



Our Reference: DOC22/648792

David Hazeldine
Manager, Place and Infrastructure (Metro North)
Planning and Land Use Strategy
Department of Planning and Environment
david.hazeldine@planning.nsw.gov.au

Cherrybrook Precinct Planning

Dear Mr Hazeldine

Thank you for the opportunity to comment on the strategic planning for the Cherrybrook Precinct, specifically:

- Cherrybrook Precinct Place Strategy
- Cherrybrook Station State Significant Precinct, and
- associated amendments to *State Environmental Planning Policy (Planning Systems) 2021*

Heritage NSW have reviewed the documents, and provide the following advice in relation to Aboriginal and non-Aboriginal heritage:

Aboriginal cultural heritage considerations under the *National Parks and Wildlife Act 1974*

Heritage NSW considers that upfront identification and conservation of significant Aboriginal cultural heritage leads to better Aboriginal cultural heritage outcomes and gives greater certainty for stakeholders in any development assessment process.

We therefore strongly recommend that an Aboriginal Cultural Heritage Assessment Report (ACHAR) is prepared to inform the planning of the broader precinct. The ACHAR should include test excavation of areas of identified Aboriginal archaeological sensitivity, and consultation with the local Aboriginal community.

To adequately assess the Aboriginal cultural heritage significance of land within the broader precinct, all areas, objects, places or landscapes of heritage significance to Aboriginal culture and people, that may potentially constrain future land-use planning, need to be identified.

The identification of Aboriginal cultural heritage values and consultation with Aboriginal people should be guided by the following documents:

- [Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW](#)
- [Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010](#), and
- [Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW](#).

If significant Aboriginal cultural heritage values are identified, options to avoid impact to these values need to be explored, for example:

- where the significance of Aboriginal cultural heritage values has been assessed as high, conservation and avoidance of these values in precinct design should always be the first option
- if impact cannot be avoided or if the values have been assessed as moderate, appropriate mitigation measures should be negotiated with the registered Aboriginal parties.

Heritage NSW supports application of an appropriate zoning, such as C2 Environmental Conservation, as a suitable mechanism to promote the conservation of significant Aboriginal cultural heritage values in the precinct.

State heritage and historical archaeological considerations under the *Heritage Act 1977*

Based on the information provided, we understand that there are no identified impacts on items on the State Heritage Register.

In relation to historical archaeology, it is noted that an Archaeological Assessment and Research Design was undertaken for the Cherrybrook Station in 2013, however it does not appear that historical archaeological research has been done for the broader Cherrybrook Precinct.

If the Department has not yet undertaken an investigation to assess the likelihood of 'relics' in the broader Cherrybrook Precinct, and identified management requirements under the *Heritage Act 1977*, they should do so.

Local heritage considerations under the *Environmental Planning and Assessment Act 1979*

We note that the planning proposal has the potential to impact on the following Local heritage items listed under *Hornsby Local Environmental Plan 2013* (Hornsby LEP) and *The Hills Local Environmental Plan 2019* (The Hills LEP):

- 'House', 150 Castle Hill Road (I302 under Hornsby LEP)
- 'Inala School', 160-168 Castle Hill Road (I303 under Hornsby LEP)
- 'Glenhope', 113 Castle Hill Road (I197 under The Hills LEP), and
- 'Dunrath', 139 Castle Hill Road (I198 under The Hills LEP).

As Local heritage is protected under the *Environmental Planning and Assessment Act 1979* and under Council LEPs, Hornsby and The Hills Shire Councils are the consent authorities. As such, the assessment and consideration of impacts on these Local heritage items rests with the Local Councils. The Department should work with the Local Councils to address impacts to these Local items.

The Heritage Council of NSW, and Heritage NSW as its Delegate, do not have a role in the assessment of impacts to Local heritage listed under LEPs. As such, we do not provide advice on Local heritage matters. Our current legislative responsibilities include the administration of:

- the functions of the Heritage Act, and
- the Aboriginal cultural heritage functions under the National Parks and Wildlife Act.

If you have any questions about the advice above, please contact:

- Sam Gibbins in relation to Aboriginal cultural heritage matters by phone on 02 9895 6586 or by email at samantha.gibbins@environment.nsw.gov.au, or
- James Sellwood in relation to State heritage and historical archaeological matters by phone on 02 9274 6354 or by email at james.sellwood@environment.nsw.gov.au.

Yours sincerely



Nicole Davis
Manager Assessments
Heritage NSW
Department of Planning and Environment
26 August 2022

Crown Lands NSW

Comment on The Department's Cherrybrook Precinct Place Strategy.

The Cherrybrook area is in close proximity to recreation tracks /trails including the Great North Walk (NE of the proposed precinct) and the Cumberland State Forest and Bidjigal Reserve with a potential link to Parramatta (SE of the propose precinct).

Given that Cherrybrook Station is at some distance from Castle Hill and Epping on the metro, Cherrybrook Station can serve as a node on the Metro as an arrival/departure point for people using walking tracks particularly NE & SW.

The Cherrybrook Precinct appears to provide for a relatively self-contained community. However, the Precinct potentially could support linear links to facility /activity areas outside the precinct, suggesting that ring of high- rise development surrounding the precinct may be adjusted to allow for access ways in and out of the precinct.

Within the Precinct, Bradfield Parade may become congested for traffic with what would appear to be limited entrance & egress points via Robert Rd and Franklin Rd to Castle Hill Road

Amendment to SEPP Planning System.

Landcom proposes that Cherrybrook Station is listed as a SSD site, which is understood to mean that development applications that meet the provisions of the SEPP can be lodged through the SSD pathway. Projects can be declared as State significant development (SSD) if they are important to the State for economic, environmental or social reasons, which appears to be the case with the Cherrybrook Station.

Development that is State Significant Development is identified in the 'Planning Systems State Environmental Planning Policy.

In terms of the public accountability, the SSD pathway, although likely expedient, may not afford checks and balances to adequately protect environmental components/ amenity offered through the regular planning system.

There is likely a level of confusion with the public for the naming, given that there is Cherrybrook Precinct and a Cherrybrook Station State Significant Precinct.



DOC22/685397-1

Department of Planning and Environment
4 Parramatta Square
12 Darcy St
PARRAMATTA NSW 2150

To whom it may concern,

Thank you for providing NSW Environment Protection Authority (**EPA**) with the opportunity to comment on the Cherrybrook precinct planning package, which is on exhibition until 28 August 2022. The EPA has reviewed the *Draft Cherrybrook Precinct Place Strategy* (**Strategy**) and the *State Significant Precinct Study - Planning Report* and supporting documents (**Rezoning Proposal**).

The EPA provides detailed comments regarding the Strategy below at **Annexure A**. The EPA provides its comments on the Rezoning Proposal in a separate submission made to the Department of Planning and Environment.

If you have any further questions about the below comments, please contact Lauren Musgrave, Strategic Planning Unit, on (02) 9585 6840 or at lauren.musgrave@epa.nsw.gov.au.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'J Pulkkinen'.

Jacqueline Pulkkinen
Unit Head, Strategic Planning Unit
26/8/2022

Annexure A – detailed comments on Cherrybrook Station Precinct Draft Place Strategy

Noise impacts

The Strategy envisages that medium and high-density residential housing and workplaces will be developed in proximity to Cherrybrook Metro station and busy roads, including Castle Hill Rd.

The Strategy would be strengthened by considering potential noise and vibration impacts resulting from this development and suggesting measures to mitigate these impacts on sensitive receivers. These considerations should be guided by the *Development near rail corridors and busy roads – interim guideline 2008* (Department of Planning, 2008) (**Interim Guideline**) and the *NSW Road Noise Policy* (Department of Environment, Climate Change and Water, 2011).

Air quality

Given the proposed proximity of sensitive receivers to busy roads in the precinct, the Strategy should also expressly consider ways to enhance air quality and minimise adverse impacts on residents (and other sensitive receivers) from vehicle emissions. Therefore, the EPA recommends that the Strategy reference and seek to implement principles contained in the Interim Guideline regarding air quality, as relevant (see, for example, Pt C, s 4). The Strategy should also be guided by the *NSW Clean Air Strategy* (Department of Planning and Environment, 2022).

Water quality

The Strategy encourages the implementation of water sensitive urban design principles in the precinct. The EPA agrees with this approach but recommends that the Strategy be amended to also encourage the implementation of the *Risk-based Framework for Considering Waterway health Outcomes in Strategic Land-use Planning Decisions* (Office of Environment and Heritage and EPA, 2017). This amendment is consistent with Action 64 of the North District Plan (which applies to the precinct), that is, to "improve the health of catchments and waterways through a risk-based approach to managing the cumulative impacts of development including coordinated monitoring of outcomes".

Waste

The EPA recommends that the Strategy be amended to encourage better practice waste management in the precinct. The Strategy should reference and encourage implementation of the principles contained in the *Better practice guide for resource recovery in residential developments* (EPA, 2019). The Guide provides strategic planning tools to ensure that waste is managed effectively for mixed use residential developments. The Strategy should also be guided by the *NSW Waste and Sustainable Materials Strategy 2041* (Department of Planning, Industry and Environment, 2021) and the *Circular Economy Policy Statement: Too Good to Waste* (NSW Government, 2018).

Our Ref: ID 1685

Your Ref:

25 August 2022

David Hazeldine
Department of Planning and Environment
Locked Bag 5022
Haymarket NSW 1240

email: [Planning Portal Cherrybrook](#)

Dear David,

Draft Cherrybrook Station Precinct Place Strategy, Cherrybrook Station State Significant Precinct government land rezoning proposal and amendment to the State Environmental Planning Policy (SEPP) Planning System

Thank you for the opportunity to comment on the following plans relating to the Cherrybrook Station Precinct, Cherrybrook:

- Draft Cherrybrook Station Precinct Place Strategy that covers the wider Cherrybrook Station Precinct and includes the Cherrybrook Station government land State Significant Precinct (SSP) adjacent to the Cherrybrook Metro Station
- Cherrybrook Station State Significant Precinct government land rezoning proposal
- Amendment to the State Environmental Planning Policy (SEPP) (Planning Systems) 2021

It is understood that the plans seek to:

- Yield 390 dwellings and 140 jobs over 3 to 6 years, with a total of 3200 dwellings by 2042
- Amend the "Land Zoning Map" to exclude the land from the R2 Low Density Residential zone and include it in part B4 Mixed Use zone, part R4 High Density Residential zone and part RE1 Public Recreation
- Amend the "Height of Buildings Map" to increase the maximum height of buildings from 8.5m to part 18.5m and part 20.5m and remove the 8.5m maximum height of buildings control from the land containing the station and commuter car park
- Amend the "Floor Space Ratio Map" to insert a maximum floor space ratio of part 1:1 and part 1.25:1
- Amend the "Additional Permitted Uses Map" to include the Cherrybrook Station Government Land State Significant Precinct
- Insert a new "Key Sites Map" and show the Cherrybrook Station Government Land State Significant Precinct to trigger Additional Local Provisions

- Insert a new clause 6.10 “Development in the Cherrybrook Station Government Land State Significant Precinct” to provide for further development detail
- Insert a new clause 6.11 “Site area of proposed development includes dedicated land” to ensure the site area of any dedicated public land is included for the purpose of calculating FSR
- Amend Schedule 1 “Additional permitted uses” to allow residential flat building as being permitted with consent
- Undertake any consequential amendments to the Hornsby Local Environmental Plan 2013 such as renumbering.

