



VISUAL IMPACT ASSESSMENT

Altitude Aspire

Fraser Drive and Parkes Lane, Terranora

Completed by

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November 2010

EXECUTIVE SUMMARY

1 This report was prepared to respond to item 2.2 and item 3.1 of the Director General's Environmental Assessment Requirements (DGEARs) (dated 23 November 2009), which are copied below.

Item 2.2

Demonstrate the consistency of the proposed subdivision design and layout with the North Coast Urban Design Guidelines, Coastal Design Guidelines for NSW, NSW Coastal Policy 1997 and SEPP 71 - Coastal Protection.

The parts of these guidelines and policies relevant to the scope of this report are principally concerned with the following (refer Appendix B):

- i. that the character of the surrounding area is maintained through appropriate subdivision layout, building height and scale, setbacks and streetscapes, and retention of views to significant landscape feature;
- ii. that the scenic values of the local area are maintained through the location of new and existing open space; and
- iii. that quality views and vistas from streets and public places are protected by avoiding obstruction from built form and relating buildings to topography.

Item 3.1

Demonstrate that the subdivision design and layout of the dwellings is able to preserve the scenic values of the area, in particular the integrity of the ridgelines, and the views and environmental qualities of Terranora Broadwater and the adjacent SEPP 14 Wetland.

2 In response to these DGEARs, this report found:

- i. The visual qualities of the site which contribute to the scenic values of the local area are a result of:
 - the varied topography;
 - the rural landscape values existing on the site;
 - and some stands of vegetation on the site.
- ii. The extent of impact that the proposed development could have on the scenic values of the local area would be limited because:
 - the site has a limited visual catchment
 - the zoning of the majority of the site for residential development means an informed resident would reasonably expect some form of residential development on the site
- iii. There are no ridgelines on the site that make a significant contribution to the scenic values of the area.

iv. The proposed development seeks to maintain the topographical qualities of the site by limiting the alteration of the landform to ensure it retains the same general structure and appearance.

v. From most vantage points that take in views of the site and surrounding landscape, the future built form on the subject site will appear as a logical extension of existing residential development, and will not encroach upon the natural landscape elements of the local area.

vi. The open space designations incorporated into the proposed development will aid in breaking up the future built form, maintain visual continuity of natural landscape elements, and maintain scenic values of the local area.

vii. The controls that will be implemented through the Living Design Guidelines and statutory planning instruments will ensure that future built form on the site will be of a scale, layout, and appearance consistent with surrounding residential development, and will thus be consistent with the character of the local area.

viii. The only views that would potentially be obstructed or limited by the proposed development would be views enjoyed by travellers and residences along Fraser Drive, Parkes Lane and Market Parade. With regard to views from residences along Fraser Drive, it is unlikely that any fences, walls, or future built form on the site would affect views from these residences in any significant way. The proposed development would affect views of travellers along Fraser Drive, who currently enjoy an open view across the site as this view would be obstructed by fencing and future built form along the Fraser Drive boundary of the site. However, this loss of views would be consistent with what would be likely to occur from any typical residential development of the site. This is deemed to be an appropriate view sharing outcome and so the proposal can be seen to comply with the relevant planning provisions and guidelines.

ix. Views from the local area to significant landscape features (such as the ridge to the south of the site, or the Broadwater, will be maintained.

3 For these reasons, the proposed development can be seen to satisfy the provisions raised in DGEARs 2.2 and 3.1 in so far as it relates to visual impacts. In addition to the assessment of the proposal against the provisions of DGEARs, this report assessed the proposed development against the relevant planning instruments and found that the proposal would satisfy those provisions relating to scenic amenity, character, and views.

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1. INTRODUCTION

1.1 Scope of Report

4 LVO' Architecture has been commissioned by the Applicant (Metricon Qld Pty Ltd) to prepare this report to assist with assessment of the impacts of the proposed development on the visual environment.

5 The proposed development is a 321 lot subdivision (317 residential lots, 2 public reserve lots, 1 drainage reserve, and 1 community lot) proposed for land described as Lot 1 DP 304649, Lot 1 DP 175235, Lot 1 DP 781687, Lot 2 DP 778727, Lot 1 DP 781697, Lot 1 DP 169490 and Lots 40 and 43 DP 254416 on Fraser Drive and Parkes Lane, Terranora.

6 Specifically, this report seeks to respond to item 2.2 and item 3.1 of the Director General's Environmental Assessment Requirements (DGEARs) (dated 23 November 2009), which are copied below.

Item 2.2

Demonstrate the consistency of the proposed subdivision design and layout with the North Coast Urban Design Guidelines, Coastal Design Guidelines for NSW, NSW Coastal Policy 1997 and SEPP 71 - Coastal Protection.

