VISUAL IMPACT ASSESSMENT

No.38, The Drive, Freshwater, NSW

June, 2022.

urbaine design group

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Development Application, No.38, THE DRIVE, FRESHWATER. Visual Impact Assessment Report. June, 2022.

CONTENTS

1. INTRODUCTION

1.1 Scope and Purpose of Report.

This Visual Impact Report has been prepared by Urbaine Design Group, as supporting documentation for a Development Application for partial demolition of an existing dwelling, construction of a new dwelling, retaining parts of the existing dwelling and a detached, secondary dwelling over a garage, swimming pool and landscaping at No.38, The Drive, Freshwater. The subject land is identified as Lot 12 within Deposited Plan 829988, see figures 1 and 2 for site location.
This report has been prepared for Michael Addison, the owner of the land and 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.

Figure 1 – site location indicated.

Figure 2 – Aerial photo showing site location in red outline.

1.2 The Proposed Development

1.2.1 Project Overview

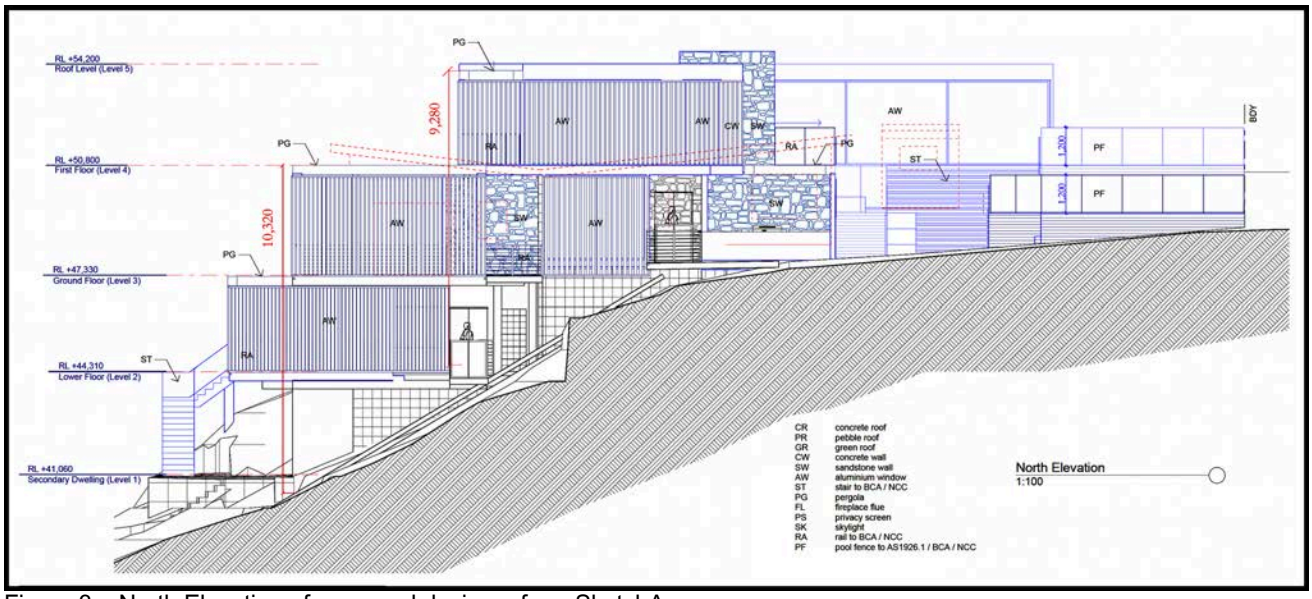


Figure 3 – North Elevation of proposed design – from SketchArc.

1.2.2 The Site

The subject allotment is described as No.38 The Drive, Freshwater, being Lot 12 within Deposited Plan 829988 and is zoned R2 Low Density Residential within the provisions of the Warringah Local Environmental Plan 2011.
The land is zoned R2 Low Density Residential under the provisions of the WLEP 2011. Development for the purposes of a secondary dwelling and alterations and the partial demolition of existing structures and construction of new works which include the retention of substantial portions of the existing dwelling and which are characterised as a new dwelling, are permissible in this zone under the WLEP 2011.
The development of and use of the land for residential purposes is consistent with the zone objectives, which are noted as:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.

The site is not listed as a heritage item, nor is not located within a conservation area.
The site is identified as being within the Coastal Use Area under the provisions of SEPP Coastal Management.
No other identified hazards have been identified.
The property is located adjacent to the juncture of The Drive and Dick Street, on the western side of Carrington Parade.
The site is irregular in shape, with a street frontage of 14.255m to The Drive and a rear boundary of 24.395m. The northern and angled southern side boundaries measure 36.37m and 43.38m respectively.
The land has a total site area of 985.7m2.
The land has a fall of approximately 24.6m from the rear of the site towards the street frontage.
Stormwater from the site is directed to the street gutter in The Drive.
The site is currently developed with a one and two storey tile clad residence with a metal roof. A covered timber deck is located in the rear, north-western corner of the site. Vehicular access is available to the site from The Drive via a concrete driveway. Car parking is currently available on site within an existing detached double garage at the front of the site. An inclinator is located along the northern side boundary.
The details of the site are as indicated on the survey plan prepared by Adam Clerke Surveyors Pty Ltd, Drawing No. 6213A, dated 22 October 2020, which accompanies the DA submission.

1.2.3 Proposed Land Use and Built Form

As detailed within the accompanying plans, the proposal seeks consent for the partial demolition of portions of the existing dwelling and the construction of a new dwelling including retention of substantial portions of the existing dwelling and the construction of a new secondary dwelling over the detached garage, together with a swimming pool and landscaping