The NSW State Emergency Service (NSW SES) is the agency responsible for dealing with floods, storms and tsunamis in NSW. This role includes, planning for, responding to and coordinating the initial recovery from floods. As such, the NSW SES has an interest in the public safety aspects of the development of flood prone land, particularly the potential for changes to land use to either exacerbate existing flood risk or create new flood risk for communities in NSW.

The proposed site appears to have minimal impact from known flood risk (e.g. Hornsby Floodplain Risk Management Study and Plan 2015; Hornsby Overland Flow Study 2010; Concept Stormwater Management and Preliminary Flood Risk Assessment 2022). However, the consent authority will need to ensure that the planning proposal is considered against the relevant Ministerial Section 9.1 Directions, including 4.3 – Flood Prone Land and is consistent with the NSW Flood Prone Land Policy as set out in the NSW Floodplain Development Manual, 2005 (the Manual). Attention is drawn to the following principles outlined in the Manual which are of importance to the NSW SES role as described above:

- **Zoning should not enable development that will result in an increase in risk to life, health or property of people living on the floodplain.** NSW SES notes flood impacts are generally contained within the underground stormwater network and kerb and gutter systems below the 1% AEP event. However, all of Ashford Road, County Drive, John Road, Roslyn Place and Janice Place and parts of Robert Road and Dalkeith Road become a major overland flow path for the upstream catchment resulting in flood hazard categories between H5 and H6 in an extreme event. It is noted that these areas are mostly excluded from residential and commercial development in the proposal.
- **Risk assessment should consider the full range of flooding, including events up to the Probable Maximum Flood (PMF) and not focus only on the 1% AEP flood.** Page 47 of the Concept Stormwater Management and Preliminary Flood Risk Assessment details the impact of an extreme event in the precinct.
- **Risk assessment should have regard to flood warning and evacuation demand on existing and future access/egress routes. Consideration should also be given to the impacts of localised flooding on evacuation routes. In the context of future development, self-evacuation of the community should be achievable in a manner which is consistent with the NSW SES’s principles for evacuation.** Noting that some

of the roadways convey floodwaters during flood events, and onset of flooding is quick, there may be insufficient time for evacuation. Additional site specific advice for flash flooding is provided below. **Evacuation must not require people to drive or walk through flood water.**

- **Development strategies relying on deliberate isolation or sheltering in buildings surrounded by flood water are not equivalent, in risk management terms, to evacuation.** 'Shelter in place' strategy is not an endorsed flood management strategy by the NSW SES for future development. Such an approach is only considered suitable to allow existing dwellings that are currently at risk to reduce their risk, without increasing the number of people subject to such risk. The flood evacuation constraints in an area should not be used as a reason to justify new development by requiring the new development to have a suitable refuge above the PMF. Allowing such development will increase the number of people exposed to the effects of flooding. Other secondary emergencies such as fires and medical emergencies may occur in buildings isolated by floodwater. During flooding it is likely that there will be a reduced capacity for the relevant emergency service agency to respond in these times. Even relatively brief periods of isolation, in the order of a few hours, can lead to personal medical emergencies that have to be responded to.
- **Development strategies relying on an assumption that mass rescue may be possible where evacuation either fails or is not implemented are not acceptable to the NSW SES.**
- **The NSW SES is opposed to the imposition of development consent conditions requiring private flood evacuation plans rather than the application of sound land use planning and flood risk management.**
- **NSW SES is opposed to development strategies that transfer residual risk, in terms of emergency response activities, to NSW SES and/or increase capability requirements of the NSW SES.**

NSW SES provides the following additional site-specific recommendations that need to be considered to minimise the increase in risk to life due to development at this site:

- **Residential Development:** The habitable floors of any residential development (including aged care) should be located above the PMF with the building structurally designed for the likely flood and debris impacts.
- **Commercial development (including retail):** All ground floor businesses and retail floors must be above the 1% AEP flood levels and access to the basement must be above PMF. There must also be the provision of sufficient readily accessible habitable areas above the PMF cater for the safety of potential occupants, clients and visitors in commercial development.

- **Sensitive development:** Any childcare facilities, schools, medical centres, day hospital within the building must be located with floor levels above the PMF level. However, at minimum there should be the provision of access to adequate shared space above the PMF for patients, students, staff and visitors within the building.
- **Making buildings as safe as possible to occupy during flood events:** Ensuring buildings are designed for the potential flood and debris loadings of the PMF so that structural failure is avoided during a flood.
- **Limiting exposure of people to floodwaters:** This can be aided by providing sufficient readily accessible areas above the PMF to cater for potential occupants, clients and visitors. Building security and access should ensure accessibility to habitable areas within the building above the PMF.
- **Car parking:** Due to risks associated with basement carparks, it is recommended that any parking should have entrances above the PMF to facilitate safe and effective vehicular evacuation and have pedestrian access to a podium level above the PMF to increase human safety.
- **Provision of publicly accessible space for the itinerant population in areas surrounding intensive development:** Provision of publicly accessible space or access to space above the PMF (with adequate infrastructure to enable the physically impaired to access such space) that is easily accessible 24 hours a day for seven days a week which is clearly identified for this purpose with associated directional signage. This should include building security considerations to ensure the appropriate areas above the PMF remain accessible.
- **Reducing human behaviour risks:** Undertaking regular exercising of a building flood emergency response plan similar to a building fire evacuation drill.
- **Providing adequate services so people are less likely to enter floodwaters:** This includes access to ablutions, water, power and basic first aid equipment. Consideration must be given to the availability of on-site systems to provide for power, water and sewage services for the likely flood duration of surrounding areas (which may exceed several hours) plus a further period to provide allowance for restoration of external services and infrastructure damage.
- **Addressing secondary risks of fire and medical emergencies during floods:** To minimise the increased risk of fire and to reduce both the potential for adverse outcomes in the case of a medical emergency and the risks to those who may aid the patient, Council, DPE, NSW SES, Ambulance NSW and the relevant Health Functional area and fire agency servicing the area, should be consulted to determine appropriate risk management strategies during flooding.

You may also find the following Guidelines, originally developed for the Hawkesbury Nepean Valley and available on the NSW SES website useful:

- [Reducing Vulnerability of Buildings to Flood Damage](#)
- [Designing Safer Subdivisions](#)
- [Managing Flood Risk Through Planning Opportunities](#)

Please feel free to contact Elspeth O'Shannessy via email at rra@ses.nsw.gov.au should you wish to discuss any of the matters raised in this correspondence. The NSW SES would also be interested in receiving future correspondence regarding the outcome of this referral via this email address.

Yours Sincerely

A handwritten signature in dark ink, appearing to read 'P. Cinque'.

Peter Cinque
Senior Manager, Emergency Risk Management
NSW State Emergency Service

Mr David Hazeldine
Manager, Place & Infrastructure (Metro North)
Department of Planning and Environment
4 Parramatta Square,
12 Darcy Street
PARRAMATTA NSW 2124

Re: Cherrybrook Precinct Place Strategy

29 August 2022

Dear Mr Hazeldine,

Thank you for the opportunity to comment on the Cherrybrook Precinct Place Strategy. The Office of Sport recognises the importance of integrated land-use planning to accommodate a growing Sydney.

Community sport and recreation infrastructure is essential to building well connected and healthy communities. Sport provides the opportunity to increase social cohesion as well as providing a broad range of physical and mental health benefits.

As our population continues to grow, so too does the demand for well-planned and designed sport and recreation facilities, that are easily accessible and provide a broad range of participation opportunities to the community.

The Cherrybrook Precinct Place Strategy identifies that the population will increase by 300% due to the development of the metro station. The Office commends the addition of three new parks (passive public open spaces), however, there is no indication of any additional sport or recreation infrastructure.

It is estimated the minimum sport and recreation infrastructure to meet community need, considering the proposed increase in dwellings (equal to approximately 7,360 more people), is at least one standard field (equal to a cricket oval with two rectangular fields) of five hectares. This is based on the current sports participation rate in Greater Sydney, the projected population, and the existing capacity of current facilities.

The Office of Sport looks forward to our continued collaboration with the Department of Planning and Environment in planning for current and future communities.

If further information or clarification is required, please contact Fiona MacColl, Principal Advisor, Infrastructure Strategy, Planning and Delivery, on 0400 121 396 or at fiona.maccoll@sport.nsw.gov.au

Sincerely,

A handwritten signature in blue ink, appearing to be "K. Jones".

Karen Jones

Chief Executive

From: [David Hazeldine](#)
To: [Luke Johnson](#)
Cc: [DPE Cherrybrook Station Precinct Mailbox](#)
Subject: RE: Notification - Cherrybrook Station Precinct - Public Exhibition
Date: Monday, 29 August 2022 4:31:21 PM
Attachments: [image003.png](#)

Hi Luke

I am not sure if I sent this through last week to you, but if not can you please add this to the agency submissions.

