

SYDNEY GRAMMAR SCHOOL

ADDENDUM 2 TO THE VISUAL IMPACT ASSESSMENT

PREPARED FOR

SYDNEY GRAMMAR SCHOOL WEIGALL SPORTS COMPLEX

JUNE 2021

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01 INTRODUCTION

WEIGALL SPORTS COMPLEX SYDNEY GRAMMAR SCHOOL

(SSD-10421) REQUEST FOR ADDITIONAL INFORMATION

This updated Addendum Report includes responses to a request for additional information dated 19th May 2021 (RFI) from the Department of Planning, Industry and Environment (DPIE).

This report should be read in conjunction with the exhibited VIA as directed throughout this document. The requests for additional information relevant to views are as follows.

2. Residential amenity

Provide an assessment of the impacts of the proposal on the environmental amenity of the residential properties at 9 Vialoux Ave and 24 Alma St (Sydney Grammar School owned properties), including:

- a) *The nature/use of the rooms with windows facing Building 2 and the associated impacts.*
- b) *Impacts of Building 2 on solar access, view and outlook of the abovementioned properties.*

3. View impact assessment

- a) *The View Impact Assessment submitted in the Environmental Impact Statement (EIS) should be amended to include analysis or imagery at Chapter 5.0 and Appendix 2 relating to the Alma Street 'View 02' / 'Viewpoint 02'.*
- b) *The View Impact Assessment submitted in the EIS indicates that the view loss impact to some windows at 8 Vialoux Avenue are 'devastating'. In this regard, the Department notes that planning principles of the Tenacity Land and Environment Court Case provide 'high value' to views with significant attributes (including iconic, water or other landmarks features). However, these attributes are not present in views from 8 Vialoux Avenue. Consequently, justify why view loss is considered to be 'devastating' rather than 'severe'. If the view impact is considered to be 'devastating' then please clarify what steps were taken to reduce the devastating impact on 8 Vialoux Street.*

02 URBIS RESPONSE

ISSUE/COMMENT

2. Residential amenity

Provide an assessment of the impacts of the proposal on the environmental amenity of the residential properties at 9 Vialoux Ave and 24 Alma St (Sydney Grammar School owned properties), including:

- a) The nature/use of the rooms with windows facing Building 2 and the associated impacts.
- b) Impacts of Building 2 on solar access, view and outlook of the abovementioned properties.

Urbis Comment.

Analysis in Section 03 investigates potential impacts of the proposal on the views from the north facing rooms and windows from the two dwellings. This analysis addresses part of 2b) in relation to the impacts of Building 2 on views and outlook of the above mentioned properties.

9 Vialoux Avenue and 24 Alma Street adjoin the subject site at the northern end of their respective streets and are owned by Sydney Grammar. Both sit in an east-west alignment with a formal presentation to the school and their northern elevations present to the Weigall playing fields. In this regard potential views access is available from those dwellings to the north. 9 Vialoux Avenue is a long part two and part three storey dwelling, and 24 Alma Street is a two storey dwelling. Both dwellings are characterised by rectangular floor plates, the long side of which is shared with Weigall playing fields.

The ground floor of 9 Vialoux Avenue is elevated above street level so that it sits approximately one residential storey above the sports field level. The ground floor basement area below the dwelling has direct access to and is used by the school for the storage of sports equipment. An outdoor terrace adjoins the living areas on the northern façade and spans the entire northern boundary which mid-way along includes a timber pergola with sliding shutters. We observed that the west end and part of the northern boundary of 9 Vialoux Avenue includes a number of mature trees, such as the Peppercorn tree mid-way along the boundary and a group of Eucalyptus trees adjacent to the western end.

24 Alma Street sits approximatley at ground level. A deck adjoins the living room on the north western edge of the dwelling. Refer to pages 6 -9 which show views from both dwellings, describe and show room uses and locations.

3. View impact assessment

- a) The View Impact Assessment submitted in the Environmental Impact Statement (EIS) should be amended to include analysis or imagery at Chapter 5.0 and Appendix 2 relating to the Alma Street 'View 02' / 'Viewpoint 02'.

Urbis Comment.

