From:	Niall Healy
Sent:	21/01/2025 3:08:59 PM
To:	Council Northernbeaches Mailbox
Subject:	TRIMMED: Objection against DA 2024/1562 (5 Lauderdale Ave, Fairlight)
Attachments:	Objection to DA 2024.1562 from SP 45435 and owners (8 Lauderdale Ave).pdf; Optimised - No.5 Lauderdale VIA 21.1.2025.pdf; Optimised - No.5 Lauderdale VIA Appendix A 21.1.2025 (2).pdf;

Good afternoon,

I attach an objection against the above DA by the Owners Corporation of Strata Plan 45435 (8 Lauderdale Avenue, Fairlight) and by the owners.

Also attached are documents supporting that objection, being:

- a Visual Impact Assessment (VIA) commissioned from Urbaine Design Group, and
- an Appendix to that VIA.

Your faithfully

Niall Healy
Secretary, Strata Committee, Owners Corporation of SP 54435

The Owners Corporation of Strata Plan 45435

ABN 71 420 970 638

8 Lauderdale Avenue

Fairlight NSW 2094

21 January 2025

Development Assessment

Northern Beaches Council

1 Belgrave Street

Manly NSW 2095

Dear Assessing Officer,

DA 2024/1562 – 5 Lauderdale Avenue, Fairlight NSW 2094 – Objection by SP 45435 and by Owners

The Owners Corporation and the owners of Strata Plan 45435, 8 Lauderdale Avenue, Fairlight, object against the above proposed development on the grounds that it is non-compliant in relation to height and other development standards, that it ignores the view-sharing requirements, that it would cause view loss to owners ranging up to the Severe-to-Devastating category, that for these reasons it is unreasonable, and that a more skilful design could reduce the impact and adhere to Council's guidelines for view-sharing.

The objection is set out in detail in the attached Visual Impact Assessment, Objection to Development Application at DP 24923, 5 Lauderdale Avenue, Fairlight. SP 45435 and its owners (see below) commissioned Urbaine Design Group to prepare this Visual Impact Assessment. SP 45435 and owners now forward this report as part of, and integral to, our objection. The report contains photomontages covering 15 different viewpoints cross the 7 units in our building.

Yours faithfully

N Healy

JL Sibraa

Chairperson

Owners Corporation of SP 45435

Owners: N Healy & K Horton (Unit 7), D & M Field (Unit 6), J & R Eddy (Unit 5), J and K Sibraa AO (Unit 4), L Mathew (Unit 3), D Trood (Unit 1).

Attachment: Visual Impact Assessment, Objection to Development Application at DP 24923, 5 Lauderdale Avenue, Fairlight, and Appendix A thereto, commissioned by Owners and the Owners Corporation and prepared by Urbaine Design Group

Urbaine Design Group Pty Ltd, 19c/74 , The Corso, Manly, NSW 2095

urbaine
DESIGN GROUP

VISUAL IMPACT ASSESSMENT

OBJECTION to Development Application DA2024/1562 at

DP 24923, No.5, Lauderdale Avenue, Fairlight.

JANUARY 21 2025

Project: Objection to DA2024/1562
Lott: DP 24923
Address: 5 Lauderdale Avenue, Fairlight

CONTENTS

1. INTRODUCTION

1.1. Scope and Purpose of Report

This Visual Impact Report has been prepared for the residents of 8 Lauderdale Avenue and is submitted to the Northern Beaches Council in objection to a Development Application (DA2024/1562) for a Residential Flat Building at 5 Lauderdale Avenue Fairlight (the site). The report provides an analysis of the proposed development's visual impact in relation to its visual and statutory contexts and is to be read in conjunction with the drawings and other material submitted with the development application.

Urbaine Design Group and its Director, John Aspinall, BA(Hons), BArch(Hons) have been preparing 3d Imagery and Visual Impact Assessments, both in Australia and Internationally for over 25 years. Their methods are regularly published in planning and architectural journals and John Aspinall has lectured in Architectural Design at both the University of Technology Sydney and The University of New South Wales.

Figure 1 – Site location shown in magenta

1.2. The Proposed Development

The proposed development presents as a 2 storey structure to Lauderdale Avenue with a 4 storey presentation as viewed from the harbour and its immediate environs. The massing of the development is not sympathetic to many of the neighbouring residential properties of a similar scale, replacing the existing pitched-roof dwelling with a 2 storey street frontage, showing minimal articulation on its norther elevation.

1.2.1. The Site and existing property

The subject property is trapezoid in shape and has an area of 980.1sqm. The subject site has a front boundary to Lauderdale Avenue of 21.64m, an eastern side boundary of 42.8m, a western side boundary of 53.035m, and a rear southern boundary to Fairlight Walk and Fairlight Beach of 20.74m. The principal form is set approximately 0.8m below the footpath, adjacent to the subject site. The dwelling is set approximately 6.6m above the Fairlight Walk, adjacent to the subject site.

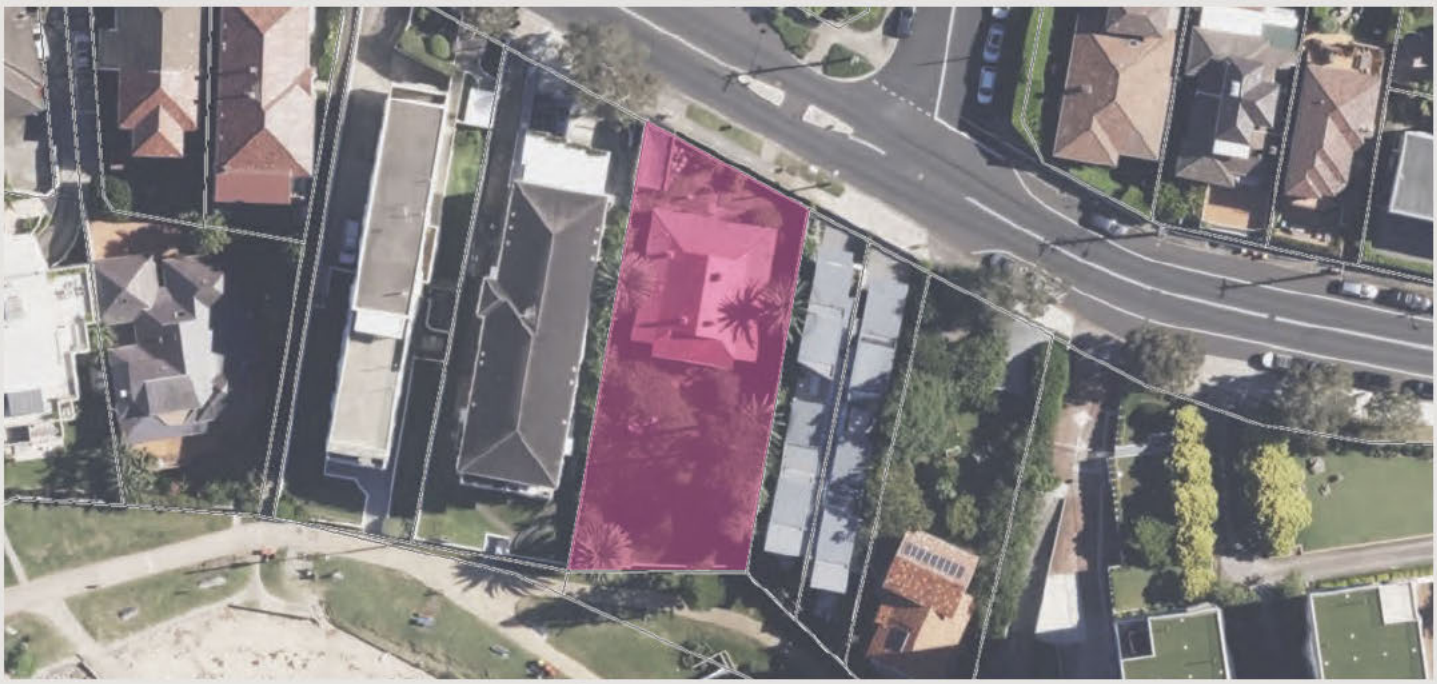


Figure 2 – Subject site shown in magenta overlay

1.3. Proposed Land Use and Built Form

The proposed development is depicted in the architectural plans set prepared by Platform Architects.

This application provides for the following built form and land use outcomes and is described in the Statement of Environmental Effects by BBF Planners as:

- *Demolition of the existing site structures,*
- *Tree removal*

Construction of a 4 storey residential flat building, comprising: - -

- *5 x 3 bedroom apartments.*
- *car parking for 11 vehicles, comprising 10 residential and 1 visitor spaces,*
- *accessed via a car lift to Lauderdale Avenue*
- *Internal lift and stair access,*
- *Landscaping*
- *Stormwater infrastructure,*
- *Strata Subdivision*

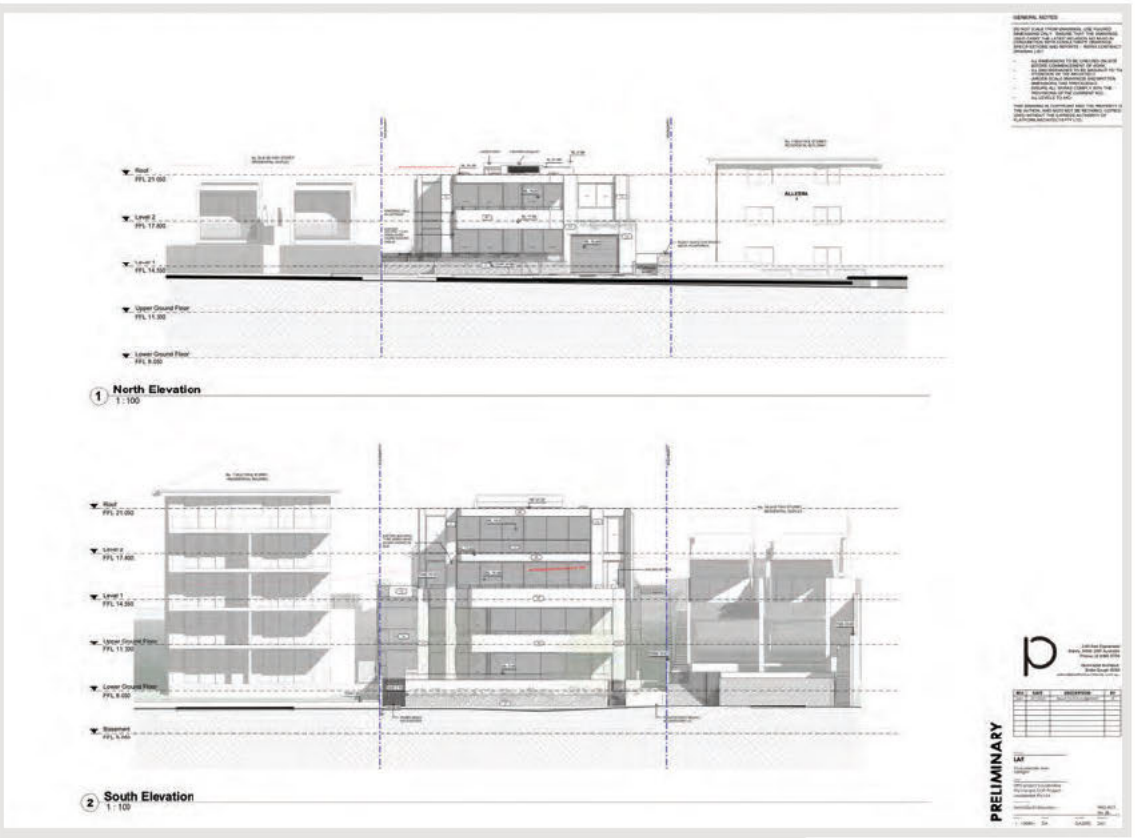


Figure 3 – Elevations of the proposed design by Platform Architects

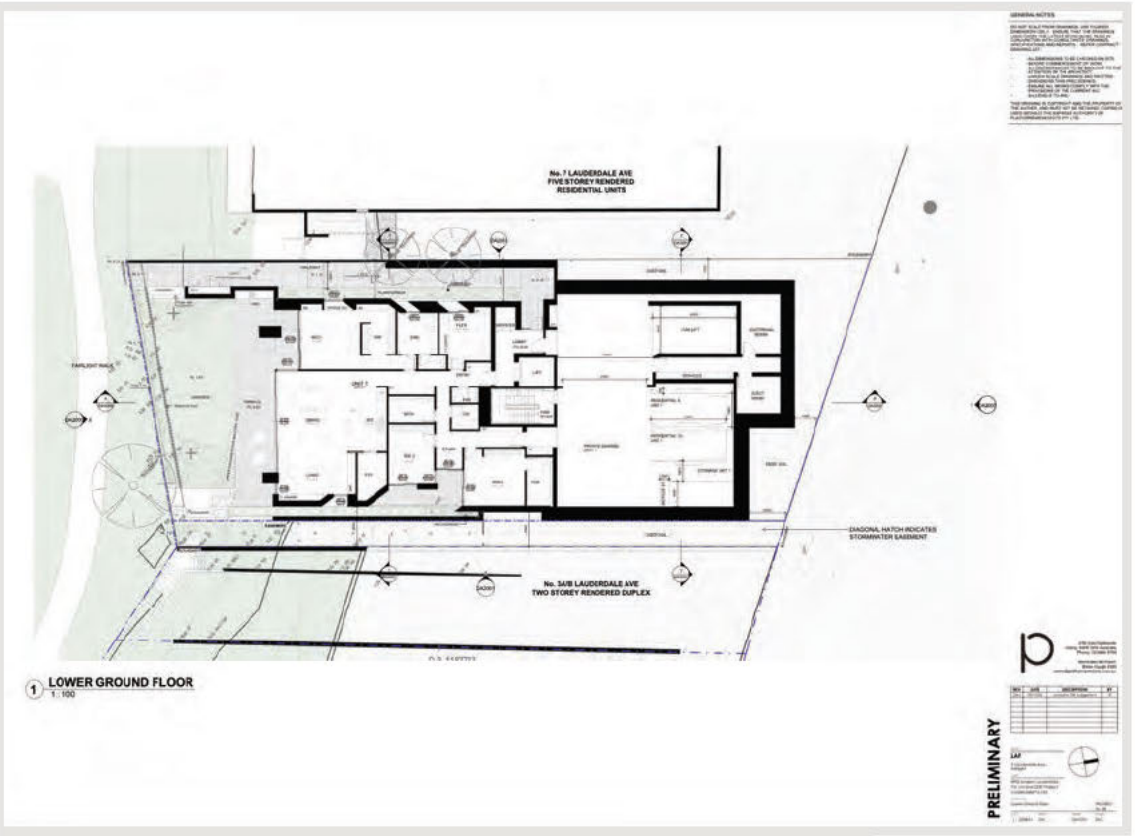


Figure 4 – Typical floor plan of the proposed design by Platform Architects

1.4. Methodology of Assessment

The methods used by Urbaine, for the generation of photomontaged images, showing the proposed development in photomontaged context are summarised in an article prepared for New Planner magazine in December 2018 and contained in Appendix B. A combination of the methods described were utilised in the preparation of the photomontaged views used in this visual impact assessment report.

1.4.1. Process

Survey, plans, elevations and model of the proposal were sourced from Platform Architects and aligned to the scene using the survey information from Mitch Ayres Surveying PTY LTD Surveyors, which accompanies the DA submission.

A drone assessment was undertaken and triangulated into a 3D point cloud which was aligned to ground control points using a RTK GNSS rover with NTRIP corrections. This was placed into the scene and further verified against the survey DWG.

Virtual cameras were placed into the 3D model to match various selected viewpoints, in both height and position. These locations were measured on-site using a survey provided. From these cameras, rendered views have been generated and photomontaged into the existing photos, using the ground plane for alignment at standing height 1600mm.

The final selection of images shows these stages, including the block montage of the original development application and concluding with an outline, indicating the potential visual impact and view loss. For the purposes of statutory requirements, the images within the report are of a standard lens format.

1.4.2. Assessment Methodology

There are no set guidelines within Australia regarding the actual methodology for visual impact assessment, although there are a number of requirements defined by the Land and Environment Court (LEC) relating to the preparation of photomontages upon which an assessment can be based.

Where a proposal is likely to adversely affect views from either private or public land, Council will give consideration to the Land and Environment Court's Planning Principle for view sharing established in Tenacity Consulting v Warringah Council [2004] NSWLEC 140. This Planning Principle establishes a four-step assessment to assist in deciding whether or not view sharing is reasonable:

- *Step 1: assessment of views to be affected.*
- *Step 2: consider from what part of the property the views are obtained.*
- *Step 3: assess the extent of the impact.*
- *Step 4: assess the reasonableness of the proposal that is causing the impact.*

However, there is no peer review system for determining the accuracy of the base material used for visual impact assessments. As a result, Urbaine Group provides a detailed description of its methodologies and the resultant accuracy verifiability – this is contained within Appendix B.

