



Cherrybrook Village Precinct

Planning Proposal for a Mixed Use Development

On behalf of
Toplace
May 2016



Project Director

Lee Mulvey

Signed*

A handwritten signature in blue ink, appearing to be 'Lee Mulvey', written on a light blue background.

12 May 2016

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* This document is for discussion purposes only unless signed and dated by the persons identified. This document has been reviewed by the Project Director.

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1 Introduction

This report has been prepared by Mecone Pty Ltd (Mecone) on behalf of the applicant Toplace, in support of a Planning Proposal to The Hills Shire Council for the rezoning of the subject site located in the suburb of West Pennant Hills. The site adjoins the future Cherrybrook Station and enables its redevelopment as a high density residential development, with associated non-residential uses such as childcare centres, neighbourhood shops and cafes.

The planning proposal has been developed in parallel to a Master Plan (**Appendix 2**) for the renewal of the area, which seeks to provide a high-quality transport oriented development that represents a new model for sustainable urban villages. The development and associated yield has been designed in order to ensure high-quality residential amenity for future residents while providing major social and physical infrastructure to improve the quality of life for future residents on the site and surrounding precinct.

The land is proposed to be rezoned to R4 High Density Residential and E2 Environmental Conservation, modifying *The Hills Local Environmental Plan (HLEP) 2012* in accordance with the provisions of the Standard Instrument template. This would amend the existing controls set out under the current *The Hills Local Environmental Plan 2012* (HLEP 2012). The proposal seeks to allow for the development of a number of three to twenty-one storey residential buildings with one to three basement levels for on-site car parking.

The Planning Proposal pertains to the land described as follows:

- 1 Glenhope Road, West Pennant Hills (Lot 12 DP 789295);
- 2 Glenhope Road, West Pennant Hills (Lot 1 DP 864230);
- 3 Glenhope Road, West Pennant Hills (Lot 11 in DP 789295);
- 4 Glenhope Road, West Pennant Hills (Lot 2 in DP 864230);
- 5 Glenhope Road, West Pennant Hills (Lot 10 in DP 789295);
- 7 Glenhope Road, West Pennant Hills (Lot 201 in DP 812859);
- 9 Glenhope Road (11 Carioca Way), West Pennant Hills (Lot 92 DP 1111817);
- 109 Castle Hill Road, West Pennant Hills (Lot 1 DP 785672);
- 117 Castle Hill Road, West Pennant Hills (Lot 4, DP 1012463);
- 123 Castle Hill Road, West Pennant Hills (Lot Q DP 378655);
- 125 Castle Hill Road, West Pennant Hills (Lot P DP 378655);
- 127-129 Castle Hill Road, West Pennant Hills (Lot 1001 DP 800162);
- 131 (18a Carioca Way) Castle Hill Road, West Pennant Hills (Lot 13 DP1016426);
- 133 Castle Hill Road, West Pennant Hills (Lot 201 DP 786607);
- 135 Castle Hill Road, West Pennant Hills (Lot 1012 DP 878641);
- 137 Castle Hill Road, West Pennant Hills (Lot 2 DP 220867);
- 139 Castle Hill Road, West Pennant Hills (Lot 1 DP 220867);
- 141 Castle Hill Road, West Pennant Hills (Lot 1 DP210585);
- 143 Castle Hill Road, West Pennant Hills (Lot A DP153486);
- 145 Castle Hill Road, West Pennant Hills (Lot 111 DP1012828);

- 3 Matthew Way, West Pennant Hills (Lot 27 DP 828183);
- 5 Matthew Way, West Pennant Hills (Lot 26 DP 828183);
- 15 Matthew Way, West Pennant Hills (Lot 1011 DP878641);
- 6-8 Highs Road, West Pennant Hills (Lot 10 DP577670);
- 10 Carioca Court, West Pennant Hills (Lot 8 DP801753);
- 12 Carioca Court, West Pennant Hills (Lot 9 DP801753);
- 16 Carioca Way, West Pennant Hills (Lot 11 DP1016426);
- 18 Carioca Way, West Pennant Hills (Lot 12 DP1016426);
- 17-19 Carioca Way, West Pennant Hills (Lot 7 DP1193792);
- 20 Carioca Way, West Pennant Hills (Lot 100 DP809362);
- 22 Carioca Way, West Pennant Hills (Lot 101 DP809362);
- 24 Carioca Way, West Pennant Hills (Lot 102 DP809362);
- 15 Staley Court, West Pennant Hills (Lot 714 DP 880259);
- 17 Staley Court, West Pennant Hills (Lot 715 DP 880259); and
- 19 Staley Court, West Pennant Hills (Lot 716 DP 880259).

The Planning Proposal has been prepared in accordance with:

- Section 55 of the *Environmental Planning and Assessment Act 1979* (the Act);
- NSW Department of Planning Guidelines to Preparing a Planning Proposal; and
- Related Section 117 Directions.

Specifically, the Planning Proposal includes the following information:

- a) A description of the site in its local and regional context;
- b) A statement of the objectives or intended outcomes of the proposed instrument;
- c) An explanation of the provisions that are to be included in the proposed instrument; and
- d) The justification for those objectives, outcomes and provisions and the process for their implementation including:
 - Whether the proposed instrument will comply with relevant directions under S117;
 - The relationship to the strategic planning framework;
 - Environmental, social and economic impacts;
 - Any relevant State and Commonwealth interests; and
 - Details of the community consultation that is to be undertaken before consideration is given to the making of the proposed instrument.

1.1 Proponent and Project Team

The Planning Proposal has been prepared on behalf of Toplace as the applicant. The project team is identified in Table 1.

Table 1. Project team	
Architecture/Urban Design/ Project Management	Grimshaw Architects
Urban Planning	Mecone
Landscape Architecture	Turf Design
Traffic Impact Assessment	Traffix
Economic Assessment	JDR
Environmental Site Assessment	AECOM
Geotechnical Assessment	
Civil, Stormwater and Site Utilities Assessment	
Heritage Assessment	NBRS
Ecology	Total Earth Care
Sustainability Assessment	ARUP
Land Surveying	Vince Morgan
Community Consultation	CRED Community Planning
Construction Management	Devcon
Economic Viability	
Cost Consultant	Slattery

1.2 Background

The site is located on the south of Castle Hill Road, adjacent to the future Cherrybrook Station, a major infrastructure investment by the NSW Government in North-West Sydney.

The subject site is currently zoned E4 – Environmental Living under the provisions of *The Hills Local Environmental Plan 2012* (HLEP 2012), and is subject to a maximum height of 9m (J) on the Height of Building map. There are no Floor Space Ratio (FSR) provisions applicable to the site on the FSR map (Sheet 24).

1.3 Site Location

The subject site is shown in Figure 1 below.



Figure 1 – Aerial map of Site
Source: Grimshaw

The sites included in this Planning Proposal are outlined in yellow below.

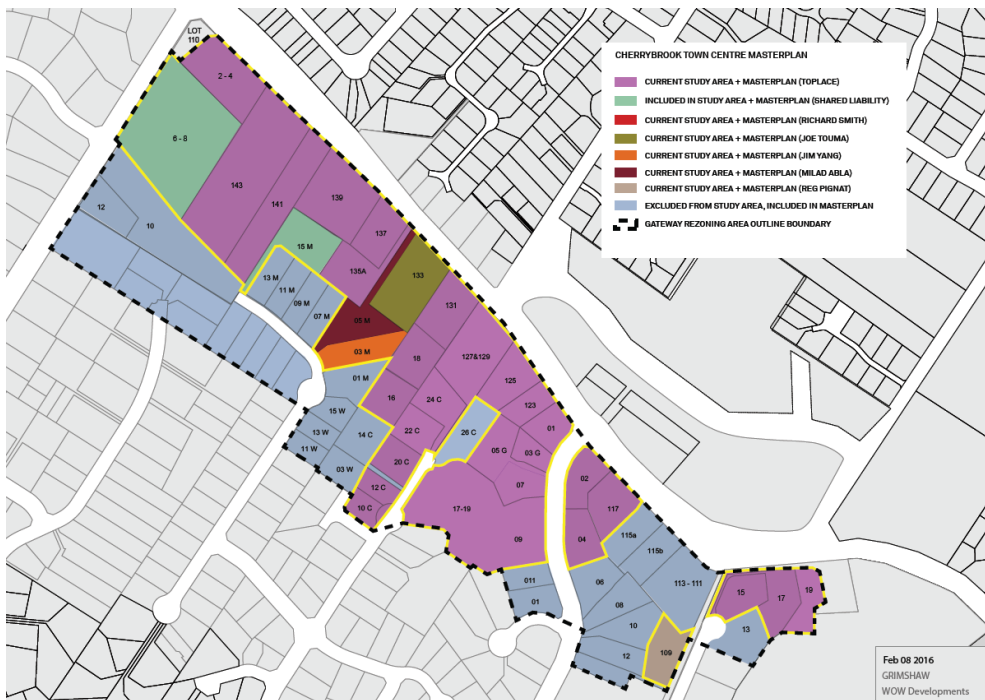


Table 2 provides the legal description and a brief summary of the site and surrounding context.

Table 2. Subject site	
Legal descriptions	<ul style="list-style-type: none"> ▪ 1 Glenhope Road, West Pennant Hills (Lot 12 DP 789295); ▪ 2 Glenhope Road, West Pennant Hills (Lot 1 DP 864230); ▪ 3 Glenhope Road, West Pennant Hills (Lot 11 in DP 789295); ▪ 4 Glenhope Road, West Pennant Hills (Lot 2 in DP 864230); ▪ 5 Glenhope Road, West Pennant Hills (Lot 10 in DP 789295); ▪ 7 Glenhope Road, West Pennant Hills (Lot 201 in DP 812859); ▪ 9 Glenhope Road, West Pennant Hills (Lot 92 DP 1111817); ▪ 109 Castle Hill Road, West Pennant Hills (Lot 1 DP 785672); ▪ 117 Castle Hill Road, West Pennant Hills (Lot 4, DP 1012463); ▪ 123 Castle Hill Road, West Pennant Hills (Lot Q DP 378655); ▪ 125 Castle Hill Road, West Pennant Hills (Lot P DP 378655); ▪ 127-129 Castle Hill Road, West Pennant Hills (Lot 1001 DP 800162); ▪ 131 (18a Carioca Way) Castle Hill Road, West Pennant Hills (Lot 13 DP1016426); ▪ 133 Castle Hill Road, West Pennant Hills (Lot 201 DP 786607); ▪ 135 Castle Hill Road, West Pennant Hills (Lot 1012 DP 878641); ▪ 137 Castle Hill Road, West Pennant Hills (Lot 2 DP 220867); ▪ 139 Castle Hill Road, West Pennant Hills (Lot 1 DP 220867); ▪ 141 Castle Hill Road, West Pennant Hills (Lot 1 DP210585); ▪ 143 Castle Hill Road, West Pennant Hills (Lot A DP153486); ▪ 145 Castle Hill Road, West Pennant Hills (Lot 111 DP1012828); ▪ 3 Matthew Way, West Pennant Hills (Lot 27 DP 828183); ▪ 5 Matthew Way, West Pennant Hills (Lot 26 DP 828183);

Table 2. Subject site

	<ul style="list-style-type: none"> ▪ 15 Matthew Way, West Pennant Hills (Lot 1011 DP878641); ▪ 6-8 Highs Road, West Pennant Hills (Lot 10 DP577670); ▪ 10 Carioca Court, West Pennant Hills (Lot 8 DP801753); ▪ 12 Carioca Court, West Pennant Hills (Lot 9 DP801753); ▪ 16 Carioca Way, West Pennant Hills (Lot 11 DP1016426); ▪ 18 Carioca Way, West Pennant Hills (Lot 12 DP1016426); ▪ 17-19 Carioca Way, West Pennant Hills (Lot 7 DP1193792); ▪ 20 Carioca Way, West Pennant Hills (Lot 100 DP809362); ▪ 22 Carioca Way, West Pennant Hills (Lot 101 DP809362); ▪ 24 Carioca Way, West Pennant Hills (Lot 102 DP809362); ▪ 15 Staley Court, West Pennant Hills (Lot 714 DP 880259); ▪ 17 Staley Court, West Pennant Hills (Lot 715 DP 880259); and ▪ 19 Staley Court, West Pennant Hills (Lot 716 DP 880259).
Site area	145,932 m ²
Site location	<p>The site is bounded by Castle Hill Road to the north, Glenhope Road to the east, and Highs Road to the west.</p> <p>The Cherrybrook Station development is located to the north of the site.</p> <p>Coonara Avenue Business Park is situated approximately 800m to the southeast of the site.</p>
Site description	<p>The site is located across an area of hillside land oriented on a NW-SE axis. The site slopes from the northern ridgeline along Castle Hill Road to the southern boundary. The slope gradient varies from around 5° and 20° across the site. The site is located in an area that has been identified by the Hills Shire Council as being at potential risk of instability.</p>
Current zoning	E4 - Environmental Living
Existing buildings/structures	<p>The lots included in the rezoning application typically have one and two-storey detached dwelling houses and associated structures such as carports, garages, and awnings on the site.</p>
Vehicular access	<p>Glenhope Road will serve as the Primary Access point from east of the site, connecting with a new primary road that will link Glenhope Road with Highs Road on the western boundary.</p> <p>Highs Road is to serve as the Primary Access point from the west and south.</p> <p>A Secondary road connection to Castle Hill Road (left in/left out) is also proposed at Glenhope Road, and will allow vehicular</p>

Table 2. Subject site

access to the central area of the site.

