



## **Altitude Aspire Residential Subdivision Fraser Drive, Terranora, NSW**

### **Response to:**

- 1. Visual Issues Raised by NSW Dept of Planning;**
- 2. Submissions Made to NSW Dept of Planning relating to Visual Issues; and/or**
- 3. Visual Issues Identified in the Tweed DCP, Section B24.**

Completed

February 2012



## CONTENTS

<b>1. INTRODUCTION</b>	<b>3</b>
1.1 Scope of Report	3
<b>2. ISSUES RAISED BY THE NSW DEPARTMENT OF PLANNING</b>	<b>4</b>
<b>3. SUBMISSIONS TO THE NSW DEPT OF PLANNING</b>	<b>6</b>
3.1 General	6
3.2 Response to Submissions	6
<b>4. TWEED DCP, SECTION B24 AREA E DEVELOPMENT CODE</b>	<b>12</b>
4.1 Part 02- Subdivision	12
<b>5. CONCLUSIONS</b>	<b>21</b>
<b>APPENDIX A: Aerial Photo with Proposal Overlain</b>	<b>23</b>
<b>APPENDIX B: Excerpt from Landscape Plans</b>	<b>24</b>

# 1. INTRODUCTION

## 1.1 Scope of Report

- 1 LVO' Architecture has been commissioned by the Applicant (Metricon Qld Pty Ltd) to prepare this report to specifically address issues relating to visual and scenic amenity raised by the NSW Dept of Planning, the submissions made to the Dept of Planning, and to address provisions of the adopted (but not yet in effect) Tweed Development Control Plan 2008 (the "Tweed DCP"), applicable to the subject site (Section B24), and relevant to visual impact matters.
- 2 This report is to be read in conjunction with the Visual Impact Assessment Report - Altitude Aspire prepared by Mr Nick McGowan of LVO and dated November 2010 (the "previous Visual Impact Assessment"). This report should also be read in conjunction with the drawings and other material submitted with the response to Council's and the Department of Planning's information request, particularly:
  - Layout Plans prepared by B&P Surveys;
  - Landscape Plans prepared by Form; and
  - Earthworks Plans prepared by Bradlees Civil Consulting.

## 2. ISSUES RAISED BY THE NSW DEPARTMENT OF PLANNING

- 3 The Department of Planning does not specifically raise any issues relating to visual amenity or visual impacts. It does however raise issues relating to earthworks and acoustic fencing which have some relevance to visual issues, and warrant a response in this report. The Department also raises Section B24 of the Tweed DCP, and requests the applicant to respond to the provisions within. These provisions are addressed at Section 4 of this report.
- 4 Regarding earthworks the Department is concerned with the extent of earthworks required to accommodate the subdivision and future housing. Whether or not the extent of earthworks is appropriate is a matter for other consultants. Of relevance to this report is the relationship between landform modification and its impacts on local character. Significant amounts of landform modification can affect the landscape qualities of a site and the local area, and have a detrimental impact on character.
- 5 The Earthworks Plans (prepared by Bradlees Civil Consulting) provides a number of sections through the site which illustrates the following:
  - For the majority of the site the finished grades follow fairly closely to the existing grades.
  - There are only some areas (the smaller lots between Roads 10 and 12, between Roads 5-8, and south of Road 9) which will be benched to create flat building platforms. The grade differences in these areas are picked up by batters typically in the order of 2.5-3.0 metres. In these areas the finished grade still follows reasonably closely to the existing grade.
  - There are some areas where the differences between existing and finished levels are significant – shown on the Earthworks Staging Plan by Bradlees Consulting – being areas of fill between 5 and 12 metres around the central green space, and areas of cut between 5 and 10 metres around Road 10, Road 3, and some small areas at other locations on the site. These areas are more internal, meaning the potential for adverse impacts on neighbouring visual amenity is reduced (e.g. existing residents won't be faced with large cuts or retaining walls).
  - At critical parts of the site (such as Lots 501 and 502, and around the Broadwater Parkway, and the existing lake west of Road 2), the extent of earthworks is minimal.
  - The site drops away by 2.5 to 3 metres between Fraser Drive and the eastern boundary of the easternmost lots, and then by a further 3-10 metres across those lots to Road 1. This means that views from Fraser

Drive will probably not be obstructed even by a two storey house on the easternmost lots, so long as the house is sited near Road 1.

