



ADDENDUM TO PLANNING PROPOSAL

VIEW ANALYSIS

**No. 240 New South Head Road
Edgecliff**

Prepared for:
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Edgecliff NSW 2027

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1.0 INTRODUCTION

This View Analysis has been prepared for Mr Peter Thane by Gary Shiels & Associates Pty Ltd – (hereafter referred to as GSA Planning). GSA Planning has expertise in Urban Design, Environmental & Traffic Planning.

The View Analysis was requested by Council Officers in a letter dated 11 June 2013 to assess the potential view impacts of the proposed built form at the Planning Proposal stage rather than the development application stage. Council nominated eight buildings to be assessed including Nos. 365, 442-446, 448, 450, 452, 454, 456 and 458 Edgecliff Road, Edgecliff.

This View Analysis is to accompany a Planning Proposal to amend the height and FSR development standards for the Thane Building at No. 240 New South Head Road, Edgecliff.

In the preparation of this assessment the following tasks were undertaken:

1. The establishment of height poles by a registered surveyor to indicate the maximum height of 18m being sought in the Planning Proposal;
2. Certification of the height poles by a registered surveyor;
3. Observations from as many of the buildings identified by Council as possible;
4. Photographs from some of these locations taken over the subject site;
5. 3D massing superimposed onto selected photographs and certified; and,
6. Certification of the 3D massing models by Tony Law of 3D Architectural Imaging; and,
7. Preparation of a view analysis in accordance with the view sharing Planning Principles contained in *Tenacity v Warringah Council (2004) NSWLEC 140*.

Whilst we endeavoured to inspect and take photos from as many of the identified buildings as possible, it was only feasible to inspect Nos. 452 and 458 Edgecliff Road.

This document is divided into four sections. Section 2 describes the process for the view analysis, Section 3 undertakes the view analysis and Section 4 concludes the report.

2.0 PROCESS FOR THE VIEW ANALYSIS

The process for the view analysis has involved erecting height poles, certifying the height of the poles, taking photographs from dwellings within the buildings as noted by Council, superimposing a building mass onto the photos and assessing them against the four view sharing Planning Principles of *Tenacity v Warringah Council (2004) NSWLEC 140*.

2.1 Properties identified by Council

Council nominated eight buildings on Edgecliff Road and the potential view impacts from these buildings has been assessed in Section 3.0 (see Figure 1):

- No. 365 Edgecliff Road;
- Nos. 442 - 446 Edgecliff Road;
- No. 448 Edgecliff Road;
- No. 450 Edgecliff Road;
- No. 452 Edgecliff Road;
- No. 454 Edgecliff Road;
- No. 456 Edgecliff Road; and,
- No. 458 Edgecliff Road.



Figure 1: Potential View Locations

2.2 Height Certification

The maximum height in the Planning Proposal is RL48.80 and this was surveyed and marked with a height poles by registered surveyor, Peter Bolan and Associates Pty Ltd on 20 August 2013 (see Annexure 1).

2.3 Photographs

On the day the height poles were erected, being 20 August 2013, photographs were taken by GSA Planning from the following buildings nominated by Council:

- Units 10, No. 452 Edgecliff Road; and,
- Units 4, 6, 10 and 20, No. 458 Edgecliff Road.

Photographs from other properties on Edgecliff Road have been reviewed on www.domain.com.au.

Six photographs have been used to assess the view impacts of the proposed built form. Photograph 1 relates to Unit 10, No. 452 Edgecliff Road. Photographs 2, 3 and 4 relate to Units 6, 10 and 20, No. 458 Edgecliff Road, respectively. Photographs 5 and 6 relate to Unit 4, No. 458 Edgecliff Road. The photograph and the corresponding direction of the view are identified in Figure 2 on the following page (see Figure 2). The Pine tree in Double Bay Park has been used as the location reference. The photographs contain an inset indicating the location of where the photograph was taken from. Concept envelopes have been prepared by 3D Architectural Imaging and superimposed onto the photographs where necessary to assess the view impact. The 3D models have been prepared on the basis of the survey levels certified by Peter Bolan & Associated surveyors (see Annexure 2). The photographs and view assessment are contained in Section 3.0.