The methodology applied to the visual assessment of the current design proposal has been developed from consideration of the following key documents:

- *Environmental Impact Assessment Practice Note, Guideline for Landscape Character and Visual Impact Assessment (EIA-N04) NSW RMS (2013);*
- *Visual Landscape Planning in Western Australia, A Manual for Evaluation, Assessment, Siting and Design, Western Australia Planning Commission (2007);*
- *Guidelines for Landscape and Visual Impact Assessment, (Wilson, 2002);*

In order to assess the visual impact of the Design Proposal, it is necessary to identify a suitable scope of publicly accessible locations that may be impacted by it, evaluate the visual sensitivity of the Design Proposal to each location and determine the overall visual impact of the Design Proposal.

Accessible locations that feature a prominent, direct and mostly unobstructed line of sight to the Project are used to assess the visual impact of the Design Proposal. The impact to each location is then assessed by overlaying

an accurate visualisation of the new design onto the base photography and interpreting the amount of view loss in each situation, together with potential opportunities for mitigation.

Views of high visual quality are those featuring a variety of natural environments/ landmark features, long range, distant views and with no, or minimal, disturbance as a result of human development or activity. Views of low visual quality are those featuring highly developed environments and short range, close distance views, with little or no natural features.

Visual sensitivity is evaluated through consideration of distance of the view location to the site boundary and also to proposed buildings on the site within the Design Proposal. Then, as an assessment of how the Design Proposal will impact on the particular viewpoint. Visual sensitivity provides the reference point to the potential visual impact of the Design Proposal to both the public and residents, located within, and near to the viewpoint locations.

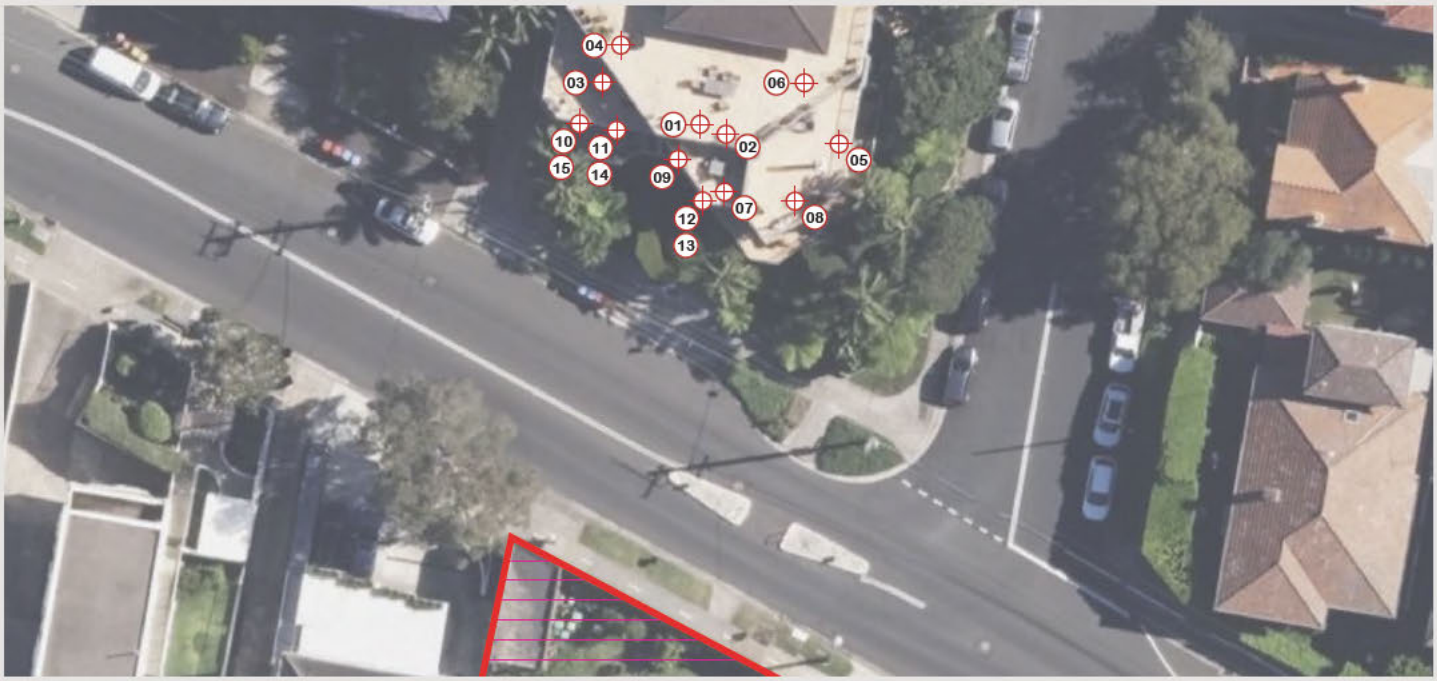


Figure 5: Selected private viewpoint locations for visual impact assessments with site outlined in red.

1.4.3. Site Inspections

A site inspection was undertaken to photograph the site and surrounding area to investigate:

- *The topography and existing urban structure of the local area*
- *The streetscapes and the property at No.8, Lauderdale Avenue, specifically.*
- *Important vistas and viewsheds*
- *Other major influences on local character and amenity*

The map, see figure 5, indicates chosen locations for site photography.

1.4.4. Contextual Analysis:

An analysis was undertaken of the visual and statutory planning contexts relevant to the assessment of visual impacts in a Development Application.

1.4.5. Visual Impact Analysis:

The visual impacts of the proposed development were analysed in relation to the visual context and assessed for their likely impact upon the local area and upon the residential apartment building at no.8, Lauderdale Avenue.

1.4.6. Statutory Planning Assessment:

The results of the Visual Impact Assessment are included in Section 3 of this report. This includes references to Statutory Controls in relation to bulk and scale, visual impact and view-sharing.

1.5. References

The following documentation and references informed the preparation of this report:

- *Statement of Environmental Effects - BBF Pty Ltd*
- *The design drawings and information relied upon for the preparation of this report were prepared by Platform Architects*
- *Survey - Mitch Ayres Surveying Pty Ltd*
- *3D Model built by Urbaine Group*
- *Photography by Urbaine Group*
- *Montages by Urbaine Group*

Figure 6: Land zoning map, indicating site with blue outline.

2. THE SITE AND THE VISUAL CONTEXT

Visual impacts occur within an existing visual context where they can affect its character and amenity. This section of the report describes the existing visual context and identifies its defining visual characteristics.

Defining the local area relevant to the visual assessment of a proposed development is subject to possible cognitive mapping considerations and statutory planning requirements. Notwithstanding these issues, the surrounding local area that may be affected by the visual impact of the proposed development is considered to be the area identified on the topographical area map, Figure 7.

Although some individuals may experience the visual context from private properties with associated views, the general public primarily experiences the visual context from within the public realm where they form impressions in relation to its character and amenity. The public realm is generally considered to include the public roads, reserves, open spaces and public buildings. The visual context is subject to “frames of reference” that structure the cognitive association of visual elements. The “local area” (as discussed above) provides one such frame of

reference. Other “frames of reference” include the different contextual scales at which visual associations are established and influence the legibility, character and amenity of the urban environment. Within the scope of this report three contextual scales are considered relevant to the analysis of the visual context and the visual impact of the proposed development.

Figure 7: Subject area topographical map.

The ‘Street Context’ provides a frame of reference for reviewing the visual relationship of the new development (and in particular its facades) in relation to the adjoining pedestrian spaces and roads. Elements of the development within this frame of reference are experienced in relatively close proximity where, if compatible with the human scale they are more likely to facilitate positive visual engagement and contribute to the “activation” of adjoining pedestrian spaces.

The ’Neighbourhood Context’ provides a broader frame of reference that relates the appearance of the development as a whole to the appearance of other developments within the local area. As a frame of reference, it evolves from the understanding gained after experiencing the site context and the low density of development. Within this context the relative appearance, size and scale of different buildings are compared for their visual compatibility and contribution to a shared character from which a unique “sense of place” may emerge. This frame of reference involves the consideration of developments not necessarily available to view at the same time. It therefore has greater recourse to memory and the need to consider developments separated in time and space. The neighbourhood context is relevant to the visual ’legibility’ of a development and its relationship to other developments, which informs the cognitive mapping of the local area to provide an understanding of its arrangement and functionality.

The ‘Town / City Context’ provides a frame of reference that relates the significance of key developments or neighbourhoods to the town as a whole. The contribution that distinctive neighbourhoods make (or may potentially make) to the image of the city can be affected by the visual impact of an individual development through its influence on the neighbourhood’s character and legibility. Within this context, it is also important to be aware of other proposed developments in the area.

2.1. The Visual Context

The surroundings of the site feature a diverse range of residential options. To the east of the subject property, the sites known as 3A and 3B Lauderdale Avenue are occupied by 2 storey semi-detached dwelling houses with double garages accessed from the Lauderdale Avenue frontage, whilst the site to the west, at 7 Lauderdale Avenue, is occupied by a 5 storey residential flat building with single storey garage accommodation accessed from the street frontage.

Within the Road context, development is predominantly 1, 2 and 3 storey individual dwelling houses and small apartment buildings, orientated to maximise ocean and district views.

Within the urban context, there is a diverse fabric consisting of predominantly low density residential, with wide roads and mature, established landscaping.

2.2. Visual Features and Local Landmarks

Particular elements in the urban pattern, through either location and/or built form, provide visual nodes and landmarks that assist in differentiating locations within the broader visual context. The following visual nodes are considered to be of the greatest significance in terms of their contribution to the character and legibility of the local and surrounding area:

The focus of all the properties along the falling topography from the Fairlight ridge is to the south with the views out to the harbour and ocean, including Forty Baskets Beach, Dobroyd Head, Middle Head, Watsons Bay and Hornsby Lighthouse.

2.3. Streetscapes

Within the local and surrounding areas, the roadscapes are typical of a well-established suburban area, that being focused on public amenity. The residential lots are medium to large and, as a result of the topography, have the option of enabling view sharing throughout the neighbourhood.

2.4. The selected view locations for the local view analysis

As a result of the site's topography, the visual impact is primarily relevant to the residential property to the north of the subject site and, specifically, the residential flat building at no.8, Lauderdale Avenue - the focus of this VIA. A large number of site photos were taken from this building and a smaller number of specific views selected from these, relevant for private viewing locations, as described above. The selected photos are intended to allow consideration of the visual and urban impact of the new development for the residents of no.8, Lauderdale Avenue.

2.5. Context of View

The context of the view relates to where the proposed development is being viewed from. The context is different if viewed from a neighbouring building, or garden, as is the case here, where views can be considered for an extended period of time, as opposed to a glimpse obtained from a moving vehicle.

2.6. Extent of View

The extent to which various components of a development would be visible is critical. For example, if the visibility assessment is of a multi-storey development proposal in a low-density context of 2 to 3 storey buildings, it would be considered to have a significant local scale visual impact, whereas if a development proposal is located in an area of a CBD containing buildings of a similar scale and height, it may be considered to have a lower scale visual impact.

The capacity of the landscape to absorb the development is to be ranked as high, medium or low, with a low ranking representing the highest visual impact upon the scenic environmental quality of the specific locality, since there is little capacity to absorb the visual impact within the landscape.

3. VISUAL IMPACT OF THE PROPOSED DEVELOPMENT

3.1. Visual Impact Assessments viewpoint locations

Visual Impact Assessments from 15 viewpoint locations – from no.8, Lauderdale Avenue, Fairlight.

3.1.1. Method of Assessment

In order to allow a quantitative assessment of the visual impact from locations where view impact and view loss is experienced, a Canon EOS Full Frame Digital Camera with fixed focal length 50mm lens was used to take all viewpoint photos, at an eye level of 1600mm.

The photos include location descriptions, to be read in conjunction with the site map, contained in Appendix A. Additionally, information is supplied as to the distance from the site boundary for each location and the distance to the closest built form.

To assess the visual impact, there are 2 relevant aspects - view loss of actual substance (landscape, middle and distance view elements etc.) and also direct sky view loss. To a large extent, the value associated with a view is subjective, although a range of relative values can be assigned to assist with comparing views. Figure 9 is a scale of values from 0 to 15, used to allow a numeric value to be given to a particular view, for the purposes of comparison.

On the same table are a series of values, from zero to 15, that reflect the amount of visual impact.

The second means of assessment relates to assigning a qualitative value to the existing view, based on criteria of visual quality defined in the table – see figure 9.

The % visual content is then assessed, together with a visual assessment of the new development's ability to blend into the existing surroundings.

TENACITY / SCALE / VALUE		VISUAL IMPACT	VISUAL QUALITY
NIL	0	NEGLIGIBLE	No negative impact on the pre-existing visual quality of the view	N/A
NEGLIBLE	1	LOW	A minor negative impact on the pre-existing visual quality of the view Examples: minor impact on natural landscapes no impact on iconic views impact on small number of receivers significant distance between the development and receiver	Predominant presence of low quality man made features Minimal views of natural formations (e.g. cliffs, mountains, coastlines, waterways, ridges etc.) Uniformity of land forms
	2			
	3			
MINOR	4			
	5			
	6	MEDIUM	A medium negative impact on the pre-existing visual quality of the view Examples: moderate impact on iconic views or natural landscapes impact on moderate number of receivers located nearby the receiver	Presence of some natural features mixed with manmade features Some views of distinct natural formations (e.g. cliffs, mountains, coastlines, waterways, ridges etc.)
MODERATE	7			
	8			
	9			
SEVERE	10	HIGH	A high negative impact on the pre-existing visual quality of a view Examples: loss of iconic vie impact on significant number of receivers owershadowing effect directly adjacent the receiver	Predominantly natural features Minimal manmade features, however if present of a high architectural standard Significant views of distinct natural formations (e.g. cliffs, mountains, coastlines, waterways, ridges etc.) Presence of iconic regional views of landmark features
	11			
	12			
DEVASTATING	13			
	14			
	15			

Figure 9: Urbaine Group Assessment Table

3.1.2. Assessment at selected viewpoints

VIEWPOINT 01

Existing site photo - Unit 7 - 8 Lauderdale Avenue

From standing position on the rooftop living area facing south
RL + 27.47m
Distance to boundary - 30.79m

Photomontage of Proposal

Visual Impact in cyan with red outline, view gain in yellow with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 83%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 100% : 0%*
- *Existing Visual Assessment Scale no: 12 /15 & Visual Impact Assessment Scale no: 10 /15*

This is a static, private view from Unit 7 of 8 Lauderdale Avenue, south facing balcony, 1m back from the balustrade at standing height, facing due south towards the subject site at no.5 Lauderdale Avenue.

The foreground includes the residences along the southern side of Lauderdale Avenue and the rooftop of the subject site with large Norfolk pine bisecting the view to the harbour and multi residence apartment to the eastern side which is of a higher vertical aspect in relation to the adjacent parallel residential dwellings positioned on the same street. A wide expanse of water is visible on both sides of the large mature pine tree. To the west, the land water interface of Reef Beach and various anchored sailing vessels are observed, adjacent to Forty Baskets Beach, with the Dobroyd Head landform rising up behind, to the south. In the background, to the east of the trees, panoramic views over the harbour include the northern tip of Watsons Bay, South Head and Vaucluse.

The visual impact of the proposal will result in loss of a large area of the water element of North Harbour and a reduction in the quality of elements in the view, from natural, landscaped elements to a hard bulk and scale of the flat rooftop of the new proposal.

Tenacity Assessment Summary:

- *Value of view: High*
- *View location: Outdoor Living Area - Primary living area*
- *Extent of impact: Moderate-to-Severe*

Reasonableness of proposal: The non-compliant upper-level mass of the proposal sits directly in front of this viewpoint, removing visual access to a significant area of the water view. As a result of the unreasonable proposal, a more skilful design should be submitted to reduce the visual impact and adhere to the Council's guidelines for view-sharing.

VIEWPOINT 02

Existing site photo - Unit 6 - 8 Lauderdale Avenue

From standing position in the kitchen, facing south.
RL + 24.57m
Distance to boundary - 34.44m

Photomontage of Proposal

Visual Impact in cyan with red outline, view gain in yellow with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 79%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 100% : 10%*
- *Existing Visual Assessment Scale no: 11 /15 & Visual Impact Assessment Scale no: 9/15*

This is a static, private internal viewpoint from unit 6 of no. 8 Lauderdale Ave, looking due south towards the subject site from a standing position in the kitchen, 1m back from the glazing.

The view looks south, towards the subject site, across large mature trees in the mid-ground, which rise above the horizon line, intersecting the distant view. To the south, the distant view opens up to show the water of Sydney Harbour, with a glimpse of Vaucluse, then over the roof tops of the subject site to North Harbour and over to the land / water interface of Reef Beach and the rising topography towards Dobroyd Head. The view is terminated, to the west, by the neighbouring residential flat building and the large trees along Lauderdale Avenue.