Based on fieldwork observations undertaken in relation to the VIA it was determined that visibility of the subject site and proposed development of Building 2 (carpark) from the south end of Alma Street, would be low to negligible. We note that this location broadly reflects the origin of a DCP view that is identified in the Woollahra DCP Part C1.6.2 Views and vistas.

The 'DCP' view is captured in plate 25 at page 36 and is discussed in section 3.4 at page 12 of the VIA.

As requested by the DPIE we have used this view to prepare a photomontage which shows the built form of Building 2. Refer to photomontage on page 11.

- b) The View Impact Assessment submitted in the EIS indicates that the view loss impact to some windows at 8 Vialoux Avenue are 'devastating'. In this regard, the Department notes that planning principles of the Tenacity Land and Environment Court Case provide 'high value' to views with significant attributes (including iconic, water or other landmarks features). However, these attributes are not present in views from 8 Vialoux Avenue. Consequently, justify why view loss is considered to be 'devastating' rather than 'severe'. If the view impact is considered to be 'devastating' then please clarify what steps were taken to reduce the devastating impact on 8 Vialoux Street.

Urbis Comment.

The most relevant planning principle to private domain view loss is *Tenacity Consulting v Warringah [2004] NSWLEC 140 - Principles of view sharing: the impact on neighbours (Tenacity)*.

Tenacity concerns private domain view loss and describes a four Step process as to how view loss can be assessed. *Tenacity* is not case law but provides guidance as to how view loss can be assessed and rated. It is described by the Court as a statement of 'desirable outcomes' aimed at reaching a planning decision and defines a number of appropriate matters to be considered in making that decision. Therefore, the importance of the principle is in outlining all relevant matters and the relationships of factors to be considered throughout the process. It is not simply a process of describing or listing particular features in a view which may be lost or retained.

Tenacity refers to some features as being more highly valued than others in relation to that Court matter, the examples given included sections of land-water interface. This is not to say that views without those features such as water, icons or land-water interface are not valuable. Step 1 in *Tenacity* also refers to;

“Whole views are valued more highly than partial views” and the further stages in Steps 2 and 3 require the consideration of where views to be affected are from in relation to the property boundary as follows; **“The expectation to retain side views and sitting views is often unrealistic”**.

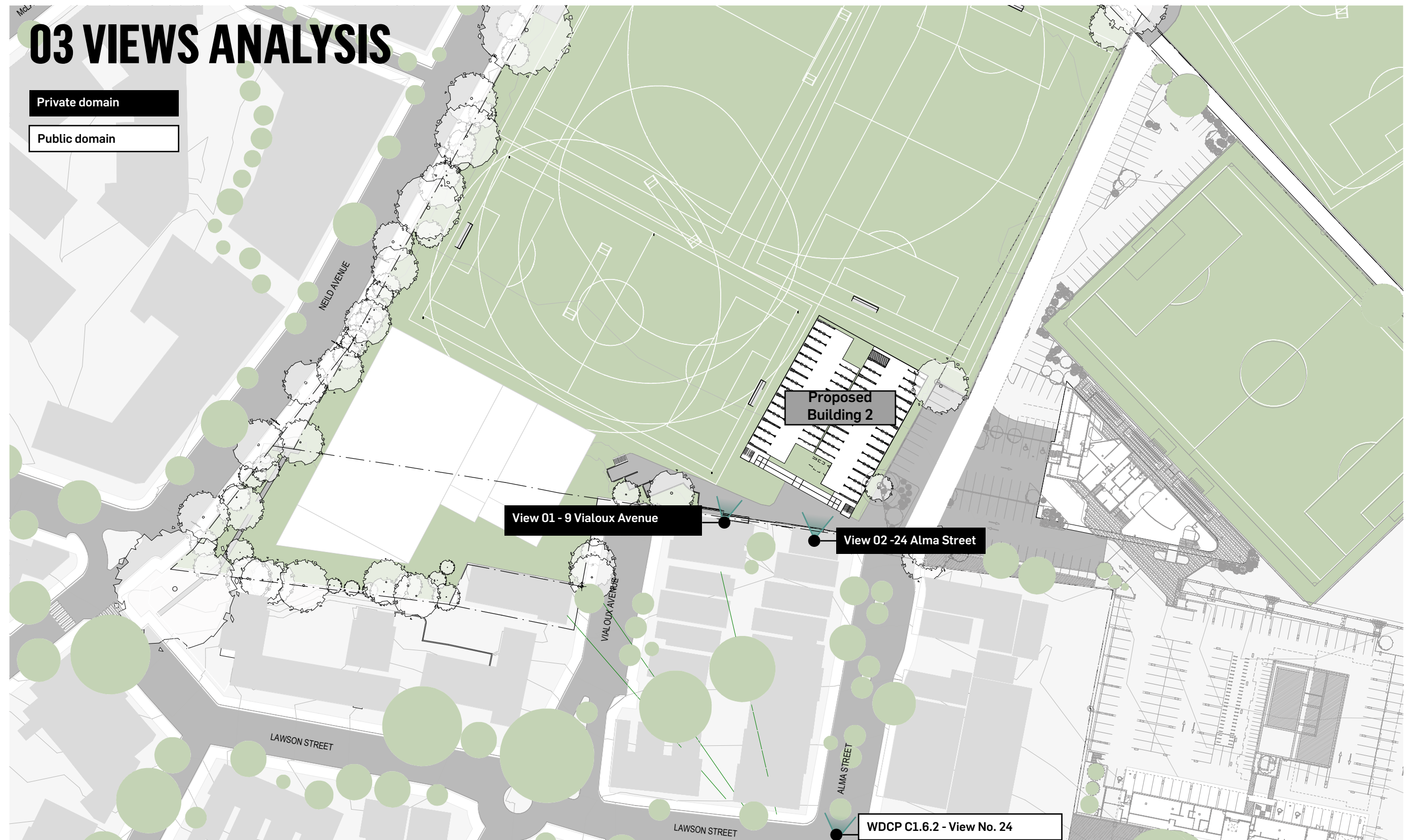
In Step 3 we are required to consider view loss for the entire dwelling in qualitative terms; *“The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected”*.