- 6 Ultimately, although the extent of earthworks in some areas is significant, the overall outcome is a landform which generally reflects the existing landform. The difference in grades and levels across the site are not so great as to fundamentally change the overall structure of the landform of the site – the site will still be an amphitheatre sloping towards the Broadwater. Minor or localised changes to the landform are not significant enough to cause a lasting and significant impact on the character in so far as it is defined by the landform.
- 7 A concern raised with regard to earthworks is the potential for impacts on visual amenity of neighbouring properties if significant modification occurs in close proximity to their property, or within a quality view shed. As mentioned above, the Earthworks Plans show that on no occasion is there significant earthworks proposed adjacent an existing residential property.
- 8 Another concern raised under the section on earthworks, and in the subsequent section on acoustics, relates to the treatment of a previously proposed acoustic fence along Fraser Drive and Parkes Lane. The previously proposed acoustic fence along Fraser Drive has now been removed from the proposal. The visual concerns relating to this fencing is discussed in subsequent sections of this report.

### 3. SUBMISSIONS TO THE NSW DEPT OF PLANNING

#### 3.1 General

- 9 The Department of Planning received 49 Submissions plus comments from Government agencies. All were reviewed by the Applicant's representatives and matters pertaining to visual impacts were identified. Those matters relevant to the visual assessment of the proposed development are summarised and addressed below.

#### 3.2 Response to Submissions

##### 3.2.1 Submission No. 8: Brenda Connelly – 15 Parkes Lane, Terranora NSW

- 10 This submission raises a number of concerns with regards to local character, views, and scenic amenity. Specifically, this submission is concerned about:
- The proposal being out of character with the adjoining Rural Living Estate in Parkes Lane, Market Parade and Trutes Terrace, specifically:
    - the proposed development is out of character because the subdivision pattern, streetscape, and slab-on-ground construction type is not consistent with the adjoining 'rural living' estate;
    - connecting the proposed subdivision to existing residential roads will exacerbate a loss of character.
  - The proposal impacting on public views from scenic roads around the proposed subdivision, particularly views from Fraser Drive.
  - The proposal affecting the scenic amenity of residents adjoining the proposed development, particularly in terms of landform modification.

#### Response

- 11 Regarding item i, the submitter suggests that the proposal is out of character with the adjoining rural living estate, principally due to differing subdivision pattern, streetscape treatment, and construction type.
- 12 In general terms, the proposed development has a similar appearance to the adjoining rural living estate in so far that both are residential developments comprising detached houses on sloping ground. It would be difficult to assert that the two developments are so different as to have a detrimental effect on existing character.
- 13 While there may be differences in density, layout, and house construction between the proposed development and the rural living estate, there are obvious similarities between the proposed development and the extensive area of existing development to the east of Fraser Drive, and the pocket of development along Dobbys Crescent, south of Terranora. Appendix A includes an aerial photo which enables a comparison

of the lot sizes of the proposed development. In this regard the proposed development must be seen to reflect the predominant character of the local area, even if it does not conform with the characteristics of the rural living estate.

- 14 Furthermore, the amended Earthworks Plans show that only some of the proposed lots are designed to accommodate slab-on-ground construction, with the remainder maintaining a slope similar to existing.
- 15 However, much of the above discussion is rendered almost irrelevant by the fact that the proposed development can be seen to comply with the requirements relating to density and lot sizes reflected in the DCP Section B24.
- 16 Regarding the submitters concern that changing the existing cul-de-sac roads in the rural living estate to through-roads to the proposed development will exacerbate the loss of character, it would seem extremely unlikely that the increase in traffic through the roads in the rural living estate would be such that there would be a significant and adverse impact on the amenity of the rural living estate. But again, the proposed development, and the connecting of the roads, is consistent with what is envisaged by the DCP and as such it is not reasonable to expect that the current level of traffic be maintained.
- 17 Regarding item ii, the most significant views from roads in the local area are views from Fraser Drive, across the site to the Broadwater. Appendix B includes a section through the eastern boundary of the site and Fraser Drive. This section shows that views across the site (and future development) will be maintained. Views from Fraser Drive are discussed further in Section 4 below.
- 18 There are no significant views from Terranora Drive which will be obstructed by the proposed development. The only quality view across the site from Parkes Lane is through the gap between houses at #4 and #8 Parkes Lane. Whilst this view is of a reasonable quality, it is not a locally significant view, being available only to local traffic along Parkes Lane and is of much less importance than the view from Fraser Drive. The view will be obstructed by future houses on proposed Lots 501 and 502. However, given the designation of the subject site, development on these lots would not be beyond the reasonable expectation of the community. Given the low significance of the view, its loss could not be considered unacceptable in terms of the visual amenity of the local area.
- 19 Regarding item iii, as explained in Section 2 of this report, the most significant areas of earthworks are located internally on the site and would be unlikely to have an effect on neighbouring residential amenity. The interfaces of the site with existing residential areas

do not comprise any major earthworks that would be likely to have an effect on views from the existing houses (such as large retaining walls on the boundaries).