The view loss and visual impact, caused by the new proposal, removes a significant portion of the water element of North Harbour. The effect on the visual impact is the removal of softer, landscape and natural elements filtering the view, to an increase in bulk and scale and replacement with harder man-made elements.

Tenacity Assessment Summary:

- *Value of view: High*
- *View location: Kitchen - Primary living area*
- *Extent of impact: Moderate-to-Severe*

Reasonableness of proposal: This proposal ignores the view-sharing requirements in addition to being non-compliant in its height. On these grounds it is deemed unreasonable. A more skilful design could reduce the impact and adhere to the Council's guidelines for view-sharing

VIEWPOINT 03

Existing site photo - Unit 6 - 8 Lauderdale Avenue

From seated position in the outdoor dining area
RL + 24.21m
Distance to boundary - 32.54m

Photomontage of Proposal

Visual Impact in cyan with red outline, view gain in yellow with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 84%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 100% : 0%*
- *Existing Visual Assessment Scale no: 12 /15 & Visual Impact Assessment Scale no: 9 /15*

This is a static, private external viewpoint from unit 6 of no. 8 Lauderdale Ave, looking due south towards the subject site from a seated position.

The view looks south towards the subject site to local large mature trees in the mid ground which pop up above the horizon line intersecting the view. To the east the view is the unseen high-rise of No.1 Lauderdale Ave and as the view moves south, the distant view opens up to show the Harbour Entrance and South Head and to the west of the Norfolk Pine, the water of North Harbour with a glimpse of Vaucluse in the far distance, then over the roof tops of the subject site to the land / water interface of Reef Beach, the headland of Sydney Harbour National Park and the rising topography of Dobroyd Head. The view terminates with palm fronds and the filtered view of North Balgowlah.

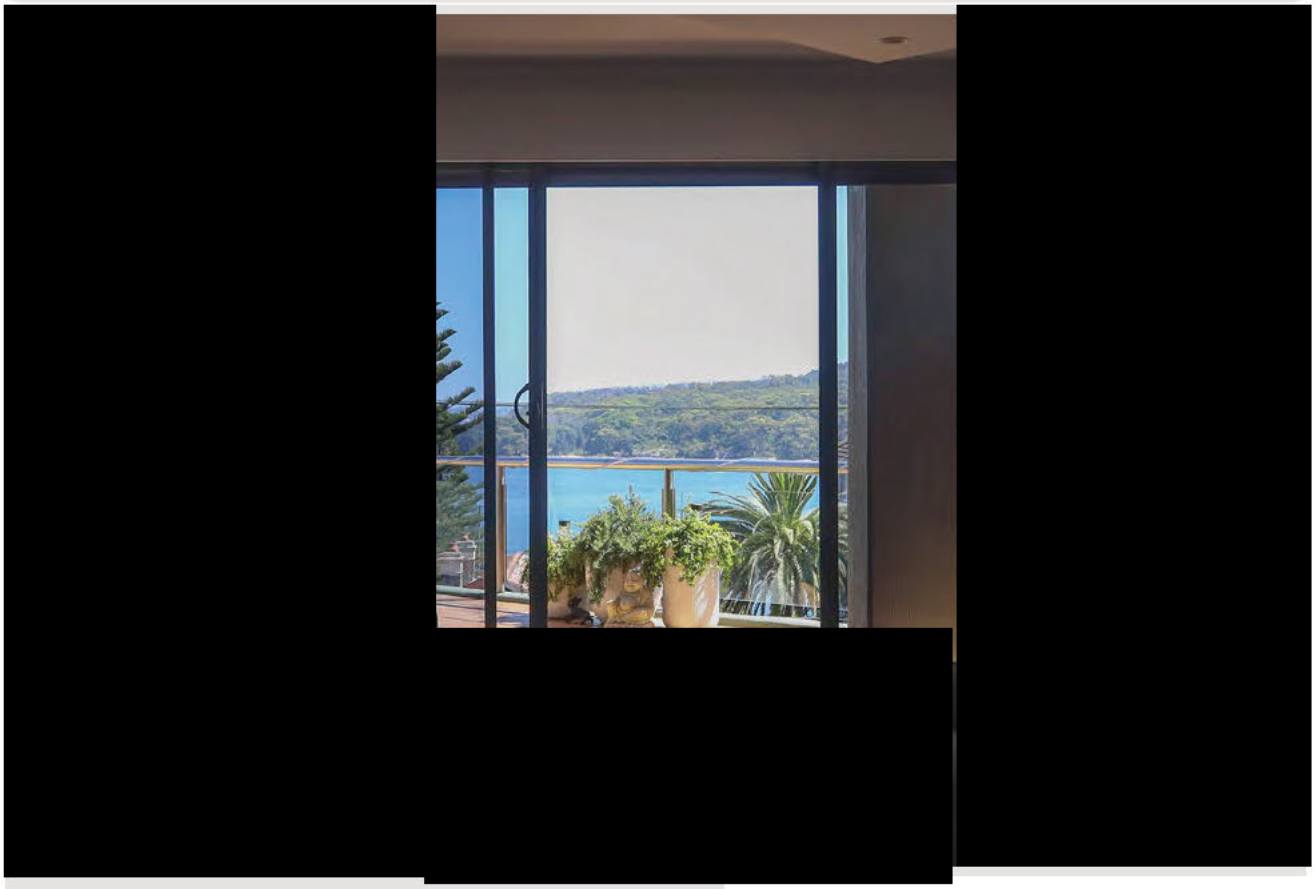
The view loss from the proposal removes a portion of the water element views of North Harbour, land water interface along Reef Beach and Dobroyd Headland background view. The effect on the visual impact is the removal of softer structures, natural elements and what could be considered a leafy view to the large pines and palms and an increase in bulk and scale of man-made elements, significantly reducing the quality of view.

Tenacity Assessment Summary:

- *Value of view: High*
- *View location: Outdoor Dining - Primary living area*
- *Extent of impact: Moderate-to-Severe*

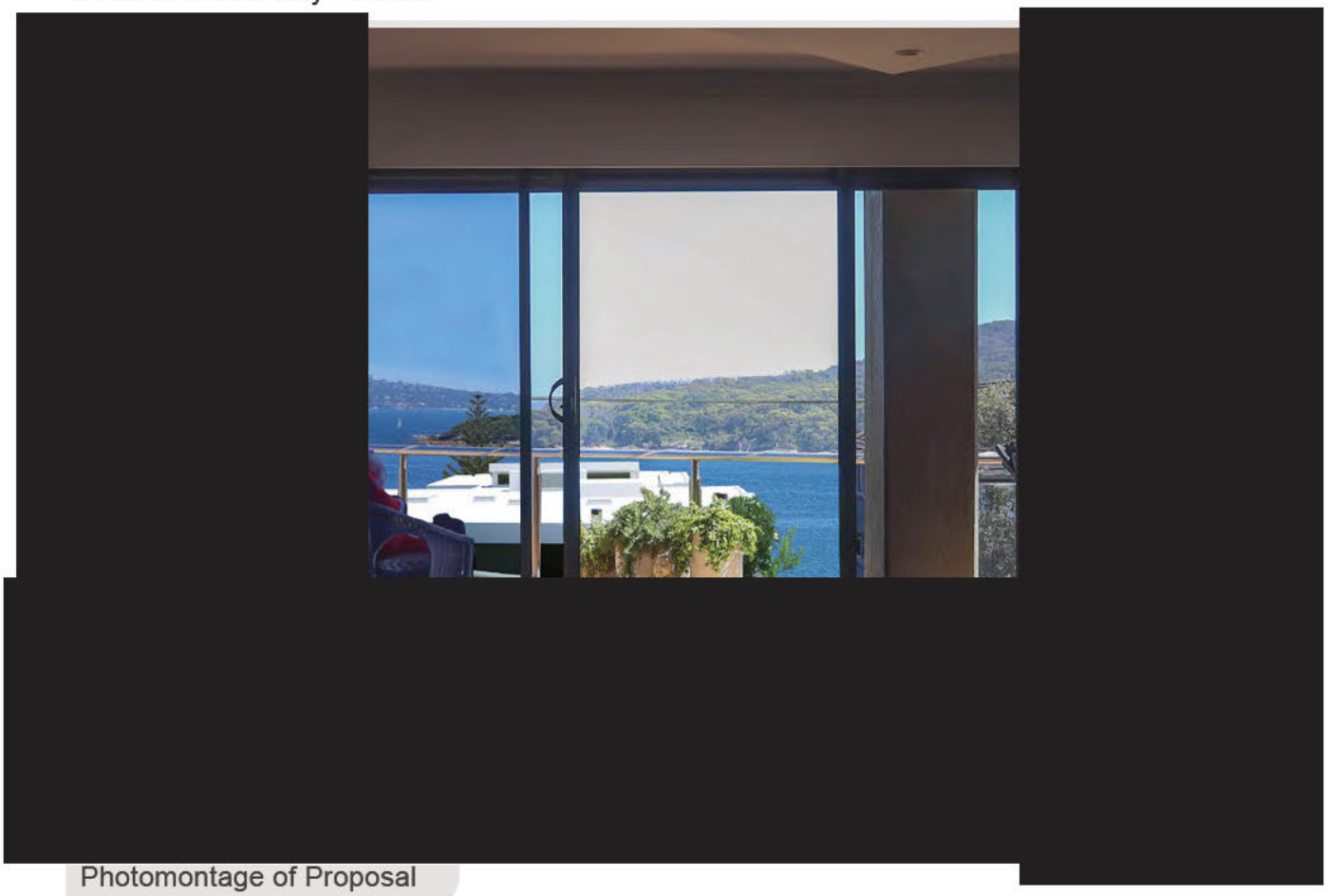
Reasonableness of proposal: This proposal ignores the view-sharing requirements in addition to being non-compliant in its height. On these grounds it is deemed unreasonable, a more skilful design could reduce the impact and adhere to the Council's guidelines for view-sharing.

VIEWPOINT 04

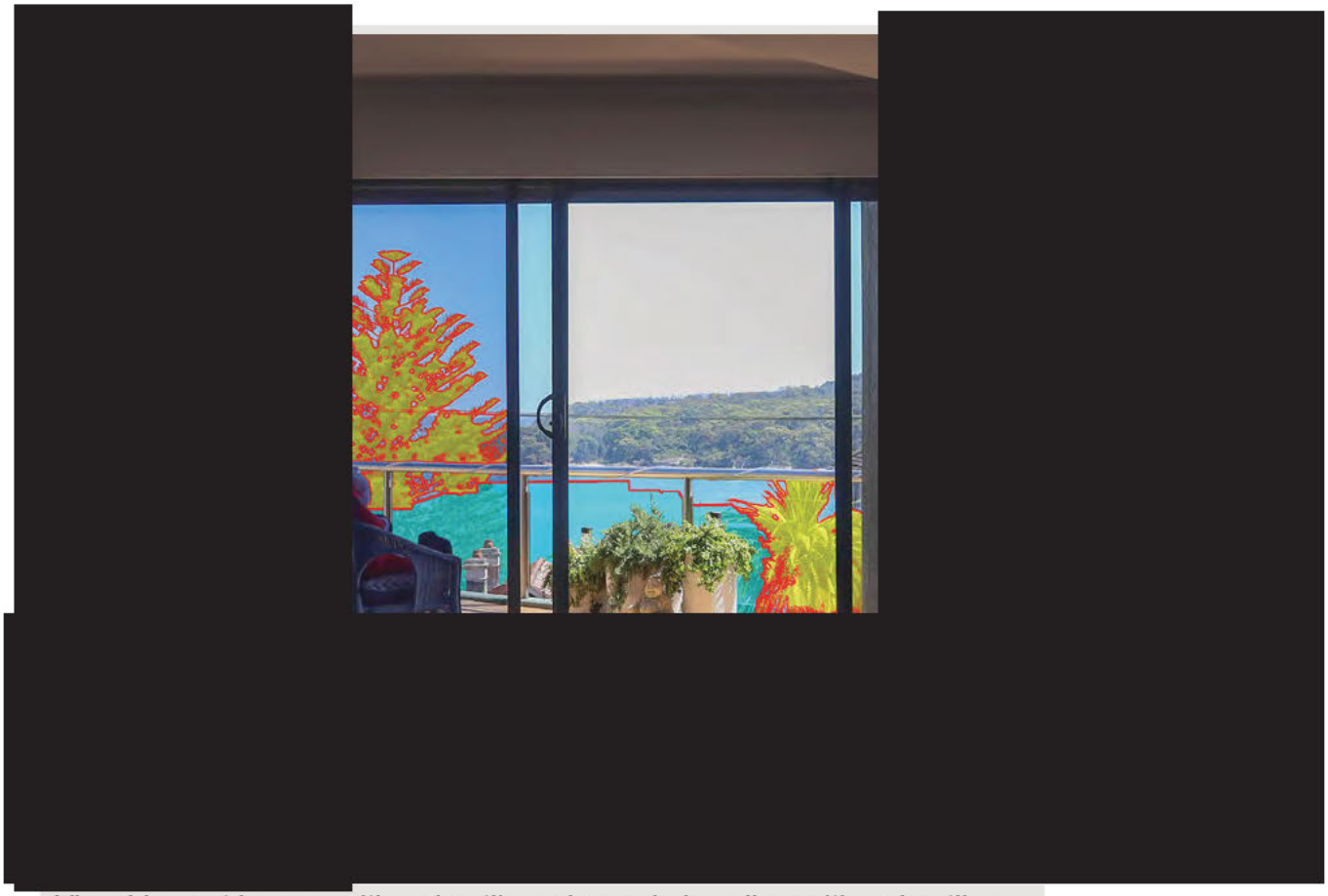


Existing site photo - Unit 6 - 8 Lauderdale Avenue

From standing position in the central lounge area facing south
RL + 24.19m
Distance to boundary - 37.31m



Photomontage of Proposal



Visual Impact in cyan with red outline, view gain in yellow with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 23%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 100% : 0%*
- *Existing Visual Assessment Scale no: 9 /15 & Visual Impact Assessment Scale no: 10 /15*

This is a static, private internal viewpoint from unit 6 of no. 8 Lauderdale Ave, looking due south towards the subject site from a seated position.

The view looks south towards the subject site to the water of North Harbour and land water interface of Reef Beach and rising topography of Dobroyd Head. The view terminates to the west with palm fronds and the tops of the roofs of neighbouring properties and to the east the view is terminated by large mature trees in the mid-ground which rise above the horizon line

The view loss from the proposal removes a portion of the water element views of North Harbour. The effect on the visual impact is the removal of water view and softer structures, natural elements and view to the large pines and palms and replacement with an increase in bulk and scale of man-made roof and reduction in the quality of the view.

Tenacity Assessment Summary:

- *Value of view: High*
- *View location: Lounge area - Primary living area*
- *Extent of impact: Moderate-to-Severe*

Reasonableness of proposal: The upper level mass of the proposal sits directly in front of the viewpoint, removing visual access to high value elements. The current proposal cannot be deemed to satisfy the Council's requirements for view-sharing and a more skilful design could reduce the impact and adhere to the statutory guidelines.

VIEWPOINT 05

Existing site photo - Unit 5 - 8 Lauderdale Avenue

From standing position on the outdoor uncovered deck area facing south
RL + 24.61m
Distance to boundary - 31.53m

Photomontage of Proposal

Visual Impact in cyan with red outline, view gain in yellow with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 79%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 100% : 0%*
- *Existing Visual Assessment Scale no: 11 /15 & Visual Impact Assessment Scale no: 10 /15*

This is a static, private view from the balcony of unit 5 of no. 8 Lauderdale Avenue, 1m from the south east facing deck at standing height facing south.

The view looks south towards the subject site across the road to the residences, rooftops and trees on the southern side of Lauderdale Avenue which rise up above the horizon line. The longer range view elements are bisected by the large Norfolk Pine and Palm Tree. As the view looks east North Head and the harbour entrance are visible past the mature tree which breaks the skyline, then North Harbour over to Watsons Bay and Vaucluse. To the west of the Norfolk Pine over the existing pitched roof on the subject site, the view consists of North Harbour and over to the land / water interface of Reef Beach, the headland of Sydney Harbour National Park, with Dobroyd Head in the middle distance and Eastern suburbs in the far distance. The distant view is framed by the increased height of apartments to the west and trees along Lauderdale Avenue.

The view loss from the proposal removes a portion of the water element views of North Harbour. The effect on the visual impact is the removal of softer structures and natural elements filtering the view and replacement with an increase in bulk and scale of man-made elements, reducing the quality of the view.

Tenacity Assessment Summary:

- *Value of view: High*
- *View location: External Balcony - Secondary living area*
- *Extent of impact: Moderate-to-Severe*

Reasonableness of proposal: This proposal ignores the view-sharing requirements in addition to being non-compliant in its height. On these grounds it is deemed unreasonable, a more skilful design could reduce the impact and adhere to the Council's guidelines for view-sharing.

