

# Visual Impact Assessment

Cumberland Country Golf Club Seniors Housing Development

246-248 Old Prospect Road, Greystanes

Submitted to NSW Department of Planning & Environment  
on behalf of Pariter



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## Attachments

Attachment	Author
A. Visual Impact Evidence	Virtual Ideas and CMS Surveyors

# Executive Summary

Pariter (the applicant) has submitted a State Significant Development Application (the SSDA) (SSD-64795219) that seeks development consent from the NSW Department of Planning & Environment (DPE) to develop the northern part of the Cumberland Golf Club located at 246-248 Old Prospect Road, Greystanes (the site) for seniors housing (the proposal).

This visual impact assessment (VIA) has been prepared to identify and assess potential visual impacts on the DA on the public domain. In particular, it determines whether the DA gives rise to significant, unacceptable visual impact on the public domain that cannot be appropriately mitigated through the planning framework or conditions of development consent.

The key matters considered by the VIA are:

1. **Matter 1:** Impact on views from Old Prospect Rd
2. **Matter 2:** Is the proposal compatible with its visual context.

The proposal is likely to be at least visible in part from an area (the visual catchment) extending from Gwydir Street in the north, Cumberland Road in the east, Merrylands Road in the south and Gozo Road in the west. This area is occupied by a range of people, in particular travellers on the main roads adjoining the site and residents at home.

A selection of 8 viewpoints were selected to represent the pattern of viewing in this area, and for which detailed VIA was undertaken.

This VIA determined that the proposal would have:

- **Negligible significance of visual impact:** 1 viewpoint
- **Low significance of visual impact:** 3 viewpoints
- **Moderate significance of visual impact:** 4 viewpoints
- **High significance of visual impact:** Nil viewpoints
- **Major significance of visual impact:** Nil viewpoints.

Assessment showed that the proposal either complies, is consistent with or through subsequent conditions of development consent is capable of being consistent with the VIA provisions of the planning framework.

Consideration of the key matters showed:

1. **Matter 1:** Impact on views from Old Prospect Rd –while the proposal will impact views from Old Prospect Rd, due to design measures such as siting, layout, setbacks and vegetation, this impact is not considered to fundamentally alter the overall visual character of Old Prospect Road in this location
2. **Matter 2:** Is the proposal compatible with its visual context – while of greater height than prevailing built form in the area, consolidation of development in the north of the site, the use of large setbacks to site boundaries and the retention of existing and provision of new supplementary landscaping reduce apparent scale and screen or filter large parts of the development from view from the public domain. As such, the proposal can integrate and is compatible with its visual context.

To appropriately manage visual impact, it is recommended that a number of conditions form part of any development consent. These primarily relate to retention of existing boundary trees and vegetation, supplementary landscaping, fencing, signage, materiality and colours.

As such, it is the conclusion of this VIA that the proposal does not give rise to significant, unacceptable visual impact on the public domain that cannot be appropriately mitigated through the planning framework or conditions of development consent. On this basis, the proposal can be supported on visual impact grounds.

# Glossary

## Abbreviations

Table 1 Abbreviations

Abbreviation	Meaning
<b>Applicant, the</b>	Pariter
<b>Council</b>	Cumberland City Council
<b>DPE</b>	Department of Planning & Environment
<b>EIS</b>	Environmental impact statement
<b>EP&amp;A Act</b>	Environmental Planning and Assessment Act 1979
<b>FSR</b>	Floor space ratio
<b>GFA</b>	Gross floor area
<b>GLVIA3</b>	Guidelines for Landscape and Visual Impact Assessment (Third Edition)
<b>ILU</b>	Independent living unit
<b>LCA</b>	Landscape character area
<b>LGA</b>	Local government area
<b>Proposal, the</b>	Seniors housing
<b>RCF</b>	Residential care facility
<b>Rose Bay</b>	Rose Bay Marina Pty Limited v Woollahra Municipal Council and anor [2013] NSWLEC 1046
<b>SDRP</b>	State design review panel
<b>SEARS</b>	Secretary's environmental assessment requirements
<b>SEPP</b>	State environmental planning policy
<b>Site, the</b>	246-248 Old Prospect Road, Greystanes
<b>SSDA</b>	State significant development application
<b>Tenacity</b>	Tenacity Consulting v Waringah [2004] NSWLEC 140
<b>VIA</b>	Visual impact assessment

## Terms

Table 2 Terms

Term	Meaning	Source
<b>Characteristics</b>	Elements, or combinations of elements, which make a contribution to distinctive landscape character	GLVIA3
<b>Composition</b>	The way elements and features are arranged in spatial relationship to each other	Ethos Urban
<b>Elements</b>	Individual parts which make up the landscape, such as, for example, trees, hedges and buildings	GLVIA3
<b>Expansive</b>	A measure of the extent of the view, considering factors such as width, height and / or depth	Ethos Urban
<b>Feature</b>	Particularly prominent or eye-catching elements in the landscape, such as tree clumps, church towers or wooded skylines	GLVIA3
<b>High value view</b>	Iconic or high value elements or features are present, and are prominent or iconic elements or features are present in their totality	Ethos Urban
<b>Iconic</b>	In a Sydney context, this comprises Sydney Harbour (including its foreshores and islands), the Sydney Harbour Bridge, the Sydney Opera House and North Head. Other elements or features may also either be iconic or high value. Examples of high value elements include the Anzac Bridge, Sydney Tower and the Sydney CBD skyline	Ethos Urban
<b>Key characteristics</b>	Those combinations of elements which are particularly important to the current character of the landscape and help to give an area its particularly distinctive sense of place	GLVIA3
<b>Landscape</b>	An area, as perceived by people, the character of which is the result of the action and interaction of natural and/or human factors	GLVIA3
<b>Landscape character</b>	A distinct, recognisable and consistent pattern of elements in the landscape that makes one landscape different from another, rather than better or worse	GLVIA3
<b>Landscape character area</b>	These are single unique areas which are the discrete geographical areas of a particular landscape type	GLVIA3
<b>Low value view</b>	Iconic or high value elements or features are not present	Ethos Urban
<b>Magnitude</b>	A term that combines judgements about the size and scale of the effect, the extent of the area over which it occurs, whether it is reversible or irreversible and whether it is short or long term in duration	GLVIA3

Term	Meaning	Source
<b>Medium value view</b>	Iconic or high value elements or features are present, however are not prominent	Ethos Urban
<b>Panorama</b>	A view that combines considerable depth and width. In dense urban areas such as Sydney, panoramas are most commonly experienced from taller buildings	Ethos Urban
<b>Sensitivity</b>	A term applied to specific receptors, combining judgements of the susceptibility of the receptor to the specific type of change or development proposed and the value related to that receptor	GLVIA3
<b>Significance</b>	A measure of the importance or gravity of the environmental effect, defined by significance criteria specific to the environmental topic	GLVIA3
<b>Significant visual impact</b>	A visual impact achieving a ranking of high when assessed against the factors of sensitivity and magnitude	Ethos Urban
<b>Silhouette effect</b>	Where the outline of an element or feature is seen against only the sky	Ethos Urban
<b>Townscape</b>	The character and composition of the built environment including the buildings and the relationships between them, the different types of urban open space, including green spaces, and the relationship between buildings and open spaces	GLVIA3
<b>Unacceptable visual impact</b>	An outcome that satisfies all of the following conditions: <ul style="list-style-type: none"> <li>• is a significant visual impact</li> <li>• inconsistent with the intent of a planning provision, considering aims, objective or similar qualitative statement of a desired outcome</li> <li>• where there is insufficient environmental planning ground to justify that inconsistency, having regard to relevant matters such as the public interest, environmental outcomes, social outcomes and economic outcomes</li> <li>• where reasonable and relevant conditions of consent are unlikely to satisfactorily mitigate this impact</li> </ul>	Ethos Urban
<b>View loss</b>	The loss of elements or features in an existing view, either in part or in full	Ethos Urban
<b>Visual amenity</b>	The overall pleasantness of the views people enjoy of their surroundings, which provides an attractive visual setting or backdrop for the enjoyment of activities of the people living, working, recreating, visiting or travelling through an area	GLVIA3
<b>Visual impact</b>	A change in the characteristics of a view, including through the loss or addition of elements or features, as well as visual amenity. Visual impact is different to and broader than view loss	Ethos Urban

# 1.0 Introduction

## 1.1 Purpose of this VIA

This visual impact assessment (**VIA**) supports a State Significant Development Application submitted to the Department of Planning and Environment on behalf of Pariter Cumberland Pty Ltd for the redevelopment of part of the Cumberland Country Golf Club located at 246-248 Old Prospect Road, Greystanes for the purpose of seniors housing. The proposal will provide 234 seniors independent living dwellings and a residential care facility (accommodating 38 beds), including ancillary health and wellness facilities. The proposal also involves subdivision, a new golf clubhouse facility and golf course upgrade works.

The purpose of this **VIA** is to identify and assess potential visual impacts of a State Significant Development Application (the **SSDA**) (SSD-64795219) by Pariter (**the applicant**) that seeks development consent from the NSW Department of Planning & Environment (**DPE**) to develop part of the Cumberland Golf Club located at 246-248 Old Prospect Road, Greystanes (**the site**) for seniors housing (**the proposal**).

In particular, it determines whether the SSDA gives rise to significant, unacceptable visual impact on the public domain that cannot be appropriately mitigated through the planning framework or conditions of development consent.

The VIA is to be read in conjunction with other documents that form part of the SSDA, in particular the environmental impact statement (**EIS**).

## 1.2 Scope of this VIA

The VIA addresses the secretary's environmental assessment requirements (**SEARs**) issued by DPE on 21 November 2023 and shown in the below table.

Table 3 SEARs

Issue	Requirement	Documentation
5. Environmental Amenity	<ul style="list-style-type: none"><li>Assess amenity impacts on the surrounding locality, including...visual amenity, view loss and view sharing</li><li>A high level of environmental amenity for any surrounding residential or other sensitive land uses must be demonstrated</li></ul>	<ul style="list-style-type: none"><li>View Analysis</li></ul>
6. Visual Impact	<ul style="list-style-type: none"><li>Provide a visual analysis of the development from key viewpoints, including photomontages or perspectives showing the proposed and likely future development</li><li>Where the visual analysis has identified potential for significant visual impact, provide a visual impact assessment that addresses the impacts of the development on the existing catchment</li></ul>	<ul style="list-style-type: none"><li>Visual Analysis</li><li>Visual Impact Assessment</li></ul>

## 1.3 Structure of this VIA

The structure of this VIA is as follows:

- Part 1 – Introduction:** identifies the purpose, scope and structure of this VIA
- Part 2 – The site:** provides an overview of the site
- Part 3 – The proposal:** describes the proposal

- **Part 4 – Background:** summarises relevant background information
- **Part 5 – The planning framework:** identifies relevant parts of the planning framework against which the acceptability of visual impact is assessed
- **Part 6 – Method:** outlines the method used as the basis for this VIA
- **Part 7 – Key matters:** identifies key matters relevant to this VIA
- **Part 8 – Visual and view analysis:** identifies and describes the area from which the proposal is likely to be seen, identifies whether there is likely to be potential for significant visual impact, and identifies the viewpoints that form the basis of this VIA
- **Part 9 – Visual impact assessment:** identifies the key visual impacts of the proposal through the use of photomontages, and undertakes an assessment of the significance of visual impact based on the factors of sensitivity to the nature of change proposed and the magnitude of the change proposed
- **Part 10 – Assessment against the planning framework:** undertakes an assessment of the acceptability of visual impact based on relevant parts of the planning framework
- **Part 11 –Key findings:** identifies the key findings of the VIA
- **Part 12 –Discussion of key matters:** discusses how the proposal addresses the key matters
- **Part 13 – Mitigation measures:** recommends any mitigation measures to achieve acceptable visual impact, or reduce visual impact
- **Part 14 – Conclusion:** identifies whether the proposal can be supported on visual impact grounds.