- 20 The proposal will affect the overall scenic amenity of the site, as enjoyed by neighbouring residents, but that is inevitable for a greenfield site designated for residential development. The retention of significant areas of green space on the site enables retention of some of the visual qualities of the site.

### **3.2.2 Submission No. 18: Martin and Margaret Piper – 30 Fraser Drive, Banora Point NSW**

- 21 This submission raises a number of concerns with regards to local views, visual catchment, character, and scenic amenity. Specifically, this submission is concerned about:

- The visual impacts of the proposed acoustic fence along Fraser Drive.
- The extent of landform modification and the loss of amenity resulting from developing the steeper parts of the site.
- The extent of the visual catchment described in the previously prepared visual impact assessment.
- The extent of open space which will contribute to the visual qualities of the development.
- That the controls that will be implemented through the Living Design Guidelines and statutory planning instruments will not ensure that future built form on the site will be of a scale, layout, and appearance consistent with surrounding residential development.
- The impact of the proposal on the visual prominence of the ridge lines on the site.
- The impact of the proposal on views from surrounding development and roads.

### **Response**

- 22 Regarding item i, the visual impact of the acoustic fence along Fraser Drive is addressed at Section 4 of this report. As explained, the proposal has been amended and the acoustic fence is now a boundary fence located at the eastern boundary of the easternmost lots. The fence will be located at the bottom of the bank separating the lots from Fraser Drive. Given the difference in level and the landscaping proposed along Fraser Drive it is unlikely that the fence line will be seen, let alone obstruct views across the site.
- 23 Regarding item ii, as explained in Section 2 of this report, for the majority of the site the finished grades follow fairly closely to the existing grades and the difference in grades



and levels across the site are not so great as to fundamentally change the overall structure of the landform of the site. As such, the modification of the landform of the site is unlikely to cause significant adverse impacts on the visual amenity of the local area.

- 24 Regarding item iii, and the submitter's contention that the term "limited" (used in the previous Visual Impact Assessment submitted with the application) is not an appropriate descriptor for the visual catchment, a reading of the remainder of that report, particularly Section 2.2, would show that the visual catchment is described as "extensive, but localised". That description is intended to convey an impression that, relative to the region, the subject site had a visual catchment which only extended to a local area, but within that catchment there were a number of vantage points offering views to the site. This meaning is explained in the report and supporting imagery. So, to say the catchment is limited, although it may be simplifying the description, is still correct – the catchment is limited to a local geographical area. This is reflected in the DCP, Figure 2.5, which identifies a similar extent of the visual catchment as identified in the previous Visual Impact Assessment.
- 25 Regarding item iv, the Landscape Plans prepared by Form show a significant part of the site is dedicated to open space (for environmental and recreational uses). Although visual values associated with the existing extent of open space on the site will be diminished, as must be expected when a greenfield site is intended to be developed, the extent of open space proposed will be significant and will ensure some of the open space character of the site is maintained. The retention of a central core of open space which maintains connectivity to open space beyond the site does much to maintain integrity of the landscape of the site and local area.
- 26 Regarding item v, the controls set out in the provisions of the Tweed DCP will be applicable to the site and will ensure appropriate outcomes for built form.
- 27 Regarding item vi, the submitter suggests that the visual prominence of the ridges along Fraser Drive and Terranora Drive will be affected by the development, but as the submitter is referring to paragraph 15 of the previous Visual Impact Assessment report, it is assumed the submitter is intending to speak about the ridges that define the western and eastern extent of the site.
- 28 With regard to the ridge defining the western edge of the site (defined by Fraser Drive), this ridge has some significance in terms of the visual qualities of the site as experienced locally, but the proposed development will not modify this ridge so much as to reduce that significance, and certainly no more than would be expected, accepting the fact that the site is designated for residential development.