Regards

David

David Hazeldine

Manager Place & Infrastructure (Metro North)

Planning & Land Use Strategy | Department of Planning and Environment

T 02 9860 1482 | E david.hazeldine@planning.nsw.gov.au

From: Christal Mouat <christal.mouat@aho.nsw.gov.au> **On Behalf Of** AHO Requests Mailbox

Sent: Friday, 26 August 2022 1:14 PM

To: David Hazeldine <David.Hazeldine@planning.nsw.gov.au>

Cc: AHO Requests Mailbox <Requests@aho.nsw.gov.au>

Subject: RE: Notification - Cherrybrook Station Precinct - Public Exhibition

Hi David,

Please see CE approved AHO input:

Authored by Craig Torrance (Property, AHO)

Endorsed by Ashley Livingston (Director Property, AHO)

Approved by Famey Williams (Acting Chief Executive, AHO)

AHO notes that the Cherrybrook Station Precinct Draft Place Strategy recommends a minimum affordable housing provision of 5% across the green village/potential growth area. AHO would request that consideration be given to the provision of dedicated Aboriginal housing within the precinct in order to help meet growing demand for Aboriginal social and affordable housing across NSW and in the Hornsby LGA.

The AHO's 2019 Asset Portfolio Review identified increasing demand for Aboriginal social housing (income less than \$45,000) as a major issue facing NSW. Unmet demand for Aboriginal social housing in 2017/18 was estimated at 8,184 households, and this was forecast to grow some 56% to 12,777 households by 2031. Similar growth in demand is forecast for Aboriginal affordable housing (income between \$45,000 and \$90,000). Addressing this unmet demand will require concerted efforts across Government, the Aboriginal Community Housing Sector and the NSW home building industry. The Cherrybrook Station Precinct provides a valuable opportunity to unlock land for Aboriginal housing that is well located, with good access to transport and employment. Without dedicated provision of Aboriginal social housing within the Precinct it is

likely that Aboriginal people will be increasingly excluded from the many opportunities available in the Hornsby LGA and across Northern Sydney

Please me know if you need anything further.

Kind Regards,

Christal Mouat, BA(TVProd)

Project Officer | Executive Office | Aboriginal Housing Office

Level 5, 4 Parramatta Square, 12 Darcy Street, Parramatta, NSW, 2150

E Christal.Mouat@aho.nsw.gov.au

Our vision is to ensure every Aboriginal person in NSW has equal access to and choice in, affordable housing.

The Department of Planning, Industry and Environment acknowledges that it stands on Aboriginal land.

The content of this email and its attachments are confidential and intended solely for the use of the individual or entity to which they are addressed.



From: David Hazeldine <David.Hazeldine@planning.nsw.gov.au>

Sent: Wednesday, 27 July 2022 5:09 PM

To: AHO Requests Mailbox <Requests@aho.nsw.gov.au>

Subject: Notification - Cherrybrook Station Precinct - Public Exhibition

Aboriginal Housing Office



Attention: Jody Broun – Chief Executive Officer

Notification - Cherrybrook Station Precinct - Public Exhibition

This message is to advise that the NSW Department of Planning and Environment is exhibiting plans for the future of Cherrybrook Precinct.

Three separate but related plans are on exhibition for feedback until **Sunday 28 August 2022:**

- The Department is exhibiting the draft Cherrybrook Precinct Place Strategy. The draft strategy updates the 2013 Cherrybrook Station Structure Plan and provides a detailed planning framework to guide future development across the wider precinct and inform future rezoning.
- Landcom is exhibiting the Cherrybrook Station State Significant Precinct government land rezoning proposal, for the land next to Cherrybrook metro station. The proposal which will facilitate a mixed-use centre with local retail, community facilities, new open space and 390 new dwellings is supported by a suite of planning reports and technical studies. The Department is responsible for receiving submissions and assessing the rezoning proposal.
- The Department is also exhibiting an amendment to the State Environmental Planning Policy (SEPP) Planning System, at the request of Landcom which proposes that the Cherrybrook Station government land to be listed as a State Significant Development (SSD) site. This would enable future development application/s for the site to be lodged through the SSD

pathway.

The plans aim to protect Cherrybrook's leafy green character while allowing new homes in close proximity to the Cherrybrook Station supported by open space, community facilities, retail facilities, road upgrades, and pedestrian/cycle paths.

The Department is inviting your organisation to review the 3 separate draft packages and provide any comments as separate submissions lodged on the planning portal.

To access all the draft documents and for more information on the public exhibition and submissions, please visit: planning.nsw.gov.au/cherrybrook or [Cherrybrook Precinct](#) and [virtual engagement room](#)

We look forward to receiving your organisation's feedback to assist in finalising these draft plans.

Please contact me if you have any questions.

Yours sincerely,

David

David Hazeldine

Manager Place & Infrastructure (Metro North)

Planning & Land Use Strategy | Department of Planning and Environment

T 02 9860 1482 | E david.hazeldine@planning.nsw.gov.au

Level 18, 4 Parramatta Square, 12 Darcy St, Parramatta, NSW 2150.

www.dpie.nsw.gov.au



The Department of Planning and Environment acknowledges that it stands on Aboriginal land.

We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

Authority	Authority's Reference	Authority Contact	Authority Notification	Submission Due	Submission Made
NSW Department of Planning and Environment		David Hazeldine	22/07/2022	28/08/2022	27/08/2022

Address	Land Title
Land next to Cherrybrook metro station.	Numerous land parcels

Scope of Development Application or Planning Proposal

NSW Department of Planning and Environment is exhibiting plans for the future of Cherrybrook Precinct. Three separate but related plans are on exhibition for feedback:

- The Department is exhibiting the draft Cherrybrook Precinct Place Strategy. The draft strategy updates the 2013 Cherrybrook Station Structure Plan and provides a detailed planning framework to guide future development across the wider precinct and inform future rezoning.
- Landcom is exhibiting the Cherrybrook Station State Significant Precinct government land rezoning proposal, for the land next to Cherrybrook metro station. The proposal which will facilitate a mixed-use centre with local retail, community facilities, new open space and 390 new dwellings is supported by a suite of planning reports and technical studies. The Department is responsible for receiving submissions and assessing the rezoning proposal.
- The Department is also exhibiting an amendment to the State Environmental Planning Policy (SEPP) Planning System, at the request of Landcom which proposes that the Cherrybrook Station government land to be listed as a State Significant Development (SSD) site. This would enable future development application/s for the site to be lodged through the SSD pathway.

As shown in the below site plan from Endeavour Energy's G/Net master facility model:

Due to the large area covered by the Cherrybrook Precinct, the scale required to show the area makes it difficult to see the detail in the plans. The plans show the area is predominantly serviced by underground cables with padmount substations with limited overhead power lines which and pole mounted substations. The Precinct is traversed by two 66,000 volt / 66 kilovolt (kV) high voltage feeders. However if the Department require more detailed plans of any specific area they can be provided upon request.

Relevant / applicable clause numbers from Endeavour Energy's standard conditions for Development Application and Planning Proposal Review indicated by ☒ .

Condition	Advice	Clause No.	Issue	Detail
<input type="checkbox"/>	<input type="checkbox"/>	1	Adjoining Sites	Adjoining or nearby development / use should be compatible with the use of Endeavour Energy's sites.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	2	Asbestos	Area identified or suspected of having asbestos or asbestos containing materials (ACM) present in the electricity network.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	3	Asset Planning	Applicants should not assume adequate supply is immediately available to facilitate their proposed development.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	4	Asset Relocation	Application must be made for an asset relocation / removal to determine possible solutions to the developer's requirements.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	5	Bush Fire	Risk needs to be managed to maintain the safety of customers and the communities served by the network.
<input type="checkbox"/>	<input type="checkbox"/>	6	Construction Management	Integrity of electricity infrastructure must be maintained and not impacted by vehicle / plant operation, excessive loads, vibration, dust or moisture penetration.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	7	Contamination	Remediation may be required of soils or surfaces impacted by various forms of electricity infrastructure.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	8	Demolition	All electricity infrastructure shall be regarded as live and care must be taken to not interfere with any part of the electricity network.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	9	Dial Before You Dig	Before commencing any underground activity the applicant must obtain advice from the Dial Before You Dig 1100 service.
<input type="checkbox"/>	<input type="checkbox"/>	10	Dispensation	If a proposal is not compliant with Endeavour Energy's engineering documents or standards, the applicant must request a dispensation.
<input type="checkbox"/>	<input type="checkbox"/>	11	Driveways	For public / road safety and to reduce the risk of vehicle impact, the distance of driveways from electricity infrastructure should be maximised.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	12	Earthing	The construction of any building or structure connected to or in close proximity to the electrical network must be properly earthed.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	13	Easement Management	Preference is for no activities to occur in easements and they must adhere to minimum safety requirements.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	14	Easement Release	No easement is redundant or obsolete until it is released having regard to risks to its network, commercial and community interests.
<input type="checkbox"/>	<input type="checkbox"/>	15	Easement Subdivision	The incorporation of easements into multiple / privately owned lots is generally not supported.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	16	Emergency Contact	Endeavour Energy's emergency contact number 131 003 should be included in any relevant risk and safety management plan.
<input type="checkbox"/>	<input type="checkbox"/>	17	Excavation	The integrity of the nearby electricity infrastructure shall not be placed at risk by the carrying out of excavation work.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	18	Flooding	Electricity infrastructure should not be subject to flood inundation or stormwater runoff.

Condition	Advice	Clause No.	Issue	Detail
<input type="checkbox"/>	<input checked="" type="checkbox"/>	19	Hazardous Environment	Electricity infrastructure can be susceptible to hazard sources or in some situations be regarded as a hazardous source.
<input type="checkbox"/>	<input type="checkbox"/>	20	Modifications	Amendments can impact on electricity load and the contestable works required to facilitate the proposed development.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	21	Network Access	Access to the electricity infrastructure may be required at any time particularly in the event of an emergency.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	22	Network Asset Design	Design electricity infrastructure for safety and environmental compliance consistent with safe design lifecycle principles.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	23	Network Connection	Applicants will need to submit an appropriate application based on the maximum demand for electricity for connection of load.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	24	Protected Works	Electricity infrastructure without an easement is deemed to be lawful for all purposes under Section 53 'Protection of certain electricity works' of the <i>Electricity Supply Act 1995</i> (NSW).
<input type="checkbox"/>	<input checked="" type="checkbox"/>	25	Prudent Avoidance	Development should avert the possible risk to health from exposure to emissions from electricity infrastructure such as electric and magnetic fields (EMF) and noise.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	26	Public Safety	Public safety training resources are available to help general public / workers understand the risk and how to work safely near electricity infrastructure.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	27	Removal of Electricity	Permission is required to remove service / metering and must be performed by an Accredited Service Provider.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	28	Safety Clearances	Any building or structure must comply with the minimum safe distances / clearances for the applicable voltage/s of the overhead power lines.
<input type="checkbox"/>	<input type="checkbox"/>	29	Security / Climb Points	Minimum buffers appropriate to the electricity infrastructure being protected need to be provided to avoid the creation of climb points.
<input type="checkbox"/>	<input type="checkbox"/>	30	Service Conductors	Low voltage service conductors and customer connection points must comply with the 'Service and Installation Rules of NSW'.
<input type="checkbox"/>	<input type="checkbox"/>	31	Solar / Generation	The performance of the generation system and its effects on the network and other connected customers needs to be assessed.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	32	Streetlighting	Streetlighting should be reviewed and if necessary upgraded to suit any increase in both vehicular and pedestrian traffic.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	33	Sustainability	Reducing greenhouse gas emissions and helping customers save on their energy consumption and costs through new initiatives and projects to adopt sustainable energy technologies.
<input type="checkbox"/>	<input type="checkbox"/>	34	Swimming Pools	Whenever water and electricity are in close proximity, extra care and awareness is required.
<input type="checkbox"/>	<input type="checkbox"/>	35	Telecommunications	Address the risks associated with poor communications services to support the vital electricity supply network Infrastructure.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	36	Vegetation Management	Landscaping that interferes with electricity infrastructure is a potential safety risk and may result in the interruption of supply.

