



DRAFT CHERRYBROOK STATION PLACE STRATEGY AND
CHERRYBROOK STATION STATE SIGNIFICANT PRECINCT

Explanation of Intended Effect

May 2022



Published by NSW Department of Planning and Environment

dpie.nsw.gov.au

Title: Explanation of Intended Effect

Subtitle: May 2022

© State of New South Wales through Department of Planning and Environment 2022. You may copy, distribute, display, download and otherwise freely deal with this publication for any purpose, provided that you attribute the Department of Planning and Environment as the owner. However, you must obtain permission if you wish to charge others for access to the publication (other than at cost); include the publication in advertising or a product for sale; modify the publication; or republish the publication on a website. You may freely link to the publication on a departmental website.

Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (May 2022) and may not be accurate, current or complete. The State of New South Wales (including the NSW Department of Planning and Environment), the author and the publisher take no responsibility, and will accept no liability, for the accuracy, currency, reliability or correctness of any information included in the document (including material provided by third parties). Readers should make their own inquiries and rely on their own advice when making decisions related to material contained in this publication.

Contents

Introduction	3
Purpose.....	4
Overview	4
Draft Cherrybrook Station Precinct Place Strategy	4
Cherrybrook Station State Significant Precinct (SSP) Proposal.....	5
Amendment to Planning Systems SEPP	6
Objectives and Intended Outcomes.....	6
Proposed Amendments	6
Draft Cherrybrook Station Precinct Place Strategy	6
Cherrybrook State Significant Precinct (SSP) Proposal	7
Planning Systems SEPP (2021) Amendment	8
Appendix A – Proposed Maps	10
Section 1 - Draft Cherrybrook Precinct Place Strategy	10
Land Use	10
Height of Buildings	11
Floor Space Ratio	11
Minimum Lot Size	12
Section 2 - Cherrybrook Station SSP Proposal – Statutory Maps	13
Land Use	13
Additional Permitted Uses.....	14
Key Sites.....	14
Height of Buildings	15
Floor Space Ratio	15
Section 3 - SEPP (Planning Systems) 2021 Amendment	16
Schedule 2 State Significant Development – Identified Sites.....	16

Introduction

The opening of the Northwest Metro in 2019, comprising eight new stations (including Cherrybrook Station) and supporting infrastructure between Epping Station and Tallawong Station provides direct public transport access to Sydney’s “Global Arc” and replaces previous reliance on road-based transport (**Figure 1**).

The draft Cherrybrook Station Place Strategy (draft Strategy) provides a strategic framework to guide development of the wider Cherrybrook Station Precinct including the Cherrybrook Station State Significant Precinct (SSP) and potential growth area over the next 20 years.

The Cherrybrook Station government land was nominated as a SSP in December 2019. Landcom, on behalf of land owners, Sydney Metro, has since prepared and submitted an SSP rezoning proposal. It contains the vision and planning controls that will facilitate the delivery of a vibrant, mixed-use centre surrounding the Metro Station.

It is proposed to amend State Environmental Planning Policy (Planning Systems) 2021 to list the SSP site to facilitate the sites future development pathway.