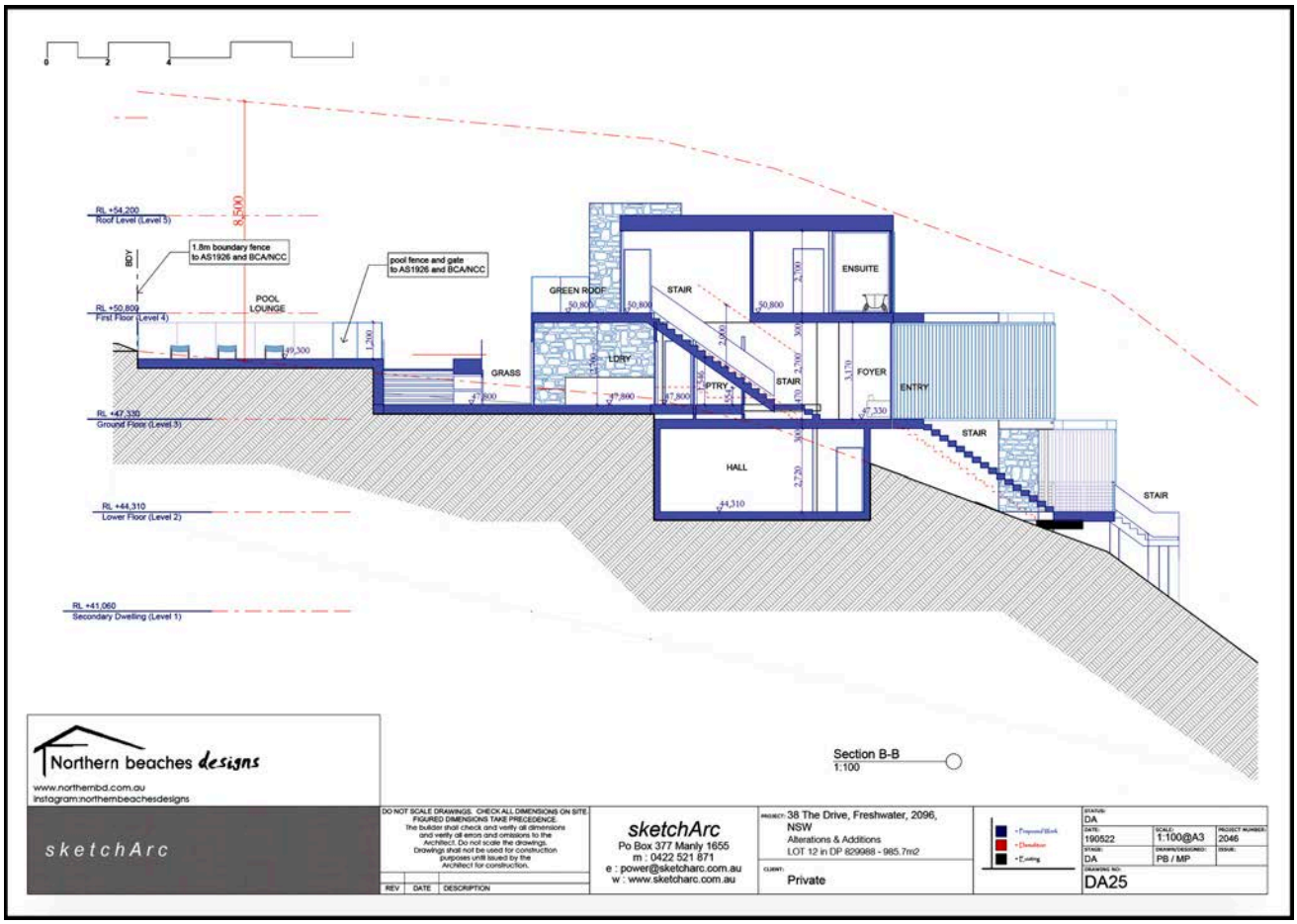


Figure 4: Drawing from SketchArc, showing a cross-section through the site.

The new works will comprise:

Garage Level
- Alterations and additions to the existing garage including additional excavation to provide for a three (3) car garage
- Demolition works; including the removal of the bin storage area and existing access stairs
- Construction of a new entry foyer and spiral access stairs
- Extension of the existing inclinator and the construction of a new inclinator access station at the new foyer level
- Construction of a new driveway crossover and driveway to provide access to the garage

Level 1
- Construction of a new secondary dwelling, comprising one bedroom, kitchenette, bathroom, lounge and dining areas
- New external courtyard space
- Provision for screen planting along the southern boundary
- New landscaped/green roof over the secondary dwelling

Level 2
- Demolition works
- Extension of an existing sitting and living area to provide for an expanded guest bedroom and sitting/office space
- New internal access stairs to upper levels

Level 3 (See Figure 5).

- Demolition works
- New bedroom and en-suite
- New laundry and pantry off existing kitchen
- New patio and decking.

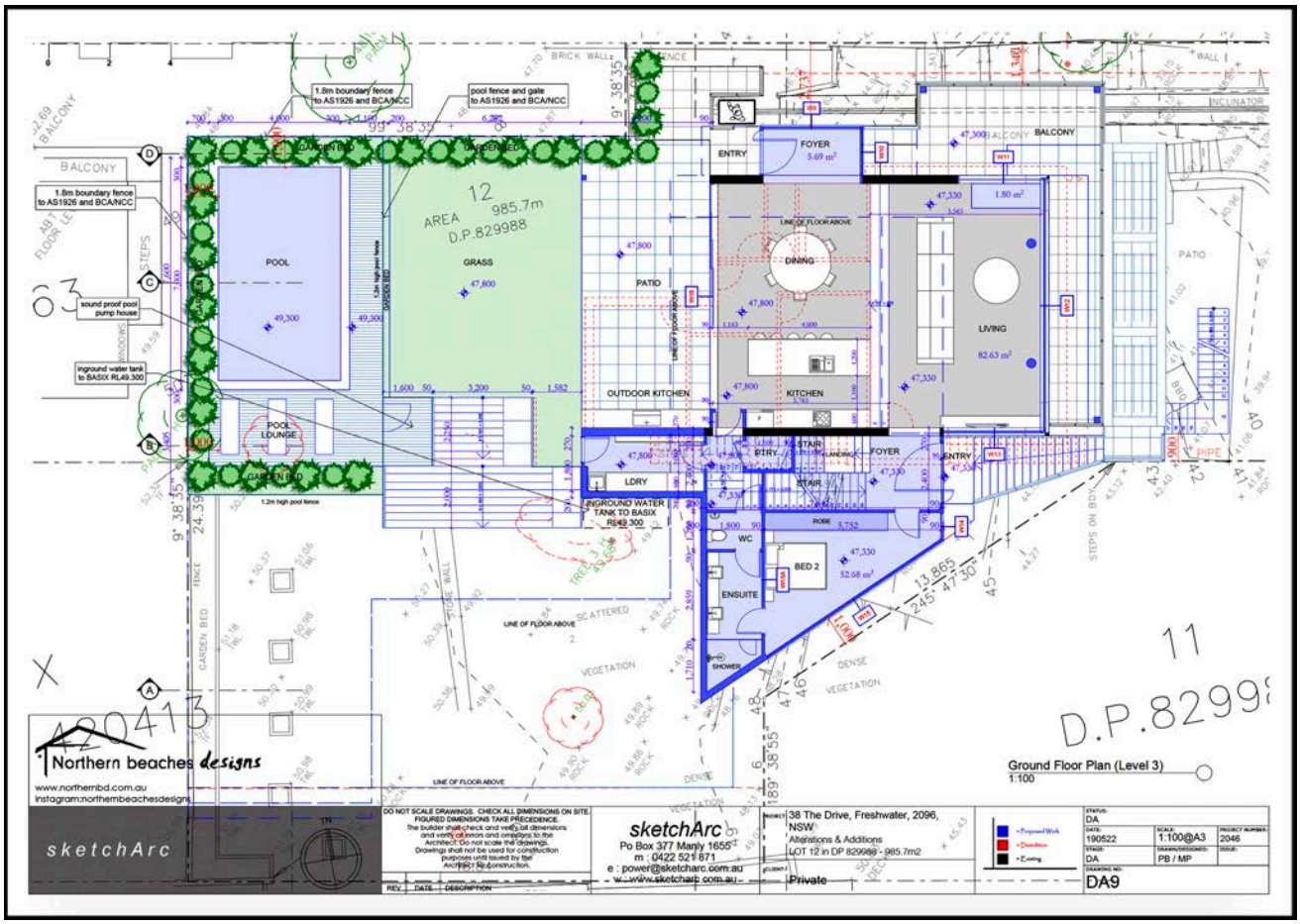


Figure 5: Drawing from SketchArc: Ground Floor Plan – Level 3.