2.4 View Analysis

In the assessment of development applications relating to view issues, the NSW Land and Environment Court rely on the four view sharing principles of *Tenacity v Warringah Council* (2004) NSWLEC 140. We have employed these principles as a generally accepted basis for determining the impact of view loss, for this situation. The four steps in assessing view affectation are as follows:

1. The assessment of the views affected

The first step is to assess the view affected. Water views are valued more highly than land views. Iconic views are valued more highly than views without icons. Whole views are valued more highly than partial views. That is, a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.

2. Consideration from what part of the property views are obtained

The second step is to consider what part of the property the views are obtained, noting that the front and rear boundaries are given priority while standing views may be easier to preserve than sitting views. Senior Commissioner Roseth states that “the expectation to retain side views and sitting views is often unrealistic.”

3. The extent of impact

The third step is to assess the extent of the impact from the whole of the property. The impact on views from living areas is more significant than from bedrooms or service areas. View loss is assessed qualitatively as negligible, minor, moderate, severe or devastating.

4. The reasonableness of the proposal that is causing the impact

The fourth step in the process refers to complying and non-complying applications. A development that complies with all planning controls would be considered more reasonable than one that breaches them. This step is less relevant and would apply more to a development application.

The analysis has considered the location of each of the nominated buildings, assessed the views affected, considered from what part of the property views are obtained and assessed the extent of impact. The view assessment in Section 3.0 is on the basis of Step 3.