- 29 With regard to the lesser ridge defining the eastern part of the site, this ridge is not particularly prominent and is not a visually significant feature in the landscape (as ridges like the one defined by Terranora Road are). The proposed development, and future stages of development, will affect the structure of this ridge to a degree, but its lack of prominence means that such modification would not have a significant adverse impact on the visual environment.
- 30 As desirable as it might be to maintain all minor ridges in the region in a natural state, void of development, it is simply not practical given the planning intentions set fourth for the region. There is obvious merit and practicality in maintaining visually significant ridges. Such ridges are those identified in the previous report and in the DCP, Section 24, Part 2. These more significant ridges will not be affected by the proposed development.
- 31 Regarding item vii, the impact of the proposed development on views from roads is addressed above and discussed further at Section 4 of this report.

### **3.2.3 Submission No. 21: Ian Ayers – 16 Parkes Lane, Terranora NSW**

- 32 This submission is specifically concerned with the loss of views resulting from the previously proposed acoustic fence along Fraser Drive.

#### **Response**

- 33 The visual impact of the acoustic fence along Fraser Drive is addressed above and discussed further at Section 4 of this report.

### **3.2.4 Submission No. 22: Michael Connelly – 15 Parkes Lane, Terranora NSW**

- 34 This submission raises a number of concerns with regards to local character, views, and scenic amenity. Specifically, this submission is concerned about:
- The impacts on the character of the area and visual amenity of residents adjoining the proposed development, particularly in terms of landform modification, height of retaining walls, setbacks, and density.
  - The impact of the proposal on public views from adjoining roads, particularly as a result of the previously proposed acoustic fence along Fraser Drive.

#### **Response**

- 35 Regarding item i, the impacts on neighbouring visual amenity is addressed above, in Section 3.2.1.

- 36 Regarding item ii, the visual impact of the acoustic fence along Fraser Drive is addressed above and discussed further at Section 4 of this report.

**3.2.5 Submission No. 49: Mr Leslie T Zahn – 26 Fraser Drive Banora Point NSW**

- 37 This submission is specifically concerned with the loss of views resulting from the previously proposed acoustic fence along Fraser Drive.

**Response**

- 38 The visual impact of the acoustic fence along Fraser Drive is addressed above and discussed further at Section 4 of this report.

## 4. TWEED DCP, SECTION B24 AREA E DEVELOPMENT CODE

### 4.1 Part 02- Subdivision

- 39 The following section addresses the Vision for Area E (which the site is a part of), relating to visual amenity and character. Following that section, this report addresses the Objectives and Development Controls identified in the relevant Design Principles of Part 2 of the Tweed DCP. Discussion is limited to the Objectives and Development Controls, as they effectively reflect the Vision of each Design Principle.
- 40 A Visual Impact Assessment Report, dated November 2010 was prepared by LVO and submitted with the Development Application (the “previous Visual Impact Assessment”). This report should be referred to in relation to the visual impact issues raised in the Development Code. The following responses to the specific objectives identified in Design Principle 2 are however provided below to assist with the assessment of the Development Application.

#### 4.1.1 (2.1) Vision for Area E and DA Requirements

- 41 The vision for Area E seeks, among other things, development that:
- creates a distinctive character;
  - maximises opportunities provided by topography (including views from the site);
  - incorporates open space to provide visual relief from built environment; and
  - maintains scenic views and elevated areas for the benefit of the broader community.
- 42 The Landscape Plans prepared by Form clearly illustrate achievement of these broader visual goals:
- The significant amount of landscaped open space is well designed and will contribute to a sense of place and character for the new community.
  - Views from the site will be afforded from many of the future houses, owing to the retention of the general amphitheatre structure of the landform, and provision of lots which are large enough to enable space between houses.
  - The open space, being of a significant extent, being connected within and beyond the site, and being maintained in the central part of the site, will aid in visually breaking up the built form. Furthermore, the lot sizes are large enough to allow landscaped spaces within the lots which, cumulatively, helps to break up and integrate built form.

- As described below, quality views from key public spaces (particularly Fraser Drive) will be maintained.

#### 4.1.2 (2.4) Design Principle 2: Landscape Character and Views

##### Objective:

*"Maintain the integrity of ridge lines, valleys and natural topographic features as an important part of the localities character."*

##### Response

- 43 As explained above, whilst the development of the site will require significant areas of cut and fill on parts of the site, the finished grades will be generally consistent with the existing grades, meaning that on the whole the site will retain its fundamental landform structure – an amphitheatres sloping down to the Broadwater, defined by two lesser ridges on the western and eastern extents, and a valley through the middle of the site.
- 44 The inclusion of landscaped open space through the valley on the site, and retention of open space near the Broadwater will help to highlight these topographical aspects of the site.
- 45 Furthermore, as explained in the previous Visual Assessment Report, the proposed development will not impact on any of the significant ridges in the local area, such as the ridge defined by Terranora Road.

