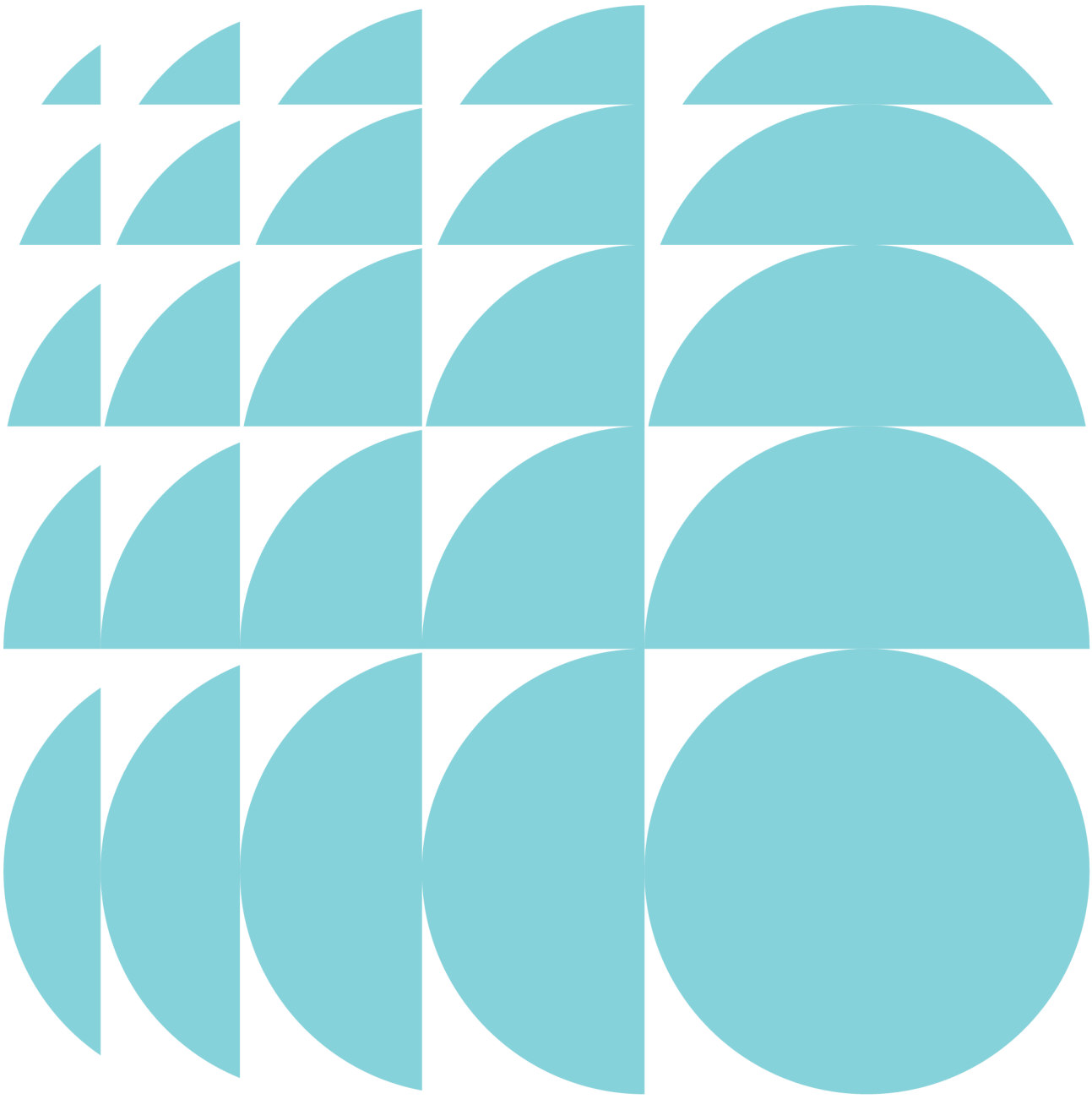
ETHOS URBAN

Test of Adequacy Draft
Visual Impact Assessment

Cherrybrook Station Government Land
State Significant Precinct

Prepared on behalf of Landcom and
Sydney Metro

April 2022 | 2190510



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Glossary

Key term or abbreviation	Meaning	Source
Characteristics	Elements, or combinations of elements, which make a contribution to distinctive landscape character	GLVIA3
Council	Hornsby Shire Council	N/a
DA	Development application	EP&A Act
DCP	Development control plan	EP&A Act
DPE	Department of Planning and Environment	N/
Elements	Individual parts which make up the landscape, such as, for example, trees, hedges and buildings	GLVIA3
Feature	Particularly prominent or eye-catching elements in the landscape, such as tree clumps, church towers or wooded skylines OR a particular aspect of the project proposal	GLVIA3
Filtered glimpse	A glimpse that is partially obscured by vegetation, often the leaves of trees, between the viewer and the target of the view. See also - glimpse	Ethos Urban
Glimpse	A highly constrained, partial view of an element or feature or a view of an element or feature that is either in the long range or not prominent relative to other elements in the view. See also – filtered glimpse	Ethos Urban
Key characteristics	Those combinations of elements which are particularly important to the current character of the landscape and help to give an area its particularly distinctive sense of place	GLVIA3
Landform	The shape and form of the land surface which has resulted from combinations of geology, geomorphology, slope, elevation and physical processes	GLVIA3
Landscape	An area, as perceived by people, the character of which is the result of the action and interaction of natural and/or human factors	GLVIA3
Landscape character	A distinct, recognisable and consistent pattern of elements in the landscape that makes one landscape different from another, rather than better or worse	GLVIA3
Landscape character areas	These are single unique areas which are the discrete geographical areas of a particular landscape type	GLVIA3
Landscape character types	These are distinct types of landscape that are relatively homogeneous in character. They are generic in nature in that they may occur in different areas in different parts of the country,	GLVIA3

Key term or abbreviation	Meaning	Source
	but wherever they occur they share broadly similar combinations of geology, topography, drainage patterns, vegetation and historical land use and settlement pattern, and perceptual and aesthetic attributes.	
Landscape value	The relative value that is attached to different landscapes by society. A landscape may be valued by different stakeholders for a whole variety of reasons	GLVIA3
LEC	Land and Environment Court	N/a
LEP	Local environmental plan	EP&A Act
LGA	Local government area	N/a
Magnitude	A term that combines judgements about the size and scale of the effect, the extent of the area over which it occurs, whether it is reversible or irreversible and whether it is short or long term in duration	GLVIA3
Narrow view	View of a narrow area in the horizontal field of view created by the combination of negative space at the ground level (often a road or path) adjoined by elements (often closely spaced) in the vertical plane such as building or trees that constrain the natural field of view and direct the eye to a single point in the distance. The view may take in a large area in the vertical field of view, such as in a highly urban setting. Synonym – focal view	Ethos Urban
Perception	Combines the sensory (that we receive through our senses) with the cognitive (our knowledge and understanding gained from many sources and experiences)	GLVIA3
Sensitivity	A term applied to specific receptors, combining judgements of the susceptibility of the receptor to the specific type of change or development proposed and the value related to that receptor	GLVIA3
Significance	A measure of the importance or gravity of the environmental effect, defined by significance criteria specific to the environmental topic	GLVIA3
Standard view	A typical view experienced from the public domain that does not fall into the other speciality categories listed in this glossary	Ethos Urban
TfNSW	Transport for New South Wales	N/a
VIA	Visual impact assessment	N/a
Vista	A view that is considered to have high visual amenity	Ethos Urban
Visual amenity	The overall pleasantness of the views people enjoy of their surroundings, which provides an attractive visual setting or backdrop for the enjoyment of activities of the people living, working, recreating, visiting or travelling through an area	GLVIA3

Key term or abbreviation	Meaning	Source
Visual impacts	Effects on specific views and on the general visual amenity experienced by people	GLVIA3
Visual receptor	Individuals and/or defined groups of people who have the potential to be affected by a proposal	GLVIA3
Wide view	View of a wide area, often long range, in the horizontal field of view enabled by an absence of obstructing elements in the foreground or midground and elements in the vertical plane that constrain the natural field of view. The view may also take in a large area in the vertical field of view. Synonyms – panorama, prospect.	Ethos Urban

Executive summary

Purpose of the Visual Impact Assessment

Landcom is proposing to amend the planning framework for the Cherrybrook Station Government Land State Significant Precinct (Cherrybrook SSP) to enable its future development as a vibrant, mixed use and transit oriented local centre for the surrounding Cherrybrook and West Pennant Hills community.

As a Nominated State Significant Precinct, a State Significant Precinct Study (SSP Study) is required to be prepared to consider the potential impacts of this proposal.

The Department of Planning and Environment (DPE) in collaboration with the Hornsby Shire Council, The Hills Shire Council and other State government agencies, have issued study requirements that set the scope of this SSP Study.

Study Requirement 2.4 requires the following:

- "Provide a view and visual assessment, with particular focus on significant view lines (e.g. local and district views looking up and down the valley from and towards West Pennant Hills), as well as visual impacts and mitigation measures of the proposal on surrounding areas, such as adjoining residential areas, heritage items (eg. Inala and Glenhope), public open space, and existing tree canopy/character. Use eye level views from public parks, street footpaths, station entries and compare to existing views. Identify any mitigation measures. Provide a map identifying all recommended view corridors and agree on any additional view corridors with the Department".

Ethos Urban in partnership with Orbit Solutions and CMS Surveyors was engaged by Landcom to prepare a visual impact assessment (VIA) to address this study requirement. The VIA addresses land in the public domain, and extrapolates in general the impact on private residences, in accordance with the international standard Guidelines for Landscape and Visual Impact Assessment (GLVIA3). This has been adjusted to better consider the requirements of the NSW planning system under the Environmental Planning and Assessment Act 1979. As per the GLVIA3, the VIA does not undertake an assessment of view loss or blocking.

The visual catchment

Due to the interplay of landform and other attributes such as distance and angle, the area in which the proposal may theoretically be visible (called the "Zone of Theoretical Visibility", or ZTV) is localised and is contained generally by John Road to the north, Tangara and Inala school to the east, land adjoining Castle Hill Road to the south and an area between Robert Road and County Drive to the west.

Further analysis (desktop and field) of other elements such as the location and alignment of streets, the nature of open space, buildings, structures and vegetation showed that this ZTV is further limited to a relatively small area enclosed generally by Louise Way and Ridgemont Grove to the north and Robert Road to the west. The southern and eastern boundaries remain the same. Due to matters such as slope and angle of view, land to the immediate north facing Oliver Way and Kayla Way is considered to have the greatest potential for visual exposure to the proposal. In addition, due to the relatively larger number of people which would be provided with opportunities to see the proposal, Castle Hill Road, Franklin Road and Robert Road were considered to also be of particular interest as part of the VIA. Due to the height of the proposal, it was also considered that the scope for views may extend to land further to the south around Excelsior Creek and its tributaries.

Visual Impact Assessment

Seven viewpoints in the public domain were selected to represent these patterns of viewing. The following table shows the results of this assessment.

Ref	Viewpoint	Sensitivity	Magnitude	Significance
1.	**Robert Road**	High	Perceptible	Low
2.	**Oliver Way**	High	Considerable	High
3.	**Kayla Way**	High	Considerable	High
4.	**Franklin Road**	Medium	Considerable	Moderate
5.	**Castle Hill Road (east)**	Low	Considerable	Moderate
6.	**Glenhope Road**	High	Imperceptible	Negligible
7.	**Castle Hill Road (west)**	Low	Dominant	Moderate

In summary, the viewpoint assessment found:

- Sensitivity of viewpoints associated with established, low density residential areas (such as Oliver Way) to the nature of change proposed is high. This sensitivity decreases to low for Castle Hill Road as a major, highly trafficked district road. Robert Road is considered high due to it being adjoined by established, low density residential areas, while Franklin Road is considered to be medium as it is bordered by the grounds of Tangara and Inala Schools.
- Depending on the value of the heritage items, this has the potential to increase sensitivity to the nature of change proposed. However, due to their location relative to the proposal, separation by roads and presence of screening vegetation, these heritage items are not judged as increasing the level of sensitivity. Given the visual context of an established, low density residential area, the nature of the proposal as a new, larger scale mixed use local centre is inherently of higher visual impact than many other forms of development. However, factors such as layout, scale and the view relative to the proposal can either moderate or accentuate this base level of magnitude.
- The significance of visual impact is high from two of the seven viewpoints – Oliver Way and Kayla Way. This high rating is influenced by its high sensitivity due to its established, low density residential nature, as well as magnitude factors such as being close to, downslope from and at a flush angle with the precinct.
- Due to landform, the proposal will not be visible from locations higher up the Castle Hill ridgeline as approximated by viewpoint 7 on Glenhope Road. While it is theoretically possible for the proposal to be seen from locations further down the ridgeline, the effect of landform, buildings and vegetation would likely occlude extensive views, and the effect of distance would render the proposal a relatively small object in the background.
- Any development on the southern side of Castle Hill Road may not be subject to the same mitigating factors. The proposal will appear dominant in the view from the intersection of Castle Hill Road and Bradfield Parade. This is due to an absence of major occluding or blocking elements between the viewpoint and proposal and the angle of view flush with the precinct's long axis.