## 2.0 The Site

**Note:** the separate EIS prepared by Ethos Urban and the Design Report prepared by Marchese Partners that forms part of the SSDA provide greater detail on the site

The Cumberland Country Golf Club site is located on the south side of Old Prospect Road in Greystanes, being 246-248 Old Prospect Road, approximately 225 metres west of Cumberland Road. It has frontage to Old Prospect Road of approximately 440 metres, frontage to Brighton Street to the west of approximately 766 metres and frontage to Whalans Road to the south of approximately 373 metres. The site is approximately 38 ha and is identified in Figure 1 below. The redevelopment area is approximately 3.8ha on the northern portion of the site.

The site is situated 5kms from the Parramatta CBD, incorporating Westfield Parramatta, Australia's third largest shopping centre, with excellent access to its major road networks via the M4 & M7. It has all the required attributes for Seniors Living; being well serviced by public transport including buses along Old Prospect Road, 4km to Westmead Hospital, 800m from neighbourhood shops.

The site, while undulating as is typical of a golf course, falls from East to West and South to North. The extended golf course is largely exotic managed grassland with some areas to the southern part of the site containing Cumberland Shale Plain Woodland.

The Seniors Housing development area within the broader golf course site is located at the northern end of the golf course. The surrounding area to the north, west and east is low density residential with primarily 1 and 2 storey detached dwellings. The Seniors Housing Development Area has an extensive southern boundary to the golf course, providing golf course views.

This area identified for the seniors housing development and new club house is not restricted by any environmental or other constraints and currently contains the existing club facility and a large bitumen car park, as well as the 1st hole and fairway. The proposed seniors housing will include six buildings for independent living units (ILUs) and one residential care building, inclusive of ancillary facilities including health and wellness facilities and services.



Figure 1 Aerial photo of site and surrounds

Source: NearMap and Ethos Urban



Figure 2 Cumberland Country Golf Club – aerial view

Source: Golfer



Figure 3 Cumberland Country Golf Club – view from fairway

Source: Cumberland Golf Club

Visual characteristics of sites are typically shaped by the interplay of a range of natural and human elements. These include:

- topography
- vegetation
- waterways
- land use
- built form
- vehicle access and carparking.

#### Topography

The site is gently undulating. In general, it falls from east to west.

#### Vegetation

The site primarily comprises grassed fairways separated by tall eucalypts planted in row formation. There is no understorey vegetation. Tall eucalypts are also planted at most of the site's boundaries, most notably for the proposal along Old Prospect Road. In this location they achieve heights of up to 20-25m in height (ie, 6 to 7 storeys approximately).

#### Waterways

The site contains a number of human made reservoirs. There are no waterways on the site.

## Land use

The site is used as a golf course. The golf course club house is located in the north-east of the site, with most of the remainder of the site used for playing golf.

## Built form

The golf course club house is a large, single storey building. It is of modern style with brick construction with a flat, colorbond roof. A small maintenance facility is located in the south-east of the site close to Whalans Road.

## Vehicle access and carparking

Vehicle access to the site is obtained from the eastern end of Old Prospect Road. A large at grade carpark is located between Old Prospect Road and the club house. The eastern boundary of this carpark abuts the rear of houses on Kootingal Street.

# 3.0 The Proposal

**Note:** the separate EIS prepared by Ethos Urban and the Design Report prepared by Marchese Partners that forms part of the SSDA provide greater detail on the site

The Development Application seeks approval for:

- Subdivision, proposing 4x lots, consolidating the golf course onto 1 lot, seniors housing (2x lots) and golf club facilities (1x lot)
- Site preparation and excavation works, including demolition of the clubhouse and remediation works
- Construction of a new golf clubhouse and ancillary facilities, retention of the existing carpark as well as reconfiguration of the existing golf course to maintain an 18-hole course
- Construction of a seniors housing development comprising approximately 234 independent living units, ancillary wellness facilities, a residential -care facility (accommodating 38 beds and ancillary café, health, wellness and consulting rooms
- Construction of a temporary display/sales suite and signage
- Construction of new private internal roads and parking
- Landscaping and associated public domain works
- Extension and augmentation of physical infrastructure and utilities as required.

A further detailed description of the proposed development is contained in the Environmental Impact Statement prepared by Ethos Urban.

## 3.1 Overall project staging

The proposed development will be delivered in the following stages:

- 1A. Subdivision, proposing 4x lots, consolidating the golf course onto 1 lot, seniors housing (2x lots) and golf club facilities (1x lot);
- 1B. Golf Course Enabling Works:
  - Works to modify the existing golf course to enable the main works site area to be established.
- 1C. Seniors Housing (west of existing Clubhouse) and new Clubhouse:
  - Construction of 131 Independent Living Units (ILUs) across three (3) buildings ranging in height from five to seven storeys and sitting atop a common undercroft carpark. A 38 bed three storey Residential Care Facility (RCF) will also be constructed and a three storey Golf Clubhouse. This stage also includes modifications to the existing on-grade golf car park to increase car spaces to

220 no., site preparation, roadworks, civil and bulk earthworks, hard and soft landscaping and associated services and infrastructure.

- 2. Seniors Housing (east of Clubhouse) and demolish existing Clubhouse:
  - Construction of 103 ILUs across three (3) buildings ranging in height from five storeys to seven storeys with each building sitting atop its own undercroft carpark. This stage also includes site preparation, roadworks, civil and bulk earthworks, hard and soft landscaping and associated services and infrastructure.

Note that the Display Suite may be constructed in Stages 1A or 1B.

Note also that stages may be undertaken concurrently eg. Stage 1C may commence where Stage 1B is still being completed (provided the new Clubhouse is in place before demolition of existing).

## 4.0 Background

### 4.1 State design review panel meetings

Two State Design Review Panel (**SDRP**) meetings have been held for the proposal.

#### 4.1.1 State Design Review Panel meeting 1

A high level, indicative concept scheme was presented to SDRP meeting 1.

The subsequent letter of advice and recommendations identified that the following elements were supported:

- integration of seniors living, aged care and golf club to form a vibrant hub of complementary programmatic uses
- retention of prominent mature trees on the golf course
- protection of the southern half of the golf course with significant biodiversity value
- potential for shared use of some facilities with the wider community.

#### 4.1.2 State Design Review Panel meeting 2

A more resolved scheme was presented to SDRP meeting 2.

The subsequent letter of advice and recommendations identified that the following elements were supported:

- approach to connecting with Country and consultation with traditional owners
- proposed protection and enhancement of the Cumberland Plain woodland heritage on the site and across the broader golf course.

Key feedback relevant to VIA was:

- 'Establish an approach to boundaries within and surrounding the site that minimises exposed fencing and keeps the site permeable. Use landscaped buffers & the RAC building as the boundary where possible along Old Prospect Rd'
- 'The ILU buildings are significantly taller than the surrounding neighbourhood, which typically comprises 1-2 storey dwellings. It is recommended that the maximum building height sits below the canopy of the mature trees. This may require some buildings to reduce in storeys / overall height'
- 'Increase visual permeability through the development to the golf course and landscape beyond, particularly from the Old Prospect Rd street and entry point'.

## 5.0 The Planning Framework

The most relevant parts of the planning framework comprises:

- **State Environmental Planning Policy:** State Environmental Planning Policy (Housing) 2021
- **Local Environmental Plan:** Cumberland Local Environmental Plan 2021.

The Cumberland Development Control Plan 2021 does not contain any provisions of direct relevance to VIA.

Planning principles established by the NSW Land and Environment Court (**the LEC**) are also relevant to VIA.

### 5.1 State Environmental Planning Policy (Housing) 2021

Part 5, division 5 of State Environmental Planning Policy (Housing) 2021 (the Housing SEPP) requires the following:

- 97 'Design of in-fill self-care housing'
  - In determining a development application for development for the purposes of in-fill self-care housing, a consent authority must consider the Seniors Living Policy: Urban Design Guideline for Infill Development, March 2004, published on the Department’s website.
- 98 'Design of seniors housing'
  - A consent authority must not consent to development for the purposes of seniors housing unless the consent authority is satisfied that the design of the seniors housing demonstrates adequate consideration has been given to the principles set out in Division 6.
- specifies design requirements for the Design of in-fill self-care housing (section 97) which applies to the ILU component of the proposed development and the Design of seniors housing (section 98) which applies to both the ILUs and the RCF.

#### 5.1.1 Design of in-fill self-care housing (section 97)

Notwithstanding Section 97 referencing the 'Seniors Living Policy: Urban Design Guideline for Infill Development', we note that the DPE has reviewed design guidance for seniors housing and has prepared the 'Seniors Housing Design Guide', published November 2023. This guide replaces the former guide for seniors housing development. The following table show objectives and design guidance (Chapter 3: Site analysis – urban response) that are applicable for assessment of the proposed development’s visual impact.

Table 4 Summary of items related to view impact assessment in the Seniors Housing Design Guide

Objective	Design guidance
3.2.2 To sensitively integrate a new development into its surrounding area and to ensure the building scale and form supports the local context and future character of the area	3.2.3 Map the pattern of existing adjacent development and key features surrounding the site and determine their influence on the articulation of the built form
	3.2.4 Reference front setbacks of neighbouring development and acknowledge the established street pattern
3.3.1 Maximise the landscape curtilage around the site for quality planting, establishment of tree canopies and creation of useful outdoor spaces in addition to boundary screen planting	3.3.2 Determine setbacks from the location of neighbouring properties, their private outside open space and primary views to and from the development

### 5.1.2 Design of seniors housing' (section 98)

The consent authority must be satisfied that the design of seniors housing demonstrates adequate consideration has been given to the principles set out in Division 6 of the Housing SEPP. Although view impact is not explicitly referenced in this Division, the following parts relate to visual impact, and are matters that will be considered in the assessment of visual impact in this report.

#### 99 Neighbourhood amenity and streetscape

- Seniors housing should be designed to—
  - (b) recognise the desirable elements of—
    - (i) the location’s current character, or
    - (ii) for precincts undergoing a transition—the future character of the location so new buildings contribute to the quality and identity of the area
  - (d) maintain reasonable neighbourhood amenity and appropriate residential character by—
    - (i) providing building setbacks to reduce bulk and overshadowing, and
    - (ii) using building form and siting that relates to the site’s land form, and
    - (iii) adopting building heights at the street frontage that are compatible in scale with adjacent buildings.

### 5.2 Cumberland Local Environmental Plan 2021

The principal Local Environmental Plan (**LEP**) applying to the site is the Cumberland Local Environmental Plan 2021 (**CLEP 2021**).

Under the CLEP 2021 the site is included in Zone RE2 – ‘Private Recreation’ (**Zone RE2**).

The site is not subject to controls for common principal development standards such as maximum height of buildings or maximum floor space ratio (**FSR**). As such, proposals are considered against the relevant objectives for these matters. The objectives for maximum height of buildings are relevant to public domain VIA. Objectives for FSR are not relevant to VIA.

