



23 August 2022

Department of Planning and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

Our Ref: FP115 & FP58

Dear Sir/Madam,

SUBMISSION ON STATE GOVERNMENT EXHIBITION OF DRAFT PLANS FOR CHERRYBROOK STATION PRECINCT (FP115 & FP58)

Thank you for the opportunity to make a submission on the Draft Cherrybrook Station Precinct – Place Strategy (Strategy), Draft Rezoning Application, proposed SEPP (Planning Systems) 2021 amendments and supporting documentation.

At its Meeting on 23 August 2022, Council considered a report on the exhibition and resolved to make a submission. A copy of the Council report and minute is provided as Attachment 1 and the content of this report forms part of Council's submission.

The following key comments are raised with respect to the draft Place Strategy, draft rezoning application and SEPP amendment:

- Council is supportive of the final Place Strategy being implemented through the preparation of a precinct-wide rezoning, led by State Government, accompanied by a precinct-wide Development Control Plan and Contributions Plan (exhibited 'Option 1'). Council does however reserve the right to reconsider this position if any material changes are made to the draft Place Strategy by the Department following the exhibition period.
- The recommended development controls and standards should have greater consideration for the existing site and environmental constraints such as amenity of surrounding low-density residential properties and biodiversity.
- State Government should provide greater clarification on future regional and State funded infrastructure to provide certainty on the serviceability and viability of future growth of the Precinct.
- Greater details should be provided (including designs, costings and timing of delivery) for identified transport and traffic, active open space and drainage infrastructure to inform the preparation of a future Contributions Plan.
- Further consideration should be given to improved pedestrian connectivity across Castle Hill Road, including the potential for grade-separated crossing.
- More stringent controls would be required to facilitate the desired 'Green Village' character and targeted tree canopy coverage.

- Implementation of the rezoning of the State Government's State Significant Precinct should be undertaken by way of a Master Plan SSDA, to ensure the desired design and built form outcomes are realised. Alternatively, the State Government should provide Councils and the community with some assurance that the "Urban Design Guide" for this land will have adequate statutory weight as part of the assessment of future built form SSDAs, to ensure that the exhibited vision for the Government Land is realised.

1. Draft Place Strategy

a) Implementation Options

It is Council's preference that Option 1 (as referred to in the draft Place Strategy) be pursued, being that the State Government lead the rezoning of land within the Precinct in accordance with the final Place Strategy, which would involve the preparation and exhibition of LEP amendments, concurrent with a supporting Development Control Plan and Contributions Plan. It is requested that Council lead (or at a minimum provide detailed technical input toward) the preparation of any Development Control Plan and Contributions Plan, in conjunction with the rezoning process.

A single precinct-wide rezoning would prevent a piecemeal approach and will facilitate orderly planning and development within the Precinct by minimising the preparation of site-specific planning proposals, Development Control Plans and Voluntary Planning Agreements. It would result in a clear and consolidated vision for the Precinct, consistent character objectives and controls, and a holistic solution to infrastructure.

State Government led amendments to the planning controls across the broader Cherrybrook Precinct would limit the lodgement of landowner-initiated planning proposals that may seek uplift beyond the yield and built form outcomes anticipated and planned for through the draft Place Strategy. This is particularly relevant to Cherrybrook Station Precinct which had been subject to two landowner-initiated planning proposals (including Top Place (9/2016/PLP) and Grosvenor Park (14/2015/PLP)) which Council had determined did not demonstrate consistency with the existing strategic planning framework.

Ultimately, a precinct-wide and holistic rezoning would provide a clearer signal to landowners and developers and would most efficiently progress the planning to the point where Development Applications could be lodged. It would provide the greatest level of certainty that the planning and built form outcomes and guiding principles articulated in the final Place Strategy can be achieved and supported by appropriate infrastructure.

Recommendations:

- The final Place Strategy be implemented by way of a State Government-led precinct-wide rezoning (Option 1), involving the preparation and exhibition of LEP amendments, concurrent with a supporting Development Control Plan and Contributions Plan applicable to land within The Hills Shire, prepared by Council.
- Council reserves the right to reconsider this position if any material changes are made to the draft Place Strategy by the Department following the exhibition period.
- Should the Strategy be implemented as per Option 3 (landowner-initiated planning proposals), the Section 9.1 Ministerial Direction flagged within the exhibition material should be exhibited prior to the finalisation of the Place Strategy.

b) Development Standards

Maximum building heights and floor space ratio

The supporting Explanation of Intended Effects articulates that while the draft Strategy identifies a maximum five-storey height, eventual specific building height controls will be determined in the future planning proposal stages having consideration to site-specific considerations, including topography. This intention is supported by the draft Strategy's guiding principles (such as encouragement of

transit-oriented development that promotes transition in heights and densities). However, concern is raised that it will be difficult to enforce this consideration as part of landowner-initiated planning proposals.

For example, it is not uncommon for landowner-initiated planning proposals to seek uplift that has inadequate regard for site-specific implications, based on maximum development controls that have been broadly applied precinct-wide (which are consequently open to varying interpretations and subject to scrutiny). These lead to disagreements between Council and Proponents regarding a proposal's consistency with the strategic framework, which lengthens assessment timeframes and creates difficulty in achieving intended outcomes.

The final Strategy should highlight the need to consider site-specific constraints while ensuring future development accords with the recommended controls. This will ensure that rather than the recommended FSRs and maximum building heights being viewed as an "entitlement", the ability for future development seeking to achieve the maximum yield would be contingent on demonstrating site appropriateness, particularly land interfacing low-density residential properties (including environmental constraints and appropriate urban design outcomes). It is also preferred that the applicable FSR be expressed as a maximum.

To reinforce the need for landowner-initiated planning proposals to consider site constraints in justifying the proposed building height and FSR, the Place Strategy should include additional guidance on appropriate building heights and densities at interfaces with low and medium-density uses. A blanket 5-storey height and 1.4:1 FSR at these locations may be unlikely to result in optimum built-form and amenity outcomes.

A reduced height and FSR should be considered for land west of Glenhope Road, where there is no road separation between the proposed 5-storey height and the existing 1-2 storey development interface, to ensure visual amenity and privacy concerns are minimised. Additionally, further investigation is required on the biodiversity, visual and solar impacts resulting from the densities proposed along the ridgeline, south of Castle Hill Road, and throughout the precinct more broadly.

Council's current adopted position under The Hills Corridor Strategy with respect to building heights in Cherrybrook is summarised within the following extracts from The Hills Corridor Strategy:

- *This proposed density (144 dwellings per hectare) is expected to accommodate buildings with an average height of around 6 storeys and a maximum of 8 storeys;*
- *Along the ridge line of Castle Hill Road a maximum of 6 storey apartment developments are envisaged.*
- *As walking distances from the station increases, lower scale apartments are envisaged. This will enable some uplift in density whilst minimising the impact on adjoining land uses and the existing character of the area. Building heights will transition downward further from the station.*
- *The height of any buildings will need to have regard to the potential visual impact on surrounding lower density residential areas, given the significant change in levels. As the precinct is south facing, future building elements will need to be sufficiently separated to reduce the impact of overshadowing on adjoining properties.*

It is recommended that the Department give consideration to the potential for greater articulation and variation in building heights at key and appropriate locations, within the parameters set by Council's Corridor Strategy. Importantly, this exercise should be in relation to promoting optimal built form and urban design outcomes in the context of the density settings proposed within the Place Strategy, *not* with a view to increasing the density or yields beyond that shown within the draft Place Strategy.

This may also require further consideration and modelling to inform the setting of potential height of building controls through subsequent LEP amendments, to ensure that any height limit (in metres) factors in the impact of the slope of the land and allows for adequate flexibility for individual buildings to be designed to achieve key ground plane amenity and urban design objectives (ie, landscaping, setbacks, solar access and common open space).

Recommendation:

- The Department give consideration to the potential for greater articulation and variation in building heights at key and appropriate locations, within the parameters set by Council's Corridor Strategy. Importantly, this exercise should be in relation to promoting optimal built form and urban design outcomes in the context of the density settings proposed within the Place Strategy, *not* with a view to increasing the density or yields beyond that shown within the draft Place Strategy.
- The final Strategy should include additional guidance on appropriate building heights and densities, particularly at interfaces with low and medium-density uses. This additional guidance is particularly necessary if the Department opts to implement the Strategy as per Option 3 (landowner-initiated planning proposals).

Housing affordability, mix and diversity

The draft Strategy recommends that 5% of Green Village be designated as affordable housing through the introduction of an affordable housing provision. Whilst the consistency of this target with the Greater Sydney Commission targets is acknowledged, it is unclear what evidence has informed the proposed threshold or to what extent local circumstances have been taken into consideration. To date, there has been no detailed viability assessment undertaken more broadly within The Hills to ascertain an appropriate level of affordable housing provision or whether the targets set by Government can feasibly be provided within development areas (especially in areas where the uplift was foreshadowed [and property values escalated] prior to the announcement of affordable housing targets).

In accordance with Council's Housing Strategy (as endorsed by the Greater Sydney Commission), Council is in the preliminary stages of developing an Affordable Housing Contributions Scheme that has regard to the Department's Guideline for Developing an Affordable Housing Contribution Scheme. In the interim, Council's approach to date has been to encourage diverse dwelling types and sizes to facilitate more affordable housing which seeks to accommodate The Hills' family dominant demographic.

Specifically, Council's housing diversity provision under Clause 7.11 of The Hills Local Environmental Plan 2019, which has been developed in consultation with the Department of Planning and Environment, stipulates apartment size mix requirements for residential development that are able to comply with the relevant incentive FSR controls within Sydney Metro Northwest precincts. These seek to cater to the Shire's relatively larger family-oriented demographic by ensuring that adequate apartment stock will be available for, and attractive to, families. Accordingly, as the Place Strategy applies to the Cherrybrook Station Precinct, it is expected that any future rezoning includes apartment size and mix requirements reflective of those applied in other Hills metro stations (including Castle Hill, Showground, Norwest), or until such time as Council's Affordable Housing Contribution Scheme is adopted.

Recommendation:

- Omit the recommended 5% affordable housing provision (for land within The Hills Shire) and instead ensure future rezoning includes apartment size and mix requirements specified under Clause 7.11 of The Hills LEP 2019, while having regard to the Strategy's proposed FSR controls.

Biodiversity and Tree Canopy

The Hills Corridor Strategy (2013) identifies ecological constraints within the Cherrybrook Station Precinct, including the Critically Endangered Ecological Community (CEEC), Blue Gum High Forest. Specifically, a substantial portion of the Green Village is mapped as containing significant

Biodiversity Values and contains threatened species or ecological communities with potential for Serious and Irreversible Impacts (SAIL), including land identified as 'further investigation areas'.