Con- dition	Advice	Clause No.	Issue	Detail
			Other	

Endeavour Energy	
Completed by:	Decision
Cornelis Duba	Approve (with conditions)
Reason(s) for Conditions / Objection (If applicable)	
<ul style="list-style-type: none"> The Cherrybrook Station Government Land – SSP Site is located in the Hornsby Shire Council Local Government Area (LGA) and is part of the Ausgrid electricity distribution network, being the electricity distributor for central and northern Sydney, the Central Coast and the Hunter Valley. <p>Areas on the boundaries of the respective electricity distributors networks may have some assets of the other distributor eg. Ausgrid takes supply from Endeavour Energy's Carlingford Transmission Substation located at 2-26 Jenkins Road Carlingford and has some assets in The Hills Shire and City of Parramatta LGAs.</p> <ul style="list-style-type: none"> Endeavour Energy's Asset Planning & Performance Branch have not raised any concerns regarding the planning proposal, and indicated there is currently sufficient network capacity in the area to supply the growth in the Cherrybrook Precinct and any connections will follow Endeavour Energy's normal customer connection process. To ensure an adequate connection, the applicants for the development will need to engage an Accredited Service Provider (ASP) of an appropriate level and class of accreditation to assess the electricity load and the proposed method of supply for the development. The required padmount or indoor substations will need to be located within the property (in a suitable and accessible location) and be protected (including any associated cabling) by an easement and associated restrictions benefiting and gifted to Endeavour Energy. Please refer to Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'. As well as the capacity / provision of distribution substations, other factors such as the size and rating / load on the conductors and voltage drop (which can affect the quality of supply particularly with long conductor runs) etc. need to be assessed. However the extent of any works required will not be determined until the final load assessment is completed. Endeavour Energy's network asset design policy is to progressively underground all new urban / residential developments. All new cabling / reticulation infrastructure must be of an underground construction type. Where existing overhead construction is present in proximity of the site, it will require undergrounding as the development proceeds. All encroachments and /or activities (works including subdivision) within an easement or affecting protected works (other than those approved / certified by Endeavour Energy's Customer Network Solutions Branch as part of an enquiry / application for load or asset relocation project and even if not part of the Development Application) need to be referred to Endeavour Energy's Easement Officer for assessment and possible approval if they meet the minimum safety requirements and controls. Further advice is provided in Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'. <p>However please note that this does not constitute or imply the granting of approval by Endeavour Energy to any or all of the proposed encroachments and / or activities within the easement.</p>	

- The minimum required safety clearances and controls for building and structures (whether temporary or permanent) and working near overhead power lines must be maintained at all times. If there is any doubt whatsoever regarding the safety clearances to the overhead power lines, the applicant will need to have the safety clearances assessed by a suitably qualified electrical engineer / Accredited Service Provider (ASP).

Even if there is no issue with the safety clearances to the building and structures, consideration must be given to WorkCover (now SafeWork NSW) 'Work Near Overhead Power Lines Code of Practice 2006' eg. ordinary persons must maintain a minimum safe approach distance of 3.0 metres to all voltages up to and including 132,000 volts / 132 kilovolt (kV).

- The planting of large / deep rooted trees to near electricity infrastructure is opposed by Endeavour Energy. Existing trees which are of low ecological significance in proximity of electricity infrastructure should be removed and if necessary replaced by an alternative smaller planting. The landscape designer will need to ensure any planting near electricity infrastructure achieves Endeavour Energy's vegetation management requirements.
- Not all the conditions / advice marked may be directly or immediately relevant or significant to the Planning Proposal. However, Endeavour Energy's preference is to alert proponents / applicants of the potential matters that may arise should development within closer proximity of the existing and / or required electricity infrastructure needed to facilitate the proposed development on or in the vicinity of the site occur.