##### Objective:

*"Promote subdivision design which reduces the need for benching and significant cut and fill."*

##### Response

- 46 As explained in Section 2 of this report: for the majority of the site the finished grades follow fairly closely to the existing grades; benching is limited to only a number of lots through the central parts of the site; extensive earthworks (greater than 5 metres) are limited to only a few locations which are more internal to the site; earthworks is minimised at critical parts of the site, such as around the Broadwater and the existing lake.
- 47 All of these measures ensure that the extent to which the site topography contributes to the visual qualities of the site is maintained to a degree which would be consistent with reasonable expectations given the planning intentions for the site.

**Objective:**

*"To ensure site modifications, retaining walls and engineered elements do not adversely impact on the streetscape, or precincts character."*

**Response:**

- 48 Whilst it is likely that there will be some retaining walls and batters that will be visible, because of the overall earthworks regime and because the controls of the new DCP will guide future residential development on the site, it is unlikely that site modifications or retaining walls will be so significant to be visually prominent, or have a significant effect on overall precinct character.

**Objective:**

*"The watercourses and vegetated drainage lines running through the site provide excellent visual, recreational, educational and environmental preservation opportunities and are to be integrated with opportunity for pedestrian links between."*

**Response:**

- 49 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.
- 50 In addition, the proposed development incorporates significant areas of open space, maintaining a central open space which connects to the open space network beyond the site. The landscaping of the central open space is attractive and generous and will do much to maintain the visual qualities of the water course running through the site
- 51 In addition, 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.

**Objective:**

*"Realise and retain key visual character components of the site through a contemporary urban structure and built form."*

**Response:**

- 52 As described in the previous Visual Impact Assessment, 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.

- 53 As development of the site will be subject to the controls of the new DCP, the future built form will be contextually appropriate and will contribute to the residential character of the local area.
- 54 Furthermore, the resulting built form character will be consistent with the prevailing character of the area, with ample opportunity for landscaping to soften the built form.

**Objective:**

*"Provide view sharing and maintenance of view fields."*

**Response:**

- 55 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.
- 56 With regard to views from Fraser Drive, Appendix B includes a section from the Landscape Plans prepared by Form and shows the relationship between Fraser Drive and the easternmost lots of the proposed development. As this section illustrates, Fraser Drive will be significantly higher than the nearest houses, will be separated by a 5 metres wide landscape buffer, and will not be subjected to an acoustic fence (fencing will be located at the rear of the lot, at the base of the bank in the open space buffer). As a result, views from Fraser Drive across the site to the Broadwater and broader landscape will essentially be maintained.
- 57 There are some 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 (see Section 2 of the Earthworks Plans prepared by Bradlees Civil Consulting).
- 58 The only quality view across the site from Parkes Lane itself is through the gap between houses at #4 and #8 Parkes Lane. Whilst this view is of a reasonable quality, it is not a locally significant view, being available only to local traffic along Parkes Lane and is of much less importance than the view from Fraser Drive. The view will be obstructed by future houses on proposed Lots 501 and 502. However, given the designation of the subject site, development on these lots would not be beyond the reasonable

expectation of the community. Given the low significance of the view, its loss could not be considered unacceptable in terms of the visual amenity of the local area.

- 59 Ultimately, the impacts on views from public and private vantage points are relatively low, due largely to the fact that the site slopes away from most vantage points. Given the planning intent for the site the extent of impacts on views is considered to be an appropriate view sharing outcome.
- 60 It is also worth noting that, by opening up the site to public access, and by providing a significant public open space area within the site, the proposed development is effectively offering access to vantage points within the site, thereby contributing to the visual amenity of site users.

**Objective:**

*"Maintain important regional and local views."*

**Response:**

- 61 The view analysis presented in the previous Visual Impact Assessment is still relevant except that the impacts on views from Fraser Drive have now been reduced due to an amended earthworks regime.
- 62 Ultimately the development of the site, whilst it will affect views towards the site as it will result in the conversion of pastoral green space into residential development, will not have an adverse impacts on key elements of the visual environment (such as the Broadwater or the ridge defined by Terranora Road), will maintain a significant amount of open space through the centre of the site and around the Broadwater, and will on the whole present an outcome consistent with what must be anticipated given the planning intent for the site.
- 63 As explained below, the proposed development can be seen to satisfy controls on views from regional and local vantage points.