Therefore, the ratings determined in the VIA of severe and devastating relate to the **extent** of view loss not the features or icons which may or may not be present in views. For example for 5/8 Vialoux Avenue, **all rooms** in the dwelling are affected, by a severe or devastating extent (size or magnitude) of view loss. Views are available from what we conservatively consider to be the **front boundary** of the dwelling (the VIA states our assumptions of this as the front boundary, as the dwellings only have one elevation which includes windows). In addition as per Step 3, **kitchens and living areas are given more weight or value** in *Tenacity* thus affecting our ratings of view loss.

In other words, the rating of view loss as guided by *Tenacity* considers; the number of rooms to be affected, whether a whole view or partial view will be affected or lost, over which boundary views are accessed, and the use of each room where view loss will occur. These factors are considered in reaching the rating of severe or devastating. The ratings are subjective and conservative and it is possible that others would reach lower values of perhaps severe.

Notwithstanding view loss ratings as determined in the VIA, taking all relevant factors into consideration the view sharing outcome is considered to be acceptable.

The massing and location of Building 1 was determined by the project team based on many layers of technical information, physical constraints and design objectives. The merits of the final design are discussed in detail by others with the appropriate expertise.



View locations map

PRIVATE DOMAIN VIEW 01

9 VIALOUX AVENUE

Existing View

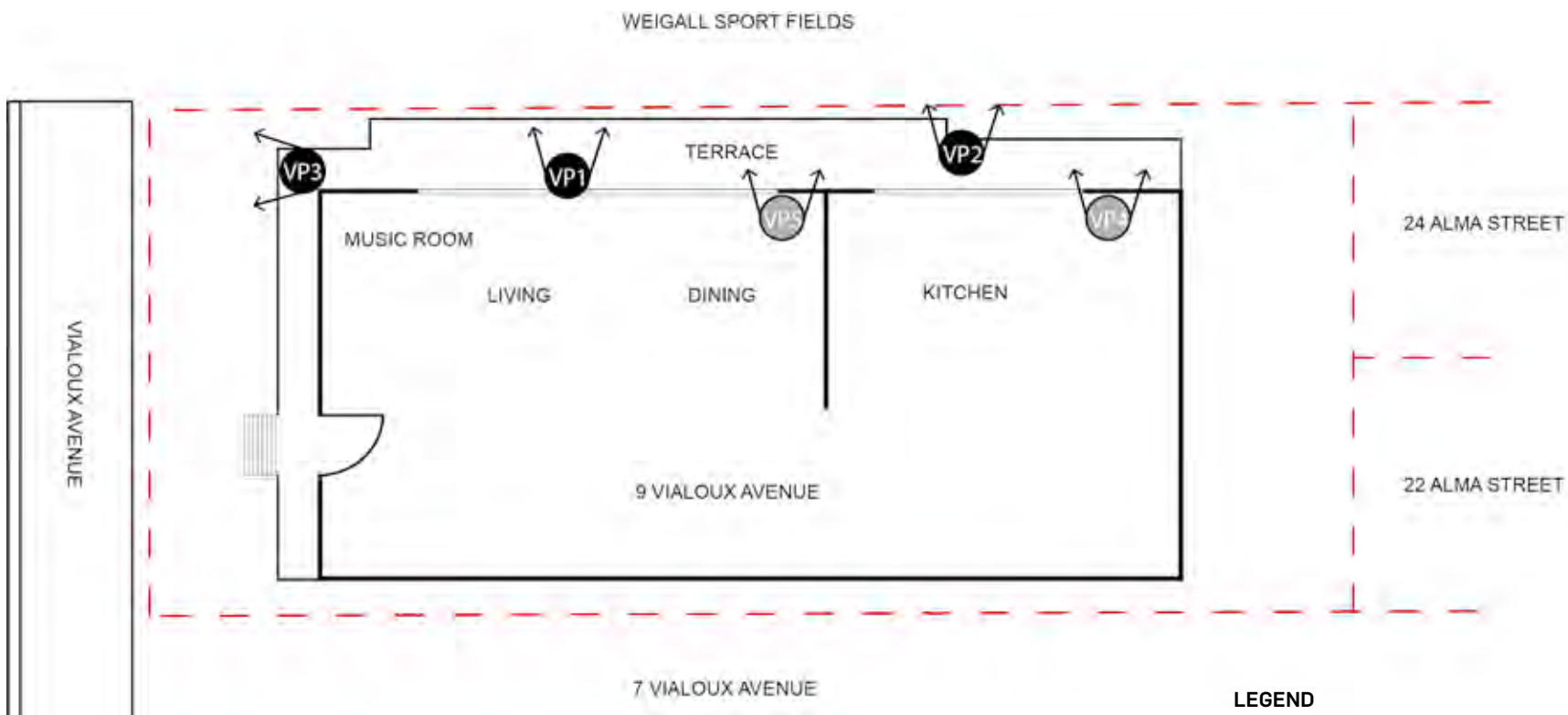
Existing views to the north are available from the ground floor living areas, kitchen, and study through glass doors and windows, and from a terrace associated with these living areas. The most expansive views available are from the terrace and are characterised by the open expanse of turfed sports fields. The