1.4 Site Context

The site is located in the suburb of West Pennant Hills and is approximately 21km northwest of the Sydney CBD.

While the site is currently zoned as E4 Environmental Living, it is also adjacent to the Cherrybrook Station development, and as such the area is considered to be in transition and suitable for redevelopment at higher densities.

The North West Rail Link "Cherrybrook Station Structure Plan", released by the Department of Planning in October 2013, also envisages higher density apartment development as a result of the delivery of new transport infrastructure in the area.

Proximate development in the area is characterised by one and two-storey residential dwelling houses on large lots ranging between 1,000m² and 4,000m².



Figure 3 – Regional context diagram

Source: Grimshaw





The site is bounded by Castle Hill Road to its north, providing excellent linkages to existing retail services and commercial activity in the rapidly developing north-west growth corridor. The site also benefits from its proximity to the Cherrybrook Station - a significant infrastructure project that will allow for increased access to the key employment centres Macquarie Business Park, Chatswood, and the Sydney CBD.

The site's topography is largely defined by the steady slope across the site from the northern ridgeline at Castle Hill Road, falling south across the site at between 5° and 20°.

Table 3 below provides a brief summary of the site and its surrounding context.

Table 3. Surrounding context	
Surrounding Context	<p>Low-density residential surrounds the site.</p> <p>The north of the site is bounded by Castle Hill Road, with Cherrybrook Station currently under construction adjacent to the subject site.</p>
Public and Sustainable Transport	<p>Approximately 400m to bus services from Highs Road and Castle Hill Road.</p> <p>Immediately adjacent to the future Cherrybrook Station precinct currently under construction.</p>
Services	<p>500m – Tangara School for Girls</p> <p>650m – Grosvenor Place Reserve</p> <p>750m – Henry Curtis Reserve</p> <p>800m – Coonara Avenue Business Park</p> <p>800m – Castlewood Community Reserve</p> <p>900m – George Thornton Reserve</p> <p>950m – Edward Bennet Oval</p> <p>1.2km – Cherrybrook Public School</p> <p>1.9km – St Bernadette's School</p> <p>1.9km – Oakhill College</p> <p>1.9km – Oakhill Drive Public School</p> <p>2km – West Pennant Public School</p> <p>2.4km – Castle Hill Town Centre</p> <p>2.8km – Pennant Hills Golf Club</p> <p>4.6km – The Hills Private Hospital</p> <p>6.3km – Sydney Adventist Hospital</p>

Key

-  Childcare Centre
-  Recreational Area
-  Green Spaces
-  School
-  Business/Employment
-  Local Shops
-  Train Station

Key Landmarks

1. Castlewood Community Reserve
2. Highs Road Village Green
3. Salisbury Downs Drive Playground
4. Playdays Pre-School & Long Day Care Centre
5. Henry Curtis Reserve
6. Grosvenor Place Reserve
7. Coonara Business Park
8. Tangarra School
9. Cumberland State Forest
10. Edward Bennett Oval
11. Coonara Village Shopping

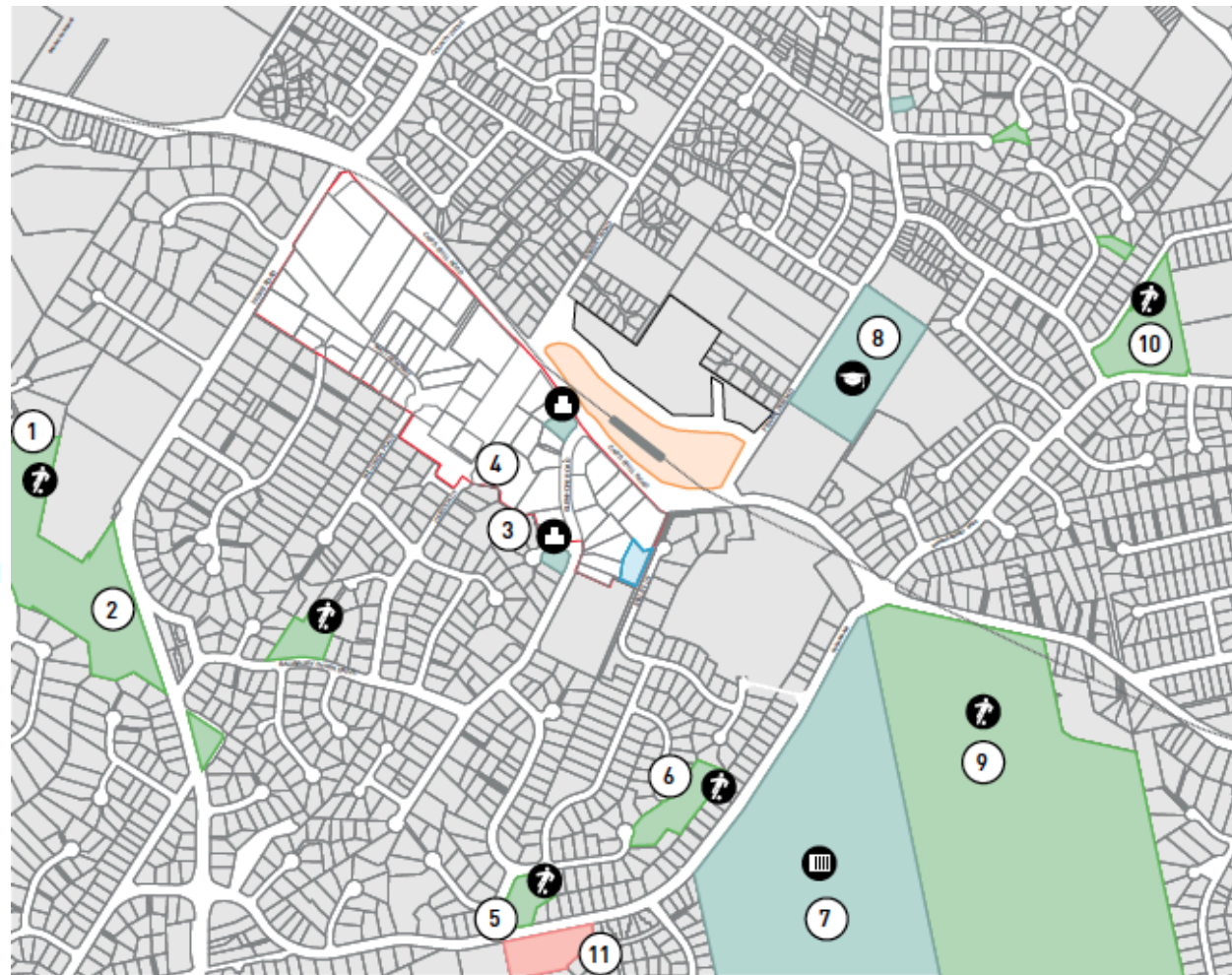


Figure 4 – Local context diagram
Source: Grimshaw

A detailed site analysis is provided in **Appendix 2**, within the Architectural and Landscape Design Report.



Figure 5 – Surrounding context

Source: Grimshaw

With the construction of the Sydney Metro Northwest from Chatswood to Cudgegong Road, an opportunity exists for high-density residential development in close proximity to major transport infrastructure, creating linkages to local and regional services.

The North West Rail Link Corridor Strategy proposes an additional growth of 1,338 dwellings for Cherrybrook to be delivered by 2036. The Draft The Hills Corridor Strategy further refines the North West Rail Link Corridor Strategy, proposing an additional 1,643 dwellings.

This trend supports the concept of transit oriented development and the location of increased housing supply within walking distance of major infrastructure, and the benefits that a master planned site presents for the local Cherrybrook community. Figure 6 below shows an example of planned development around upgraded infrastructure at Epping, which is the next station to the east on the North West Rail Link.



Figure 6 – High Density Development – Epping Town Centre
Source: *Department of Planning and Environment*

2 Planning Proposal Overview

Section 55(2) of the *Environmental Planning and Assessment Act 1979* outlines the required contents of a planning proposal. The Department of Planning and Infrastructure has produced "A guide to preparing planning proposals" (October 2012) which breaks these requirements into six parts. These parts are addressed in the next chapters as follows:

- Chapter 3 addresses Part 1 – a statement of the objectives and intended outcomes;
- Chapter 4 addresses Part 2 – an explanation of the provisions to be included in the proposed instrument;
- Chapter 5 addresses Part 3 – justification of the objectives, outcomes and the process for implementation;
- Chapter 6 addresses Part 4 – maps to identify the modifications required to the proposed instrument and the area to which it applies;
- Chapter 7 addresses Part 5 – details of the community consultation to be undertaken; and
- Chapter 8 addresses Part 6 – draft timeline for the planning proposal.

3 Objectives and Intended Outcomes

3.1 Objectives

The objectives of the proposal are:

- To provide high quality housing in close proximity to public transport, retail services and community facilities while creating a new model for sustainable urban villages based on the principles of transport oriented development (TOD);
- To encourage an increased housing density that will promote high-quality development and amenity while enhancing the existing ecology of the area, providing opportunities for people to interact and enjoy the unique environment;
- To balance benefit led design with pragmatic development optimisation that enhances the ecology and topography while providing well-connected and accessible neighbourhoods and a vision for a sustainable urban village;
- To provide strong protection for lands of particularly high ecological value;
- To reduce private parking rates to encourage sustainability and the use of public transport facilities, while ensuring that the community is well connected to employment opportunities through public transport, pedestrian and bicycle links;
- To provide significant public benefits that will enhance the liveability of the surrounding area including community facilities, public open space and contributions towards open space and major infrastructure enhancements such as a pedestrian connection to the future Cherrybrook Station;
- To improve accessibility and connectivity throughout the precinct and the wider Cherrybrook community by creating permeable links through to the station site, encouraging its use and stimulating activity around the site; and
- To assist in achieving State and local government's housing targets.

The planning proposal seeks to achieve these objectives by allowing for the redevelopment of the site as a mixed-use precinct with a range of residential, local commercial, and community uses, and by restricting development on certain lands of particularly high ecological value.

3.2 Intended Outcomes

The intended outcomes of the planning proposal are to:

- Provide high quality housing in close proximity to transport and retail services;
- Create a site that is permeable and links the site and the wider community to the future station precinct;
- Encourage sustainable living and the use of public and active transport, and the use of recreation and open space;
- Provide significant additional community facilities and improve access to existing services and facilities;
- Provide substantial public domain upgrade works; and

- Ensure protection of areas of particularly high ecological value.

The planning proposal seeks to achieve these intended outcomes by proposing amendments to the LEP and rezoning the site to R4 High Density Residential and part E2 Environmental Conservation as per the Standard Instrument Template.

Amending the LEP to permit high-density residential uses will also allow for non-residential uses such as childcare facilities, neighbourhood shops, and community facilities to be developed within the site to service the needs of residents. Amending the LEP to restrict development in areas of high ecological value will ensure continued protection of these lands.

An Architectural and Landscape Design Report is provided in **Appendix 2**, which includes an analysis of the site and a massing study that forms the basis of the proposed provisions. Based on the findings of the architectural design statement, a range of 3-21 storey buildings can be achieved on site without creating an adverse or significant environmental impact on the site or surrounding development.

4

The planning proposal seeks to achieve the intended outcomes outlined in Section 3 of this report by proposing amendments to the HLEP as follows:

- Rezone the site to R4 High Density Residential as per the Standard Instrument Template;
- Rezone a portion of the site to E2 Environmental Conservation as per the Standard Instrument Template;
- Amend the HLEP to permit residential as well as non-residential uses such as childcare, cafes and restaurants, and a mix of community services to provide for the daily needs of the local community; and
- Amend the height and FSR controls to permit higher density residential development.