The site is not subject to common miscellaneous provisions such as heritage conservation.

The site is mapped as having ‘Remnant Native Vegetation’ under part 6.5 ‘Biodiversity’ of the CLEP 2021. However, the provisions of this part do not address matters relevant to VIA such as views, visual impact or scenic amenity.

Adjoining and surrounding land is mainly included in Zone R2 ‘Low Density Residential’ (**Zone R2**). This land is subject to a maximum height of buildings of 9m. It is not subject to any FSR controls.

Table 5 Cumberland Local Environmental Plan 2021

Part	Element	Provision
Clause 4.3	Height of buildings	(1) The objectives of this clause are as follows: <ul style="list-style-type: none"> <li>• (a) to establish a maximum height of buildings to enable appropriate development density</li> <li>• (b) to ensure that the height of buildings is compatible with the character of the locality</li> <li>• (c) to minimise the visual impact of development</li> <li>• (d) to ensure sufficient solar access and privacy for neighbouring properties</li> </ul>

### 5.3 Planning principles

The LEC has established a number of planning principles. According to the Court, 'a planning principle is a statement of a desirable outcome from a chain of reasoning aimed at reaching, or a list of appropriate matters to be considered in making, a planning decision. While planning principles are stated in general terms, they may be applied to particular cases to promote consistency. Planning principles are not legally binding and they do not prevail over councils' plans and policies. Planning principles assist when making a planning decision, including:

- where there is a void in policy
- where policies expressed in qualitative terms allow for more than one interpretation
- where policies lack clarity.

As it is a highly subjective field for which there is no universally agreed method, planning principles are often highly relevant to VIA, in particular where considering consistency with objectives in the absence of controls.

The most relevant planning principles for VIA are *Tenacity Consulting v Waringah* [2004] NSWLEC 140 (Tenacity) and *Rose Bay Marina Pty Limited v Woollahra Municipal Council and anor* [2013] NSWLEC 1046 (Rose Bay). However, they relate to the more narrow matter of impact on views, as opposed to broader impact. In terms of broader impact, while is relevant in broad terms,

- **compatibility of proposal with surrounding development:** *Project Venture Developments v Pittwater Council* [2005] NSWLEC 191 (Project Venture)
- **general impact:** *Davies v Penrith City Council* [2013] NSWLEC 1141 (Davies)
- **height, bulk and scale:** *Veloshin v Randwick Council* [2007] NSWLEC 428 (Veloshin)
- **seniors living in low density zone:** *GPC No 5 (Wombarra) Pty Ltd v Wollongong City Council* [2003] NSWLEC 268 (Wombarra).

Due to the nature of the proposal and as it evolves the principles established in *Wombarra, Project Venture* is of most relevance.

*Project Venture* defines compatibility as follows:

- 22 There are many dictionary definitions of compatible. The most apposite meaning in an urban design context is capable of existing together in harmony. Compatibility is thus different from sameness. It is generally accepted that buildings can exist together in harmony without having the same density, scale or appearance, though as the difference in these attributes increases, harmony is harder to achieve.

It then outlines a process for consideration of compatibility:

- '24 Where compatibility between a building and its surroundings is desirable, its two major aspects are physical impact and visual impact. In order to test whether a proposal is compatible with its context, two questions should be asked.
  - Are the proposal's physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites.
  - Is the proposal's appearance in harmony with the buildings around it and the character of the street?
- 25 The physical impacts, such as noise, overlooking, overshadowing and constraining development potential, can be assessed with relative objectivity. In contrast, to decide whether or not a new building appears to be in harmony with its surroundings is a more subjective task. Analysing the existing context and then testing the proposal against it can, however, reduce the degree of subjectivity.
- 26 For a new development to be visually compatible with its context, it should contain, or at least respond to, the essential elements that make up the character of the surrounding urban environment. In some areas, planning instruments or urban design studies have already described the urban character. In others (the majority of cases), the character needs to be defined as part of a

proposal's assessment. The most important contributor to urban character is the relationship of built form to surrounding space, a relationship that is created by building height, setbacks and landscaping. In special areas, such as conservation areas, architectural style and materials are also contributors to character.

- 27 Buildings do not have to be the same height to be compatible. Where there are significant differences in height, it is easier to achieve compatibility when the change is gradual rather than abrupt. The extent to which height differences are acceptable depends also on the consistency of height in the existing streetscape.
- 28 Front setbacks and the way they are treated are an important element of urban character. Where there is a uniform building line, even small differences can destroy the unity. Setbacks from side boundaries determine the rhythm of building and void. While it may not be possible to reproduce the rhythm exactly, new development should strive to reflect it in some way.
- 29 Landscaping is also an important contributor to urban character. In some areas landscape dominates buildings, in others buildings dominate the landscape. Where canopy trees define the character, new developments must provide opportunities for planting canopy trees'.

As can be seen, the main test is whether the proposal appears in harmony with the buildings around it and the character of the street with particular reference to height, setbacks and landscaping.

#### 5.4 Overall intent of the planning framework

In summary, the overall intent of the planning framework is to ensure that the proposal is compatible with its surrounding context, having regard to matters such urban form, character, streetscape size and scale, massing and form and landscaping.

## 6.0 Key Matters

Based on review of the site, the proposal, the background and the planning framework, the following are considered to be the key matters to be addressed by the VIA:

1. **Matter 1:** Impact on views from Old Prospect Rd
2. **Matter 2:** Is the proposal compatible with its visual context.

## 7.0 Method

The method used by this VIA is derived from the international standard 'Guidelines for Landscape and Visual Impact Assessment' version 3 (GLVIA3) and the Land and Environment Court (LEC) planning principle for 'impact on public domain views' established in *Rose Bay Marina Pty Limited v Woollahra Municipal Council and anor* [2013] NSWLEC 1046 (Rose Bay).

### 7.1.1 Preparation of the evidence base

CMS Surveyors and Virtual Ideas were engaged to prepare an evidence base in accordance with the Land and Environment Court of New South Wales (LEC) 'Photomontage Policy'.

The evidence base comprises:

- a photograph of the existing view
- a photomontage of the likely future view should the proposed be constructed.

In accordance with the LEC policy, preparation of the photomontages were based on survey data and a model provided by the applicant's designer, and use of appropriate 3D modelling software.

**Appendix A** provides detail on the method used.

## 7.2 Assumptions, limitations and exclusions

The following assumptions apply to this VIA:

- future development will be contained within approved building envelopes.

The following limitations and exclusions apply to this VIA:

- with reference to the summary of the overall intent of the planning framework, there is considerable interplay between planning, design and visual impact. As such, while the VIA touches on matters such as character, size and scale, due regard should be given to other relevant documents for full address of these matters
- while photomontages provide an indication of likely future visual environment, they can only provide an approximation of the rich visual experience enabled by the human eye. As they are based on photographs, the same limitations that apply to photography, including optical distortion, apply
- consideration of night-time impact, including lighting, is excluded
- consideration of impact on Aboriginal cultural heritage values associations is excluded. This is only appropriately undertaken by a member or member or qualified representative of the Aboriginal community.

# 8.0 View and Visual Analysis

## 8.1 Visual catchment

The visual catchment is the area within which the proposal may be seen, either in totality or in part. The boundaries of a visual catchment are defined by a number of factors. In general, the outer boundary is delineated by a combination of topography and distance, with actual visibility with this outer being influenced by public domain (eg, streets, parks), buildings and vegetation. Although a proposal may be seen from the visual catchment, it does not mean that it will be noticeable in the landscape. Noticeability depends on a number of factors, including aspects of the proposal itself such as size, and the activity of people at the viewpoint.

As discussed in the site context part of this VIA, in general land in the surrounding area slopes gently west and south. This topography does not provide elevated locations from which clear views, vistas or panoramas to the entire site may be obtained within a reasonable distance. The exception to this is the nearby high point of Prospect Hill. According to the 'Prospect Hill Plan of Management' (Council, 2019), views may be obtained to the east across the site and its surrounds to 'the Sydney CBD, North Sydney, St Leonards, Chatswood and Parramatta; and north-east to Bella Vista homestead'.

With this exception, views to the site are largely contained to nearby streets, parks and private property.

The tops of trees at the site's boundaries are helpful to indicate potential visibility of the proposal. This is considered reasonable as while the proposal will have a height greater than the trees, it will also be setback further from the site boundary, reducing its visibility relative to these trees.

Based on this, the approximate outer boundaries of the visual catchment where the proposal may be noticeable are considered to be:

- **North:** Gwydir Street
- **East:** Cumberland Road
- **South:** Merrylands Road
- **West:** Gozo Road.

Due to the arrangement of streets, houses and trees, visibility of the proposal within much of this visual catchment, in particular towards its outer edges, is likely to be limited. It is likely that the tops of

the building may be visible seen above obstructing elements in the foreground and midground such as houses and trees.

The exception to this will be streets adjoining the site boundary, where views may be more extensive.

Given the size and other attributes of the site such as its rows of large trees, clustering of the proposal in the north-east of the site will inherently reduce the area from which greatest visual impact will be experienced.

This is considered to represent a smaller area within the visual catchment comprising:

- properties facing Brighton Street north of Eva Street
- properties facing Olds Prospect Road between Brighton Street and Kootingal Street
- properties facing Kootingal Street north of Kootingal Street Park.

Due to its proximity to the proposal and its highly trafficked nature, Olds Prospect Road is of particular interest in terms of views.

It is considered that views may be obtained to the site from Old Prospect Road as follows:

- **from the west:** where the road pivots in a more easterly direction heading east in the vicinity of Tania Street and Gozo Road
- **from the east:** where the road crests a ridge heading west from its intersection with Ettalong Road.

## 8.2 Analysis of the visual catchment

While a proposal may be visible within a visual catchment, it does not necessarily mean it will have a significant impact on this catchment.

Significance is determined by a combination of sensitivity of the visual catchment to the nature of change being proposed and magnitude of the nature of change being proposed.

Sensitivity of the visual catchment to the nature of change being proposed is based on consideration of:

- **place factors:** its social and cultural value, and visual characteristics
- **people factors:** the number of people who ordinarily use it, the type of people who ordinarily use it and how they ordinarily use it (the pattern of viewing).

### 8.2.1 Place factors

#### Social and cultural value

The visual catchment comprises a contemporary suburban landscape character. While highly valued by local residents, apart from the view from Prospect Hill, review of publicly available planning documents shows that the visual catchment does not contain elements typically correlated with higher social and cultural value such as scenic protection area, heritage items or heritage conservation areas or significant views. Due to the activities typically undertaken by larger amounts of people, some locations within the visual catchment have a higher social and cultural value. This includes parks such as Kootingal Street Park and Roberta Street Park, and may also include Our Lady Queen of Peace Church.

#### Visual characteristics

The visual catchment is a suburban landscape character area (**LCA**). It predominantly comprises original, contemporary, 1 and 2 storey detached houses on standard sized allotments surrounded by private open space (refer **below figures**). Houses are setback from the street, often 6m or greater. Private open space is landscaped, and typically comprises grassed areas and shrubs. Where present, trees are typically exotic and not densely planted. While there is no uniform architectural style, houses generally present brick facades to the street and have gently pitched tile rooves.



Figure 4 Surrounding building heights

Source: Marchese Partners



Figure 5 Residential development on the northern side of Old Prospect Road

Source: Ethos Urban

Where some lots have been redeveloped for dual occupancy, these buildings typically have a more urban character, with greater scale, less side boundary setbacks and a greater proportion of the front setback occupied by car access and parking.