Assessment against the planning framework

The precinct and surrounding broader Cherrybrook Station Precinct have been subject to considerable strategic planning since the early 2000s. Of particular note is the DPE and TfNSW published North West Rail Corridor Renewal Strategy (NWRCRS) and associated Cherrybrook Structure Plan. These documents confirmed a strategic intent to develop the precinct and surrounding land in accordance with transit oriented development principles to promote land use and public transport integration and a number of other higher order State government strategic planning policies.

The precinct was specifically identified for future development as a mixed use, transit oriented local centre. This intent was reflected in the Region Plan and District Plan through its designation for “transit oriented development”. It is referenced in the Hornsby Local Strategic Planning Statement as an area to be explored for future change.

The purpose of the SSP Study is to “facilitate a mixed-use local centre at Cherrybrook Station that supports the function of the station and the needs of the local community” (DPE, 2020). This strategic planning intent can also be considered to outline the desired future character of the precinct, which is a key general consideration under the Hornsby Development Control Plan 2013.

The proposal is consistent with relevant considerations in environmental planning instruments such as the Hornsby Local Environmental Plan 2013, including its aims, objectives for the relevant proposed zones and clauses covering building height and floor space ratio.

Key issues

The VIA shows that the visual impact of the proposal as represented in the Reference Scheme are not considered to be unreasonable considering the strategic intent of the planning framework and the attributes of the precinct (such as size). In particular, the additional height:

- is considered to be consistent with the character of a metro station precinct
- would not unreasonably dominate views
- would not appear unreasonably prominent in its broader context
- would not block or occlude views from the public domain
- is capable of incorporating urban forest outcomes through its layout and design which provides opportunities for significant deep soil to enable further integration with surrounding land and in particular the Blue Gum High Forest and vegetation on the Inala School grounds, ensuring it does not appear overly isolated in its context.
- will not establish a valid precedent for buildings of this scale in the broader Cherrybrook Station Precinct.

Conclusion

Overall, it is considered that the proposal has an acceptable visual impact. While of a greater scale than existing development, visual bulk and height associated with increase in scale proposed for the SSP is considered acceptable. The proposal will enhance the visual character of the precinct in the context of a growing and changing Greater Sydney, North West Corridor and Hornsby LGA. Reducing building height from that of earlier schemes to the proposed five storeys further supports acceptable impact, and represents a built form typology that is largely consistent with reasonable expectations for land adjoining a metro station in a more suburban context

The proposal is consistent with the intent of key strategic plans, including the 2013 Cherrybrook Structure Plan, and will result in a visual character, including scale, that is appropriate to that of a local centre adjacent to a metro station.

In conclusion, key findings from the VIA include:

- the proposal has a low visual impact on heritage items
- there are no viewpoints in the public domain that are associated with particular significance such as a through association with a particular vista
- the surrounding land, in particular land to the immediate north such as Oliver Way and Kayla Way, is subject to current future planning that is considering greater scale including heights
- while being sensitive to change, the number of people exposed to views from Oliver Way and Kayla Way is not high

- views obtained from Castle Hill Road, which provides opportunities for a significant number of viewers, are obtained in a sequential manner with people unlikely to see the proposal for a longer period of time and their level of interest in the view is likely to be low
- the visual impact of the precinct will be managed through the heavily landscaped setting, bringing surrounding vegetation such as the Blue Gum High Forest visually into the precinct
- the planning framework incorporates a range of measures that are likely to collectively reduce the significance of visual impact to at least moderate when viewed from the selected locations in the nearby public domain
- the proposal has the potential to deliver a number of positive visual outcomes flagged in the Cherrybrook Structure Plan, including through high quality public domain such as the Village Square.

On this basis, it is the conclusion of the VIA that the proposal in its current form can be supported on visual impact grounds and the proposed planning controls will adequately address any visual impacts.

1.0 Introduction

1.1 Overview

This study relates to a proposal to develop land called the 'Cherrybrook Station Government Land State Significant Precinct' (the State Significant Precinct) by Landcom on behalf of the landowner, Sydney Metro. The State Significant Precinct is centred around Cherrybrook Station on the Metro North West Line. The Metro North West Line delivers a direct connection with the strategic centres of Castle Hill, Norwest, Macquarie Park and Chatswood. It covers 7.7 hectares of government-owned land that comprises the Cherrybrook Station, commuter carpark and station access road (Bradfield Parade) and vacant land to the east of the station (referred to as the Developable Government Land) (DGL). It is bound by Castle Hill Road (south), Franklin Road (south east) and Robert Road (north west).

As a State Significant Precinct, the Minister for Planning and Public Spaces (the Minister) has determined that it is of State planning significance and should be investigated for rezoning. This investigation will be carried out in accordance with study requirements issued by the NSW Department of Planning, Industry and Environment (now Department of Planning and Environment (DPE)) in May 2020. These study requirements were prepared in collaboration with Hornsby Shire Council and The Hills Shire Council.

The outcome of the State Significant Precinct process will be new planning controls. This will enable the making of development applications to create a new mixed-use local centre to support Cherrybrook Station and the needs of the local community.

At the same time, DPE is also working with Hornsby Shire and The Hills Shire Councils, as well as other agencies such as Transport for NSW, to undertake a separate planning process for a broader area called the Cherrybrook Precinct. Unlike the State Significant Precinct, the outcome of this process will not be a rezoning. Instead, it will create a Place Strategy that will help set the longer term future for this broader area. Landcom will be consulted as part of this process.

Figure 1 illustrates the site boundaries of the State Significant Precinct and the Cherrybrook Precinct.

Figure 1 Cherrybrook Precinct and Cherrybrook Station State Significant Precinct (subject of this proposal)

Source: NSW Department of Planning and Environment

Purpose

The purpose of this study is to address the relevant study requirements for the State Significant Precinct, as issued by DPE. It is part of a larger, overall State Significant Precinct Study. This State Significant Precinct Study undertakes planning investigations for the precinct in order to achieve a number of objectives that are summarised as follows (refer to the State Significant Precinct Study Planning Report for a full list of the study requirements):

- facilitate a mixed-use local centre at Cherrybrook Station that supports the function of the station and the needs of the local community
- deliver public benefit through a mixed use local centre
- deliver transport and movement initiatives and benefits
- demonstrate the suitability of the site for the proposed land uses
- prepare a new planning framework for the site to achieve the above objectives.

Proposal

The proposed new planning controls for the State Significant Precinct are based on the investigations undertaken as part of the State Significant Precinct Study process. A Reference Scheme has also been prepared to illustrate one way in which the State Significant Precinct may be developed in the future under the proposed new planning controls.

The proposed planning controls comprise amendments to the Hornsby LEP 2013 to accommodate:

- Rezoning of the site for a combination of R4 High Density Residential, B4 Mixed Use and RE1 Public Recreation zoned land;
- Heights of between 18.5m – 22m;
- FSR controls of 1:1 – 1.25:1;
- Inclusion of residential flat buildings as an additional permitted use on the site in the B4 Mixed Use zone;
- Site specific LEP provisions requiring the delivery of a minimum quantity of public open space and a maximum amount of commercial floor space; and
- New site-specific Design Guide addressing matters such as open space, landscaping, land use, built form, sustainability and heritage.

The Reference Scheme (refer to Figure 2) seeks to create a vibrant, transit-oriented local centre, which will improve housing choice and affordability and seeks to integrate with Hornsby's bushland character. The Reference Scheme includes the following key components:

- Approximately 33,350m2 of residential GFA, with a yield of approximately 390 dwellings across 12 buildings ranging in height from 2 to 5 storeys (when viewed from Bradfield Parade).
- A multi-purpose community hub with a GFA of approximately 1,300m².
- Approximately 3,200m² of retail GFA.
- Over 1 hectare of public open space, comprising:
  - A village square with an area of approximately 1,250m², flanked by active retail and community uses.
  - A community gathering space with an area of approximately 3,250m².
  - An environmental space around the pond and Blue Gum High Forest with an area of approximately 8,450m².
- Green corridors and pedestrian through site links, providing opportunities for potential future precinct-wide integration and linkages to the north.

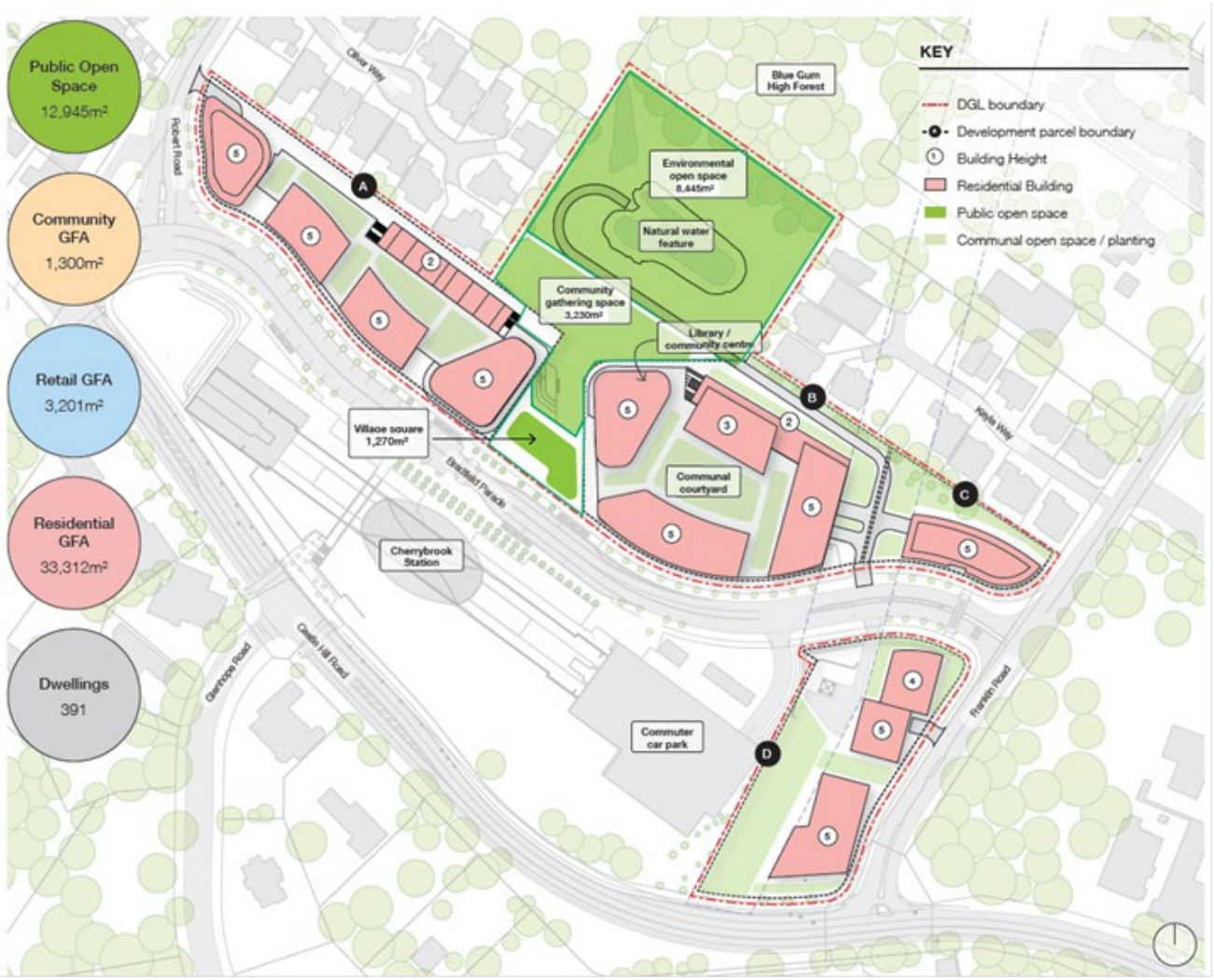

Figure 2 Reference Scheme

Source: SJB

2.0 Methodology

The relevant study requirements for this study is item 2.7:

- "Provide a view and visual assessment, with particular focus on significant view lines (e.g. local and district views looking up and down the valley from and towards West Pennant Hills), as well as visual impacts and mitigation measures of the proposal on surrounding areas, such as adjoining residential areas, heritage items (eg. Inala and Glenhope), public open space, and existing tree canopy/character. Use eye level views from public parks, street footpaths, station entries and compare to existing views. Identify any mitigation measures. Provide a map identifying all recommended view corridors and agree on any additional view corridors with the Department".

To address this, the VIA has been prepared generally in accordance with the international standard Guidelines for Landscape and Visual Impact Assessment version 3 (GLVIA3) published by the Landscape Institute and the Institute of Environmental Management and Assessment in 2013. The GLVIA 3 is widely referenced in Australian VIA (Australian Institute of Landscape Architects, 2018).