Level 4
- Additional floor space to provide for a new master bedroom, balcony, sitting area, and entertaining area.
- External works
- Swimming pool; and
- Tree removal and associated landscaping
- The new works to the dwelling will be constructed of a mixture of rendered masonry and cladding, with metal roofing.
- The proposed external finishes and colours have been detailed in the DA submission and are detailed within Sheet DA1 of the accompanying architectural drawings.

The building height limit for development in this portion of Freshwater is 8.5m. The proposed new works will provide for a maximum building height of 10.32m., measured above the interpolated existing ground level of the site, prior to the site being disturbed through the current excavation and which exceeds the maximum building height control.
A written request under Clause 4.6 of WLEP 20 is being provided with this development application.

1.3 Visual Impact Assessment Methodology

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

1.3.1Process

Initially, a fully contoured 3d model was created of the site and surrounding buildings to the extent of the designated viewpoints, with detailed modelling matching the building envelope of the latest SketchArc design of the proposed extension
Virtual cameras were placed into the model to match various selected viewpoints, in both height and position. From these cameras, rendered views have been generated and photomontaged into the existing photos, using the ground plane for alignment (allowing 2 set camera heights for standing and sitting positions being at 1600mm and 1100mm respectively). Several site location poles were placed into the 3d model to allow accurate alignment with the original photo. These poles align with known elements of the building and surroundings, such as top of ridge and eaves location on the dwelling, together with existing trees and site boundary intersections.
The rendered views create an accurate interpretation of the visual impact and provide a basis for minimising any view loss by the incorporation of amended building heights and landscape, where appropriate.
The final selection of images shows these stages, concluding with an outline, indicating the potential visual impact. In addition, Appendix A contains larger format versions of these photomontaged assessment views. It is from these that a better understanding can be gained, regarding the visual impact in the overall urban context, although for the purposes of statutory requirements, the images within the report are of a standard 50mm lens format.

1.3.2 Assessment Methodology

There are no set guidelines within Australia regarding the methodology for visual impact assessment. 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 provides a detailed description of its methodologies and the resultant accuracy verifiability – this is contained within Appendix C.
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 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. Locations that feature a prominent, direct and mostly unobstructed line of sight to the subject site 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 centre of site 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.

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 sites most likely to be affected by the Proposal
- Important vistas and viewsheds
- Other major influences on local character and amenity

The site map, see figure 6, indicates photo locations for site photography from neighbouring properties.

Figure 6: Selected viewpoint locations from neighbouring and adjoining properties, for visual impact assessments.

Contextual Analysis:
An analysis was undertaken of the visual and statutory planning contexts relevant to the assessment of visual impacts in a Development Application.
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.
Statutory Planning Assessment:
The results of the local view impact assessment are included in Section 3 of this report, with large format images included in Appendix A.

1.4 References

The following documentation and references informed the preparation of this report:
Design Documentation
- The design drawings and information relied upon for the preparations of this report were prepared by SketchArc, dated March, 2021.
- Creating Places for People - An Urban Design Protocol for Australian Cities: www.urbandesign.gov.au/downloads/index.as
- State Environmental Planning Policy No.55 - Remediation of Land;
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017;

State Environmental Planning Policy (Coastal Management) 2018
- Australia and New Zealand Urban Design Protocol: www.mfe.govt.nz/publications/urban/design-protocol-mar05/urban-design-protocol-colour.pdf
- The Value of Urban Design: www.designcouncil.org.uk/Documents/Documents/Publications/CABE/the-value-of-urban-design.pdf
- Fifteen Qualities of Good Urban Places: www.goldcoast.qld.gov.au/planning-and-building/fifteen-qualities-of- good-urban-places-3774.html
- The Image of the City (1960), Kevin Lynch
- The Environmental Planning and Assessment Act 1979 as amended (“the Act”);
- Warringah Local Environmental Plan 2011”);

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 in the general topographical area map, Figure 7. This shows the steep fall of land from the houses on the eastern side of The Drive to the street below, being Carrington Parade and then the ocean foreshore.

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. This is particularly relevant in this instance, where the scale and form of the proposed development is viewed in context. Within the scope of this report the public realm is 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.