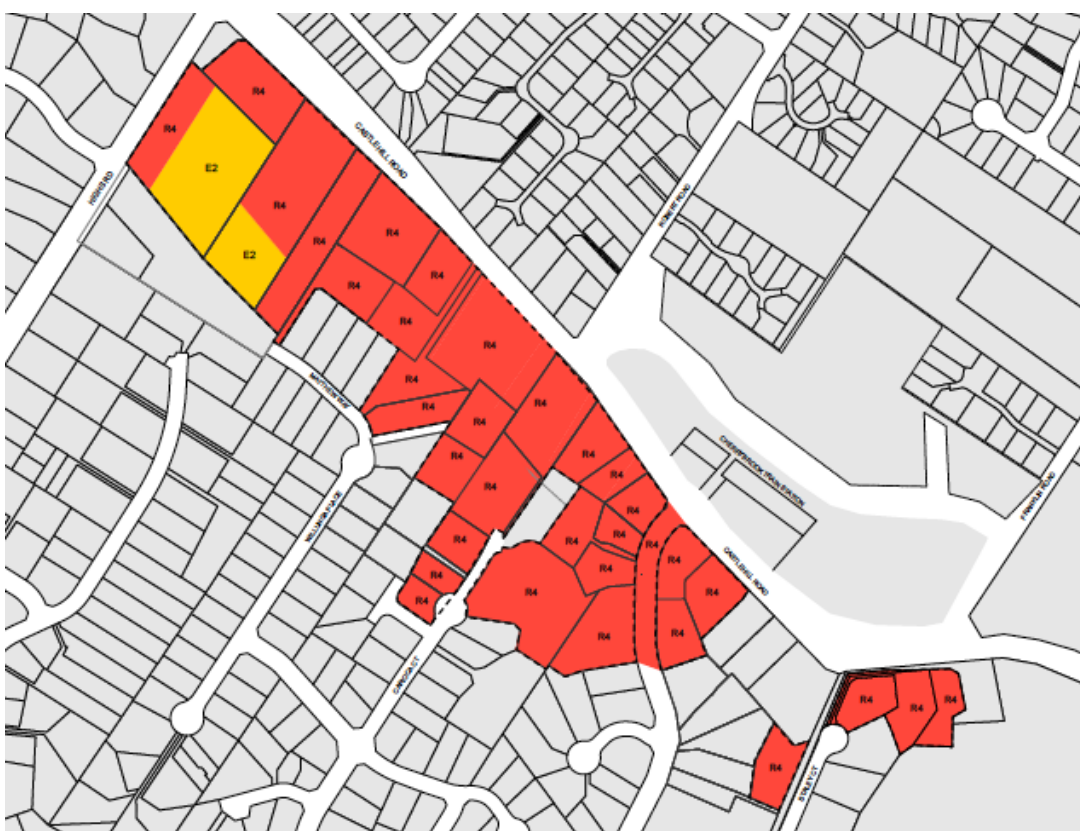


Figure 7 – Proposed zoning map
Source: Grimshaw and Mecone

The R4 High Density Residential zone would permit residential uses, as well as non-residential uses such as childcare facilities, neighbourhood shops and community facilities. The objectives of the R4 High Density Residential zone include:

- “To provide for the housing needs of the community within a high density residential environment.
- To provide a variety of housing types within a high-density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.”

The E2 Environmental Conservation zone would severely restrict development in an area identified as being of high ecological value. The objectives of the E2 Environmental Conservation zone include:

- "To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values."

It is anticipated that further discussion will be held with Council to discuss the possible acquisition of the E2 zoned Environmental Conservation land.

5 Justification

5.1 Section A – Need for the proposal

1. Is the planning proposal a result of any strategic study or report?

The proposal supports a number of strategic objectives at the state and local level including:

- The North West Rail Link Corridor Strategy identifies the site as part of a broader precinct under the Cherrybrook Station Structure Plan. This increased density near to the proposed Cherrybrook Station supports a significant investment in transport infrastructure by the NSW Government in the form of the Sydney Metro Northwest. Additional housing is proposed in this new major public transport corridor;
- The Draft The Hills Corridor Strategy also identifies the site and a broader area to the south of Castle Hill Road as an area appropriate for increased housing densities;
- Contributes to more intense housing, increased housing choice and affordability in a transport accessible area;
- Places downward pressure on the cost of living by improving housing affordability and availability; and
- Assists with achieving the aims and targets of the Metro Plan 'A Plan for Growing Sydney' as it will provide new dwellings in an existing urban area, which is highly accessible and close to essential services.

2. Is the planning proposal the best means of achieving the objectives and outcomes, or is there a better way?

The Planning Proposal is the best means of ensuring appropriate redevelopment, maximising the potential benefits to the community created by the introduction of the Sydney Metro Northwest in the Cherrybrook area. A master planned site allows a holistic vision to be implemented, as opposed to ad hoc and fragmented development that would otherwise occur. This Planning Proposal will increase housing supply and childcare places in the locality.

The Proposal will also achieve the outcomes of the Cherrybrook Station Structure Plan, and the Draft The Hills Corridor Strategy which both envisage intensified residential development within walking distance of the new station. Alternative densities and means have been considered. They were found to be less economically and socially viable for the development and renewal of the site, and therefore it is considered that the proposed Planning Proposal is the most efficient means of renewing the site.

5.2 Section B – Relationship to strategic planning framework

3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including Metropolitan Strategy and exhibited draft strategies)?

The Planning Proposal is consistent with the objectives and actions contained within the following plans and strategies:

NSW State Plan

NSW 2021 is a 10-year plan based on strategies to rebuild the economy, return quality services, renovate infrastructure, strengthen local government and communities, and restore accountability to government. The plan sets a number of goals, targets and actions. The proposal contributes to a number of the 32 goals outlined in the NSW State Plan, as shown in Table 4.

Table 4. Consistency with NSW 2021

Goal	Target	Action	Consistency
5. Place downward pressure on the cost of living.	Improve housing affordability and availability.	This includes ensuring that targets for housing and growth are reflected in local plan making instruments.	<p>The proposal will contribute to housing targets by modifying the HLEP to enable an increase in housing in the LGA.</p> <p>This proposal will increase housing affordability and availability to put downward pressure on the cost of living.</p>
8. Grow patronage on public transport by making it a more attractive choice.	Consistently meet public transport reliability targets.	A high quality, reliable and accessible public transport system is key to the sustainable growth of any major city.	<p>The proposal will provide a Transit Oriented Development in close proximity to a new reliable public transport option.</p> <p>This will grow patronage on public transport, reduce traffic congestion and provide environmental benefits.</p>
20. Build Liveable Centres.	Planning Policy to encourage job growth in centres close to where people live and to provide access by public transport.	Work closely with local councils and communities to deliver local land use controls that identify appropriate development outcomes to support the delivery of housing and employment targets in metropolitan and regional strategies.	The proposal will provide housing and local employment opportunities in close proximity to public transport, connecting to local employment hubs such as Macquarie Park and Epping.

Table 4. Consistency with NSW 2021

24. Make it easier for people to be involved in their communities.	Improve our sense of community.	Build supportive connections between community members using sport, recreation and cultural activities, events, facilities and venues.	The proposal will provide new facilities for the local community including sporting and recreation facilities to assist in building a supportive connection in the community.
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A Plan for Growing Sydney

The Planning Proposal is consistent with the current Metropolitan Plan for Sydney, 'A Plan for Growing Sydney'. Directions 2 to 4 identified in the Strategy are relevant to the proposal. Table 5 provides a summary of the consistency of the proposal with these objectives and policies.

Table 5. Consistency with A Plan for Growing Sydney

Objective	Policy	Consistency
Goal 2: A city of housing choice, with homes that meet our needs and lifestyles		
2.1.1 Accelerate housing supply and local housing choices.	Work to achieve the Government's target of an additional 664,000 new dwellings by 2031. The most suitable areas for significant urban renewal are those best connected to employment and include in and around centres that are close to jobs and serviced by public transport.	The proposal is consistent with increasing housing in an area connected to employment as it is close to jobs in Macquarie Park and Epping and serviced by public transport.
2.2.2 Undertake urban renewal in transport corridors, which are being transformed by investment and around Strategic Centres.	'A Plan for Growing Sydney' focuses new housing in centres which have public transport that runs frequently and can carry large numbers of passengers. This will provide the opportunity to connect new homes to the job-rich areas of the Sydney CBD and the northern section of the Sydney Rapid Transit corridor from North Sydney to Norwest.	The proposal will provide new high-density housing adjacent to the Cherrybrook Rapid Transit rail corridor, a frequent public transport corridor that carries larger numbers of passengers.
Goal 3: A great place to live with communities that are strong, healthy and well-connected		
3.1.1 Support urban renewal by directing	Delivering the infrastructure that is needed means responding to growth. In areas that are growing,	The proposed development will deliver high quality local

Table 5. Consistency with A Plan for Growing Sydney

Objective	Policy	Consistency
local infrastructure to centres where there is growth.	it will be most efficient to focus investment in local infrastructure in centres – the most accessible place for the local community.	infrastructure including pedestrian and cycling links and connections to the Cherrybrook Station, childcare and community facilities, local shops, as well as new open space, sport and recreation opportunities.
Goal 4: A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources		
4.1.1 Protect and deliver a network of high conservation value land by investing in Green corridors and protecting native vegetation and Biodiversity.	Applying mitigation measures can prevent or reduce the impacts of development on areas of high conservation value, native vegetation and diversity from development.	The proposal will protect and enhance areas of high conservation value through the establishment of new environmental conservation land, as well as through the provision of open spaces and the use of the Biodiversity Banking and Offsets Scheme for key native vegetation including the Blue Gum High Forest.

West Central Subregion

'A Plan for Growing Sydney' identifies the West Central subregion as a significant focus for infrastructure investment and intensive growth over the next 20 years. The plan identifies the subregion as being vital for new housing and jobs for future residents.

A key priority for the West Central Region supported by this Planning Proposal is to "identify suitable locations for housing and employment growth coordinated with infrastructure delivery (urban renewal), including around Priority Precincts, established and new centres, and along key public transport corridors including the Sydney Metro Northwest."

The Planning Proposal is also consistent with the relevant regional and sub-regional strategies. In particular, it supports the specific strategies of the West Central region by providing additional housing, employment, pedestrian and cycling and recreation opportunities at a key site in close proximity to the Sydney Metro Northwest.

North West Rail Link Corridor Strategy and Cherrybrook Station Structure Plan

The North West Rail Link (NWRL) Corridor Strategy was finalised in 2013, and is a guide for future development around the eight new stations of the Sydney Metro Northwest. The Strategy proposes the following:

- **The creation of sustainable, well designed, higher density mixed use precincts connected by frequent rail and bus services;** by providing opportunities for higher density residential housing around the Cherrybrook station precinct to deliver a range of activities and uses.
- **Transit oriented development;** by supporting housing growth in the Cherrybrook station precinct area, and encouraging more residents in the site area to use public transportation by providing a more accessible route to Cherrybrook station;
- **Projected residential growth:** by supporting the housing target set for the local government area by uplifting residential densities in the site area.

The Planning Proposal aligns with the NWRL Corridor Strategy in that:

- It incorporates sustainable design practices in the master planning of the site, and intensifying the built form in the areas of the site closest to the station to maximise the use of new transport infrastructure and the adjacent mixed-use precinct;
- It develops a master plan for an urban village that adopts the principles of Transit Oriented Development (TOD) in its design, minimising through design the use of private vehicles and encouraging alternative modes of transport, including car-share, cycling and walking, as well as direct access to the future Cherrybrook station; and
- It supports housing growth in the station precinct by providing for a range of apartment types and sizes, attracting future residents to the village.

Although the proposal exceeds the Cherrybrook Station Structure Plan's proposed development height of 3-6 storeys, the proposal is consistent with the vision and principles for the Cherrybrook Station Structure Plan. These include:

- Opportunities to increase residential densities within walking distance of the station, involving a variety of housing types to ensure there is affordable and appropriate housing for all members of the community;
- A vision for TOD, providing a mixed use community within walking distance of a transit node that provides a range of residential, commercial, open space and public facilities in a way that makes it convenient and attractive to walk, cycle or use public transport for the majority of trips;
- Proposed additional dwelling supply of approximately 3877 dwellings;
- Castle Hill Road to remain the primary east-west thoroughfare within the Study Area, supported by Highs Road; and
- Supporting a new neighborhood centre surrounding Cherrybrook Station and providing significant opportunities to improve the public domain including upgraded streetscapes in and around the proposed station precinct.