**Objective:**

*"Preserve the visual amenity of and within the site."*

**Response:**

- 64 As explained in the previous Visual Impact Assessment, it is obvious that development on the Altitude Aspire site will have some impact on scenic amenity as it will result in the development of land with rural and natural landscape values. However, as the proposed development maintains a number of elements which define the scenic amenity of the area (the landscape qualities of the Broadwater, a central connected



green space, the general landform structure of the site) the scenic amenity qualities of the site will be maintained to an extent which must be considered reasonable accepting the practically inevitable development of the site.

**Objective:**

*"The identification and retention of green breaks, important feature trees / stands of trees and important view fields."*

**Response:**

- 65 As explained previously, the proposed development maintains a significant landscape space in the centre of the site which connects to an open space network beyond the site. There is also a large area of open space at the northern part of the site which will be retained.
- 66 Furthermore, 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.

**Regarding Key Views**

- 67 In the Development Controls of Design Principle 2 retention of specific key views is identified as information which should be included in a Visual Impact Assessment. The previous Visual Impact Assessment prepared by LVO considered those views relevant to the subject site and they are considered further below (refer Appendix A of the previous Visual Impact Assessment)
- 68 It is important to note that the views presented in the DCP take in the entire Area E, of which the subject site is only a part. Only those controls relevant to the subject site are addressed below.

**Development Code Key View 1**

- The location of the proposed development does not impact upon the areas of key vegetation identified in View 01-Existing View and
- The proposed development is located below the main ridge line (defined by Terranora Road) and below existing development and will therefore not impact upon the existing vegetation along the ridge.
- The proposed development is configured to form two clusters of lots that are separated by open space, which will enable the developable area to be

interspersed by vegetation, thereby reinstating the “green fingers” of vegetation through the valley of the site.

- Street trees will be incorporated to compensate the loss of existing lines of vegetation on the site.
- As the future houses will be subject to other controls in the DCP, building colours will be recessive and contextually appropriate.

#### **Development Code Key View 2**

- The proposed development is located below the main ridge line (defined by Terranora Road) and below existing development and will therefore not impact upon the existing vegetation along the ridge.
- Street trees will be incorporated to compensate the loss of existing lines of vegetation on the site.
- The proposed development is located within an area that is generally cleared of significant vegetation.
- The proposed development is configured to form two clusters of lots that are separated by open space, which will enable the developable area to be interspersed by vegetation thereby reinstating the “green fingers” of vegetation through the valley of the site.
- As the future houses will be subject to other controls in the DCP, building colours will be recessive and site appropriate.

#### **Development Code Key View 3**

- The proposed development is located below Terranora Drive and below existing development adjacent to Terranora Drive and will therefore not impact upon views from Terranora Drive.

#### **Development Code Key View 4**

- The proposed development is located on the slope below Fraser Drive. Rear boundary fences to Fraser Drive will be setback behind a landscaped buffer to Fraser Drive that will be designed to enable views through the buffer and over the development to the Terranora Broadwater (refer Appendix B).
- As the future houses will be subject to other controls in the DCP, building colours will be recessive and site appropriate.

#### **Development Code Key View 5**

- Not applicable as the subject site is not captured within this view corridor.

### **4.1.3 (2.5) Design Principle 3: Land forming**

69 The objectives identified in Design Principle 3 address engineering outcomes that relate to achieving the Design Principle 3 Vision statement, which is:

*"Maintaining the integrity, intrinsic landscape and visual character of the undulating landscape by reducing bulk earth works and site benching is the primary objective of land forming over Area E. Future development over the site should pursue the underlying approach that development should be built to sloping site conditions rather than reconfiguring the sloping site to accommodate a building."*

**Response:**

- 70 The mediation of the visual impacts arising from the engineering outcomes is discussed above in relation to Design Principle 2.