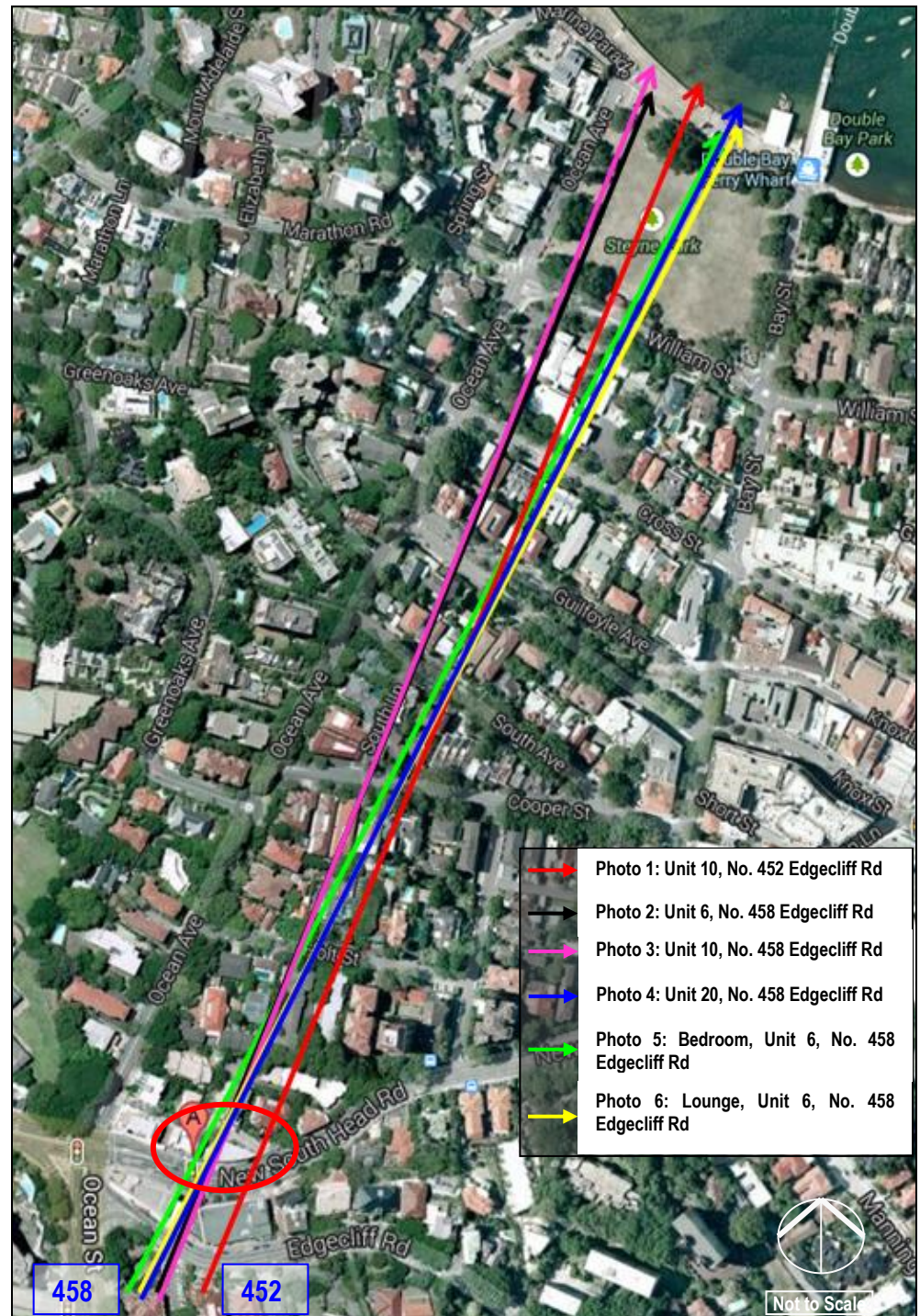


Figure 2: View Photographs and Directions

3.0 VIEW IMPACT ANALYSIS

The following section provides a visual impact assessment of the Planning Proposal.

The buildings identified by Council are residential flat buildings and are located to south and elevated well above the subject site (see Figure 1 on page 3).

The north facing windows of these buildings have northerly and north easterly views towards Double Bay. Based on the certified height on the subject site, and the elevated nature of the buildings to the south, view loss is mostly negligible, with the exception of one inspected unit, which potentially has moderate impact.

3.1 No. 365A Edgecliff Road

No. 365A Edgecliff Road is south east of the subject site. Views to and from this site are constrained by the topography, the existing vegetation and the built