background composition includes residential flat buildings to the north-west, part of the elevated section of the light rail and vegetation within Rushcutters Bay Park to the north and topography and building development to the north-east. The view does not include items considered in *Tenacity* to be highly valued.

Elevated views to the north are available from the first floor from bedroom windows and a balcony that spans the northern elevation of the dwelling. These views are similar in character to those described above and similarly do not have access to areas of water to the north in Rushcutters Bay. The views predominantly feature the existing expanse of the sports ground with vegetation, scattered high rise buildings and open sky in the background.

Views to the west are available from the western end of the ground floor terrace and music room, the composition of which is characterised by street tree vegetation, residential flat buildings and parts of the school site including tennis courts.

Proposed View

Building 2 is located north-east of the dwelling so that its western end would be present in north-easterly views from some internal locations and parts of the terrace. The built form proposed is separated from the northern elevation and terrace at 9 Vialoux by a wide spatial setback proposed to be filled with hard standing and planting. The south-western corner of the proposed Building 2 is likely to be partly visible from the east and mid sections of the dwelling. Views to the north and north-west from the southern half of the dwelling including the external terrace, living room and music room etc are likely to be unaffected by the proposed development. Views from internal spaces which are more constrained by walls and ceilings for example the kitchen, may experience some change in the mid-ground composition which would be partly screened by intervening vegetation. The proposed built form will not block views of items or features which are considered in *Tenacity* as highly valued.



