

28 February 2013

Peter Head,
General Manager,
Leichhardt Municipal Council,
PO Box 45,
Leichhardt 2040

Email: drafftlet@lmc.nsw.gov.au

Dear Mr Head,

Re: Draft Leichhardt Local Environmental Plan 2012

The Urban Taskforce is generally supportive of the LEP standardisation process. We are of the view that standardisation of planning regulation will introduce much need consistency and simplification across local government areas. We have reviewed numerous draft Local Environmental Plans and provided comprehensive comments to councils and the Department of Planning and Infrastructure on behalf of our members. Our concerns with the Draft Leichhardt Local Environmental Plan 2012 relate to the urgent need for a:

- comprehensive and transparent review of existing planning controls, not a simple translation of existing controls into the standard template; and,
- significant increase in residential density in the vicinity of proposed light rail stations and along the light rail corridor.

Translation of existing controls is short-sighted

Adopting an approach to the standardisation process that is simply a translation of existing planning controls into the standard template is an opportunity lost. Transferring existing planning provisions into the standard instrument suggests that the Council has not properly considered the appropriateness of existing aims, objectives and controls that are being transferred into the new format.

Revised population forecasts reported in the Metropolitan Strategy predict that our population will reach 6 million by 2036. This represents an increase of 1.7 million since 2006. To have any hope of meeting housing needs, Sydney will need 770,000 additional homes by 2036.

Government is planning for a significant proportion of Sydney's housing needs to be met through medium-to-high density homes within the existing urban footprint ("infill development"). Furthermore, the Government is committed to encouraging 50 - 70 per cent of Sydney's new housing as infill development. Meeting expected housing demand within established inner and middle ring suburbs, local councils, particularly councils such as Leichhardt must show leadership by ensuring that all local areas serviced by high quality transport infrastructure are supported by local planning laws that encourage additional residential development in a timely fashion. If Leichhardt Council was showing leadership it would be looking more closely at the current planning controls and use this local environmental plan standardisation process as an opportunity to make amendments to local controls so that the Leichhardt takes its share of population growth.

The NSW Government is progressing a light rail infrastructure project for inner western Sydney. The evidence overwhelmingly supports the argument that for this project to be a success, there is an urgent need for a coordinated review of planning regulation along the proposed light rail route and also around proposed light rail stations. Leichhardt will benefit greatly from a number of new stations, mostly surrounded by existing low density housing. This new costly infrastructure must be supported with more population in accessible locations. Hence, redevelopment of the exiting low-

density urban and industrial land must be encouraged if light rail is to be a real alternative transport option to bus or the private motor vehicle. With appropriate planning policy, there would be the opportunity to re-orient land use along this corridor and derive considerable value from the investment in light rail. The introduction of the Inner West light rail extension, combined with changing or intensifying land use, has the potential to achieve a mode shift away from the car to alternative transport modes which we all agree, have significant environmental gains.

The light rail extension provides an ideal opportunity for more of Sydney's new housing to be accommodated around high quality public transport. New compact, pedestrian-friendly, mixed-use neighbourhoods should bring together housing, workplaces, shopping and recreation areas within walking distance of the light rail service. Unfortunately, the DLLEP does not indicate increases in residential density in the vicinity (800 metres) of the proposed light rail stations. In fact it is abundantly clear that the draft LEP seeks to freeze the local area in time. Existing density controls remain without alteration.

Many areas of the Leichhardt municipality are vibrant centres of activity and well serviced by community infrastructure. When provided with upgraded public transport services, such as the proposed light rail, these locations will be ideal locations for appropriate higher density infill development that will not only enable additional housing needs of a growing Sydney to be met, but will at the same time provide opportunities for the creation of excellent, healthy and liveable urban communities. Communities that the council has been encouraging for many years.

For many years the Leichhardt community and Council have been fighting for light rail. If we want this new transport infrastructure to be a success – from day one, there should be sufficient numbers of people living and working in close proximity to the line to ensure it is well patronised.

Residential and employment density

The aim of the Sydney Light Rail Inner West project includes the desire to establish stops in locations that optimise access to light rail and urban renewal. While we do not dispute the fact that light rail has the potential to vastly improve and renew decaying urban areas, we are concerned with the suggestion that the densities proposed in the areas in the vicinity of the rail stops. Residential densities of 0.5:1 to 1:1 cannot be considered to be suitable densities in such accessible locations.

Existing densities must not be taken as a given and must be openly and transparently reviewed. Planning that ensures existing densities as low as 0.5:1 to 1.0:1 within 800 metres of the proposed light rail corridor to remain is poor planning. It would be negligent on the part of Council to not insist on higher population and employment density in the vicinity of critical and costly public transport infrastructure.

What is an appropriate density along the proposed light rail corridor will depend on many contextual and environmental matters. However, based on preliminary, broad-brush assessment we would suggest planning controls such as height of buildings of 15 – 21 metres and floor space ratio of 3-4:1 be applied to residential developments in appropriate locations. These controls will provide opportunities to increase residential density within appropriately designed residential developments in appropriate locations. Such a development model will permit increased density while respecting local amenity. That is, increases in density and height would be restricted to locations close to light rail stations and corridors, leaving the vast majority of the local government area unchanged. It should be noted that doubling of density will reduce the number of cars and vehicle miles travelled per household by 25 per cent.¹

If densities are not sufficiently high, transit stations will not attract enough passengers.² Moreover, without an appropriate mix of complementary land uses, people will be less inclined to use the public transport, as their ability to access a variety of destinations will be limited.³

¹ Leck, E., 2006, The Impact of Urban Form on Travel Behaviour: A meta-Analysis. *Berkeley Planning Journal*, Vol. 19, pp. 37-58.