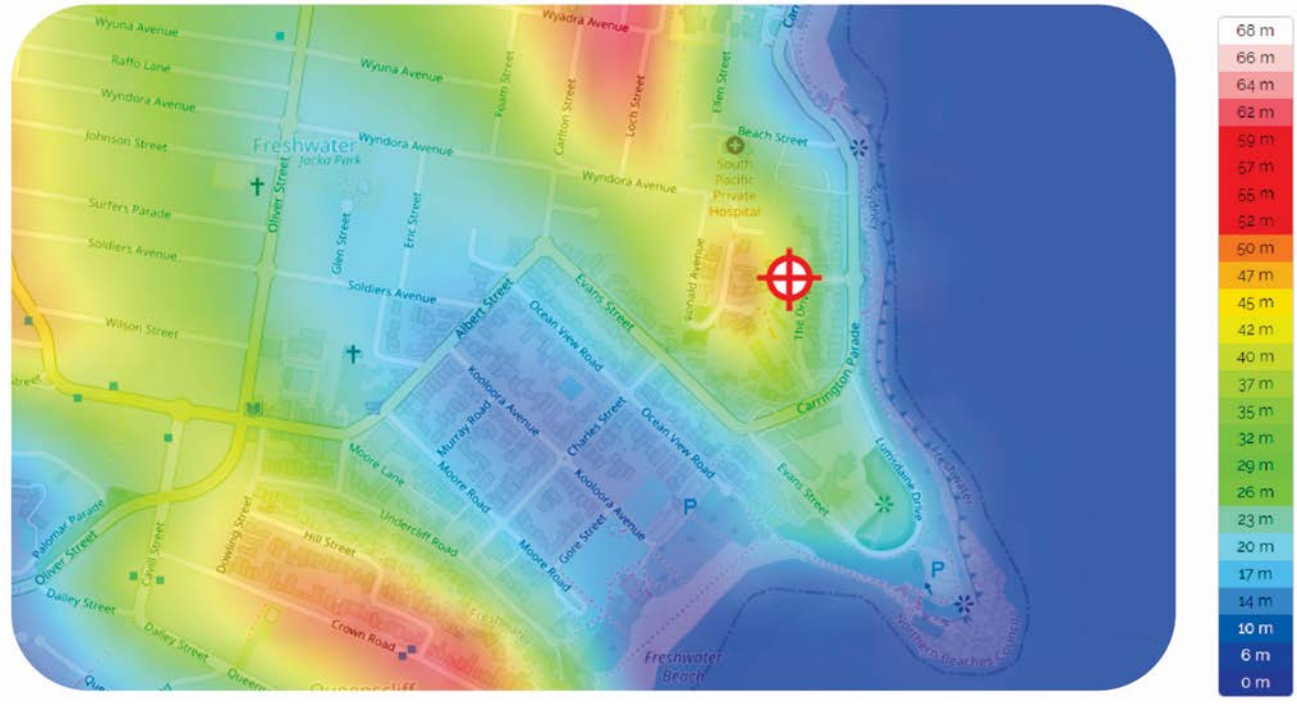


Figure 7: Subject Site topographical map

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.

2.1 The Visual Context:

The general vicinity of the site is characterised by a mix of single detached dwellings and associated ancillary structures such as garages, storage sheds and swimming pools. The pattern of the development is influenced heavily by the sloping topography and the irregular shape of lots in the immediate locality.
Properties in the area enjoy views to Freshwater Beach to the south-east and north-east towards North Curl Curl headland.
The site and its surrounding views are depicted in the following aerial photograph: Figure 8.

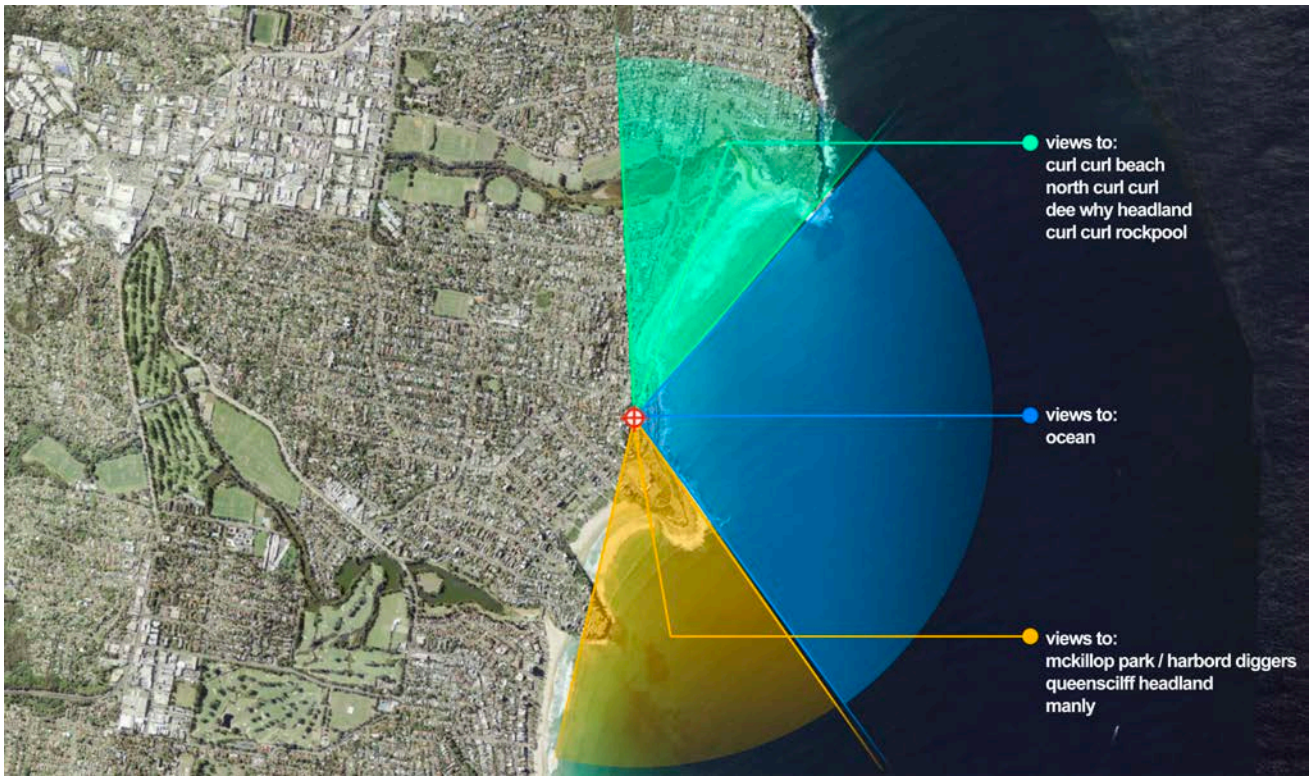


Figure 8: Viewline directions from subject site – to the north, south and east.

2.2 Streetscapes

Within the local and surrounding areas, the streetscapes 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.

2.3 The selected view locations for the local view analysis:

As a result of the site's topography, the visual impact is primarily relevant from the residential properties surrounding the subject site and also from the gaps between houses, observed from the street. The houses on the eastern side of Seddon Hill Road and the southern side of Lodge Lane have the greatest potential for negative visual impact
A large number of site photos were taken and a smaller number of local views selected from these, relevant for the private viewing locations, as described above. These are a mixture of static viewpoints, namely, fixed locations, as opposed to locations where viewing from a vehicle may be more likely – dynamic.

The selected photos are intended to allow consideration of the visual and urban impact of the new development at both an individual and local level. They incorporate private viewing locations from Nos.1 & 3 Seddon Hill Road and Nos.9 & 11, Lodge Lane, where the subject site falls within direct line of sight and has the potential to impact on the neighbouring views and light access.

2.4 Period of View:

The view is either
(a) Intermittent, or Dynamic if it will be viewed from a car travelling along a road; or
(b) Stationary, or Static if the proposal can be viewed from a fixed location or for an extended period of time. In this instance, most views will be considered as stationary, since the impact is most significant on views from adjoining gardens.

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

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, with reference to the requirements of the Land and Environment Court.

When undertaking the assessment of visual impacts, the guidelines stipulated by the Land and Environment Court, NSW, are used as a starting point for compliance.

3.2 Visual Impact Assessments from 7 local viewpoint locations – static, private locations:

3.2.1 Method of Assessment:

In order to allow a quantitative assessment of the visual impact, photos were selected that represented relevant private viewing locations from the adjoining and neighbouring properties.
A Canon EOS Full Frame Digital Camera with fixed focal length 35mm 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 is provided in Section 3.2.2 below.
To assess the visual impact, there are 3 relevant aspects - view loss of actual substance (land and water) 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.