Consistent with the scope of the study requirement, the VIA considers overall and public domain impacts. It does not undertake detailed private view loss assessment against Tenacity Consulting v Warringah [2004]

NSWLEC 140 (Tenacity). While consideration of acceptability is mainly against the planning framework, where relevant, regard is also given to other planning principles such as Rose Bay Marina Pty Limited v Woollahra Municipal Council and Anor [2013] NSWLEC 1046 and Veloshin v Randwick Council [2007] NSWLEC 428.

The basis for the VIA, which is surveying, photography and software based modelling, was undertaken in accordance with the Land and Environment Court photomontage policy. Consistent with this, photography was undertaken corresponding with average human eye height at locations in the public domain. To show a 'worst case' scenario, photomontages do not include future vegetation. This is of note, as the intent for the precinct under the planning framework is for built form to exist in a vegetated public domain through urban forest strategies.

Stage 1
Identify and describe the existing visual environment

Stage 2
Identify and describe potential visual impacts (for each viewpoint)

Stage 3
Determine significance of visual impact based on sensitivity and magnitude (for each viewpoint)

Stage 4
Assess appropriateness against the planning framework

Stage 5
Recommend mitigation measures

Stage 6
Draw conclusions

Figure 3: Summary outline of methodology

2.1 Assumptions, limitations and exclusions

The following assumptions apply to this VIA:

- a detailed SSDA will be prepared and lodged for assessment, with the decision providing scope for the setting of appropriate conditions in line with the recommendations of this VIA.

The following limitations apply to this VIA:

- the proposal is represented by photomontages prepared in accordance with Land and Environment Court photomontage policy. While such photomontages provide an indication of likely future visual environment, they can only provide an approximation of the rich visual experience enabled by the human eye. As they are based on photographs, the same limitations that apply to photography, including optical distortion, apply. To best show the relationship between the Reference Scheme and the surrounding, a wide angle lens placed in portrait orientation was selected for some views. Due to this, and the verticality of the Reference Scheme, upper parts may appear more recessive than reality.

The following exclusions apply to this VIA:

- consideration of night-time impact, including lighting, is excluded
- consideration of impact on Aboriginal cultural heritage values associated with landscape, is excluded. This is only appropriately undertaken by a member or qualified representative of the Aboriginal community.

3.0 The planning framework

The proposal is seeking an amendment to the planning framework. On this basis, there is a greater emphasis on strategic plans compared to environmental planning instruments (EPIs) such as the HLEP2013 as relevant

matters for consideration. This is reflected in the list of key documents in Appendix 1 of the study requirements. Review of these documents has determined that the following strategic, statutory and other plans, policies and strategies are of most relevance to VIA. These include:

Strategic

- Region Plan: The Greater Sydney Region Plan - A Metropolis of Three Cities (GSC, 2018) (the Region Plan)
- District Plan: North District Plan (GSC, 2018) (the District Plan)
- Local Strategic Planning Statement: Your Future Your Vision (Hornsby Council, 2019) (the LSPS)
- North West Rail Link Corridor Strategy and Cherrybrook Structure Plan (DPE & TfNSW, 2013).

Statutory

- Local Environmental Plan: Hornsby Local Environmental Plan 2013 (HLEP2013) (Hornsby Council, 2013)
- Development Control Plan: Hornsby Development Control Plan 2013 (HDCP2013) (Hornsby Council, 2013)

It is noted that while the terms ‘strategic’ and ‘statutory’ do not precisely correspond with terms under the Environmental Planning and Assessment Act 1979 (the Act), in the interests of public accessibility of information they are both considered to provide a sound overall plain English categorisation of the various planning instruments within the NSW planning framework and compatible with terms generally used by the Department in assessment and reporting processes.

As has been noted, strategic plans including the Greater Sydney Region Plan, North West Rail Link Corridor Strategy and Cherrybrook Structure Plan encourage the development of the precinct as a mixed use, transit oriented local centre (refer **Figure 4**).

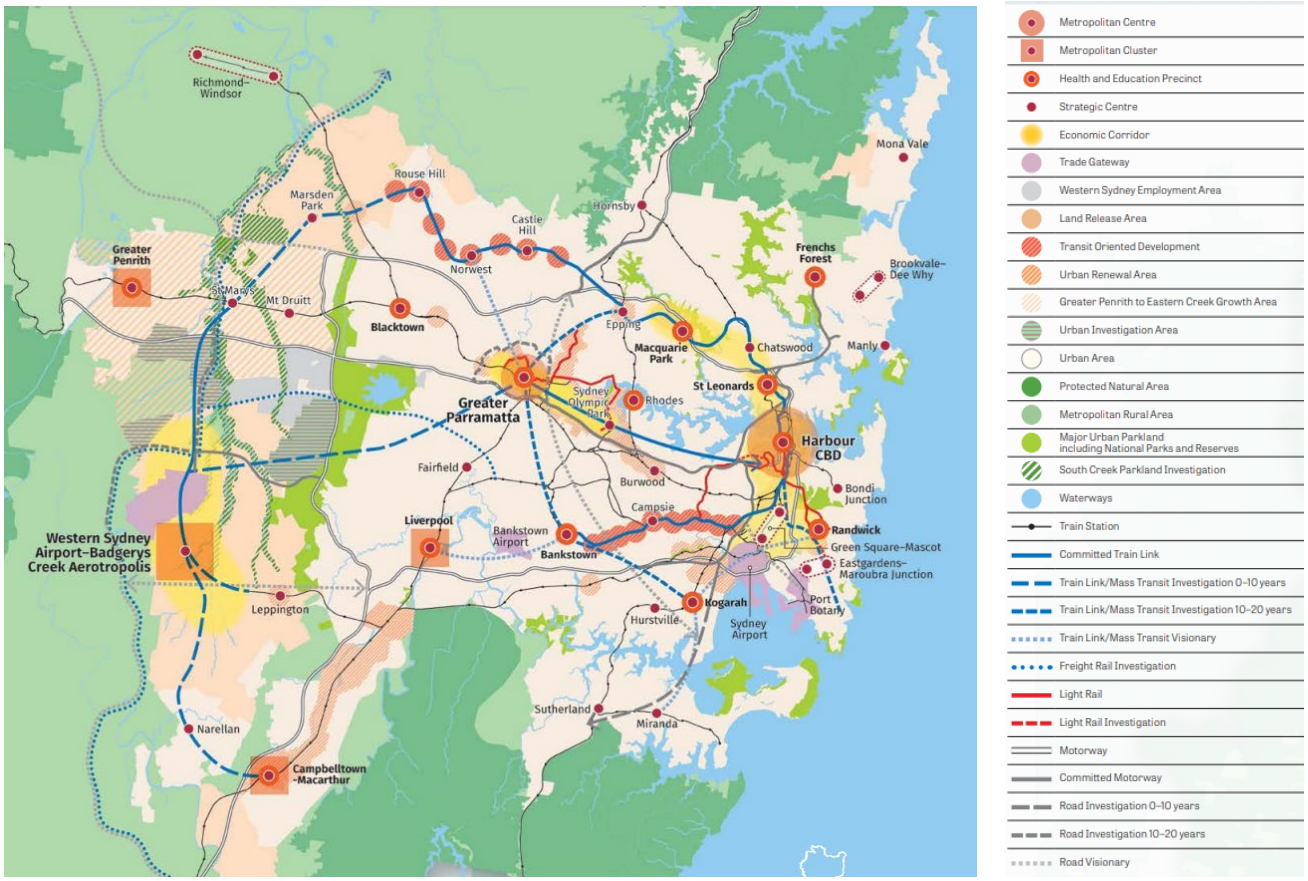

Figure 4: Greater Sydney Region Plan Structure Plan

Source: GSC

The relevant objectives and/or priorities related to visual amenity identified in strategies and plans are extracted below.

Greater Sydney Regional Plan

- Objective 28
  - Scenic and cultural landscapes are protected
- Strategy 28.1
  - Identify and protect scenic and cultural landscapes.
- Strategy 28.2
  - Enhance and protect views of scenic and cultural landscapes from the public realm.

North District Plan

- Planning Priority N17
  - Protecting and enhancing scenic and cultural landscapes
- Action 67. Identify and protect scenic and cultural landscapes.
- Action 68. Enhance and protect views of scenic and cultural landscapes from the public realm

Hornsby Local Strategic Planning Statement

The Hornsby Local Strategic Planning Statement does not provide detailed, explicit guidance on visual matters. However, as visual matters are related to character, the following broader planning priorities are considered of broad relevance:

- LP1. Protecting the character of our low density neighbourhoods
- LP2. Promoting design excellence for new housing including regard to the principles of ecologically sustainable development and universal design
- LP5. Protecting, conserving and promoting our natural, built and cultural heritage
- SP6. Increasing urban tree canopy cover, develop cooler, greener places and strengthen connections to the Green Grid.

North West Rail Link Corridor Strategy and Cherrybrook Structure Plan (DPE & TfNSW, 2013).

Consistent with other strategic plans, the North West Rail Link Corridor Strategy and the Cherrybrook Structure Plan seek to enable the development of the precinct as a mixed use local centre (refer **Figure 5**).

Unlike other strategic plans, the Cherrybrook Structure Plan articulates the desired future character for the precinct and surrounding area. This is of relevance for consideration of visual impact. The precinct as well as surrounding land to the north, south and west is identified as being suitable (subject to certain technical considerations) for medium density apartment living in buildings having heights of between 3 to 6 storeys (refer **Figure 6**).

Neither the North West Rail Link Corridor Strategy nor the Cherrybrook Structure Plan provide explicit, further guidance on visual matters.

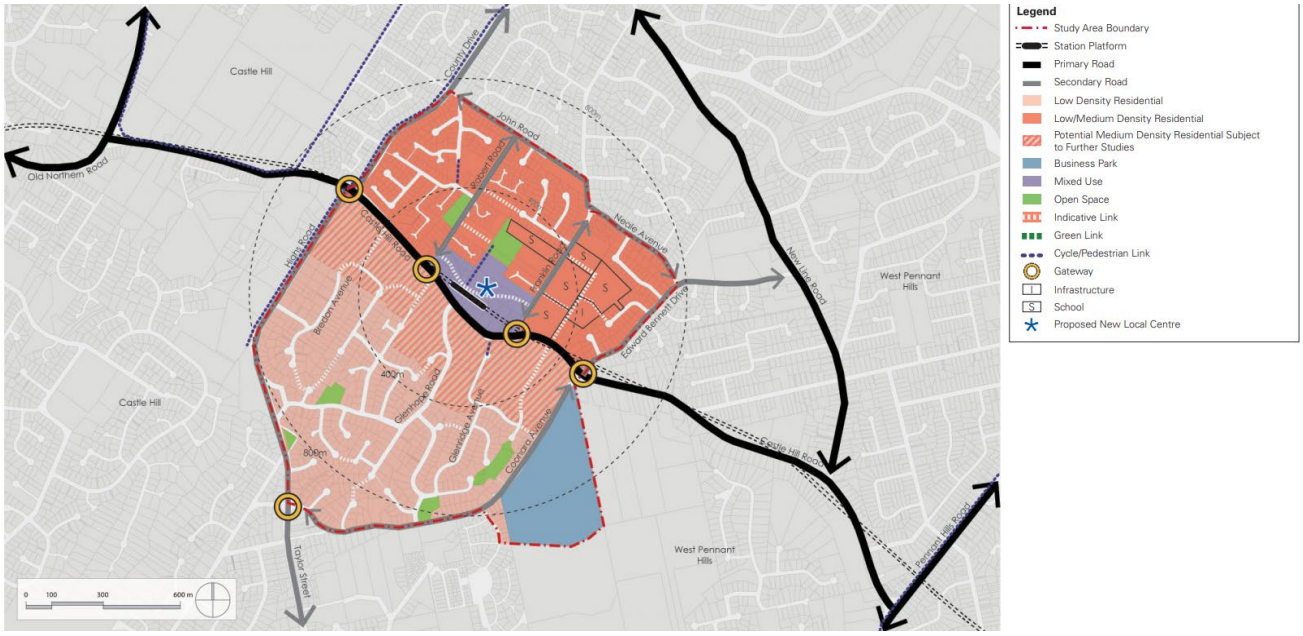

Figure 5: The Cherrybrook Structure Plan

Source: DPE & TfNSW

Low/Medium Density Townhouses

Objectives: To provide for the housing needs of a growing community and to provide a variety of housing types within close proximity of the station and associated uses. As well as a well-developed public domain which ensures the safety and accessibility of pedestrians and cyclists, and the provision of open space and civic spaces.

Character: It is anticipated that under the vision and Structure Plan that this precinct will evolve to become a mixture of single detached dwellings and townhouses. This precinct will serve as a transition between the lower density residential areas beyond the Study Area and the station precinct.