² Pushkarev and Zupan 1977, in Cervero, R., Ferrell, C., and Murphy, S. 2002, Transit-Oriented development and Joint Development in the United States: A Literature Review. Transit Cooperative Research Program. Research results digest. October 2002—Number 52 [http://onlinepubs.trb.org/Onlinepubs/tcrp/tcrp_rdd_52.pdf, accessed 7 April, 2008].

The significance of population and employment densities as predictors of travel behaviour is undisputable. Studies reaffirm that residential density as being the most important built environment element which influences travel choices.⁴ It is clear that the elements of the built environment that exert a strong influence on travel behaviour are population and employment density.

Diversity of land uses at light rail stations

The general consensus is that along with an increase in residential and employment density, mixed land uses around station areas has become accepted practice as a means of increasing usage rates.⁵ Simply having grocery stores and other services within easy walking distance from homes tends to encourage public transport use. It is widely agreed that urban centres supported by mass transit should be diverse in their land-use compositions. Furthermore, mixed use can be an effective revitalisation tool. For example, a plan that provides the opportunity to build medium rise apartment blocks with non-residential uses at ground level, in the right location, supported by good quality mass transit is an attractive development opportunity. When seeking to determine the right land use mix, local planning authorities must consider those that will be relied upon to make the development happen including financiers and developers.⁶

It's crucial that local environment plans be drafted to ensure that, at each new station all the land uses that are necessary for a viable, attractive and desirable centre are permissible. Fundamentally, plans need to be developed that reflect diversity.

Diversity is encouraged by density, but successful places include a mix of uses, including jobs, retail and hospitality services, apartments and other attractions all coexisting within a definable location working together to make a centre attractive and successful.⁷

A zone like the Standard Instrument⁸ mixed use zone offers a market friendly means of accommodating high intensity employment and residential uses in a single zone.⁹ Because light rail tends to support corridor development, other zones that could offer a flexible approach to mixing land use along the proposed light rail corridor are the enterprise corridor zone where office, retail, residential and light industrial uses could be flexibly mixed.

Council must show leadership

Encouraging mixed-use neighbourhoods along public transport corridors and nodes makes environmental sense and is much talked of at local government levels. However, talking about increased density and land use mix is much easier than planning for it. That is, it is local government that has the real planning powers to permit development that supports sustainable urban environments. But it is this same tier of government that is most easily influenced by local residents who are the first to voice their strong opposition when new sustainable development is proposed in their "backyard".

Developing vibrant mixed use centres supported by a light rail requires a local government willing to be innovative by encouraging and responding to development opportunities.¹⁰ We understand that Leichhardt council is closely tied to local community concerns and the local community desire to preserve the status quo, which makes it difficult for the Council to look at the bigger, regional picture. However the time has come for the Council to engage with the boarder environmental

³ Cervero, R., Ferrell, C., and Murphy, S. 2002, Transit-Oriented development and Joint Development in the United States: A Literature Review. Transit Cooperative Research Program. Research results digest. October 2002—Number 52 [http://onlinepubs.trb.org/Onlinepubs/tcrp/tcrp_rrd_52.pdf, accessed 7 April, 2008].

⁴ Leck, E., 2006, The Impact of Urban Form on Travel Behaviour: A meta-Analysis. *Berkeley Planning Journal*, Vol. 19, pp. 37-58.

⁵ Joshi, H., Guhathakurta, S., Konjevod, G., Crittenden, J. & Li, K., 2006, Simulating the Effects of Light Rail on Urban Growth in Phoenix: An application of the UrbanSim Modelling Environment. *Journal of Urban Technology*, Vol. 13, No. 2, pp. 1-21.

⁶ Freestone, R., 2008, Better Planning and Research for Mixed-Use Developments. *Australian Planner*, Vol. 45, No. 1, pp. 14-15.

⁷ Newman, P., 2004, *Metropolitan Strategy*. Paper presented at the Sydney Futures Forum. Sydney 19 May, 2004.

⁸ The "Standard Instrument" is the template used for all post-2006 zoning plans. It is contained in the *Standard Instrument (Local Environmental Plans) Order 2006*.

⁹ If residential flats and multi-dwelling housing were reinstated as a mandatory permissible use in the mixed-use zone.

¹⁰ Ibid.

and population challenges and look at ways where areas for higher density and mixed uses can be permitted while preserving other areas within the local government area.

At the very least, the DLLEP should encourage new development options in the areas around the proposed light rail stations and along the light rail corridor so that when the light rail is built, supportive planning regulation that permits higher density mixed use development will already be in place.

Council is urged to accept the opportunity provided by the LEP standardisation process as a means of making real beneficial change to outdated local planning. The "like for like" argument must not be used by the council as an excuse to transfer outdated and no longer appropriate planning provisions into a modern standard instrument-complaint plan. Adopting this philosophy simply delays what the standard instrument was intended to do. That is, to improve the quality and consistency of environmental planning instruments across NSW while at the same time providing council with the impetus to reconsider city wide planning.

The Urban Taskforce urges you to ensure that your council properly engages in the planning reform process and pursue a comprehensive review process not simply a like for like transfer.

Should you require any further clarification of the content of this correspondence, please feel free to contact me on telephone number 9238 3927.

Yours sincerely

Urban Taskforce Australia

A handwritten signature in blue ink, appearing to read 'Chris Johnson', with a long horizontal flourish extending to the right.

Chris Johnson AM
Chief Executive Officer