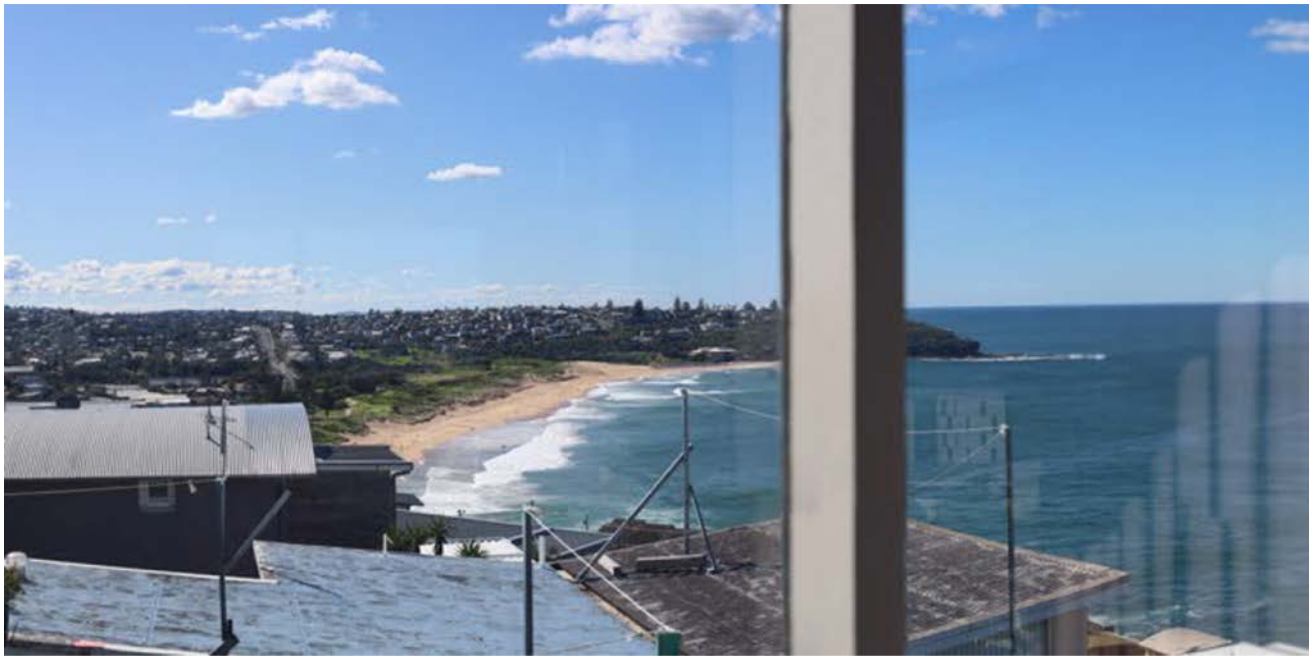
The second means of assessment relates to assigning a qualitative value to the existing view, based on criteria of visual quality defined in the same table.

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

Scale	Value	Visual quality	Visual impact
0	**Negligible**	N/A	No negative impact on the pre-existing visual quality of the view.
1 2 3 4 5	**Low**	Predominant presence of low quality manmade features. Minimal views of natural formations (e.g. cliffs, mountains, coastlines, waterways, ridges etc). Uniformity of land form.	A minor negative impact on the pre-existing visual quality of the view. Examples: – Minor impacts on natural landscapes. – No impact on iconic views – Impacts on a small number of receivers. – Significant distance between the development and receiver.
6 7 8 9 10	**Medium**	Presence of some natural features mixed with manmade features. Some views of distinct natural formations (e.g. cliffs, mountains, coastlines, waterways, ridges etc).	A medium negative impact on the pre-existing visual quality of the view: Examples: – Moderate impacts on iconic views or natural landscapes. – Impacts on a moderate number of receivers. – Located nearby the receiver.
11 12 13 14 15	**High**	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 or landmark features.	A high negative impact on the pre-existing visual quality of a view: Examples: – Loss of iconic views. – Impacts on a significant number of receivers. – Overshadowing effect. – Directly adjacent the receiver.

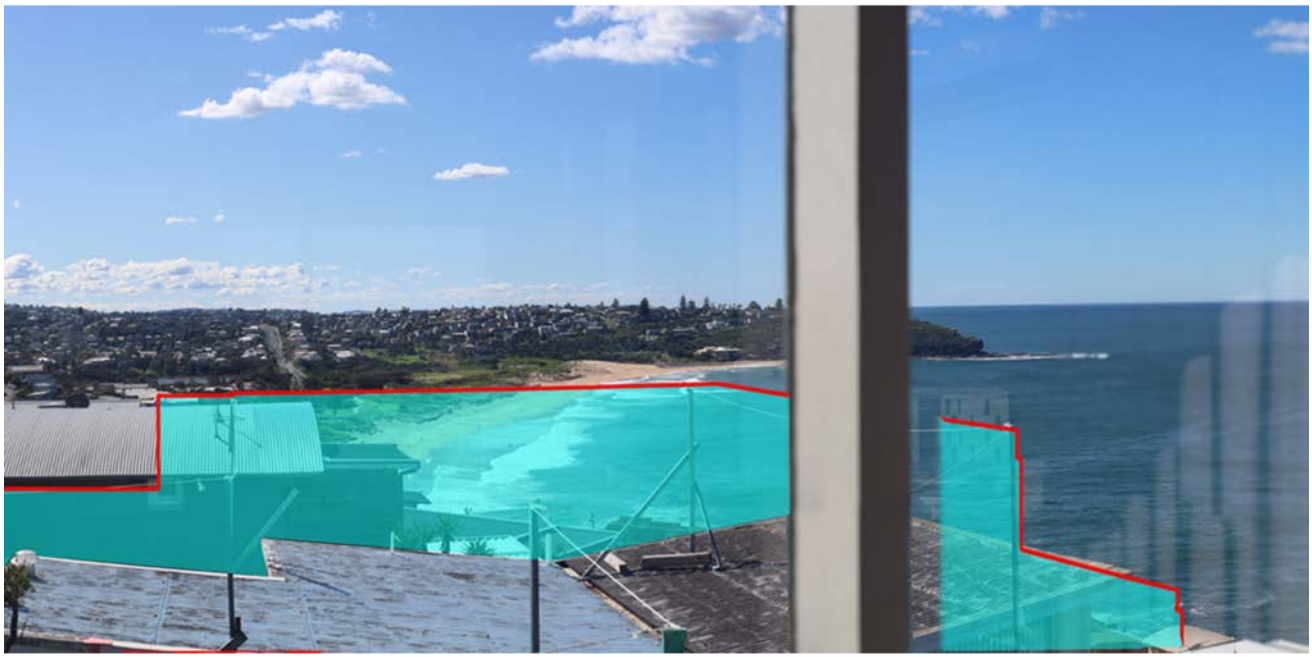
Figure 9 – Urbaine Visual Assessment Scale

3.2.2 Assessment at selected viewpoints



Viewpoint no.1: Existing site photo.
From No.1, Seddon Hill Road, Freshwater. Looking north-northeast over subject site.
RL +55.10 From level 1 bedroom – 1m inside glazing line – standing position.
Distance to site boundary: 3.1m. Distance to centre of site: 15.3m

Viewpoint no.1: Photomontage of new proposal



Viewpoint no.1: Visual Impact indicated in cyan overlay with red perimeter outline.
Visual impact – portion of building visible in view: 29%
Visual impact ratio of land view loss to water view loss to sky view loss: 46% : 54% : 0%

Visual Quality Assessment: Scale no.14 Visual Impact Assessment: Scale no.9

This is a static, private viewpoint from the main bedroom of No.1, Seddon Hill Road.