elements in the immediate area. Views to the north to the water are likely to be maintained. In our opinion, on the basis of Step 3, the view loss can be described as negligible impact on this property.

3.2 Nos. 442-446 Edgecliff Road

No. 442-446 Edgecliff Road is over 100m south east of the subject site. Views to and from this site are constrained by the topography, the existing vegetation and the built elements on Edgecliff Road and the southern side of New South Head Road. In our opinion, the view loss can be described as negligible.

3.3 No. 448 Edgecliff Road

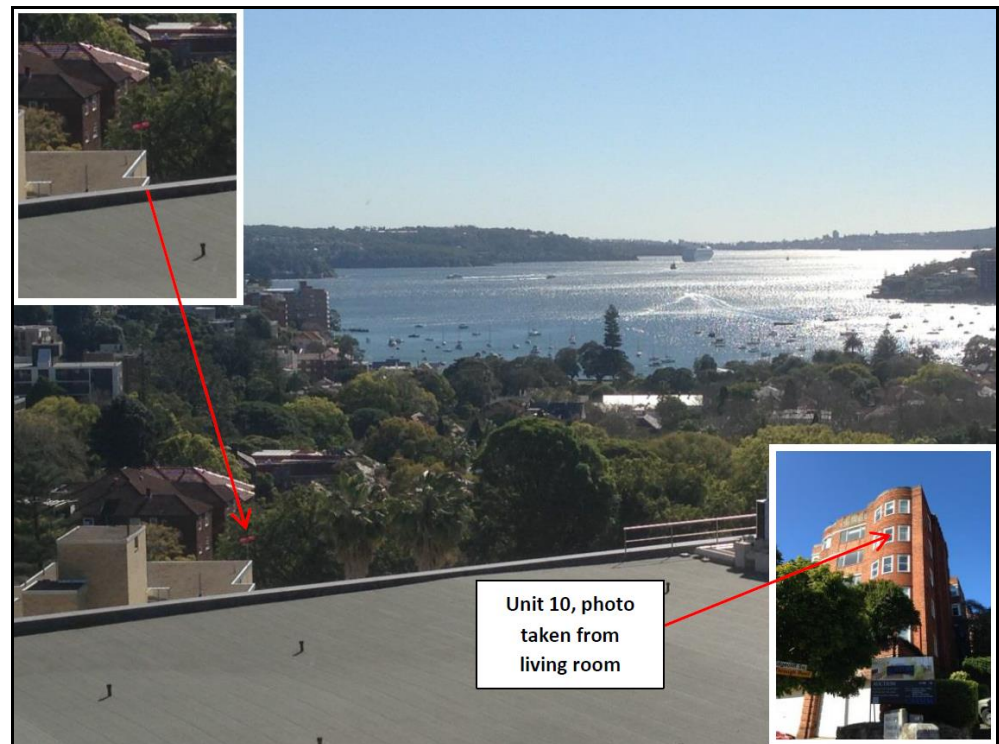
No. 448 Edgecliff Road is two storeys above garage level and over 80m south of the subject site. Views to and from this site are constrained by the commercial building at Nos. 297-299 New South Head Road. In our opinion, there will be no view loss.