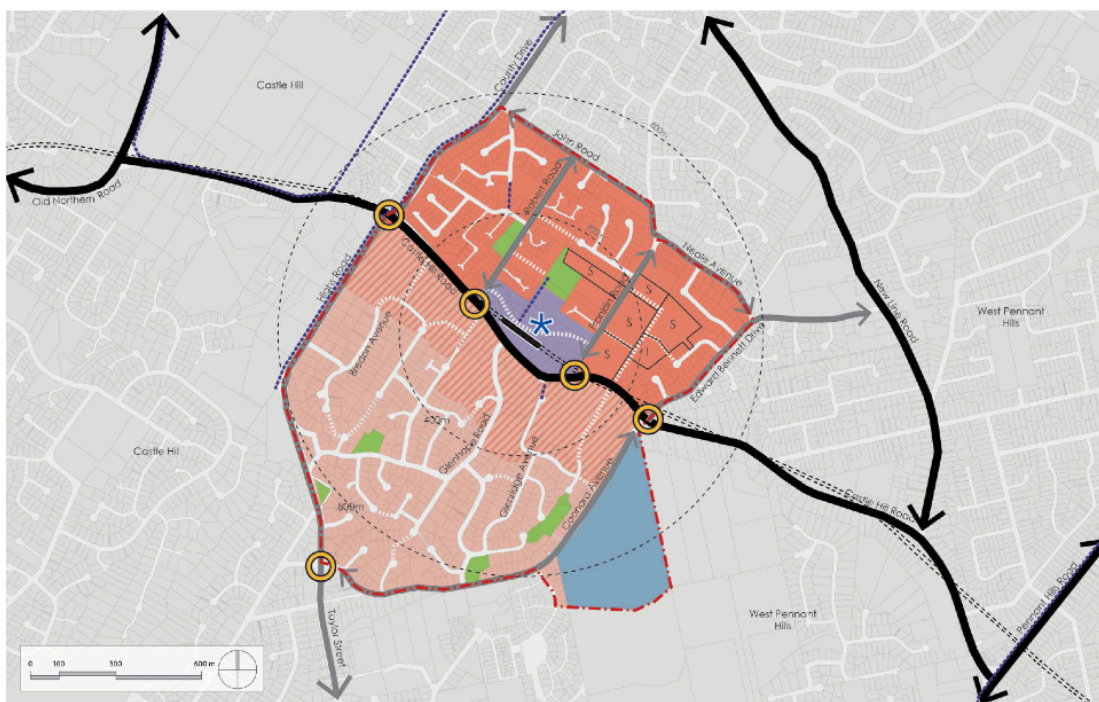


Figure 8 – Structure Plan for Cherrybrook Station
Source: Transport for NSW, 2013

NSW Long Term Transport Master Plan

The NSW Long Term Transport Master Plan (LTTMP) was released in December 2012. The Master Plan provides an integrated and comprehensive framework for addressing transport challenges in NSW over the next 20 years.

The proposal is consistent with the key objectives of the Master Plan, including:

- Transport to help build strong communities; and
- Providing an integrated approach to land use and transport planning in order to access employment, education and other services from where people live.

Chapter Four 'Getting Sydney Moving Again' outlines the Government's key priorities in utilising the transport system to provide access to jobs, housing and services. The Planning Proposal is consistent with Section 4.1, which demonstrates that good transport accessibility can improve the liveability and amenity of urban areas, which are characterised by:

- Higher buildings and more intense use of land;
- Mixed land uses;
- Proximity to local destinations including parks, schools, shops and services;
- Convenient and safe access to a variety of destinations by walking and bicycle; and
- Good multi-modal transport connections.

Cherrybrook Village will provide all of these attributes and will have a significant beneficial impact on the liveability and amenity of the surrounding area, in accordance with the Master Plan.

4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?

The Planning Proposal has been developed in response to various state level strategies that propose significant focus and investment in Sydney's North West. The catalyst for this specific proposal is the construction of Cherrybrook Station as part of Sydney Metro Northwest, and the associated Cherrybrook Station Structure Plan, outlining the State Government's vision and strategy for a new transport precinct.

The Draft The Hills Corridor Strategy is a local strategy, providing a vision and guiding principles for how areas surrounding proposed stations are to be developed to ensure integration with the Sydney Metro Northwest corridor. The site is identified as an area suitable for increased residential density.

This Planning Proposal seeks to support the State and Local Government strategies, particularly with regard to housing intensification within walking distance of major transport infrastructure. It also aligns with Council's vision for significant amenity improvements in the local area by outlining a vision for a high-quality community with significant public benefits.

5. Is the planning proposal consistent with the applicable state environmental planning policies?

The proposal would address and/or be consistent with all relevant State Environmental Planning Policies (SEPPs). The following outlines the intent of the relevant SEPPs and consistency of the planning proposal.

Table 6. State environmental planning policies		
SEPP	Consistency	Comments
SEPP No. 1- Development Standards	Not Applicable	
SEPP No. 14 – Coastal Wetlands	Not Applicable	
SEPP No. 15 – Rural Landsharing Communities	Not Applicable	
SEPP No. 19 – Bushland in Urban Areas	Not Applicable	
SEPP No 21 – Caravan Parks	Not Applicable	
SEPP No. 26 – Littoral Rainforests	Not Applicable	
SEPP No. 29 – Western Sydney Recreation Area	Not Applicable	
SEPP No. 30 – Intensive Agriculture	Not Applicable	
SEPP No. 32 – Urban Consolidation	Consistent	The proposal is an example of urban renewal and provides for multiple

Table 6. State environmental planning policies

SEPP	Consistency	Comments
(Redevelopment of Urban Land)		uses on site. The proposal meets the aims and objectives of this SEPP and is considered an example of urban land that is no longer required for the purpose for which it is currently zoned.
SEPP No. 33 – Hazardous and Offensive Development	Consistent	The proposal is to adopt the standard instrument definitions of hazardous and offensive development, which are not permitted on site.
SEPP No. 36 – Manufactured Home Estates	Not Applicable	
SEPP No. 39 – Spit Island Bird Habitat	Not Applicable	
SEPP No. 44 – Koala Habitat Protection	Not Applicable	
SEPP No. 47 – Moore Park Showground	Not Applicable	
SEPP no. 50 – Canal Estate Development	Not Applicable	
SEPP No. 52 – Farm Dams and Other Works in Land and Water Management Plan Areas	Not Applicable	
SEPP No. 55 – Remediation of Land	Consistent	Prior to any construction, and as a requirement of any detailed development consent, the site would be appropriately remediated to make it suitable for residential development.
SEPP No. 59 – Central Western Sydney Regional Open Space and Residential	Not Applicable	
SEPP No. 62 – Sustainable Aquaculture	Not Applicable	
SEPP No. 64 – Advertising and Signage	Consistent	Signage proposed as part of any future detailed development

Table 6. State environmental planning policies

SEPP	Consistency	Comments
		applications will be consistent with the SEPP.
SEPP NO. 65 – Design Quality of Residential Flat Development	Consistent	Any detailed development applications will be consistent with the 9 Principles associated with SEPP 65 and the Apartment Design Guide.
SEPP No. 70 – Affordable Housing (Revised Schemes)	Consistent	This proposal does not inhibit any operations of this SEPP.
SEPP No. 71 – Coastal Protection	Not Applicable	
SEPP (Affordable Rental Housing) 2009	Consistent	This proposal does not inhibit any operations of this SEPP.
SEPP (Building Sustainability Index: BASIX) 2004	Consistent	Any future detailed development applications for residential development will be consistent with the SEPP.
SEPP (Exempt and Complying Development Codes 2008	Consistent	The proposal is to adopt the standard instrument provisions for exempt and complying development.
SEPP (Housing for Seniors or People with a Disability) 2004	Consistent	If applicable, any future detailed development application for Housing for Seniors or People with a Disability will be consistent with this SEPP.
SEPP (Infrastructure) 2007	Consistent	Any future development applications will be able to comply with the provisions of this SEPP.
SEPP (Kosciuszko National Park – Alpine Resorts) 2007	Not Applicable	
SEPP (Kurnell Peninsula) 1989	Not Applicable	
SEPP (Major Development) 2005	Consistent	The proposal does not inhibit operations of the former Part 3A provisions or the replacement measures.
SEPP (Rural Lands) 2008	Not Applicable	

Table 6. State environmental planning policies		
SEPP	Consistency	Comments
SEPP (State and Regional Development) 2011	Not Applicable	
SEPP (Sydney Drinking Water Catchment) 2011	Not Applicable	
SEPP (Sydney Region Growth Centres) 2006	Not Applicable	
SEPP (Urban Renewal) 2010	Not Applicable	
SEPP (Western Sydney Employment Area) 2009	Not Applicable	
SREP No. 8 – Central Coast Plateau Areas	Not Applicable	
SREP No. 9 – Extractive Industry (No 2 – 1995)	Not Applicable	
SREP No. 16 – Walsh Bay	Not Applicable	
SREP No. 18 – Public Transport Corridors	Not Applicable	
SREP No. 19 – Rouse Hill Development Area	Not Applicable	
SREP No. 20 – Hawkesbury – Nepean River (No 2 – 1997)	Not Applicable	
SREP No. 24 – Homebush Bay Area	Not Applicable	
SREP No. 26 – City West	Not Applicable	
SREP No. 30 – St Marys	Not Applicable	
SREP No. 33 – Cooks Cove	Not Applicable	
SREP (Sydney Harbour Catchment) 2005	Not Applicable	

6. Is the planning proposal consistent with applicable Ministerial Directions (S. 117 directions)?

The planning proposal is consistent with all relevant S117 Directions. The assessment of these is outlined in Table 7 below.

Table 7. Section 117 Ministerial Directions			
Clause	Direction	Consistent	Comments
1 Employment and Resources			
1.1	Business and Industrial Zones	Not Applicable	
1.2	Rural Zones	Not Applicable	
1.3	Mining, Petroleum Production and Extractive Industries	Not Applicable	
1.4	Oyster Aquaculture	Not Applicable	
1.5	Rural Lands	Not Applicable	
2 Environment and Heritage			
2.1	Environment Protection Zones	Partially Consistent	<p>The Planning Proposal reduces environmental standards that apply to the site in some areas, but, importantly, it <i>increases</i> these standards in other areas—areas identified as the most environmentally sensitive portions of the site.</p> <p>Also, as discussed further in detail, the planning proposal includes a number of measures to facilitate the protection and conservation of environmentally sensitive areas including Blue Gum High Forest. These mitigation measures are justified by a strategy that gives consideration to the objectives of the direction and are discussed further later in the report.</p>
2.2	Coastal Protection	Not Applicable	
2.3	Heritage Conservation	Consistent	<p>The Planning Proposal includes provisions that facilitate the conservation of key heritage items and Aboriginal cultural heritage within the site area. This issue is discussed in detail further in the report.</p>

Table 7. Section 117 Ministerial Directions

Clause	Direction	Consistent	Comments
2.4	Recreation Vehicle Areas	Not Applicable	
3 Housing, Infrastructure and Urban Development			
3.1	Residential Zones	Consistent	The Planning Proposal includes provisions to: broaden the choice of building types and locations available to the housing market; reduce consumption of land for housing on the urban fringe; encourage good design; and make good use of existing and future infrastructure and services. These issues are discussed in detail further in the report.
3.2	Caravan Parks and Manufactured Home Estates	Not Applicable	
3.3	Home Occupations	Consistent	The Planning Proposal will utilise standard instrument clauses that permit home occupations in dwelling houses without the need for development consent.
3.4	Integrating Land Use and Transport	Consistent	The Planning Proposal is consistent with this Direction and will provide a Transit Oriented Development, improving access to housing, jobs and services by walking, cycling and public transport. The proposal will reduce car dependency and support efficient and viable operation of public transport services including the Sydney Metro Northwest.
3.5	Development Near Licensed Aerodromes	Not Applicable	
3.6	Shooting Ranges	Not Applicable	
4 Hazard and Risk			
4.1	Acid Sulfate Soils	Consistent	No changes are proposed to the existing Acid Sulfate Soils provisions in the Hills Shire LEP.