**4.1.4 (2.6) Design Principle 4: Road Layout, Traffic and Transport**

- 71 The objectives identified in Design Principle 4 address traffic engineering outcomes that relate to achieving the Design Principle 4 Vision statement, which is:

*"The Broadwater Parkway is to be reinforced as the key neighbourhood connector road. Roads to generally follow the contours of the site and a north-south; east west orientation to maximise opportunity for best solar orientation. The orthogonal street pattern enhances through connections, legibility and regular shaped lots rather than curvilinear streets and cul-de-sacs. Streets which run north south are to take advantage of long views towards the Terranorra Broadwater, whilst the remaining streets are encouraged to terminate with a green or landmark vista."*

**Response:**

- 72 The lot and road layout has been designed to minimise earth works. Wherever possible and practical the roads either provide the opportunity for views to the Terranorra Broadwater or to the landscape open space that separates to the two clusters of lots.

**4.1.5 (2.7) Design Principle 5: Open Space**

- 73 Of the Objectives identified in Design Principle 5, the following relates to visual amenity:

**Objective:**

*"The primary role of the open space is to ensure that the passive and active recreation needs of the proposed community are met. However, the open space is also expected to provide visual relief to the urban environment and to be designed to contribute towards an overall identity and a new 'sense of place' for the community (responsive to the unimproved nature and vistas characteristic of the undeveloped site);"*

**Response:**

- 74 The Landscape Plans prepared by Form illustrate the proposed open space outcome for the development including landscape treatments that contribute to the character and amenity of the development and the creation of a 'sense of space'.
- 75 The location and design of the open space reinforces the location of the resident's club and provides an organisational focus for the local community, aiding in legibility. The proposed road layout provides convenient access to the open space and the vista along many streets is terminated by the open space.

**4.1.6 (2.9) Design Principle 7: Urban Design, Streetscape and Public Domain**

- 76 The Vision statement for design Principle 7 is:

*"The village centre, main street, overland flow paths and open space areas are to form the focus for public domain embellishments within Area E. The overriding strategy is to progressively implement a range of public domain and infrastructure improvements in the village centre that address the key issues of pedestrian movement and comfort, parking and efficient vehicle movement, and improvements to the overall character and appearance of the village centre and suburban areas."*

**Response:**

- 77 The Landscape Plans prepared by Form illustrate the proposed public domain outcome for the development including landscape treatments that contribute to the character and appearance of the development. As described previously, the extensive and well designed landscape design will do much to enhance the character and sense of place of the proposed development.
- 78 Of the Objectives identified in Design Principle 7, the following relates to visual amenity:

**Objective:**

*"Public domain areas both within the village centre and residential areas are embellished to a high standard and reinforce the landscape character of the locality".*

**Response:**

- 79 The Landscape Plans prepared by Form provide a detailed account of the proposed public domain outcome. This information includes streetscape treatments and open space design all of which is resolved in an integrated manner that will provide a highly legible character and identity for the local area with significant visual amenity.

## 5. CONCLUSIONS

- 80 This report was prepared to specifically address issues relating to visual and scenic amenity raised by the NSW Dept of Planning, the submissions made to the Dept of Planning, and to address provisions of the adopted (but not yet in effect) Tweed Development Control Plan 2008 applicable to the subject site (Section B24), and relevant to visual impact matters.
- 81 With regard to visual amenity, the most significant and repeated concerns and provisions relate to:
- the extent of earthworks and the impact of landform modification on the visual qualities of the site and local area;
  - impacts of the proposed development on scenic amenity and key landscape elements; and
  - impacts on views from key vantage points, particularly from Fraser Drive.
- 82 With regard to visual impacts resulting from landform modifications, the Earthworks Plans (prepared by Bradlees Civil Consulting) show the finished grades of the development follow fairly closely to the existing grades, only parts of the site will be benched, areas of extensive earthworks (greater than 5 metres) are limited, and earthworks are minimised around critical landscape elements.
- 83 Ultimately, although the extent of earthworks in some areas is significant, the overall outcome is a landform which generally reflects the existing landform. The difference in grades and levels across the site are not so great as to fundamentally change the overall structure of the landform of the site – the site will still be an amphitheatre sloping towards the Broadwater.
- 84 With regard to impacts on scenic qualities and landscape elements, the qualities of the site will obviously be affected by development, but key landscape elements will be retained in the open spaces on the site, and a significant area of landscaped open space will help to maintain some of the scenic qualities of the site.
- 85 When considering impacts on existing visual qualities it is important to acknowledge the planning intent for the site and to accept that it is a practical inevitability that the site will be developed and as a consequence the existing visual qualities of the site will be affected. The extent of impact that will result from the proposed development will be consistent with what would be reasonably expected, and with what is envisaged in the Tweed DCP.