VIEWPOINT 06

Existing site photo - Unit 5 - 8 Lauderdale Avenue

From standing position in the internal lounge area facing south
RL + 24.18m
Distance to boundary - 37.93m

Photomontage of Proposal

Visual Impact in cyan with red outline, view gain in yellow with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 16%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 100% : 0%*
- *Existing Visual Assessment Scale no: 12 /15 & Visual Impact Assessment Scale no: 9 /15*

This is a static, private internal viewpoint from unit 5 of no. 8 Lauderdale Ave, looking due south towards the subject site from a seated position.

The view looks south towards the subject site and over to the water of North Harbour. Local large mature trees pop up above the horizon line intersecting the view. To the east in the distance North Head and the harbour entrance are visible, to the south Watsons Bay and Vaucluse and over the chimney tops of the subject site North Harbour and over to the land water interface of Reef Beach, the headland of Sydney Harbour National Park and the rising topography of Dobroyd Head. The view is terminated by the dividing wall of the neighbouring unit.

The view loss from the proposal removes a portion of the water element views of North Harbour, land water interface along Reef Beach and Dobroyd Head and background view. The effect on the visual impact is an the removal of softer structures and natural elements filtering the view and replacement with an increase in bulk and scale of man-made elements, reducing the quality of the view.

Tenacity Assessment Summary:

- *Value of view: High*
- *View location: Lounge area - Primary living area*
- *Extent of impact: Moderate.*

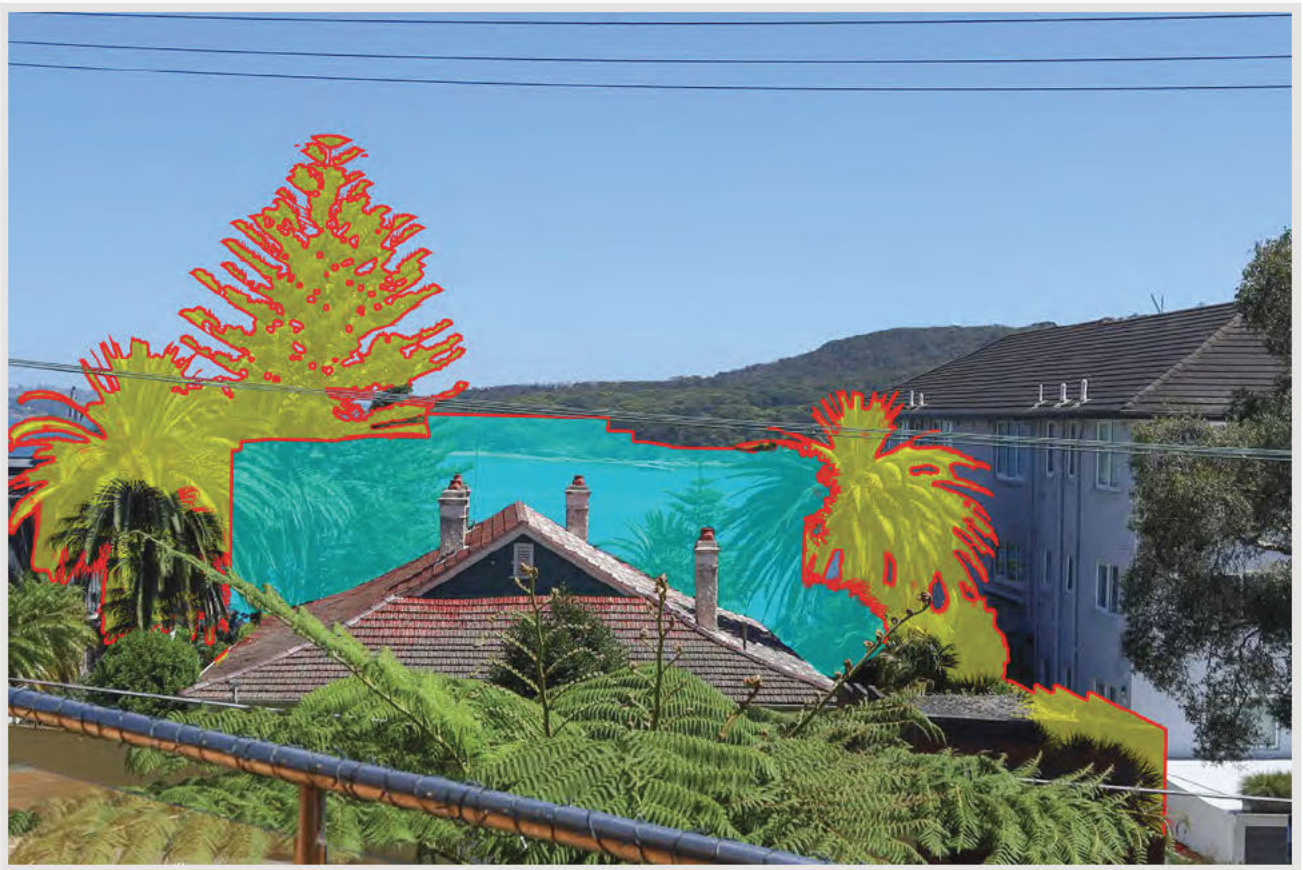
Reasonableness of proposal: This proposal ignores the view-sharing requirements in addition to being non-compliant in its height. On these grounds it is deemed unreasonable, a more skilful design could reduce the impact and adhere to the Council's guidelines for view-sharing.

VIEWPOINT 07

Existing site photo - Unit 4 - 8 Lauderdale Avenue

From standing position in the kitchen facing south
RL + 21.81m
Distance to boundary - 28.22m

Photomontage of Proposal



Visual Impact in cyan with red outline, view gain in yellow with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 71%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 100% : 0%*
- *Existing Visual Assessment Scale no: 10 /15 & Visual Impact Assessment Scale no: 12 /15*

This is a static, private internal view from unit 4 of no. 8 Lauderdale Avenue, looking due south towards the subject site at 1m from the glazing line at standing height in the kitchen.

The viewpoints looks out through the kitchen windows to the balcony patio and across the road to the residences and trees on the southern side of Lauderdale Avenue which rise up above the horizon line. Two view corridors open up, one over the easterly neighbour revealing harbour water and Watson's Bay and the other over the pitched roof of the subject site, framed by the increased height of apartments to the west, with a small section of North Harbour and over to the land water interface of Reef Beach and Dobroyd Head in the distance.

The view loss from the proposal removes a portion of the water element views of North Harbour, land water interface along Reef Beach and Dobroyd Head and background view. The effect on the visual impact is the removal of softer structures and natural elements filtering the view and replacement with an increase in bulk and scale of man-made elements, reducing the quality of view.

Tenacity Assessment Summary:

- *Value of view: High*
- *View location: Kitchen - Primary living area*
- *Extent of impact: Severe*

Reasonableness of proposal: This proposal ignores the view-sharing requirements in addition to being non-compliant in its height. On these grounds it is deemed unreasonable, a more skilful design could reduce the impact and adhere to the Council's guidelines for view-sharing.

VIEWPOINT 08

Existing site photo - Unit 4 - 8 Lauderdale Avenue

From seated position in the lounge facing south
RL + 21.28m
Distance to boundary - 30.30m

Photomontage of Proposal

Visual Impact in cyan with red outline, view gain in yellow with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 68%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 100% : 0%*
- *Existing Visual Assessment Scale no: 10 /15 & Visual Impact Assessment Scale no: 12 /15*

This is a static, private internal viewpoint from unit 4 at no. 8 Lauderdale Ave, from seated position looking due south towards the subject site at no. 5 Lauderdale Avenue.

The viewpoint looks out through the lounge room windows to the balcony patio and across the road to the residences and large mature trees on the southern side of Lauderdale Avenue which rise up above the horizon line. Two view corridors open up, one over the easterly neighbour revealing harbour water and Watson's Bay and the other over the pitched roof of the subject site, framed by the increased height of apartments to the west, with a small section of North Harbour and over to the land water interface of Reef Beach and Dobroyd Head in the distance.

The view loss from the proposal removes a portion of the water element views of North Harbour, land water interface along Reef Beach and Dobroyd Head and background view. The effect on the visual impact is the removal of softer structures and natural elements filtering the view and replacement with an increase in bulk and scale of man-made elements, reducing the quality of view.

Tenacity Assessment Summary:

- *Value of view: High*
- *View location: Lounge area - Primary living area*
- *Extent of impact: Severe*

Reasonableness of proposal: This proposal ignores the view-sharing requirements in addition to being non-compliant in its height. On these grounds it is deemed unreasonable, a more skilful design could reduce the impact and adhere to the Council's guidelines for view-sharing.

VIEWPOINT 09

Existing site photo - Unit 4 - 8 Lauderdale Avenue

From standing position in the master bedroom facing south
RL + 21.72m
Distance to boundary - 30.18m

Photomontage of Proposal

Visual Impact in cyan with red outline, view gain in yellow with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 89%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 100% : 0%*
- *Existing Visual Assessment Scale no: 10 /15 & Visual Impact Assessment Scale no: 12 /15*

This is a static, private internal master bedroom view from unit 4 of 8 Lauderdale Ave, 1m from the glazing at standing height, looking south towards the subject site at no. 5 Lauderdale Avenue.

The viewpoint looks out through windows to the balcony patio and across the road to the residences and trees on the southern side of Lauderdale Avenue which rise up above the horizon line. The view is split by the large Norfolk Pine and Palm Tree and two view corridors open up, one over the easterly neighbour revealing harbour water and Watsons Bay and the other over the pitched roof of the subject site, framed by the increased height of apartments to the west, with a small section of North Harbour and over to the land water interface of Reef Beach and Dobroyd Head in the distance.

The view loss from the proposal removes a portion of the water element views of North Harbour, land water interface along Reef Beach and Dobroyd Head and background view. The effect on the visual impact is the removal of softer structures and natural elements filtering the view and replacement with an increase in bulk and scale of man-made elements, reducing the quality of view.

Tenacity Assessment Summary:

- *Value of view: High*
- *View location: Master Bedroom - Primary living area*
- *Extent of impact: Severe*

Reasonableness of proposal: This proposal ignores the view-sharing requirements in addition to being non-compliant in its height. On these grounds it is deemed unreasonable, a more skilful design could reduce the impact and adhere to the Council's guidelines for view-sharing.

VIEWPOINT 10

Existing site photo - Unit 3 - 8 Lauderdale Avenue

From standing position in the living room facing south
RL + 21.32m
Distance to boundary - 32.64m

Photomontage of Proposal

Visual Impact in cyan with red outline, view gain in yellow with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 72%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 97% : 3%*
- *Existing Visual Assessment Scale no: 10 /15 & Visual Impact Assessment Scale no: 13 /15*

This is a static, private view from the internal lounge area of the dwelling unit 3 of no.8 Lauderdale Avenue at seated height and looking due south towards the subject site at no.5 Lauderdale Avenue.

The viewpoint looks out through windows to the balcony patio and across the unseen road to the roof tops and trees on the southern side of Lauderdale Avenue which rise up above the horizon line. The view is split by the large Norfolk Pine and Palm Tree and two view corridors open up, one over the easterly neighbour revealing harbour water and Watson's Bay and the other over the pitched roof of the subject site, framed by the increased height of apartments to the west, with a small section of North Harbour and over to the land water interface of Reef Beach and Dobroyd Head in the distance.

The view loss from the proposal removes the view corridor to the water element views of North Harbour, land water interface and any background view of the Eastern Suburbs. The effect on the visual impact is the removal of softer structures, natural elements and what could be considered a leafy overall outlook to the large pines and palms and an increase in bulk and scale of man-made elements.

Tenacity Assessment Summary:

- *Value of view: High*
- *View location: Lounge area - Primary living area*
- *Extent of impact: Severe-to-Devastating*

Reasonableness of proposal: This proposal ignores the view-sharing requirements in addition to being non-compliant in its height. On these grounds it is deemed unreasonable, a more skilful design could reduce the impact and adhere to the Council's guidelines for view-sharing.

VIEWPOINT 11

Existing site photo - Unit 3 - 8 Lauderdale Avenue

From standing position in the kitchen
RL + 21.81m
Distance to boundary - 30.12m

Photomontage of Proposal

Visual Impact in cyan with red outline, view gain in yellow with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 96%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 100% : 0%*
- *Existing Visual Assessment Scale no: 10 /15 & Visual Impact Assessment Scale no: 13 /15*

This is a static, private internal view from the kitchen window of unit 3 of no.8 Lauderdale Avenue looking due south towards the subject site at no. 5 Lauderdale Avenue.

The view looks southwest towards the subject dwelling beyond the structural balcony boundary and across the road to the residences and trees on the southern side of Lauderdale Avenue which rise up above the horizon line. The view is split by the large Norfolk Pine and Palm Tree and two view corridors open up, one over the easterly neighbour revealing glimpses of Harbour entrance, North Head and the other over the pitched roof of the subject site, framed by the increased height of apartments to the west showing a small section of North Harbour and over to the land water interface of Reef Beach and Dobroyd Head in the distance and Eastern Suburbs in the far distance.

The view loss from the proposal removes the view corridor to the water element views of North Harbour, land water interface and any background view of the Eastern Suburbs. The effect on the visual impact is the removal of softer structures, natural elements and what could be considered a leafy overall outlook, to the large pines and palms and an increase in bulk and scale of man-made elements.

Tenacity Assessment Summary:

- *Value of view: High*
- *View location: Kitchen - Primary living area*
- *Extent of impact: Severe-to-Devastating.*

Reasonableness of proposal: This proposal ignores the view-sharing requirements in addition to being non-compliant in its height. On these grounds it is deemed unreasonable, a more skilful design could reduce the impact and adhere to the Council's guidelines for view-sharing.

VIEWPOINT 12

Existing site photo - Unit 2 - 8 Lauderdale Avenue

From standing position in the kitchen, facing south.
RL + 19.06m
Distance to boundary - 28.21m

Photomontage of Proposal

Visual Impact in cyan with red outline, view gain in yellow with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 47%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 62% : 38%*
- *Existing Visual Assessment Scale no: 8 /15 & Visual Impact Assessment Scale no: 11/15*

This is a static, private kitchen from the dwelling of unit 2 at no.8 Lauderdale Avenue at standing height looking south, towards the subject site.

The viewpoint looks out through the kitchen windows and across the balcony patio, extending the entire length of the view. Various landscaping from the front yard fills the mid-ground with the residences and trees on the southern side of Lauderdale Avenue behind. A view corridor opens up over the pitched roof of the subject site, framed by the increased height of apartments to the west, with a small section of North Harbour and over to the land water interface of Reef Beach and Dobroyd Head in the distance.

The view loss from the proposal removes the view corridor to the water element views of North Harbour, land water interface and Dobryd Head. The effect on the visual impact is the removal of softer, natural elements and what could be considered a leafy outlook towards the large pines and palms and an increase in bulk and scale of man-made elements.

Tenacity Assessment Summary:

- *Value of view: High*
- *View location: Kitchen - Primary living area*
- *Extent of impact: Severe*

Reasonableness of proposal: This proposal ignores the view-sharing requirements in addition to being non-compliant in its height. On these grounds it is deemed unreasonable, a more skilful design could reduce the impact and adhere to the Council's guidelines for view-sharing.

VIEWPOINT 13

Existing site photo - Unit 2 - 8 Lauderdale Avenue

From standing position on ground floor external balcony- southern boundary.
RL + 19.07m
Distance to boundary - 29.03m

Photomontage of Proposal

Visual Impact in cyan with red outline, view gain in yellow with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 34%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 53% : 47%*
- *Existing Visual Assessment Scale no: 8 /15 & Visual Impact Assessment Scale no: 11 /15*

This is a static, private internal view from the balcony 1m back from the balustrade of the dwelling at Unit 2, of no.8 Lauderdale Avenue looking due south towards the subject site.

The viewpoint looks over the various landscaping from the front yard which fills the foreground with the residences and trees on the southern side of tree-lined Lauderdale Avenue behind in the mid-ground, with 2 storey houses at nos.3A and 3B, to the east and multi-residence apartments on the western boundary, creating the bulk of the skyline. A view corridor opens up over the pitched roof of the subject site, framed by the increased height of apartments to the west, with a small section of North Harbour and over to the land water interface of Reef Beach and Dobroyd Head rising up behind in the distance.

The view loss from the proposal removes the view corridor to the water element views of North Harbour, land water interface and background view. Any view gain by the removal of trees is sky. The visual impact is an increase in bulk and scale and removal of softer structures and natural elements.

Tenacity Assessment Summary:

- *Value of view: Moderate-High*
- *View location: Covered balcony - Secondary living area*
- *Extent of impact: Severe*

Reasonableness of proposal: This proposal ignores the view-sharing requirements in addition to being non-compliant in its height. On these grounds it is deemed unreasonable, a more skilful design could reduce the impact and adhere to the Council's guidelines for view-sharing.