Medium Density Apartment Living

Objectives: To provide for the housing needs of a growing community and to encourage an increased residential density in areas with direct access to the new rail link and station, as well as an enhanced public domain.

Character: It is anticipated that under the vision and Structure Plan that this precinct could accommodate multi-dwelling housing only where the site is an appropriate size to deliver a high level of amenity for the existing and future residents. This could comprise of 3-6 storey apartment buildings, carefully master planned around communal open spaces and incorporating landscaped setbacks to existing streetscapes. Land to the south of Castle Hill Road may potentially be redeveloped for Medium Density Apartment living, subject to further investigation and studies.

Areas Expected to Remain Unchanged

Within the Study Area there are areas and sites which are expected to remain largely unchanged through the delivery of the NWRL and the Structure Plan.

This is due to a number of factors including existing uses, varying degrees of constraints, connectivity, accessibility and market demand.

Figure 22: Proposed Location of Low/Medium Density Townhouses

Figure 23: Proposed Location of Medium Density Apartments

Figure 6: Extract of the Cherrybrook Structure Plan

Source: DPE & TfNSW

Aligned with the strategic direction of the North West Rail Link Corridor Strategy and the Cherrybrook Structure Plan, DPE are preparing a Place Strategy which aims to provide further detail to guide planning, infrastructure needs and implementation surrounding Cherrybrook Station Precinct, which includes Oliver Way and Kayla Way. It is reasonable to expect this plan to allow for redevelopment of this area, and at least of a scale consistent with the 3-6 storey apartment forms outlined in the 2013 Cherrybrook Structure Plan.

Hornsby Local Environmental Plan 2013

Based on the nature of the proposal, it is considered that the following parts of the HLEP2013 are relevant matters to consider for VIA:

- Clause 1.2 Aims of Plan
- Clause 2.3 Zone objectives and Land Use Table (for the B4 Mixed Use zone, the R4 High Density Residential zone and the RE1 Public Recreation zone)
- Clause 4.3 Height of buildings
- Clause 4.4 Floor space ratio.

Hornsby Development Control Plan 2013

Based on the nature of the proposal, it is considered that the following parts of the HDCP2013 are relevant matters to consider for VIA:

- Clause 1.2 Aims of Plan.

With the exception of dwelling houses, the DCP does not require consideration of view sharing. While views are mentioned throughout the DCP, references are for specific areas such as rural areas of town centres, or for aspects of development such as roof form. Setting this aside, the DCP nonetheless frequently include outcomes for future development that seek that development contribute to the desired future character of the area. This typically involves merit based assessment, with reference to the intent of strategic and statutory plans. On this basis, consideration of the proposal's consistency with the desired future character of the area is considered a relevant matter for consideration.

4.0 The visual catchment

4.1 The Precinct

The SSP is generally irregular in shape, with its long axis aligned in a north-west to south-east direction. It has an approximate length of 400m and an approximate width of 200m at its widest point.

The precinct is located on the northern side of a topographic high point in the form of a ridge that runs in a general east-west direction and is demarcated by Castle Hill Road. From a high point of approximately 190m AHD in its south-east corner, landform falls approximately 30m in a general south-east to north-west direction to a low point of approximately 165m AHD in its north-west corner. Within this overall pattern, landform is generally level to gently sloping south-west of Bradfield Parade while relatively steeply falling east of Bradfield Parade.

Due to construction and related activities associated with the Cherrybrook Station, most of the developable part of the SSP with the exception of trees and landscaping associated with the metro station and peripheral areas to the north is cleared of significant trees.

Part of the northern perimeter of the SSP includes a constructed, open-air detention basin.

Bradfield Parade and a high voltage electricity easement (containing a pylon and associated lines) divides the SSP into three parts:

1. land to the south-west is occupied by the Cherrybrook Station and associated services building, commuter carpark and open-air entry plaza and is known as the Non-developable Government Land
2. land to the north-east is vacant and is referred to as the Developable Government Land
3. land to the south-east is vacant and also forms part of the Developable Government Land.

The following figures provide photos of the precinct.

Figure 7: The SSP looking north-east from the intersection of Castle Hill Road and Bradfield Parade

Figure 8: The metro station and commuter carpark

4.2 Adjoining and adjacent land

Adjoining and adjacent land can be broadly described as follows:

- **North**: comprises two single street residential estates (Oliver Way and Kayla Way) that have two storey, detached houses surrounded by landscaped grounds (including perimeter trees) arranged around narrow access roads that resemble private courts as well as a large lot comprising a stand of Blue Gum High Forest. Of note, the residential areas do not include fencing separating each dwelling
- **South**: comprises Castle Hill Road, which is a wide, heavily trafficked main road, with single and double storey detached houses surrounded by landscaped grounds on its southern side setback substantial distances from the road reserve. Two heritage items are also in this segment of Castle Hill Road
- **East**: Franklin Road, which is a narrow, well trafficked road, with the grounds of the Inala School on its eastern side
- **West**: conventional, one and two storey detached houses surrounded by landscaped grounds.

The following figures show this context.

Figure 9: Land to the south of the precinct

Figure 10: Land to the north of the precinct

Figure 11: Land to the west of the precinct

Figure 12: Land to the east of the precinct

4.3 The viewshed

The viewshed is the area within which the proposal can be seen, either in totality or in part.

Due to the interplay of landform and other attributes such as distance and angle, the area in which the proposal may theoretically be visible (called the “Zone of Theoretical Visibility”, or ZTV) is localised and is contained generally by John Road to the north, Tangara and Inala school to the east, land adjoining Castle Hill Road to the south and an area between Robert Road and County Drive to the west. Further analysis (desktop and field) of other elements such as the location and alignment of streets, the nature of open space, buildings, structures and vegetation showed that this ZTV is further limited to a relatively small area enclosed generally by Louise Way and Ridgemont Grove to the north and Robert Road to the west.

The southern and eastern boundaries remain the same. Due to matters such as slope and angle of view, land to the immediate north facing Oliver Way and Kayla Way is considered to have the greatest potential for visual exposure to the proposal. In addition, due to the relatively larger number of people which may be exposed to the proposal, Castle Hill Road, Franklin Road and Robert Road were considered to also be of particular interest as part of the VIA. Due to the height of the proposal, it was also considered that there may be scope for views to be obtained to the proposal from land further to the south around Excelsior Creek and its tributaries.

4.4 Visual character

Cherrybrook is located in the Hornsby LGA.

The Hornsby Local Strategic Planning Statement (Hornsby Council, 2020) outlines the character of the LGA. Noted as the "Bushland Shire", a key part of its character is the relationship between urban and natural, bushland areas as "the place where the city meets the bush". (Hornsby Shire Council, 2020)

In terms of urban residential areas, this is largely manifested in a predominant character of "lower density suburbs with large lots, an established tree canopy and a bushland or garden setting" (Hornsby Shire Council, 2020).

Consistent with much of the Hornsby LGA, Cherrybrook and West Pennant Hills, most land in the visual catchment comprises an established, low-density residential area. Prevailing visual characteristics include:

- an undulating landform comprising small valleys, ridges and hills (refer **Figure 13**)
- a largely disconnected, narrow cul-de-sac dominated road network with reliance on a small number of roads such as Robert Road, Franklin Road and John Road to provide for higher order movement functions (refer **Figure 14**)
- extensive tree plantings, including within road reserves
- a variety of lot sizes, with a number of lots larger than 1,500sqm in area (refer **Figure 15**)
- one and two storey, detached dwellings surrounded by generous, landscaped private gardens in either garden court settings, which are narrow cul-de-sacs, or standard suburban settings.

Distinct from this general pattern are the following notable visual elements:

- a distinct, east-west ridgeline that delineates the visual catchment into two parts – one generally being north of Castle Hill Road and one to the south of Castle Hill Road
- Castle Hill Road as a wide, heavily trafficked east-west road that as noted demarcates this prominent ridgeline
- a contiguous corridor of larger lots to the immediate north of the precinct (likely remnant from earlier subdivision) connecting Robert Road to the west and Franklin Road to the north
- a number of larger built forms, including the metro station and its associated infrastructure such as the multi-storey commuter carpark, the Tangara School for Girls and the Dulkara Centre for Life Skills and the Arts
- high voltage electricity lines and supporting pylons.

It is noted from community engagement and design analysis that the high voltage electricity lines and supporting pylons can generally be considered to be a detracting visual element.

The Cherrybrook Structure Plan provides a series of photos to illustrate this prevailing character (refer **Figure 16**).