The parts of these guidelines and policies relevant to the scope of this report are principally concerned with the following (refer Appendix B):

- iv. that the character of the surrounding area is maintained through appropriate subdivision layout, building height and scale, setbacks and streetscapes, and retention of views to significant landscape feature;
- v. that the scenic values of the local area are maintained through the location of new and existing open space; and
- vi. that quality views and vistas from streets and public places are protected by avoiding obstruction from built form and relating buildings to topography.

Item 3.1

Demonstrate that the subdivision design and layout of the dwellings is able to preserve the scenic values of the area, in particular the integrity of the ridgelines, and the views and environmental qualities of Terranora Broadwater and the adjacent SEPP 14 Wetland.

7 In response to the information requested in the DGEARs, this report first describes the visual qualities of the site and surrounding context (including views, character, and scenic amenity) then determines the likely impacts the proposal will have on these visual qualities. The report will also discuss relevant planning instruments to ascertain the extent of compliance with relevant provisions.

- 8 This report is to be read in conjunction with the drawings and other material submitted with the application.

- 9 The plans of development relied on in this report are:
 - i. Drawing No.s: 18053 B, Sheets 1 – 8 Rev G, prepared by B&P Surveys and BradLees Consulting Engineers, and dated 11/03/2010

2. THE SITE & ITS CONTEXT

2.1 Description

2.1.1 General

- 10 The subject site is part of a larger development area in Terranora (hereafter referred to as the "Altitude Development Area") which is intended to accommodate three stages of residential development. The subject site (hereafter referred to as the "Altitude Aspire" site), being the area which will accommodate Stage 1 has an area of 35.1 hectares and is accessed from Fraser Drive, Parkes Lane, and Market Parade. Fraser Drive branches off Terranora Road, which is one of the principal arterial roads through the local area.
- 11 The Altitude Development Area is a large greenfield site extending south from the southern edge of the Terranora Broadwater. The Altitude Aspire site is located at the eastern part of the Altitude Development Area and is adjacent to existing detached residential development.
- 12 Land surrounding the Altitude Aspire site (refer Figure 1) includes:
- undeveloped land covered by riparian vegetation (to the north of the site);
 - farmland (to the west of the site); or
 - detached residential development (to the south and east of the site).

2.1.2 Landform

- 13 Terranora Road roughly follows along the top of a localised ridge extending from Banora Point to the east and for some distance to the west. The ridge separates the Terranora Broadwater from the Terranora River and defines the northern extents of the Murwillumbah plains to the south. The Altitude Development Area is located on the northern slope of the ridge as it slopes down to the Broadwater (refer Figure 1).
- 14 As well as having a relatively steep slope from the ridge down to the Broadwater, the site and adjoining land is also highly undulating, shaped by spurs and valleys. This steep, highly undulating landform and the water bodies of the Broadwater and the Tweed River are the principal character elements of the local area.
- 15 There are two main ridges which define the western and eastern edges of the site. Whilst these ridges are structurally significant attributes of the site, they are not visually prominent when viewed from local vantage points. The ridge defining the western edge of the site (extending north from Parkes Lane) is not large enough or dramatic enough to be visually prominent, and the ridge defining the eastern edge is traversed by Fraser Drive and existing residential development (on the eastern side of Fraser Drive).

- 16 The topography of the area and the Broadwater create something of an amphitheatre effect which makes the Altitude Aspire site visible from a number of vantage points in a local area to the north of the ridge, but from few vantage points beyond the topography which defines the amphitheatre.

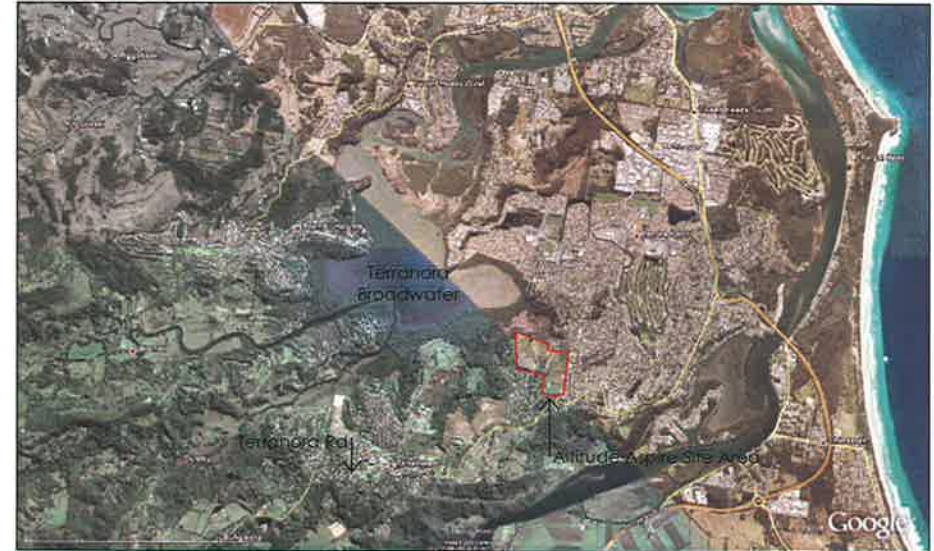


Figure 1 - Overlay of Altitude Aspire site area (approximate) over aerial photo.