VIEWPOINT 14

Existing site photo - Unit 1 - 8 Lauderdale Avenue

From standing position on the ground floor balcony.
RL + 19.11m
Distance to boundary - 30.13m

Photomontage of Proposal

Visual Impact in cyan with red outline, view gain in yellow with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 61%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 66% : 34%*
- *Existing Visual Assessment Scale no: 10 /15 & Visual Impact Assessment Scale no: 11 /15*

This is a static, private view from the ground floor balcony of unit 1, No.8 Lauderdale Avenue, 1m from the balustrade at standing height, and looking south west to the subject site.

The foreground shows the handrail of the balcony, encompassed on all sides by mature landscaping belonging to the front yard of No.8. The western and eastern midground shows other landscaping, of varying heights, which conceals much of the far distant views and the large pines on and beyond the subject site. The view looks out over the roof structures of the subject dwelling to reveal a background view over North Harbour to the land water interface of Reef Beach and Dobroyd Head. In the far distant skyline the tops of the eastern suburbs can be seen.

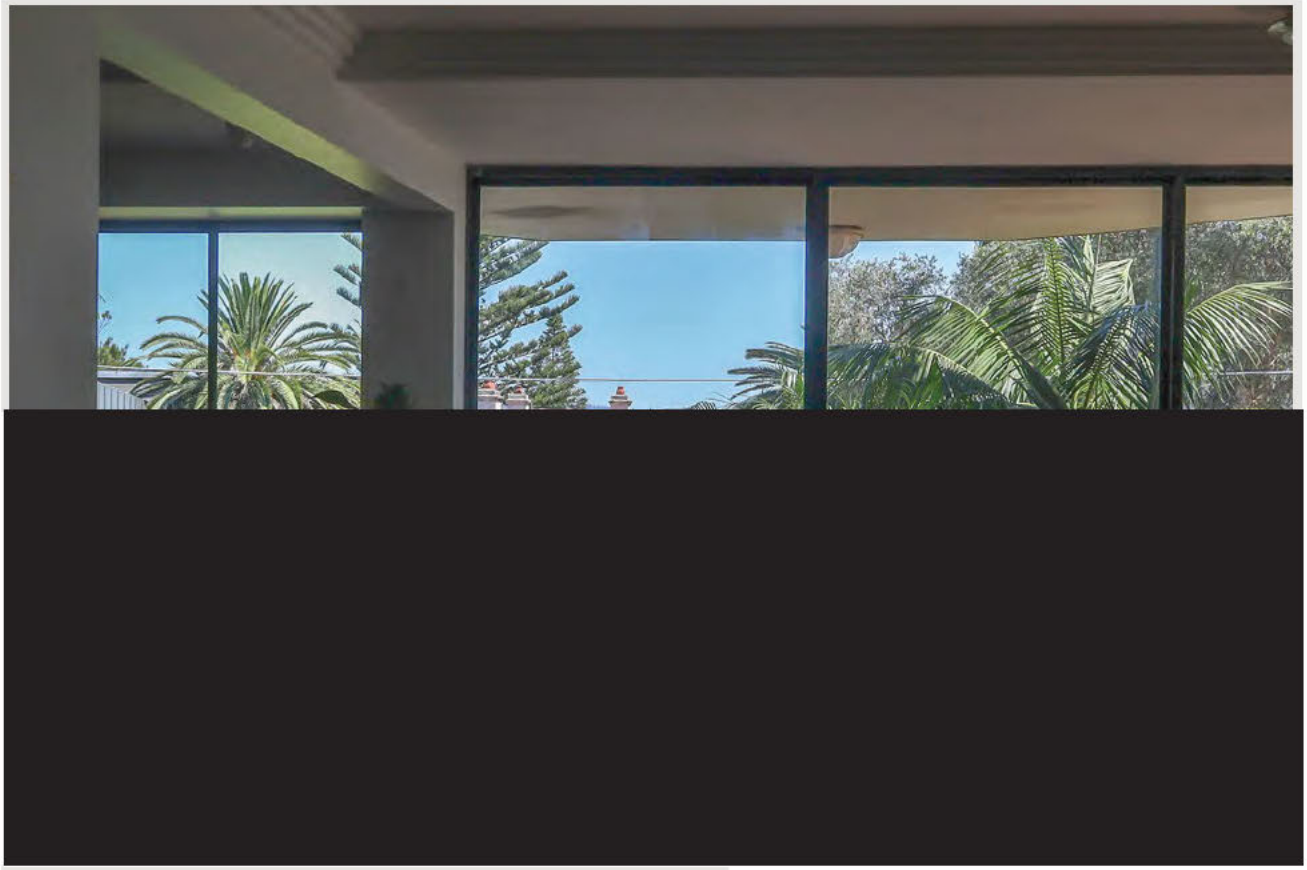
The impact of the proposal will result in both central view loss of water, mid-ground land water interface and far distance view. The view gain is primarily to sky with mid ground gain along the boundary, though as planting matures the view corridor would likely reduce. The visual impact is the increase in bulk and scale and the removal of softer, landscape elements that filter the view.

Tenacity Assessment Summary:

- *Value of view: Medium - High*
- *View location: Kitchen - primary living space.*
- *Extent of impact: Moderate-to-Severe*

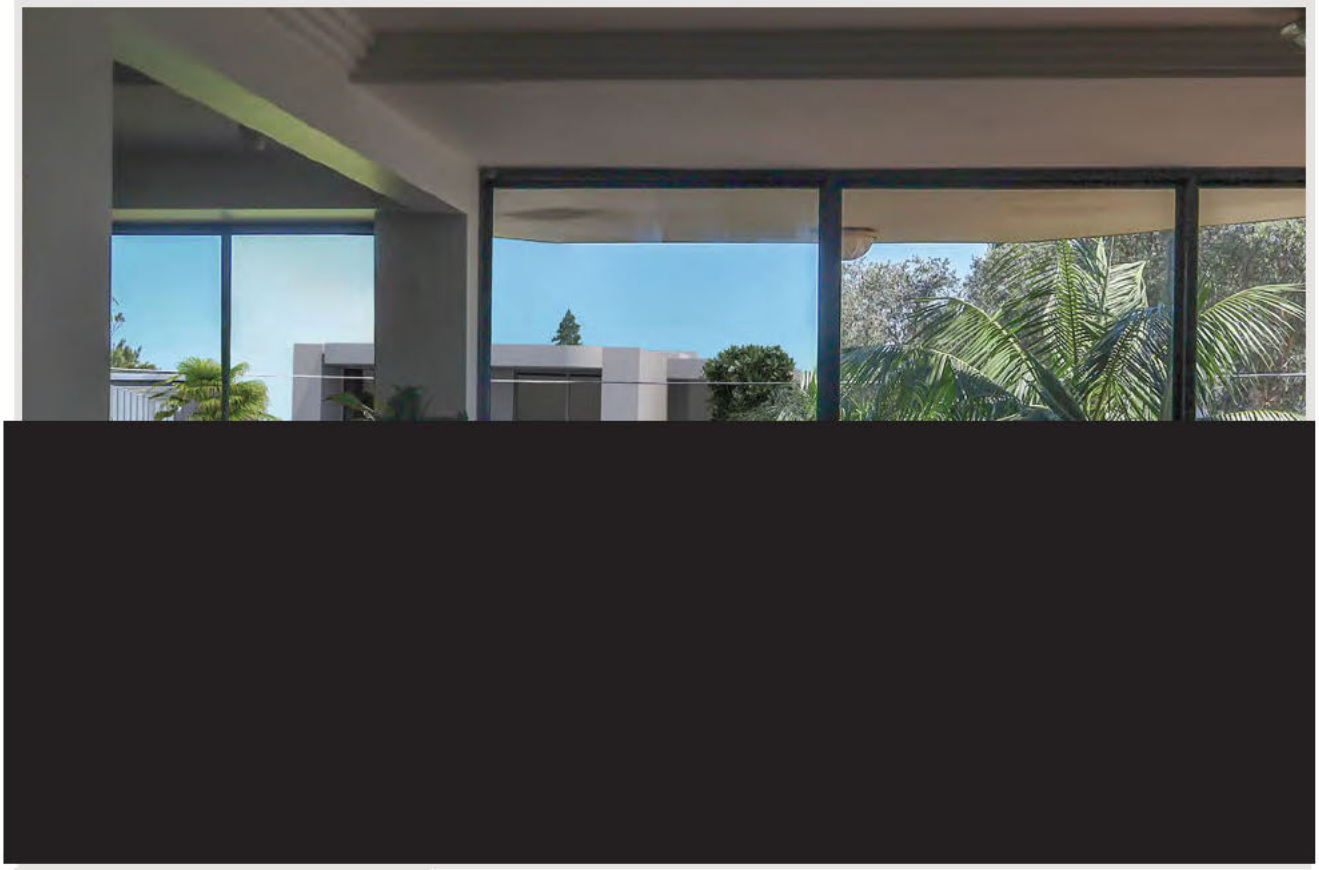
Reasonableness of proposal: This proposal ignores the view-sharing requirements in addition to being non-compliant in its height. On these grounds it is deemed unreasonable, a more skilful design could reduce the impact and adhere to the Council's guidelines for view-sharing.

VIEWPOINT 15

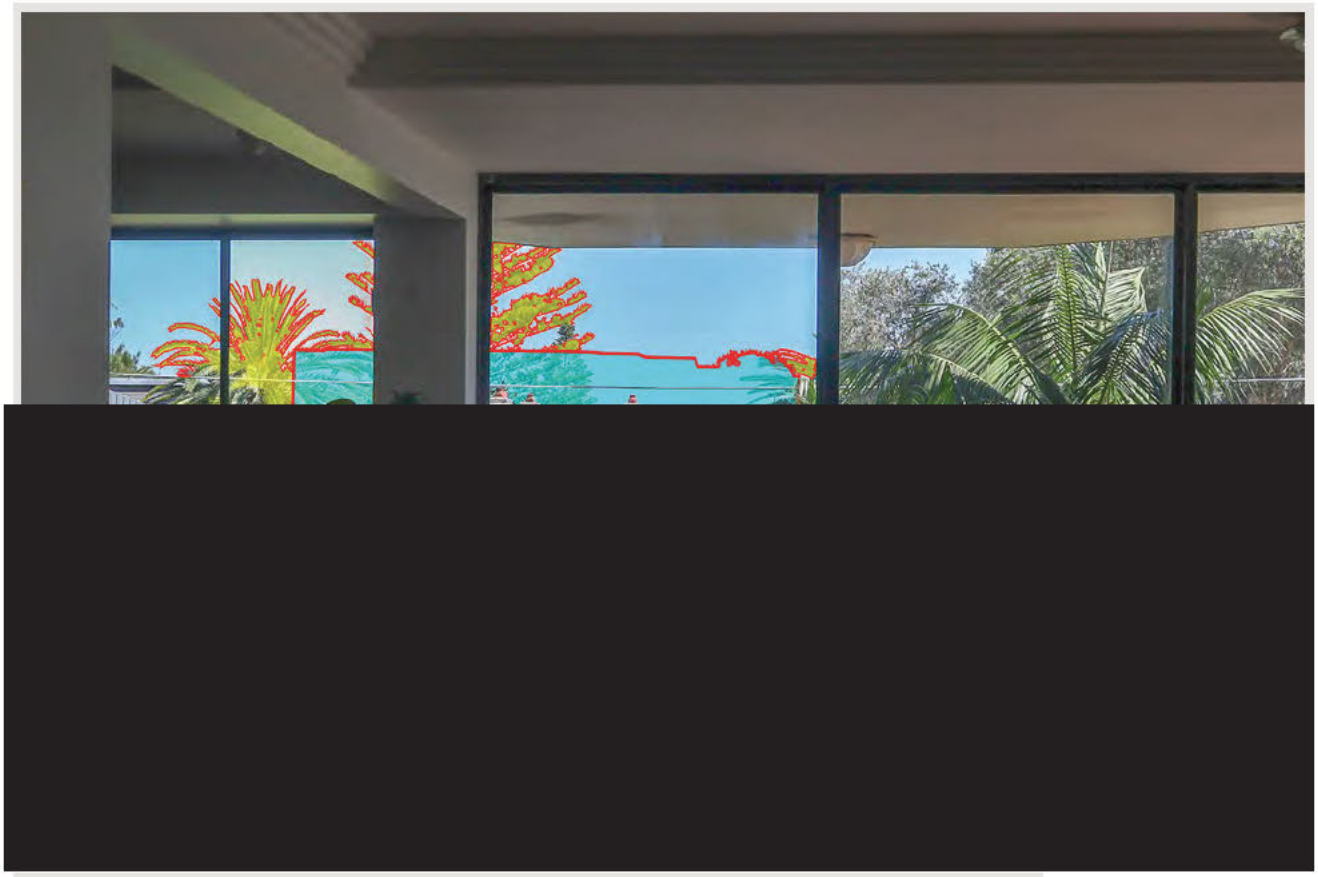


Existing site photo - Unit 1 - 8 Lauderdale Avenue

From standing height within the ground floor living room.
RL + 18.98m
Distance to boundary - 34.80m



Photomontage of Proposal



Visual Impact in cyan with red outline, view gain in yellow with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 68%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 62% : 38%*
- *Existing Visual Assessment Scale no: 8 /15 & Visual Impact Assessment Scale no: 12 /15*

This is a static, private internal lounge room view of the dwelling at Unit 1, no.8 Lauderdale Avenue at standing height looking due south towards the subject site.

The viewpoint looks out through the lounge room with internal wall opening through to the kitchen area to the balcony patio, extending the entire length of the view. The various landscaping from the front yard fills the western side of the mid-ground with filtered views of water and the viewpoint looks east to the residences and trees on the southern side of Lauderdale Avenue. A view corridor opens up over the pitched roof of the subject site to a glimpse of North Harbour and over to the land water interface of Reef Beach and Dobroyd Head. In the far distant skyline the tops of the eastern suburbs can be seen.

The view loss from the proposal removes the view corridor to the water element views of North Harbour, land water interface and background view. Any view gain by the removal of trees is sky. The visual impact is an increase in bulk and scale and removal of softer structures and natural elements.

Tenacity Assessment Summary:

- *Value of view: Moderate-High*
- *View location: Living room - primary living space.*
- *Extent of impact: Severe*

Reasonableness of proposal: This proposal ignores the view-sharing requirements in addition to being non-compliant in its height. On these grounds it is deemed unreasonable, a more skilful design could reduce the impact and adhere to the Council's guidelines for view-sharing.

4. SUMMARY ASSESSMENT

This Visual Impact Assessment from Urbaine Design seeks to provide an objective approach to the likely visual impact on the residents of 8 Lauderdale Avenue from the development proposal at 5 Lauderdale Avenue, Fairlight to the south.

This Visual Impact Assessment has undertaken a review of the proposal, within its future setting and concludes that the majority of viewpoints within the assessed property are impacted by the new development. The assessments of the magnitude of view and amenity loss, experienced by the neighbouring residents, as assessed within this report, varies between Moderate-to-Severe, through to Severe-to-Devastating. All viewing locations were assessed as having considerably, high-value view loss. In total, one location was assessed as receiving Moderate view loss, 6 viewpoints receiving Moderate-to-Severe view loss, 6 viewpoints receiving Severe view loss and 2 viewpoints receiving Severe-to-Devastating view loss.

While some view benefit may be gained from the removal, of what Northern Beaches locals might deem as an iconic Norfolk Pine and other local flora, the growth of any new planting would likely remove any view benefit except sky.

The visual impact is a change from natural elements and softer structures that filter the water view to an increase in bulk and scale and reducing the quality of the view with the upper level mass of the proposal sitting directly in front of the viewpoint, removing visual access to high value elements. In addition to the view loss caused by the proposed structure, there is the potential for this to increase if photovoltaic panels are incorporated onto the upper roof slab, as may be suggested. This additional view loss would be to the highest value components of the view.

In addition, the view loss and reduction in visual amenity from the proposal, which is non-compliant in its height, results in the visual impact being assessed as 'unreasonable' based on our 3D analysis, photography, and site visit. It would be my recommendation that the application is refused until a more skillful design can be presented that results in acceptable view-sharing and softer visual impact.

John Aspinall, Director,

urbaine design group pty ltd

5. APPENDICES

5.1. APPENDIX A: Assessment Images - Larger print format

APPENDIX B: Aspinall CV

LEC Guidelines for Photomontages

Visual Impact Assessment Methodology

APPENDIX C: Survey

APPENDIX D: Wireframe/alignment images

APPENDIX B:

Aspinall CV and Expert Witness experience.