Yours faithfully

Cornelis Duba

Development Application Specialist

Sustainability & Environment

M: 0455 250 981

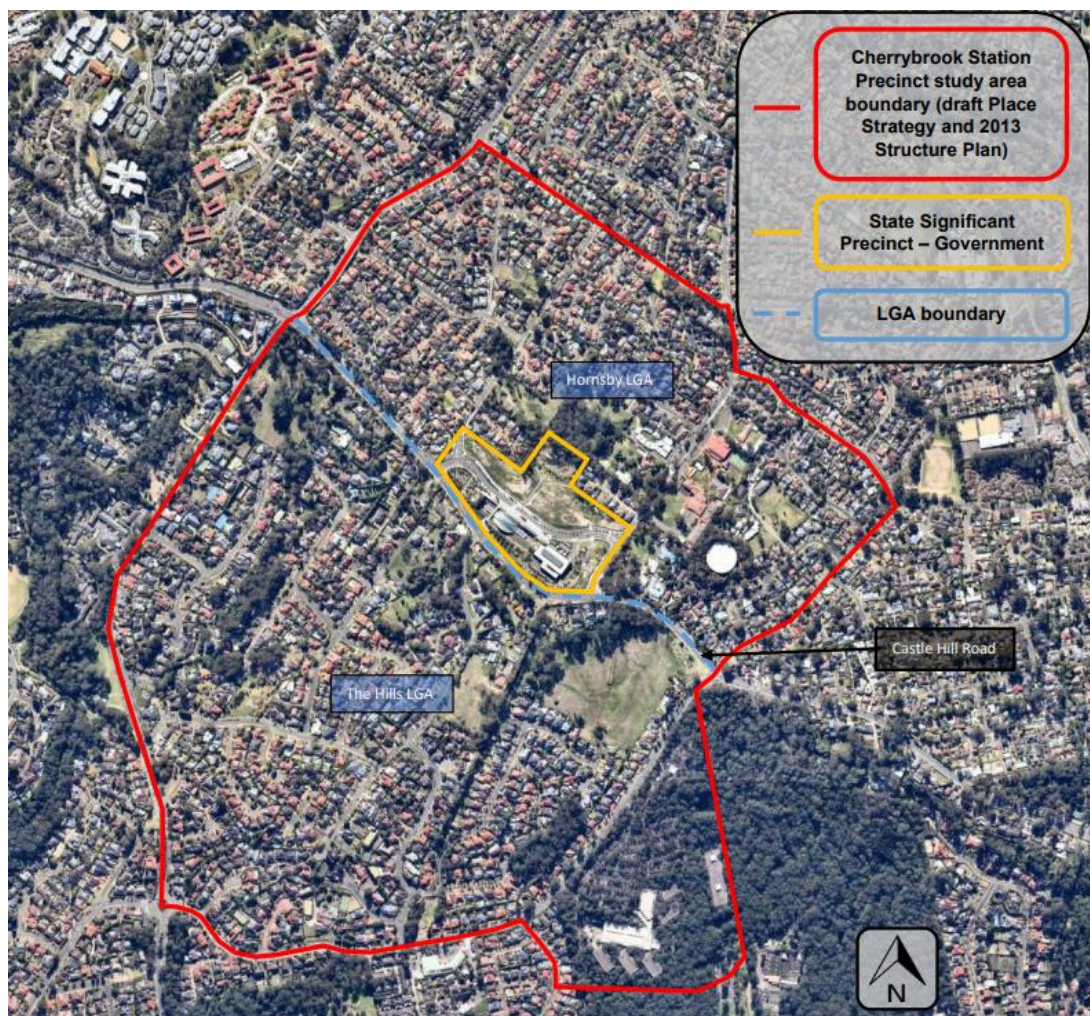
E: cornelis.duba@endeavourenergy.com.au

51 Huntingwood Drive, Huntingwood NSW 2148

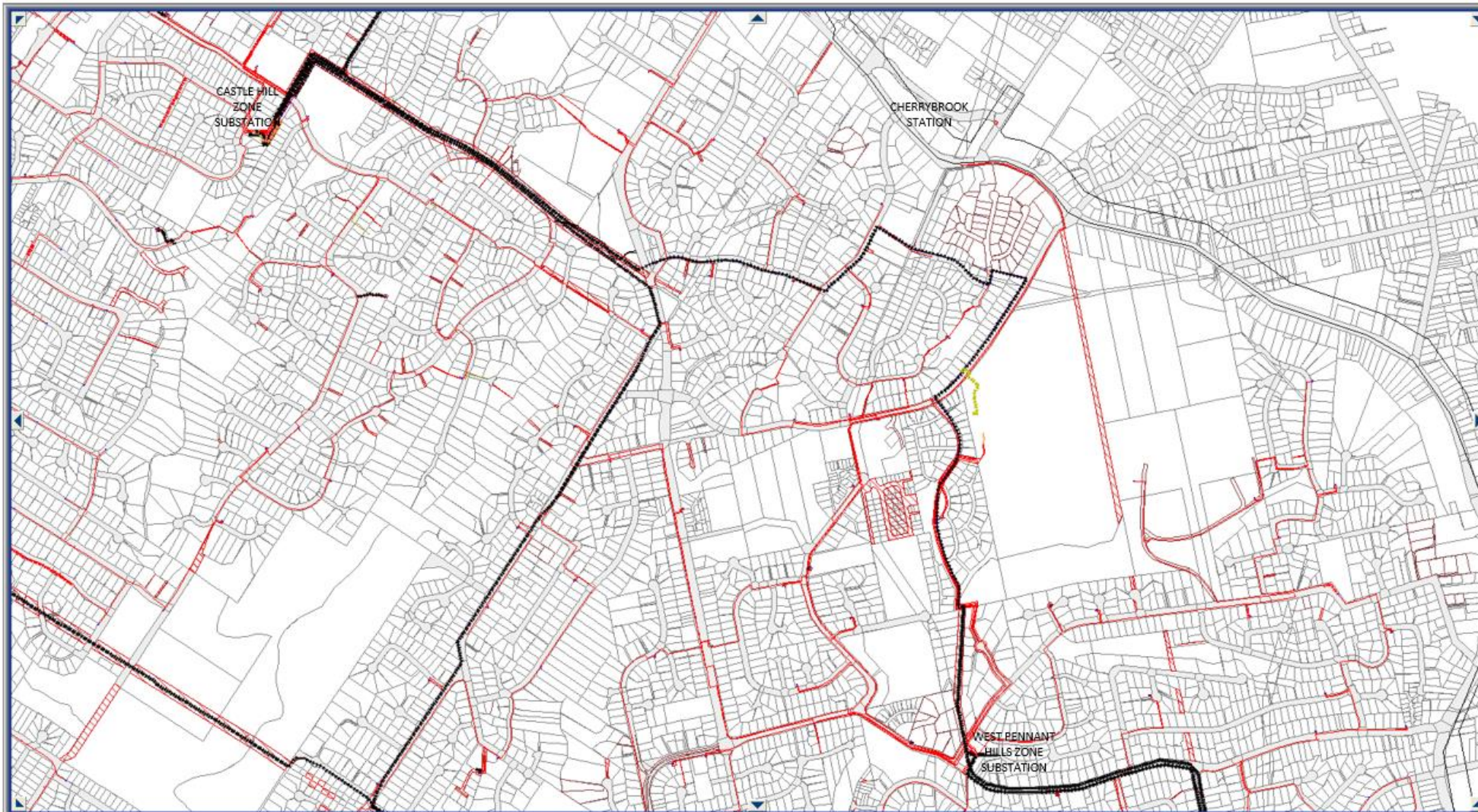
www.endeavourenergy.com.au



Cherrybrook Station Precinct Study Area. Endeavour Energy's electricity distribution area covers The Hills LGA.

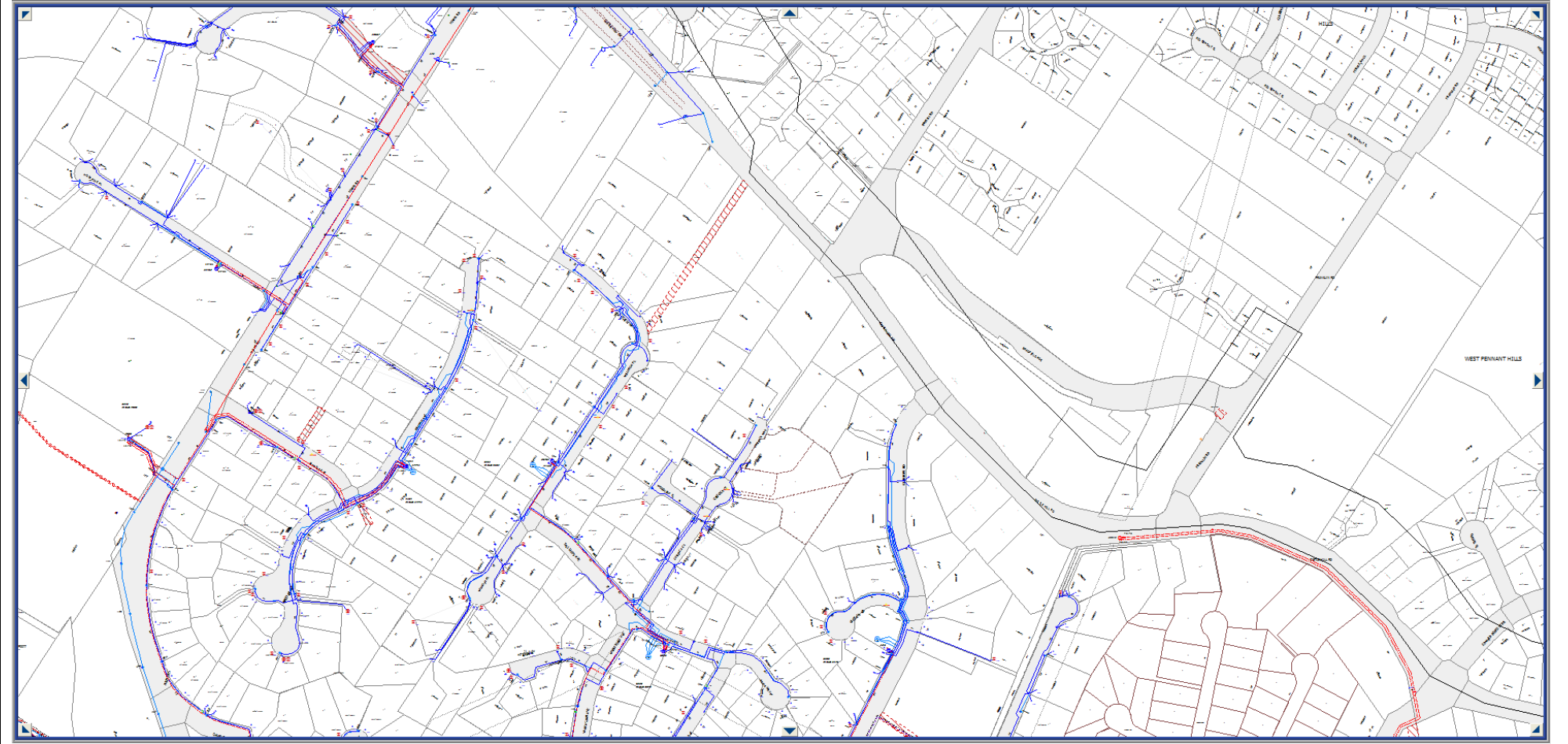


Site Plan from Endeavour Energy's G/Net Master Facility Model. Electricity infrastructure shown is the high voltage network (voltage of or over 11,000 volts / 11 kV).

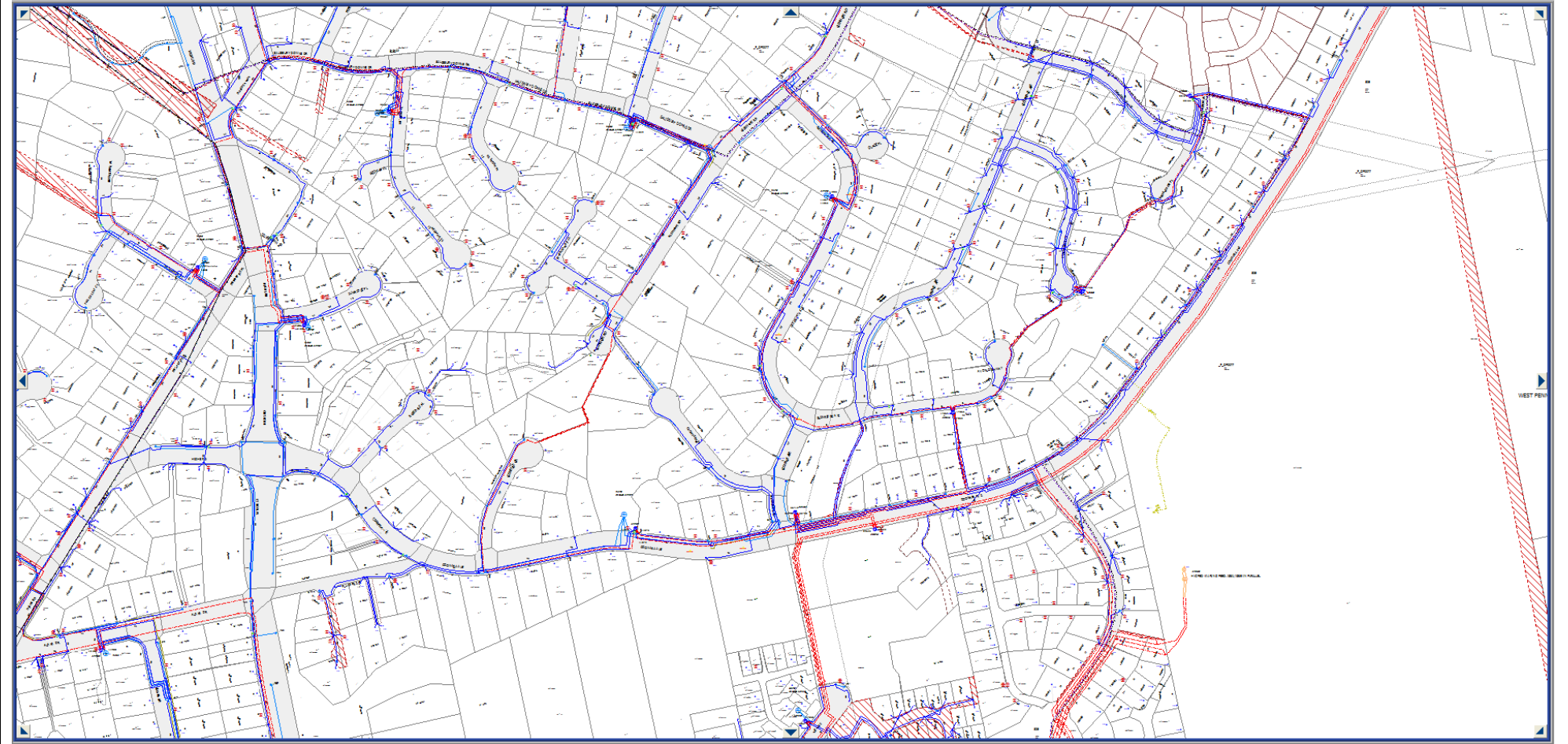

























Please note the location, extent and type of any electricity infrastructure, boundaries etc. shown on the plan is indicative only. In addition it must be recognised that the electricity network is constantly extended, augmented and modified and there is a delay from the completion and commissioning of these works until their capture in the model. Easements benefitting Endeavour Energy are indicated by red hatching. Generally (depending on the scale and/or features selected), low voltage (normally not exceeding 1,000 volts) is indicated by blue lines and high voltage (normally exceeding 1,000 volts but for Endeavour Energy's network not exceeding 132,000 volts / 132 kV) by red lines (these lines can appear as solid or dashed and where there are multiple lines / cables only the higher voltage may be shown). This plan only shows the Endeavour Energy network and does not show electricity infrastructure belonging to other authorities or customers owned electrical equipment beyond the customer connection point / point of supply to the property. This plan is not a 'Dial Before You Dig' plan under the of Part 5E 'Protection of underground electricity power lines' of the *Electricity Supply Act 1995* (NSW).