From this location, the existing view is to the ocean and an almost uninterrupted horizon line for approximately 150 degrees (see Appendix A). The view to the north, over the subject site, is towards North Curl Curl and includes Curl Curl Beach in the foreground, with the Flora and Richie Roberts Reserve behind. The land then rises towards the residential areas of North Curl Curl and the ridgeline that continues north to Dee Why. The ridgeline is observed to the east reducing across Rulingia Lookout towards the foreshore at North Curl Curl Rock Pool.

The new development partially reduces the foreground portion of this view, at the southern end of Curl Curl Beach and the associated ocean beyond this to the east.

When taken in the context of the full view, as shown in the attached Appendix, the overall view loss can be assessed as medium.

Viewpoint no.2: Existing site photo.
From No.1, Seddon Hill Road, Freshwater. Looking north-northeast over subject site.
RL +55.1. From living room – 1m inside glazing line - standing position.
Distance to site boundary: 4.9m. Distance to centre of site: 16.67m

Viewpoint no.2: Photomontage of new proposal.

Viewpoint no.2: Visual Impact indicated in cyan overlay with red perimeter outline.
Visual impact – portion of building visible in view: 28%
Visual impact ratio of land view loss to water view loss to sky view loss: 52% : 48% : 0%

Visual Quality Assessment: Scale no.13 Visual Impact Assessment: Scale no.7

This is a static, private viewpoint from the main bedroom of No.1, Seddon Hill Road on the upper floor of the residence.

From this location, the existing view is to the ocean and an almost uninterrupted horizon line for approximately 150 degrees. The view to the north, over the subject site, is towards North Curl Curl and includes Curl Curl Beach in the foreground, with the Flora and Richie Roberts Reserve behind. The land then rises towards the residential areas of North Curl Curl and the ridgeline that continues north to Dee Why. The ridgeline is observed to the east reducing across Rulingia Lookout towards the foreshore at North Curl Curl Rock Pool.

The new development partially reduces the foreground portion of this view, at the southern end of Curl Curl Beach and the associated ocean beyond this to the east.

When taken in the context of the full view, as shown in the attached Appendix, the overall view loss can be assessed as low-to-medium.

Viewpoint no.4: Existing site photo.
From No.1, Seddon Hill Road, Freshwater. Looking north-northeast over subject site.
RL +52.6 From first floor balcony off main living room – 1m outside glazing line – standing position
Distance to site boundary: 7.04m. Distance to centre of site: 18.7m.

Viewpoint no.4: Photomontage of new proposal

Viewpoint no.4: Visual Impact indicated in cyan overlay with red perimeter outline.
Visual impact – portion of building visible in view: 38%
Visual impact ratio of land view loss to water view loss to sky view loss: 32% : 10% : 58%

Visual Quality Assessment: Scale no.12 Visual Impact Assessment: Scale no.7

This is a static, private viewpoint from the balcony off the main living area on the ground floor of the property, looking north.

From this location, the high-value, existing view is to the ocean and an almost uninterrupted horizon line for approximately 150 degrees, towards the east. The view to the north, over the subject site, is towards North Curl Curl and includes the northern portion of Curl Curl Beach, with the Flora and Richie Roberts Reserve behind. The land then rises towards the residential areas of North Curl Curl and the ridgeline that continues north to Dee Why. The ridgeline is observed to the east reducing across Rulingia Lookout towards the foreshore at North Curl Curl Rock Pool.

The new development partially reduces the middle distance view towards the residential area of North Curl Curl. There is no additional beach view loss as a result of the new development, although there is a small increase of ocean view loss to the eastern end of the subject site.

When taken in the context of the full view, as shown in the attached Appendix, the overall view loss can be assessed as low-to-medium.

Viewpoint no.10: Existing site photo.
From No.3. Seddon Hill Road, Freshwater. Looking east-northeast over subject site.
RL +54.2 From window of bedroom on first floor of apartment – drone photograph.
Distance to site boundary: 15.2m. Distance to centre of site: 33.3m.

Viewpoint no.10: Photomontage of new proposal.

Viewpoint no.10: Visual Impact indicated in cyan overlay with red perimeter outline.
Visual impact – portion of building visible in view: 14%
Visual impact ratio of land view loss to water view loss to sky view loss: 0% : 100% : 0%

Visual Quality Assessment: Scale no.9 Visual Impact Assessment: Scale no.19

This is a static, private viewpoint from a first-floor level bedroom window towards the northwestern corner of the apartment block at No.3, Seddon Hill Road, Freshwater.