Viewpoint location plan 9 Vialoux Avenue

LEGEND

- Viewpoint ground floor
- Viewpoint first floor

Summary of Visual Effects

Based on the information available and observations made from this dwelling, Building 2 will occupy part of the foreground and midground views available to the north-east. The most affected view place will be the east end of the existing external terrace. The built form proposed will block part of a wider expansive view, leaving the majority of the view unaffected. The view lost is characterised by the school's sports field, vegetation, infrastructure and distant tree canopy, and topography to the north-east.

If view loss was rated against the *Tenacity* planning principle in our opinion, it would range from minor to moderate given that;

- although expansive and of moderate amenity the view composition does not include scenic or highly valued icons or features,
- not all views from the dwelling would be affected,
- views are gained via a side boundary which *Tenacity* states is more difficult to retain,
- views from the main internal living area and associated terrace to the north, are unlikely to be significantly affected,
- views from the kitchen would be affected to an extent which increases the view loss rating to moderate,
- the dwelling belongs to the Sydney Grammar School and therefore the view sharing outcomes relate to an 'involved dwelling'. Visual impacts on views from involved residents or landowners would carry less weight due to their associated low viewer sensitivity. This approach has been adopted in NSW in relation to infrastructure VIAs.
- building 2 is significantly spatially well separated from the boundary of this dwelling and would be partially screened by proposed planting.

PHOTOGRAPHS AND VIEW COMPOSITION 9 VIALOUX AVENUE



Viewpoint 1 - View north from outside central living room doors



Viewpoint 2 - View north from the terrace approximately aligned with kitchen windows



Viewpoint 3 - View west from the west end of the terrace towards the site of Building 1