While a 'big move' of the draft Strategy is to 'Care for Blue Gum High Forest and Watercourses', the final Strategy, including the recommended FSR and height controls, should be designed and informed by existing Biodiversity Values within the broader precinct.

The Greater Sydney Urban Vegetation Cover 2019 indicates that the average percentage for canopy cover within The Hills Shire's portion of the Green Village is approximately 42%, with the highest canopy cover value being 53%. Under the recommended development standards and controls, future development would effectively reduce the existing canopy cover located within The Hills' portion of the Green Village and therefore would not align with the Greater Sydney Commission's target of increasing tree canopy cover to 40%. Further discussion on development controls relating to tree canopy is detailed in Section 1c) of this submission.

The Biodiversity Development Assessment Report (BDAR) prepared by Biosis for the SPP site, identifies native vegetation located immediately south of Castle Hill Road (within the Green Village). Land containing high biodiversity values, including areas along riparian corridors, should be clearly identified for protection and retention.

Recommendations:

- Targeted investigation of biodiversity values should ultimately inform the recommended LEP amendments and future DCP controls. This should include the preparation of a Biodiversity Development Assessment Report (BDAR) or Biodiversity Assessment Report (BAR) by a Biodiversity Assessment Method Accredited Assessor.
- Greater consideration should be given to existing ecological constraints within the precinct. The final Strategy should be designed to avoid and retain Threatened Ecological Communities (TEC), threatened species and their habitat, particularly areas identified as CEEC (Blue Gum High Forest).
- The final Strategy should identify opportunities to support habitat protection and enhancement and identify opportunities to develop and further the extent, connectivity and quality of the green network.

c) Development Controls

In conjunction with a State-wide rezoning, a supporting precinct-wide Development Control Plan (DCP), reflective of the draft Strategy's envisaged development outcomes, would establish a standardised and consistent suite of development controls applicable throughout the precinct, rather than requiring the preparation of site-specific DCPs that seek to establish a compromise between the recommendations of the draft Strategy and the individual development aspirations and concepts lodged in support of landowner initiated planning proposals.

Recommendations:

- Council lead, or at a minimum provide detailed technical input into, the preparation of any Development Control Plan, in conjunction with the rezoning process.
- The following preliminary comments are made with respect to development controls put forward within the draft Place Strategy.

Setbacks

- A minimum 7.5 metre setback is recommended for all street frontages and a 10 metre setback to main and collector roads such as Coonara Avenue, Glenhope Road and Highs Road to provide optimal amenity and ensure the desired tree canopy cover is achievable.

It is noted that Council's existing DCP does not permit trees to be located within 5 metres of a residential flat building.

- The proposed 3-metre upper-level setback should be increased to 4 metres to allow for a 2.5-metre wide balcony that does not finish on the building frontage line (which would otherwise add to the perception of an additional storey in the street wall).
- The proposed 3 metre upper-level setback controls should be increased for properties located west of Glenhope Road where there is no road separation between the proposed 5-storey height and the existing 1-2 storey development interface.
- There is limited justification for a 5-storey street wall along Castle Hill Road (apart from the larger setback distance). Further, it appears that insufficient consideration has been given to impacts on identified CEEC Blue Gum High Forest. It is considered that maintaining a 3-storey street wall across the Precinct would provide a more optimal built form and amenity outcome.

Street Profiles

- Indicative road profiles where a 7 metre setback applies indicate that basement car parking is to be confined behind the building line, however can extend to 1 metre beyond the building footprint toward the street. Additional parameters should be specified to clarify in which circumstances this would be appropriate, such as complying with minimum tree-canopy and landscaping requirements, including minimum deep-soil landscaping.
- The indicative 1.8 metres shared path is considered inadequate and should be increased to at least 2.5 metres, in accordance with TfNSW's (2016) study on shared paths.
- All new streets (including primary and secondary streets) south of Castle Hill Road should be at least 21 metres in width (5m verge on both sides, 2.5m on-street car parking on both sides and 2 x 3m traffic lanes). This width will accommodate wider paths, canopy trees. Streets of this width will also be able to accommodate 65m building lengths which will allow for more FSR in a single building envelope.
- Indented parking is not supported along new roads. This approach should only be pursued in located where dedicated parking lanes are not able to be provided.

Communal open space

- Communal open space should receive at least four hours of solar access between 9am and 3pm on the winter solstice.
- Clearly specify that a *maximum* of 50% communal open space is permitted on roof tops.

Biodiversity and Tree Canopy

- The draft Strategy does not appear to include substantive development controls that would realistically facilitate a 'green' village and the ability to achieve 40% tree canopy cover is questionable. Accordingly, additional landscaping controls should be identified to achieve the desired outcome.

d) Further Investigation Areas

Clarification is sought within the draft Strategy to identify reasons that these areas have been excluded and therefore what would need to be addressed in order for these areas to be considered for uplift in the future. Clear parameters should be articulated within the Strategy around the "further

investigation areas”, to avoid these areas being the subject of speculative investment and rezoning applications in the short term, to the detriment of feasible outcomes progressing within the shorter-term opportunity areas.

Based on the draft Strategy’s feasibility of the uplift proposed within Precinct (by 2042) and the supporting infrastructure schedule that seeks to service this uplift, it is likely premature for additional yield to be considered prior to the 2042 planning horizon of the Strategy. The Department should carefully consider whether identification of these areas in this manner will provide an uncertain signal to the market around the future (and timing) of development in this area. This uncertainty will also create difficulty in assessing the infrastructure implications and yield potential for the precinct.

Should the Place Strategy be implemented by way of land-owner-initiated planning proposals, this matter should be clearly addressed within a future Section 9.1 Ministerial Direction.

Recommendation:

- Clear parameters should be articulated within the Strategy around the “further investigation areas”, to avoid these areas being the subject of speculative investment and rezoning applications in the short term, to the detriment of feasible outcomes progressing within the shorter-term opportunity areas. If there is limited justification to consider these areas now, they should potentially not be identified within the Strategy, which an rationale as to why no growth has been identified for this land.

e) Landslide risk and land consolidation

It is noted that the majority of the study area south of Castle Hill Road is mapped as landslide risk in The Hills LEP 2019 and it is acknowledged that geotechnical investigations had been undertaken at the early preliminary stages of precinct planning of the area. However, landslide risk has not been considered in the draft Strategy, and it is unclear if an updated study has been undertaken to assess the viability of the Strategy’s envisaged outcomes.

Specifically, it is likely that substantial earthworks will be required to facilitate the Strategy’s proposed densities and road network and the scope and staging of the geotechnical work required to support these outcomes warrant further investigation to determine the development feasibility. It is understood that implementation of the Strategy requires future consolidation of land. However, noting the fragmentation of land ownership, resolution of landslide risk may require joint remediation of logical ‘land parcels’ (supported by landslide plans) which should be determined by this late stage of the precinct planning process to ensure that the necessary aggregation of land underpins the intended implementation of the final Strategy.

Should substantial earthworks be required to establish new road connections that extend across multiple, smaller individual properties, development sequencing and land consolidation should be addressed and resolved in the final Strategy.

Recommendation:

- The final Strategy address landslide risk, including undertaking further geotechnical investigations (as required) to verify the feasibility of the proposed road connections and densities throughout the precinct, including consideration of appropriate land consolidation.

f) Infrastructure

Precinct-wide Contributions Plan

It is critical to have a contributions framework in place before rezoning any land within the broader Precinct. Progression of the Place Strategy without the necessary level of detail of infrastructure will likely lead to sub-standard or inequitable contribution arrangements between different developers.

A holistic rezoning of the broader Cherrybrook Precinct should be supported by the preparation of a Contributions Plan, as this would reduce risks associated with attempting to deal with infrastructure through individual VPAs, or in the context of two individual Council areas.

While the draft Strategy provides a high-level infrastructure schedule, greater detail is required including designs and costings (land and capital), including embellishment costs for open space, to allow for the preparation of a Contributions Plan.

Recommendation:

- Council lead (or at a minimum provide detailed technical input into) the preparation of a Local Contributions Plan, in conjunction with the rezoning process.
- Additional information on all infrastructure items, including designs, costings (land and capital – inclusive of park embellishments), timing and responsibility be provided to Council to inform the preparation of a Contributions Plan.

Regional infrastructure contributions

Regional Infrastructure Contributions (RICs) has been identified as a potential funding mechanism for certain infrastructure required to support the Cherrybrook Precinct. While State funding is supported in principle (where appropriate), this approach is considered to have significant risk and uncertainty given that the RIC framework has not yet been legislated and, from Council's understanding, will not include a specific infrastructure list which would 'secure' funding for the delivery of specific infrastructure. If infrastructure items are identified for future RIC funding (and land use planning changes and local infrastructure planning frameworks subsequently progressed on this basis) it is imperative that Council, developers and the community are provided with absolute certainty that these items will be receive funding at the right times, to enable delivery of the infrastructure in line with future development.

Recommendation:

- The Department the provided clarification on implementation of the RIC framework and provide assurance that delivery and funding of infrastructure under this pathway is viable.

Transport network upgrades

It is considered that the indicative design and location of the 'local transport network upgrades' and 'regional transport network upgrades' identified in the Infrastructure Schedule and detailed in the supporting Traffic and Transport Planning Study (Study) are reasonable.

However, concern is raised that identified upgrades are primarily focused on the immediate study area and the Traffic Study lacks detail on broader issues in the traffic network which are likely to be exacerbated by growth within the Cherrybrook Precinct (for example Acres Road and Taylor Street). While the Metro patronage is likely to absorb some additional travel demand (especially for trips to the east and west of the Precinct), there is likely to be increased southbound vehicular traffic from the Cherrybrook Precinct due to workers travelling to centres that are not currently accessible via the Metro (most notably, Parramatta).

Additionally, whilst the report acknowledges planned upgrades to New Line Road, it does not consider potential implications in this particular locality, including cumulative traffic impacts, which may be significant given Cherrybrook Station is the closest Metro station for many rural areas to the north. Regional network planning carried out by Transport for NSW may only seek to resolve issues over the long term, as they arise, and when solutions may be more difficult to deliver. It is recognised that investigations on the regional road network have been undertaken, however, it is suggested that issues with the broader regional road network should be discussed now, and solutions (if needed) be identified and programmed in conjunction with the current precinct planning. Accordingly, it is requested that State Government provide greater certainty with respect to planned upgrades on the broader regional road network (beyond the precinct boundaries), including costings, timing, responsibility and delivery.