Figure 2 - Overlay of Altitude Aspire site area (approximate) over aerial photo.

Figure 3 – View north across site from Parkes Lane,



2.1.3 Existing Land Uses on the Site

- 17 The majority of the Altitude Aspire site has previously been cleared for agricultural activity. Presently there is no activity on the site, but it still appears as cleared pastoral land (refer Figures 2 & 3). Some sheds/buildings exist along Fraser Drive and near the western boundary of the site, but will be removed to accommodate the development.

2.1.4 Existing Vegetation

- 18 The Altitude Aspire site is almost entirely clear of visually significant vegetation. There are some windbreaks separating pastoral fields, and some small patches of visually significant vegetation scattered across the site, some of which are going to be incorporated into proposed open space areas. Similarly, an area of wetland on the site will be accommodated in a proposed open space area.
- 19 The surrounding landscape to the north and west of the site is fairly densely vegetated with low riparian scrub, or stands of significant trees in open farmland. The surrounding landscape to the east and south accommodates patches of trees on residential properties and parklands.

2.2 The Visual Catchment of the Site

- 20 As described above the landform of the local area creates an amphitheatre effect meaning the site, as with most properties located on slopes extending up from the Broadwater, has quite an extensive but localised visual catchment.

- 21 Specifically, the Altitude Aspire site is visible from a number of elevated vantage points on slopes around the Broadwater (to the north of the site) but is not visible from many vantage points beyond this local area as views from more distant locations, such as Tweed Heads South, Bilambil, or locations to the south, which are obstructed by topography or vegetation. The limited extent of the visual catchment obviously directly affects the potential for visual impacts. Figure 4 illustrates the extent of the visual catchment of the Altitude Aspire site. Appendix A includes photos from representative vantage points in the visual catchment.
- 22 It is worth noting that the site is probably not visible from the Pacific Highway and would not be visible from anywhere to the south of the ridge defined by Terranora Road. Also, due to the topography of the site (specifically, the way it slopes away from adjoining roads), and the existing screening around the edge of the site, views from Fraser Drive, Terranora Road, and Parkes Lane are limited to glimpses to parts of the site. It is also worth noting that, due to the landform of the local area, most views to the site take in a wide view which incorporates surrounding residential development and a wide range of land uses (refer Figures 5 – 7). These views also usually take in some of the natural landscape areas associated with the Broadwater.
- 23 From most vantage points in the visual catchment the site can not be seen in its entirety, and from many vantage points only a small part of the site can be seen (such as Appendix A, Figure A10). From most vantage points in the visual catchment the most memorable and obvious elements are: the ridge behind the site; contiguous rural landscapes; other ridges in the area; and the Broadwater and associated landscape elements.