3.4 No. 450 Edgecliff Road

No. 450 Edgecliff Road is 80m south of the subject site. The lower levels of No. 450 Edgecliff Road would have limited views over the commercial building at Nos. 297-299 New South Head Road. Views of the water from the upper levels will not be impacted. In our opinion, the view loss can be described as negligible.

3.5 No. 452 Edgecliff Road (Photograph 1)

No. 452 Edgecliff Road, known as Cumberland, is a five storey building above garage and is 80m south of the subject site. Views from the lower levels are constrained by the commercial development at Nos. 287-295 and Nos. 297-299 New South Head Road. Photographs were taken from Unit 10 on Level 3. Views of the water from the upper levels will not be impacted (see **Photograph 1**). In our opinion, the view loss can be described as negligible.



Photograph 1: View from Unit 10, No. 452 Edgecliff Road

3.6 No. 454 Edgecliff Road

No. 454 Edgecliff Road is 115m south west of the subject site, behind No. 452 Edgecliff Road. Views from this building are constrained by the existing built form in the immediate and surrounding locality. In our opinion, there will be no view impacts.

3.7 No. 456 Edgecliff Road

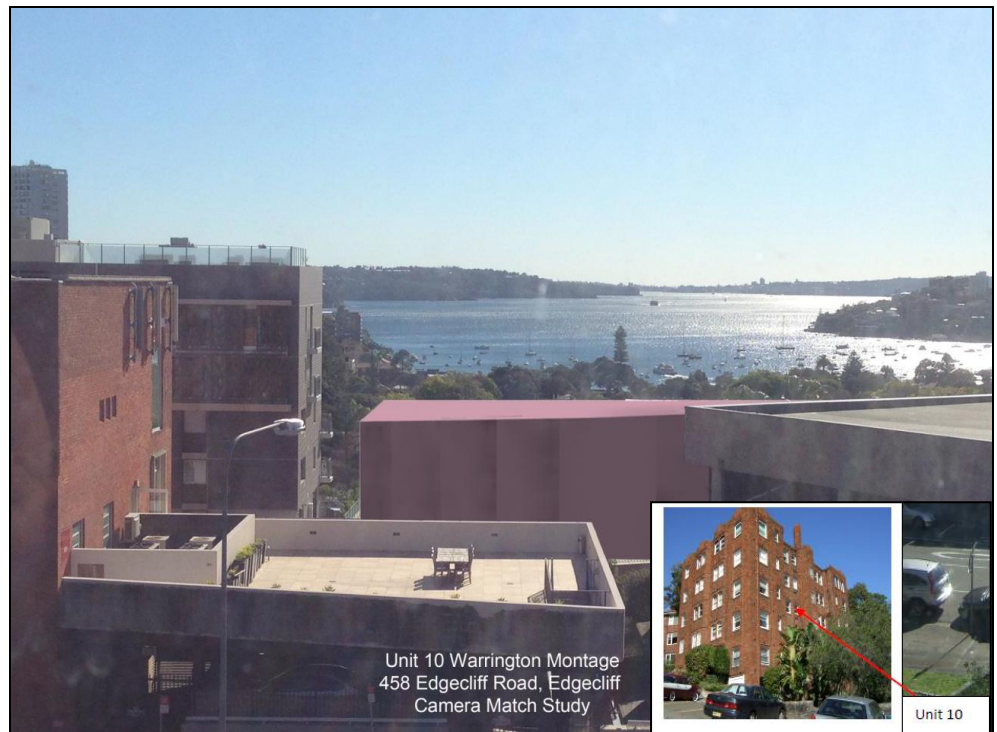
No. 456 Edgecliff Road is 115m south west of the subject site, behind No. 458 Edgecliff Road. Views from this building are constrained by the existing built form in the immediate and surrounding locality. In our opinion, there will be no view impacts.