Furthermore, it is further noted that Transport Assessment identified that the intersection of Old Northern Road/ Castle Hill Road is going to operate at LOS F in AM and PM peak in 2031 and 2041 based on the 'Do Minimum approach'. The assessment recommends that only signal optimisation be pursued at this location which would result in Levels of Service of E during the AM peak and F during the PM peak in 2031 and Levels of Service of F during both the AM and PM peaks in 2041. The transport assessment did however model an upgrade to this intersection, which indicates that the upgrade would result in Levels of Service of D during both the AM and PM peaks in 2031 and Levels of Service of E during both the AM and PM peaks in 2041.

The assessment recommends that the upgrade not be pursued, despite the modelling results showing the clear benefits of this upgrade occurring. The rationale provided within the assessment for not pursuing the upgrade is that the intersection is a key 'controlling intersection' in the area and that the costs of upgrading the intersection coupled with the additional release of vehicles to other downstream intersections should be deferred for as long as possible so as not to impact intersections further east. It is recommended that further consideration be given to this upgrade and if needed, other upgrades required to resolve regional traffic issues associated with east-west movements. If this option is not pursued, a clear justification is required to demonstrate to Council and the community that the broader regional road network will continue to operate at an acceptable level of service.

Recommendations:

- Transport for NSW and the Department identify solutions for the broader regional road network and program these upgrades in conjunction with the current precinct planning of Cherrybrook. Greater certainty be provided on the costings, timing and delivery of planned upgrades on the broader regional road network.
- Further consideration be given to the delivery of the upgrade of the Old Northern Road/ Castle Hill Road intersection (as modelled within the transport assessment). If this option is not pursued a clear justification is required to demonstrate to Council and the community that the broader regional road network will continue to operate at an acceptable level of service.
- The precinct-wide planning proposal must also include the rezoning of SP2 land to facilitate acquisition for identified road upgrades.

Grade Separation

The Traffic Study concludes that evidence does not support the need for a pedestrian overpass/underpass on Castle Hill Road (between Hornsby LGA and The Hills LGA) and signalised crossings will be sufficient to cater for the anticipated pedestrian demand resulting from growth on the southern side of Castle Hill Road. The analysis further suggests that the additional walk time and effort to use a grade-separated link would likely reduce its attractiveness and that there would be insufficient pedestrian demand to justify their cost.

Notwithstanding, Council maintains its position that the potential impact of pedestrian movements on traffic flow along the regional road network has not been given adequate consideration, particularly in the context of growth and associated traffic that will result from uplift in neighbouring station precincts to 2041 and beyond. The yield that may be achieved on the "future investigation sites" in terms of pedestrian demand and additional vehicular traffic have also not been factored into the analysis.

A grade-separated crossing is considered to be highly important from a pedestrian safety and accessibility perspective as it would limit unsafe pedestrian movements across a busy classified road. The suggestion that the link would be unattractive is also questionable given that the time taken to access the crossing could be offset by reduced wait times (at traffic signals) and more direct access into the station.

It is acknowledged that it is appropriate to reconsider the need for a grade separated crossing in light of the more moderate levels of growth now envisaged under the draft Place Strategy, in comparison

to the context of higher-growth scenarios under previous landowner-initiated planning proposals (where the cost of providing such infrastructure would have been more easily offset by the substantial uplift sought). The cost of infrastructure will be a key factor in delivering the outcomes envisaged under the Place Strategy, and it is critical that appropriate infrastructure is planned for, without resulting in cost-prohibitive contribution rates or the need to consider increasing development yields to an undesirable extent in order to ensure development feasibility in light of high infrastructure costs.

Recommendation:

- A safe and efficient pedestrian infrastructure solution across Castle Hill Road (such as a grade-separation crossing) be identified within the Place Strategy to facilitate optimal pedestrian accessibility and traffic flow along the regional road network.

Car Parking

The Traffic Study states that as per the Car Parking Management Study (August 2020) commissioned by Hornsby Shire Council, only 400 of the promised 800 car parking spaces have been provided within the Cherrybrook Station car park and that additional bus services should be introduced to make up the shortfall. Additionally, it recommends that timed on-street parking restrictions should be introduced further into The Hills Shire as redevelopment occurs in Glenhope Road to Salisbury Downs Drive to manage the spill of commuter parking into local streets.

Based on Council's experience expansion of parking restrictions in local streets does not necessarily resolve the commuter parking issue. Rather it simply shifts the issue onto the adjoining streets. It is therefore crucial that additional commuter parking spaces be provided in the station car park as originally intended to accommodate future parking demand.

Recommendation:

- Make provision for 400 additional car parking spaces within the Cherrybrook Station carpark facility, as per the Car Parking Management Strategy (2020) to deter excessive on-street parking within local streets.

Active Open Space

The proposed double-playing field facility being delivered as a district facility and funded through regional infrastructure contributions by State Government is considered appropriate (subject to this delivery pathway being reliable and certain). It acknowledged that the draft Strategy identifies that further investigation is required to identify a suitable site and commence the planning process.

Notwithstanding, Council officers have previously raised the need to specifically identify and cost active open space solutions for the Precinct, as the cost for such infrastructure would have significant impacts on the preparation of a contributions plan.

More broadly, future rezoning of the Cherrybrook Station Precinct (whether this is undertaken as a precinct-wide or landowner-initiated rezoning) would ultimately need to demonstrate consistency with the strategic planning framework (including infrastructure requirements). Accordingly, development uplift is reliant on the resolution of this matter. It is likely that the active recreation solution would need to be accommodated within Hornsby LGA given that it would be extremely difficult and unfeasible to provide any additional playing fields south of Castle Hill Road (within The Hills LGA) due to topography and land availability. The Department would be best positioned to coordinate a process to identify and secure a suitable site in consultation with both Councils prior to any rezoning occurring.

Noting the importance of addressing and solving this issue holistically as part of the precinct planning, and possible funding of a future facility under Regional Infrastructure Contributions, it is suggested that the Department target investigations on land within Hornsby LGA and coordinate a process to identify and secure a suitable site in consultation with both Councils.

Recommendation:

- The Department target investigations to provide additional playing fields within Hornsby LGA and coordinate a process to identify and secure a suitable site in consultation with both Councils prior to any rezoning within the Precinct.

School Infrastructure

The draft Strategy identifies that the future population within the Precinct and its surrounds would require at least an additional primary school, secondary school and supporting services. School Infrastructure NSW will commence optioneering to identify appropriate solutions to accommodate the projected school enrolment demand and would ultimately need to be monitored and resolved over the next 20 years as development occurs. While it is recognised that this will require extensive investigation, it is critical that this be resolved (including site location) prior to any rezoning of the Precinct to avoid long-term infrastructure issues as experienced in Showground Precinct and Box Hill release area.

For example, within Showground Precinct the State-Government has sought to place an arbitrary cap on growth until such time as the location and delivery of a school facility are confirmed. It is critical that such an interim measure is not replicated in Cherrybrook Station Precinct and that a resolution to school infrastructure is resolved prior to any rezoning of the precinct.

It is particularly critical that a primary school site is located within the walkable catchment of the precinct, given primary school students are less likely to rely on the Metro to access schools. At a minimum, the Place Strategy should identify a new primary school site within the Cherrybrook Precinct. This is particularly important and urgent if such infrastructure is intended to be funded through regional infrastructure contributions collected from development within the Precinct.

Recommendation:

- School Infrastructure NSW and the Department identify a new primary school site (at a minimum) within the walkable catchment of the Cherrybrook Station Precinct, prior to any rezoning occurring.

Drainage Infrastructure

Future development of the Green Village will increase the imperviousness of the precinct drainage catchment and result in higher peak flows and increased pollutant loadings, which if not controlled will impact downstream properties and receiving water bodies. As an alternative to requiring on lot detention and water quality provision for each development, a regional detention and bioretention system can be implemented to service the station precinct.

Ultimately further consideration will need to be given to the street drainage system. In particular, the hydrologic level of service of the existing street drainage network which is likely to be less than 20% AEP for roads south of Castle Hill Road and an increase in the drainage system's conveyance capacity to at least 10% AEP will reduce nuisance flooding.

Detailed investigations should be undertaken on the required drainage requirements for the broader Station Precinct, including consideration for a regional detention system (which, if required, should include designs and costings to inform the preparation of a future Contributions Plan).

2. Draft Rezoning Application

It is anticipated that Hornsby Shire Council will provide more detailed comments on the rezoning package for the station site. Nevertheless, the following comments are provided for your consideration as they relate to The Hills residents' use of the proposed local centre.

- The outcomes envisaged through the Planning Proposal generally align with those envisaged under the draft Place Strategy in terms of creating a low-rise walkable centre that supports the function of the station and needs of the surrounding community with retail, open space and community uses.

- A solution should be included to address pedestrian connectivity over Castle Hill Road (between Hornsby LGA and The Hills LGA), the location for which would need to be identified and secured as part of this proposal.
- Higher density development along Castle Hill Road should provide acceptable building height and density transition away from the station having consideration for visual amenity and privacy implications on surrounding lower density development and sensitive interfaces.
- Recommended development controls should consider existing environmental constraints, such as topography, to ensure the resulting built form outcomes facilitate the envisaged character of the precinct.
- The design intent of the detention basin to service the entire SSP requires clarification. At present, a detention basin is co-located with a raingarden that services the Cherrybrook Metro Station. Developable Government Land (DGL) would require enlargement of at least two-fold. The draft Place Strategy rather indicates a preference for a pond that requires the basin to hold water permanently, and this would require a larger basin footprint and an alternate design approach if the pond continues to provide detention and treatment of stormwater from the SSP.
- It is noted that the detention basin is located upstream of residential properties and local roads (SSP land), and the sudden failure of the basin's embankment may prove catastrophic to residents and motorists. There is a greater risk if the basin is further enlarged to function as a lake with spare detention storage. A dam-break analysis would need to be undertaken to determine the extent, depth, and speed of flows in the event of the basin's total collapse/failure. However, this would be contingent on the potential need for a regional detention system for the Green Village (within The Hills).
- A contributions mechanism should be in place to enable contributions to be secured from the Government land before any rezoning is finalised, noting that future development would not be within Council's control if the site is approved and developed through the proposed State Significant Development Pathway. The contributions burden and framework applicable to the SSP land should be consistent with that to imposed across the remainder of the private land within the broader precinct to ensure an equitable distribution of costs.