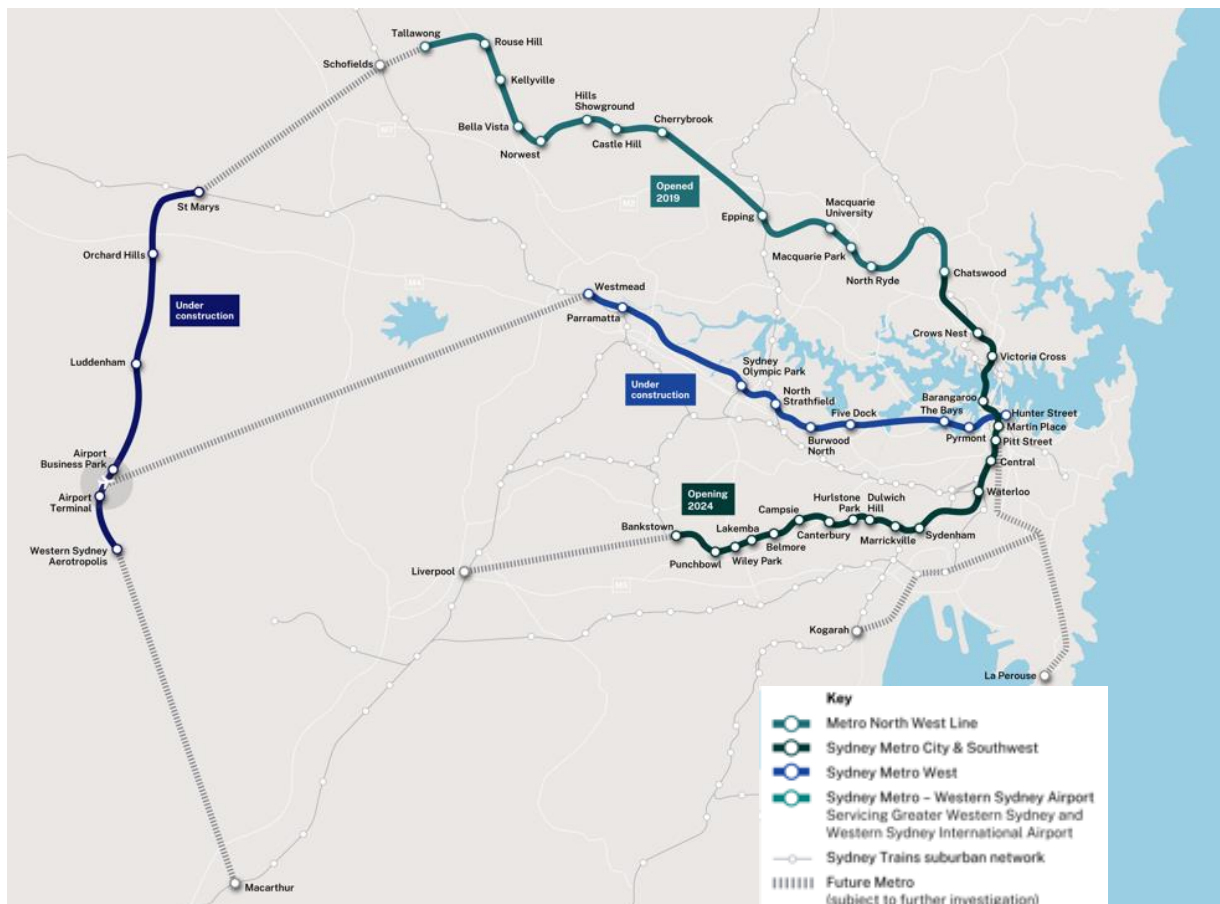


Figure 1: Sydney Metro lines alignment map showing the Metro North West Line

Purpose

This Explanation of Intended Effect (EIE) has been prepared to explain the intended effect of two (2) document packages to be exhibited concurrently with this EIE for the Cherrybrook Station Precinct comprising the draft Cherrybrook Station Place Strategy and rezoning proposal for the Cherrybrook Station SSP.

This EIE also includes the proposed amendment to State Environmental Planning Policy (Planning Systems) 2021 to list the government land at Cherrybrook Station as a State Significant Development (SSD) site under Schedule 2.

Overview

Draft Cherrybrook Station Precinct Place Strategy

The draft Cherrybrook Station Precinct Place Strategy (draft Strategy) covers the wider Cherrybrook Station Precinct and includes the Cherrybrook Station government land State Significant Precinct (SSP) adjacent to the Cherrybrook Metro Station (**Figure 2**).

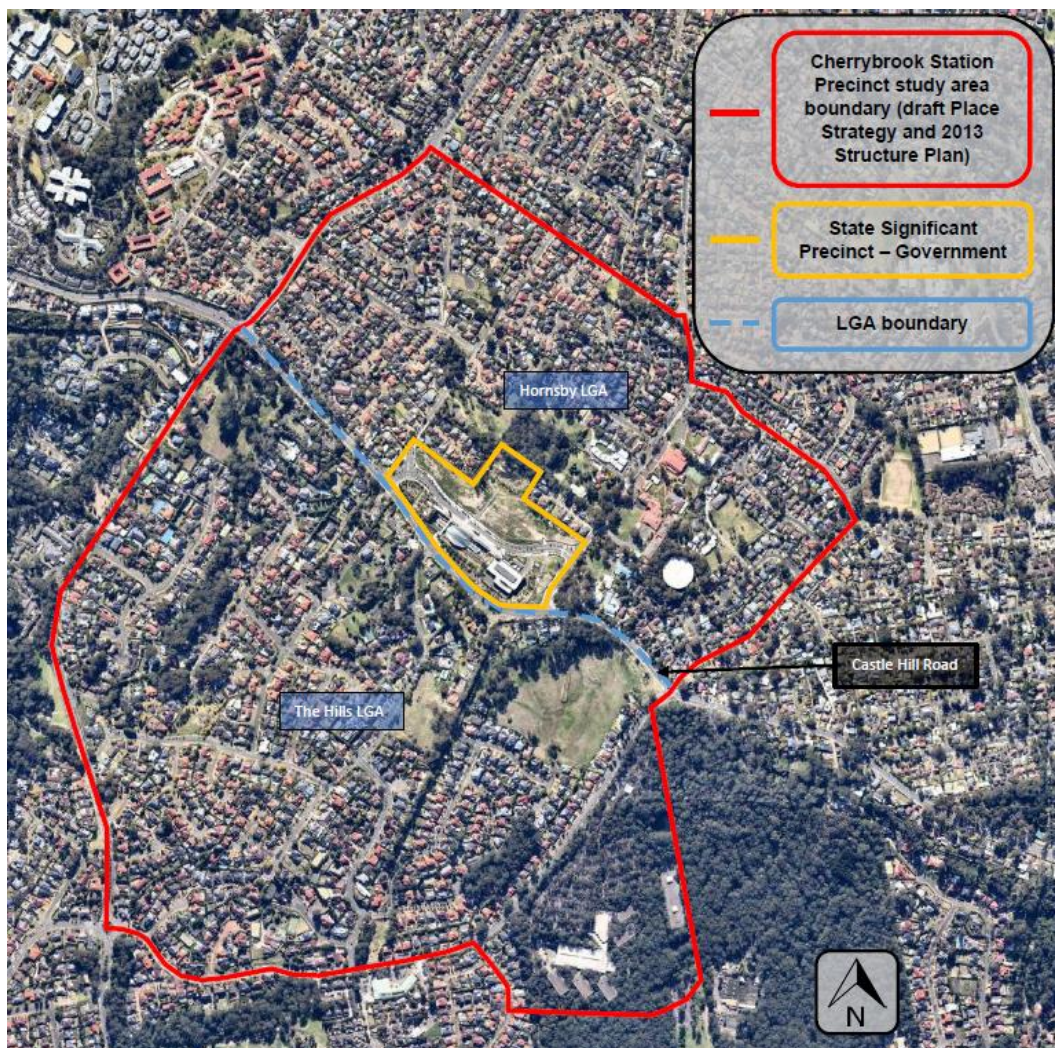


Figure 2: Cherrybrook Station Precinct and Cherrybrook Station SSP boundaries

The draft strategy indicates the potential growth area (Green Village) of the precinct, to the north and south of Castle Hill Road, generally within 400m (or 4-5 minutes' walk) of the metro station. It is accompanied by a Traffic and Transport study that outlines the road infrastructure upgrades necessary to support the precinct vision and proposed growth.