Streets are generally conventional in width, with grassed verges. Most streets do not have significant street trees planting.

Parks are generally well maintained and typically include large grassed areas, most notably Roberta Street Park (refer **below figure**). Long range or panoramic views are not typical features of the visual catchment.

Elements that are typically correlated with higher scenic amenity, such as water, intact native bushland and CBD skylines, are not present.



Figure 6 Roberta Street Park

Source: Cumberland City Council

### Visual amenity

Although there is an absence of elements typically correlated with higher social and cultural value or higher scenic amenity, due to both an absence of elements and landscapes typically associated with lower visual amenity such as industrial areas and its largely intact suburban landscape character, most parts of the visual catchment has a high level of visual amenity.

### 8.2.2 People factors

#### Number of people

The visual catchment is occupied by a high number of people. However, this is variable based on location. In general, most established low density residential areas will have a moderate number of people, while highly trafficked roads such as Old Prospect Road will have a high number of people. Parks will have a moderate number of people.

#### Type of people

The type of people who may ordinarily be exposed to views of the site largely comprise:

- travellers on roads
- residents at home
- people engaged in outdoor recreation.

#### Pattern of viewing

The general pattern of viewing for these types of people may be described as follows:

Table 6 Pattern of viewing

Type of people	Description	Prevailing direction relative to the site	Prevailing distance relative to the site
Travellers on roads	People using surrounding roads, in particular Old Prospect Road	North, north-east and north-west	Close to medium
Residents at home	Residents at home in established low density residential areas to the north and east	While all surrounding directions, most notably to the north and east, and to a lesser degree to the west	Close to medium
People engaged in outdoor recreation	People using parks, in particular Kootingal Street Park and Roberta Street Park, for active recreation (eg, walking, running, ball sports, playing) and potentially passive recreation	All surrounding directions	Medium

### 8.3 Potential for significant visual impact

Based on this view and visual analysis, there is potential for the proposal to generate significant visual impact.

This is primarily due to the proposal representing the insertion of new built form of size into an established, predominantly low density residential area characterised by detached houses on standard lots surrounded by private open space,

Determination of a significant visual impact does not mean that a proposal has unacceptable visual impact. Rather, it is a threshold for which further, more detailed assessment should occur.

For a proposal to generate an unacceptable visual impact, it must represent an outcome that satisfies all of the following conditions:

- is a significant visual impact
- inconsistent with the intent of a planning provision, considering aims, objective or similar qualitative statement of a desired outcome
- where there is insufficient environmental planning ground to justify that inconsistency, having regard to relevant matters such as the public interest, environmental outcomes, social outcomes and economic outcomes
- where reasonable and relevant conditions of consent are unlikely to satisfactorily mitigate this impact.

### 8.4 Viewpoints

As there is a near infinite number of viewing conditions, a smaller selection of viewpoints are selected as the basis for this further, more detailed assessment. Viewpoints are selected on the basis of the following criteria:

- place and people factors
- recognition in a planning instrument or other planning document.

Considering these criteria, the viewpoints identified in the following table and shown in the following figure have been selected to test the view and visual impact of the proposal.

Table 7 Viewpoints

Ref	Location	Target	Reason
1.	Brighton Street near Eva Street	The proposal	Impact on residents at home
2.	Old Prospect Road and Brighton Street intersection	The proposal	Impact on travellers on Old Prospect Road and residents at home
3.	219 Old Prospect Road	The proposal	Impact on travellers on Old Prospect Road and residents at home
4.	203 Old Prospect Road	The proposal	Impact on travellers on Old Prospect Road and residents at home
5.	Old Prospect Road and Kootingal Street intersection	The proposal	Impact on travellers on Old Prospect Road and residents at home
6.	Cumberland Road and Kalang Road intersection	The proposal	Impact on residents at home
7.	Kootingal Street and Kanyal Place intersection	The proposal	Impact on residents at home
8.	Roberta Street Park	The proposal	Impact on travellers on Whalans Road and residents at home



Figure 7 Viewpoints

Source: Nearmap and Ethos Urban

## 9.0 Visual Impact Assessment

### 9.1 Viewpoint 1: Brighton Street near Eva Street

#### 9.1.1 Existing view

The following table outline the key parameters of the viewpoint.

Table 8 Viewpoint 1: Brighton Street near Eva Street: Key parameters

Item	Description
Target	The site
Viewing direction	North-east
Viewing distance	Adjacent to the site
Relative elevation	Level



Figure 8 Viewpoint 1: Brighton Street near Eva Street: Existing view

Source: Virtual Ideas

**Note:** camera lens focal length is 24mm

### 9.1.2 Description of the view

This view is dominated by Brighton Street and the golf course. They both run diagonally across the view from the right (south) foreground to the left (north) background. The golf course appears behind the street.

Brighton Street comprises a roadway and a verge. The roadway includes kerb and channel at its eastern side, two travel lanes in the centre and a row of parallel carparking at its western edge. The verge includes a mixed grass and dirt surface and row of eucalypts.

The golf course primarily comprises a gently undulating, well maintained grass surface. A sand bunker is visible in the centre midground. Trees are visible throughout, most notably the row along the site's frontage with Old Prospect Road.

### 9.1.3 Sensitivity of the view to the nature of change proposed

The following table assesses the sensitivity of the viewpoint to the nature of change proposed. Overall, the viewpoint is considered to have a medium sensitivity to the nature of change proposed.

Table 9 Viewpoint 1: Brighton Street near Eva Street: Sensitivity of the view to the nature of change proposed

Item	Assessment
<b>Social and cultural value</b>	<p>The view is not identified in the planning framework as being of significance or particular value.</p> <p>It does not meet the criteria for an iconic or high value view under Tenacity.</p> <p>Nonetheless, the view does have value due to vegetated open space being correlated with greater scenic amenity.</p>
<b>Number of people</b>	<p>As it will be visible from a local road and established low density residential areas, a moderate number of people will ordinarily be exposed to views of the site.</p>
<b>Type of people</b>	<p>The predominant types of people ordinarily exposed to views of the site are:</p> <ul style="list-style-type: none"> <li>• travellers on a road that is not a recognised scenic route.</li> <li>• residents at home.</li> </ul> <p>As such, the typical level of attention or interest of people in the view and visual amenity ranges from moderate to high.</p>

9.1.4 Proposed future view



Figure 9 Viewpoint 1: Brighton Street near Eva Street: Likely future view with proposal  
Source: Virtual Ideas

9.1.5 Magnitude of the nature of change proposed

The proposal represent the insertion of new built form of scale in the background of the view. The row of eucalypts within the eastern verge of Brighton Street as well as trees within the site provide considerably screening of the proposal. As such, filtered views of the proposal are available.

The following table assesses the magnitude of the nature of change proposed. From this viewpoint, the proposal will be seen as a moderate change over restricted area. As the proposal is for seniors living and is not intended to be strata titled, it is ongoing yet capable of being reversed. As such from this viewpoint the proposal is considered to have a noticeable magnitude of change.

Table 10: Viewpoint 1: Brighton Street near Eva Street: Magnitude of the nature of change proposed

		Duration and / or reversibility			
		Ongoing and irreversible	Ongoing capable of being reversed	Limited life (5 – 10 years)	Limited life (< 5 years)
Scale of change and geographical extent of the	Major change over wide area	Dominant	Considerable	Considerable	Noticeable
	Major change	Considerable	Considerable	Noticeable	Noticeable

		Duration and / or reversibility			
		Ongoing and irreversible	Ongoing capable of being reversed	Limited life (5 – 10 years)	Limited life (< 5 years)
area influenced	over restricted area or Moderate change over wide area				
	Moderate change over restricted area or Minor change over a wide area	Considerable	<b>Noticeable</b>	Noticeable	Perceptible
	Minor change over a restricted area or Insignificant change	Perceptible	Perceptible	Perceptible	Imperceptible
	Imperceptible change	Imperceptible	Imperceptible	Imperceptible	Imperceptible

### 9.1.6 Significance of the nature of change proposed

The following table assesses the significance of the nature of change proposed. Overall, the proposal is considered to have a low significance of visual impact.

Table 11: Viewpoint 1: Brighton Street near Eva Street: Significance of the nature of change proposed

		Magnitude				
		Dominant	Considerable	Noticeable	Perceptible	Imperceptible
Sensitivity	<b>High</b>	Major	High	Moderate	Low	Negligible
	<b>Medium</b>	High	Moderate	<b>Low</b>	Low	Negligible
	<b>Low</b>	Moderate	Low	Low	Negligible	Negligible
	<b>Negligible</b>	Low	Low	Negligible	Negligible	Negligible

### 9.2 Viewpoint 2: Old Prospect Road and Brighton Street intersection

The following table outline the key parameters of the viewpoint.

Table 12 Viewpoint 2: Old Prospect Road and Brighton Street intersection: Key parameters

Item	Description
Target	The site
Viewing direction	South-east
Viewing distance	Adjacent to the site
Relative elevation	Level



Figure 10 Viewpoint 2: Old Prospect Road and Brighton Street intersection: Existing view

Source: Virtual Ideas

**Note:** camera lens focal length is 24mm

### 9.2.1 Description of the view

The foreground of this view comprises the Old Prospect Road and Brighton Street intersection. Old Prospect Road extends away perpendicular from the viewpoint through the midground to the background in the left (north) of the view, while Brighton Street extends away parallel from the viewpoint through the midground in the right (south) of the view

The golf course occupies the midround and background of the view. It primarily appears as a gently undulating, well maintained grass surface and rows of trees. The densely planted row of eucalypts along southern side of Old Prospect Road is noticeable.

Other elements of note include a low rock retaining wall, fencing and signage at the site’s western boundary. While largely screened by the row of eucalypts along the southern side of Old Prospect Road, the high netting along part of the site’s northern boundary is partly visible.

### 9.2.2 Sensitivity of the view to the nature of change proposed

The following table assesses the sensitivity of the viewpoint to the nature of change proposed. Overall, the viewpoint is considered to have a medium sensitivity to the nature of change proposed.

Table 13 Viewpoint 2: Old Prospect Road and Brighton Street intersection: Sensitivity of the view to the nature of change proposed

Item	Assessment
<b>Social and cultural value</b>	<p>The view is not identified in the planning framework as being of significance or particular value.</p> <p>It does not meet the criteria for an iconic or high value view under Tenacity.</p>
<b>Number of people</b>	<p>As it will be visible from a main road and established low density residential areas, a high number of people will ordinarily be exposed to views of the site.</p>
<b>Type of people</b>	<p>The predominant types of people ordinarily exposed to views of the site are:</p> <ul style="list-style-type: none"> <li>• travellers on a road that is not a recognised scenic route.</li> <li>• residents at home.</li> </ul> <p>As such, the typical level of attention or interest of people in the view and visual amenity ranges from moderate to high.</p>

9.2.3 Proposed future view



Figure 11 Viewpoint 2: Old Prospect Road and Brighton Street intersection: Likely future view with proposal

Source: Virtual Ideas

9.2.4 Magnitude of the nature of change proposed

The proposal represent the insertion of new built form of scale in the midground of the view. While the row of eucalypts along the southern side of Old Prospect Road will screen a large part of the proposal, its western most end will be readily visible.