3. Draft SEPP Amendment

Proposed amendments to State Environmental Planning Policy (Planning Systems) 2021 (SEPP Planning Systems) to enable future development on the Cherrybrook Station Developable Government Land to be assessed under the State Significant Development pathway is considered appropriate, in principle.

Recommendation:

- In accordance with clause 2.10 of the Planning Systems SEPP Development Control Plans do not apply to State Significant Development. Furthermore, the draft Provision that is proposed to be included within Hornsby LEP 2013 states that the objective of the clause is to ensure that development within the Cherrybrook State Significant Precinct considers a site-specific development control plan (design guide). There appears to be a conflict between the two instruments as the amendment to Hornsby LEP is seeking to give some weight to the Design Guide as a DCP and to require it to be considered as part of the assessment of future built form SSDAs. However, the SEPP specifically excludes the application of any DCPs to State Significant Development. Accordingly, the following clarification is required:
 - 1) Is the Design Guide a Development Control Plan; and
 - 2) Will the Design Guide have any weight as part of the assessment of future SSDAs applying to the Developable Government Land.

- If it is uncertain as to whether the design guide will have weight as part of the assessment of future SSDAs then it is recommended that a Masterplan SSDA, that is reflective of the final Place Strategy and proposed DCP, be prepared to circumvent any ambiguity that may arise. This would also ensure that future SSDAs demonstrate development and built-form outcomes as articulated in the proposed DCP. It will also provide the Councils and the community with some degree of assurance that once Sydney Metro divests the land, the developers of each super lot will develop their land in-line with the vision set out within the exhibited documents.
- A contributions mechanism should be in place to enable contributions to be secured from the Government land before any rezoning is finalised, noting that future development would not be within Council's control if the site is approved and developed through the State Significant Development Pathway. The contribution burden and framework applicable to the SSP land should be consistent with that to imposed across the remainder of the private land within the broader precinct to ensure an equitable distribution of costs.

Thank you for the opportunity to provide a submission on this matter. Council would welcome a briefing from the Department on the feedback received as part of the engagement with the wider community and any resulting amendments to the draft Strategy, prior to its finalisation.

Should you require any further information or wish to discuss these matters further please contact Gideon Tam, Senior Town Planner on (02) 9843 0188.

Yours faithfully



Nicholas Carlton
MANAGER – FORWARD PLANNING

Attachment 1: Council Report and Minute, 23 August 2022

ITEM 3 SUBMISSION ON STATE GOVERNMENT EXHIBITION OF DRAFT PLANS FOR CHERRYBROOK STATION PRECINCT (FP115)

THEME: SHAPING GROWTH

MEETING DATE: 23 AUGUST 2022

COUNCIL MEETING

GROUP: SHIRE STRATEGY, TRANSFORMATION AND SOLUTIONS

SENIOR TOWN PLANNER

AUTHOR: GIDEON TAM

RESPONSIBLE MANAGER – FORWARD PLANNING

OFFICER: NICHOLAS CARLTON

PURPOSE

This report recommends that Council make a submission on the Government's draft Place Strategy for the Cherrybrook Station Precinct and the Planning Proposal for Sydney Metro-owned land adjoining Cherrybrook Station (within Hornsby LGA). Council officers have prepared a draft submission in response to the documentation currently on public exhibition, which is provided as Attachment 1 for consideration and endorsement.

RECOMMENDATION

1. Council make a submission on the Government's draft Place Strategy for the Cherrybrook Station Precinct and the Planning Proposal applicable to State-Government land in Hornsby LGA, in accordance with the draft submission provided in Attachment 1.
2. Council indicate a preference for implementation of the outcomes in the exhibited Place Strategy by way of exhibited "Option 1", being that the State Government lead the rezoning process for the entire precinct, which would involve the preparation and exhibition of LEP amendments, concurrent with a supporting Development Control Plan and Contributions Plan.
3. Council reserve the right to reconsider its position with respect to the implementation of the Place Strategy by way of exhibited "Option 1", if the Department of Planning and Environment make any material changes to the Place Strategy (as exhibited) following the public exhibition period.

IMPACTS

Financial

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

However, the extent of uplift anticipated through the draft Place Strategy will need to be supported with an appropriate infrastructure funding mechanism to enable the funding and delivery of critical infrastructure such as roads, open space and water management facilities.

Strategic Plan - Hills Future

The draft rezoning application and draft Place Strategy for the Cherrybrook Station Precinct, incorporating changes as suggested in this report, will reinforce the desired outcome of The Hills Future, in that it will build on the established strategic planning framework and guide future residential and employment growth in the Precinct. The draft Place Strategy seeks to encourage orderly development and outlines the necessary provision of local infrastructure, services and amenities for the growing population.

LINK TO HILLS SHIRE PLAN

Strategy:

5.1 The Shire's natural and built environment is well managed through strategic land use and urban planning that reflects our values and aspirations.

Outcomes:

5 Well planned and liveable neighbourhoods that meets growth targets and maintains amenity

BACKGROUND

In June 2017, the Department of Planning and Environment (Department) announced the Cherrybrook Precinct as a 'Planned Precinct' and advised that it would be the lead agency for future master planning of Government-owned land directly adjacent to the station. However, it also advised that the Department would continue to progress the planning for the broader precinct as a parallel process. The intended outcome would be a completed traffic model, a planning proposal for Government Land, an Infrastructure Strategy and a detailed structure plan for the broader precinct.

In November 2019, the Department announced its 'New Approach to Precinct Planning' to guide future development in certain precincts. As part of this announcement the Cherrybrook Precinct was identified as a 'State led rezoning'. The Department advised at that time that the focus of any rezoning within the Precinct would be on the Government land adjoining Cherrybrook Station, which would be planned as a State Significant Precinct ('SSP'). Under this process the Department would assess a rezoning application for the Government land, with Landcom being the Proponent.

Whilst the SSP process applies to the Government land, the Department advised that this work would also address planning and infrastructure issues for the broader precinct, such as yields, built form, transport/traffic upgrades, pedestrian connections, open space and community facilities. The outcome of this process would be a 'Place Strategy', which would provide a strategic framework to inform changes to planning controls.

During preparation of the draft Strategy, Council officers provided some preliminary high-level feedback to the Department, primarily relating to the proposed road layout, street profiles, pedestrian connectivity and active links, proposed built form, housing diversity, open space and infrastructure demand.

REPORT

This Report provides an overview of the Government's draft plans for the Cherrybrook Station Precinct, which are currently on public exhibition until 28 August 2022. These include:

1. Draft Cherrybrook Precinct Place Strategy; and
2. Planning Proposal applicable to State-Government land in Hornsby LGA (and associated amendment to State Environmental Planning Policy (Planning Systems) 2021).

The report identifies key matters for Council's consideration and recommends that Council make a submission to the Department of Planning and Environment. A draft submission is provided as Attachment 1 for Council's consideration.

The draft Strategy applies to the broader Cherrybrook Station Precinct (comprising land in both The Hills and Hornsby Council areas), whereas the Planning Proposal applies only to the SSP land, being Sydney Metro-owned land immediately surrounding Cherrybrook Station in Hornsby Council area (refer to Figure 1 below).

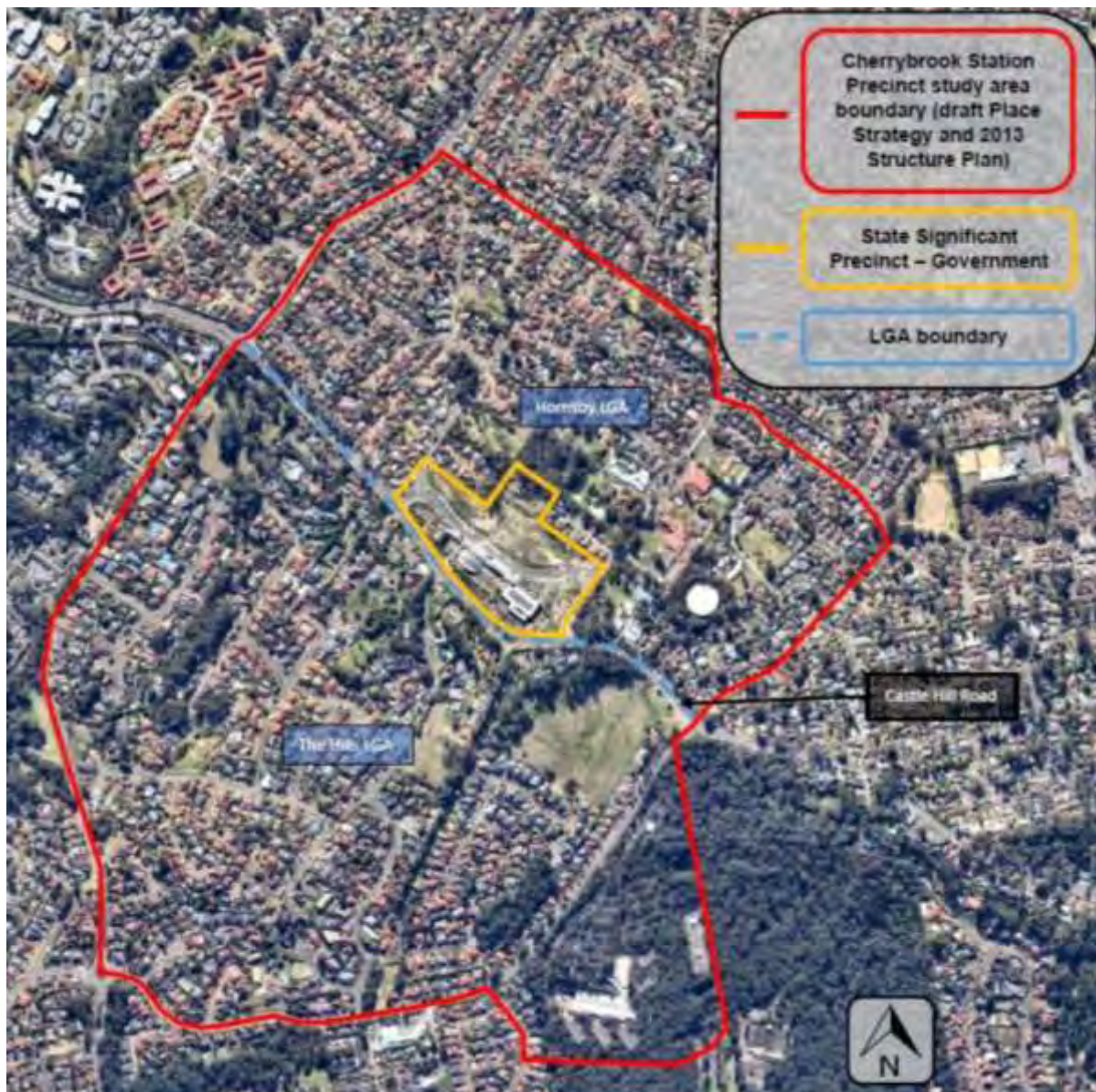


Figure 1

Cherrybrook State Significant Precinct (Rezoning Application) and Station Precinct (Place Strategy)

1. DRAFT PLACE STRATEGY

a) Overview of Draft Place Strategy

The Department’s draft Cherrybrook Precinct Place Strategy will be the fundamental strategic plan that builds upon the Cherrybrook Precinct Structure Plan within the Government’s North West Rail Link Corridor Strategy (2013) and Council’s The Hills Corridor Strategy. It is intended to inform future changes to planning controls, to be initiated by either the Department, Council, landowners or developers on privately owned land.