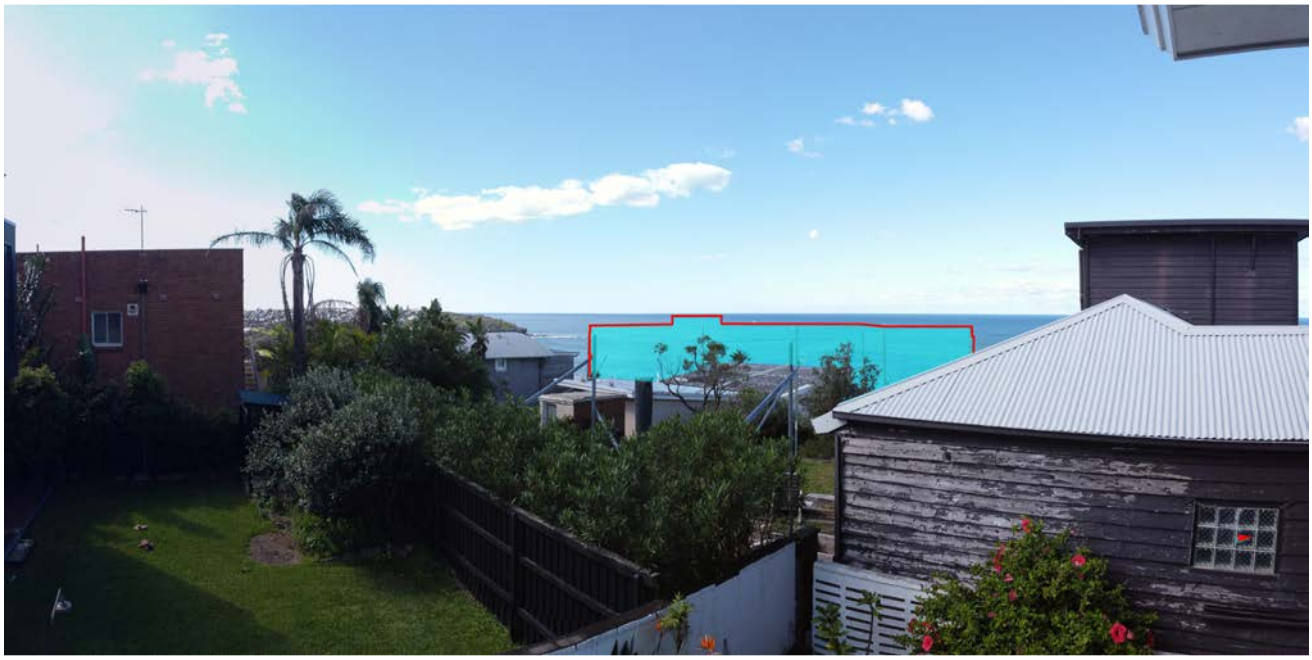
From this viewpoint, the view towards the subject site is in an east-northeasterly direction, over the rear garden and fence of No.9, Lodge Lane and from there towards the ocean in the east. The view to the northeast is terminated by existing landscape to the rear of the subject site.

A portion of view of the ocean to the east is lost as a result of the new proposal. No part of the development crosses the horizon line.

When taken in the context of the full view, and the fact that the view is across a side boundary, the overall view loss can be assessed as low-to-medium.

Viewpoint no.11: Existing site photo.
From No.3 Seddon Hill Road, Freshwater. Looking northeast over subject site.
RL +54.11m. From northeast corner bedroom window - equivalent to standing position.
Distance to site boundary: 6.7m. Distance to centre of site: 25.2m

Viewpoint no.11: Photomontage of new proposal.



Viewpoint no.11: Visual Impact indicated in cyan overlay with red perimeter outline.
Visual impact – portion of building visible in view: 21%
Visual impact ratio of land view loss to water view loss to sky view loss: 6% : 94% : 0%

Visual Quality Assessment: Scale no.11 Visual Impact Assessment: Scale no.9

This is a static, private viewpoint from the equivalent of a first floor bedroom in the apartments at No.3, Seddon Hill Road, looking northeast over the subject site.

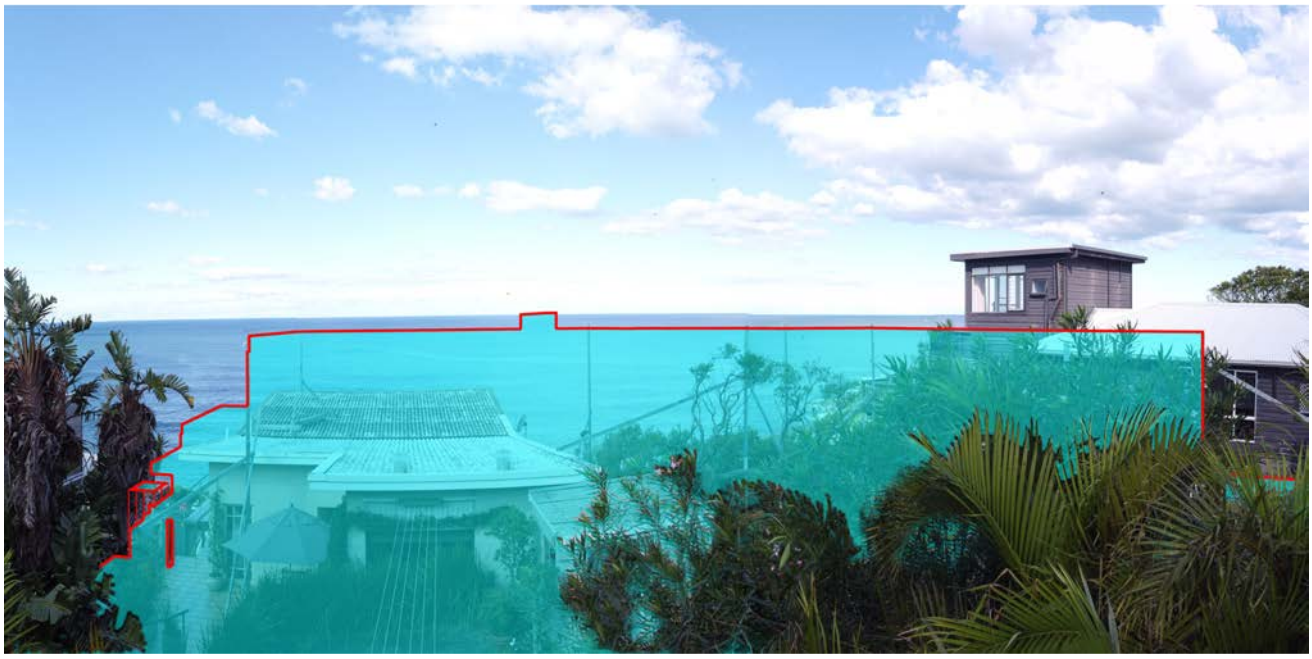
From this viewpoint, the view towards the subject site is over the rear garden and fence of No.9, Lodge Lane and from there towards the ocean in the east. The view to the northeast includes Dee Why Headland and the Curl Curl Rockpool. This remains unobstructed by the new proposal.

A significant portion of view of the ocean to the northeast is lost as a result of the new proposal. However, no part of the development crosses the horizon line. The view to the east is terminated by the upper floor of the property at No.1, Seddon Hill Road.

When taken in the context of the full view, as shown in the attached Appendix, the overall view loss can be assessed as medium.

Viewpoint no.15: Existing site photo.
From No.11, Lodge Lane, Freshwater. Looking east over subject site.
RL +54.24 From first floor living room – at standing height.
Distance to site boundary: 3.15m. Distance to centre of site: 19.28m

Viewpoint no.15: Photomontage of new proposal.



Viewpoint no.15: Visual Impact indicated in cyan overlay with red perimeter outline.
Visual impact – portion of building visible in view: 31%
Visual impact ratio of land view loss to water view loss to sky view loss: 17% : 83% : 0%

Visual Quality Assessment: Scale no.12 Visual Impact Assessment: Scale no.11

This is a static, private viewpoint from the first-floor level living room window, looking directly across the roof of the existing property in an easterly direction towards the ocean.