3.8 No. 458 Edgecliff Road (Photographs 2-6)

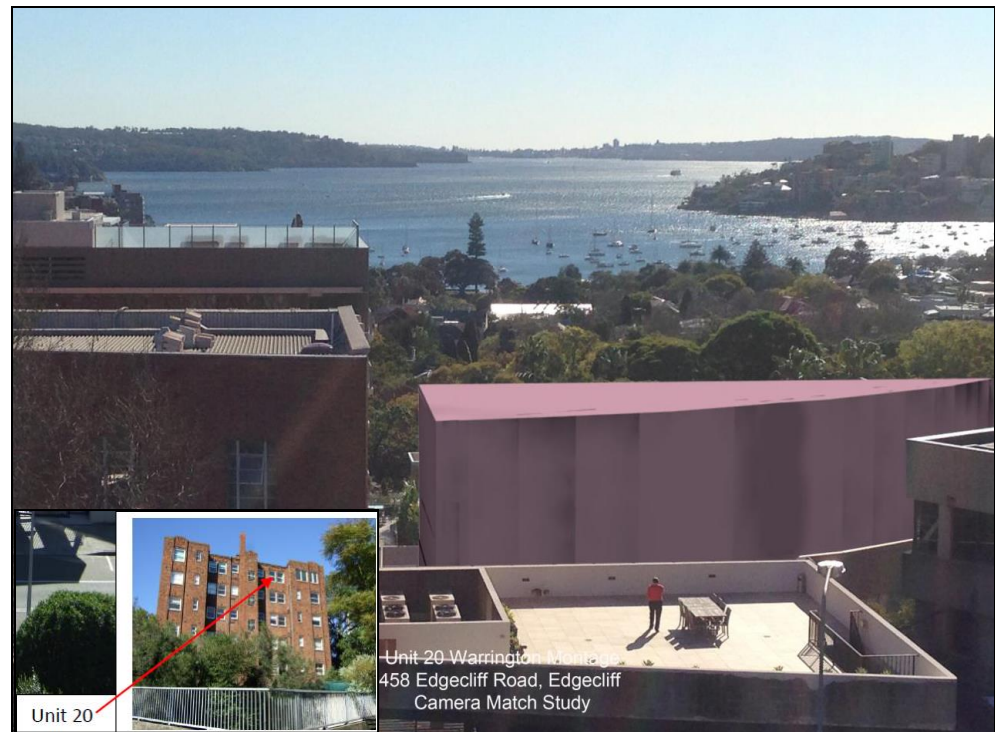
No. 458 Edgecliff Road, known as Warrington, is 90m south west of the subject site. Photographs were taken from Units 4, 6, 10 and 20. Our assessment concludes that there is likely to be negligible to minor impact on water views from Unit 6 (see **Photograph 2**). The majority of the water view from Unit 6 will be maintained. There will be no impact on water views from Units 10 and 20 of the Warrington Building (see **Photographs 3 and 4**).



Photograph 2: View from Unit 6, No. 458 Edgecliff Road



Photograph 3: View from Unit 10, No. 458 Edgecliff Road



Photograph 4: View from Unit 20, No. 458 Edgecliff Road

Unit 4 is the western unit on the ground floor with filtered north facing distant water land interface views to Double Bay. This view is heavily constrained by the existing topography, the existing vegetation and the built elements in the immediate area. Unit 4 does not have any iconic views. The impact on views from the bedroom would be described as moderate (see **Photograph 5**).