The draft Strategy provides an overview of the 20-year vision (from 2022 to 2042) and desired character of the broader Station Precinct, based on key design principles, including recommendations on the future development controls and a schedule of the required infrastructure to service the anticipated population growth.

Six ‘big moves’ are established within the draft Strategy as well as key design principles which seek to guide future planning and development across the Precinct (refer figures below).



Figure 2
‘Big moves’ to facilitate the vision of Place Strategy

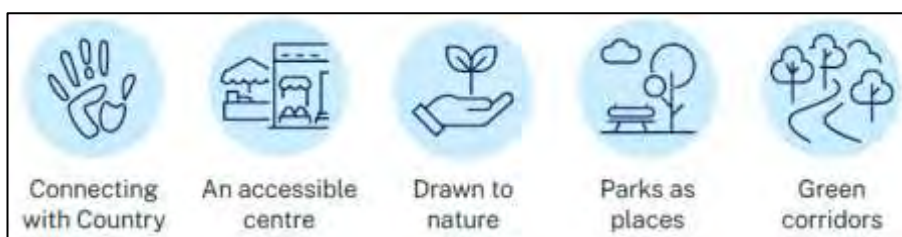


Figure 3
Urban design principles to guide future planning and development

The draft Strategy envisages the broader precinct will evolve to become a ‘Green Village’ comprising a mixed-use local centre next to the station (land subject to the Planning Proposal within Hornsby LGA) and primarily low-rise apartments supported by new open spaces, green streets and pedestrian connections. The draft Strategy seeks to guide future planning and development and facilitate the following key outcomes:

TO STRIVE FOR BETTER THINGS

- 3,200 homes (being 2,916 additional homes – 1,641 in Hornsby and 1,275 in The Hills);
- Generally 5 storey apartment buildings with generous setbacks that facilitate a landscaped setting;
- 140 jobs;
- 72% of homes within 200m of open space;
- 2.37 ha additional open space; and
- 1.4km of new walking and cycling paths.

A comparison of the anticipated growth identified within the existing strategic planning framework and the draft Place Strategy is provided below.

	NWRL Corridor Strategy ¹	Hills Corridor Strategy	Draft Place Strategy
Zoning ¹	Medium Density Residential	Medium Density Residential	Medium Density Residential
Max FSR ¹	1:1-2:1	0.96:1 to 1.44:1 (96 – 144 dw/ha)	1.4:1
Max HOB ¹	3-6 Storeys	4-8 Storeys	5 storeys
Residential Yield ¹	1,600 additional	1,643 additional	1,275 additional
Employment Yield ¹	45 additional	0	0

Table 1

Strategic Planning Framework (note: yield figures refer to outcomes in The Hills LGA only).
¹ The Hills LGA

It is intended that the final Strategy will guide future changes to planning controls. Future planning control changes would ultimately need to demonstrate consistency with the recommendations specified within the Strategy while also demonstrating that any proposed controls are site appropriate. The draft structure plan for the Cherrybrook Station Precinct as contained within the draft Place Strategy is shown in Figure 4.



Figure 4

Cherrybrook Station Precinct Structure Plan

The development standards recommended within the draft Strategy are shown in the following figures.



Figure 5: Recommended land use zoning (Red: medium density*)



Figure 6: Recommended maximum building height (5 storeys)

* "Medium density", as utilised in the Place Strategy, refers to low scale apartment development. It is noted that this would equate to the R4 High Density Residential zone under The Hills LEP 2019 however, as the R3 Medium Density Residential Zone currently does not permit residential flat buildings.



Figure 7: Recommended floor space ratio (FSR) (FSR 1.4:1)



Figure 8: Recommended minimum lot size (Purple: 2,000sqm; Pink: 4,000sqm)

The draft Strategy also includes a number of further controls that would guide built form and ultimately be incorporated into a Development Control Plan. Key controls include:

- **Road Hierarchy:** street typologies with associated profiles identifying travel / parking lanes and verge widths;
- **Built Form:** 3 storey street wall heights with upper two levels setback behind the street wall; and
- **Setbacks:** generally 7m with a 10m setback from Castle Hill Road and upper level setbacks of 3m.

An infrastructure schedule identifies the necessary upgrades to transport, open space and community facility infrastructure to support the future population. Regional infrastructure upgrades including State roads and schools would be the responsibility of State Government. Local infrastructure including transport upgrades and open spaces would be the responsibility

TO STRIVE FOR BETTER THINGS

of Councils to fund through a future contributions plan. Certain upgrades would be able to be delivered in conjunction with future developments such as local streets, pedestrian / cycle paths and the community facility located on the State Government land adjoining the station. The supporting Infrastructure Schedule and a map showing the location of items are provided below.

Item	Description	Location	Responsibility (Mechanism)
Traffic and Transport			
T1	Green Link to Robert Road	Hornsby	Future development/VPA
T2	New local streets	The Hills / Hornsby	Future development/VPA
T3	New pedestrian/cycle connections	The Hills / Hornsby	Future development/VPA
TBC	Local transport networks upgrades	TBC	Council
TBC	Regional transport network upgrades	TBC	State Government
Community Infrastructure			
C1	1,300sqm multi-purpose community hub and library	Hornsby*	State Government (Landcom/SSP)
Schools			
S1	Additional primary and high school places and school upgrades	TBC	State Government
Open Space			
O1	Local Centre, town square and local open space: land and capital	Hornsby	Council
O2	Blue Gum High Forest: 8,930sqm of bushland open space, rehabilitation with limited public access paths	Hornsby	Council
O3	Robert Road Park expansion: 4,000 sqm of additional open space and embellishment / upgrade works.	Hornsby	Council
O4	Mariam Place Park: 3,000 sqm local open space and embellishment works.	Hornsby	Council
O5	Carioca Green Hill Park: 3,883 sqm local open space and embellishment works.	The Hills	Council
O6	South East Greens Park: 3,000 sqm local open space and embellishment works.	The Hills	Council
TBC	District open space: 1x double playing field within 2 km of the precinct.	TBC	State Government

Table 2
Infrastructure Schedule

* Located within Hornsby LGA, however will service demand from The Hills and Hornsby sides of the Precinct

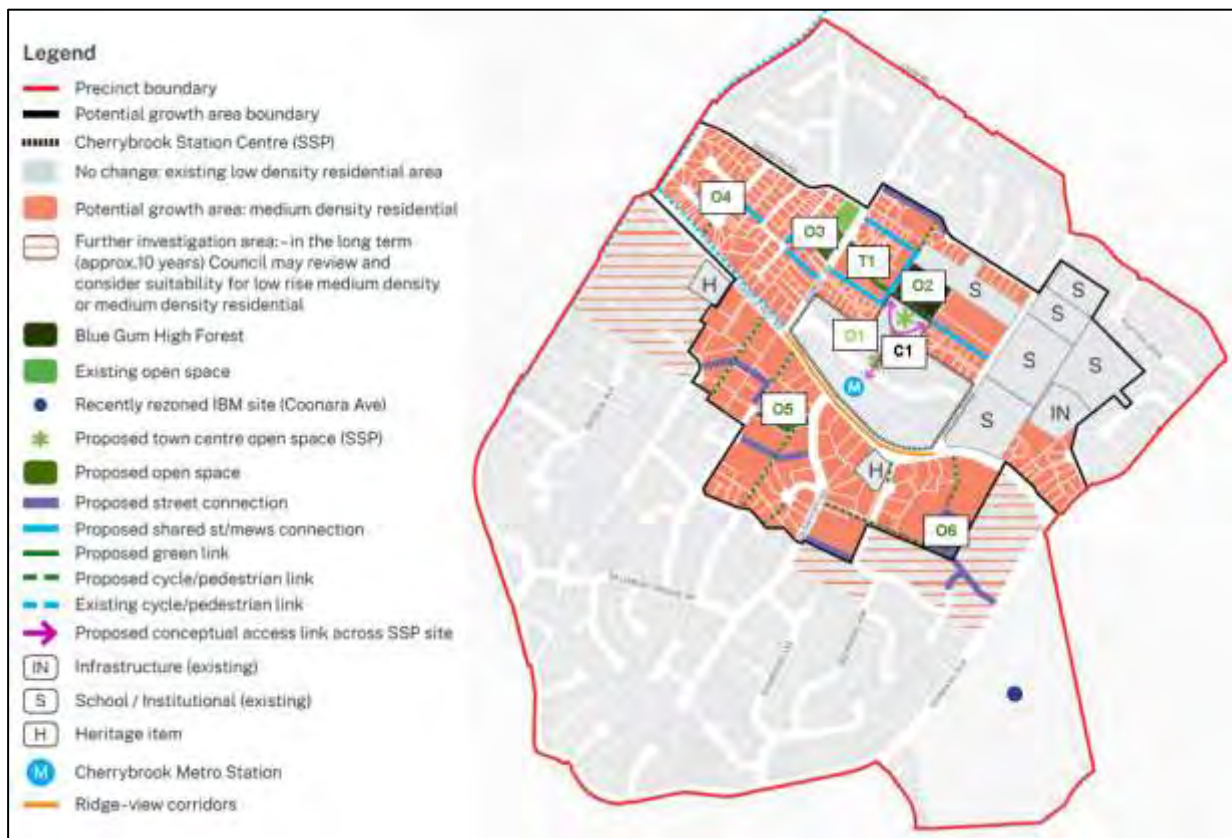


Figure 9
Location of Proposed Infrastructure Upgrades

Preliminary local and regional road upgrades (those identified as TBC in Table 2) have been identified in the traffic and transport assessment prepared in support of the draft Place Strategy. The exhibition material notes these are to be confirmed following consultation with Councils and Transport for NSW. A summary of the key upgrades and a timeframe for delivery is provided in the figure below.