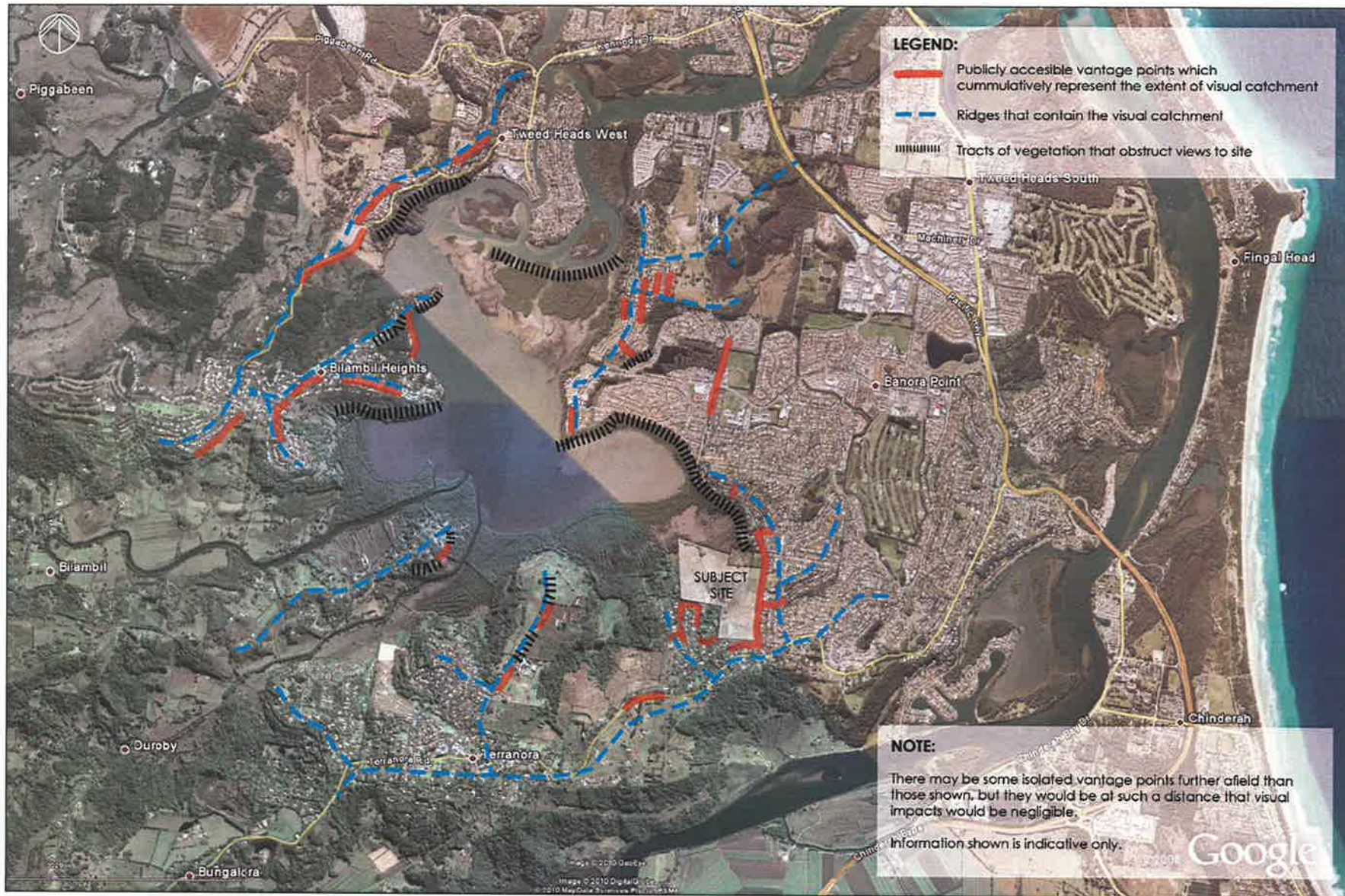


Figure 4 – Approximate extent of visual catchment of the Altitude Aspire site.



Figure 5 – Aerial view from Tweed Heads, towards the site.

Figure 6 – Aerial view from Bilambil Heights, towards the site.



Figure 7 – Aerial view from Terranora, towards the site.

2.3 Visual Qualities and Amenity

- 24 The Terranora area, including the Broadwater and the Tweed River have particularly high scenic qualities, owing principally to the varied and dramatic landforms, the bush clad slopes, and the clean and vegetated water bodies. This description is particularly true for the land around the ridge defined by Terranora Road – the slopes upon which the site is located.
- 25 The Tweed Shire Scenic Landscape Evaluation (Brouwer 1995), makes the following comments regarding the Shire Landscape Identity (Vol1, p 2):

The landscape with its high diversity of landform and vegetation patterns, predominantly natural character and frequent views of water, either of the coast or rivers generally has a high scenic quality.

...

The natural landscape structure of the Tweed Shire is frequently open to wide views and is highly legible. The volcanic caldera comprising the flat Tweed River Valley with the distinctive, steeply rising Mt Warning in the centre, and the dramatic backdrop of the "scenic rim" World Heritage ranges, the chain of beaches between rocky headlands along the coastline, and the undulating lower coastal ranges are often clearly in view.

For this reason, the landscape plays a dominant and important role in the Shire identity and image.

26 The Tweed Shire's DCP 2008 Part A5 – Subdivision Manual requires that the proposal does not detract from and will contribute to the significant landscape characteristics of the site identified in the Tweed Shire Scenic Landscape Evaluation -1995).

27 The Landscape Evaluation goes on to define the site as being within the Terranora Unit of the Terranora District. This unit has been identified as having a High scenic quality. The report makes the following relevant comments about each designation:

For the Terranora District

- i. The Tweed River and Broadwater are identified as Significant Features;
- ii. The Pacific Highway and Terranora Road are identified as Designated Scenic Routes;
- iii. The high degree of naturalness to the north-west and Terranora estuary scenes contrast to adjacent Queensland and form a scenic and environmental gateway to the Tweed Shire.
- iv. Scenic management should maintain the natural setting of the Broadwater with managed development.
- v. There is a need to develop a green and scenic setting for the intensity of residential, recreational and commercial development desired.
- vi. Ridges, gullies and waters edge are to retain a natural landscape character.

For the Terranora Unit

- i. The Broadwater, including the islands and natural forested shoreline are natural landscape features, as are Terranora Creek, and remnant tree groves amongst farming or semi-urban areas.
- ii. Terranora Road, Banora Hills, and Bilambil Heights are identified as Observer Points.
- iii. Scenic management should maintain the natural visual focus by maintaining Broadwater edges and setting as natural.
- iv. Development should be contained by keeping natural landscape elements and structure dominant throughout the unit.
- v. Pacific Highway is identified as an Observer Point;

28 An assessment of the visual catchment confirms that the visual qualities of the site and surrounding area are still consistent with those identified in the Landscape Evaluation, despite the significant amount of development that would have occurred since the document was prepared in 1995.