Site Plan from Endeavour Energy's G/Net Master Facility Model



Site Plan from Endeavour Energy's G/Net Master Facility Model



LEGEND	
	Padmount substation
	Indoor substation
	Ground substation
	Kiosk substation
	Cottage substation
	Pole mounted substation
	High voltage customer substation
	Metering unit
	Switch station
	Indoor switch station
	Customer connection point
	Low voltage pillar
	Streetlight column
	Life support customer
	Tower
	Pole
	Pole with streetlight
	Customer owned / private pole
	Cable pit
	Load break switch
	Proposed removed
	Easement
	Subject site

Google Maps Street View. Highs Road at intersection of Daveney Way. 66 kV underground Feeder 825 - Carlingford to Castle Hill Tee West Pennant Hills goes to the east via Salisbury Road. 66 kV overhead Feeder 815 - Carlingford To Castle Hill goes to the south via Highs Road.



Google Maps Street View. Low voltage and 11 kV high voltage overhead power lines including pole mounted substation no. 172 in Highs Road looking north towards Castle Hill Road.



Google Maps Street View. The electricity distribution is predominantly underground cables with padmount substations.



Department of Planning and Environment

Our ref: DOC22/673652

David Hazeldine
Manager Place and Infrastructure (Metro North)
Planning and Land Use Strategy
Department of Planning and Environment
4 Parramatta Square,
Parramatta NSW 2150

Subject: Cherrybrook Station Precinct - draft Cherrybrook Precinct Place Strategy, Planning Systems SEPP amendment and State Significant Rezoning Proposal

Thank you for your email received 27 July 2022 requesting input from the Environment and Heritage Group (EHG) in relation to plans for the future of the Cherrybrook Precinct. EHG has reviewed the proposal relating to the precinct and provides comments on the various components of the proposal below.

Cherrybrook Station State Significant Precinct government land rezoning proposal

The Cherrybrook Station State Significant Precinct government land rezoning proposal applies to the land next to Cherrybrook metro station. The proposal will facilitate a mixed-use centre with local retail, community facilities, new open space and 390 new dwellings.

Biodiversity

EHG recommends planning proposals be designed to avoid and minimise impacts to biodiversity values. Where proposals have the potential to significantly impact upon biodiversity values, EHG recommends that they be supported by a biodiversity assessment undertaken in accordance with Stages 1 and 2 of the Biodiversity Assessment Method 2020 (BAM).

The subject proposal has been accompanied by a biodiversity development assessment report (BDAR) prepared by Biosis, dated 4 April 2022, which aligns with EHG expectations outlined above.

Following an assessment of the proposal and the BDAR, EHG provides the following comments in relation to biodiversity impacts.

- *Existing Biodiversity values on the subject site*
The area that is subject to the rezoning proposal:
 - is partially identified on the NSW Biodiversity Values map
 - includes mapped vegetation being the critically endangered ecological community (CEEC) Blue Gum High Forest (BGHF). Any impacts to BGHF would require an assessment of Serious and Irreversible Impacts in accordance with the BAM
 - is near the Cumberland State Forest and to areas mapped as containing records of threatened species including but not limited to the Powerful Owl, Dural Land Snail, White-throated Needletail, Grey-headed Flying-fox, Eastern Coastal Free-tailed Bat, Yellow-bellied Sheath-tail-bat, Eastern False Pipistrelle, Large Bent-winged Bat as listed under the *Biodiversity Conservation Act 2016*
 - contains habitat for many threatened flora and fauna as can be seen in the number of threatened species records within BioNet.

- *Conservation Zoning*

The northern portion of the site that contains CEEC BGHF that will be subject to impacts associated with the significant intensification of surrounding land. This includes but is not limited to direct habitat loss, increased light and noise spill, weed infiltration, changed hydrological regimes, sedimentation and erosion and greater risk of introduced pests and diseases.

The rezoning proposal identifies this patch of BGHF is to be zoned RE1 – Public Recreation under the Hornsby Local Environmental Plan. While the RE1 zone does include an objective to protect and maintain areas of bushland that have ecological value, the predominate objective of the zone is to facilitate recreational opportunities of the land.

Given the CEEC status of BGHF and the additional impacts arising from the proposal, EHG considers the areas of BGHF on site should be provided with an appropriate buffer and zoned C2 – Environmental Conservation. Objectives of C2-Environmental Conservation zone is to protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values and to prevent development that could destroy, damage or otherwise have an adverse effect on those values.

EHG considers the objectives of the C2 zone better aligns with the proposed use of the site whilst also offering greater protection of this patch into the future.

- *Future Development*

- In considering the potential biodiversity impacts arising from the future development of the site, section 5.1 of the BDAR recommends the adoption of a range of mitigation measures relating to site selection/planning, construction and the ongoing use of the site. Additional measures relating to the mitigation of indirect impacts are also provided in Table 9.

The assessment of impacts arising because of the proposal assumes the adoption of the proposed mitigation measures. Accordingly, it is essential that these mitigation measures are considered and applied to any future development of the subject site.

- Page 36 of the BDAR states “The proposed development site has not yet been selected within the subject land, as rezoning of the land must first be approved. However, this report assumes that the future development footprint will avoid all native vegetation within the subject land, to minimise impacts to native vegetation and flora and fauna habitats present within the subject land.”

EHG supports the avoidance of biodiversity impacts including impacts to native vegetation for any future development proposal over the site.

- EHG considers that additional mitigation measures are required to manage the ongoing direct and indirect impacts that will occur to the patch of retained BGHF because of the intensification of surrounding land use arising from this proposal. Specifically, a vegetation management plan that provides for the ongoing protection and enhancement of all areas of retained native vegetation must be provided. It may be appropriate to include this requirement as part a site-specific development control plan (if proposed) or as part of any future proposal over the site.

Department of Planning and Environment

- Additionally, construction and civil engineering plans for future development are to ensure that they provide adequate buffers to remnant trees and vegetation on the site and that they are accordance with the recommendations of the vegetation management plan or other applicable controls as appropriate.

Flooding

EHG does not raise any comments in relation to flooding for the subject proposal.

Draft Cherrybrook Precinct Place Strategy.

The draft strategy updates the 2013 Cherrybrook Station Structure Plan and provides a detailed planning framework to guide future development across the wider precinct and inform future rezoning. EHG raises the following comments in relation to the strategy.

- The draft Structure Plan identifies one patch of BGHF located adjacent to the state significant precinct rezoning site, however, vegetation mapping and the BDAR submitted to support the proposal identifies additional stands of BGHF throughout the precinct. Accordingly, EHG recommends that the structure plan be amended to identify the additional patches of BGHF that currently exist throughout the precinct.

Further to the above, 'Big Move 6 - Caring for the Blue Gum High Forest and watercourses' includes an action 'to retain and protect significant vegetation within development sites and proposed open space areas'. A map of existing BGHF and watercourses should be included in the strategy to support this action. Priority should be given to the retention of all remaining BGHF.

- Big Move 3 – A rich landscape character notes that the precincts current 26% tree canopy cover will be maintained however it is unclear if this will be maintained by prioritising the retention of existing trees or through new landscape planting as part of future development. EHG considers that further emphasis on the retention of existing canopy trees across the precinct is required.

Amendment to the State Environmental Planning Policy (SEPP) Planning System

EHG does not raise any comments or concerns regarding the proposed amendment to the Planning Systems SEPP to list the Cherrybrook Station government land as a State Significant Development (SSD) site.

Should you have any queries regarding this matter, please contact Shaun Hunt, Senior Conservation Planning Officer via shaun.hunt@environment.nsw.gov.au or 02 8275 1617.

Yours sincerely,



31/08/22

Susan Harrison
Senior Team Leader Planning
Greater Sydney Branch
Biodiversity and Conservation

Place & Infrastructure (Metro North)
Department of Planning and Environment
Level 18, 4 Parramatta Square, 12 Darcy St
PARRAMATTA NSW 2150

ATTN: David Hazeldine

Dear Mr. Hazeldine

New Request for Advice - Cherrybrook Station Precinct - Public Exhibition

Thank you for your correspondence dated 27 July 2022 requesting Transport for NSW (TfNSW) review and respond to the subject proposal.

The documentation provided in support of the proposal has been reviewed, and no substantive issues are raised at this point.

Some suggested additions to the site-specific development control plan are outlined in **TAB A**. An advisory note is also provided regarding the need to consider the provisions of the Transport and Infrastructure SEPP at the development application stage.

Should you require clarification of any issue raised, please don't hesitate to contact Robert Rutledge, Transport Planning Manager, Land Use Planning and Development at Robert.rutledge@transport.nsw.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Mark Ozinga".

2/9/2022

Mark Ozinga

Senior Manager Land Use Planning & Development
Customer Strategy & Technology

CD22/04548

TAB A – Transport Comments - Cherrybrook Station State Significant Precinct government land rezoning proposal

Site Specific DCP Considerations

Comment

The SCT report outlines a number of detailed implementation measures relating to vehicle access design and sustainable travel measures. There would be benefit in raising awareness of these issues in the proposed site-specific development control plan (DCP).

Recommendation

Consideration should be given to including the following points in the DCP :

- Access for Lot B should be designed in such that a heavy rigid vehicle (HRV) of 12.5m can enter and exit the site in a forward direction
- A new bullet point should be added into Prescriptive Measure PM1.2 that states: any vehicle access are to comply with the requirements of AS2890.1 and AS2890.2
- A new prescriptive measure PM4.3 should state that “all basement service areas should comply with all requirements of AS2890.2, and
- Green Travel Plan Actions contained in Section 4.3 of the SCT report should also be included as Prescriptive Measures.

Advisory Note Relevant for Next Stages of Development

It is noted that the future development sites are in relative close proximity to major linear road and rail related transport infrastructure including Castle Hill Road and the Sydney Metro.