The draft Place Strategy builds on the principles, vision and framework of the *Cherrybrook Station Structure Plan 2013* providing an updated and refined vision for the Cherrybrook Station Precinct. It contains recommendations on potential land uses, built form controls, and infrastructure requirements and funding.

Whilst key deliverables such as housing supply (total 3,200 dwellings by 2041) and community facility provision are unchanged. Originally conceived as low to medium density housing in the study area has been replaced with medium density development of maximum five storeys concentrated in a smaller area to ensure viability and to align with the urban design principle of a 'walkable urban village'.

Cherrybrook Station State Significant Precinct (SSP) Proposal

The Cherrybrook Station SSP Site comprises of 7.7ha of government owned land adjacent to the Cherrybrook Metro Station. The land was nominated as a SSP by the Minister for Planning and Public Spaces on 21 December 2019.

The site is bound by Castle Hill Road to the south, Franklin Road to the east, Robert Road to the northwest and low-density housing and Blue Gum High Forest to the north. The site consists of the Metro station, commuter carpark, new station access road (Bradfield Parade) and vacant land (Developable Government Land) to the north of the station (**Figure 3**).



Figure 3: Cherrybrook Station Government Land State Significant Precinct (outlined in red)

Landcom, on behalf of land owners, Sydney Metro, has prepared and submitted a rezoning proposal for the SSP site. It contains planning controls that will facilitate the delivery of a vibrant, mixed-use centre surrounding the Metro Station.

The timing for delivery of the SSP site is estimated to be 3 to 6 years and will yield 391 dwellings and 140 jobs. Total housing supply is planned to reach 3,200 dwellings by 2042 under the draft Strategy.

Amendment to Planning Systems SEPP

It is proposed to update SEPP (Planning Systems) to list the government land at Cherrybrook Station as a State Significant Development (SSD) site.

Objectives and Intended Outcomes

The primary objective of the draft Place Strategy is to guide future development of the Precinct to deliver additional housing and jobs within walking distance of Cherrybrook Metro Station in accordance with State-led strategic visioning for the site.

The draft Strategy aims to coordinate land use infrastructure planning and delivery to ensure the highest-quality built form and amenity, and improved connectivity whilst preserving local character.

The main objective of the SSP rezoning proposal is to amend the existing planning controls of the Hornsby LEP 2013 to facilitate the delivery of a vibrant mixed-use centre providing for the needs of residents, workers and visitors to Cherrybrook centre.

The overarching objective of amendment to the Planning Systems SEPP 2021 to enable the SSD pathway is to ensure a State-led, consistent and transparent planning pathway for the development of the Cherrybrook Station Precinct.

The documents align with Government policy and will contribute to the delivery of housing and jobs targets set out in relevant strategic planning documents.

Proposed Amendments

Draft Cherrybrook Station Precinct Place Strategy

The draft Place Strategy prepared by the Department does not propose to directly change the existing zoning and built form controls. Instead, it makes recommendations on future land uses and built form controls outside of the SSP site within the Green Village/potential growth area, to inform future planning proposals/amendments to Local Environmental Plans.

Key maps outlining the proposed future land use, building height, floor space ratio (FSR), and minimum lot size in the potential growth area (**Appendix A – Section 1**) are summarised below:

1. **Land use** - The recommended general land use type for the green village is medium density residential and open space public recreation.
2. **Building height** - Maximum five storey height noting the eventual specific building height controls will be determined in the future planning proposal/rezoning stage/s by the specific site conditions and topography etc.
3. **Minimum lot size** - Minimum lot size of 2,000m² to the north of Castle Hill Road within Hornsby LGA and 4,000m² to the south of the south of Castel Hill Road within The

Hills LGA. This is to ensure that future development sites can maintain and enhance local character whilst accommodating the recommended intensity of development. In most of the Hornsby LGA section of the green village, the amalgamation of lots will be required to achieve the minimum lot size, as opposed to the current landownership patterns in the Hill LGA section.

4. **Floor space ratio** - Maximum floor space ratio (FSR) of 1.4:1 for the green village area to achieve heights up to five storeys, while maintaining the area's character of generous setbacks, deep soil zones and landscaped areas.

Cherrybrook State Significant Precinct (SSP) Proposal

Landcom, on behalf of land owners Sydney Metro, has prepared the draft rezoning package for the government land adjacent to Cherrybrook Metro Station. It contains planning controls that will facilitate the delivery of a vibrant, mixed-use centre within walking distance of the Metro Station. To achieve this, Landcom's rezoning proposal for the SSP site recommends the following amendments to Hornsby Local Environmental Plan (LEP) 2013:

1. Amend the "**Land Zoning Map**" to rezone the land from R2 Low Density Residential zone to part B4 Mixed Use zone, part R4 High Density Residential zone and part RE1 Public Recreation.
2. Amend the "**Height of Buildings Map**" to increase the maximum height of buildings from 8.5m to part 10.5m, part 17.5m, part 18.5m and part 22m.
3. Amend the "**Floor Space Ratio Map**" to insert a maximum floor space ratio of part 1:1 and part 1.25:1. Note: There is no existing FSR control.
4. Amend the "**Additional Permitted Uses Map**" to include the Cherrybrook Station Government Land State Significant Precinct.
5. Insert a new "**Key Sites Map**" and show the Cherrybrook Station Government Land State Significant Precinct to trigger Additional Local Provisions.
6. Insert a **new Clause 6.10** "Development in the Cherrybrook Station Government Land State Significant Precinct" to provide for further development detail.
7. Include in **new Clause 6.10** a provision requiring at least 5% affordable housing.
8. Insert a **new Clause 6.11** "Site area of proposed development includes dedicated land" to ensure the site area of any dedicated public land is included for the purpose of calculating FSR.
9. **Amend Schedule 1** "Additional permitted uses" to permit residential flat buildings with consent.
10. Undertake any consequential amendments to the Hornsby Local Environmental Plan 2013 such as renumbering.