Commissioner Roseth in his view sharing principles concluded that the impact on views from living areas is more significant than from bedrooms or service areas. The proposed built form would not adversely impact on views from the living room given the existing vegetation and built form (see **Photograph 6**).

We note that while the foreground water views will be impacted on, distant views to Manly Head from Unit 4 will be maintained (see **Photograph 5** and Figure 3 on page 10). The retained view is land/water interface, which is valued more highly than a partial view in Commissioner Roseth's view sharing principles.



Photograph 5: View from Bedroom of Unit 4, No. 458 Edgecliff Road



Photograph 6: View from Living Room of Unit 4, No. 458 Edgecliff Road

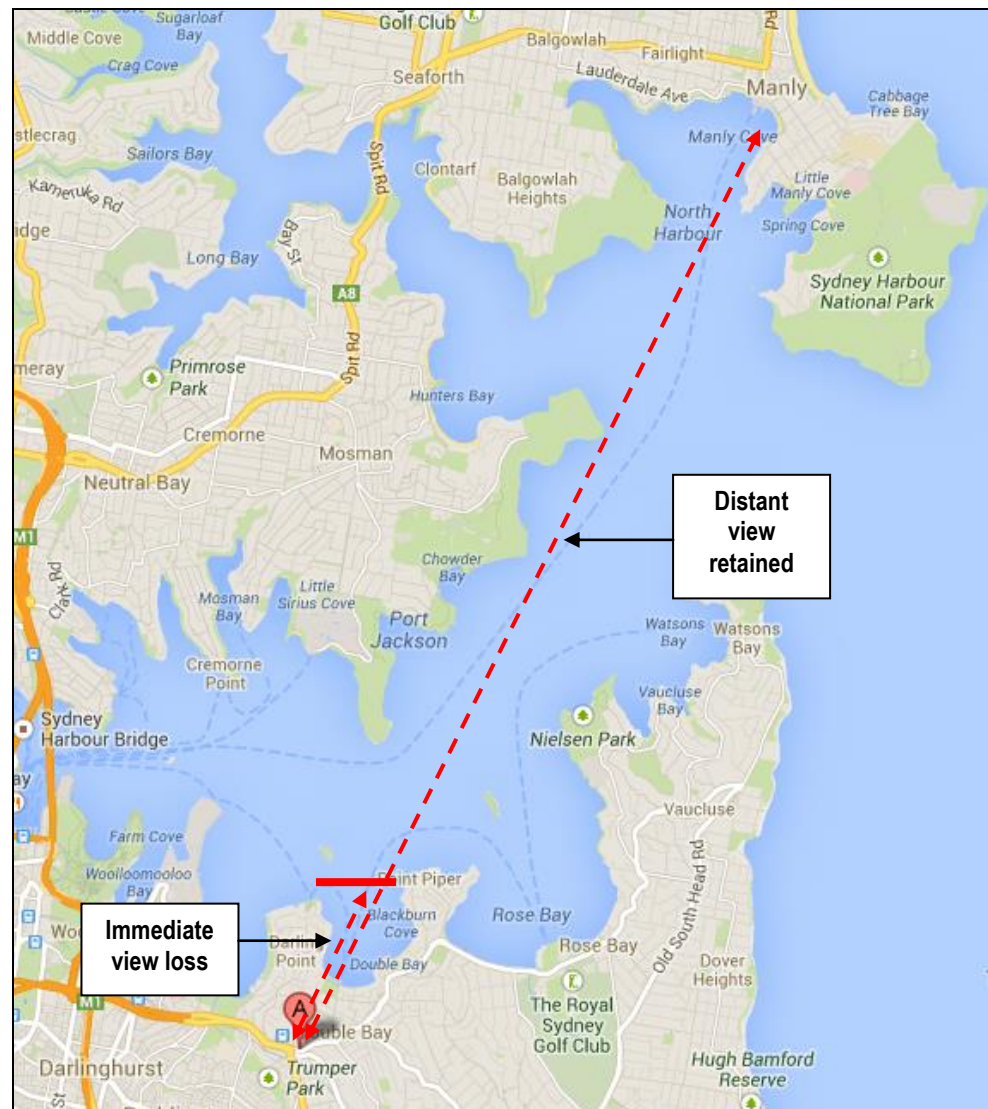


Figure 3: Potential View Impact From Unit 4, No. 458 Edgecliff Road

Accordingly, in our opinion, views of the water from Unit 6 of No. 458 Edgecliff Road will have a negligible to minor impact as a result of the proposed built form. The vast majority of water views will be maintained. Water views from Unit 10 and 20 will not be impacted on.