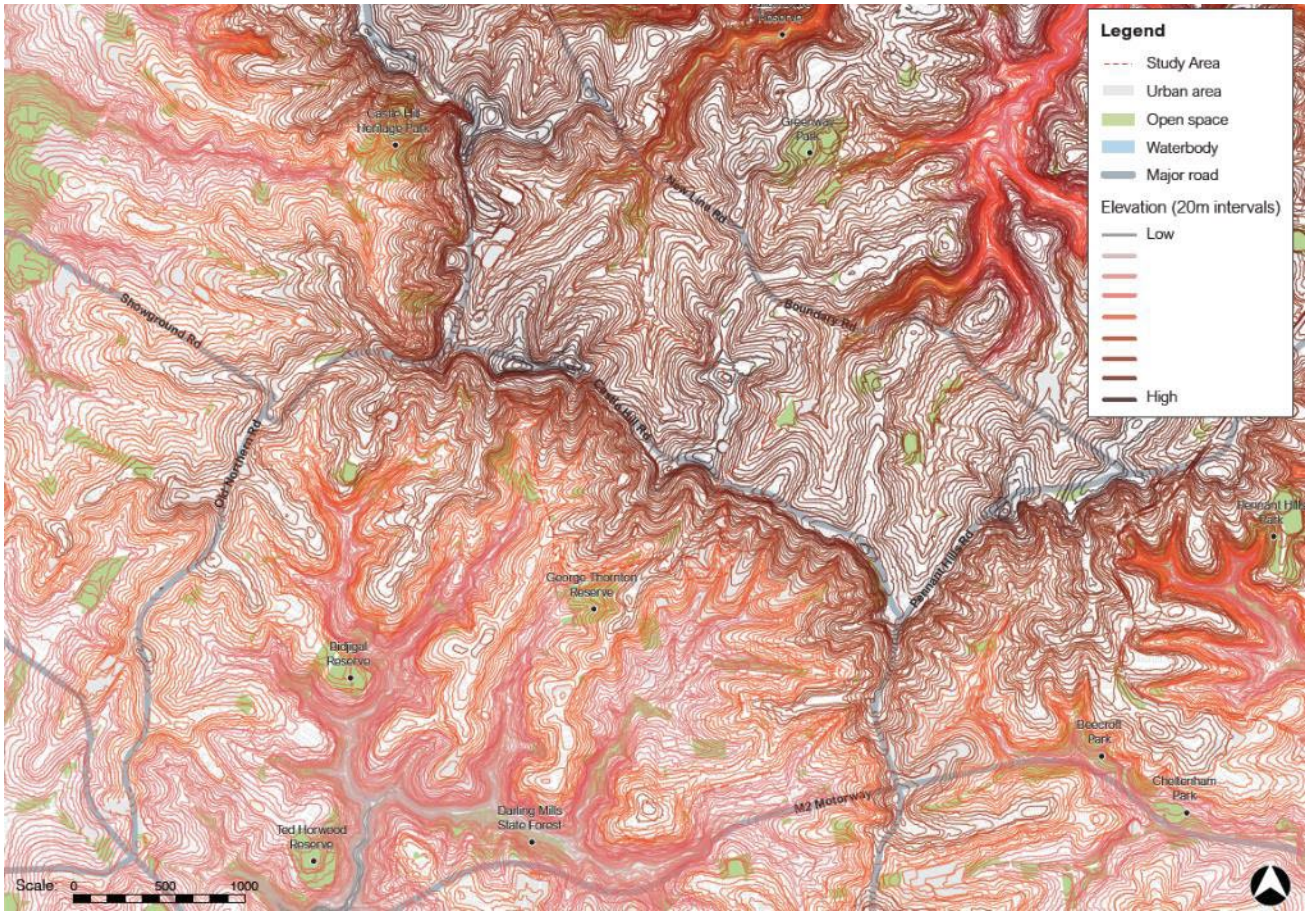

Figure 13: Landform

Figure 14: Road network

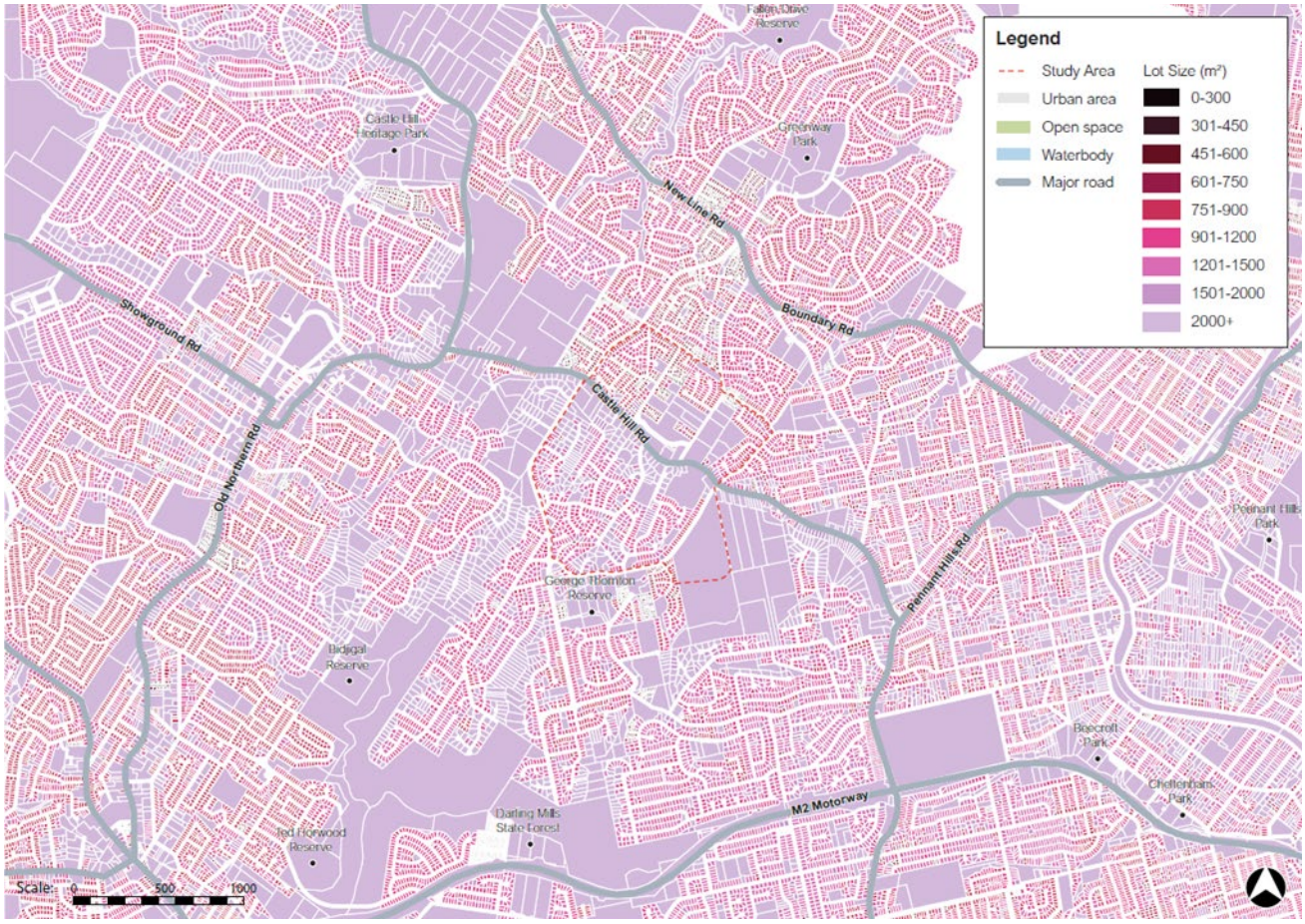

Figure 15: Lot size

Figure 16: Character of the surrounding residential area

Source: DPE & TfNSW (2013)

The combination of these factors provides for relatively short, localised views in the public domain that are generally restricted in nature by elements such as buildings or vegetation. It is not considered that there are any views that meet typical criteria for a panorama, such as unbroken, long distance views to distinct, recognisable objects in the distance such as mountains or activity centre skylines (eg, Sydney CBD, Parramatta, Chatswood) that are generally regarded as providing for increased visual amenity. It is not considered that significant views, including view corridors, are available from the public domain in the visual catchment.

4.5 Visual receptors

People within the ZTV who will be affected by the changes in views and visual amenity are referred to as "visual receptors".

Based on the GLVIA3, there is a number of different types of visual receptor:

- residents at home
- communities where views contribute to the landscape setting enjoyed by residents in the area
- people, whether residents or visitors, who are engaged in outdoor recreation, including use of public footpaths, whose attention or interest is likely to be focused on the landscape and on particular views
- travellers on road, rail or other transport routes
- travellers on road, rail or other transport routes where travel involves recognised scenic routes
- visitors to heritage assets, or to other attractions, where views of the surroundings are an important contributor to the experience
- people engaged in outdoor sport or recreation which does not involve or depend upon appreciation of views of the landscape
- people at their place of work whose attention may be focused on their work or activity, not on their surroundings, and where the setting is not important to the quality of working life

While ultimately a personal matter and subject to variation, for the purposes of VIA each type of visual receptor can be considered to have a different level of overall sensitivity to change in their visual environment (refer **Table 1**).

Table 1: Level of likely sensitivity to change

Level of likely sensitivity to change	Type of visual receptor
Higher	• Residents at home • People, whether residents or visitors, who are engaged in outdoor recreation, including use of public footpaths, whose attention or interest is likely to be focused on the landscape and on particular views • Travellers on road, rail or other transport routes where travel involves recognised scenic routes • Visitors to heritage assets, or to other attractions, where views of the surroundings are an important contributor to the experience • Communities where views contribute to the landscape setting enjoyed by residents in the area
Medium	• Travellers on road, rail or other transport routes • Visitors to services or facilities, such as shops and schools
Lower	• People engaged in outdoor sport or recreation which does not involve or depend upon appreciation of views of the landscape • People at their place of work whose attention may be focused on their work or activity, not on their surroundings, and where the setting is not important to the quality of working life

As a predominantly low-density residential area, most visual receptors in the visual catchment are expected to be local residents at home or in the conduct of their day to day lives such as travelling to work, services or facilities such as shops and schools, or engaged in informal recreation such as walking. Castle Hill Road

provides opportunities for a significantly larger number of visual receptors drawn from a wider district to be exposed to views of the proposal.

The following table identifies the predominant visual receptor by direction and distance, and outlines the expected general level of sensitivity to change and relative numbers.

Table 2: Visual receptors and their level of likely sensitivity to change

Direction	Type of visual receptor	Sensitivity	Relative numbers
North			
Adjoining or adjacent	Residents at home	High	Low
Close-by	Residents at home	High	Low
South			
Adjoining or adjacent	Travellers on road, rail or other transport routes	Medium	High
Close-by	Residents at home	High	Low
East			
Adjoining or adjacent	Travellers on road, rail or other transport routes	Medium	Medium
Close-by	Clients of Inala School, and staff, students and teachers of Tangara School for Girls	Medium	Medium
West			
Adjoining or adjacent	Travellers on road, rail or other transport routes (Robert Road)	Medium	Medium
Close-by	Residents at home	High	High

4.6 Pattern of viewing

Consideration of the visual characteristics and the nature of visual receptors in the visual catchment suggested that there are three key patterns of viewing:

1. in the short range from garden court visual contexts
2. in the short and medium range from standard suburban contexts
3. in the short and medium range from key roads.

5.0 Viewpoints

Consistent with the GLVIA3, viewpoints are selected to show the existing and likely future visual condition under the proposal.

Viewpoints are to correspond with the pattern of viewing, and are to consider:

- the accessibility to the public
- the potential number and sensitivity of viewers who may be affected
- the viewing direction, distance (i.e. short-, medium- and long-distance views) and elevation
- the nature of the viewing experience (for example static views, views from settlements and views from sequential points along routes)
- the view type (for example panoramas, vistas and glimpses)
- the potential for cumulative views of the proposed development in conjunction with other developments.

There is no specified requirement for the number of viewpoints. Rather, the number should be informed by proportionality in relation to the scale and nature of the development (GLVIA3).

Viewpoints selected for inclusion in the assessment and for illustration of the visual effects fall broadly into three groups:

1. **representative viewpoints**, selected to represent the experience of different types of visual receptor, where larger numbers of viewpoints cannot all be included individually and where the significant effects are unlikely to differ
2. **specific viewpoints**, chosen because they are key and sometimes promoted viewpoints within the landscape, including for example specific local visitor attractions, viewpoints in areas of particularly noteworthy visual and/or recreational amenity such as landscapes with statutory landscape designations, or viewpoints with particular cultural landscape associations
3. **illustrative viewpoints**, chosen specifically to demonstrate a particular effect or specific issues, which might, for example, be the restricted visibility at certain locations.

Seven viewpoints in the public domain were selected to represent this pattern of viewing. **Table 3** identifies their location and provides an outline of key, relevant attributes. **Figure 17** shows their location.

While it is acknowledged that there may be some local variance within the visual catchment, this number and spatial distribution, including the capture of viewpoints to the north, east, south and west of the precinct, is considered to provide an acceptable approximation of visual impact.

Table 3: Viewpoints

Ref.	Viewpoint	Pattern of viewing	Group	Accessibility
1.	Robert Road	In the short and medium range from standard suburban contexts	Representative viewpoint	Public
2.	Oliver Way	In the short range from garden court visual contexts	Representative viewpoint	Public
3.	Kayla Way	In the short range from garden court visual contexts	Representative viewpoint	Public
4.	Franklin Road	In the short and medium range from key roads	Representative viewpoint	Public
5.	Castle Hill Road (east)	In the short and medium range from key roads	Representative viewpoint	Public

Ref.	Viewpoint	Pattern of viewing	Group	Accessibility
6.	Glenhope Road	In the short and medium range from standard suburban contexts	Representative viewpoint	Public
7.	Castle Hill Road (west)	In the short and medium range from key roads	Representative viewpoint	Public

Figure 17: Viewpoints

6.0 Visual impact assessment

This part of the VIA undertakes a visual impact assessment for each viewpoint. The evidence base is comprised of photomontages showing existing and likely future views. The analysis focusses on the factors of sensitivity, magnitude and significance.

6.1 Viewpoint 1: Robert Road

Accessible to public	Yes
Viewpoint group	Representative
View type	Standard
Nature of view	Static
Viewing direction	South

Viewing distance	160m
Viewing elevation	Below

6.1.1 Existing view

Figure 18: Viewpoint 1 – Robert Road: existing view

6.1.1.1 Assessment of sensitivity

The sensitivity of this viewpoint to the nature of change proposed is judged as high.

6.1.2 Proposed future view

Figure 19: Viewpoint 1 – Robert Road: proposed future view
Source: Orbit Solutions

6.1.3 Assessment of magnitude

The following table provides an assessment of the magnitude of the likely visual impact.

Table 4: Viewpoint 1: Robert Road – magnitude of visual impact

		Duration and / or reversibility			
		Ongoing and irreversible	**Ongoing capable of being reversed**	**Limited life (5 – 10 years)**	**Limited life (< 5 years)**
Scale of change	**Major change over wide area**	Dominant	Considerable	Considerable	Noticeable
	Major change over restricted area, or Moderate change over wide area	Considerable	Considerable	Noticeable	Noticeable

		Duration and / or reversibility			
	Moderate change over restricted area; or Minor change over a wide area	Considerable	Noticeable	Noticeable	Perceptible
	Minor change over a restricted area; or Insignificant change	**Perceptible**	Perceptible	Perceptible	Imperceptible
	Imperceptible change	Imperceptible	Imperceptible	Imperceptible	Imperceptible

6.1.4 Assessment of significance of visual impact

The following table provides an assessment of the significance of the likely visual impact.

Table 5: Viewpoint 1: Robert Road – significance of visual impact

		Magnitude				
		Dominant	**Considerable**	**Noticeable**	**Perceptible**	**Imperceptible**
Sensitivity	**High**	Major	High	Moderate	**Low**	Negligible
	Medium	High	Moderate	Low	Low	Negligible
	Low	Moderate	Low	Low	Negligible	Negligible
	Negligible	Low	Low	Negligible	Negligible	Negligible

6.2 Viewpoint 2: Oliver Way

Accessible to public	Yes
Viewpoint group	Representative
View type	Standard
Nature of view	Static
Viewing direction	South
Viewing distance	55m
Viewing elevation	Below

6.2.1 Existing view

Figure 20: Viewpoint 2 – Oliver Way: existing view

6.2.1.1 Assessment of sensitivity

The sensitivity of this viewpoint to the nature of change proposed is judged as high.

6.2.2 Proposed future view

Figure 21: Viewpoint 2 – Oliver Way: proposed future view
Source: Orbit Solutions

6.2.3 Assessment of magnitude

The following table provides an assessment of the magnitude of the likely visual impact.

Table 6: Viewpoint 2: Oliver Way – magnitude of visual impact

		Duration and / or reversibility			
		Ongoing and irreversible	**Ongoing capable of being reversed**	**Limited life (5 – 10 years)**	**Limited life (< 5 years)**
Scale of change	**Major change over wide area**	Dominant	Considerable	Considerable	Noticeable
	Major change over restricted area, or Moderate change over wide area	Considerable	Considerable	Noticeable	Noticeable

		Duration and / or reversibility			
	Moderate change over restricted area; or Minor change over a wide area	**Considerable**	Noticeable	Noticeable	Perceptible
	Minor change over a restricted area; or Insignificant change	Perceptible	Perceptible	Perceptible	Imperceptible
	Imperceptible change	Imperceptible	Imperceptible	Imperceptible	Imperceptible

6.2.4 Assessment of significance of visual impact

The following table provides an assessment of the significance of the likely visual impact.