The following table assesses the magnitude of the nature of change proposed. From this viewpoint, the proposal will be seen as a major change over restricted area. As the proposal is for seniors living and is not intended to be strata titled, it is ongoing yet capable of being reversed. As such from this viewpoint the proposal is considered to have a considerable magnitude of change.

Table 14: Viewpoint 2: Old Prospect Road and Brighton Street intersection: Magnitude of the nature of change proposed

		Duration and / or reversibility			
		Ongoing and irreversible	Ongoing capable of being reversed	Limited life (5 – 10 years)	Limited life (< 5 years)
Scale of change and geographical	Major change over wide area	Dominant	Considerable	Considerable	Noticeable

		Duration and / or reversibility			
		Ongoing and irreversible	Ongoing capable of being reversed	Limited life (5 – 10 years)	Limited life (< 5 years)
extent of the area influenced	Major change over restricted area or Moderate change over wide area	Considerable	<b>Considerable</b>	Noticeable	Noticeable
	Moderate change over restricted area or Minor change over a wide area	Considerable	Noticeable	Noticeable	Perceptible
	Minor change over a restricted area or Insignificant change	Perceptible	Perceptible	Perceptible	Imperceptible
	Imperceptible change	Imperceptible	Imperceptible	Imperceptible	Imperceptible

### 9.2.5 Significance of the nature of change proposed

The following table assesses the significance of the nature of change proposed. Overall, the proposal is considered to have a moderate significance of visual impact.

Table 15: Viewpoint 2: Old Prospect Road and Brighton Street intersection: Significance of the nature of change proposed

		Magnitude				
		Dominant	Considerable	Noticeable	Perceptible	Imperceptible
Sensitivity	High	Major	High	Moderate	Low	Negligible
	Medium	High	<b>Moderate</b>	Low	Low	Negligible
	Low	Moderate	Low	Low	Negligible	Negligible
	Negligible	Low	Low	Negligible	Negligible	Negligible

### 9.3 Viewpoint 3: 219 Old Prospect Road

The following table outline the key parameters of the viewpoint.

Table 16 Viewpoint 3: 219 Old Prospect Road: Key parameters

Item	Description
Target	The site

Item	Description
Viewing direction	South
Viewing distance	Adjacent to the site
Relative elevation	Level



Figure 12 Viewpoint 3: 219 Old Prospect Road: Existing view

Source: Virtual Ideas

**Note:** camera lens focal length is 24mm

### 9.3.1 Description of the view

The foreground of this view comprises Old Prospect Road.

The midground is occupied by the densely planted row of eucalypts along the southern side of Old Prospect Road.

The background is occupied by the golf course. Due to the screening effect of the eucalypts, it is seen in a filtered manner. It comprises gently undulating, well maintained grass surface and rows of trees.

9.3.2 Proposed future view



Figure 13 Viewpoint 3: 219 Old Prospect Road: Likely future view with proposal  
Source: Virtual Ideas

9.3.3 Sensitivity of the view to the nature of change proposed

The following table assesses the sensitivity of the viewpoint to the nature of change proposed. Overall, the viewpoint is considered to have a medium sensitivity to the nature of change proposed.

Table 17 Viewpoint 3: 219 Old Prospect Road: Sensitivity of the view to the nature of change proposed

Item	Assessment
<b>Social and cultural value</b>	The view is not identified in the planning framework as being of significance or particular value. It does not meet the criteria for an iconic or high value view under Tenacity. Nonetheless, the view does have value due to vegetated open space being correlated with greater scenic amenity.
<b>Number of people</b>	As it will be visible from a main road and established low density residential areas, a high number of people will ordinarily be exposed to views of the site.
<b>Type of people</b>	The predominant types of people ordinarily exposed to views of the site are:

Item	Assessment
	<ul style="list-style-type: none"> <li>travellers on a road that is not a recognised scenic route.</li> <li>residents at home.</li> </ul> <p>As such, the typical level of attention or interest of people in the view and visual amenity ranges from moderate to high.</p>

### 9.3.4 Magnitude of the nature of change proposed

The proposal represent the insertion of new built form of scale in the background of the view. The row of densely planted row of eucalypts along the southern side of Old Prospect Road within the site provide considerably screening of the proposal. As such, filtered views of the proposal are available.

The following table assesses the magnitude of the nature of change proposed. From this viewpoint, the proposal will be seen as a moderate change over wide area. As the proposal is for seniors living and is not intended to be strata titled, it is ongoing yet capable of being reversed. As such from this viewpoint the proposal is considered to have a considerable magnitude of change.

Table 18: Viewpoint 3: 219 Old Prospect Road: Magnitude of the nature of change proposed

		Duration and / or reversibility			
		Ongoing and irreversible	Ongoing capable of being reversed	Limited life (5 – 10 years)	Limited life (< 5 years)
Scale of change and geographical extent of the area influenced	<b>Major change over wide area</b>	Dominant	Considerable	Considerable	Noticeable
	<b>Major change over restricted area or Moderate change over wide area</b>	Considerable	<b>Considerable</b>	Noticeable	Noticeable
	<b>Moderate change over restricted area or Minor change over a wide area</b>	Considerable	Noticeable	Noticeable	Perceptible
	<b>Minor change over a restricted area or Insignificant change</b>	Perceptible	Perceptible	Perceptible	Imperceptible
	<b>Imperceptible change</b>	Imperceptible	Imperceptible	Imperceptible	Imperceptible

### 9.3.5 Significance of the nature of change proposed

The following table assesses the significance of the nature of change proposed. Overall, the proposal is considered to have a moderate significance of visual impact.

Table 19: Viewpoint 3: 219 Old Prospect Road: Significance of the nature of change proposed

		Magnitude				
		Dominant	Considerable	Noticeable	Perceptible	Imperceptible
Sensitivity	High	Major	High	Moderate	Low	Negligible
	Medium	High	<b>Moderate</b>	Low	Low	Negligible
	Low	Moderate	Low	Low	Negligible	Negligible
	Negligible	Low	Low	Negligible	Negligible	Negligible

9.4 Viewpoint 4: 203 Old Prospect Road

The following table outline the key parameters of the viewpoint.

Table 20 Viewpoint 4: 203 Old Prospect Road: Key parameters

Item	Description
Target	The site
Viewing direction	South
Viewing distance	Adjacent to the site
Relative elevation	Level



Figure 14 Viewpoint 4: 203 Old Prospect Road: Existing view

Source: Virtual Ideas

**Note:** camera lens focal length is 24mm

#### 9.4.1 Description of the view

The foreground of this view comprises Old Prospect Road. A high, transparent paling fence is notable at the boundary of the site with the road.

The midground comprises a low rock retaining wall, the golf course carpark and club house. The club house is seen as a modern, single storey brick building with flat colorbond roof.

#### 9.4.2 Sensitivity of the view to the nature of change proposed

The following table assesses the sensitivity of the viewpoint to the nature of change proposed. Overall, the viewpoint is considered to have a medium sensitivity to the nature of change proposed.

Table 21 Viewpoint 4: 203 Old Prospect Road: Sensitivity of the view to the nature of change proposed

Item	Assessment
<b>Social and cultural value</b>	<p>The view is not identified in the planning framework as being of significance or particular value.</p> <p>It does not meet the criteria for an iconic or high value view under Tenacity.</p> <p>Nonetheless, the view does have value due to vegetated open space being correlated with greater scenic amenity.</p>
<b>Number of people</b>	<p>As it will be visible from a main road and established low density residential areas, a high number of people will ordinarily be exposed to views of the site.</p>
<b>Type of people</b>	<p>The predominant types of people ordinarily exposed to views of the site are:</p> <ul style="list-style-type: none"><li>• travellers on a road that is not a recognised scenic route.</li><li>• residents at home.</li></ul> <p>As such, the typical level of attention or interest of people in the view and visual amenity ranges from moderate to high.</p>

9.4.3 Proposed future view



Figure 15 Viewpoint 4: 203 Old Prospect Road: Likely future view with proposal

Source: Virtual Ideas

9.4.4 Magnitude of the nature of change proposed

The proposal represent the insertion of new built form of scale in the midground of the view.

The following table assesses the magnitude of the nature of change proposed. From this viewpoint, the proposal will be seen as a major change over a wide area. As the proposal is for seniors living and is not intended to be strata titled, it is ongoing yet capable of being reversed. As such from this viewpoint the proposal is considered to have a considerable magnitude of change.

Table 22: Viewpoint 4: 203 Old Prospect Road: Magnitude of the nature of change proposed

		Duration and / or reversibility			
		Ongoing and irreversible	Ongoing capable of being reversed	Limited life (5 – 10 years)	Limited life (< 5 years)
Scale of change and geographical extent of the area influenced	Major change over wide area	Dominant	Considerable	Considerable	Noticeable
	Major change over restricted area or	Considerable	Considerable	Noticeable	Noticeable

		Duration and / or reversibility			
		Ongoing and irreversible	Ongoing capable of being reversed	Limited life (5 – 10 years)	Limited life (< 5 years)
	Moderate change over wide area				
	Moderate change over restricted area or Minor change over a wide area	Considerable	Noticeable	Noticeable	Perceptible
	Minor change over a restricted area or Insignificant change	Perceptible	Perceptible	Perceptible	Imperceptible
	Imperceptible change	Imperceptible	Imperceptible	Imperceptible	Imperceptible

#### 9.4.5 Significance of the nature of change proposed

The following table assesses the significance of the nature of change proposed. Overall, the proposal is considered to have a moderate significance of visual impact

Table 23: Viewpoint 4: 203 Old Prospect Road: Significance of the nature of change proposed

		Magnitude				
		Dominant	Considerable	Noticeable	Perceptible	Imperceptible
Sensitivity	High	Major	High	Moderate	Low	Negligible
	Medium	High	Moderate	Low	Low	Negligible
	Low	Moderate	Low	Low	Negligible	Negligible
	Negligible	Low	Low	Negligible	Negligible	Negligible

#### 9.5 Viewpoint 5: Old Prospect Road and Kootingal Street intersection

The following table outline the key parameters of the viewpoint.

Table 24 Viewpoint 5: Old Prospect Road and Kootingal Street intersection: Key parameters

Item	Description
Target	The site
Viewing direction	South-west
Viewing distance	60m (approx.)
Relative elevation	Level



Figure 16 Viewpoint 5: Old Prospect Road and Kootingal Street intersection: Existing view

Source: Virtual Ideas

**Note:** camera lens focal length is 24mm

### 9.5.1 Description of the view

Old Prospect Road occupies the foreground of this view, and runs diagonally across the view from the left (east) foreground to the right (west) background.

The midground comprises detached housing characteristic of the context.

The background mainly comprises the row of eucalypts along and near the site's eastern boundary.

Signage for the golf course is noticeable in the right (west) background of the view.

### 9.5.2 Sensitivity of the view to the nature of change proposed

The following table assesses the sensitivity of the viewpoint to the nature of change proposed. Overall, the viewpoint is considered to have a medium sensitivity to the nature of change proposed.