The proposed Hornsby LEP development control maps are provided at **Appendix A – Section 2**.

Height of Buildings

As part of Test of Adequacy process, the Department of Planning and Environment (the Department) reviewed Landcom's SSP Proposal package. The SSP proposal included a 22m maximum building height for the mixed-use section of the SSP site.

The Department had concerns that this height was not consistent with the 5 storey scheme that Landcom have been progressively been preparing. The proposed 22m height effectively had been proposed to accommodate a lift overrun and two sections of 6-storey built form (that includes the community library) within the design reference scheme at the lower northern side of the proposed built form facing the community open space area.

The Department subsequently requested Landcom to reduce this section of maximum building height from 22m to 20.5m (a height Landcom had previously proposed during the final stages of preparing the SSP proposal), to better reflect the mixed-use section of the 5 storey scheme.

A Height of Buildings Map was also prepared by the Department to illustrate this requested change to Landcom. Landcom have included this map in the final submitted SSP Proposal, i.e. in the 'Planning Report' and 'Attachment A Proposed amendments to the planning framework'.

The proposed alternative Height of Buildings Map prepared by DPE is included at **Appendix A – Section 2 (Figure 9)** for public comment. Submissions are to be reviewed as part of the post-exhibition review process.

Note: Please also refer to the SSP Proposal Appendix A – Proposed amendments to the planning framework.

Planning Systems SEPP (2021) Amendment

Schedule 2 State significant development – identified sites lists sites identified as State Significant Development (SSD), subject to meeting the criteria of each clause in the Schedule. The Minister for Planning is the consent authority for State Significant Development.

It is proposed to update Schedule 2 of the Planning Systems SEPP to identify Cherrybrook Station government land as an identified site on the State Significant Development Sites (SSD) Map. The intent of the proposed amendment to the State and Regional Development SEPP is to ensure a State-led, consistent and transparent planning pathway for the development of Government owned land adjoining Cherrybrook Station.

The SSD pathway offers a more coordinated approach to dealing with state significant projects by enabling development applications to be lodged under the SSD pathway and assessed at the State level, rather than at the local Council level. This will ultimately aid in the delivery of infrastructure, housing and jobs targets under State-led strategic planning documents.

To facilitate the delivery of infrastructure, new homes and jobs within the Cherrybrook Station precinct, it is proposed that the following development be identified as State Significant Development:

- Development is undertaken by or on behalf of Sydney Metro or the Planning Ministerial Corporation; and
- The development has a capital investment value of more than \$30 million.

While the development of the provisional clause is subject to Parliamentary Counsel examination and agreement, the suggested clause is as follows:

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.

A draft map (**Appendix A – Section 3**) has been prepared to support the proposed amendment. The map identifies Government owned land that would be listed in Schedule 2 as the Cherrybrook Station State Significant Precinct.

Appendix A – Proposed Maps

Section 1 - Draft Cherrybrook Precinct Place Strategy

The following are the potential key planning controls proposed by the Department to facilitate the place strategy vision, which will then inform the future preparation of planning proposals/amendments to the existing local environmental plans.

Land Use

The recommended general land use type for the green village is **medium density residential** and **open space public recreation** (Figure 1).

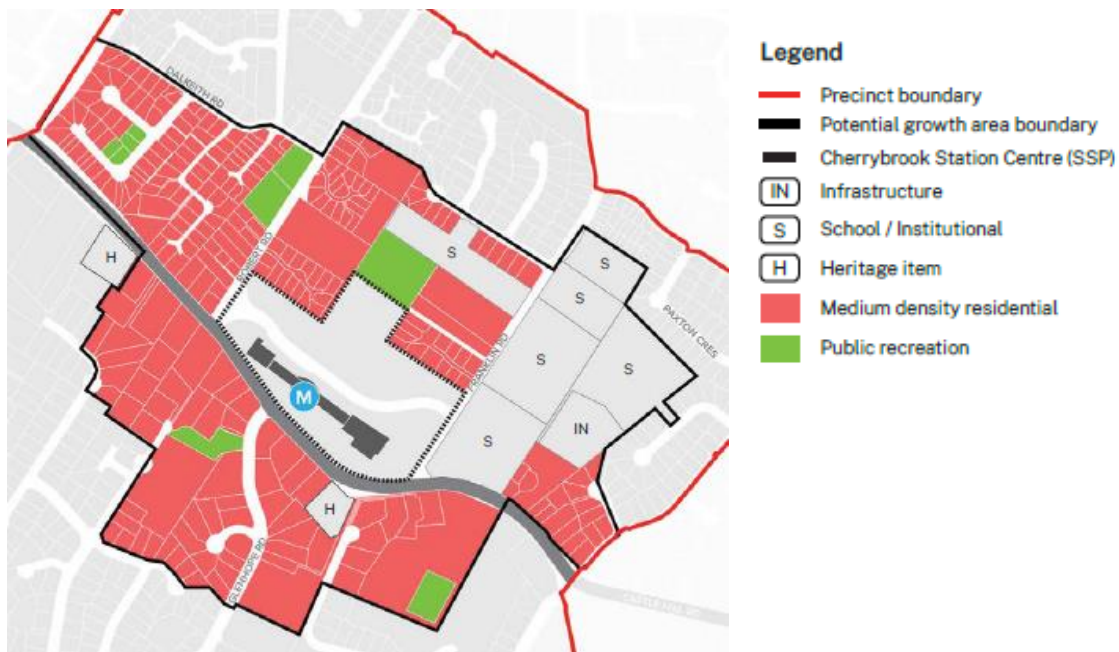


Figure 1: Recommended land use

Height of Buildings

A maximum height of **five storeys** is recommended for the green village (**Figure 2**).