Both the road and rail provisions of the Transport & Infrastructure State Environmental Planning Policy together with the Guidelines for Development Near Busy Roads and Railways are NSW Government policies likely to be applicable for future stages of development.

Further consultation may be required with TfNSW and / or Sydney Metro regarding the aforementioned provisions and advice sought as to any further measures that need to be addressed at the development application / design phases.

5 May 2022

CONFIDENTIAL

David Hazeldine
Manager Place & Infrastructure
Department of Planning and Environment
Locked Bag 5022
Parramatta NSW 2124

Dear Mr. Hazeldine,

**RE: EARLY ENGAGEMENT ON THE DRAFT CHERRYBROOK PLACE STRATEGY
AND DRAFT CHERRYBROOK STATION STATE SIGNIFICANT PRECINCT
PROPOSAL**

School Infrastructure NSW (SINSW), as part of the Department of Education (DoE), welcomes the opportunity to provide early comments on both the draft Cherrybrook Place Strategy (the draft Strategy) and the draft Cherrybrook Station State Significant Precinct Proposal (the draft SSP Proposal). It is understood that the Department of Planning and Environment (DPE) is aiming to formally exhibit both packages in May 2022.

SINSW has reviewed the available information related to the draft Strategy, as well as the Social Infrastructure Report for the draft SSP Proposal (provided by DPE on 19th April 2022) and notes that future school development in the precinct is subject to review of the matters outlined in this submission, as well as ongoing collaboration between SINSW, DPE and Sydney Metro. This will ensure that infrastructure provision in the precinct aligns with growth through to 2041.

This submission and its attachment provide feedback and recommendations (in regard to both planning processes) on the following key topics:

- Early Consultation and advice on School Infrastructure
- Population Growth and Resulting Service Need
- Timeframes and Staging

SINSW will provide a comprehensive submission to both the complete draft packages for the draft Strategy and SSP Proposal once these begin formal exhibition in late May 2022.

SINSW welcomes the opportunity to engage further on the draft Strategy and draft SSP as well as the content contained in this submission. Should you require further information about this submission, please contact Alejandra Rojas, Manager Strategic Planning at Alejandra.Rojas1@det.nsw.edu.au or 0428 080 050.

Yours Sincerely,

Paul Towers
Executive Director – Infrastructure Planning

School Infrastructure NSW (SINSW)
Level 8, 259 George Street GPO Box 33, Sydney, NSW 2001
schoolinfrastructure@det.nsw.edu.au education.nsw.gov.au

Early Consultation and Advice on School Infrastructure

SINSW/DoE is a designated Public Authority under Clause 1.4 of the *Environmental Planning and Assessment Act 1979*. SINSW, in conjunction with DoE, is a unique provider of critical social infrastructure and work to ensure that every school-aged child in NSW has access to high quality education facilities in their local area.

The draft Strategy and SSP have potential to impact a range of site-specific and strategic matters for NSW government schools. As a result, it is essential that consultation is undertaken with SINSW/DoE as early as possible in the strategic and/or rezoning process. In relation to the SSP process, engagement with SINSW is requested during the review of Precinct Study Requirements. Further, any feedback provided by the Department should be implemented within the draft Strategy and draft SSP package prior to finalisation. This will ensure that these strategies do not create an expectation that new schools will be constructed in the Precinct, prior to completion of the necessary investigations.

Future delivery of any schools in or around the Cherrybrook Station Precinct is subject to future investigations, realisation of development potential within the Precinct and capacities in surrounding schools.

In support of the above, SINSW requests that the following amendments be made to the Social Infrastructure Assessment for the draft SSP prepared by Cred Consulting (dated March 2022).

SIA Draft Content	Page	SINSW Recommended Amendment
<u>Schools:</u> Cherrybrook Public School: <i>"Limited Capacity to support additional growth"</i> Cherrybrook Technology High School: <i>"does not have the capacity onsite for future growth"</i>	5 Executive Summary	Amend wording to state: <i>"The Cherrybrook station precinct is located within range of several government schools, including:</i> <ul style="list-style-type: none"> <i>Cherrybrook Public School</i> <i>Oakhill Drive Public School</i> <i>West Pennant Hills Public School</i> <i>Cherrybrook Technology High School</i> <i>Pennant Hills High School.</i> <i>School Infrastructure NSW advises that the proposed growth of 3,200 additional dwellings over 20 years, together with current projections, indicates that there will be a requirement for at least one additional primary and one additional secondary school and support services infrastructure. The possible need for new school sites will be subject to future population and housing forecasts issued by DPE within the NSW</i>

		<i>Common Planning Assumptions. SINSW requests ongoing liaison in order to monitor the situation as detailed planning progresses."</i>
<i>"An additional 74 new primary school places and an additional 89 new high school places. Schools Infrastructure NSW has advised that any future demand for school places can be met by upgrades to existing schools".</i>	6	<i>"New school infrastructure as detailed in the Executive Summary"</i>
<p>Facility Type: Primary School and High School</p> <p>Benchmark: No benchmark set by NSW department of education. Demand based on capacity and opportunity.</p> <p>SSP Precinct: 74 new residents of primary school Age. 89 new residents of high school age.</p> <p>Cherrybrook Precinct: 604 new students of primary school age and 729 new students of high school age.</p> <p>Provision/Gaps: Cherrybrook Public School: <i>"...Is at capacity"</i></p> <p>Cherrybrook Technology High School: <i>"....currently has 2005 enrolments"</i></p>	<p>30</p> <p>Table 5: Community facilities needs benchmarking</p>	<ul style="list-style-type: none"> Amend Facility Type column to: <i>"Primary and secondary schools"</i> Amend Benchmark column to: <i>"NSW Department of Education School Asset Strategic Plan Guidelines"</i> Amend both the State Significant Precinct and Cherrybrook Precinct columns to blanks: <i>"-"</i> Amend Provisions/gaps column to: <i>"New school infrastructure as detailed in the Executive Summary".</i>
<p>New primary school that may be delivered within the Cherrybrook Precinct.</p> <p>New high school that may be delivered within the Cherrybrook Precinct</p>	<p>40</p> <p>Table 6.1 Community Facility Needs</p>	<ul style="list-style-type: none"> Combine lines 2 and 3 into a single Line 2. Amend Community Facility column, Line 2 to: <i>"Additional government primary and secondary school and support services infrastructure"</i>

		<ul style="list-style-type: none"> Amend Location, Benchmark SSD and Benchmark Precinct columns, Line 2 to blanks: “-” Amend Evidence column, Line 2 to: <i>“New school infrastructure as detailed in the Executive Summary”.</i>
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Population Growth and Resulting Service Need

The Cherrybrook Station Precinct is located within range of several government schools, including:

- Cherrybrook Public School
- Oakhill Drive Public School
- West Pennant Hills Public School
- Cherrybrook Technology High School
- Pennant Hills High School.

SINSW advises that the growth stemming from the draft SSP can likely be absorbed by surrounding schools. Notwithstanding this, the proposed growth of 3,200 additional dwellings over 20 years, together with current projections, indicates that there will be a requirement for at least an additional primary school, secondary school and support services infrastructure in the area surrounding both precincts. SINSW will commence optioneering in order to identify appropriate solutions to accommodate the projected enrolment demand. This will ensure that existing schools are fully utilised before new schools are considered.

The possible need for new school sites will also be subject to future population and housing forecasts issued by DPE within the NSW Common Planning Assumptions and the actual growth rates of development. As a result, SINSW requests ongoing consultation with DPE as detailed planning progresses for both precincts. This will ensure that public schools are supporting community needs and continue to be appropriately resourced to respond to changes to its student population.

Additional Information

To effectively plan for schools, SINSW/DoE requires the following information (at a minimum):

- The number of dwellings proposed for a precinct.
- Due Diligence on potential schools sites or broader precinct studies (where available).
- Proposed dwelling typologies (low/medium/high density) including the number of proposed bedrooms for high density dwellings.
- Planned staging/timing for each precinct; and

- Whether dwelling numbers will be capped in planning controls.

SINSW requests that the above information is provided to SINSW as soon as possible to assist our investigations as well as included within the exhibited planning package. This information will allow SINSW/DoE to provide greater certainty on the education service need requirements of both precincts.

5th September 2022

David Hazeldine
Manager Place & Infrastructure
Department of Planning and Environment
Locked Bag 5022
Parramatta NSW 2124

Dear Mr. Hazeldine,

**RE: SINSW SUBMISSION - DRAFT CHERRYBROOK PLACE STRATEGY AND
DRAFT CHERRYBROOK STATION STATE SIGNIFICANT PRECINCT REZONING
PROPOSAL**

School Infrastructure NSW (SINSW), as part of the Department of Education (DoE), welcomes the opportunity to provide comments on both the draft Cherrybrook Place Strategy (the draft Strategy) and the draft Cherrybrook Station State Significant Precinct Rezoning Proposal (the draft SSP Proposal).

SINSW has reviewed the documents on exhibition and provided detailed commentary in Attachment A below. This advice is in addition to the feedback provided by the agency in May 2022 (refer Attachment B).

SINSW welcomes the opportunity to engage further on the draft Strategy and draft SSP as well as the content contained in this submission. Should you require further information about this submission, please contact the SINSW Strategic Planning Team on Strategicplanning@det.nsw.edu.au

Yours Sincerely,



Rebecca Willott

R/Executive Director – Infrastructure Planning



ATTACHMENT A – SINSW COMBINED SUBMISSION – CHERRYBROOK PLACE STRATEGY AND SSP

Reporting on Demand for Education Facilities

In the May 2022 submission, SINSW requested that several amendments be made to the draft Social Infrastructure Assessment for the SSP (prepared by Cred Consulting). SINSW notes that the majority of these amendments have since been made to the final draft version of the report (available on the NSW Planning Portal).

Notwithstanding the above, page 23 (Table 3) of the Social Infrastructure Needs Assessment and page 135 of the SSP Planning Report include the following commentary which the Department previously requested be removed:

“An additional 74 new primary school places and an additional 89 new high school places....The wider Cherrybrook precinct will generate demand for 602 Primary school places and 729 high school places...”

SINSW request that this commentary be removed from the above reports prior to finalisation.

Further, Appendix C of the draft Strategy (pg. 83) states the following in relation to schools:

“Additional primary and high school places and school upgrades, where required”.