Figure 10
Preliminary Traffic Upgrades

In terms of implementing the final Place Strategy, the following options are provided within the draft Strategy for Council to consider:

Option 1: State Government to lead the rezoning of both Council areas.

Option 2: Each individual Council to prepare their own planning proposals to implement the rezoning.

TO STRIVE FOR BETTER THINGS

Option 3: Individual planning proposals to be brought forward by landowners.

Council Officers' draft submission recommends that the draft Place Strategy inform a precinct-wide planning proposal for the broader Cherrybrook Station Precinct, to be prepared and implemented by the State Government (Option 1). As detailed within the Section 1 b) of this report, this is considered preferable to piecemeal landowner-initiated planning proposals (although as discussed further within Section 1 b), it is noted that this would not prohibit the lodgement of landowner-initiated planning proposals in the future which would then be assessed on their individual merits). Should Council indicate a preference for Option 1, it is critical that any subsequent amendments to the planning controls under LEP 2019 are exhibited, progressed and finalised by the Department in conjunction with a supporting Development Control Plan and Contributions Plan. It is also recommended that Council reserve the right to reconsider its position with respect to the implementation of the Place Strategy, if any material changes were made to the exhibited Strategy by the Department following the exhibition period.

b) Key considerations

Key considerations for Council in relation to the draft Place Strategy are summarised below. These matters are addressed in further detail, along with other technical matters, in the draft submission provided as Attachment 1.

Infrastructure*Traffic and Transport*

- The Bitzios Traffic Study identifies that Council officers were involved in a technical group, which was formed to assist with the preparation of the traffic analysis. The role of Council officers in this group included the provision of relevant background data and feedback on the methodology, scope and recommendations put forward by the consultant. While comments from Council officers were provided for consideration by the traffic consultant and DPE, these have not necessarily directly informed the outcomes and recommendations of the Study, nor have Council officers indicated any support for, or endorsement of, the Study and its recommendations.
- The 'local transport network upgrades' and 'regional transport network upgrades' identified in the Infrastructure Schedule and supporting Traffic and Transport Planning Study are considered reasonable. However, there is concern that the identified upgrades are primarily focussed on the immediate study area and the report does not consider broader issues in the traffic network which are likely to be exacerbated by growth within the Cherrybrook Precinct (for example Acres Road and Taylor Street). While the metro is likely to absorb some additional travel demand, there is likely to be increased southbound traffic from the Cherrybrook Precinct, due to workers travelling to other major centres that are not currently accessible via the metro (most notably, Parramatta). Additionally, whilst the report acknowledges planned upgrades to New Line Road, it does not consider potential implications in this particular locality, including cumulative traffic impacts, which may be significant given Cherrybrook Station is the closest Metro station for many rural areas to the north. Regional network planning carried out by Transport for NSW may only seek to resolve issues over the long term, as they arise, and when solutions may be more difficult to deliver. Accordingly, it is suggested that issues with the broader regional road network should be identified now, and solutions identified and programmed in conjunction with the current precinct planning.
- The Traffic Study concludes that evidence does not support the need for a pedestrian overpass or underpass on Castle Hill Road (between Hornsby LGA and The Hills LGA).

This conclusion is supported by analysis which suggests that signalised crossings will be sufficient to cater for the anticipated pedestrian demand resulting from growth on the southern side of Castle Hill Road. The analysis further suggests that the additional walk time and effort to use a grade-separated link would likely reduce its attractiveness. Notwithstanding this, it is considered that the potential impact of pedestrian movements on traffic flow along the regional road network has not been given adequate consideration, particularly in the context of growth and associated traffic that will result from uplift in neighbouring station precincts to 2041 and beyond. The yield that may be achieved on the “future investigation sites” in terms of pedestrian demand and additional vehicular traffic has also not been factored into the analysis.

- A grade-separated crossing is considered to be highly important from a pedestrian safety and accessibility perspective as it would limit unsafe pedestrian movements across a busy classified road. The assertion in the Study that the link would be unattractive is questioned, given that the time taken to access the crossing could be easily offset by reduced wait times (at traffic signals) and more direct access into the station. Given the important benefits of this connection relating to safety, amenity and traffic flow and the likely community expectations, it is considered important that this infrastructure be given further consideration for inclusion in the final Place Strategy.
- It is acknowledged that it is appropriate to reconsider the need for a grade separated crossing in light of the more moderate levels of growth now envisaged under the draft Place Strategy, in comparison to the context of higher-growth scenarios under previous landowner-initiated planning proposals (where the cost of providing such infrastructure would have been more easily offset by the substantial uplift sought). The cost of infrastructure will be a key factor in delivering the outcomes envisaged under the Place Strategy, and it is critical that appropriate infrastructure is planned for, without resulting in cost-prohibitive contribution rates or the need to consider increasing development yields to an undesirable extent in order to ensure development feasibility in light of high infrastructure costs.

Open Space

- Council officers have previously raised the need to specifically identify and cost active open space solutions for the Precinct, as the cost for such infrastructure may have significant impacts on future contribution rates and development feasibility. The draft Strategy identifies a facility size that would cater for future demand, however, it does not identify an appropriate site or cost.
- Constraints including topography and land availability would likely mean that the delivery of active open space facilities within the Hills LGA side of the precinct is unfeasible. Noting the importance of addressing and solving this issue holistically as part of the precinct planning, it is suggested that DPE should target investigations of land within Hornsby LGA and coordinate a process to identify and secure a suitable site in consultation with both Councils prior to any rezoning occurring. It is noted that the ability for both Councils and the Department to deal with these matters holistically (rather than as individual local government areas) is a key benefit of pursuing “Option 1” as an implementation method.

Regional Infrastructure

- While School Infrastructure NSW advises it will commence optioneering to identify appropriate solutions to accommodate the projected school enrolment demand (including an additional primary and secondary school), it is critical that this be resolved

prior to any rezoning to avoid long-term issues, such as those impacting school infrastructure in Box Hill and Showground Precinct. For primary schools in particular it is critical that a site is located within the walkable catchment of the precinct, given primary school students are less likely to rely on the metro to access schools. At a minimum the Place Strategy should identify a new primary school site within the Cherrybrook Precinct. This is particularly important and urgent if such infrastructure is intended to be funded through regional infrastructure contributions collected from development within the Precinct.

- DPE has identified Regional Infrastructure Contributions (RICs) as a potential funding mechanism for certain infrastructure required to support the Cherrybrook Precinct. While State funding is supported in principle (where appropriate), this approach is considered to have significant risk and uncertainty given that the RIC framework has not yet been legislated and from Council's understanding, will not include a specific infrastructure list which would 'secure' funding for the delivery of specific infrastructure. If infrastructure items are identified for future RIC funding (and land use planning changes and local infrastructure planning frameworks subsequently progressed on this basis) it is imperative that Council, developers and the community are provided with absolute certainty that these items will be receive funding at the right times, to enable delivery of the infrastructure in line with future development.

Development Controls

- Council's current adopted position under The Hills Corridor Strategy with respect to building heights in Cherrybrook is summarised within the following extracts from The Hills Corridor Strategy:
 - *This proposed density (144 dwellings per hectare) is expected to accommodate buildings with an average height of around 6 storeys and a maximum of 8 storeys;*
 - *Along the ridge line of Castle Hill Road a maximum of 6 storey apartment developments are envisaged.*
 - *As walking distances from the station increases, lower scale apartments are envisaged. This will enable some uplift in density whilst minimising the impact on adjoining land uses and the existing character of the area. Building heights will transition downward further from the station.*
 - *The height of any buildings will need to have regard to the potential visual impact on surrounding lower density residential areas, given the significant change in levels. As the precinct is south facing, future building elements will need to be sufficiently separated to reduce the impact of overshadowing on adjoining properties.*
- It is recommended that the Department give consideration to the potential for greater articulation and variation in building heights at key and appropriate locations, within the parameters set by Council's Corridor Strategy. Importantly, this exercise should be in relation to promoting optimal built form and urban design outcomes in the context of the density settings proposed within the Place Strategy, not with a view to increasing the density or yields beyond that shown within the draft Place Strategy.
- This may also require further consideration and modelling to inform the setting of potential height of building controls through subsequent LEP amendments, to ensure that any height limit (in metres) factors in the impact of the slope of the land and allows for adequate flexibility for individual buildings to be designed to achieve key ground

plane amenity and urban design objectives (ie, landscaping, setbacks, solar access and common open space).

- The Strategy should highlight the need to consider site-specific constraints while ensuring future development accords with the recommended controls, to ensure that rather than the FSR's being viewed as an "entitlement", the ability for future development seeking to achieve the maximum yield would be contingent on demonstrating site appropriateness, particularly land interfacing low-density residential properties (including environmental constraints and appropriate urban design outcomes). Given a blanket building height of 5 storeys is proposed across the Precinct, the draft Strategy should include additional guidance on appropriate building heights at interfaces where low and medium density uses meet. A 'hard' 5 storey interface at these locations is unlikely to be the optimum outcome.
- Council's approach with respect to housing affordability has been to make housing more affordable by encouraging a diversity of dwelling types and sizes. Council's Housing Diversity (apartment size and mix) requirements under The Hills LEP 2019 apply within metro stations, and have been developed in consultation with the Department of Planning and Environment. They seek to cater to the Shire's family demographic by ensuring that adequate apartment stock will be available for, and attractive to, families. Any rezoning proposal should include the requirement for development to comply with Council's apartment size and mix requirements, similar to other Hills metro stations (including Castle Hill, Showground, Norwest).
- The draft Structure Plan identifies a future investigation area east of Highs Road which was identified as having the potential for uplift within the State and local corridor strategies. Greater clarification is needed within the draft Strategy to identify the reasons that this area has been excluded and therefore what would need to be addressed should this area be considered in the future. Clear parameters should be articulated around the "further investigation areas", to avoid these areas being the subject of speculative investment and rezoning applications to the detriment of feasible outcomes progressing within the shorter-term opportunity areas (this may also be a matter to be addressed within the Section 9.1 Ministerial Direction).