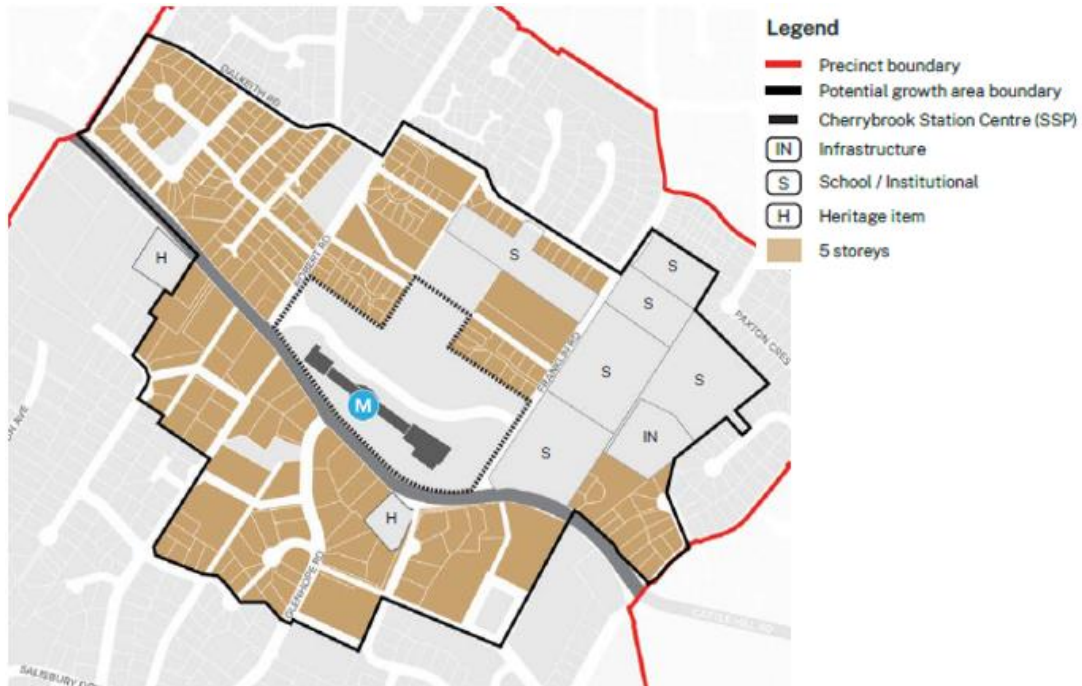


Figure 2: Recommended height of buildings

Floor Space Ratio

A floor space ratio (FSR) of **1.4:1** is recommended for the green village to achieve heights up to five storeys (**Figure 3**).



Figure 3: Recommended FSR

Minimum Lot Size

A minimum lot size control of **2,000m²** is proposed to the north of Castle Hill Road in Hornsby LGA and **4,000m²** to the south of Castle Hill Road in The Hills Shire LGA (**Figure 4**). The Amalgamation of a number of existing lots will be required in most areas to achieve the minimum lot size.

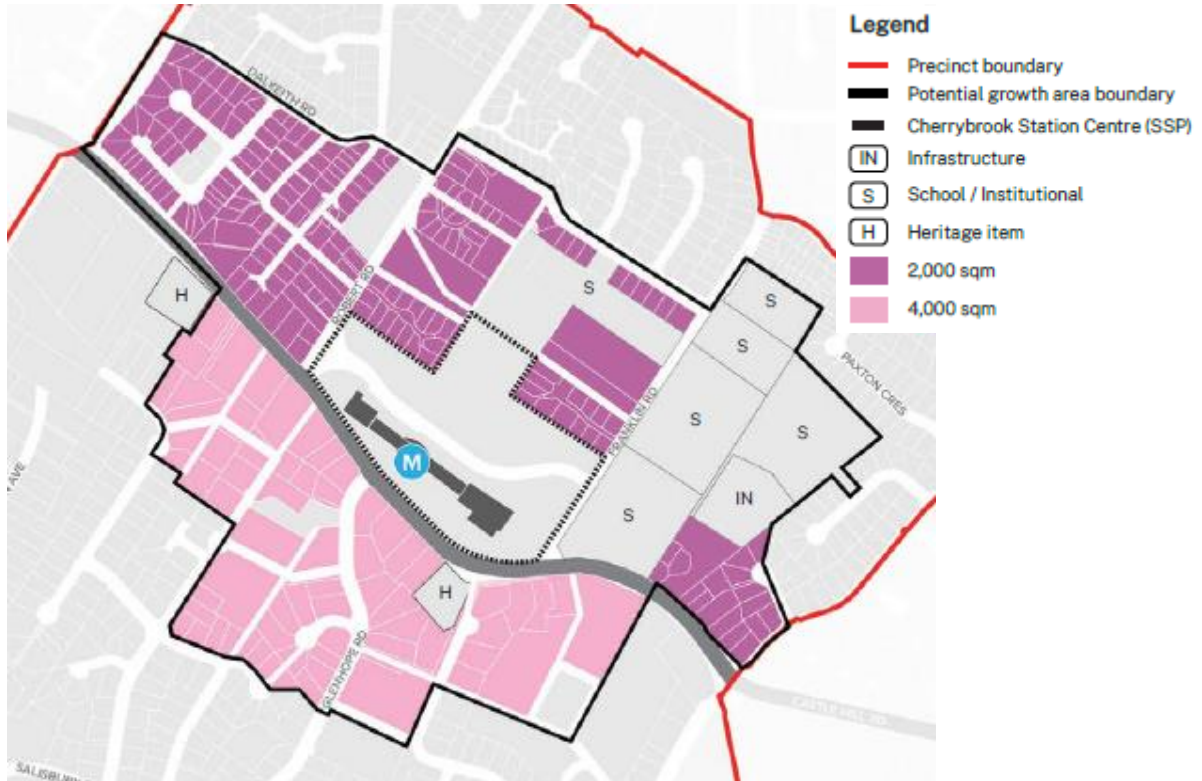


Figure 4: Recommended Minimum Lot Size

Section 2 - Cherrybrook Station SSP Proposal – Statutory Maps

The following are the LEP statutory mapping amendments proposed by Landcom as part of the SSP proposal.