29 Specifically, it can be seen that the following elements contribute most significantly to the quality and amenity of the visual environment, and to the character of the local area:

- i. the varied topography, especially the ridge defined by Terranora Road and bush clad slopes, and the views obtained from ridges and slopes throughout the local area;
- ii. the Broadwater and Terranora Creek, and the natural landscape features associated with these landscape features; and
- iii. remnant stands of trees.

30 To a lesser degree the remaining rural landscapes, and the sense of openness created by them, have some cultural landscape values.

2.4 Planning Designations

31 In the Tweed Local Environmental Plan 2000 (the "LEP") a section at the northern part of the subject site is zoned 7(a) Environmental Protection (Wetlands and Littoral Rainforests), with the remainder of the site zoned 2(c) Urban Expansion.

32 The site is also located within the Coastal Zone, as identified in the State Environmental Planning Policy.

33 The provisions of the relevant planning documents that are relevant to the scope of this assessment are summarised at Appendix B. The assessment of the proposed development undertaken at Section 4 is informed by those provisions.

34 When considering the potential impacts of built form on a greenfield site, it is important to keep in mind the intended use of the site. If the site is identified as an appropriate area for residential development (as the subject site is), then the general public will have a reasonable expectation that such development will occur, and that, as a consequence the natural environment will be modified to a degree.

3. THE PROPOSED DEVELOPMENT

35 A full description of the proposed development (refer Figure 8) will not be provided in this report as it has been comprehensively addressed in the Planner's Report (prepared by Darryl Anderson Consulting) and associated documents. Following are simply some key observations relevant to the scope of this report.

- i. The development the subject of this assessment (Altitude Aspire) is one stage of a three stage residential development. The Altitude Aspire site covers an area of 35.1Ha.
- ii. The Altitude Aspire stage of development comprises a detached residential subdivision, consisting of:
 - 317 residential lots, varying in size from 464m² to 1,443m².
 - internal roads;
 - 13,181 m² of public open space; and
 - 4.13 Ha of drainage reserve.
- iii. The northern part of the Altitude Aspire site includes an easement for transmission lines and another easement for a future road (Broadwater Parkway).
- iv. There is a large area of open space included in the entire Altitude Development Area which will be retained. Whilst not identified as part of this application the proposed development of the Altitude Aspire site area will be seen within this open space area and the open space will offset potential impacts of development.
- v. A number of retaining walls and batters are located through the site to achieve relatively level building platforms. The maximum retaining wall height is 3 metres. Where the walls exceed 3 metres in height they are stepped to incorporate landscaping between the wall steps (e.g. two tiered walls along the southern boundary of stage 5).
- vi. The stepping of platforms down the site lessens the need for large scale landform modification.
- vii. Due to the extent of earthworks, none of the existing vegetation through the part of the site that will accommodate residential lots will be retained.
- viii. The part of the site zoned Environmental Protection will be retained as environmental open space and will not accommodate any of the proposed residential lots.
- ix. The remainder of the site will be developed with detached housing lots, open space, and roads. These uses are in accordance with the Primary and Secondary Objectives for this zone, as defined in the LEP.
- x. The application does not include any built form except for a residents' club (comprising a gym, pool, courts, etc) near the centre of the site, and a display home which will be used as a sales office (to be located on Lot 1103).
- xi. Future built form will be controlled through the implementation of Living Design Guidelines which, among other things, set out the following relevant objectives and requirements of future built form on the site:

- modification of site levels are contained to limit impacts on residential amenity (such as overlooking), and to avoid adverse impacts on streetscape;
- house designs adapt to site topography;
- fences and walls do not adversely impacts on the streetscape;
- house design and setback limits disturbance of the streetscape;
- buildings achieve a setback of at least 5 metres from the street;
- building scale is compatible to other development on the site;
- built form elements which promote neighbourhood character (such as building setbacks, building height, façade articulation, roof types, and landscaping) will be promoted

The Living Design Guidelines also identify intent to ensure the proposed development conforms to the surrounding suburban character, whilst providing opportunities for diversity in building design and appearance.



Figure 8 – Site layout plan. Prepared by B&P Surveys.