Table 25 Viewpoint 5: Old Prospect Road and Kootingal Street intersection: Sensitivity of the view to the nature of change proposed

Item	Assessment
<b>Social and cultural value</b>	<p>The view is not identified in the planning framework as being of significance or particular value.</p> <p>It does not meet the criteria for an iconic or high value view under Tenacity.</p>

Item	Assessment
	Nonetheless, the view does have value due to vegetated open space being correlated with greater scenic amenity.
<b>Number of people</b>	As it will be visible from a main road and established low density residential areas, a high number of people will ordinarily be exposed to views of the site.
<b>Type of people</b>	<p>The predominant types of people ordinarily exposed to views of the site are:</p> <ul style="list-style-type: none"> <li>• travellers on a road that is not a recognised scenic route.</li> <li>• residents at home.</li> </ul> <p>As such, the typical level of attention or interest of people in the view and visual amenity ranges from moderate to high.</p>

### 9.5.3 Proposed future view



Figure 17 Viewpoint 5: Old Prospect Road and Kootingal Street intersection: Likely future view with proposal

Source: Virtual Ideas

### 9.5.4 Magnitude of the nature of change proposed

The proposal represent the insertion of new built form of scale in the background of the view. Built form and trees, in particular the row of eucalypts within and near to the eastern end of the site, provide considerable screening of the proposal. As such, largely filtered views of the proposal are available. While distance reduces its apparent size and scale, the lower rise, northernmost building is more evident in the right (north) side of the background of the view.

The following table assesses the magnitude of the nature of change proposed. From this viewpoint, the proposal will be seen as a moderate change over restricted area. As the proposal is for seniors living and is not intended to be strata titled, it is ongoing yet capable of being reversed. As such from this viewpoint the proposal is considered to have a noticeable magnitude of change.

Table 26: Viewpoint 5: Old Prospect Road and Kootingal Street intersection: Magnitude of the nature of change proposed

		Duration and / or reversibility			
		Ongoing and irreversible	Ongoing capable of being reversed	Limited life (5 – 10 years)	Limited life (< 5 years)
Scale of change and geographical extent of the area influenced	Major change over wide area	Dominant	Considerable	Considerable	Noticeable
	Major change over restricted area or Moderate change over wide area	Considerable	Considerable	Noticeable	Noticeable
	Moderate change over restricted area or Minor change over a wide area	Considerable	<b>Noticeable</b>	Noticeable	Perceptible
	Minor change over a restricted area or Insignificant change	Perceptible	Perceptible	Perceptible	Imperceptible
	Imperceptible change	Imperceptible	Imperceptible	Imperceptible	Imperceptible

### 9.5.5 Significance of the nature of change proposed

The following table assesses the significance of the nature of change proposed. Overall, the proposal is considered to have a low significance of visual impact

Table 27: Viewpoint 5: Old Prospect Road and Kootingal Street intersection: Significance of the nature of change proposed

		Magnitude				
		Dominant	Considerable	Noticeable	Perceptible	Imperceptible
Sensitivity	High	Major	High	Moderate	Low	Negligible
	Medium	High	Moderate	<b>Low</b>	Low	Negligible
	Low	Moderate	Low	Low	Negligible	Negligible
	Negligible	Low	Low	Negligible	Negligible	Negligible

## 9.6 Viewpoint 6: Cumberland Road and Kalang Road intersection

The following table outline the key parameters of the viewpoint.

Table 28 Viewpoint 6: Cumberland Road and Kalang Road intersection: Key parameters

Item	Description
Target	The site
Viewing direction	West
Viewing distance	230m (approx..)
Relative elevation	Level



Figure 18 Viewpoint 6: Cumberland Road and Kalang Road intersection: Existing view

Source: Virtual Ideas

**Note:** camera lens focal length is 24mm

### 9.6.1 Description of the view

The foreground of this view comprises Cumberland Road.

The midground comprises detached housing characteristic of the context and Kalang Road. Kalang Road is a narrow local access road, and runs from the centre midground away from the viewpoint through the midground to the background.

The background comprises parts of detached housing characteristic of the context with the row of eucalypts along and near the site's eastern boundary visible above and behind.

### 9.6.2 Sensitivity of the view to the nature of change proposed

The following table assesses the sensitivity of the viewpoint to the nature of change proposed. Overall, the viewpoint is considered to have a medium sensitivity to the nature of change proposed.

Table 29 Viewpoint 6: Cumberland Road and Kalang Road intersection: Sensitivity of the view to the nature of change proposed

Item	Assessment
<b>Social and cultural value</b>	<p>The view is not identified in the planning framework as being of significance or particular value.</p> <p>It does not meet the criteria for an iconic or high value view under Tenacity.</p> <p>Nonetheless, the view does have value due to vegetated open space being correlated with greater scenic amenity.</p>
<b>Number of people</b>	<p>As it will be visible from a main road and established low density residential areas, a high number of people will ordinarily be exposed to views of the site.</p>
<b>Type of people</b>	<p>The predominant types of people ordinarily exposed to views of the site are:</p> <ul style="list-style-type: none"> <li>• travellers on a road that is not a recognised scenic route.</li> <li>• residents at home.</li> </ul> <p>As such, the typical level of attention or interest of people in the view and visual amenity ranges from moderate to high.</p>

9.6.3 Proposed future view



Figure 19 Viewpoint 6: Cumberland Road and Kalang Road intersection: Likely future view with proposal

Source: Virtual Ideas

9.6.4 Magnitude of the nature of change proposed

The proposal represent the insertion of new built form of scale in the background of the view. Built form and trees provide considerable screening of the proposal. As such, largely filtered views of the proposal are available.

The following table assesses the magnitude of the nature of change proposed. From this viewpoint, the proposal will be seen as a minor change over restricted area. As the proposal is for seniors living and is not intended to be strata titled, it is ongoing yet capable of being reversed. As such from this viewpoint the proposal is considered to have a perceptible magnitude of change.

Table 30: Viewpoint 6: Cumberland Road and Kalang Road intersection: Magnitude of the nature of change proposed

		Duration and / or reversibility			
		Ongoing and irreversible	Ongoing capable of being reversed	Limited life (5 – 10 years)	Limited life (< 5 years)
Scale of change and geographical	Major change over wide area	Dominant	Considerable	Considerable	Noticeable

		Duration and / or reversibility			
		Ongoing and irreversible	Ongoing capable of being reversed	Limited life (5 – 10 years)	Limited life (< 5 years)
extent of the area influenced	Major change over restricted area or Moderate change over wide area	Considerable	Considerable	Noticeable	Noticeable
	Moderate change over restricted area or Minor change over a wide area	Considerable	Noticeable	Noticeable	Perceptible
	Minor change over a restricted area or Insignificant change	Perceptible	<b>Perceptible</b>	Perceptible	Imperceptible
	Imperceptible change	Imperceptible	Imperceptible	Imperceptible	Imperceptible

9.6.5 Significance of the nature of change proposed

The following table assesses the significance of the nature of change proposed.

Table 31: Viewpoint 6: Cumberland Road and Kalang Road intersection: Significance of the nature of change proposed

		Magnitude				
		Dominant	Considerable	Noticeable	Perceptible	Imperceptible
Sensitivity	High	Major	High	Moderate	Low	Negligible
	Medium	High	Moderate	Low	<b>Low</b>	Negligible
	Low	Moderate	Low	Low	Negligible	Negligible
	Negligible	Low	Low	Negligible	Negligible	Negligible

9.7 Viewpoint 7: Kootingal Street and Kanyal Place intersection

The following table outline the key parameters of the viewpoint.

Table 32 Viewpoint 7: Kootingal Street and Kanyal Place intersection: Key parameters

Item	Description
Target	The site
Viewing direction	West

Item	Description
Viewing distance	40m
Relative elevation	Level



Figure 20 Viewpoint 7: Kootingal Street and Kanyal Place intersection: Existing view

Source: Virtual Ideas

**Note:** camera lens focal length is 24mm

### 9.7.1 Description of the view

The foreground of this view comprises Kootingal Street.

The midground comprises detached housing characteristic of the context and Kanyal Place. Kanyal Place is a short, narrow local access road, and runs from the centre midground over a short distance to terminate at a vacant, grassed part of the site not used for golfing.

The background comprises the row of eucalypts along and near the site's eastern boundary visible above and behind.

### 9.7.2 Sensitivity of the view to the nature of change proposed

The following table assesses the sensitivity of the viewpoint to the nature of change proposed. Overall, the viewpoint is considered to have a medium sensitivity to the nature of change proposed.

Table 33 Viewpoint 7: Kootingal Street and Kanyal Place intersection: Sensitivity of the view to the nature of change proposed

Item	Assessment
<b>Social and cultural value</b>	<p>The view is not identified in the planning framework as being of significance or particular value.</p> <p>It does not meet the criteria for an iconic or high value view under Tenacity.</p> <p>Nonetheless, the view does have value due to vegetated open space being correlated with greater scenic amenity.</p>
<b>Number of people</b>	<p>As it will be visible from a main road and established low density residential areas, a high number of people will ordinarily be exposed to views of the site.</p>
<b>Type of people</b>	<p>The predominant types of people ordinarily exposed to views of the site are:</p> <ul style="list-style-type: none"> <li>• travellers on a road that is not a recognised scenic route.</li> <li>• residents at home.</li> </ul> <p>As such, the typical level of attention or interest of people in the view and visual amenity ranges from moderate to high.</p>

9.7.3 Proposed future view



Figure 21 Viewpoint 7: Kootingal Street and Kanyal Place intersection: Likely future view with proposal

Source: Virtual Ideas

#### 9.7.4 Magnitude of the nature of change proposed

The proposal represent the insertion of new built form of scale in the midground of the view. While eucalypts along and near the site’s eastern boundary will screen a large part of the proposal, its easternmost elevations will be readily visible.

The following table assesses the magnitude of the nature of change proposed. From this viewpoint, the proposal will be seen as a major change over restricted area. As the proposal is for seniors living and is not intended to be strata titled, it is ongoing yet capable of being reversed. As such from this viewpoint the proposal is considered to have a considerable magnitude of change.

Table 34: Viewpoint 7: Kootingal Street and Kanyal Place intersection: Magnitude of the nature of change proposed

		Duration and / or reversibility			
		Ongoing and irreversible	Ongoing capable of being reversed	Limited life (5 – 10 years)	Limited life (< 5 years)
Scale of change and geographical extent of the area influenced	Major change over wide area	Dominant	Considerable	Considerable	Noticeable
	Major change over restricted area or Moderate change over wide area	Considerable	<b>Considerable</b>	Noticeable	Noticeable
	Moderate change over restricted area or Minor change over a wide area	Considerable	Noticeable	Noticeable	Perceptible
	Minor change over a restricted area or Insignificant change	Perceptible	Perceptible	Perceptible	Imperceptible
	Imperceptible change	Imperceptible	Imperceptible	Imperceptible	Imperceptible

#### 9.7.5 Significance of the nature of change proposed

The following table assesses the significance of the nature of change proposed. Overall, the proposal is considered to have a moderate significance of visual impact.

Table 35: Viewpoint 7: Kootingal Street and Kanyal Place intersection: Significance of the nature of change proposed

		Magnitude				
		Dominant	Considerable	Noticeable	Perceptible	Imperceptible
Sensitivity	High	Major	High	Moderate	Low	Negligible
	Medium	High	Moderate	Low	Low	Negligible
	Low	Moderate	Low	Low	Negligible	Negligible
	Negligible	Low	Low	Negligible	Negligible	Negligible

9.8 Viewpoint 8: Roberta Street Park

The following table outline the key parameters of the viewpoint.

Table 36 Viewpoint 8: Roberta Street Park: Key parameters

Item	Description
Target	The site
Viewing direction	North-east
Viewing distance	240m
Relative elevation	Level



Figure 22 Viewpoint 8: Roberta Street Park: Existing view

Source: Virtual Ideas

**Note:** camera lens focal length is 35mm

### 9.8.1 Description of the view

The foreground and midground is occupied by the level, well maintained grassed surface of Roberta Street Park and a row of trees along the park's boundary.