Methodology article – Planning Australia, by Urbaine Architecture

JOHN ASPINALL. director: urbaine design group

UK Qualifed Architect RIBA BA(Hons) BArch(Hons) Liverpool University, UK.

24 years' architectural experience in London and Sydney.
Halpin Stow Partnership, London, SW1
John Andrews International, Sydney
Cox and Partners, Sydney
Seidler and associates
NBRS Architects, Milsons Point
Urbaine Pty Ltd (current)

Design Competitions:

UK 1990 – Final 6. RIBA 'housing in a hostile environment'. Exhibited at the Royal Academy, London
UK Design Council – innovation development scheme finalist – various products, 1990.
Winner: International Design Competition: Sydney Town Hall, 2000
Finalist: Boy Charlton Swimming pool Competition, Sydney, 2001
Finalist: Coney Island Redevelopment Competition, NY 2003

Design Tutor: UTS, Sydney, 1997 – 2002

This role involved tutoring students within years 1 to 3 of the BA Architecture course. Specifically, I developed programs and tasks to break down the conventional problem-solving thinking, instilled through the secondary education system. Weekly briefs would seek to challenge their preconceived ideas and encourage a return to design thinking, based on First Principles.

Design Tutor: UNSW, Sydney 2002 – 2005

This role involved tutoring students within years 4 to 6 of the BArch course. Major design projects would be undertaken during this time, lasting between 6 and 8 weeks. I was focused on encouraging rationality of design decision-making, rather than post-rationalisation, which is an ongoing difficulty in design justification.

Current Position: URBAINE GROUP Pty Ltd

Currently, Principal Architect of Urbaine - architectural design development and visualisation consultancy: 24 staff, with offices in: Sydney, Shanghai, Doha and Sarajevo.

Urbaine specialises in design development via interactive 3d modelling.

Urbaine's scale of work varies from city master planning to furniture and product design, while our client base consists of architects, Government bodies, developers, interior designers, planners, advertising agencies and video producers.

URBAINE encourages all clients to bring the 3D visualisaton facility into the design process sufficiently early to allow far more effective design development in a short time frame. This process is utilised extensively by many local and international companies, including Lend Lease, Multiplex, Hassell, PTW, Foster and Partners, City of Sydney, Landcom and several other Governmental bodies. URBAINE involves all members of the design team in assessing the impact of design decisions from the earliest stages of concept design. Because much of URBAINE's work is International, the 3D CAD model projects are rotated between the various offices, effectively allowing a 24hr cycle of operation during the design development process, for clients in any location.

An ever-increasing proportion of URBAINE"S work is related to public consultation visualisations and assessments. As a result, there has also been an increase in the Land And Environment Court representations. Extensive experience in creating and validating photomontaged views of building and environmental proposals. Experience with 3D photmonages began in 1990 and has included work for many of the world's leading architectural practices and legal firms.

Co-Founder Quicksmart Homes Pty Ltd. , 2007 - 2009

Responsible for the design and construction of 360 student accommodation building at ANU Canberra, utilising standard shipping containers as the base modules.

Design Principal and co-owner of Excalibur Modular Systems Pty Ltd: 2009 to present.

High specification prefabricated building solutions, designed in Sydney and being produced in China.

Excalibur has developed a number of modular designs for instant delivery and deployment around the world. Currently working with the Cameroon Government providing social infrastructure for this rapidly developing country.

The modular accommodation represents a very low carbon footprint solution

Expert Legal Witness, 2005 to present

In Australia and the UK, for the Land and Environment Court. Expert witness for visual impact studies of new developments.

Currently consulting with many NSW Councils and large developers and planners, including City of Sydney, Lend Lease, Mirvac, Foster + Partners, Linklaters.

Author of several articles in ‘Planning Australia’ and ‘Architecture Australia’ relating to design development and to the assessment of visual impacts, specifically related to the accuracy of photomontaging.

Currently preparing a set of revised recommendations for the Land and Environment Court relating to the preparation and verification of photomontaged views for the purposes of assessing visual impact

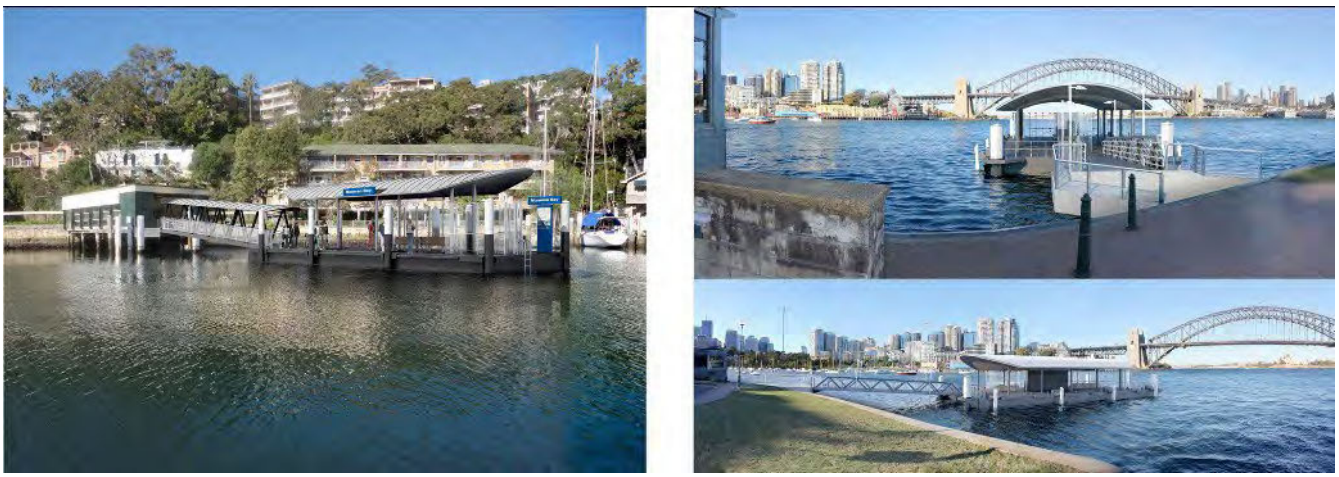
VISUAL IMPACT ASSESSMENTS: A REALITY CHECK.
BY JOHN ASPINALL.

Photomontaged views of new apartment building at Pyrmont: Urbaine

Australia's rapid construction growth over the past 10 years has coincided with significant advances in the technology behind the delivery of built projects. In particular, BIM (Building Information Modelling). Virtual Reality and ever-faster methods of preparing CAD construction documentation.

Alongside these advances, sits a number of potential problems that need to be considered by all of those involved in the process of building procurement. Specifically, the ease with which CAD software creates the appearance of very credible drawn information, often without the thoroughness and deliberation afforded by architects, and others, in years past.

Nowhere is this more apparent than in the area of visual impact assessments, where a very accurate representation of a building project in context is the starting point for discussion on a project's suitability for a site. The consequences of any inaccuracies in this imagery are significant and far- reaching, with little opportunity to redress any errors once a development is approved.



Photomontaged views of new Sydney Harbour wharves: Urbaine

Urbaine Architecture has been involved in the preparation of visual impact studies over a 20 year period, in Australia and Internationally. Urbaine's Director, John Aspinall, has been at the forefront of developing methods of verifying the accuracy of visualisations, particularly in his role as an expert witness in Land and Environment Court cases.

In Urbaine's experience, a significant majority of visualisation material presented to court is inaccurate to the point of being invalid for any legal planning decisions. Equally concerning is the amount of time spent, by other consultants, analysing and responding to this base material, which again can be redundant in light of the frequent inaccuracies. The cost of planning consultant reports and legal advice far exceeds that of generating the imagery around which all the decisions are being made.

Over the last 10 years, advances in 3d modelling and digital photography have allowed many practitioners to claim levels of expertise that are based more on the performance of software than on a rigorous understanding of geometry, architecture and visual perspective. From a traditional architect'straining, prior to the introduction of CAD and 3d

modelling, a good understanding of the principles of perspective, light, shadow and building articulation, were taught throughout the training of architects.

Statutory Authorities, and in particular the Land and Environment Court, have attempted to introduce a degree of compliance, but, as yet, this is more quantitative, than qualitative and is resulting in an outward appearance of accuracy verification, without any actual explanation being requested behind the creation of the work.

Currently, the Land and Environment Court specifies that any photomontages, relied on as part of expert evidence in Class 1 appeals, must show the existing surveyed elements, corresponding with the same elements in the photograph. Often, any surveyed elements can form such a small portion of a photograph that, even by overlaying the surveyed elements as a 3d model, any degree of accuracy is almost impossible to verify. For sites where there are no existing structures, which is frequent, this presents a far more challenging exercise. Below is one such example, highlighted in the Sydney Morning Herald, as an example of extreme inaccuracy of a visual impact assessment. Urbaine was engaged to assess the degree to which the images were incorrect – determined to be by a factor of almost 75%.

Domain The Sydney Morning Herald

Inaccurate images anger residents

February 21

Kelsey Munro

Picture imperfect ... the original interpretation of how the Lewisham Estates development will look.

CAN residents affected by big development proposals rely on developers' photo montages?

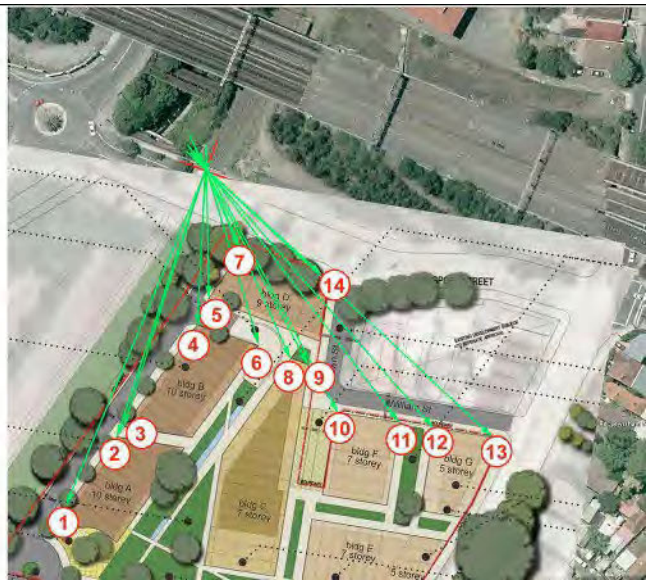
One inner west group thinks not, after inaccuracies were found in a series of digital photo montages which made the proposed Lewisham Estates development appear much smaller than it would if built.

The developer was sent back to the drawing board by the Department of Planning to redo the images that were publicly exhibited for the project after questions were raised over their accuracy.

The corrected interpretation of how the Lewisham Estates development will look.

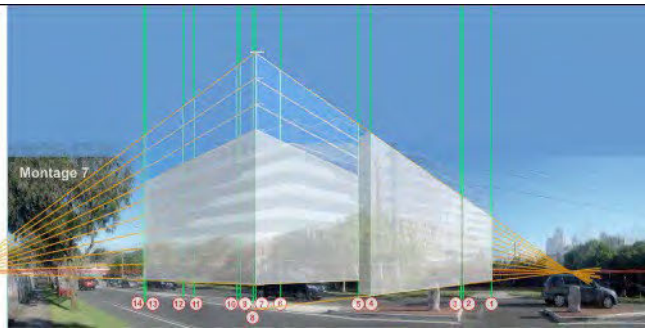
The No Lewisham Towers residents' action group claims the original images were so misleading that the corrected ones should go on public exhibition before the Planning Assessment Commission makes its determination next week.

SMH article re inaccurate visualisations



Key visual location points on site: Urbaine

Photomontage submitted by developer



Assessment of inaccuracy by Urbaine

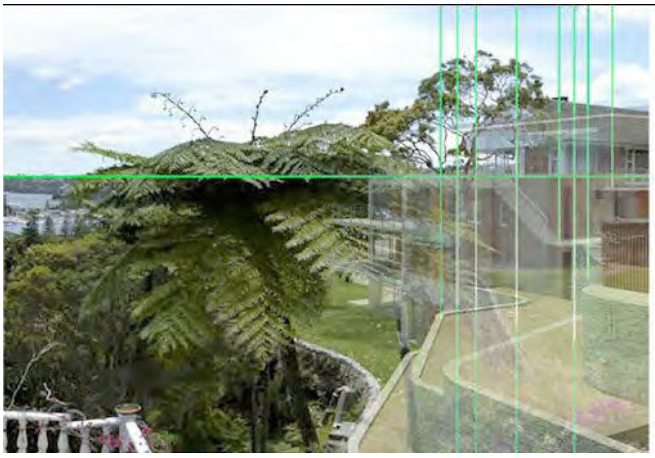
Urbaine has developed a number of methods for adding verification data to the 3d model of proposed buildings and hence to the final photomontages. These include the use of physical site poles, located at known positions and heights around a site, together with drones for accurate height and location verification and the use of landscaped elements within the 3d model to further add known points of references. Elements observed in a photograph can be used to align with the corresponding elements of the new building in plan. If 4 or more known positions can be aligned, as a minimum, there is a good opportunity to create a verifiable alignment.

Every site presents different opportunities for verification and, often, Urbaine is required to assess montages from photographs taken by a third party. In these cases, a combination of assessing aerial photography, alongside a survey will allow reference points to be placed into the relevant 3d model prior to overlaying onto the photos for checking.

The following example clearly demonstrates this – a house montaged into a view, by others, using very few points of reference for verification. By analysing the existing photo alongside the survey, the existing site was able to be recreated with a series of reference elements built into the model. A fully rendered version of all the elements was then placed over the photo and the final model applied to this. As can be seen, the original montage and the final verified version are dramatically different and, in this case, to the disadvantage of the complainant.

Photomontage submitted by developer

Key visual location points on site: Urbaine



Key points and 3d model overlaid onto existing photo

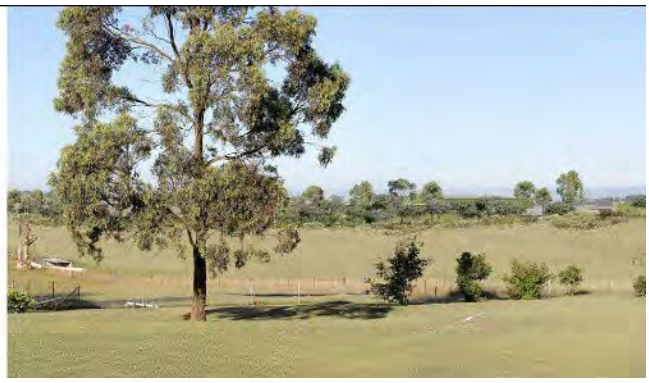
Final accurate photomontage: Urbaine

Often, Urbaine's work is on very open sites, where contentious proposals for development will be relying on minimising the visual impact through mounding and landscaping. In these cases, accuracy is critical, particularly in relation to the heights above existing ground levels. In the following example, a business park was proposed on very large open site, adjoining several residential properties, with views through to the Blue Mountains, to the West of Sydney. Urbaine spent a day preparing the site, by placing a number of site poles, all of 3m in height. These were located on junctions of the various land lots, as observed in the survey information. These 3d poles were then replicated in the 3d CAD model in the same height and position as on the actual site. This permitted the buildings and the landscaping to be very accurately positioned into the photographs and, subsequently, for accurate sections to be taken through the 3d model to assess the actual percentage view loss of close and distant views.

Physical 3000mm site poles placed at lot corners

3d poles located in the 3d model and positioned on photo

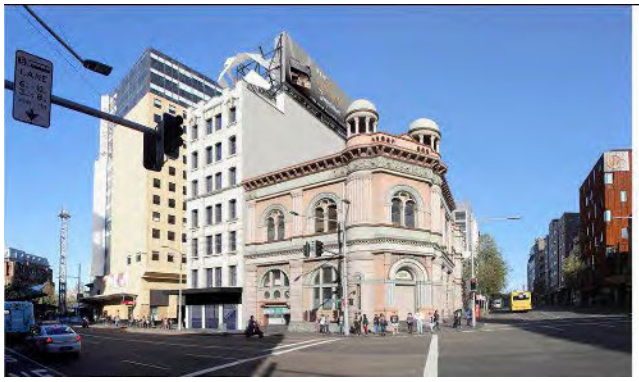
Proposed buildings and landscape mounding applied



Proposed landscape applied – shown as semi-mature

Final verified photomontage by Urbaine

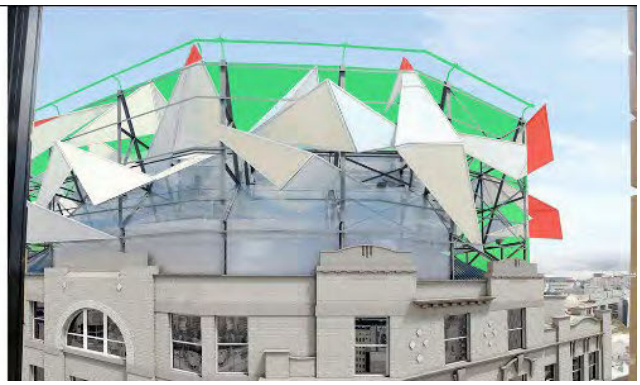
Further examples, below, show similar methods being used to give an actual percentage figure to view loss, shown in red, in these images. This was for a digital advertising hoarding, adjoining a hotel. As can be seen, the view loss is far outweighed by the view gain, in addition to being based around a far more visually engaging sculpture. In terms of being used as a factual tool for legal representation and negotiation, these images are proving to be very useful and are accompanied by a series of diagrams explaining the methodology of their compilation and, hence verifying their accuracy.