4. ASSESSMENT OF IMPACTS

- 36 When assessing the extent of impacts on the visual amenity of the local area it is important to bear in mind that (except for the residents club and display home) the proposed development does not include the development of any built form, only alteration of the landscape to accommodate future built form. However, this assessment will, where necessary, consider the impacts of likely future built form.
- 37 An overview of the provisions and guidelines relating to matters of visual amenity (identified at Appendix B) reveals provisions that are principally concerned with:
- i. Protecting the scenic amenity and natural landscape elements which contribute to the landscape character of the local area (namely, the Broadwater and associated landscape elements, the dramatic topography, and stands of remnant vegetation);
 - ii. Ensuring development is appropriate to the character of the local area, particularly with regard to subdivision layout, building height and scale, setbacks, and streetscapes; and
 - iii. Ensuring that development achieves an appropriate view sharing outcome, maintains quality views and vistas from streets and public places, and maintains the existing scenic qualities when experienced from scenic routes.
- 38 It is important to reiterate that the extent of impacts of any development is largely determined by two factors:
- i. The extent of the visual catchment – in this case the visual catchment of the site is limited to a local context, primarily due to the topography of the local area.
 - ii. The expectations of local residents – in this case the zoning of the majority of the site for residential development means an informed resident would reasonably expect some form of residential development on the site (i.e. it wouldn't be expected that the existing rural landscape qualities of the subject site would be wholly retained).

4.1.1 Impacts on Scenic Amenity and Natural Landscape Elements

- 39 As identified in Section 2.2 above, the subject site is really only visible from a limited number of vantage points around the Broadwater to the north of the site.
- 40 From most vantage points the site can not be seen in its entirety, and from many vantage points only a small part of the site can be seen. Where most of the site can be seen it typically forms part of a wide view which takes in the Broadwater, the ridge and slopes, and large tracts of residential development interspersed with pockets of green space.

- 41 It is obvious that development on the Altitude Aspire site will have some impact on scenic amenity, as most greenfield developments do, as it will result in the development of land with rural and natural landscape values. However, some level of impact is practically an inevitability given the zoning of the site.
- 42 What the planning provisions require is that development doesn't detract from the visual qualities of natural landscape elements such as the Broadwater and associated riparian vegetation, or on the topography and stands of remnant vegetation.
- 43 The proposed development seeks to protect the part of the site which contains mangrove riparian landscape associated with the Broadwater (i.e. the area zoned 7(a) Environmental Protection) within a protected open space area.
- 44 The proposed development also seeks to maintain the topographical qualities of the site by limiting the alteration of the landform to ensure it retains the same general structure and appearance. This is achieved by stepping building platforms down the slopes of the site and minimising the need for retaining walls (refer Building Pad Layout and Section drawings prepared by BradLees Consulting). Whilst the two main ridges on the site (defining the western and eastern boundaries) contribute to the undulating topography that is characteristic of the local area, the proposed development of the site will maintain the general structure of the ridges and any contribution that structure makes.
- 45 From most vantage points that take in views of the site and surrounding landscape, the future built form on the subject site will appear as a logical extension of existing residential development, and will not encroach upon the natural landscape elements of the local area. The open space designations incorporated into the proposed development will aid in breaking up the future built form and maintain visual continuity of natural landscape elements.
- 46 For these reasons the proposed development can be seen to maintain the scenic amenity of the local area and thus can be seen comply with the relevant planning provisions and guidelines.

4.1.2 Impacts on Character of the Local Area

- 47 The character of the local area is inherently tied to the elements which define the scenic amenity of the area. The fact that the proposed development maintains a number of those elements ensures that the character of the area will also be largely maintained.
- 48 The conversion of the existing rural landscape to residential development will affect the character of the area, but will be consistent with what is anticipated for this site, and will be consistent (in terms of subdivision pattern, building scale, streetscape and so on) with the history and type of development in the local area, which is also part of the area's character.

- 49 The two main ridges on the site, and the topographical elements of the site in general, are not visually prominent at a local scale and do not make a significant contribution to the character of the site. Development of these ridges will therefore not have a significant impact on local character.
- 50 For these reasons the proposed development can be seen to maintain and enhance local character and identity and thus can be seen to comply with the relevant planning provisions and guidelines.

4.1.3 Impacts on Views

- 51 The following Section provides a summary of the view sharing assessment process provided in the Preliminaries (Planning Principles) of the Residential & Tourist Code of the Development Control Plan. This provision is concerned with the obstruction or limiting of views to landscapes beyond the site, rather than views to the site.
- 52 The only views that would potentially be obstructed or limited by the proposed development would be views enjoyed by travellers and residences along Fraser Drive, Parkes Lane and Market Parade.
- 53 With regard to views from residences along Fraser Drive, because these residences are separated from the site by a road, are elevated above the site, and because the site slopes away from the road, it is unlikely that any fences, walls, or future built form on the site would affect views from these residences in any significant way.
- 54 The proposed development would affect views of travellers along Fraser Drive, who currently enjoy an open view across the site (refer Appendix A, Figure A4), as this view would be obstructed by fencing and future built form along the Fraser Drive boundary of the site. However, this loss of views would be consistent with what would be likely to occur from any typical residential development of the site.
- 55 There are a number of residences along Parkes Lane and Market Parade who currently enjoy open views across the site and whose views may be slightly obstructed by future built form resulting from the proposed development. However the extent of view obstruction would be reduced by the height difference between the proposed lots and adjoining properties. Section 3 of Drawing No SK2752 (prepared by BradLees Consulting shows that the building platforms of the proposed lots adjoining residences along Parkes Road will be at least 6 metres lower than adjoining lots to the south. A typical 2 storey house would not exceed 8.5 metres in height and so it is likely that the adjoining residences would look over the roofs of future built form on the subject site.
- 56 This is deemed to be an appropriate view sharing outcome which will adequately maintain quality views from private and public places and so the proposal can be seen to comply with the relevant planning provisions and guidelines.