SINSW request that this sentence be removed and replaced with the following:

“Refer overview of education facilities as detailed in Chapter 6 (page 65) of this report”

As stated previously, SINSW will commence investigations to identify appropriate solutions to accommodate the projected enrolment demand stemming from the wider Precinct development. SINSW will continue engaging with DPE as detailed planning progresses for the Precinct to ensure that surrounding public schools are resourced to respond to changes in the student population.

Active Transport

SINSW generally request that transport planning for the Precinct be guided by the NSW Governments Movement and Place Framework (MAPF) and its Built Environment Performance Indicators. These indicators are based on qualities that contribute to a well-designed built environment and should be used by proponents in the formulation of transport concepts.

The MAPF's core 'Amenity and Use' and 'Primary Schools' indicators are of particular importance to SINSW, as these encourage urban designers to consider

the impact on adjacent places/uses, as well as emphasising movement that supports place. The 'Primary Schools' indicator provides two specific metrics to judge the effect of infrastructure on the accessibility of public schools in an area; these being walkability and public transport access. These metrics require designers to assess whether proposed infrastructure facilitates access to primary school facilities (or public transport connections to schools) or whether it exacerbates gaps in the network.

The primary school-focused MAPF amenity indicator can be accessed via the link below:

<https://www.movementandplace.nsw.gov.au/place-and-network/built-environment-indicators/primary-schools>

Additional Information and Infrastructure Delivery

To effectively plan for increases in enrolment growth stemming from the Precinct, SINSW require information on the staging/timing of development. SINSW request that this information is provided as soon as possible to assist the Department's investigations.

These staging and/or delivery timeframes are also relevant to the provision of active transport infrastructure within the wider Precinct. The identified network improvements should be delivered early in the Precinct to enable safe pedestrian and cycle links in and around the study area, as well as deliver enhanced, safe pedestrian and cycle infrastructure to and from existing schools in proximity to the precinct.

In addition, section 7.3 of the SSP Planning Report notes that an Infrastructure Contributions Plan may be prepared by Hornsby Council to address the extra infrastructure demands arising from Cherrybrook Station SSP and Cherrybrook Station Precinct. SINSW request that in drafting this plan, Council give consideration to including requirements for public domain, transport and other infrastructure works required to support government schools, which are likely to accommodate the growth stemming from the Precinct.



Education

ATTACHMENT B – SINSW EARLY ENGAGEMENT ADVICE – MAY 2022

20 September 2022

Our Ref: 201932

David Hazeldine

Manager Place & Infrastructure (Metro North)
Planning & Land Use Strategy
Department of Planning and Environment
david.hazeldine@planning.nsw.gov.au

RE: Cherrybrook Station Precinct

Thank you for notifying Sydney Water of 3 separate but related plans, which will help to transform the precinct into a vibrant town centre:

- The Cherrybrook Precinct Place Strategy, which outlines a 20-year plan to enhance Cherrybrook through the development of a new green village comprising of **3,200** new homes and new open spaces areas.
- The Cherrybrook Station SSP rezoning proposal, which proposes rezoning around the government-owned laned next to the metro station to facilitate the development of up to **390** new homes supported associated retail, commercial and social amenities.
- Amendment to State Environmental Planning Policy (SEPP) Planning Systems, to enable the Cherrybrook Station government land to be listed as a State Significant Development (SSD) site.

Sydney Water has reviewed the supplied documents and provides the following comments to assist in progressing the rezoning proposal and planning the servicing needs of the proposal.

Growth Data

- Sydney Water supports government-backed growth initiatives within our area of operations and endeavours to provide services in a timely and prudent manner that delivers cost-effective water and wastewater infrastructure whilst not impacting our current customer base economically, environmentally, or unduly impacting current service levels.
- To fully support all growth and developments and to fully assess proposed developments, we require both the **anticipated ultimate and annual growth** data for this development as attached in Appendix 1, to be fully populated and returned to Sydney Water.
- Sydney Water acknowledges that timescales and final growth numbers may alter, however, in order to provide robust servicing advice and to investigate the potential for staged servicing to meet timescales, we require a realistic indication of demand and staging timescales. Failure to provide this may result in Sydney Water being unable to formulate robust planning requirements.
- **The Growth Data Form in Appendix 1 should be completed and provided to the Growth Planning Team via urbangrowth@sydneywater.com.au and be provided within 4 weeks of this letter.**

Servicing

- The proposal presents potentially large servicing demands and as such, further investigation will be required to determine the servicing requirements for this site. It is recommended that a Water Servicing Coordinator is engaged as soon as possible, and a feasibility application is lodged with Sydney Water prior to subsequent development occurring. The feasibility application should provide both ultimate and annual dwelling and employment numbers.
- It is recommended that an inception meeting is held with Sydney Water after the proponent has prepared a detailed concept servicing proposal for potable water and wastewater services.

Requirements/Next steps

- Complete and return the Growth Data Form in the format provided in Appendix 1 within 4 weeks of the date of this letter to the Growth Planning Team via urbangrowth@sydneywater.com.au.
- The proponent should continue liaison with their account/case team by **lodging a feasibility** application with their WSC, if one has not already been raised, and discuss any commercial servicing agreements. This should include assessing initial servicing number options and timescales prior to the ultimate servicing being available.

This advice is not formal approval of our servicing requirements. If the proponents require any further information, they should contact the Account Manager, Raj Kamal via raj.kamal@sydneywater.com.au If you require any information, please contact the Growth Planning Team via urbangrowth@sydneywater.com.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "K. Leitch", with a large, sweeping flourish extending to the right.

Kristine Leitch

Commercial Growth Manager

City Growth and Development, Business Development Group

Sydney Water, 1 Smith Street, Parramatta NSW 2150

APPENDIX 1: GROWTH DATA FORM (emailed)



NSW RURAL FIRE SERVICE

Department of Planning and Environment (Sydney Offices)
GPO Box 39
Sydney NSW 2001

Your reference: (none)
Our reference: SPI20220908000111

ATTENTION: David Hazeldine

Date: Thursday 20 October 2022

Dear Sir/Madam,

Strategic Planning Instrument

Other - Draft Proposal

Draft Cherrybrook Station Precinct Place Strategy

I refer to your correspondence dated 05/09/2022 inviting the NSW Rural Fire Service (NSW RFS) to comment on the above Strategic Planning document.

The NSW RFS has considered the information submitted and provides the following comments.

The Cherrybrook Station State Significant Precinct (SSP) comprising of 2 Bradfield Parade, Cherrybrook (Lot 30 DP1253104); 4 Bradfield Parade, Cherrybrook (Lot 31 DP1253104); 6 Bradfield Parade, Cherrybrook (Lot 32 DP1253104); and 1-19 Bradfield Parade, Cherrybrook (Lot 33 DP1253104) adjacent to the Cherrybrook Metro Station is not mapped bush fire prone.

The proposed precinct strategy is considered to be generally in alignment with the provisions of *Planning for Bush Fire Protection 2019*.

For any queries regarding this correspondence, please contact Rohini Belapurkar on 1300 NSW RFS.

Yours sincerely,

Marc Ellwood

**Supervisor Development Assessment & Plan
Built & Natural Environment**

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au



NSW RURAL FIRE SERVICE

Department of Planning and Environment (Parramatta)
Locked Bag 5022,
PARRAMATTA NSW 2124
Australia

Your reference: (none)
Our reference: SPI20220908000112

ATTENTION: David Hazeldine

Date: Thursday 20 October 2022

Dear Sir/Madam,

**Strategic Planning Instrument
LEP Amendment – Exhibition**

Amendment to Hornsby LEP 2013 for rezoning of Cherrybrook State Significant Precinct (SSP) Proposal

I refer to your correspondence dated 28/07/2022 inviting the NSW Rural Fire Service (NSW RFS) to comment on the above Strategic Planning document.

The NSW RFS has considered the information submitted and provides the following comments.

The NSW RFS has reviewed the amendments to the *Hornsby Local Environmental Plan (HLEP) 2013* for rezoning of Cherrybrook Station State Significant Precinct comprising four (4) sites, 2 Bradfield Parade, Cherrybrook (Lot 30 DP1253104); 4 Bradfield Parade, Cherrybrook (Lot 31 DP1253104); 6 Bradfield Parade, Cherrybrook (Lot 32 DP1253104); and 1-19 Bradfield Parade, Cherrybrook (Lot 33 DP1253104) to enable mixed-use development, and it is advised that these lots are not mapped bush fire prone.

The proposed rezoning and amendments to the *HLEP 2013* are considered to be generally in accordance with the provisions of *Planning for Bush Fire Protection 2019*.

For any queries regarding this correspondence, please contact Rohini Belapurkar on 1300 NSW RFS.

Yours sincerely,

Marc Ellwood
**Supervisor Development Assessment & Plan
Built & Natural Environment**

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
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www.rfs.nsw.gov.au



NSW RURAL FIRE SERVICE

Department of Planning and Environment (Sydney Offices)
GPO Box 39
Sydney NSW 2001

Your reference: Cherrybrook Structure Plan
Our reference: SPI20220908000113

ATTENTION: David Hazeldine

Date: Thursday 20 October 2022

Dear Sir/Madam,

Strategic Planning Instrument

Draft SEPP – Exhibition

Amendment to the State Environmental Planning Policy (SEPP) Planning Systems

I refer to your correspondence dated 28/07/2022 inviting the NSW Rural Fire Service (NSW RFS) to comment on the above Strategic Planning document.

The NSW RFS has considered the information submitted and provides the following comments.

The NSW RFS has reviewed an amendment to update *Schedule 2 State significant development – identified sites* of State Environmental Planning Policy (SEPP) Planning Systems, to enable the Cherrybrook Station government land to be listed as a State Significant Development (SSD) site. The Cherrybrook Station State Significant Precinct (SSP) comprising of 2 Bradfield Parade, Cherrybrook (Lot 30 DP1253104); 4 Bradfield Parade, Cherrybrook (Lot 31 DP1253104); 6 Bradfield Parade, Cherrybrook (Lot 32 DP1253104); and 1-19 Bradfield Parade, Cherrybrook (Lot 33 DP1253104) is not mapped bush fire prone.

The proposed amendment to SEPP Planning Systems is considered to be generally in alignment with the provisions of *Planning for Bush Fire Protection 2019*.

For any queries regarding this correspondence, please contact Rohini Belapurkar on 1300 NSW RFS.

Yours sincerely,

Marc Ellwood
**Supervisor Development Assessment & Plan
Built & Natural Environment**

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

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