Photomontage of proposed building for digital billboard

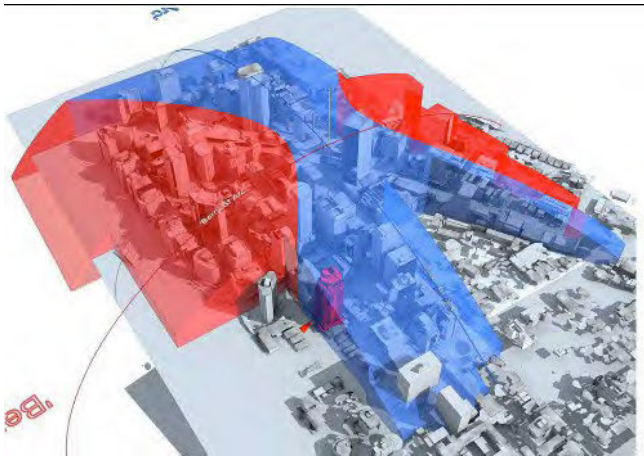
Existing situation – view from adjoining hot

Photomontage of view from hotel

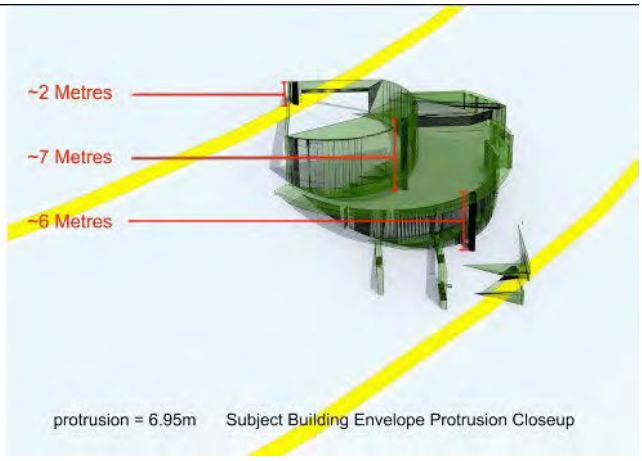


View loss – green = view gain / red = view loss

There are also several areas of assessment that can be used to resolve potential planning approval issues in the early stages of design. In the case below, the permissible building envelope in North Sydney CBD was modelled in 3d to determine if a building proposal would exceed the permitted height limit. Information relating to the amount of encroachment beyond the envelope allowed the architect to re-design the plant room profiles accordingly to avoid any breach.



3d model of planning height zones



Extent of protrusion of proposed design prior to re- design

Urbaine's experience in this field has place the company in a strong position to advise on the verification of imagery and also to assist in developing more robust methods of analysis of such imagery. As a minimum, Urbaine would suggest that anyone engaging the services of

visualisation companies should request the following information, as a minimum requirement:

1. Height and plan location of camera to be verified and clearly shown on an aerial photo, along with the sun position at time of photography.
2. A minimum of 4 surveyed points identified in plan, at ground level relating to elements on the photograph and hence to the location of the superimposed building.
3. A minimum of 4 surveyed height points to locate the imposed building in the vertical plane.
4. A series of images to be prepared to explain each photomontaged view, in line with the above stages.

This is an absolute minimum from which a client can determine the verifiability of a photomontaged image. From this point the images can be assessed by other consultants and used to prepare a legal case for planning approval.

Land and Environment Court guidelines for photomontages:

Use of photomontages

The following requirements for photomontages proposed to be relied on as or as part of expert evidence in Class 1 appeals will apply for proceedings commenced on or after 1 October 2013. The following directions will apply to photomontages from that date:

Requirements for photomontages

1. Any photomontage proposed to be relied on in an expert report or as demonstrating an expert opinion as an accurate depiction of some intended future change to the present physical position concerning an identified location is to be accompanied by:

Existing Photograph.

a) A photograph showing the current, unchanged view of the location depicted in the photomontage from the same viewing point as that of the photomontage (the existing photograph);

b) A copy of the existing photograph with the wire frame lines depicted so as to demonstrate the data from which the photomontage has been constructed. The wire frame overlay represents the existing surveyed elements which correspond with the same elements in the existing photograph; and

c) A 2D plan showing the location of the camera and target point that corresponds to the same location the existing photograph was taken.

Survey data.

d) Confirmation that accurate 2D/3D survey data has been used to prepare the Photomontages. This is to include confirmation that survey data was used:

i. for depiction of existing buildings or existing elements as shown in the wire frame; and

ii. to establish an accurate camera location and RL of the camera.

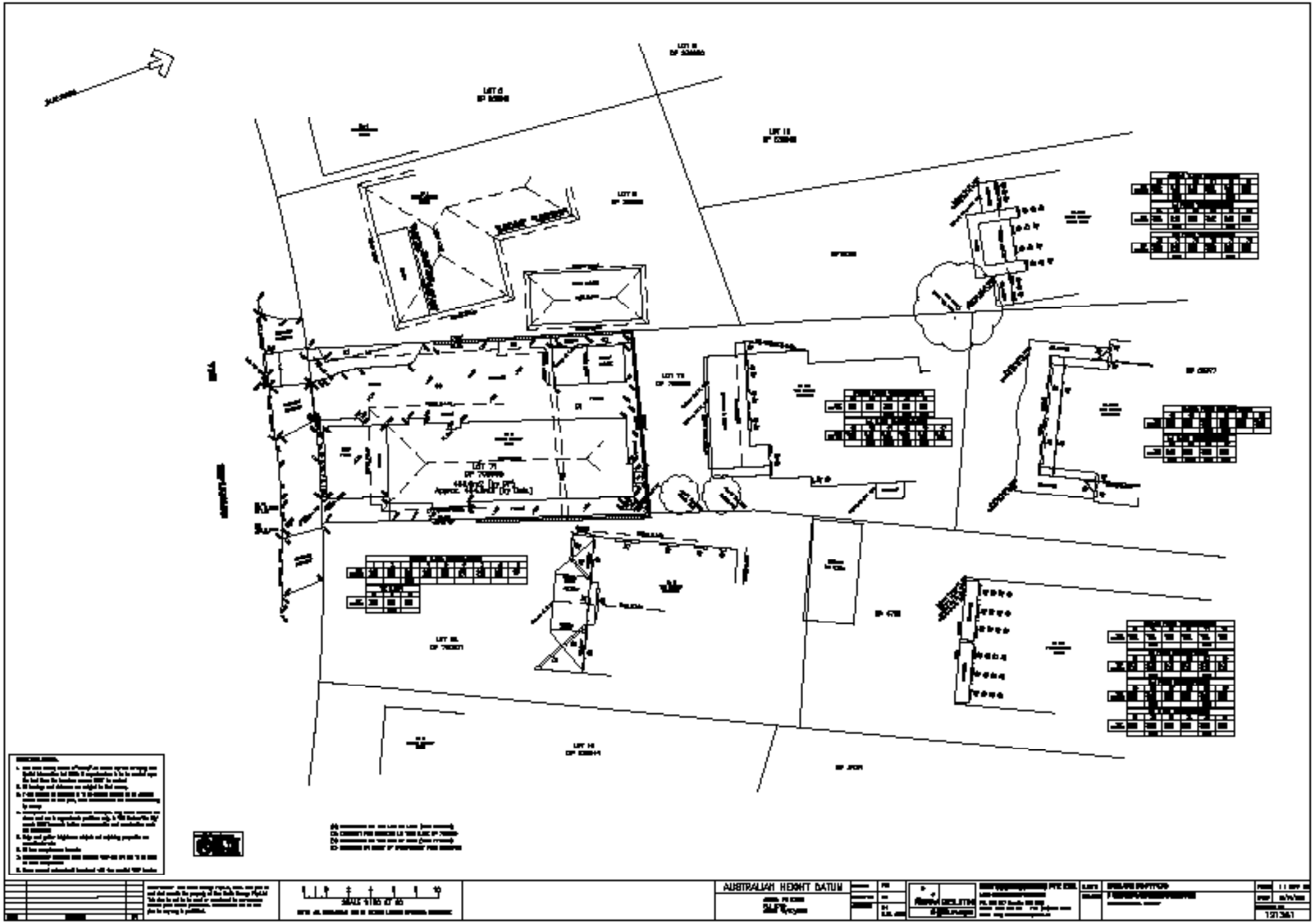
2. Any expert statement or other document demonstrating an expert opinion that proposes to rely on a photomontage is to include details of:

a) The name and qualifications of the surveyor who prepared the survey information from which the underlying data for the wire frame from which the photomontage was derived was obtained; and

b) The camera type and field of view of the lens used for the purpose of the photograph in (1)(a) from which the photomontage has been derived.

APPENDIX C:

Survey



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APPENDIX D:

Wireframe / Point cloud alignment

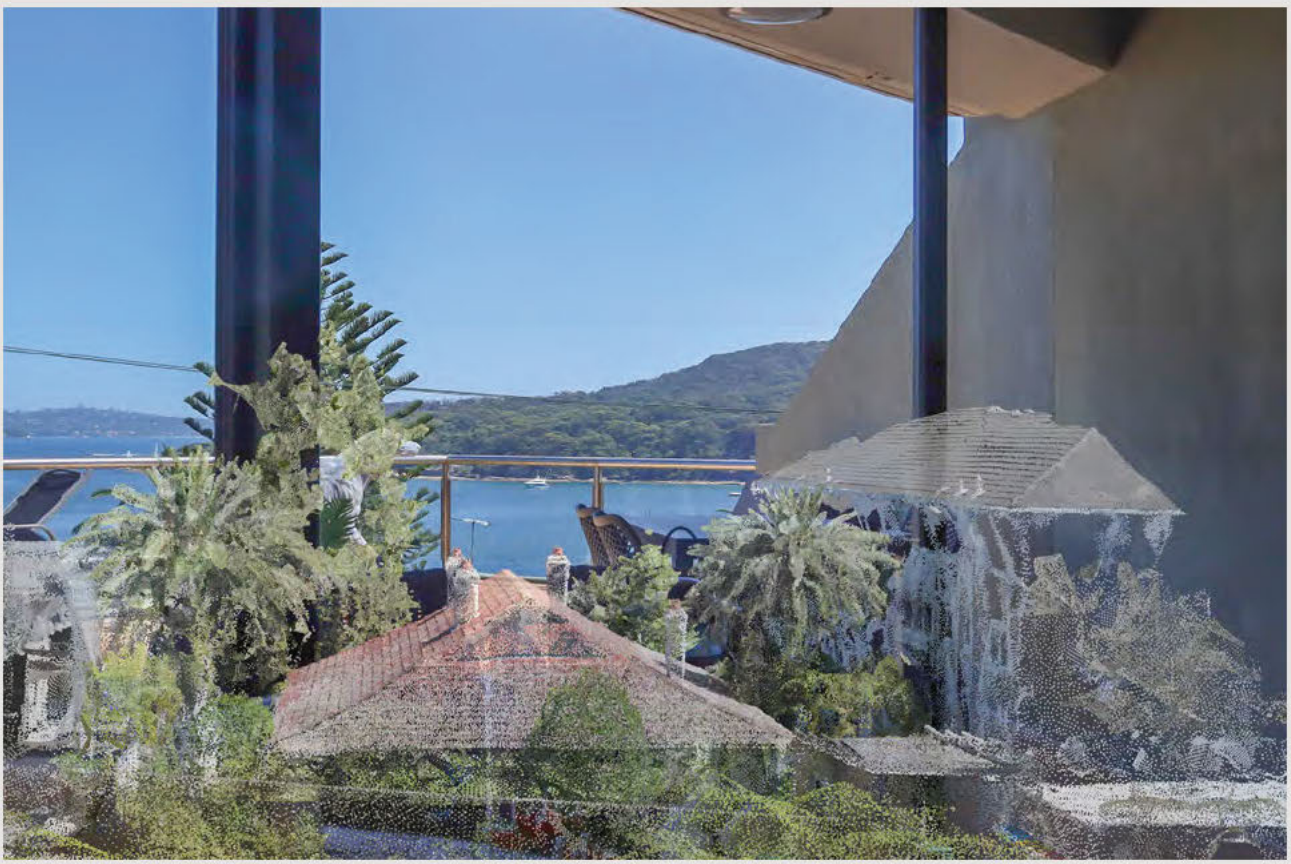
Viewpoint 01

Viewpoint 02

Viewpoint 03

Viewpoint 04

Viewpoint 05



Viewpoint 06

Viewpoint 07

Viewpoint 08

Viewpoint 09

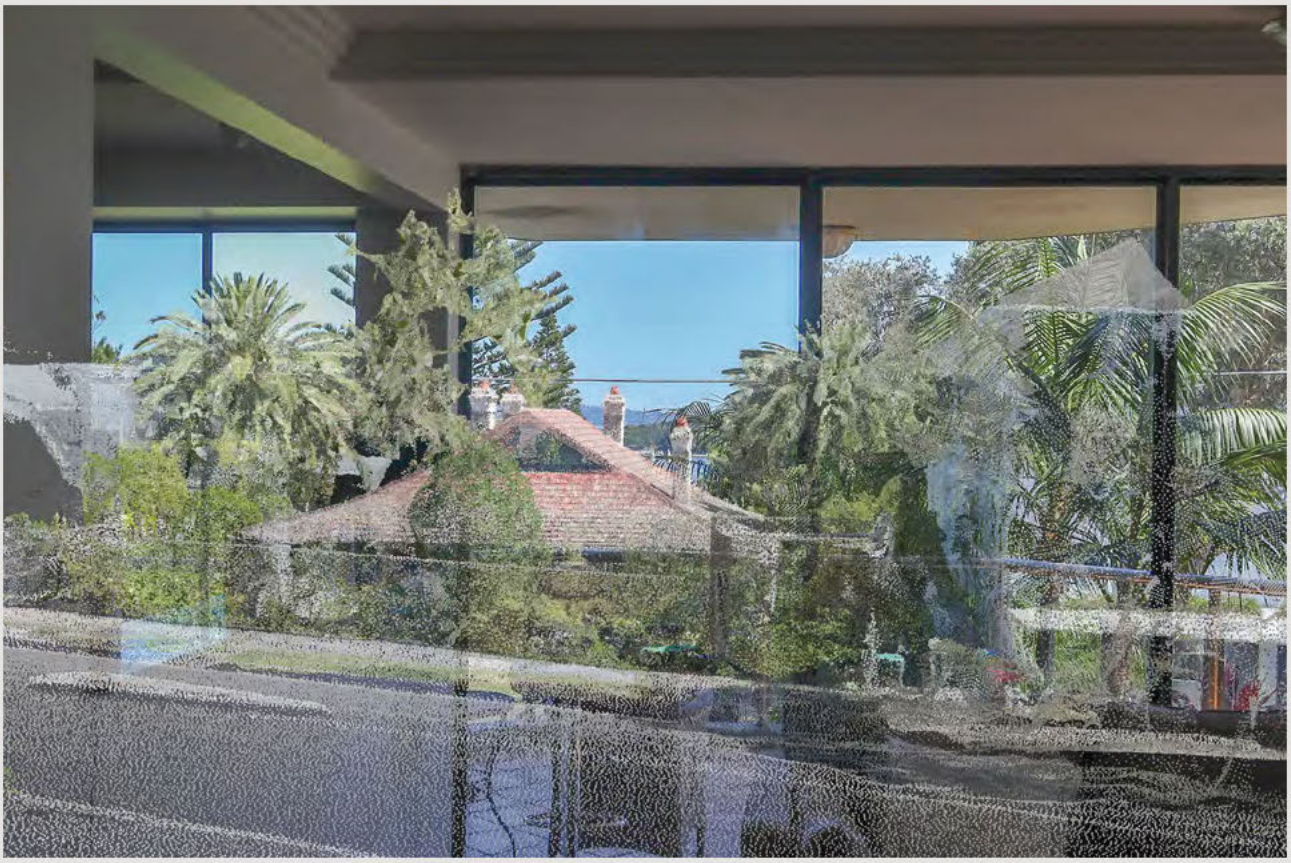
Viewpoint 10

Viewpoint 11

Viewpoint 12

Viewpoint 13

Viewpoint 14



Viewpoint 15

Urbaine Design Group Pty Ltd, 19c/74 , The Corso, Manly, NSW 2095

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Appendix A - Larger format images