- 86 With regard to views from Fraser Drive, amendments to the earthworks regime mean that Fraser Drive will be significantly higher than the nearest houses, will be separated by a 5 metres wide landscape buffer, and will not be subjected to an acoustic fence (fencing will be located at the rear of the lot, at the base of the bank in the open space buffer). As a result, views from Fraser Drive across the site to the Broadwater and broader landscape will essentially be maintained.
- 87 Ultimately, so long as the provisions of the tweed DCP are applied to the future built form on the site, the proposal represents a satisfactory visual outcome.

## **APPENDIX A: Aerial Photo with Proposal Overlain**

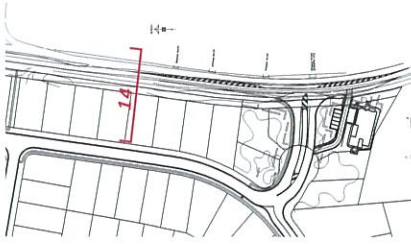




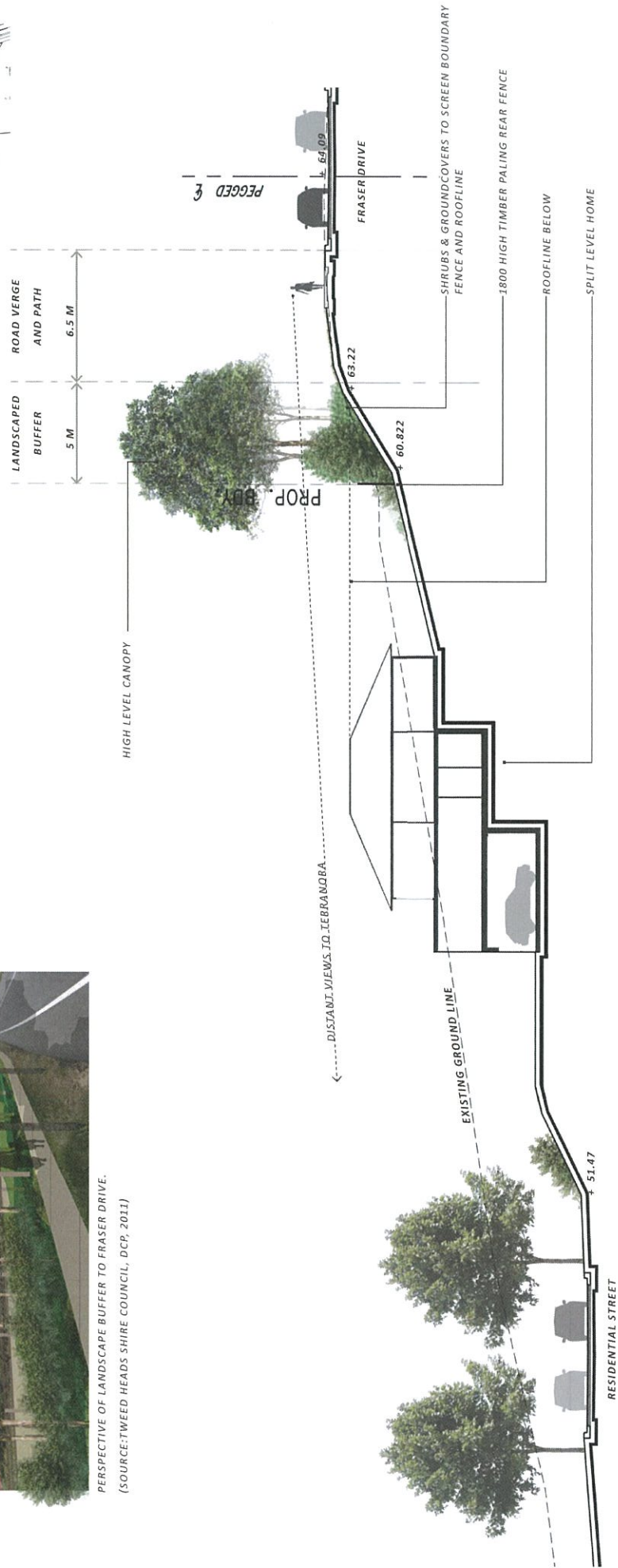


## **APPENDIX B: Excerpt from Landscape Plans**

**Prepared by Form**



PERSPECTIVE OF LANDSCAPE BUFFER TO FRASER DRIVE.  
(SOURCE: TWEED HEADS SHIRE COUNCIL, DCP, 2011)



## SECTION 14