Land Use

It is proposed to rezone the site from R2 Low Density Residential to **Part R4 High Density Residential**, **part B4 Mixed Use**, and **Part RE1 Public Recreation (Figure 5)** .

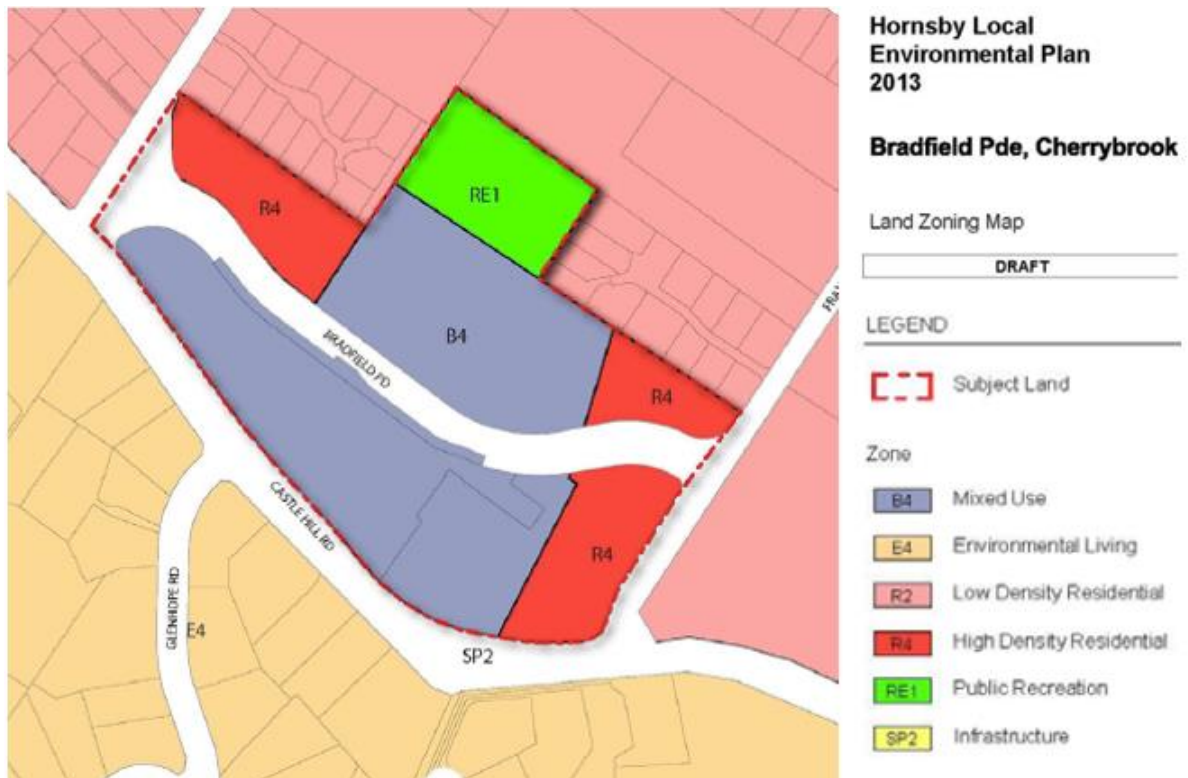


Figure 5: Proposed Amendment to Hornsby LEP 2013 – Land Use Zoning Map

Additional Permitted Uses

It is proposed to amend the “**Additional Permitted Uses Map**” to include the Cherrybrook Station Government Land State Significant Precinct Key Site (**Figure 6**).