The background comprises detached housing characteristic of the context, with eucalypts within the site visible above and behind this housing in the right background.

### 9.8.2 Sensitivity of the view to the nature of change proposed

The following table assesses the sensitivity of the viewpoint to the nature of change proposed. Overall, the viewpoint is considered to have a medium sensitivity to the nature of change proposed.

Table 37 Viewpoint 8: Roberta Street Park: Sensitivity of the view to the nature of change proposed

Item	Assessment
<b>Social and cultural value</b>	The view is not identified in the planning framework as being of significance or particular value. It does not meet the criteria for an iconic or high value view under Tenacity. Nonetheless, the view does have value due to parkland being correlated with greater scenic amenity.
<b>Number of people</b>	As it will be visible from parkland a moderate number of people will ordinarily be exposed to views of the site.
<b>Type of people</b>	The predominant types of people ordinarily exposed to views of the site are people engaged in outdoor sport or recreation. As such, the typical level of attention or interest of people in the view and visual amenity ranges is moderate.

### 9.8.3 Proposed future view



Figure 23 Viewpoint 8: Roberta Street Park: Likely future view with proposal

Source: Virtual Ideas



Figure 24 Viewpoint 8: Roberta Street Park: Likely future view with proposal showing outline  
 Source: Virtual Ideas

#### 9.8.4 Magnitude of the nature of change proposed

The proposal will not be visible from this viewpoint.

As such, as is shown in the following table it has an imperceptible magnitude of change.

Table 38: Viewpoint 8: Roberta Street Park: Magnitude of the nature of change proposed

		Duration and / or reversibility			
		Ongoing and irreversible	Ongoing capable of being reversed	Limited life (5 – 10 years)	Limited life (< 5 years)
Scale of change and geographical extent of the area influenced	Major change over wide area	Dominant	Considerable	Considerable	Noticeable
	Major change over restricted area or Moderate change over wide area	Considerable	Considerable	Noticeable	Noticeable
	Moderate change over	Considerable	Noticeable	Noticeable	Perceptible

		Duration and / or reversibility			
		Ongoing and irreversible	Ongoing capable of being reversed	Limited life (5 – 10 years)	Limited life (< 5 years)
	restricted area or Minor change over a wide area				
	Minor change over a restricted area or Insignificant change	Perceptible	Perceptible	Perceptible	Imperceptible
	Imperceptible change	Imperceptible	<b>Imperceptible</b>	Imperceptible	Imperceptible

9.8.5 Significance of the nature of change proposed

The following table assesses the significance of the nature of change proposed. Overall, the proposal is considered to have a negligible significance of visual impact.

Table 39: Viewpoint 8: Roberta Street Park: Significance of the nature of change proposed

		Magnitude				
		Dominant	Considerable	Noticeable	Perceptible	Imperceptible
Sensitivity	High	Major	High	Moderate	Low	Negligible
	Medium	High	Moderate	Low	Low	<b>Negligible</b>
	Low	Moderate	Low	Low	Negligible	Negligible
	<b>Negligible</b>	Low	Low	Negligible	Negligible	Negligible

9.9 Consolidated photos and photomontages

For ease of reference, the following tables consolidates the existing and proposed future images.

	
Viewpoint 1: Brighton Street near Eva Street – existing view	Viewpoint 1: Brighton Street near Eva Street – proposed future view



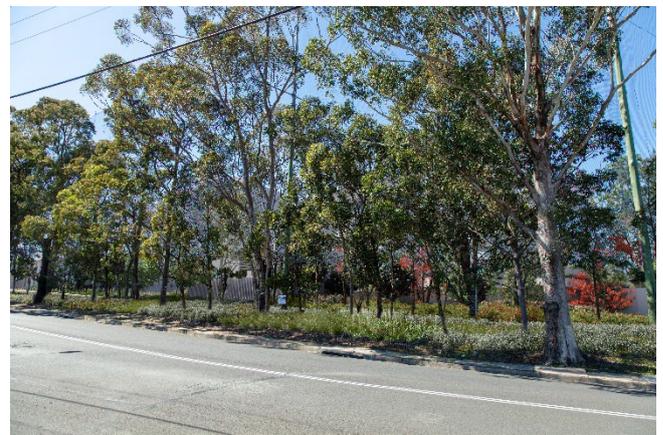
Viewpoint 2: Old Prospect Road and Brighton Street intersection – existing view



Viewpoint 2: Old Prospect Road and Brighton Street intersection – proposed future view



Viewpoint 3: 219 Old Prospect Road – existing view



Viewpoint 3: 219 Old Prospect Road – proposed future view



Viewpoint 4: 203 Old Prospect Road – existing view



Viewpoint 4: 203 Old Prospect Road – proposed future view



Viewpoint 5: Old Prospect Road and Kootingal Street intersection – existing view



Viewpoint 5: Old Prospect Road and Kootingal Street intersection – proposed future view



Viewpoint 6: Cumberland Road and Kalang Road intersection – existing view



Viewpoint 6: Cumberland Road and Kalang Road intersection – proposed future view



Viewpoint 7: Kootingal Street and Kanyal Place intersection – existing view



Viewpoint 7: Kootingal Street and Kanyal Place intersection – proposed future view



Figure 25 Consolidated photos and photomontages

Source: Virtual Ideas

## 10.0 Findings

The following table shows the sensitivity of the view to the nature of change proposed, the magnitude of the nature of the change proposed and the consequent significance of visual impact.

Table 40 Findings of sensitivity, magnitude and significance of visual impact

Viewpoint no.	Viewpoint name	Sensitivity	Magnitude	Significance
1.	Brighton Street near Eva Street	Medium	Noticeable	Low
2.	Old Prospect Road and Brighton Street intersection	Medium	Considerable	Moderate
3.	219 Old Prospect Road	Medium	Considerable	Moderate
4.	203 Old Prospect Road	Medium	Considerable	Moderate
5.	Old Prospect Road and Kootingal Street intersection	Medium	Noticeable	Low
6.	Cumberland Road and Kalang Road intersection	Medium	Perceptible	Low
7.	Kootingal Street and Kanyal Place intersection	Medium	Considerable	Moderate
8.	Roberta Street Park	Medium	Imperceptible	Negligible

As can be seen, the proposal is qualitatively assessed as having the following significance of visual impact:

- **Negligible significance of visual impact:** 1 viewpoint

- **Low significance of visual impact:** 3 viewpoints
- **Moderate significance of visual impact:** 4 viewpoints
- **High significance of visual impact:** Nil viewpoints
- **Major significance of visual impact:** Nil viewpoints.

## 11.0 Discussion

As their existing visual setting is of a suburban LCA characterised by detached houses on standard lots surrounded by private open space, the sensitivity of all viewpoints to the nature of change proposed is medium. While the proposal represents the insertion of a new element of size and scale into the visual setting, it's magnitude and therefore significance of visual impact is largely influenced by:

- its distance from viewpoints
- the presence of trees, in particular densely planted eucalypts along a large part of the site's boundary.

This is evidenced by the photomontages for the Old Prospect Road and Brighton Street intersection, 203 Old Prospect Road and the Kootingal Street and Kanyal Place intersection, where the shorter distance and lesser vegetation reveals a greater proportion of built form. To mitigate this impact, it is considered important to provide appropriate landscaping to these boundaries.

As it is a location where larger numbers of people will gather for outdoor recreation purposes and as their level of attention and interest in visual amenity is likely to be high, the inability to see the proposal from the Roberta Street Park is of note.

## 12.0 Assessment against the planning framework

### 12.1 State Environmental Planning Policy (Housing) 2021

The following table assesses the proposal against State Environmental Planning Policy (Housing) 2021 relevant to VIA.

Table 41 Assessment against State Environmental Planning Policy (Housing) 2021

Part	Objective	Design guidance	Assessment	Consistency
<b>Design of in-fill self-care housing (section 97)</b>				
Design of in-fill self-care housing (section 97)	3.2.2 To sensitively integrate a new development into its surrounding area and to ensure the building scale and form supports the local context and future character of the area	3.2.3 Map the pattern of existing adjacent development and key features surrounding the site and determine their influence on the articulation of the built form	The Design Report has mapped and analysed the pattern of existing adjacent development and key features surrounding the site. The key visual characteristic of the site, which is its landscape character comprising a well maintained grass	Yes

Part	Objective	Design guidance	Assessment	Consistency
			<p>surface interspersed with organised rows of trees is maintained. While of greater size than that of prevailing built form in the area, apparent scale is reduced by design measures such as siting, layout and setbacks. Supplementary landscaping further assists in integrating the proposal into its context</p>	
		<p>3.2.4 Reference front setbacks of neighbouring development and acknowledge the established street pattern</p>	<p>As it does not have a strong built relationship to the street, the site is anomalous in the surrounding context. Referencing the prevailing front setback pattern of houses in the area is not considered appropriate due to the proposal's difference in size. Nonetheless, the proposal achieves a setback to Old Prospect Road that is considered compatible with the overall attributes of the surrounding suburban LCA, in particular ensuring adequate setback from the street and including vegetation within this setback</p>	Yes
	<p>3.3.1 Maximise the landscape curtilage around the site for quality planting, establishment of tree canopies and creation of useful outdoor spaces in addition to boundary screen planting</p>	<p>3.3.2 Determine setbacks from the location of neighbouring properties, their private outside open space and primary views to and from the development</p>	<p>As can be seen in the Design Report, the proposal has landscaped curtilage around all buildings suitable for deep soil and the planting and growth of canopy trees</p>	Yes

Part	Objective	Design guidance	Assessment	Consistency
<b>Design of seniors housing' (section 98)</b>				
99 Neighbourhood amenity and streetscape	Seniors housing should be designed to -		As is noted above, the proposal retains the prevailing landscape character of the site	Yes
	<ul style="list-style-type: none"> <li>• (b) recognise the desirable elements of - <ul style="list-style-type: none"> <li>– (i) the location's current character, or</li> <li>– (ii) for precincts undergoing a transition - the future character of the location so new buildings contribute to the quality and identity of the area</li> </ul> </li> </ul>			
	Seniors housing should be designed to -		The proposal:	Yes
	<ul style="list-style-type: none"> <li>• (d) maintain reasonable neighbourhood amenity and appropriate residential character by - <ul style="list-style-type: none"> <li>– (i) providing building setbacks to reduce bulk and overshadowing, and</li> <li>– (ii) using building form and siting that relates to the site's land form, and</li> <li>– (iii) adopting building heights at the street frontage that are compatible in scale with adjacent buildings</li> </ul> </li> </ul>		<ul style="list-style-type: none"> <li>• incorporates substantial setbacks to property boundaries</li> <li>• integrates with the current landform without the need for extensive cut and fill</li> <li>• has heights that are compatible with adjacent buildings (refer to next section for detailed discussion)</li> </ul>	

12.2 Cumberland Local Environmental Plan 2021

The following table assesses the proposal against the Cumberland Local Environmental Plan 2021 relevant to VIA.