Table 7. Section 117 Ministerial Directions

Clause	Direction	Consistent	Comments
4.2	Mine Subsidence and Unstable Land	Consistent	A detailed Geotechnical Assessment addressing the stability of the subject site has been completed. Further information, as relevant, will be provided for the precinct as the project progresses.
4.3	Flood Prone Land	Consistent	A flooding and stormwater review has been undertaken with mitigation measures recommended for potential flooding.
4.4	Planning for Bushfire Protection	Not Applicable	
5 Regional Planning			
5.1	Implementation of Regional Strategies	Not Applicable	
5.2	Sydney Drinking Water Catchments	Not Applicable	
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	Not Applicable	
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	Not Applicable	
5.5	Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)	Not Applicable	
5.6	Sydney to Canberra Corridor (Revoked 10 July 2008. See Amended Direction 5.1)	Not Applicable	
5.7	Central Coast (Revoked 10 July 2008. See amended Directions 5.1)	Not Applicable	
5.8	Second Sydney Airport: Badgerys Creek	Not Applicable	

Table 7. Section 117 Ministerial Directions

Clause	Direction	Consistent	Comments
5.9	North West Rail Link Corridor Strategy	Consistent	The proposed development is generally consistent with the NWRL Corridor Strategy. Where additional height has been proposed, this is based on robust urban design analysis.
6 Local Plan Making			
6.1	Approval and Referral Requirements	Consistent	The Planning Proposal is consistent with the Standard Instrument provisions and will minimise inclusion of provisions that require consultation, concurrence or referral of development applications to a Minister or Public Authority.
6.2	Reserving Land for Public Purposes	Consistent	The Planning Proposal does not contain any land that has been reserved for a public purpose, and no requests have been made to reserve such land.
6.3	Site Specific Provisions	Consistent	The Planning Proposal is for rezoning of the site to existing zones (R4 High Density Residential and E2 Environmental Conservation) contained in the Standard Instrument, allowing for land use without imposing any additional development standards or requirements in relation to those already contained in that zone.
7. Metropolitan Planning			
7.1	Implementation of 'A Plan for Growing Sydney'	Consistent	The Planning Proposal is consistent with the aims, objectives and provisions of the Metropolitan Plan for Sydney 'A Plan for Growing Sydney'.

5.3 Section C – Environmental, Social and Economic Impact

7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

Likely environmental impacts have been considered and have been addressed as part of the preparation of the planning proposal. This is addressed by several technical studies, including an Ecological Assessment (**Appendix 5**) prepared by Total Earth Care and Peer Review by ecological Australia.

The Ecological Assessment prepared by Total Earth Care advises that subject to appropriate mitigation and management strategies, the planning proposal will be acceptable from an environmental perspective.

With reference to threatened fauna species, habitat features of local significance involved with activities such as breeding, hibernation/aestivation and localised obligate food sources were not observed in the study area. The assessment considers that generally securing and improving the quality, extent and connectivity of areas of Flora Conservation Significance on site will have a similar beneficial effect on fauna habitat. As such, the mitigation measures proposed for the flora conservation will also address fauna conservation on the subject site.

The key threatened species affected by the Planning Proposal is Blue Gum High Forest (BGHF). Accordingly, Ecological Australia was engaged to undertake a peer review to:

- Validate the presence and extent of Blue Gum High Forest on the subject site; and
- To advise on the use of BioBanking as a means of offsetting impacts if development were to occur in accordance with the proposed zoning.

The assessment found that the total amount of Blue Gum High Forest (BGHF) on the site is 1.17 hectares. The BGHF was found to be in a highly modified state, with few native species in the understorey. The area proposed to be zoned E2 contains 0.59 hectares of BGHF with 0.58 hectares in the area to be zoned R4.

The review found that by rezoning part of the BGHF area E2, a significant proportion of the area would be protected. Discussion with Council about the final nature of this protection, whether acquisition or alternative protection mechanism, will occur prior to gateway determination.

Within the R4 zone, as there is no requirement for vegetation to be retained, a retirement of 4 Biobanking credits would be sought. The review considered that there are several potential sources of credits likely to become available in the next 6-12 months to satisfy the requirements of the scheme.

8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Urban Design and Built Form

The built form envelope has been designed to provide a high-quality urban environment that is within close proximity to the Cherrybrook Transport interchange whilst mitigating environmental impacts on the surrounding precinct. The Urban Design report that accompanies the Planning Proposal has outlined a vision for the broader precinct in addition to massing for the subject site, which is shown in Figure 9 below.

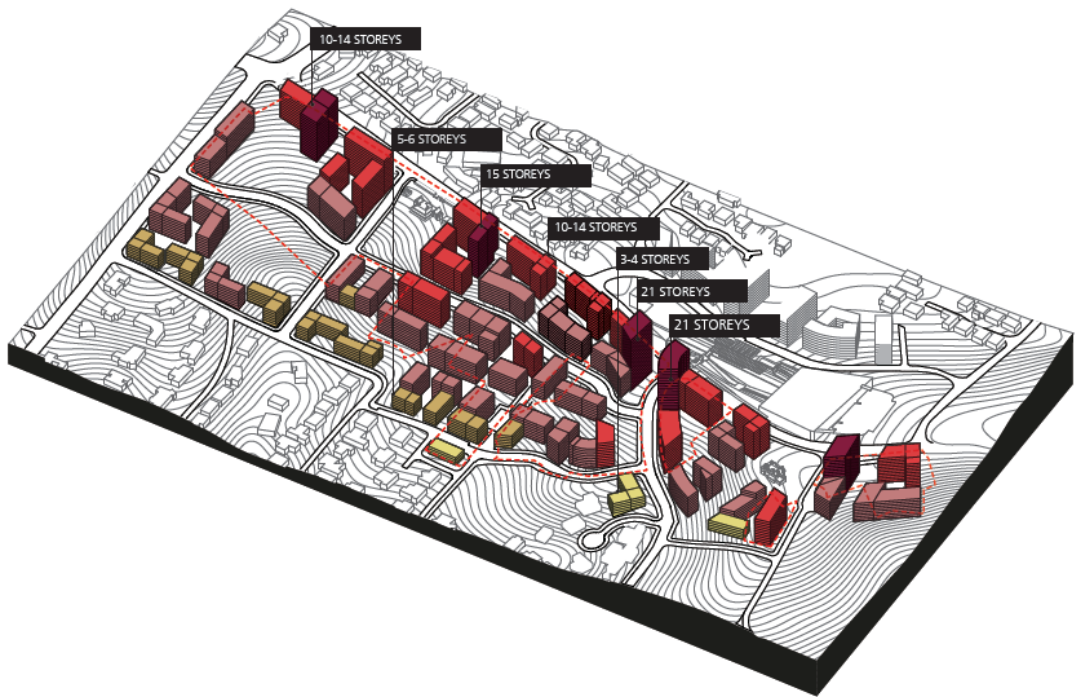


Figure 9 – 3D Model showing the potential future built context
Source: Grimshaw

The proposed increase in building height and floor space on the site recognises the site's proximity to the Cherrybrook Station and location within the Sydney Metro Northwest Corridor. It also reflects the importance of the site as a strategic centre for additional housing and services as identified in the NSW Metropolitan Strategy 'A Plan for Growing Sydney' and the NSW Long Term Transport Master Plan.

The proposal seeks to concentrate the highest densities and heights in the areas within close proximity to the proposed Cherrybrook Station and along primary roads. At the gateway to the development at Glenhope Road taller buildings are proposed. These buildings have a direct relationship to the station site and are optimally positioned for a greater yield due to their proximity to public transport via a pedestrian link to the station.

The strategy also proposes a gradient transition (height banding) between the scales of single-family residences to the south to the medium-high density buildings of the proposal, with the greatest concentration of height along Castle Hill Road. Throughout the development process a balance has been sought between heights of buildings and open space within the context of a feasible proposal.

The design and massing of the development has been assessed to manage any environmental impacts such as overshadowing and privacy while ensuring compliance with SEPP 65 and relevant State and Local planning controls. The concept design will allow for view sharing across the site and will minimise overshadowing impacts within the site and on surrounding precincts.

The proposal incorporates significant new public facilities and benefits that can only be achieved through the increased density associated with redevelopment. Major benefits to be provided within the site include public open space, ecological corridor and parklands, communal open space, local street networks (including the Village Street), community facilities (including childcare), the Cherrybrook Station pedestrian link and forecourt, and the Village Plaza. In

addition, the massing has been designed to provide the highest level of amenity for future residents including substantial private and communal open space and a mix and range of housing types to improve affordability.

The design of buildings and relationship with the potential future surrounding urban form is discussed in the design report, at **Appendix 2**. Figure 10 below also provides a CGI of the potential high-quality future community created as a result of the planning proposal.



Figure 10 – CGI of potential future built context – ‘Village Street’

Source: Grimshaw

Traffic, Transport and Roads

The planning proposal has been accompanied by a detailed traffic assessment (refer **Appendix 6**) considering the traffic, transport and road infrastructure requirements associated with redevelopment of the site. The assessment notes that the site is well located with respect to the arterial and local road systems and will be able to effectively distribute traffic onto the wider road network in order to minimize local traffic impacts.

The assessment of the existing Journey-to-Work data for the locality indicates a low-moderate use of public transport services, with 75% using private vehicles to travel to work. As such, public transport opportunities for residents in the locality will improve significantly following completion of the Cherrybrook Station and Sydney Metro Northwest. As well as rail services within 400m of the site, Cherrybrook Station will attract a range of bus service connections as identified in of Transport for NSW's *North West Rail Link Operational Traffic and Transport Report*.

The traffic assessment notes that separate development application submissions will be required for specific buildings following gazettal of the land zonings and further detailed assessment. Notwithstanding this, preliminary analysis on the basis of the proposed increased density indicates that the overall master plan area could yield up to 3,800 residential units within the existing and proposed road network.

The assessment considers that the subject site could accommodate lower parking rates within a site-specific DCP – more in line with those provided for the Hornsby DCP 2013, as the site is within 400m of a future station. The assessment also notes that low on-site parking, where supplemented with complimentary on-street parking restrictions, has the potential to further reduce car usage, particularly

during weekday peak (commuter) periods. This will enhance the feasibility of higher frequency public transport services that benefit the wider community. This assessment aligns with the NSW Government's Transport Master Plan.

The assessment found that the indicative development yield, with an increased proportion of high density apartments, will encourage a different demographic of future residents resulting in a reduced traffic volume in comparison to that under the existing Cherrybrook Station Structure Plan. Accordingly, traffic impacts associated with the proposed rezoning can be adequately catered for in the traffic planning for the wider area being undertaken by Transport for NSW in relation to the Cherrybrook Station Structure Plan and Castle Hill Road corridor.

The Planning Proposal also provides a through site road connection between Glenhope Road and Highs Road (Village Street). Transport for NSW has expressed interest in this connection, as Village Street could potentially be used for a bus route, alleviating the need for the planned West Pennant Hills Valley Shuttle bus service, identified in the North West Rail Link Environmental Impact Statement, to access Castle Hill Road.

Overall, the traffic assessment considers that the proposal is supportable on traffic planning grounds and will operate satisfactorily.

Heritage

The site includes one heritage item "Dunrath" at 139 Castle Hill Road and a further item that is in close proximity to the site, "Glenhope" at 113 Castle Hill Road. A map of the two items is provided below.



Figure 11 – Heritage Items
Source: Hills Shire LEP 2012

The Planning Proposal is accompanied by a Heritage Assessment (refer to **Appendix 10**) to consider potential impacts on the two items. The Assessment found that some further changes should be considered to proposed development in close proximity to the heritage items of "Glenhope" and "Dunrath", to minimise negative heritage impacts of the rezoning application.

Whilst "Glenhope" is not included in the site area for this Planning Proposal, it is within the Master Plan area and is adjacent to a number of Lots that form part of this Proposal.

The assessment found that a key potential impact on "Glenhope" is the loss of historic views from the principal rooms and spaces towards the associated orchards in the valley below. Building heights of the proposed blocks located adjacent to, and south of the heritage item are seven (7) and nine (9) storeys. The heights will result in buildings higher than the maximum height of the heritage item - the ridgeline of the roof of "Glenhope" and impact on the heritage significance of the item.

It is noted that existing mature tree plantings interrupt views to the residential development to the west and south-west. The assessment recommends retaining the existing curtilage and landscape setting of "Glenhope" to help screen the proposed development and allow for both amenity and privacy. As "Glenhope" does not form part of the Planning Proposal, no changes are proposed to its curtilage or landscaping.

