engagement process indicates there is strong opposition to the current R4 zone in Moorebank. There are specific concerns about the lack of supporting infrastructure and services as well as the impact on local character and amenity. Residents want their suburb to be family friendly, safe, easily accessible with upgraded and well maintained community facilities.

It is important to carefully review housing density and typology with an appropriate evidence base in order to comply with legislative requirements and to achieve a positive and balanced outcome. The accelerated LEP Review process (including the preparation of a local housing strategy) is the appropriate process to do that.

CONSIDERATIONS

Economic	There are no economic and financial considerations.
Environment	There are no environmental and sustainability considerations.
Social	Regulate for a mix of housing types that responds to different population groups such as young families and older people.
Civic Leadership	Undertake communication practices with the community and stakeholders across a range of media. Encourage the community to engage in Council initiatives and actions. Provide information about Council's services, roles and decision making processes.
Legislative	Environmental Planning and Assessment Act 1979

ATTACHMENTS

1. Letter to Residents - Have Your Say on Residential Density in Moorebank
2. Moorebank Community Consultation Session - Summary of Feedback
3. Ministerial Direction - Housing, Infrastructure and Urban Development