Implementation

- It is critical to have a local and regional contributions framework in place prior to (or in line with) any rezoning of any land within the broader Precinct. Progression of the Place Strategy without the necessary level of detail of infrastructure will likely lead to sub-standard or inequitable contribution arrangements between different developers.
- Greater clarification is needed regarding the necessary infrastructure (complete schedule) including designs and costs that would allow for the preparation of a Contributions Plan or Voluntary Planning Agreement, including the responsibility of infrastructure delivery and timing. A mechanism, such as a planning proposal, would also need to be established to facilitate the acquisition of land for road widening. An appropriate contributions plan should be considered and finalised at the same time to support the rezoning.
- The draft Strategy specifies that once the final Strategy is adopted, it will be a requirement for future planning proposals to give consideration to the Strategy by way of Section 9.1 Ministerial Direction. It is noted that the Strategy could be implemented as a precinct-wide rezoning (and this would be preferable to piecemeal planning proposal applications). However, if this does not occur, it is recommended that the draft

Section 9.1 Ministerial Direction be exhibited prior to finalising the Strategy. The wording of the Direction is critical in how it (and by association the Place Strategy) is interpreted and applied in any rezoning, particularly with respect to inconsistencies with other strategic plans or where a site-specific planning proposal seeks to achieve an outcome in excess of that envisaged in the Place Strategy.

- It is Council officers' recommendation that the final Place Strategy be implemented by way of a precinct-wide rezoning undertaken by the State Government (Option 1 in the exhibited material). Further, any such rezoning should be publicly exhibited alongside a precinct-wide Development Control Plan and Contributions Plan. A single precinct-wide planning proposal would circumvent a piecemeal approach and facilitate orderly planning and development. It would result in a clear and consolidated vision for the Precinct, consistent character objectives and controls, and a holistic solution to infrastructure. This would also alleviate the funding, resourcing and administrative issues that would arise if Council was to initiate a planning proposal for certain land (Option 2). While Option 1 is considered to be the preferable option for implementation of the outcomes articulated in the exhibited Place Strategy, it is recommended that Council reserve its right to reconsider this position, if any material changes were made to the exhibited Strategy by the Department following the exhibition period.
- A holistic rezoning of the entire Precinct would also remove the need for individual landowners to fund, prepare and lodge Proponent-led planning proposals (Option 3) and potentially reduce the likelihood of Proponent-led proposals which seek uplift beyond the yields and built form articulated in draft Place Strategy, as the Department would be making the necessary amendments to the planning controls which would allow landowners to progress straight to the Development Application phase. Council has previously considered planning proposals initiated by landowners within the Precinct and determined that they did not demonstrate consistency with the existing strategic planning framework, including Top Place (9/2016/PLP) and Grosvenor Park (14/2015/PLP). Ultimately, a precinct-wide rezoning would be more likely to facilitate the Strategy's envisaged planning and built form outcomes as it would set a clear and upfront planning and infrastructure contributions framework and would circumvent out-of-sequence development and infrastructure rollout and the need for consideration of individual site outcomes on an ad-hoc basis.
- Notwithstanding this, if Option 1 is pursued and a precinct-wide rezoning is completed by the Department, this does not preclude individual landowners from seeking to amalgamate or further master plan specific land holdings within the precinct, nor would it remove the ability for landowners to lodge site specific planning proposals to further amend the planning controls and deal with their landholdings in a manner different to that implemented through the Place Strategy and Department rezoning. Any such planning proposal would be assessed by Council on its individual merits having regard to matters such as alignment with the relevant strategic planning policies, appropriateness of built form, urban design and amenity outcomes in the context of the individual sites and the ability to adequately service any increased yield sought by a Proponent with local and regional infrastructure.

2. DRAFT PLANNING PROPOSAL AND SEPP AMENDMENT

a) Overview of draft Planning Proposal

The State Government-led draft planning proposal initiated by Landcom, on behalf of Sydney Metro, seeks to rezone approximately 7.7 hectares of Government-owned land adjoining the Cherrybrook Metro Station (located in Hornsby LGA).

The planning proposal seeks to amend development controls to facilitate a new mixed-use local centre (including retail and residential uses, services, and community and open spaces) that leverages off the highly accessible Metro station and supports the needs of the growing community.

The draft Proposal is seeking to deliver approximately 3,200m² of retail floor space including a supermarket, approximately 390 dwellings within mid-rise apartment buildings (generally 5-6 storeys) and 1,300m² of community facility floor space (with a potential library). The proposed development outcome is shown in the figure below.



Figure 11: Draft Planning Proposal Layout

b) Overview of Amendment to SEPP (Planning Systems) 2021

The exhibited package also proposes amendments to State Environmental Planning Policy (Planning Systems) 2021 (SEPP Planning Systems) to enable the Cherrybrook Station Government land to be listed as a State Significant Development (SSD) site. This will allow future development applications for the Government land to be lodged using the State Significant Development Pathway rather than a Development Application through Council (as has been occurring for other Sydney Metro Northwest Precincts).

It is proposed that Schedule 2 of SEPP Planning Systems be updated to identify Cherrybrook Station government land as an identified site on the State Significant Development Sites (SSD) Map. The following provision is proposed, subject to review by Parliamentary Counsel:

17 Development at Cherrybrook Station State Significant Precinct

(1) Development carried out on land identified as being within the Cherrybrook Station Precinct on the State Significant Development Sites Map if the development:

(a) is carried out by or on behalf of Sydney Metro (constituted under the Transport Administration Act 1988) or the Planning Ministerial Corporation, and

(b) has a capital investment value of more than \$30 million.

c) Key considerations

Key considerations in relation to the Planning Proposal and draft SEPP amendment are summarised below. These matters are addressed in further detail, along with other technical matters, in the draft submission provided as Attachment 1.

- The outcomes envisaged through the Planning Proposal generally align with those envisaged under the draft Place Strategy in terms of creating a low-rise walkable centre that supports the function of the station and needs of the surrounding community with retail, open space and community uses.
- A solution should be included to address pedestrian connectivity over Castle Hill Road (between Hornsby LGA and The Hills LGA), the location for which would need to be identified and secured as part of this proposal.
- Higher density development along Castle Hill Road should provide acceptable building height and density transition away from the station having consideration for visual amenity and privacy implications on surrounding lower density development and sensitive interfaces.
- Recommended development controls should consider existing environmental constraints, such as topography, to ensure the resulting built form outcomes facilitate the envisaged character of the precinct.
- A contributions mechanism should be in place to enable contributions to be secured from the Government land before any rezoning is finalised, noting that future development would not be within Council's control if the site is approved and developed through the State Significant Development Pathway. The contributions burden and framework applicable to the SSP land should be consistent with that imposed across the remainder of the private land within the broader precinct to ensure an equitable distribution of costs.

CONCLUSION

The exhibited draft Place Strategy and Planning Proposal generally align with the vision and outcomes for the precinct articulated within Council’s Corridor Strategy, as well as some preliminary issues raised by Council officers during the preparation phase. Further consideration should be given to the recommended development controls to ensure these appropriately facilitate the envisaged character of the Precinct in the context of the underlying environmental constraints and community and public infrastructure delivery. Additionally, consideration should be given to a State-led rezoning for the entire Cherrybrook Precinct to implement the objectives of the draft Place Strategy in a more holistic manner, alongside a clear and holistic local and regional infrastructure contributions mechanism.

ATTACHMENTS

1. Draft Submission - Cherrybrook Rezoning Application and draft Place Strategy (13 pages)
2. Draft Cherrybrook Precinct Place Strategy (84 Pages)
3. Draft Cherrybrook Rezoning Application Planning Report (157 pages)
4. Explanation of Intended Effects – Cherrybrook Station Precinct (17 pages)

ITEM 3

SUBMISSION ON STATE GOVERNMENT EXHIBITION OF DRAFT PLANS FOR CHERRYBROOK STATION PRECINCT (FP115)

A MOTION WAS MOVED BY COUNCILLOR DR KASBY AND SECONDED BY COUNCILLOR DR BURTON THAT

1. *Council make a submission on the Government's draft Place Strategy for the Cherrybrook Station Precinct and the Planning Proposal applicable to State-Government land in Hornsby LGA. The submission should be in accordance with the draft submission provided in Attachment 1, subject to the following amendments:*
 - a) The current recommendation to omit the 5% affordable housing provision be removed and replaced with a new recommendation that a provision be included requiring 10% of all new dwellings to be provided as affordable housing.
 - b) The following new recommendations be included within the draft submission:
 - i. All residential flat buildings must comply with the requirements of the Disability (Access to Premises – Buildings) Standards and at least 10% of all dwellings be provided as adaptable or accessible dwellings, per the requirements of Council's Residential Flat Building DCP.
 - ii. All new dwellings should be designed consistent with WSROC guidelines (Urban Heat Planning Toolkit), to protect residents from urban heat and reduce ongoing energy costs and other costs of living.
 - iii. All areas of land containing Blue Gum High Forest should be rezoned to C2 Environmental Conservation as part of any future planning proposal.
 - iv. All apartments should have access to at least 1 parking space.
 - v. All apartment parking spaces should be equipped with Electric Vehicle charging capability.
 - vi. Shared pathways for pedestrians and cyclists should be a minimum of 2.5 metres to 3 metres wide to allow for safe passage.
 - vii. Any grade separated crossing of Castle Hill Rd should be wide enough and accessible for both cyclists and pedestrians.
2. Council indicate a preference for implementation of the outcomes in the exhibited Place Strategy by way of exhibited "Option 1", being that the State Government lead the rezoning process for the entire precinct, which would involve the preparation and exhibition of LEP amendments, concurrent with a supporting Development Control Plan and Contributions Plan.
3. Council reserve the right to reconsider its position with respect to the implementation of the Place Strategy by way of exhibited "Option 1", if the Department of Planning and Environment make any material changes to the Place Strategy (as exhibited) following the public exhibition period.

THE MOTION WAS PUT AND LOST

Being a planning matter, the Mayor called for a division to record the votes on this matter

VOTING FOR THE MOTION

Clr R Boneham
Clr Dr M Kasby
Clr Dr B Burton

VOTING AGAINST THE MOTION

Mayor Dr P Gangemi
Clr M Hodges
Clr F De Masi
Clr V Ellis
Clr M Blue
Clr J Brazier
Clr J Cox
Clr R Jethi

MEETING ABSENT

Clr R Tracey
Clr A Hay OAM

A MOTION WAS MOVED BY COUNCILLOR COX AND SECONDED BY COUNCILLOR JETHI THAT the Recommendation contained in the report be adopted.

THE MOTION WAS PUT AND CARRIED.

RESOLUTION

1. Council make a submission on the Government's draft Place Strategy for the Cherrybrook Station Precinct and the Planning Proposal applicable to State-Government land in Hornsby LGA, in accordance with the draft submission provided in Attachment 1.
2. Council indicate a preference for implementation of the outcomes in the exhibited Place Strategy by way of exhibited "Option 1", being that the State Government lead the rezoning process for the entire precinct, which would involve the preparation and exhibition of LEP amendments, concurrent with a supporting Development Control Plan and Contributions Plan.
3. Council reserve the right to reconsider its position with respect to the implementation of the Place Strategy by way of exhibited "Option 1", if the Department of Planning and Environment make any material changes to the Place Strategy (as exhibited) following the public exhibition period.