Figure 12 below shows the key views the need to be protected.



Figure 12 – Glenhope views
Source: Google maps modified by NBRs + Partners

The Heritage Assessment also recommends that any development adjacent to "Dunrath" should ensure the significant cultural landscape is retained. The proposed development adjacent to and east of the single storey dwelling is up to fourteen (14) storeys in height. There is potential for adverse heritage impacts arising from overshadowing and degradation of the garden setting through insufficient sunlight. An arborist assessment should be prepared to assess the extent of heritage significant landscape elements within the "Dunrath" garden setting prior to detailed development adjacent the site.

The Heritage Assessment found that the Planning Proposal has the potential to impact upon the identified heritage significance of the listed properties within the study area. The height, density and general form indicated in the Planning Proposal, together with site-specific development control plans, are likely to have some adverse heritage impact. These impacts could be acceptable subject to the following changes to the density of the proposed development:

- Assessment of streetscape impacts, view corridors from heritage items and the interface with heritage items should be undertaken once building forms for the site are proposed.

- Reduce the height of development proposed to the south and southwest of "Glenhope" so any development is screened by the canopy of the mature trees when viewed from the public domain of Castle Hill Road.
- Implementation of appropriate on-site 'heritage interpretation' as part of future development. This would require the preparation of a 'Heritage Interpretation Strategy and Plan'.
- Ensure the proposed development does not overshadow the buildings and grounds of the two heritage items. Unacceptable overshadowing should be avoided because it will result in loss of amenity for the garden setting and negatively impact on tree health.

The Assessment endorsed the 5-storey residential development proposed east of the heritage item of "Glenhope" (113 Castle Hill Road) as though it is adjacent to item, it is on the eastern-side of Staley Court, and physically removed due to the street width. Meanwhile, proposed buildings further east step up in height.

The incremental increase in height of the proposed residential development away from "Glenhope" respects its cultural significance and prominence by not encroaching visually and physically through excessive height difference.

Contamination

The Planning Proposal is accompanied by a Phase 1 Environmental Site Assessment (ESA) to obtain a preliminary understanding of the potential for contamination at the site. A copy of the report is available in **Appendix 11**.

The ESA identified the potential for contamination to exist at the site resulting from previous filling activities using material of an unknown origin and composition, and also through historical and current horticultural uses of the land and associated use of pesticides/herbicides.

Potentially complete exposure pathways were considered to be limited to current and future residents and future construction and/or intrusive maintenance workers inhaling, ingesting and/or coming into direct contact with potentially contaminated soils and/or ephemeral groundwater during either horticultural activities and/or construction works.

The assessment recommended a HAZMAT survey and Environmental Management Plan be prepared prior to any development works on site. With any resulting issues resolved at detailed development application stage.

Infrastructure Capacity

The planning proposal is accompanied by a high-level infrastructure capacity study for potable water, sewer, electricity, gas, communications and stormwater. Power, water, sewer, gas and telecommunications infrastructure are all present located either adjacent to or in the vicinity of the precinct (**Appendix 8**).

Based on previous feasibility applications undertaken in June 2014 for a previous development scenario there appears to be sufficient capacity in the existing systems. However, since the Planning Proposal has been modified updated advice has been sought.

The assessment found that the development layout, demands and uses would need to be subject to further design progression and investigation, and that further definition of the services strategy will be required as detailed design progresses.

Therefore revised feasibility applications have been submitted to Sydney Water, Endeavour Energy, NBN and Jemena. These applications request further information on the capacity of existing infrastructure to accommodate the new

development, identify any potential areas of constraint and advise on any infrastructure augmentations that may be required to service the precinct.

Further consultation will be undertaken with service providers prior to gateway determination to ascertain the current capacity constraints and determine future additional infrastructure needs.

Land Stability

The planning proposal is accompanied by a Geotechnical assessment (refer to **Appendix 7**), which addresses land stability within the development site.

The site slopes to the south from a ridge along Castle Hill Road. Drainage gullies and channels associated with tributaries of Darling Mills Creek extend into the Site from the south. The slope gradient varies between around 5° and 20° across the Site, with steeper slopes immediately below Castle Hill Road, and at the head of drainage lines.

A number of properties within the site area have previously been developed for residential buildings, including the building of platforms and landscaped, terraced gardens utilising a combination of cut and fill. The site is located within an area identified by the Hills Shire Council as being at risk of landslide.

A qualitative landslide risk assessment was carried out broadly in accordance with Australian Geological Services guidelines (AGS 2007), using information gathered in desktop assessments and during previous site investigations on parts of the site. A number of locations are considered to have an elevated level of risk of instability. These areas occupy localised slopes within the larger development area.

Additional geotechnical site investigations are recommended in order to further investigate potential instability and ascertain the depth to unweathered bedrock across the site, which would be undertaken at development application stage. However, it is considered that the land could be rezoned for High Density Residential, provided that design of structures, retaining walls, earthworks, roads and other improvements take into account the potentially unstable nature of the ground. Such designs would be developed after further geotechnical investigations and prior to submission of detailed development applications for future development.

9. How has the planning proposal adequately addressed any social and economic effects?

Social Rationale

Community Planning

The subject site presents a unique opportunity to provide future residents, as well as the existing community with access to a variety of suitable housing, and ready access to excellent transport connections via Cherrybrook Station, as well as a significant range of new open space and community facilities.

An Open Space and Community Facilities Study accompanies the Planning Proposal (refer to **Appendix 9**).

The Study outlines the key community facilities necessary to provide a high-quality local village with local facilities and good quality of life. The assessment found that the Planning Proposal, and subsequent redevelopment, will generate the following demand for community facilities and open space:

- 155 childcare places;
- 221 primary school places;

- 152 high school places;
- 1 multipurpose local community centre/space;
- semi private communal spaces within apartments blocks;
- approximately 68,058m² of open space, including one local park;
- 2.5 netball courts, 4 tennis courts, 1 indoor court; and
- 1 rugby field, 2 cricket ovals and 1.5 soccer fields and 1 skate park.

The planning proposal and Master Plan propose the following community facilities and open space:

- 1 childcare centre (104 places) – 1,350m²;
- 1 Indoor leisure facility/gym/spa (with courts above) – 2,184m²;
- 1 multipurpose community centre/space (potentially utilising a heritage building) – for parties, functions, meetings, weddings, social/community group gatherings;
- Semi-private community facilities including communal spaces within apartment blocks for use by tenants for parties, functions, meetings, community group activities, playgroups. These will be located near open space or other activity areas;
- A total of 55,660m² of useable open space (public and semi-private) including:
 - 42,248m² of public open space. This includes one local park (6,134m²) and 3 multipurpose courts for netball/basketball/tennis; and
 - 13,412m² of semi-private open space. This will be through rooftop gardens, parks, and recreation spaces.

The report states that the community and open space facilities proposed represent an undersupply based on benchmarks and social sustainability principles. Based on recent trends, and utilizing the WHO standard of 9m² per person, the forecast population of the proposed Cherrybrook Village would indicate a demand for 68,508m² or 6.58ha of open space. The proposal will provide below this with 42,248m² of public space and 13,412m² of semi-private open space (55,660m² or 5.66ha total).

The Open Space and Community Facilities Study therefore recommends that contributions be made to offsite public benefits for the increased population of the precinct. This contribution could be towards synthetic multi-purpose surfaces and floodlighting to increase the capacity of Council's existing active open space assets, or provision of another local park offsite as part of the Cherrybrook Station Neighbourhood Centre.

It is anticipated that further discussions will be held with Council as to the nature of any additional contributions. Similarly, given the proposed population increase discussions with the Department of Education will need to be held in order to facilitate the expected need for additional primary school places.

The Planning Proposal also provides a number of significant public benefits including a contribution towards a pedestrian link under Castle Hill Road to the new Cherrybrook Station and a commuter car park. These substantial public benefits will provide significant social capital within the surrounding area. These and other public benefits to be offered are detailed in **Appendix 3**.

Figures 13 and 14 below outline the proposed open space and community facilities within the plan area:

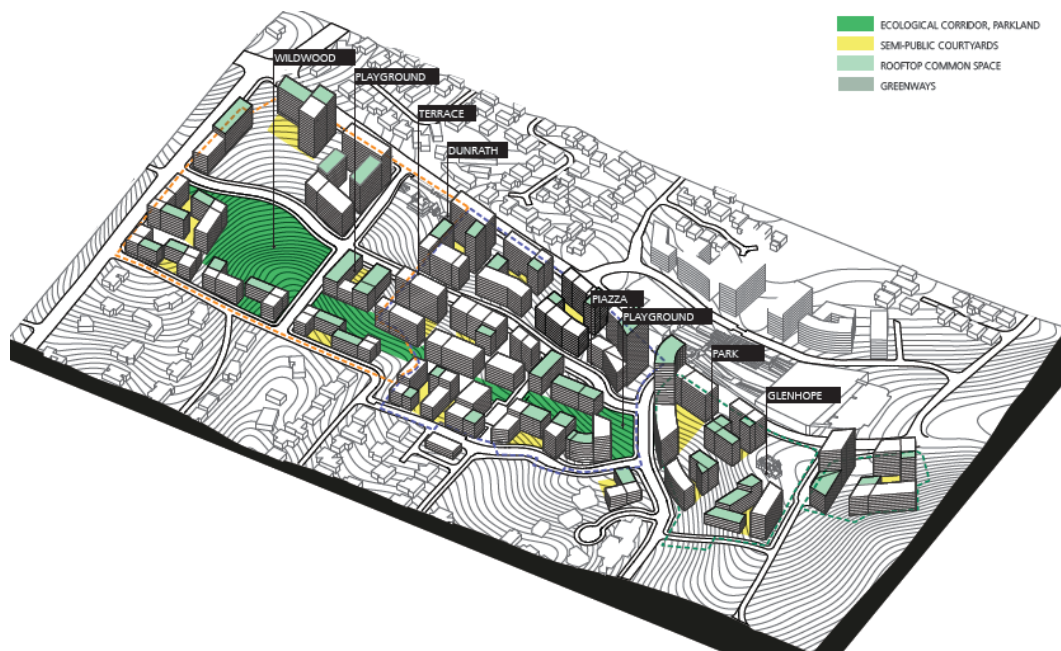
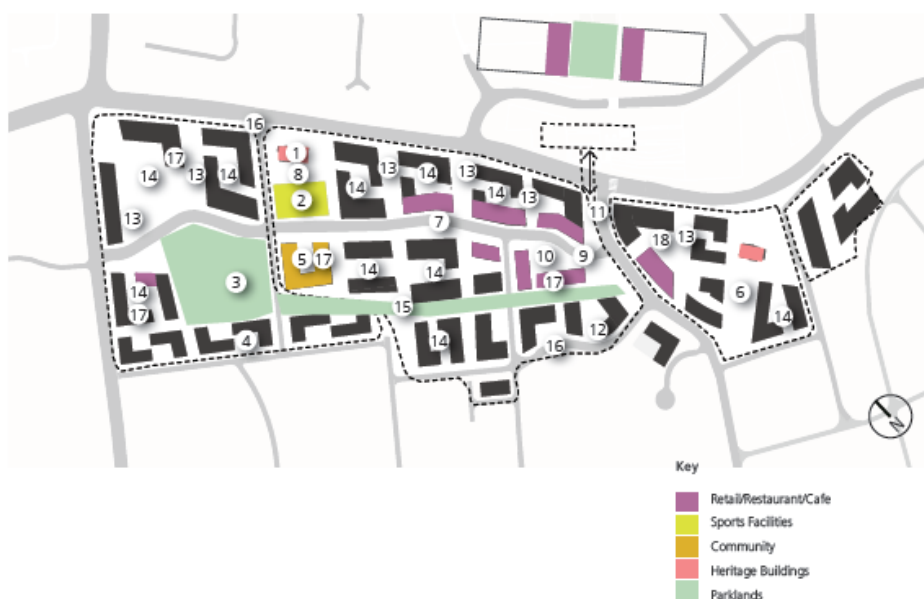


Figure 13 – Distribution of Open Space
Source: Grimshaw



Precinct Wide

- ▶ Village streetscapes (7)
- ▶ ecological corridor (15)
- ▶ community gardens (14)
- ▶ rooftop communal gardens (17), and
- ▶ greenways (13)

The Central Precinct

- ▶ Village Piazza (10)
- ▶ Cherrybrook Station pedestrian link (11)
- ▶ Village Street (7)
- ▶ children's playground (12)

The West Precinct

- ▶ Wildwoods Parkland (3)
- ▶ Dunrath heritage house and gardens (1, 8)
- ▶ Community building and piazza
- ▶ adventure playground (4)
- ▶ sports courts and club house (2)

The East Precinct

- ▶ Glenhope Park (6)
- ▶ East Plaza (18)

Figure 14 – Community Facilities within the precinct
Source: Grimshaw

Additionally it is noted that the Cherrybrook Station Structure Plan indicates that a new neighbourhood centre will surround Cherrybrook Station, providing opportunities to improve the local public domain. The Plan proposes:

- The creation of open space linkages and connections between new and existing housing and open space;
- Protection of existing green spaces such as the Blue Gum High Forest and the reinforcement of ecological corridors; and
- The provision of additional urban plazas, parks and open spaces for the amenity of existing and future residents and workers, particularly within the station precinct, where Cherrybrook Village is located.