Table 7: Viewpoint 2: Oliver Way – significance of visual impact

		Magnitude				
		Dominant	**Considerable**	**Noticeable**	**Perceptible**	**Imperceptible**
Sensitivity	**High**	Major	**High**	Moderate	Low	Negligible
	Medium	High	Moderate	Low	Low	Negligible
	Low	Moderate	Low	Low	Negligible	Negligible
	Negligible	Low	Low	Negligible	Negligible	Negligible

6.3 Viewpoint 3: Kayla Way

Accessible to public	Yes
Viewpoint group	Representative
View type	Standard
Nature of view	Static
Viewing direction	South-west
Viewing distance	45m
Viewing elevation	Below

6.3.1 Existing view

Figure 22: Viewpoint 3 – Kayla Way: existing view

6.3.1.1 Assessment of sensitivity

The sensitivity of this viewpoint to the nature of change proposed is judged as high.

6.3.2 Proposed future view

Figure 23: Viewpoint 3 – Kayla Way: proposed future view
Source: Orbit Solutions

6.3.3 Assessment of magnitude

The following table provides an assessment of the magnitude of the likely visual impact.

Table 8: Viewpoint 3: Kayla Way – magnitude of visual impact

		Duration and / or reversibility			
		Ongoing and irreversible	**Ongoing capable of being reversed**	**Limited life (5 – 10 years)**	**Limited life (< 5 years)**
Scale of change	**Major change over wide area**	Dominant	Considerable	Considerable	Noticeable
	Major change over restricted area, or Moderate change over wide area	**Considerable**	Considerable	Noticeable	Noticeable

		Duration and / or reversibility			
	Moderate change over restricted area; or Minor change over a wide area	Considerable	Noticeable	Noticeable	Perceptible
	Minor change over a restricted area; or Insignificant change	Perceptible	Perceptible	Perceptible	Imperceptible
	Imperceptible change	Imperceptible	Imperceptible	Imperceptible	Imperceptible

6.3.4 Assessment of significance of visual impact

The following table provides an assessment of the significance of the likely visual impact.

Table 9: Viewpoint 13: Kayla Way – significance of visual impact

		Magnitude				
		Dominant	**Considerable**	**Noticeable**	**Perceptible**	**Imperceptible**
Sensitivity	**High**	Major	**High**	Moderate	Low	Negligible
	Medium	High	Moderate	Low	Low	Negligible
	Low	Moderate	Low	Low	Negligible	Negligible
	Negligible	Low	Low	Negligible	Negligible	Negligible

6.4 Viewpoint 4: Franklin Road

Accessible to public	Yes
Viewpoint group	Representative
View type	Standard
Nature of view	Static
Viewing direction	South-west
Viewing distance	55m
Viewing elevation	Below

6.4.1 Existing view

Figure 24: Viewpoint 4 – Franklin Road: existing view

6.4.1.1 Assessment of sensitivity

The sensitivity of this viewpoint to the nature of change proposed is judged as medium.

6.4.2 Proposed future view

Figure 25: Viewpoint 4 – Franklin Road: proposed future view
Source: Orbit Solutions

6.4.3 Assessment of magnitude

The following table provides an assessment of the magnitude of the likely visual impact.

Table 10: Viewpoint 4: Franklin Road – magnitude of visual impact

		Duration and / or reversibility			
		Ongoing and irreversible	**Ongoing capable of being reversed**	**Limited life (5 – 10 years)**	**Limited life (< 5 years)**
Scale of change	**Major change over wide area**	Dominant	Considerable	Considerable	Noticeable
	Major change over restricted area, or Moderate change over wide area	**Considerable**	Considerable	Noticeable	Noticeable

		Duration and / or reversibility			
	Moderate change over restricted area; or Minor change over a wide area	Considerable	Noticeable	Noticeable	Perceptible
	Minor change over a restricted area; or Insignificant change	Perceptible	Perceptible	Perceptible	Imperceptible
	Imperceptible change	Imperceptible	Imperceptible	Imperceptible	Imperceptible

6.4.4 Assessment of significance of visual impact

The following table provides an assessment of the significance of the likely visual impact.

Table 11: Viewpoint 4: Franklin Road – significance of visual impact

		Magnitude				
		Dominant	**Considerable**	**Noticeable**	**Perceptible**	**Imperceptible**
Sensitivity	**High**	Major	High	Moderate	Low	Negligible
	Medium	High	**Moderate**	Low	Low	Negligible
	Low	Moderate	Low	Low	Negligible	Negligible
	Negligible	Low	Low	Negligible	Negligible	Negligible

6.5 Viewpoint 5: Castle Hill Road (east)

Accessible to public	Yes
Viewpoint group	Representative
View type	Standard
Nature of view	Static
Viewing direction	North-west
Viewing distance	100m
Viewing elevation	Level

6.5.1 Existing view

Figure 26: Viewpoint 5 – Castle Hill Road (east): existing view

6.5.1.1 Assessment of sensitivity

The sensitivity of this viewpoint to the nature of change proposed is judged as low.

6.5.2 Proposed future view

Figure 27: Viewpoint 5 – Castle Hill Road (east): proposed future view
Source: Orbit Solutions

6.5.3 Assessment of magnitude

The following table provides an assessment of the magnitude of the likely visual impact.

Table 12: Viewpoint 5: Castle Hill Road (east)– magnitude of visual impact

		Duration and / or reversibility			
		Ongoing and irreversible	**Ongoing capable of being reversed**	**Limited life (5 – 10 years)**	**Limited life (< 5 years)**
Scale of change	**Major change over wide area**	Dominant	Considerable	Considerable	Noticeable
	Major change over restricted area, or Moderate change over wide area	**Considerable**	Considerable	Noticeable	Noticeable
	Moderate change over	Considerable	Noticeable	Noticeable	Perceptible

		Duration and / or reversibility			
	restricted area; or Minor change over a wide area				
	Minor change over a restricted area; or Insignificant change	Perceptible	Perceptible	Perceptible	Imperceptible
	Imperceptible change	Imperceptible	Imperceptible	Imperceptible	Imperceptible

6.5.4 Assessment of significance of visual impact

The following table provides an assessment of the significance of the likely visual impact.

Table 13: Viewpoint 5: Castle Hill Road (east)– significance of visual impact

		Magnitude				
		Dominant	**Considerable**	**Noticeable**	**Perceptible**	**Imperceptible**
Sensitivity	**High**	Major	High	Moderate	Low	Negligible
	Medium	High	**Moderate**	Low	Low	Negligible
	Low	Moderate	Low	Low	Negligible	Negligible
	Negligible	Low	Low	Negligible	Negligible	Negligible

6.6 Viewpoint 6: Glenhope Road

Accessible to public	Yes
Viewpoint group	Representative
View type	Standard
Nature of view	Static
Viewing direction	North
Viewing distance	200m
Viewing elevation	Below

6.6.1 Existing view

Figure 28: Viewpoint 6 – Glenhope Road: existing view

6.6.1.1 Assessment of sensitivity

The sensitivity of this viewpoint to the nature of change proposed is judged as high.

6.6.2 Proposed future view

Figure 29: Viewpoint 6 – Glenhope Road: proposed future view
Source: Orbit Solutions

6.6.3 Assessment of magnitude

The following table provides an assessment of the magnitude of the likely visual impact.

Table 14: Viewpoint 6: Glenhope Road – magnitude of visual impact

		Duration and / or reversibility			
		Ongoing and irreversible	**Ongoing capable of being reversed**	**Limited life (5 – 10 years)**	**Limited life (< 5 years)**
Scale of change	**Major change over wide area**	Dominant	Considerable	Considerable	Noticeable
	Major change over restricted area, or Moderate change over wide area	Considerable	Considerable	Noticeable	Noticeable
	Moderate change over	Considerable	Noticeable	Noticeable	Perceptible

		Duration and / or reversibility			
	restricted area; or Minor change over a wide area				
	Minor change over a restricted area; or Insignificant change	Perceptible	Perceptible	Perceptible	Imperceptible
	Imperceptible change	Imperceptible	Imperceptible	Imperceptible	**Imperceptible**

6.6.4 Assessment of significance of visual impact

The following table provides an assessment of the significance of the likely visual impact.

Table 15: Viewpoint 6: Glenhope Road – significance of visual impact

		Magnitude				
		Dominant	**Considerable**	**Noticeable**	**Perceptible**	**Imperceptible**
Sensitivity	**High**	Major	High	Moderate	Low	**Negligible**
	Medium	High	Moderate	Low	Low	Negligible
	Low	Moderate	Low	Low	Negligible	Negligible
	Negligible	Low	Low	Negligible	Negligible	Negligible

6.7 Viewpoint 7: Castle Hill Road (west)

Accessible to public	Yes
Viewpoint group	Representative
View type	Panorama
Nature of view	Static
Viewing direction	East
Viewing distance	30m
Viewing elevation	Level

6.7.1 Existing view

Figure 30: Viewpoint 7 – Castle Hill Road (west): existing view

6.7.1.1 Assessment of sensitivity

The sensitivity of this viewpoint to the nature of change proposed is judged as low.

6.7.2 Proposed future view

Figure 31: Viewpoint 7 – Castle Hill Road (west): proposed future view
Source: Orbit Solutions

6.7.3 Assessment of magnitude

The following table provides an assessment of the magnitude of the likely visual impact.

Table 16: Viewpoint 7: Castle Hill Road (west) – magnitude of visual impact

		Duration and / or reversibility			
		Ongoing and irreversible	**Ongoing capable of being reversed**	**Limited life (5 – 10 years)**	**Limited life (< 5 years)**
Scale of change	**Major change over wide area**	**Dominant**	Considerable	Considerable	Noticeable
	Major change over restricted area, or Moderate change over wide area	Considerable	Considerable	Noticeable	Noticeable
	Moderate change over	Considerable	Noticeable	Noticeable	Perceptible

		Duration and / or reversibility			
	restricted area; or Minor change over a wide area				
	Minor change over a restricted area; or Insignificant change	Perceptible	Perceptible	Perceptible	Imperceptible
	Imperceptible change	Imperceptible	Imperceptible	Imperceptible	Imperceptible

6.7.4 Assessment of significance of visual impact

The following table provides an assessment of the significance of the likely visual impact.

Table 17: Viewpoint 7: Castle Hill Road (west) – significance of visual impact

		Magnitude				
		Dominant	**Considerable**	**Noticeable**	**Perceptible**	**Imperceptible**
Sensitivity	**High**	Major	High	Moderate	Low	Negligible
	Medium	**High**	Moderate	Low	Low	Negligible
	Low	Moderate	Low	Low	Negligible	Negligible
	Negligible	Low	Low	Negligible	Negligible	Negligible

6.8 Summary

The following table provides a summary of the assessment of sensitivity, magnitude and significance for each viewpoint.

Table 18: Summary

Ref	Viewpoint	Sensitivity	Magnitude	Significance
1.	**Robert Road**	High	Perceptible	Low
2.	**Oliver Way**	High	Considerable	High
3.	**Kayla Way**	High	Considerable	High
4.	**Franklin Road**	Medium	Considerable	Moderate
5.	**Castle Hill Road (east)**	Low	Considerable	Moderate

6.	**Glenhope Road**	High	Imperceptible	Negligible
7.	**Castle Hill Road (west)**	Low	Dominant	Moderate

As can be seen, the sensitivity of viewpoints associated with established, low density residential areas such as Oliver Way to the nature of change proposed is high. This sensitivity decreases to low for Castle Hill Road as major, highly trafficked district road. Robert Road is considered high due to it being adjoined by established, low density residential areas, while Franklin Road is considered to be medium as it is bordered by the grounds of Tangara and Inala Schools.

The significance of visual impact is high from two of the seven viewpoints – Oliver Way and Kayla Way. This high rating is influenced by its high sensitivity due to its established, low density residential nature, as well as magnitude factors such as being close to, downslope from and at a flush angle with the precinct.

It is noted that the visual catchment includes four environmental heritage items of local significance. These include 150 Castle Hill Road, Inala School at 160-168 Castle Hill Road, 113 Castle Hill Road and 139 Castle Hill Road. Depending on their values, and in particular their statements of significance, this has the potential to increase sensitivity to the nature of change proposed. However, due to these attributes, including their location relative to the proposal, separation by roads and presence of screening vegetation, these heritage items are not judged as increasing the level of sensitivity.

Given the visual context of an established, low density residential areas, the nature of the proposal as a new, larger scale mixed use local centre is inherently of higher visual impact than many other forms of development. However, a range of factors, including those related to the proposal such as layout (e.g. distribution of land use zoning), scale (e.g. maximum building height) and the view such as the distance, direction, angle and elevation of the viewpoint relative to the proposal, can either be moderate or accentuate this base level of magnitude.