5. CONCLUSIONS

- 57 The proposed development the subject of this assessment is the first stage of a three stage residential development (the Altitude development). The entire development area includes the retention of open space within and between the three stages of development.
- 58 The development of Stage 1 will benefit from the extensive amount of open space included in the entire Altitude Development, although none of that open space is included as part of the application.
- 59 The local area has a number of significant visual qualities, mostly relating to the dramatic landform, the Broadwater and its associated landscape, and the existing rural landscapes and stands of remnant vegetation.
- 60 This report sought to respond to items 2.2 and 3.1 of the DGEARs (dated 23 November 2009) as well as other planning instruments. These provisions are principally concerned with:
- i. Protecting the scenic amenity and natural landscape elements which contribute to the landscape character of the local area (namely, the Broadwater and associated landscape elements, the dramatic topography, and stands of remnant vegetation);
 - ii. Ensuring development is appropriate to the character of the local area, particularly with regard to subdivision layout, building height and scale, setbacks, and streetscapes; and
 - iii. Ensuring that development achieves an appropriate view sharing outcome, maintains quality views and vistas from streets and public places, and maintains the existing scenic qualities when experienced from scenic routes.
- 61 This assessment found that the proposed development, whilst it will result in the conversion of a rural landscape, will ensure that that:
- i. landscape elements which contribute to the scenic amenity are maintained;
 - ii. the layout and scale of built form will be consistent with surrounding residential development and so will be consistent with the character of the local area;
 - iii. the character of the site will be maintained through the protection of significant landscape element and the general topographic structure of the site; and
 - iv. important views and vistas are adequately protected, including those beyond the site to significant landscape features.
- 62 This report also found that, given the zoning of the site, the visual impacts resulting from the conversion of the rural landscape would be expected from any development of the site and that as a consequence of the measures taken the proposed development represents a contextually responsive design outcome that would satisfy the requirements of the applicable planning provisions and guidelines relating to matters of visual amenity.

6. APPENDIX A: Photos Representing Views from Visual Catchment



Figure A1 – View to site from Parkes Lane.

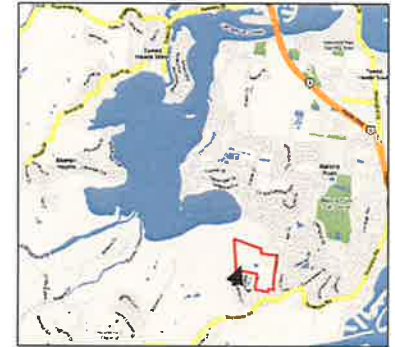


Figure A2 – View to site from Parkes Lane.





Figure A3 – View to site from Parkes Lane, near Fraser Dr intersection.



Figure A4 – View across site from Fraser Dr



Figure A5 – View to site from Fraser Dr, east of site.
Note: Road is straight but appears curved due to stitching together of photographs.



Figure A6 – View to site from Amaroo Dr.



Figure A7 – View to site from Fraser Dr, north of site.



Figure A8 – View to site from Champagne Dr.



Figure A9 – View to site from Botanical Cct.



Figure A10 – View to site from Terranora Dr.



Figure A11 – View to site from Mahers La.



Figure A12 – View to site from Bilambil Rd.



Figure A13 – View to site from Steamboat Ct.



Figure A14 – View to site from Lakeview Tce.





Figure A15 – View to site from Broadwater Esp.



Figure A16 – View to site from Scenic Dr.



Figure A17 – View to site from Karingal Ave.





Figure A18 – View to site from Karingal Ave.



Figure A19 – View to site from Panorama Dr.



7. APPENDIX B: Planning Provisions

7.1 State Environmental Planning Policy No. 71 – Coastal Protection

63 As the subject site is located within the designated "coastal zone", it is subject to the provisions of this Planning Policy.

64 The following Aims from Part 1, Section 2 are relevant to the scope of this report:

...

(e) to ensure that the visual amenity of the coast is protected, and

...

(k) to ensure that the type, bulk, scale, and size of development are appropriate for the location and protect and improves the natural scenic quality of the surrounding area...