The Planning Proposal has the potential to provide substantial community facilities as part of the development in order to provide high quality social outcomes and to embody the values of a community benefit driven development that presents a new model for sustainable urban villages.

Economic Rationale

The construction of the Sydney Metro Northwest presents a significant opportunity to transform the future railway precinct, and allow for increased residential densities in walking distance to the new station.

The Cherrybrook Station Structure Plan outlines the potential future uses for sites surrounding new transport infrastructure, including the redevelopment of existing low-density residential for medium-density residential uses. This proposal seeks to redevelop the site as a high-density residential area, reflecting the excellent opportunities that exist for the site and the broader community to activate the future transport precinct, and provide ready access to employment and services.

The redevelopment of the subject site as a master planned high-density urban village is a unique opportunity to showcase sustainable urban design principles, focused on encouraging the use of public and active transport options such as walking and cycling. Development of a master planned site will also allow for a diversity of apartment layouts and sizes, reflecting the requirements and preferences of future residents.

5.4 Section D – State and Commonwealth Interests

10. Is there adequate public infrastructure for the planning proposal?

The subject site is adjacent to the Cherrybrook Station precinct, which represents a significant investment by the NSW Government in North-West Sydney. Once completed, the new rapid transit network will provide services every four minutes to local commercial centres such as Showground and Macquarie Business Park, as well as direct connections to the Sydney CBD.

By redeveloping the site for high-density residential living, use of this new infrastructure can be maximised. The site is also well serviced by current transport options, including regular bus services on Highs Road and Castle Hill Road to Castle Hill, Epping and Parramatta.

The site is currently serviced with electricity, water supply, telecommunications, sewer and stormwater. However, given the site's current low-density residential use, it is anticipated that additional development on site would require some changes to cater for the demand resulting from the Planning Proposal. An Infrastructure Capacity Assessment is provided in **Appendix 8**.

Additional consultation with all service providers will need to occur prior to lodgement of any development application that results from the planning proposal.

Retail services, medical and educational institutions, parks, open spaces, community and sport facilities are located in close vicinity of the site and the planning proposal includes provisions to further enhance these local facilities including retail, childcare and community facilities. A Community Infrastructure Report has been provided in **Appendix 9**.

11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

At this stage, the views of appropriate State and Commonwealth public authorities have not been obtained and there has not been a gateway determination. Consultation will occur following the gateway determination.

6 Mapping

The Architectural Design Statement provides design context and rationale for the approach to establishing the proposed controls and planning maps (see **Appendix 1**). This chapter provides information on the maps that support the proposed changes.

The land subject is currently zoned E4 – Environmental Living under the provisions of the HLEP. An outline of the key controls under the HLEP and the key controls proposed are provided in Tables 8 and 9 below.

Table 8. Key planning controls		
Control	The Hills LEP	Proposed Controls
Land Use zoning	E4 – Environmental Living	R4 – HighFSR Density Residential
		E2 – Environmental Conservation
Floor Space Ratio	Not Applicable	Depending on the final design, proposed FSR will vary from 1.1:1 up to a maximum of 5.0:1
Height of Buildings	9m	RL controls (Refer to the maps provided in Appendix 1), which will be complemented by a height table in the written instrument that includes 'height in storeys', RLs and 'height in metres' provisions. Refer to Figure 15 for details.

The proposed instrument is based on the mandatory provisions of the standard instrument, as well as the optional standard provisions outlined in Table 9.

Table 9. Proposed optional standard instrument provisions	
Control	Explanation
Height of buildings	This limits the permissible height of future development, as shown on the proposed map.
Floor space ratio	This limits the permissible density of future development.
Calculation of floor space ratio/site area	This provides clarity in calculation methods used to determine compliance with Floor Space Ratio controls.
Architectural roof features	This enables architectural roof features to exceed the building height limit, under certain conditions.

In addition to these optional provisions, it is proposed the local provisions outlined in Table 10 be included:

Table 10. Proposed local provisions	
Control	Explanation
Commencement	This states the commencement of the LEP.
Saving provision relating to development applications	This ensures any development applications submitted but not determined upon commencement remain valid.
Demolition requires consent	This ensures demolition is only carried out with development consent.
Earthworks	This ensures that any earthworks will not have a detrimental impact on environmental functions and processes, neighbouring uses and features of surrounding land.
Stormwater quality	This is to ensure that minimum impact is imposed on stormwater drainage conditions on site and on adjoining properties.

The following maps have been drafted, which relate specifically to the LEP:

- Land Zoning Map;
- Height of Buildings Map and Height Table; and
- Floor Space Ratio Map.

These maps are provided below in Figures 15-17 and in **Appendix 1** to the planning proposal.

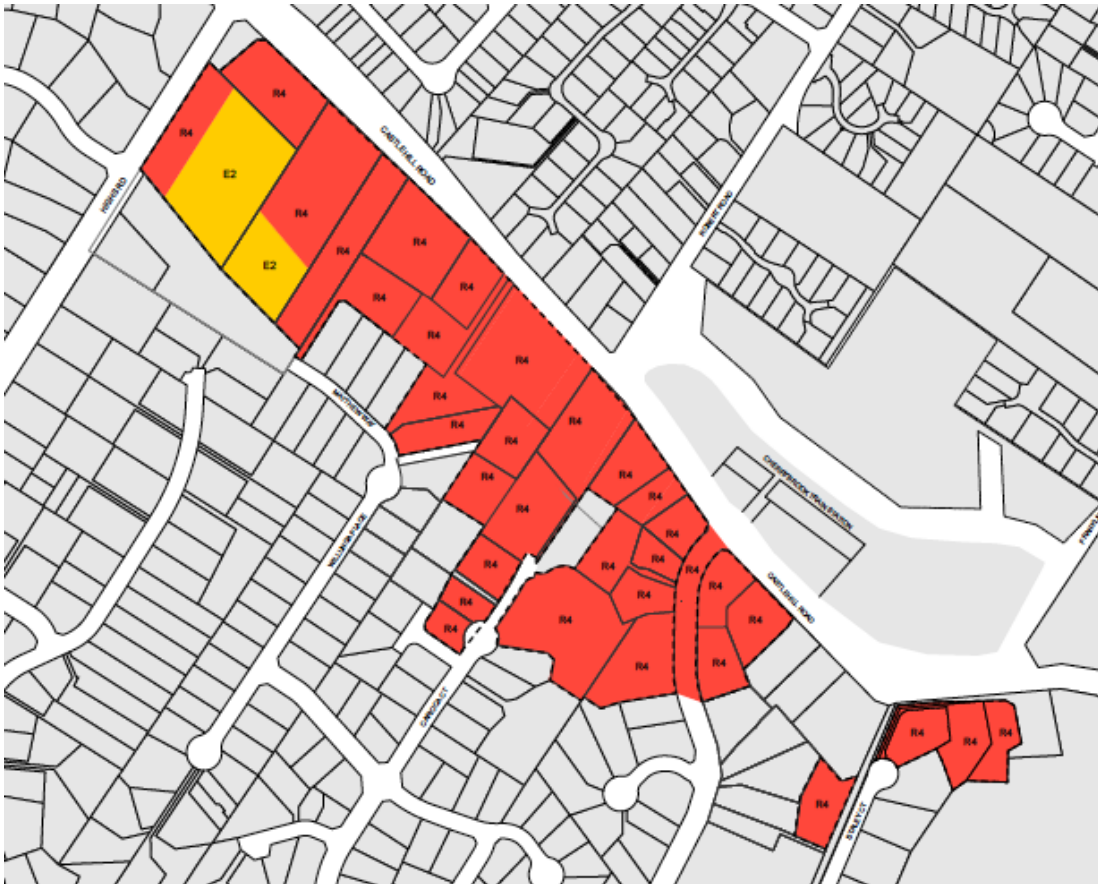


Figure 15 – Land Zoning Map
Source: Grimshaw and Mecone

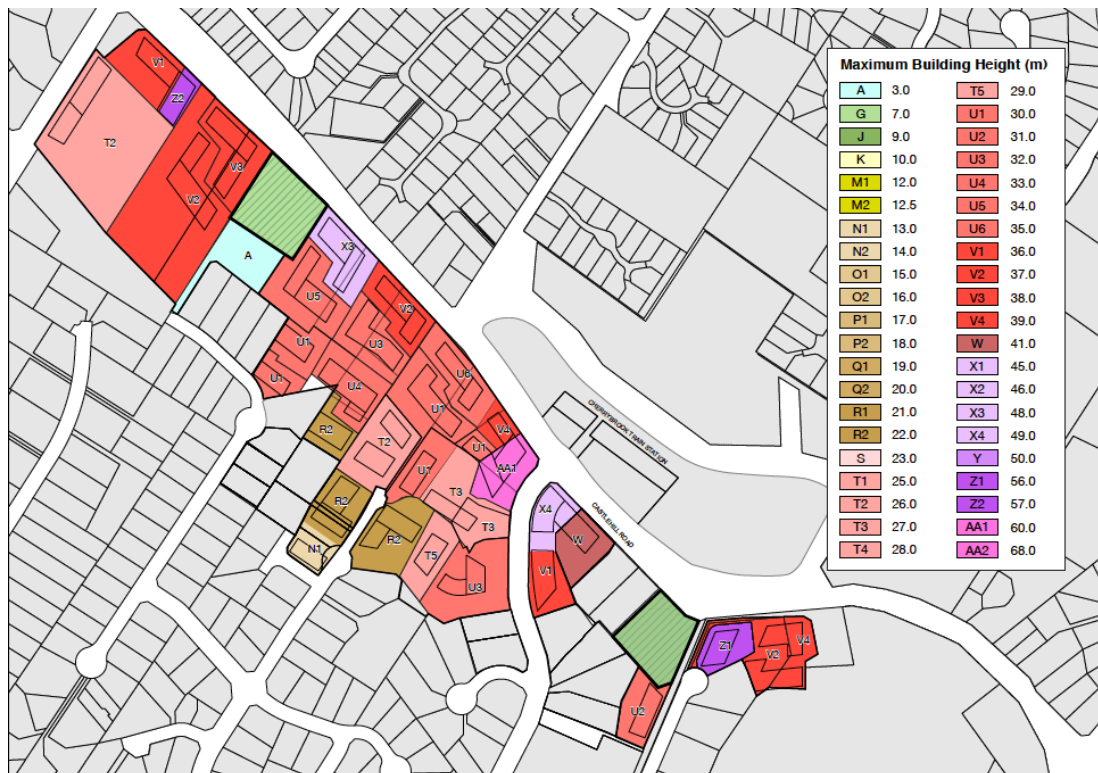


Figure 16 – Height of Building Map
Source: Grimshaw and Mecone

Table 11. Height of Building Table				
Building No.	Building Height in m (AHD)	Building Height (Storeys)	Building Height in m (existing ground level)	Building Height in m (future ground level)
1a	+237.2	21	67.7	68.7
1b	208.6	12	41.1	42.1
2	197.5	10	36.5	36.5
3a	242.5	21	67.0	68.0
3b	204.3	7	30.8	30.8
3c	216.6	13	39.1	42.1
4a	199.1	8	27.1	31.1
4b	199.4	8	30.4	33.4
5a	216.6	11	39.1	42.1
5b	202.7	9	30.2	30.2
6a	216.6	13	41.1	42.1
6b	200.9	9	32.4	32.4
7a	217.6	14	48.6	48.6