As can be seen, while the magnitude of visual impact when measured against the current undeveloped site is generally considerable, it ranges from imperceptible to dominant.

A considerable impact generally means that the proposal will be perceived as a distant element of some scale in the overall visual landscape by a casual observer. It will however not dominate the view usually due to its location in the background.

Due to landform, the proposal will not be visible from locations higher up the Castle Hill ridgeline as approximated by viewpoint 7 on Glenhope Road. While it is theoretically possible for the proposal to be seen from locations further down the ridgeline, the effect of landform, where the ridgeline is divided into a series of smaller valleys, buildings and vegetation would likely occlude extensive views, and the effect of distance would render the proposal a relatively small object in the background. It is noted however that any development on the southern side of Castle Hill Road may not be subject to the same mitigating factors.

The proposal will appear dominant in the view from the intersection of Castle Hill Road and Bradfield Parade. This is due to an absence of major occluding or blocking elements between the viewpoint and proposal and the angle of view flush with the precinct's long axis. However, the proposal has been intentionally designed in accordance with widely accepted urban design practice to be relatively noticeable in this location for legibility, urban form and visual identity reasons. In addition, greater scale is provided to key corners as they serve as entry points to the precinct, further reinforcing these outcomes.

However, it should be noted that as VIA is undertaken on a "worst case" scenario, the intended presence of significant vegetation in the precinct as required by the proposed site specific design guide will likely mitigate this impact.

7.0 Assessment against the planning framework

Consistent with VIA convention, a rating of high significance of visual impact should not be considered to automatically equate to an unacceptable visual impact. Rather, consideration is to be given to consistency with relevant parts of the applicable planning framework, and any mitigation measures. As the proposal is seeking an amendment to the planning framework and is not a development application, significant regard is to be given to the intent of strategic planning instruments.

7.1 The Greater Sydney Region Plan and the North District Plan

Greater Sydney Regional Plan

- Objective 28
  - Scenic and cultural landscapes are protected
- Strategy 28.1
  - Identify and protect scenic and cultural landscapes.
- Strategy 28.2
  - Enhance and protect views of scenic and cultural landscapes from the public realm

North District Plan

- Planning Priority N17
  - Protecting and enhancing scenic and cultural landscapes
  - Action 67. Identify and protect scenic and cultural landscapes.
  - Action 68. Enhance and protect views of scenic and cultural landscapes from the public realm

Neither the precinct nor land in the visual catchment is explicitly identified as a scenic or cultural landscape under a planning instrument.

The visual catchment does contain three items of local environmental heritage significance:

1. “Inala School” (original house) (HLEP2013)
2. “Glenhope” (The Hills LEP 2019)
3. “Dunrath” (The Hills LEP 2019).

Being located on Castle Hill Road, Glenhope and Dunrath will mainly be visible from the public domain in a direction away from the precinct. This means that the proposal will not be visible in the immediate background to these items, which is considered to have the greatest scope for impact on context, setting or curtilage where this is identified as part of the ‘statement of significance’.

The only heritage item located to the north of Castle Hill Road, being the Inala School (original house) is located approximately 90m to the south-east of the site and is separated by a major local road (Franklin Road) and a curtilage occupied by established trees that is identified by the Heritage Study (Artefact, 2020) as being of ‘high significance’. Given the site is separated from the heritage item by a major local road and a cluster of established trees, it is considered that the visual impact is nominal.

7.2 Hornsby Local Strategic Planning Statement

LP1. Protecting the character of our low density neighbourhoods

LP5. Protecting, conserving and promoting our natural, built and cultural heritage

LP6. Increasing urban tree canopy cover, develop cooler, greener places and strengthen connections to the Green Grid

While the visual scale of the proposal is inherently greater than that of the surrounding established low density residential area, the visual impact of its bulk has been mitigated through a range of measures. This includes the distribution of open spaces and built form, the concentration of taller buildings in the north and centre of the precinct and the separation of buildings. Furthermore, the proposal has the capability of integrating with the surrounding landscape through urban forest outcomes enabled via visual connection through the precinct between the metro station and Blue Gum High Forest and extensive areas of deep soil planting. On this basis, it is considered that the proposal represents a sympathetic design response for a precinct that can support substantial new development.

The proposal will protect the existing Blue Gum High Forest and will provide substantial scope for supplementary urban forest plantings, promoting LP5 and LP6.

7.3 North West Rail Link Corridor Strategy and the Cherrybrook Structure Plan

Both the North West Rail Link Corridor Strategy and the Cherrybrook Structure Plan seek to enable the transformation of the precinct in accordance with the principles of transit oriented development.

The vision for the precinct is:

- “The introduction of the NWRL has the potential to transform the Cherrybrook Study Area by providing a new focal point for the community centred around the station. This is proposed to include a mix of neighbourhood shops and services to provide for the daily needs of the local community. The NWRL will also provide 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. To the north of Castle Hill Road, opportunities have been identified which will benefit from good accessibility to the new station. It is envisaged that the future character of this area will comprise, over the long term, low to medium density residential dwellings, ranging in height from two storey townhouses to six storey apartments, with higher density developments located closest to the station”

Under the Structure Plan a number of measures relate to visual matters, including:

- mix of local retail and residential uses to provide activation within the station and interchange areas
- complement the character of the local area and carefully designed to integrate into the surrounding streetscape
- gateway or entry demarcation points are proposed at entry points to the Study Area along Castle Hill Road and Highs Road, as well as the intersection of Castle Hill Road and Franklin Road
- graduation of height
- provision of additional urban plazas, parks and open spaces
- protection of existing green spaces within the Study Area which form part of the Cherrybrook identity, such as the Blue Gum High Forest
- Inala and Tangara High Schools identified as significant sites suitable for redevelopment for low-medium residential uses
- upgrading of the streetscapes in and around the proposed station precinct.

Figure 37 provides an indication of the envisaged built form.

The Planning Report outlines how the proposal is consistent with these measures. It is clear that the North West Rail Link Corridor Strategy and the Cherrybrook Structure Plan seek the transformation of the surrounding area, creating a new character of greater intensity and scale. Both the strategy and plan are given a level of statutory effect by the s9.1 direction 5.9 North West Rail Link Corridor Strategy, increasing the likelihood of their realisation. It is also understood that DPE is seeking to provide further impetus for its realisation through the Place Strategy.

Overall, the development of the precinct is consistent with reasonable expectations first set close to 10 years ago. While the VIA is based on the current situation, the enactment of this plan dramatically changes the character and visual context for the precinct. Through this, it will considerably reduce the significance of its visual impact, reducing the main issues such as impact on the established low density residential area, compatibility with the future character of Cherrybrook and measures to ensure it is a high quality, well designed precinct. The designation of Inala and Tangara Schools as being suitable for redevelopment also reduces any concerns raised about visual impact on these premises.

Figure 32: Indicative built scale under the Cherrybrook Structure Plan

Source: Cherrybrook Structure Plan, DPE and TfNSW

7.4 Hornsby Local Environmental Plan 2013

7.4.1 Clause 1.2 Aims of Plan

(1) This Plan aims to make local environmental planning provisions for land in Hornsby in accordance with the relevant standard environmental planning instrument under section 3.20 of the Act.

(2) The particular aims of this Plan are as follows—

- (a) to facilitate development that creates—
  - (i) progressive town centres, thriving rural areas and abundant recreation spaces connected by efficient infrastructure and transport systems, and
  - (ii) a well-planned area with managed growth to provide for the needs of future generations and people enriched by diversity of cultures, the beauty of the environment and a strong economy
- (b) to guide the orderly and sustainable development of Hornsby, balancing its economic, environmental and social needs
- (c) to permit a mix of housing types that provide for the future housing needs of the community near employment centres, transport nodes and services
- (d) to permit business and industrial development that meets the needs of the community near housing, transport and services, and is consistent with and reinforces the role of centres within the subregional commercial centres hierarchy
- (e) to maintain and protect rural activities, resource lands, rural landscapes and biodiversity values of rural areas
- (f) to provide a range of quality passive and active recreational areas and facilities that meet the leisure needs of both the local and regional community
- (g) to facilitate the equitable provision of community services and cultural opportunities to promote the well-being of the population of Hornsby
- (h) to protect and enhance the scenic and biodiversity values of environmentally sensitive land, including bushland, river settlements, river catchments, wetlands and waterways
- (i) to protect and enhance the heritage of Hornsby, including places of historic, aesthetic, architectural, natural, cultural and Aboriginal significance
- (j) to minimise risk to the community in areas subject to environmental hazards, including flooding and bush fires.

The relevant particular aim for consideration as part of VIA is (h) “to protect and enhance the scenic and biodiversity values of environmentally sensitive land, including bushland, river settlements, river catchments, wetlands and waterways”.

The precinct is not explicitly identified as environmentally sensitive land under a planning instrument.

The visual catchment contains the following land that can be considered environmentally sensitive land:

- land to the south of the precinct included in the E4 Environmental Living zone
- land to the north of the precinct that supports Blue Gum High Forest.

The objectives of the E4 Environmental Living zone are:

- to provide for low-impact residential development in areas with special ecological, scientific or aesthetic values
- to ensure that residential development does not have an adverse effect on those values.

It is understood the primary values of land to the south of the precinct included in the E4 Environmental Living zone are scientific due to its steep slope that creates landslide hazard. The land is mapped as such in The Hills LEP 2013. This value is not relevant to visual considerations. In addition, the land has been identified for future redevelopment for more intensive urban residential uses in the Cherrybrook Structure Plan, which further suggests that it has limited value for matters related to visual impact assessment such as open or heavily vegetated land.

Land to the north of the precinct that supports Blue Gum High Forest does not form part of the precinct. The small area that does contain significant vegetation will be protected under the LEP. In particular in the proposed RE1 Public Recreation which affords it a greater level of protection than under its current R2 Low Density Residential zoning.

Furthermore, as it outlined in the Urban Design Study, improving visual connections to this land to better integrate the precinct with the surrounding landscape is a key aim of the proposal, and has been reflected spatially in a continuous visual link through the precinct connecting the land with the metro. This has been reflected in the design guide to provide a level of assurance to this outcome.

7.4.2 Objectives for Zone B4 Mixed Use

Objectives of zone

- To provide a mixture of compatible land uses
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling

The proposal is considered to comprise a mixture of visually compatible land uses, being mainly for high density residential uses supported by a community facility and retail uses that support the day to day functioning of the precinct and surrounding residential community.

7.4.3 Objectives for Zone R4 High Density Residential

Objectives of zone

- 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 proposal is considered to be consistent with these objectives in that it will contribute to the diversity of housing available in the area and cater to the day to day needs of the community.

7.4.4 Objectives for Zone RE1 Public Recreation

Objectives of zone

- To enable land to be used for public open space or recreational purposes
- To provide a range of recreational settings and activities and compatible land uses
- To protect and enhance the natural environment for recreational purposes
- To protect and maintain areas of bushland that have ecological value

The proposal is considered to be consistent with these objectives through the provision of a minimum of 3,000sqm of open space that will complement the surrounding uses.

7.4.5 Clause 4.3 Height of buildings

(1) The objectives of this clause are as follows—

- (a) to permit a height of buildings that is appropriate for the site constraints, development potential and infrastructure capacity of the locality.

(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

The proposed maximum building height has been informed by a strategic and site specific analysis (refer **Section 11.1** and **Section 11.2** of this VIA). Of note, the precinct is large (3.5 hectares of developable land), free of constraints that can restrict renewal in established centres such as fragmented land ownership, is free of key environmental constraints such as heritage and is co-located with a metro station. Considering the recent amendment of The Hills LEP to enable future development of the Coonara Business Park located 86m away from the station to a height of 6 storeys and the scale of development enabled in other Sydney Metro North West precincts, the proposal represents a considered outcome.

7.4.6 Clause 4.4 Floor space ratio

(1) The objectives of this clause are as follows—

- (a) to permit development of a bulk and scale that is appropriate for the site constraints, development potential and infrastructure capacity of the locality.

The arguments presented in section 9.4.5 are applicable to FSR. It is noted that the surrounding area does not have a maximum FSR.

7.5 Hornsby Development Control Plan 2013

7.5.1 Part 1A.3 Objectives

The objectives of this DCP are to:

- provide a comprehensive document that provides a framework for development of land in the Hornsby Local Government Area
- clearly set out the processes, procedures and responsibilities for the involvement of the community and key stakeholders in the development of land
- promote development that is consistent with Council's vision of creating a living environment
- protect and enhance the natural and built environment, and ensure that satisfactory measures are incorporated to ameliorate any impacts arising from development
- encourage high quality development that contributes to the existing or desired future character of the area, with particular emphasis on the integration of buildings with a landscaped setting
- protect and enhance the public domain
- minimise risk to the community
- ensure that development incorporates the principles of Ecologically Sustainable Development (ESD)

As has been discussed, the proposal:

- enhances the visual character of the precinct through substantial opportunities for revegetation
- visually integrates the metro station and precinct with the Blue Gum High Forest to the north
- includes measures to mitigate visual impact such as the distribution of height and the incorporation of substantial setbacks

- provides for a scale of development and a development pathway under the direction of the State that increase the potential for high quality design
- provides for a substantially improved public domain, with opportunities for visually high quality spaces such as the Village Square and integration with the metro station.