65 The following Matters for Consideration from Part 2 are also relevant to the scope of this report:

...

(d) the suitability of development given its type, location and design and its relationship with the surrounding area,

...

(f) the scenic qualities of the New South Wales coast, and means to protect and improve these qualities,

...

7.2 Tweed 4/24 Strategic Plan 2004-2024

66 The Strategic Plan is a "... 'whole of Shire', 'whole of Council' strategy that shows how Tweed Shire Council will go about managing the Tweed over the next twenty years."

67 The Strategic Plan speaks fairly generally about community values, strategic themes, indicators and so on, but does identify some objectives relevant to the scope of this report seeking the protection and enhancement of the Shire's scenic landscapes and amenity.

7.3 Tweed LEP 2000

68 A section at the northern part of the subject site is zoned 7(a) Environmental Protection (Wetlands and Littoral Rainforests), with the remainder of the site zoned 2(c) Urban Expansion.

69 The part of the site zoned Environmental Protection will be maintained as parkway and not accommodate and proposed development.

70 The LEP identifies the following relevant Secondary Objective for development in zone 7(a) Environmental Protection:

- to protect the scenic values of wetlands and littoral rainforests.

71 The remainder of the site will be developed with detached housing lots, open space, and roads. These uses are in accordance with the Primary and Secondary Objectives for this zone, as defined in the LEP.

7.4 Tweed Shire DCP 2008 Part A5 – Subdivision Manual

72 This document most comprehensively and specifically sets the provisions and requirements for the proposed development. Section A5.4 Urban Subdivision Design Guidelines and Development Standards is the section relevant to the subject site and proposed development. The requirements and provisions relevant to the scope of this report are copied and addressed below.

73 Section A5.4.4 Physical Constraints identifies, among other things, an objective to:

- e) To preserve the visual quality of the natural landform...

74 Section A5.4.5 Environmental Constraints requires, among other things, that:

- The neighbourhoods and subdivision design should protect the landscape character of the locality by contributing to the scenic amenity of the landscape and the distinct identity of the area.
- Neighbourhood and subdivision design must protect the visual landscape character of the locality.

75 Section A5.4.6 Landforming requires, among other things, that:

- Proposal to alter natural landform must:
 - ...
 - Preserve the visual character of the landform as viewed from within and outside the site.

76 In addition, the Subdivision Manual requires preparation of a "Scenic Impact Assessment Report" which:

- demonstrates that the proposal does not detract from and will contribute to the significant landscape characteristics of the site (see Tweed Shire Scenic Landscape Evaluation -1995, Catherine Brouwer);
- illustrates the nature and visibility of the proposal from both within the site and from significant viewpoints outside the site; and
- details the local urban or cultural context in regard to township and scenic-cultural identity.

7.5 Coastal Design Guidelines

- 77 Requirement 2.2 of the DGEAR seeks demonstration that the proposed development satisfies the relevant provisions of the Coastal Design Guidelines for NSW. The provisions of the Guidelines which are relevant to the scope of this report are copied below.

Part 1, Item 2 Visual Sensitivity

(a) The visual character of cities is protected and consists of:

- views of public reserves and conservation areas*
- views and vistas from and to the coast, rivers and other water bodies and coastal vegetation*
- views and vistas of headlands, escarpments and mountains and other natural features.*

...

Part 1, Item 5 Buildings

...

(f) Heights are subject to place-specific urban design. New development is appropriate to the predominant form and scale of surrounding development (either present or future), surrounding landforms and the visual setting of the settlement.

...

Part 2, Section 2.2, Item 1

Locate and connect new and existing open spaces which protect and maintain

...

(b) the natural and rural setting of the settlement including the scenic values of the visual catchment.

Part 2, Section 2.4, Item 6

Allow for changes on private land whilst valuing the qualities of individual streets including:

...

e. vistas and view corridors.

Part 2, Section 2.5, Item 8

Protect views from public places and streets by maintaining consistent setbacks along streets and not placing buildings in view corridors.

Part 2, Section 2.5, Item 9

Protect local views and vistas throughout and surrounding the settlement from public places by relating new buildings to the topography, reducing heights to maintain views of the surrounding landscape and maintaining consistent height, bulk and scale with the street and local context.

7.6 North Coast Urban Design Guidelines

- 78 Requirement 2.2 of the DGEAR seeks demonstration that the proposed development satisfies the relevant provisions of the North Coast Urban Design Guidelines 2008. Within these guidelines Tweed Heads is identified as a regional centre. The provisions of the Guidelines which are relevant to the scope of this report are copied below.

Principles to apply to all future development

Reinforce original subdivision patterns and streetscapes that characterise the settlement, maintain consistent setbacks from front and rear lots in low density areas and continuous street and awning edges along core streets/perimeters of major blocks.

Maintain axes with views and vistas towards watercourses and surrounding natural landscape...