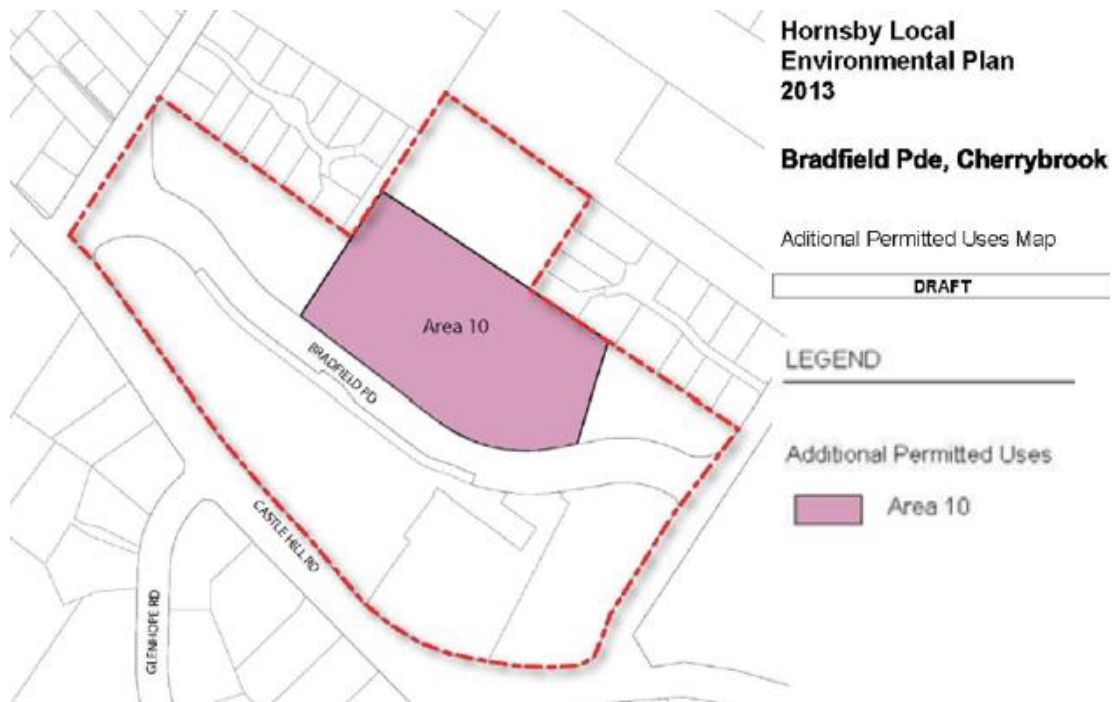


Figure 6: Proposed Amendment to Hornsby LEP 2013 – Additional Permitted Uses Map

Key Sites

It is proposed to insert a new “**Key Sites Map**” and show the Cherrybrook Station Government Land State Significant Precinct to trigger Additional Local Provisions (**Figure 7**).

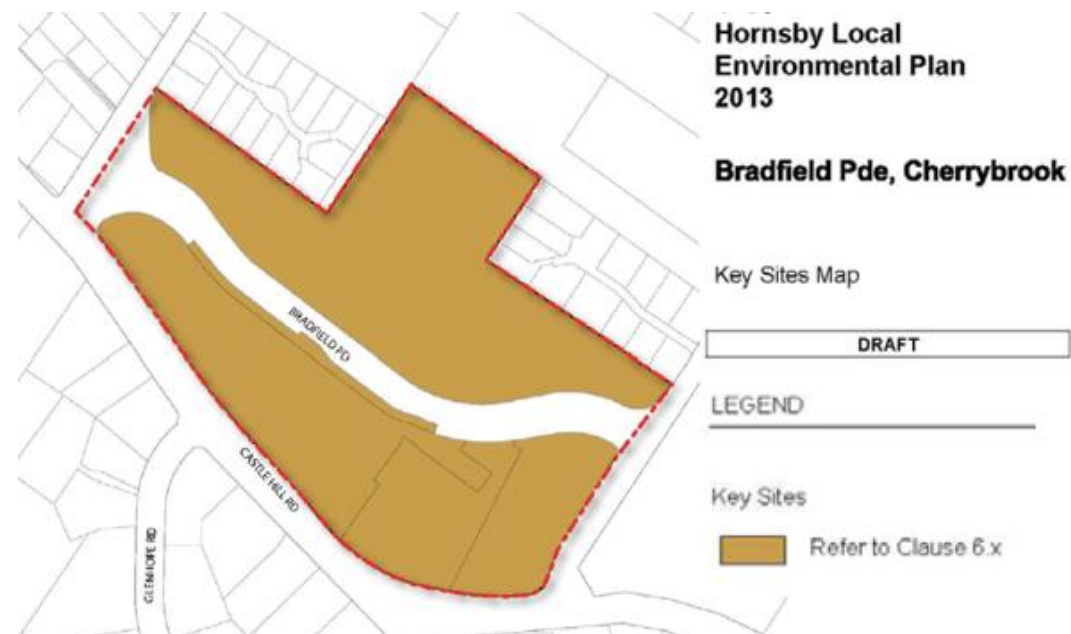


Figure 7: Proposed Amendment to Hornsby LEP 2013 – Key Sites Map

Height of Buildings

It is proposed by Landcom to amend the “**Height of Buildings Map**” to increase the maximum height of buildings from 8.5m to part 10.5m, part 17.5m, part 18.5m and part 20.5m (**Figure 8**) .

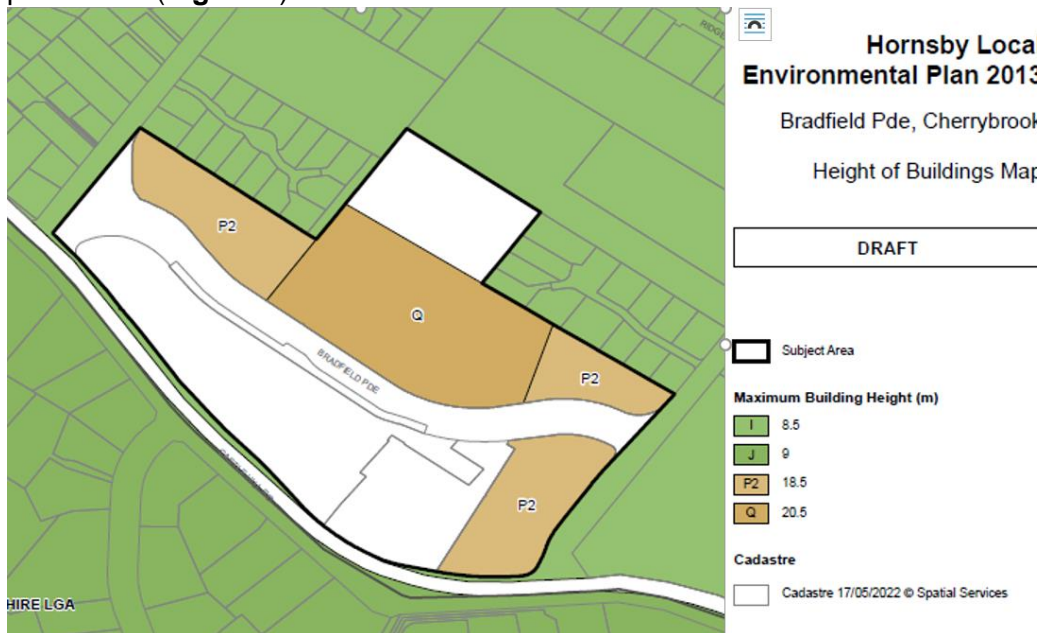


Figure 8: Proposed Amendment to Hornsby LEP 2013 – Height of Buildings Map

Floor Space Ratio

It is proposed to amend the “**Floor Space Ratio Map**” to insert a maximum floor space ratio of part 1:1 and part 1.25:1. Note: There is no existing FSR control for the site (**Figure 9**).