Table 11. Height of Building Table				
Building No.	Building Height in m (AHD)	Building Height (Storeys)	Building Height in m (existing ground level)	Building Height in m (future ground level)
7b	203.2	7	32.2	38.2
8a	195.6	11	31.6	35.6
8b	188.7	9	31.7	31.7
9	Not in Study Plan	-	-	-
10a	183.2	9	29.2	29.2
10b	179.7	7	22.7	22.7
10c	175.2	5	15.2	19.2
11a	189.9	10	22.4	32.4
11b	182.6	7	24.6	25.6
12a	183.3	8	27.8	30.8
12b	185.2	9	32.2	29.2
13a	192.3	10	36.6	35.6
13b	184.2	9	31.7	31.7
14a	172.1	6	17.4	18.4

Table 11. Height of Building Table				
Building No.	Building Height in m (AHD)	Building Height (Storeys)	Building Height in m (existing ground level)	Building Height in m (future ground level)
14b	179.3	3	24.6	23.6
15	154.7	3	13.7	12.7
16a	Not in Study Plan	-	-	-
16b	Not in Study Plan	-	-	-
17	Not in Study Plan	-	-	-
18	Not in Study Plan	-	-	-
19	No Building on Site	-	-	-
20	168.0	1	-	-
21a	213.3	14	43.3	45.3
21b	187.7	9	33.0	32.0
22a	228.1	16	56.1	58.1
23a	199.4	9	31.4	31.4
23b	193.7	7	25.7	25.7
24	Not in Study Plan	-	-	-

Table 11. Height of Building Table				
Building No.	Building Height in m (AHD)	Building Height (Storeys)	Building Height in m (existing ground level)	Building Height in m (future ground level)
25	Not in Study Plan	-	-	-
26	Not in Study Plan	-	-	-
27	Not in Study Plan	-	-	-
28a	Not In Study Sites	-	-	-
28b	Not In Study Sites	-	-	-
29a	Not In Study Sites	-	-	-
29b	Not In Study Sites	-	-	-
29c	204.6	9	30.1	30.1
30	Not in Study Plan	-	-	-
31a	232.0	17	56.5	56.5
31b	Not in Study Plan	-	-	-
32a	218.7	11	42.2	42.2
32b	201.7	8	29.2	29.2

Source: Grimshaw and Mecone

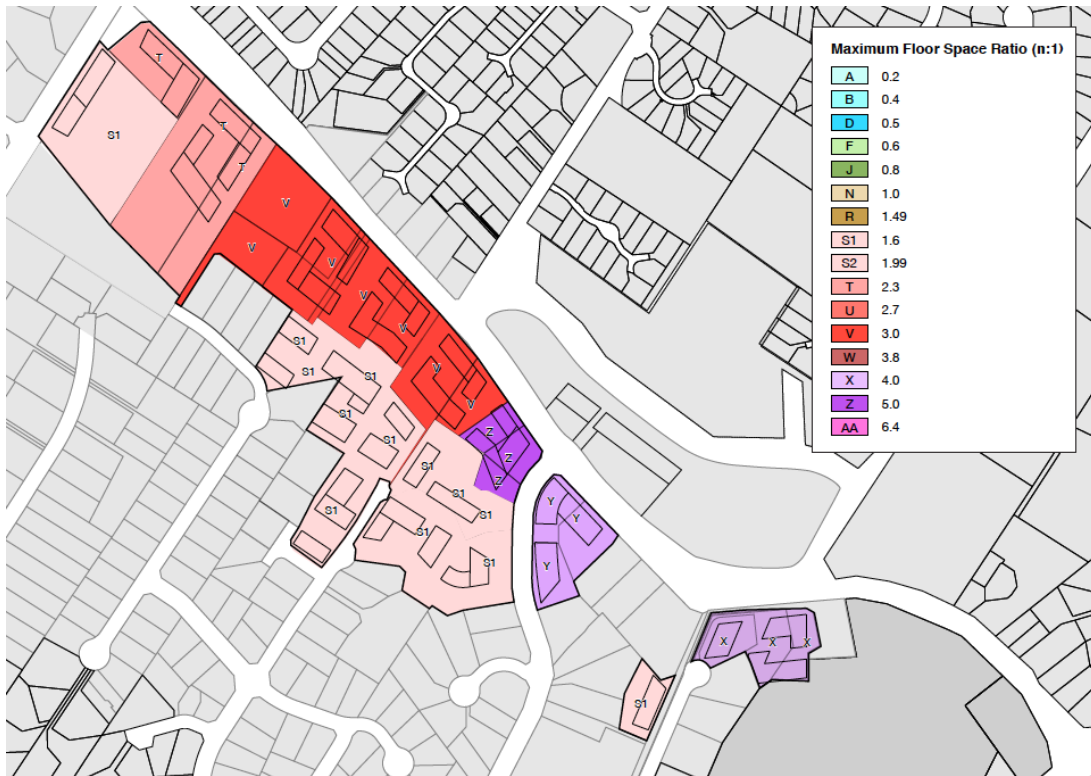


Figure 17 – Floor Space Ratio Map
Source: Grimshaw

In addition, relevant DCP maps support the proposed DCP, which include:

- Setback Area Map;
- Water Sensitive Urban Design;
- View Corridors;
- Traffic Map;
- Community Facilities Map;
- Building Separations Map;
- Basement location;
- Building Height in Storeys Map;
- Building Height above AHD; and
- Open Space Map.

It is proposed to have site specific controls that are inserted into The Hills DCP to ensure development of the precinct is consistent with the intent of the Master Plan and achieves high quality design, while providing amenity and protecting sensitive areas of the site. The proposed site specific DCP is provided in **Appendix 4**.

In addition, refer to **Appendix 2** for the Architectural Design Statement, which provides design context and rationale for the approach to establishing the proposed controls and planning maps.

The following list of maps have not been drafted as no further modifications would be required to them:

- Additional Permitted Uses Map;
- Land Reservation Acquisition Map;

- Heritage Map;
- Acid Sulfate Soils Map, Terrestrial Biodiversity Map;
- Lot Size Map; and
- Foreshore Building Line Map, Landslide Risk Map, Urban Release Area Map, Key Sites Map.

7 Community Consultation

Community consultation would take place following a Gateway determination made by the Minister for Planning and Infrastructure, in accordance with Section 56 and 57 of the *Environmental Planning and Assessment Act 1979*. It is anticipated that public exhibition would include:

- Notification on The Hills Shire Council Website;
- Advertisement in local newspapers that are circulated within the local government area;
- Notification in writing to adjoining landowners and neighbours, and any other relevant stakeholders; and
- A four-week exhibition period.

Further, the draft DCP for the site would accompany the exhibition of the Planning Proposal.

8 Project Timeline

This project timeline has been provided to assist with monitoring the progress of the planning proposal through the plan making process and assist with resourcing to reduce potential delays.

Table 12. Project timeline

Milestone	Date	Comments
Anticipated commencement date (date of Gateway determination)	August 2016	
Anticipated timeframe for the completion of required technical information	Completed prior to lodgement	Updates to be made if necessary
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	September 2016	Other relevant agencies to be consulted as necessary or required by the gateway determination
Commencement and completion dates for public exhibition period	October 2016 – November 2016	
Dates for public hearing (if required)	Within exhibition period	
Timeframe for consideration of submissions	December 2016	
Date of submission to the Department to finalise the LEP	February 2017 – March 2017	
Anticipated date Relevant Planning Authority (RPA) will make the plan (if delegated)	April 2017 – May 2017	
Anticipated date RPA will forward to the Department for notification	As above	

9 Conclusion

The Planning Proposal has been prepared for the applicant, Toplace, in accordance with:

- Section 55 of the Environmental Planning and Assessment Act 1979, (the Act);
- NSW Department of Planning and Infrastructure A Guide to Preparing Planning Proposals; and
- Relevant s.117 Directions.

The Planning Proposal pertains to the land, currently described as:

- 1 Glenhope Road, West Pennant Hills (Lot 12 DP 789295);
- 2 Glenhope Road, West Pennant Hills (Lot 1 DP 864230);
- 3 Glenhope Road, West Pennant Hills (Lot 11 in DP 789295);
- 4 Glenhope Road, West Pennant Hills (Lot 2 in DP 864230);
- 5 Glenhope Road, West Pennant Hills (Lot 10 in DP 789295);
- 7 Glenhope Road, West Pennant Hills (Lot 201 in DP 812859);
- 9 Glenhope Road, West Pennant Hills (Lot 92 DP 1111817);
- 109 Castle Hill Road, West Pennant Hills (Lot 1 DP 785672);
- 117 Castle Hill Road, West Pennant Hills (Lot 4, DP 1012463);
- 123 Castle Hill Road, West Pennant Hills (Lot Q DP 378655);
- 125 Castle Hill Road, West Pennant Hills (Lot P DP 378655);
- 127-129 Castle Hill Road, West Pennant Hills (Lot 1001 DP 800162);
- 131 (18a Carioca Way) Castle Hill Road, West Pennant Hills (Lot 13 DP1016426);
- 133 Castle Hill Road, West Pennant Hills (Lot 201 DP 786607);
- 135 Castle Hill Road, West Pennant Hills (Lot 1012 DP 878641);
- 137 Castle Hill Road, West Pennant Hills (Lot 2 DP 220867);
- 139 Castle Hill Road, West Pennant Hills (Lot 1 DP 220867);
- 141 Castle Hill Road, West Pennant Hills (Lot 1 DP210585);
- 143 Castle Hill Road, West Pennant Hills (Lot A DP153486);
- 145 Castle Hill Road, West Pennant Hills (Lot 111 DP1012828);
- 3 Matthew Way, West Pennant Hills (Lot 27 DP 828183);
- 5 Matthew Way, West Pennant Hills (Lot 26 DP 828183);
- 15 Matthew Way, West Pennant Hills (Lot 1011 DP878641);
- 6-8 Highs Road, West Pennant Hills (Lot 10 DP577670);
- 10 Carioca Court, West Pennant Hills (Lot 8 DP801753);
- 12 Carioca Court, West Pennant Hills (Lot 9 DP801753);
- 16 Carioca Way, West Pennant Hills (Lot 11 DP1016426);
- 18 Carioca Way, West Pennant Hills (Lot 12 DP1016426);

- 17-19 Carioca Way, West Pennant Hills (Lot 7 DP1193792);
- 20 Carioca Way, West Pennant Hills (Lot 100 DP809362);
- 22 Carioca Way, West Pennant Hills (Lot 101 DP809362);
- 24 Carioca Way, West Pennant Hills (Lot 102 DP809362);
- 15 Staley Court, West Pennant Hills (Lot 714 DP 880259);
- 17 Staley Court, West Pennant Hills (Lot 715 DP 880259); and
- 19 Staley Court, West Pennant Hills (Lot 716 DP 880259).

This report provides a full justification of the proposal in line with the Department of Planning and Infrastructure's template for gateway rezonings. The justification demonstrates that:

- The proposal will provide a high-quality transport oriented development that represents a new model for sustainable urban villages. The development and associated built form and yield has been carefully designed in order to ensure high-quality amenity for future residents while providing major social and physical infrastructure to improve the quality of life for those living within the site and in the surrounding precinct;
- The proposal will balance benefit led design with pragmatic development optimisation that enhances the ecology and topography, while providing well-connected and accessible neighbourhoods, and a vision for a sustainable urban village;
- The proposal will reduce private parking rates to encourage sustainability and the use of public transport facilities, ensuring that the community is well connected to employment opportunities through public transport, pedestrian and bicycle links;
- The proposal will provide significant public benefits that will enhance the livability of the surrounding area including community facilities, public open space and major infrastructure enhancements such as a pedestrian connection to the future Cherrybrook Station;
- The proposal will create a site that is permeable, linking the site and the wider community to the future station precinct;
- The proposal will restrict development within the portion of the site with high ecological value;
- The proposal will assist in achieving State and local government's housing targets;
- The proposal is consistent with 'A Plan for Growing Sydney' and the Central-West Subregional Strategy;
- The proposal is generally consistent with the North West Rail Link Corridor Strategy and Cherrybrook Station Structure Plan;
- The proposal is generally consistent with the Draft The Hills Corridor Strategy; and
- The proposal is consistent with relevant S.117C directions.

Appendix 1

LEP Maps



Appendix 2

Architectural and Landscape Design Report



Appendix 3

Public Benefits Letter of Offer



Appendix 4

Draft DCP



Appendix 5

Ecological Assessment

Appendix 6

Traffic and Transport Assessment



Appendix 7

Geotechnical Assessment Report



Appendix 8

Infrastructure Capacity Assessment



Appendix 9

Community Infrastructure Report



Appendix 10

Statement of Heritage Impact

Appendix 11

Contamination Assessment





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