Table 42 Assessment against the Cumberland Local Environmental Plan 2021

Part	Provision	Assessment	Consistency
4.3 'Height of buildings'	<p>(1) The objectives of this clause are as follows:</p> <ul style="list-style-type: none"> <li>• (a) to establish a maximum height of buildings to enable appropriate development density</li> <li>• (b) to ensure that the height of buildings is compatible with the character of the locality</li> <li>• (c) to minimise the visual impact of development</li> <li>• (d) to ensure sufficient solar access and privacy for neighbouring properties</li> </ul>	<p>The proposal adopts a number of deliberate design measures that reduce its visual impact and increase its compatibility with the character of the locality. These include:</p> <ul style="list-style-type: none"> <li>• the consolidation of the development footprint in the northern part of the site</li> <li>• the arrangement of built form so that it presents the long elevation of most buildings to the north</li> </ul>	Yes

Part	Provision	Assessment	Consistency
		<ul style="list-style-type: none"> <li>the separation of built form into discrete buildings</li> <li>the retention of existing of trees, in particular densely planted eucalypts along a large part of the site's boundary with Old Prospect Road.</li> </ul>	

### 12.3 State Design Review Panel advice and recommendations

The following table assesses the proposal against State Design Review Panel advice and recommendations relevant to VIA.

Table 43 Assessment against the State Design Review Panel advice and recommendations

Advice and recommendation	Assessment	Consistency
Establish an approach to boundaries within and surrounding the site that minimises exposed fencing and keeps the site permeable. Use landscaped buffers & the RAC building as the boundary where possible along Old Prospect Rd	It is recommended that new boundary fencing to roads is minimised, and where provided ensuring it is low impact through measures such as low height, permeability and colours that assist in integrating with natural parts of the landscape such as trees	Yes
The ILU buildings are significantly taller than the surrounding neighbourhood, which typically comprises 1-2 storey dwellings. It is recommended that the maximum building height sits below the canopy of the mature trees. This may require some buildings to reduce in storeys / overall height	While the ILU buildings are higher than existing development, as can be seen from the photomontages the combination of setbacks and retention of existing boundary vegetation significantly reduces the visual impact of the proposal. This is particularly evidenced by the photomontage for 219 Old Prospect Road, which shows that the proposal will be seen having a lesser height than the crown of the densely planted row of eucalypts along the southern side of Old Prospect Road	Yes
Increase visual permeability through the development to the golf course and landscape beyond, particularly from the Old Prospect Rd street and entry point	The arrangement of buildings at the Old Prospect Rd, which comprises the separation of the western and northern facing parts of the development, provides for visual permeability into the site. It is noted that visual permeability from this location increases the magnitude of visual impact. As such, it is recommended that appropriate supplementary landscaping be provided at this location	Yes

## 13.0 Discussion of Key Matters

### 13.1 Matter 1: Impact on views from Old Prospect Rd

The photomontages show that much of the proposal will be screened by existing elements in the landscape, in particular trees and built form, when seen from large parts of Old Prospect Rd. This is particularly the case where built form is located behind the dense area of eucalypts as evidenced in the photomontage from viewpoint 3: 219 Old Prospect Road.

The proposal will be most visible from near the intersection of Old Prospect Road and Brighton Street and its main entrance from Old Prospect Road.

While noticeable, due to its siting and layout only a relatively small part of the proposal will be seen. Its visual impact will be mitigated by the presence of a landscaped part of the golf course between the viewer and new buildings, and its northern elevation will largely be screened by existing trees.

Greater visibility of the proposal at its main entrance from Old Prospect Road is largely unavoidable due to the need for vehicle access to the site and retention of the carpark in the same general location to avoid impact on other parts of the site. A combination of siting and layout as well as setbacks serves to reduce visual impact. As can be seen from the photomontage for this viewpoint, new landscaping will further reduce visual impact.

As such, while the proposal will impact views from Old Prospect Rd, due to design measures such as siting, layout, setbacks and vegetation, this impact is not considered to fundamentally alter the overall visual character of Old Prospect Road in this location.

### 13.2 Matter 2: Is the proposal compatible with its visual context

As is noted in Project Venture, in an urban design context compatibility means capable of existing together in harmony.

As such, compatibility is different from sameness and it is generally accepted that buildings can exist together in harmony without having the same density, scale or appearance.

The main questions posed by Project Venture relevant to the VIA aspects of compatibility 'is the proposal's appearance in harmony with the buildings around it and the character of the street?'

Project Venture then expands on this and states 'for a new development to be visually compatible with its context, it should contain, or at least respond to, the essential elements that make up the character of the surrounding urban environment'. It also states that 'the most important contributor to urban character is the relationship of built form to surrounding space, a relationship that is created by building height, setbacks and landscaping. In special areas, such as conservation areas, architectural style and materials are also contributors to character'.

In terms of context, it is important to note that the site can largely be considered an 'island' site. While its eastern boundary adjoins residential lots, as it borders the rear of these lot it does not make a strong contribution to streetscape.

Furthermore, the proposal is concentrated in the northern parts of the site.

As such, while regard should be given to height, setbacks and landscaping. In special areas, such as conservation areas, architectural style and materials under Project Venture, it is argued that they are of lesser relevance compared would be the case if the site was more integrated into its surrounding context, and as such development would constitute a more classic 'infill' type development.

Further to this, it is considered that the site's northern boundary to Old Prospect Road is the most sensitive to the proposal.

## Height

As has been acknowledged already in this VIA, the proposal has a greater height than that prevailing in the surrounding area. However, Project Venture is clear that 'buildings do not have to be the same height to be compatible'. It also states that the 'where there are significant differences in height, it is easier to achieve compatibility when the change is gradual rather than abrupt. The extent to which height differences are acceptable depends also on the consistency of height in the existing streetscape'.

The Design Report articulates the following principle relevant to height:

- 'Height: transitions clustering height at the centre of the site, lower transition scale towards the neighbourhood and adjacent low density residential development'.

Consistent with the height principle, the Design Report noted that 'the height of the buildings, ranging from 3 to 7 storeys, has been designed to rise in height towards the centre of the development, reducing impact to the views from the street, both from Kootingal St and Brighton St'.

This is evidenced by the elevation plans that forms part of the Design Report.

Of particular note is:

- placement of the lower rise, 3 storey aged care facility closest to the Old Prospect Road frontage of the site which serves to both screen and transition to the greater height of the ILUs behind
- lesser height for Building F which is the closest building to houses on Kootingal Street
- lesser height for Building A which is the closest building to the most visually exposed part of the site to the public domain (the corner of Old Prospect Road and Brighton Street).

The Design Report also articulates the following principle for setbacks that has a strong bearing on the concept of gradated change:

- 'Setbacks: providing a buffer for built form to enable the preservation of existing trees while providing visual privacy from adjacent neighbours and sensitive receptors'.

The site plan shows that the proposal achieves considerable setbacks to its boundaries.

## Front setbacks

Project Venture states that:

- 'Front setbacks and the way they are treated are an important element of urban character. Where there is a uniform building line, even small differences can destroy the unity. Setbacks from side boundaries determine the rhythm of building and void. While it may not be possible to reproduce the rhythm exactly, new development should strive to reflect it in some way'.

The site can be considered to have a front setback from Old Prospect Road. Setbacks of houses to this part of Old Prospect Road are generally 6m or greater, and contain landscaped private open space. They generally combined to create a cohesive building line. However, existing development on the site is setback considerably greater than this, and in the order of 40m. As such, it does not have strong relationship to the street and is inconsistent with this building line.

Setbacks of houses to side boundaries in this this part of Old Prospect Road are also generally consistent. However as with front setbacks, existing development on the site does not have a strong relationship to its side boundaries.

Due to these features, overall the site is anomalous in this part of the Old Prospect Road streetscape.

As such, it is considered that there is considerably greater flexibility in the treatment of front and side boundaries than what there would be had existing development on the site closely reflect the prevailing pattern established by houses. Furthermore, given the scale difference, for other reasons including the appearance of size and bulk, replicating these setbacks is not advisable. The closest building to the street, being the lower rise, 3 storey RCF, achieves a setback to Old Prospect Road that is compatible with that of houses. While generally setback a considerable distance from Old Prospect

Road, the placement of the larger ILU buildings serves to better define the edges of the street. While side boundary setbacks are considerably greater than those of houses, this is considered a positive outcome to mitigate physical impacts, such as noise, overlooking, overshadowing referenced by Project Venture.

## Landscaping

Project Venture notes that 'landscaping is also an important contributor to urban character. In some areas landscape dominates buildings, in others buildings dominate the landscape. Where canopy trees define the character, new developments must provide opportunities for planting canopy trees'.

While landscaping is present in the surrounding area, it is generally not provided in a dense manner either in the street or within lots. As such, built form is evident from the street.

The site provides a large of green space characterised by grassed areas in the form of fairways separated by rows of eucalypts. Part of the site's Old Prospect Rd frontage contains a dense area of eucalypts.

As can be seen from viewpoint 1 – Brighton Street near Eva Street, despite in insertion of new built form of scale, this landscape character will continue to visually dominate.

In addition, much of the existing vegetation on site will be retained and supplemented by new vegetation (refer **below figure**) as noted by the Design Report:

- 'Canopy coverage is comprised of existing mature trees, new endemic trees and native marker trees. Dense canopy is to be provided long the northern aspect of the site, with several existing mature trees retained and supplemented with additions evergreen canopy trees'.

Importantly, this include boundary plantings such as the dense area of eucalypts along the Old Prospect Rd frontage and that along the site's eastern boundary with houses fronting Kootingal Street.

As such, the proposal is considered to be compatible with the site's exiting landscape character, which assists in its integration with the surrounding areas.



## 14.0 Mitigation Measures

There are three broad types of mitigation measures:

1. avoid
2. minimise
3. offset.

This is generally consistent with the principles for the management of environmental impacts in the GLVIA3 (part 3.37).

Under the GLVIA3 (part 4.21), there are a number of stages in the development process when mitigation measures should be considered. Of relevance to this proposal are the following:

- primary measures: considered as part of design development and refinement
- secondary measures: considered as part of conditioning a development consent.

As has been outlined in the design documentation, the proposal has been the subject of a rigorous technical and engagement process that has include consideration of visual impact matters and involved engagement with the State Design Review Panel. This has resulted in the incorporation of a number of primary measures appropriate to this stage in the planning process (eg, siting and massing / form measures) that seek to avoid and minimise any potential significant adverse visual impacts.

As has been determined by this VIA, the incorporation of these mitigation measures have been critical to the determination of acceptable visual impact. On this basis, it is not considered necessary to make further fundamental or otherwise large-scale amendments to the proposal in its current form to satisfactorily manage visual impact. Nonetheless, it is recommended that further investigation be undertaken and secondary measures be considered as part of subsequent planning processes. These include:

- retention of existing boundary trees and vegetation
- minimising new boundary fencing to roads, and where provided ensuring it is low impact through measures such as permeability and colours that assist in integrating with natural parts of the landscape such as trees
- avoidance of new high impact signage, including illuminated or moving signage
- considering materiality and colours for externally visible parts of the building that assist in integrating with natural parts of the landscape such as trees, and avoiding reflective materials and primary colours.

## 15.0 Conclusion

It is the finding of this VIA that the proposal does not give rise to significant, unacceptable visual impact on the public domain that cannot be appropriately mitigated through the planning framework or conditions of development consent on the balance of relevant considerations.

On this basis, the conclusion of this VIA is that the proposal can be supported on the grounds of visual impact on the public domain appropriate to this stage of the planning process.

# Appendices

# Appendix A Visual Impact Evidence (Virtual Ideas and CMS Surveyors)