From this viewpoint, the view towards the subject site is in an easterly direction, over its rear garden and fence and from there towards the ocean in the east. The view to the northeast is partially terminated by existing landscape to the rear of the subject site, while the view to the southeast ends at the upper level of the existing property at No.1 Seddon Hill Road.

A significant portion of view of the ocean to the east is lost as a result of the new proposal. No part of the development crosses the horizon line.

When taken in the context of the full view, as shown in the attached Appendix, the overall view loss can be assessed as medium-to-high.

Viewpoint no.16: Existing site photo.
From No.9, Lodge Lane, Freshwater. Looking east-southeast over subject site – equivalent drone photo.
RL +55.79 From first floor floor living room – equivalent of standing height.
Distance to site boundary: 8.2m. Distance to centre of site: 23.6m

Viewpoint no.16: Photomontage of new proposal.

Viewpoint no.16: Visual Impact indicated in cyan overlay with red perimeter outline.
Visual impact – portion of building visible in view: 29%
Visual impact ratio of land view loss to water view loss to sky view loss: 3% : 97% : 0%

Visual Quality Assessment: Scale no.12 Visual Impact Assessment: Scale no.11

This is a static, private viewpoint from the first-floor level living room window, looking across the southern portion of the subject site in an easterly direction towards the ocean. To the northeast can be seen the Dee Why Headland and the north Curl Curl Rockpool

From this viewpoint, the view towards the subject site is in an easterly direction, over its rear garden and fence and from there towards the ocean in the east. The view to the northeast is partially terminated by existing landscape to the rear of the subject site, while the view to the southeast ends at the upper level of the existing property at No.1 Seddon Hill Road. The view to the ocean and horizon then continues beyond this to the south.

A significant portion of view of the ocean to the east is lost as a result of the new proposal. No part of the development crosses the horizon line.

When taken in the context of the full view, as shown in the attached Appendix, the overall view loss can be assessed as medium-to-high.

Viewpoint no.17: Existing site photo.
From new house proposal at No.1 Seddon Hill Road, Freshwater. Looking east-southeast over subject site. Standing height.
RL +55.13 From main living room balcony of proposed new house.
Distance to site boundary: 9.95m. Distance to centre of site: 18.3m.

Viewpoint no.17: Photomontage of new proposal.

Viewpoint no.17: Visual Impact indicated in cyan overlay with red perimeter outline.
Visual impact – portion of building visible in view: 14%
Visual impact ratio of land view loss to water view loss to sky view loss: 38% : 72% : 0%

Visual Quality Assessment: Scale no.14 Visual Impact Assessment: Scale no.8

This is a static, private 'virtual' viewpoint from the balcony off the main living area on the first floor of the future, proposed property, looking north.

From this location, the high-value, existing view is to the ocean and an almost uninterrupted horizon line for approximately 150 degrees, towards the east. The view to the north, over the subject site, is towards North Curl Curl and includes the northern portion of Curl Curl Beach, with the Flora and Richie Roberts Reserve behind. The land then rises towards the residential areas of North Curl Curl and the ridgeline that continues north to Dee Why. The ridgeline is observed to the east reducing across Rulingia Lookout towards the foreshore at North Curl Curl Rock Pool.

The new development partially reduces the middle distance view towards the residential area of North Curl Curl. There is an amount of beach and ocean view loss as a result of the new development, although there is no impact upon the Dee Why Headland or North Curl Curl Rock Pool.

When taken in the context of the full view, as shown in the attached Appendix, the overall view loss can be assessed as medium, since the ocean view remains uninterrupted, as does the view to the south east and south.

4. CONCLUSIONS + PLANNING SCHEME PROVISIONS RELATING TO VISUAL IMPACTS

The proposed development seeks to demolish an existing house and create 2 distinctly separate buildings across a single plot.
The development has been designed to comply with the requirements of the WLEP 2011 & the controls of the Warringah Development Control Plan.
In certain areas, the design relies on the DCPs flexibly to allow reasonable alternative solutions to achieve the objectives of DCP standards. These are outlined in the accompanying Statement of Environmental Effetcs.
The proposal's impact on views is assessed within this report and shown in the accompanying appendix. As with all visual impact assessments, the view loss should be reviewed within the context of the full views that are available, particularly in ocean-facing sites, such as this. The wide panoramic easterly views are uninterrupted from many locations and this development achieve the continuity of the horizon line from all relevant surrounding properties.
See Figure 10 for a typical panoramic view with the impact shown to the north.

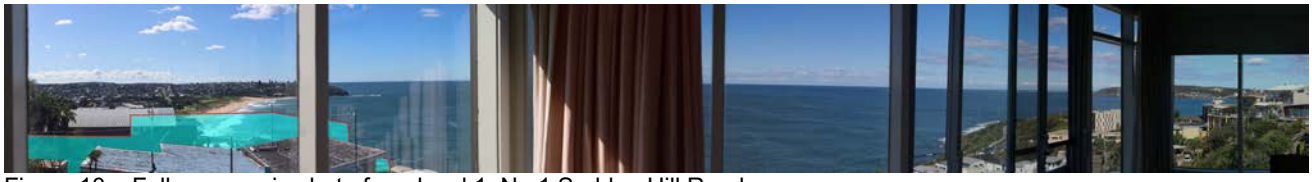


Figure 10 – Full panoramic photo from level 1, No.1 Seddon Hill Road.

The proposal provides for the partial demolition of the existing structures and construction of a new dwelling which includes the retention of substantial portions of the existing dwelling, together with the construction of a new garage with secondary dwelling over, including a new secondary dwelling over the garage, swimming pool and landscaping, which will not have a detrimental impact on the adjoining properties or the locality.
The new proposal is partially non-compliant, relative to the Warringah DCP. However, it is not as a result of elements in these areas that the visual impact and view loss are caused, or increased
The non-compliance would invoke stage 4 of the Tenacity ruling, requiring consideration being given to the relative skillfulness of the design and whether a more skillful design would result in a diminished visual impact. In this situation, it can be reasonably argued that this would not be the case.
As the proposed development will not have any significant impact on the environment, scenic quality of the area or the amenity of the adjoining allotments, the issue of Development Consent under the delegation of Council is requested.
I would strongly recommend that this application be approved on the grounds stated in this report in relation to view loss and visual impact.

5. APPENDICES

- 5.1 APPENDIX A: Full Panoramic Photomontages of the Proposed Development from local viewpoints + verification diagrams.
- 5.2 APPENDIX B: Land and Environment Court: Guidelines for Photomontages.
- 5.3 APPENDIX C: Aspinall CV and Expert Witness experience. Methodology article – Planning Australia, by Urbaine.

APPENDIX B:

Land and Environment Court: Guidelines for Photomontages

APPENDIX C

Aspinall CV and Expert Witness experience.
Methodology article – Planning Australia, by Urbaine.