7.5.2 Desired future character of the area

Development that contributes to the desired future character of the area.

The precinct and surrounding broader Cherrybrook Station Precinct have been subject to considerable strategic planning since the early 2000s.

Of particular note is the DPE and TfNSW published North West Rail Corridor Renewal Strategy (NWRCRS) and associated Cherrybrook Structure Plan.

These documents confirmed a strategic intent to develop the precinct and surrounding land in accordance with transit oriented development principles to promote land use and public transport integration and a number of other higher order State government strategic planning policy.

The precinct was specifically identified for future development as a mixed use, transit oriented local centre.

This intent was reflected in Ministerial Direction 5.9 “North West Rail Link Corridor Strategy”. The objectives of this direction are to:

- (a) promote transit-oriented development and manage growth around the eight train stations of the North West Rail Link (NWRL)
- (b) ensure development within the NWRL corridor is consistent with the proposals set out in the NWRL Corridor Strategy and precinct Structure Plans.

Consistent with the NWRCRS, the Structure Plan and the Ministerial Direction, the purpose of the SSP Study is to “facilitate a mixed-use local centre at Cherrybrook Station that supports the function of the station and the needs of the local community” (DPE, 2020) as well as deliver public and transport benefit through outcomes such as “a range of housing types” and “to promote the use of public transport and reduce car dependency”.

As can be seen, previous and current planning has consistently identified the precinct, and to a lesser extent the Cherrybrook Station Precinct, for substantial growth. This includes development of a greater intensity and visual scale compared to that which exists at present.

7.6 Summary

DPE and TfNSW published North West Rail Corridor Renewal Strategy (NWRCRS) and associated Cherrybrook Structure Plan confirm a strategic intent to develop the precinct and surrounding land in accordance with transit-oriented development principles to promote land use and public transport integration and a number of other higher order State government strategic planning policy.

The precinct was specifically identified for future development as a mixed use, transit oriented local centre as reflected in the Region Plan and District Plan through its designation for transit oriented development. It is also referenced in the Hornsby Local Strategic Planning Statement as an area to be explored for future change.

This strategic planning intent is a relevant consideration for the desired future character of the precinct.

As can be seen, previous and current strategic planning has consistently identified the precinct for substantial growth. This includes development of a greater intensity and visual scale compared to that which exists at present.

Assessment has also shown that the proposal can be considered to be consistent with relevant considerations in environmental planning instruments such as the Hornsby Local Environmental Plan 2013, including its aims, objectives for the relevant proposed zones and clauses covering building height and floor space ratio.

In addition, the proposal can be considered to make a number of positive contributions to the precincts, including:

- enhancing the visual character of the precinct through substantial opportunities for revegetation
- visually integrating the metro station and precinct with the Blue Gum High Forest to the north
- including measures to mitigate visual impact such as the distribution of height and the incorporation of substantial setbacks
- providing for a scale of development and a development pathway under the direction of the State that increase the potential for high quality design
- providing for a substantially improved public domain, with opportunities for visually high quality spaces such as the Village Square and integration with the metro station.

8.0 Assessment against the study requirements

As has been noted, the relevant study requirement is as follows:

- SR2.7 “Provide a view and visual assessment, with particular focus on significant view lines (e.g. local and district views looking up and down the valley from and towards West Pennant Hills), as well as visual impacts and mitigation measures of the proposal on surrounding areas, such as adjoining residential areas, heritage items (eg. Inala and Glenhope), public open space, and existing tree canopy/character. Use eye level views from public parks, street footpaths, station entries and compare to existing views. Identify any mitigation measures. Provide a map identifying all recommended view corridors and agree on any additional view corridors with the Department”. The proposed viewpoints have been reviewed and deemed acceptable by DPE and PWG with no additional commentary provided.

8.1 View and visual assessment

Being a VIA, this document satisfies this part of the study requirement.

8.2 Eye level views from the public domain

The photography upon which this VIA is based was undertaken at a height of 1.65m above ground level. This is consistent with standard practice and the recommendation of the GLVIA3:

- “site survey should assume that the observer eye height is some 1.5 to 1.7 metres above ground level, based on the midpoint of average heights for men and women” (GLVIA3).

All photos were captured from the public domain.

8.3 Comparison between existing and future views

This VIA provides a comparison between existing and future views.

8.4 View corridors

The VIA considers seven (7) view corridors considered to be of local significance, primarily due to their relative sensitivity (eg, Oliver Way) or providing a large number of visual receptors opportunity to see the proposal (eg, Castle Hill Road).

8.5 Significant view lines

As has been shown, due to the interaction of a number of elements, in particular landform, the visual catchment is largely limited in spatial extent. Significant views such as those typically characterised by a panorama are not available from locations to the north. However, due to steep topography, early investigations considered that there may be scope for significant views to be obtained to and from land to the south. With reference to the study requirements, this can be considered to be the main 'significant view line'. Viewpoint 6 (Glenhope Road) was included in the VIA to test this hypothesis.

The VIA showed that the steep landform will completely occlude views of the proposal from this viewpoint. Despite the height of the proposal relative to existing development, the north sloping nature of the landform would likely screen much of the proposal from view from locations further to the south. In any event, the moderating impact of distance will likely result in a low significance of visual impact. It is nonetheless noted that any development on the southern side of Castle Hill Road outside the precinct may not be subject to the same level of topographic screening.

8.6 Visual impacts on surrounding areas

This VIA satisfies this part of the study requirement.

8.7 Mitigation measures

Refer to **Part 12** of this VIA for address of this study requirement.

9.0 Discussion of key issues

9.1 Overall acceptability of development of a greater scale

DPE and TfNSW published North West Rail Corridor Renewal Strategy (NWRCRS) and associated Cherrybrook Structure Plan confirmed a strategic intent to develop the Cherrybrook Station Precinct and surrounding land in accordance with transit-oriented development principles to promote land use and public transport integration. This intent was reflected in Ministerial Direction 5.9 "North West Rail Link Corridor Strategy". As previously discussed, the precinct has been identified for substantial growth throughout former and existing plans. This includes development of a greater intensity and visual scale compared to that which exists at present.

It is consistent with the overall strategic intent of the 2013 Vision and Structure Plan to facilitate transit oriented development.

It will result in a visual character, including scale, that is appropriate to that of a local centre adjacent to a metro station in a context of a growing and changing Greater Sydney, North West Corridor and Hornsby LGA.

9.2 Development up to the proposed maximum building height

As is noted in the Planning Report, the precinct has a number of rare and valuable attributes that suggest optimisation of yield in part delivered through additional height is justified. This includes it being a large, vacant, relatively unconstrained precinct in State government ownership co-located with a metro station. In particular, its vacant nature as opposed to being part of an established centre or residential precinct removes a substantial number of valid constraints to scale such as working within an existing fragmented land pattern.

As is evidenced in the Urban Design Study, the proposal is derived from a detailed analysis of the precinct and its context's place characteristics. As a consequence, to reduce visual impact, the proposal will focus the tallest buildings around the proposed open space corridor. A range of other measures are also proposed in the planning framework to further reduce visual impact including:

- moderating bulk through the distribution of mass, avoiding a single height 'wall' of development facing to the north through the central open space corridor and requiring a range of varying of height. This will provide appropriate height and articulation across the precinct's built form.

- screening bulk by promoting urban forest outcomes, including through extensive areas suitable for deep soil planting.

The VIA shows that the visual impact of the proposal as represented in the Reference Scheme is not considered to be unreasonable or excessive considering the strategic intent of the planning frameworkand the attributes of the precinct (eg, size). In particular, the additional height:

- is considered to be consistent with the character of a metro station precinct
- would not unreasonably dominate views
- would not appear unreasonably prominent in its broader context
- would not block or occlude views from the public domain
- capable of incorporating urban forest outcomes through its layout and design which provides opportunities for significant deep soil to enable further integration with surrounding land and in particular the Blue Gum High Forest and vegetation on the Inala School grounds, ensuring it does not appear overly isolated in its context.
- will not establish a valid precedent for buildings of this scale in the broader Cherrybrook Station Precinct.

9.3 Oliver Way and Kayla Way

The proposal incorporates a number of mitigation measures. Of particular note, urban forest outcomes along the site's northern boundary are considered to have the potential to reduce the significance of visual impact to Oliver Way and Kayla Way from considerable to at least the lower ratings of noticeable for residents or perceptible for others.

It is noted that DPE is currently preparing a Place Strategy for the surrounding Cherrybrook Station Precinct, which includes Oliver Way and Kayla Way. It is reasonable to expect this plan to allow for redevelopment of this area, and at least of a scale consistent with the 3-6 storey apartment forms outlined in the 2013 Cherrybrook Structure Plan. Should this outcome eventuate, the significance of visual impact rating would likely be substantially reduced to moderate or even low. Furthermore, redevelopment of Oliver Way and Kayla Way provides substantial opportunity for this development to better consider its relationship with the precinct. In any event, substantial setbacks to the northern boundary, including 17m where closest to taller buildings in the eastern part of the precinct and the location and size of the Environmental Space are considered to be acceptable transition and interface responses.

10.0 Mitigation measures

There are three broad types of mitigation measures:

1. avoid
2. minimise
3. offset.

This is generally consistent with the principles for the management of environmental impacts in the GLVIA3 (part 3.37).

Under the GLVIA3 (part 4.21), there are a number of stages in the development process when mitigation measures should be considered. Of relevance to this proposal are the following:

- **primary measures**: considered as part of design development and refinement
- **secondary measures**: considered as part of conditioning a development consent.

As has been outlined in the associated Planning Report, Urban Design Study and Consultation Outcomes Summary Report, the proposal has been subject to a rigorous technical and engagement process that has included consideration of visual impact matters. This has resulted in the incorporation of a number of primary measures appropriate to a rezoning that seek to avoid and minimise any potential significant adverse visual impacts. These include:

- **siting measures**: such as substantial physical setback to the precinct's northern boundary
- **massing / form measures**: such as segmentation and articulation of buildings.

As has been determined by this VIA, the incorporation of these mitigation measures have been critical to the determination of acceptable visual impact. On this basis, it is not considered necessary to make further fundamental or otherwise large-scale amendments to the proposal in its current form to satisfactorily manage visual impact.

As part of the subsequent DA process, further detailed consideration should be given to detailed architectural matters, including matters such as:

- careful consideration of line, shape and form, colour and texture in the expression of elevations
- integration of services such as waste management, loading zones and mechanical plant.

On this basis, no further mitigation measures are required. This is contingent on the planning framework, in particular the design guide, reflecting many of the finer grain planning provisions derived from the Reference Scheme.

11.0 Conclusion

Overall, it is considered that the proposal has an acceptable visual impact. While of a greater scale than existing development, visual bulk and height associated with this greater scale will be adequately mitigated.

The proposal is consistent with the intent of key strategic plans, including the 2013 Cherrybrook Structure Plan. It will result in a visual character, including scale, that is appropriate to that of a local centre adjacent to a metro station in the context of a growing and changing Greater Sydney, North West Corridor and Hornsby LGA.

In addition, the VIA has found:

- it has a low visual impact on heritage items
- there are no viewpoints in the public domain that are associated with particular significance such as a through association with a particular vista
- surrounding land, in particular land to the immediate north such as Oliver Way and Kayla Way, is subject to current future planning that is considering greater scale including heights
- while being sensitive to change, the number of people exposed to views from Oliver Way and Kayla Way is not high
- views obtained from Castle Hill Road, which provides opportunities for a significant number of viewers, are obtained in a sequential manner with people unlikely to see the proposal for a longer period of time and their level of interest in the view is likely to be low
- the visual impact of the precinct will be managed through the heavily landscaped setting, bringing surrounding vegetation such as the Blue Gum High Forest visually into the precinct
- the planning framework incorporates a range of measures that are likely to collectively reduce the significance of visual impact to at least moderate when viewed from the selected locations in the nearby public domain, including:
  - focussing the tallest buildings closer to the centre of the precinct

  - avoiding a single height ‘wall’ of development facing to the north through the central open space corridor
  - providing for variation in setbacks to reduce the perception of visual bulk and scale
  - segmenting and articulating built form
  - incorporating substantial setbacks provided with extensive deep soil planting
- the proposal has the potential to deliver a number of positive visual outcomes flagged in the Cherrybrook Structure Plan, including through high quality public domain such as the Village Square.

On this basis, it is the conclusion of the VIA that the proposal in its current form can be supported on visual impact grounds.