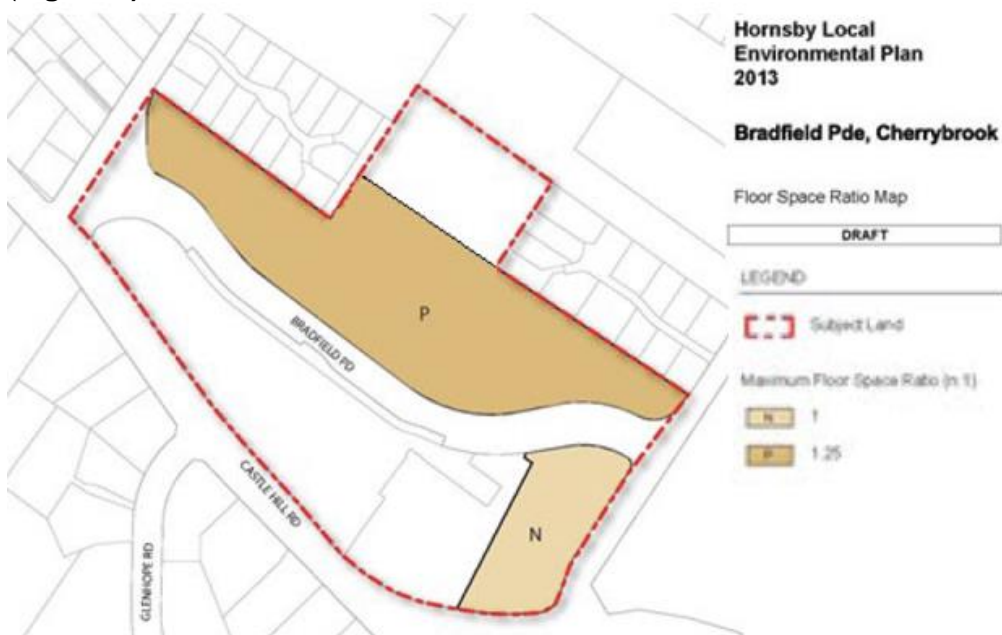


Figure 9: Proposed Amendment to Hornsby LEP 2013 - FSR Map

Section 3 - SEPP (Planning Systems) 2021 Amendment

Schedule 2 State Significant Development – Identified Sites

It is proposed to amend **Schedule 2** of the Planning Systems SEPP 2021 to include a State Significant Development Sites Map – Cherrybrook Station Government Land State Significant Precinct (Figure 10).

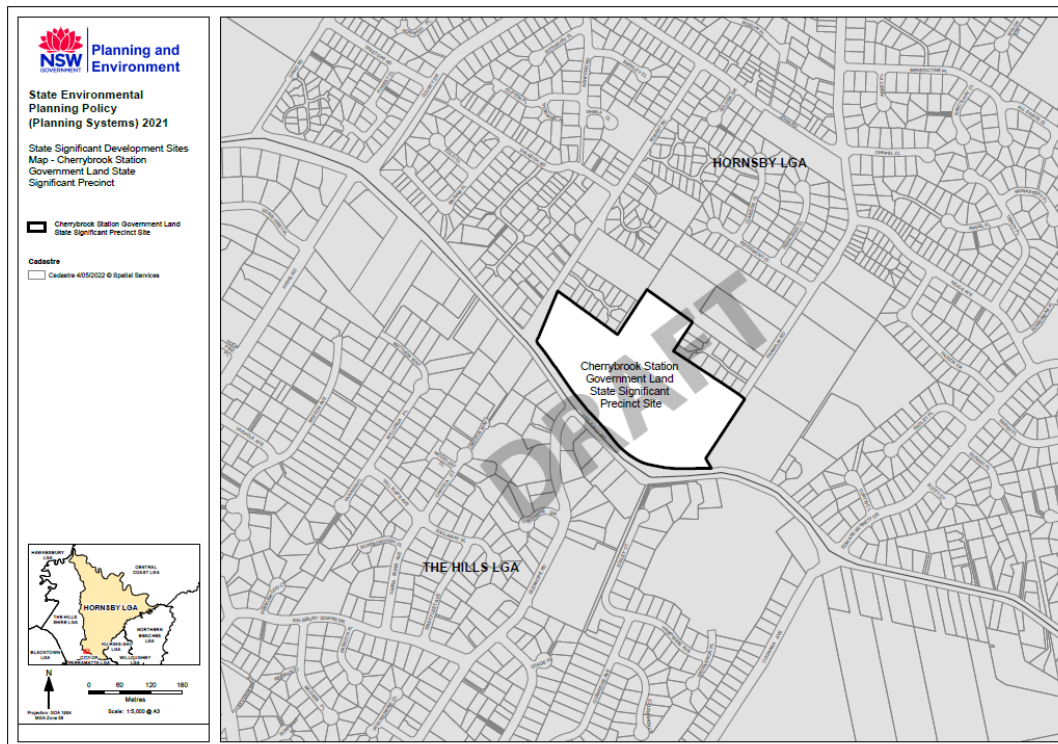


Figure 10: Proposed State Significant Development Site Map – Cherrybrook Station Government Land State Significant Precinct