On our assessment, the view loss from the bedroom of Unit 4 is moderate. While some view will be impacted on, approximately 50% of the water view will be retained. As stated by Commissioner Roseth in *Tenacity Consulting v Waringah* [2004] NSWLEC 140, the impact on views from living areas is more significant than from bedrooms or service areas. The view loss from the living room is negligible given the existing vegetation on site. We are instructed that the owner of Unit 4 of No. 458 Edgecliff Road has provided in principle support to the view loss indicated in Photograph 5.

On balance, the view impact on No. 458 Edgecliff Road can be described as minor to moderate on the basis that three of the four units inspected will retain their views. The view loss from Unit 4 is from a bedroom, which is more difficult to retain under *Tenacity*.

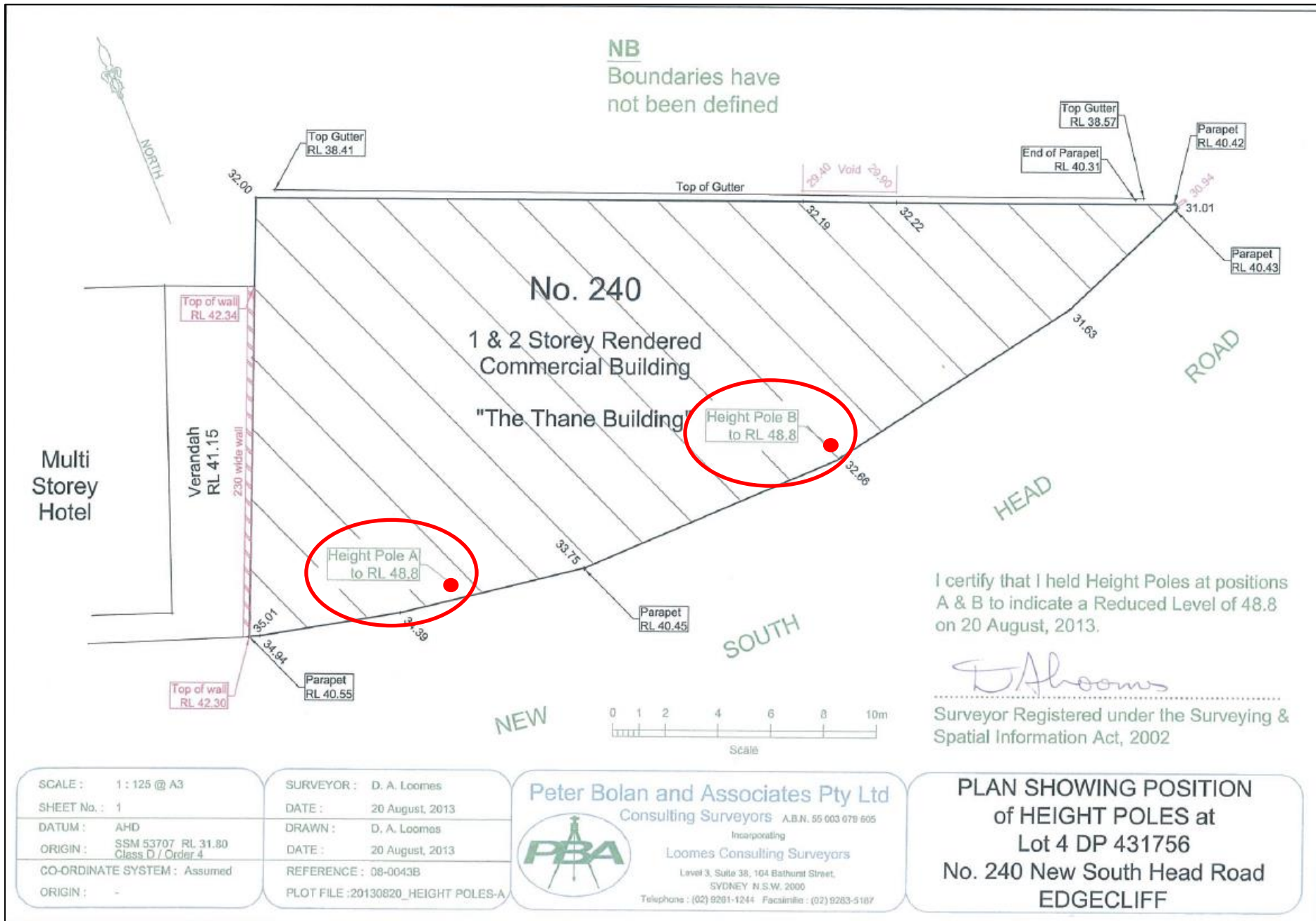
4.0 CONCLUSION

In response to Council's request for a View Analysis of eight properties, the likely view impacts of the proposed built form was undertaken. Height poles were established by a registered surveyor and photographs were taken from the most affected properties, being Nos. 452 and 458 Edgecliff Road. The view analysis was undertaken in accordance with the view sharing Planning Principles contained in *Tenacity v Warringah Council (2004) NSWLEC 140*.

The proposed built form will not impact on the views from Nos. 365A, 442-446, 448, 450, 454 and 458 Edgecliff Road. The proposal will not impact on the views from No. 452 Edgecliff Road on the basis of photos undertaken at a site inspection. The upper levels of No. 458 Edgecliff Road will have no impacts. The bedroom of Unit 4 of No. 458 Edgecliff Road will be impacted on. However, views from bedrooms are more difficult to protect. The views from the living room are already heavily constrained.

Accordingly, for the reasons stated above, view loss from the proposed built form is mostly negligible, with some moderate impact from the bedroom of Unit 4. In our opinion, the Planning Proposal will have minimal environmental and built form impacts and the LEP 1995 should be amended to include an FSR of 4.09:1 and height of 18m for the subject site.

Annexure 1:
Height Certification



SCALE : 1 : 125 @ A3
 SHEET No. : 1
 DATUM : AHD
 ORIGIN : SSM 53707 RL 31.80
 Class D / Order 4
 CO-ORDINATE SYSTEM : Assumed
 ORIGIN : -

SURVEYOR : D. A. Loomes
 DATE : 20 August, 2013
 DRAWN : D. A. Loomes
 DATE : 20 August, 2013
 REFERENCE : 08-0043B
 PLOT FILE : 20130820_HEIGHT POLES-A

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 SYDNEY N.S.W. 2000
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PLAN SHOWING POSITION
of HEIGHT POLES at
Lot 4 DP 431756
No. 240 New South Head Road
EDGECLIFF

Annexure 2:
3D Certification

06/12/2013

To Whom It May Concern:

Re: 240 South Head Road Edgecliff

Dear Sir/Madam,

3dai is specialised in architectural visualisation. We have been in this industry since 1992. Our services include preparation of 3d images, photomontages, shadow diagrams, and animation.

We use the specialised software Autodesk Max Design (www.autodesk.com) and Photoshop to create photomontage images for the above project.

The 3d model was created by using AMD, based on the survey drawing prepared by Peter Bolan & Associates Pty Ltd. Camera height is taken at RL 1.85m for each floor RL (floor RL is taken from the survey drawings).

We put the photos at the background and adjusted the camera angle to match the 3D models to the photos. The final touch up is done in Photoshop (www.adobe.com).

We believe the proportions of the proposed building to the existing surroundings are in right scale, with 95% accuracy.

Please don't hesitate to contact us if you have any query.

Yours sincerely,

Tony Law
Manager

Yours sincerely,

A handwritten signature in black ink that reads 'Tony Law'.

Tony Law