Being a planning matter, the Mayor called for a division to record the votes on this matter

VOTING FOR THE MOTION

Mayor Dr P Gangemi

Clr M Hodges

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Clr V Ellis

Clr M Blue

Clr J Brazier

Clr R Boneham

Clr J Cox

Clr R Jethi

Clr Dr M Kasby

Clr Dr B Burton

VOTING AGAINST THE MOTION

None

MEETING ABSENT

Clr R Tracey

Clr A Hay OAM



20 September 2022

Department of Planning and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

Via online submission form: [Planning Portal - Cherrybrook Station Precinct Place Strategy](#)
Via email: David.Hazeldine@planning.nsw.gov.au
Brendan.Metcalf@planning.nsw.gov.au

Dear Mr Metcalfe,

Cherrybrook Station Precinct Place Strategy – Public Exhibition

Thank you for the opportunity to review and provide comment on the Place Strategy for the Cherrybrook Station Precinct as outlined on the NSW Planning Portal.

At its meeting on 14 September 2022, Council considered Director's Report No. PC21/22 and resolved to forward this submission on the Place Strategy.

The concept of development in proximity to the Cherrybrook Metro Station is supported in principle as a means to deliver a sustainable and accessible centre. However, a number of issues need to be resolved prior to finalisation.

As you are aware, Hornsby Shire Council officers have been involved in a project working group for both the SSP and Place Strategy and have made officer level submissions raising a number of concerns as part of the pre-exhibition stakeholder process.

Each submission has raised concerns regarding implications for Cherrybrook residents and issues with respect to transport infrastructure, delivery of community facilities, built form, connectivity to the surrounding Cherrybrook area and open space provision for the projected Cherrybrook population.

Based on a review of the currently exhibited Place Strategy, Council maintains a number of concerns raised by staff in previous submissions and has identified additional issues which need to be addressed as summarised below.

Green Village boundary – interface and transitions

The boundary for the Place Strategy has been reduced since the 2013 Structure Plan. There are now instances where the boundary runs through cul-de-sacs and directly between houses (i.e. boundary between, which would result in a poor interface and amenity issues. Further, the reduction and refinement of land within the boundary has resulted in a proposed 5 storey form across the entire precinct with no transition down in height as was originally suggested in the Structure Plan.

For example, the boundary that runs between the side and rear boundaries of properties at No. 36-38, 40 and 42 Robert Road and the properties within the southern portion Arundel Way, and between properties at No. 20 and 22 Ridgmont Close, would result in transition and amenity issues with proposed developments stepping down from 5 storeys to 2 storey maximum low density residential areas.

Land ownership and capitalisation

A large number of properties located within the Hornsby Shire portion of the precinct are part of community title schemes. The resulting delivery of the 2,000m² lot size developments may be limited or delayed due to the additional constraints of the community title. The current scheme may result in piecemeal developments around community title estates and a corresponding lack of contributions and infrastructure funding if the sites do not develop. This would have associated amenity impacts where 5 storey buildings are located adjacent to low density dwellings within the community title schemes.

Affordable Housing and Housing Diversity

The draft Place Strategy recommends affordable housing provisions of 5% across the green village/potential growth area, which is consistent with the Greater Sydney Commission target range of 5-10%. The planning report also briefly references 'a diversity of new homes' to be offered within the precinct. However, the removal of townhouses and lower rise apartment developments due to feasibility analysis limits the housing types within the precinct. At minimum, a dwelling mix should be mandated to require a mix of 1, 2 and 3 bedroom units as per Council's current DCP requirement.

Sustainability provisions

The draft document briefly references sustainable building design to be explored through future planning proposals and that future residential development will need to comply with BASIX. However, the proposal does not address how development within the precinct will be ecologically sustainable or detail the measures to manage energy, waste and water efficiently. Further, the proposal does not address options for the creation of a sustainable net zero carbon precinct or address possible targets for carbon neutrality.

The Hornsby Local Strategic Planning Statement outlines priorities and actions for 'mitigating and adapting to the impacts of urban and natural climate change' and reducing carbon emissions and managing energy, water and waste efficiently. In that respect, Council has adopted the Hornsby Waste Strategy, Water Sensitive Hornsby, Hornsby Climate Change Mitigation and Adaption Strategy and Hornsby Environmental Sustainability Strategy. The Cherrybrook Station Precinct provides an excellent opportunity to establish a sustainable carbon neutral precinct. The Strategy should detail sustainability measures and planning controls to be implemented and address options for the creation a net zero precinct.

Building Height, FSR and Setbacks

The documentation sets a maximum building height of 5 storeys. However, no maximum building height in metres is provided. The maximum building height under the Hornsby Local Environmental Plan 2013 for 5 storey precincts is 16.5 metres. This should be reflected in the Place Strategy and any future amendments to planning controls to ensure that a built form of a maximum of 5 storeys is achieved.

A floor space ratio of 1.4:1 is indicated for the majority of the precinct to align with the proposed maximum building height of 5 storeys. A FSR control is not utilised in Council's LEP for residential zoned lands. A suite of controls is included in the Hornsby DCP to manage bulk and scale, including building heights, site coverage, setbacks and deep soil landscape zones. There is no justification or explanation of the benefit of an FSR control when Council's current controls use height and building envelope to achieve appropriate built form controls.

The setbacks indicated in the Place Strategy are not adequate to ensure a green village with tree planting. The draft document includes an action to "prioritise and consider opportunities to deliver additional tree canopy in the public domain, especially in new streets. For any new streets, aim to achieve a minimum 50% canopy cover". This is supported and aligns with Council's Urban Forest Strategy. However, this is unlikely to be achieved based on the setbacks proposed. Proposed setbacks should, at minimum, match those required under Hornsby Council's current controls, being 8 - 10m.

Design Excellence

It is noted that no direct provisions relating to the design excellence of developments within the precinct are identified within the exhibition documents. Design excellence is a key priority outlined in the Hornsby Local Strategic Planning Statement and is promoted through Council's current planning controls for residential flat buildings which seek well-designed buildings with appropriate setbacks, deep soil landscaping, communal living, open spaces and car parking. It is recommended that the urban design and built form framework for the Precinct is reviewed to ensure these provisions can be achieved and should match those required under Hornsby's current controls.

Proposed Open Space Network

Active Open Space

The proposed open space network does not allow for the provision of active open space within the precinct and relies heavily on existing sporting facilities in surrounding areas to accommodate the proposed increase in population which is not supported. The location and funding of the required 2 sportsfields should be resolved prior to the rezoning of the SSP or the Place Strategy as the costs would have significant impacts on contributions planning.

Park Expansions and Acquisitions

The proposed Roberts Road Park expansion and creation of the new Mariam Place Park are supported in principle. However, concern is raised regarding the acquisition costs and the feasibility of achieving the open spaces.

Blue Gum High Forest

The proposed public ownership of the Blue Gum High Forest, potentially through a transfer to Council as an asset to manage, would be favourable. This is a high value and iconic community type that would be best managed by a local authority. However, clarification on the management, costs of transfer and maintenance funding would be required. Concern is also raised with proposed 'low impact walking trails' to be located within the forest and it is recommended that further investigations be undertaken to understand the potential impacts of such a development on the health of the Blue Gums.

Green Link Corridor

The Place Strategy should not be finalised until design investigations are completed for the 'Green Link Corridor' through property Nos. 16-24 Roberts Road. The width of the green link requires review due to its proximity to the identified overland flow path and resolution of its design (i.e. open swale or piped) is required prior to understand how the pedestrian linkage would be achieved.

Traffic and Transport

The Traffic and Transport Study identifies upgrades in, or around, the immediate study area. However, there is no identification of the costs of the works or how these would be funded. The costs should be identified prior to the finalisation of the Place Strategy and the rezoning of the State Significant Precinct. Concern is raised with reliance on the delivery of any future infrastructure upgrades to be progressed with uptake of the broader Place Strategy proposal. The combined yield of both projects contribute to the necessary upgrades and the associated funding should be attributed to the future development of both schemes.

The Study does not consider wider traffic network issues which are likely to be exacerbated by growth within the Cherrybrook Precinct. For example, the potential cumulative traffic impacts further along New Line Road may be significant, given Cherrybrook Station is the closest Metro station for many rural areas to the north.

Issues with the broader regional road network should be identified now, with solutions identified and programmed in conjunction with the current precinct planning. The State Government should commit to any

funding shortfall should the planning proposal be supported, given the location and delivery of the Cherrybrook Metro has wider implications on the surrounding area.

Infrastructure Funding

The contributions framework (both local and state) needs to be in place prior the SSP rezoning and the finalisation of the Place Strategy. Details of the supporting financial strategy including clear identification of the essential works list, timing for delivery, funding source and responsible authority are required and should be prepared based on both planning projects.

Prior to finalising the planning for Cherrybrook, there should be certainty about Regional Infrastructure Contributions (RICs) as a potential funding mechanism. The RIC framework is yet to be legislated and it is unclear whether a specific infrastructure list would secure funding for the delivery of specific infrastructure. There should be certainty that identified State infrastructure can be funded to enable delivery in line with future development.

Implementation

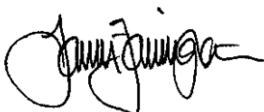
As outlined under the 'Implementation of planning controls' section of the exhibition document, there are three potential pathway options for implementation of the Cherrybrook Station Precinct Place Strategy.

Given the issues raised above, the Place Strategy is not ready for implementation and requires refinement. Further consideration needs to be given to the boundary interfaces, development controls and design excellence, sustainability, feasibility based on community titles and levels of capitalisation, open space provision, traffic and transport and funding for the required infrastructure.

Subject to resolution of the issues, a precinct-wide rezoning undertaken by the State Government (Option 1) would circumvent a piecemeal approach and facilitate orderly planning and development. It would result in a clear and consolidated transition for the precinct and a cross-boundary holistic solution to infrastructure contributions, while also alleviating the funding, resourcing and administrative issues for Council.

Should you have any questions regarding this letter, or would like to discuss the matter further, please do not hesitate to contact me on 9847 6750 or Katherine Vickery, Manager, Strategic Land Use Planning on 9847 6744.

Yours faithfully,



James Farrington
Director Planning and Compliance

TRIM Reference: - F2020/00123