Objection to - 5 Lauderdale Ave, Fairlight

JANUARY 21 2025

VIEWPOINT 01 - UNIT 7

Site Image

Photomontage of Proposal

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Visual Impact in cyan with red outline, view gain in yellow with red outline

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DESIGN GROUP
Urbaine Design Group Pty Ltd, 19a/74, The Corso, Manly, NSW 2095

VIEWPOINT 02 - UNIT 6

Site Image

Photomontage of Proposal

Visual Impact in cyan with red outline, view gain in yellow with red outline

VIEWPOINT 03 - UNIT 6

Site Image

Photomontage of Proposal

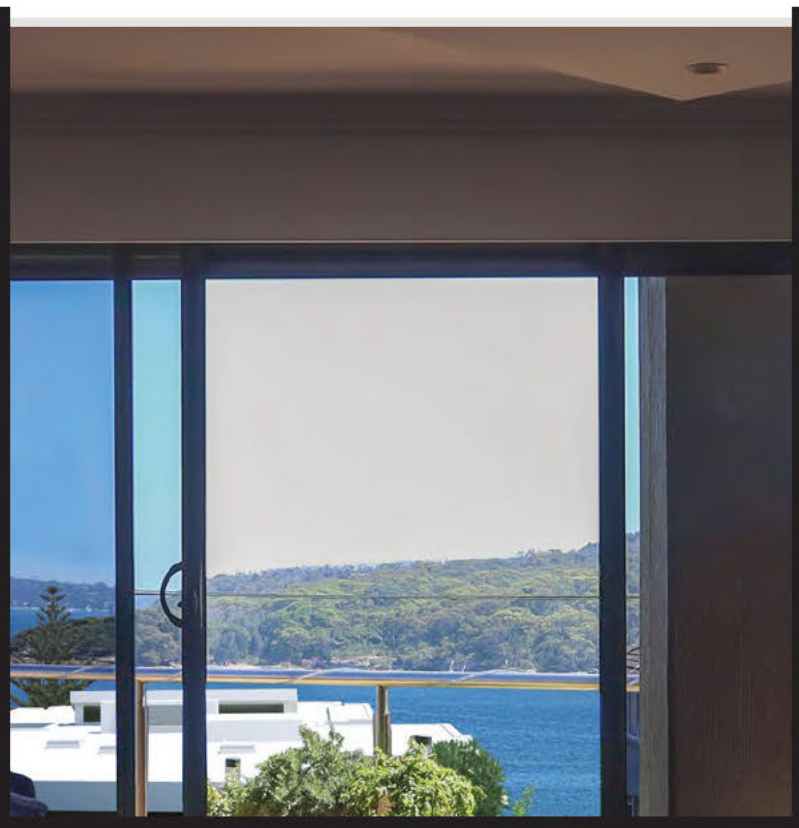
urbaine DESIGN GROUP
Urbaine Design Group Pty Ltd, 19a/74, The Corso, Manly, NSW 2095

Visual Impact in cyan with red outline, view gain in yellow with red outline

urbaine
DESIGN GROUP
Urbaine Design Group Pty Ltd, 19a/74, The Corso, Manly, NSW 2095

VIEWPOINT 04 - UNIT 6

Site Image



Photomontage of Proposal

urbaine DESIGN GROUP
Urbaine Design Group Pty Ltd, 19a/74, The Corso, Manly, NSW 2095

Visual Impact in cyan with red outline, view gain in yellow with red outline

VIEWPOINT 05 - UNIT 5

Site Image

Photomontage of Proposal

Visual Impact in cyan with red outline, view gain in yellow with red outline

urbaine
DESIGN GROUP
Urbaine Design Group Pty Ltd, 19a/74, The Corso, Manly, NSW 2095

VIEWPOINT 06 - UNIT 5

Site Image

Photomontage of Proposal

Visual Impact in cyan with red outline, view gain in yellow with red outline

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DESIGN GROUP
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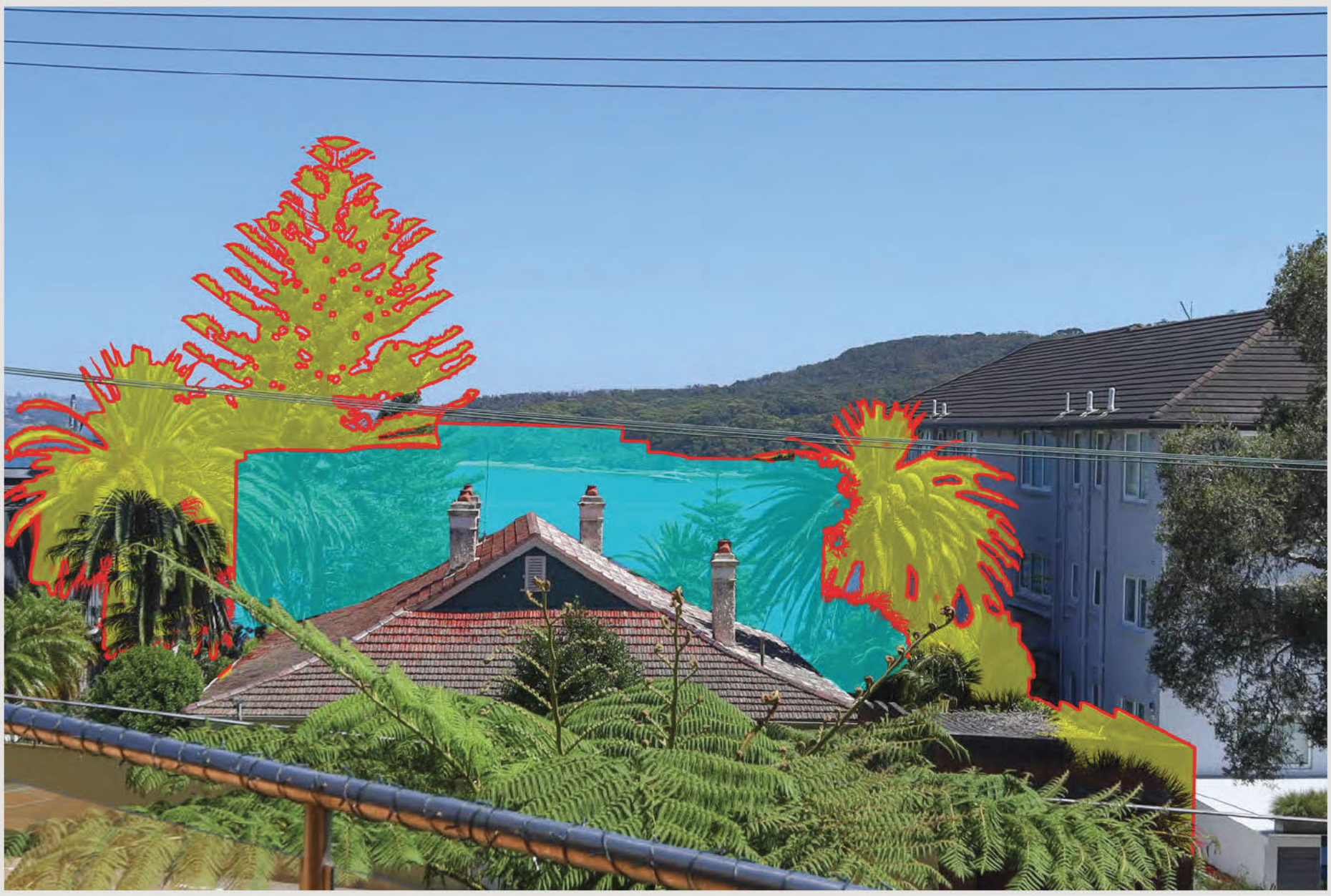
VIEWPOINT 07 - UNIT 4

Site Image

Photomontage of Proposal



Visual Impact in cyan with red outline, view gain in yellow with red outline

VIEWPOINT 08 - UNIT 4

Site Image

Photomontage of Proposal

Visual Impact in cyan with red outline, view gain in yellow with red outline

urbaine
DESIGN GROUP
Urbaine Design Group Pty Ltd, 19a/74, The Corso, Manly, NSW 2095

VIEWPOINT 09 - UNIT 4

Site Image

Photomontage of Proposal

Visual Impact in cyan with red outline, view gain in yellow with red outline

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VIEWPOINT 10 - UNIT 3

Site Image

Photomontage of Proposal

Visual Impact in cyan with red outline, view gain in yellow with red outline

VIEWPOINT 11 - UNIT 3

Site Image

Photomontage of Proposal

Visual Impact in cyan with red outline, view gain in yellow with red outline

VIEWPOINT 12 - UNIT 2

Site Image

Photomontage of Proposal

Visual Impact in cyan with red outline, view gain in yellow with red outline

VIEWPOINT 13 - UNIT 2

Site Image

Photomontage of Proposal

Visual Impact in cyan with red outline, view gain in yellow with red outline

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VIEWPOINT 14 - UNIT 1

Site Image

Photomontage of Proposal

Visual Impact in cyan with red outline, view gain in yellow with red outline

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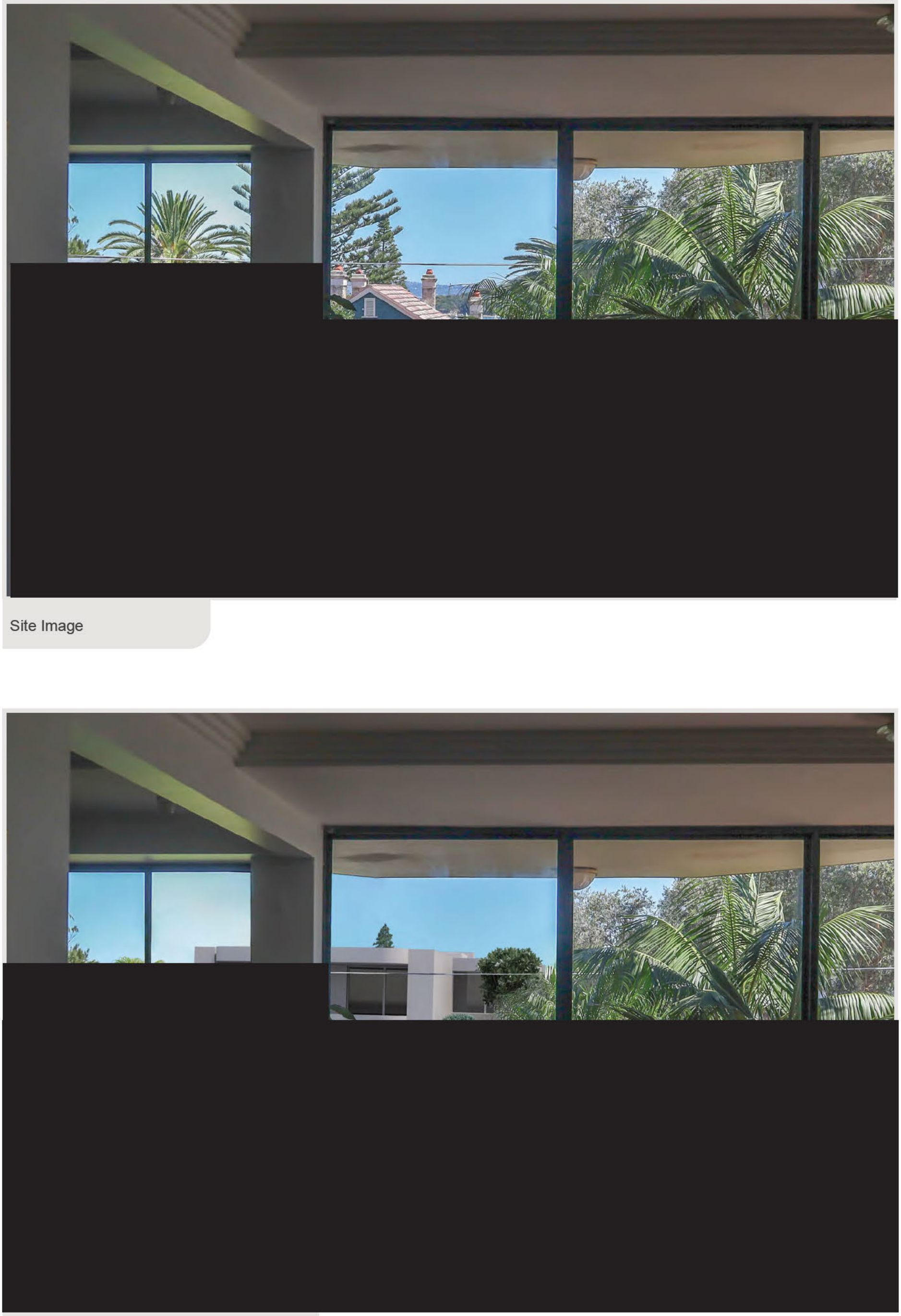
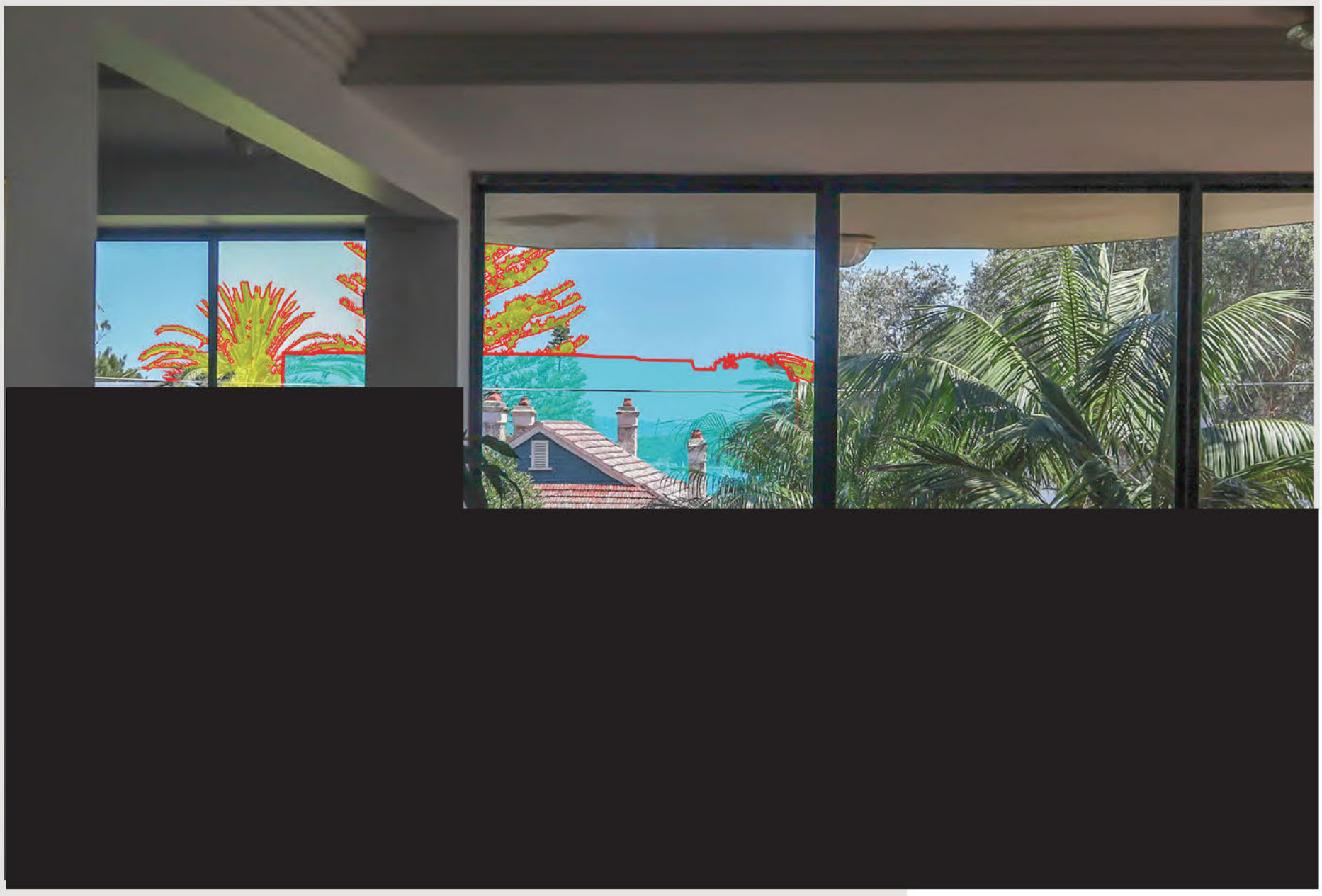
VIEWPOINT 15 - UNIT 1



Site Image

Photomontage of Proposal

urbaine DESIGN GROUP
Urbaine Design Group Pty Ltd, 19a/74, The Corso, Manly, NSW 2095



Visual Impact in cyan with red outline, view gain in yellow with red outline