Viewpoint 4 - 1st floor balcony outside of bedroom view to north



Viewpoint 5 - 1st floor balcony outside of master bedroom view to north

PRIVATE DOMAIN VIEW 02

24 ALMA STREET

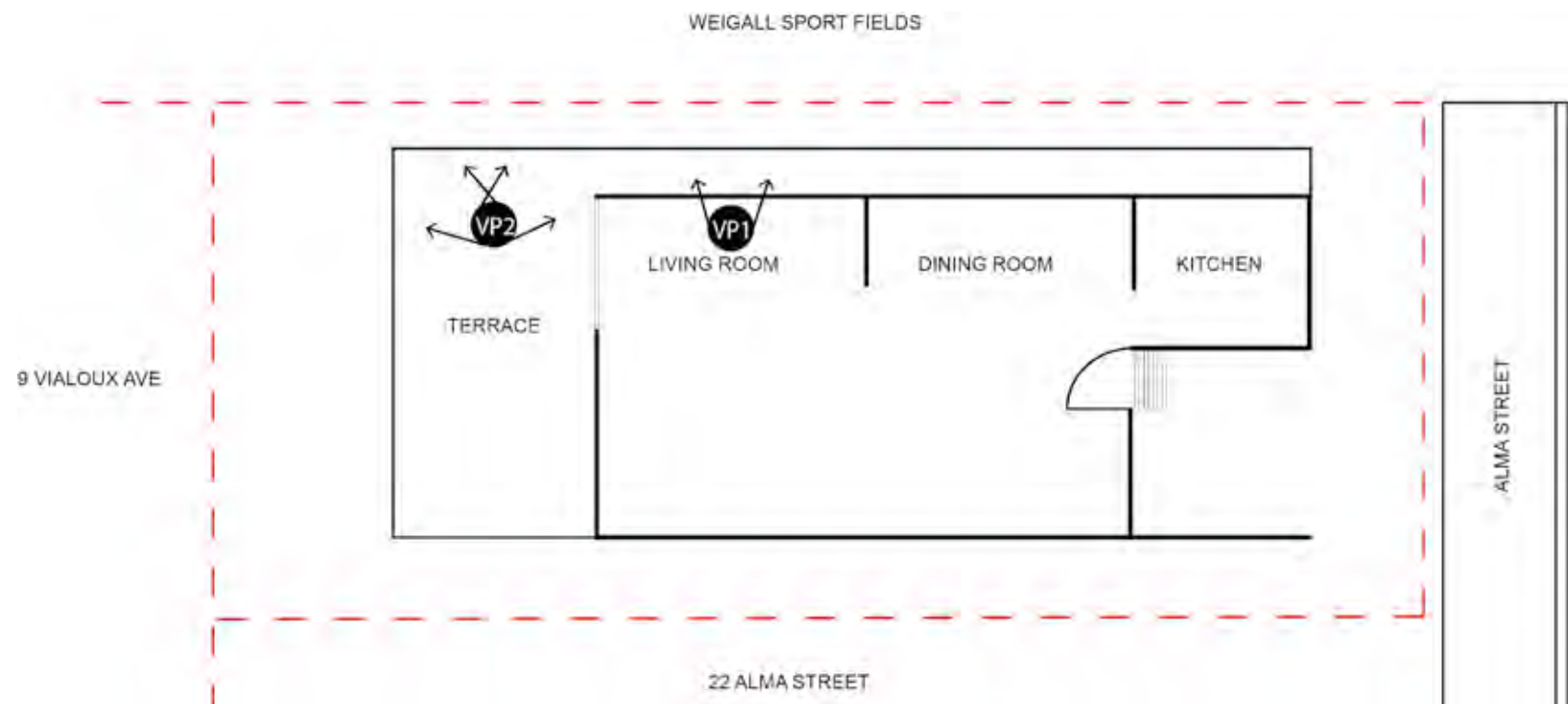
Existing View

The kitchen, living and dining areas at 24 Alma Street occupy the ground floor and are located along the northern side of the dwelling. A ground level deck adjoins the living room at its western end where expansive views to the north-west, north and north-east are available. When standing close to windows in internal dining and living areas, views to the north include, cricket nets, an open expanse of turfed sports field, lines of vegetation, residential flat buildings located along Neild Avenue and an elevated section of the light rail in the background. Tree canopy located in Rushcutters Bay also contributes to the composition. We observed that similar views from central locations within the living areas and from the kitchen are available but more constrained than those captured in photographs. Similar views to those described are available from the deck to the north and north-west.

Proposed View

The proposal will introduce new built form into the foreground composition of northerly and north-easterly views that are available from internal living spaces and the external rear deck. Views from the rear deck are likely to be less affected by the proposed development given that views to the north-west and west will be unaffected. Views from internal spaces which are more constrained by walls and ceilings, for example the kitchen, will experience some visual change in the mid-ground composition.

Views from first floor windows are likely to retain some access to views to the north over the top of the proposed Building 2.



Viewpoint location plan 24 Alma Street

LEGEND

- Viewpoint ground floor

Summary of Visual Effects

Based on the information available and observations made from this dwelling, Building 2 will occupy part of the foreground and midground views that are available to the north and north-east. The most affected view place will be the west end external terrace, which offers unobstructed views to the north. The built form proposed will block part of a wider expansive view. The view lost is characterised by the school's sports field, vegetation, infrastructure and distant tree canopy and topography to the north-east.

The proximity and placement of the proposed built form in relation to the living, dining, kitchen and outdoor terrace area will generate visual change by partially blocking views. The most visible facade of Building 2 from this residence is proposed to be precast concrete and screening for noise mitigation as prescribed by the acoustic consultant.

If view loss was assessed against the *Tenacity* planning principle in our opinion, it would be likely to be rated as moderate to severe in terms of the extent of change. Notwithstanding, other factors required to be considered in *Tenacity* would provide a 'down-weight' to the overall level of visual impact, including the following reasons;

- although expansive and of moderate amenity the view composition does not include scenic or highly valued icons or features as described in *Tenacity*,
- not all views from the dwelling would be affected,
- views are gained via a side boundary which *Tenacity* states is more difficult to retain,
- views from the main living area would be less affected,
- the dwelling belongs to the Sydney Grammar School and therefore the potential view sharing outcomes relate to an 'involved dwelling'. Visual impacts on views from involved residents or landowners would carry less weight due to their associated low viewer sensitivity. This approach has been adopted in NSW in relation to infrastructure VIAs,
- building 2 is significantly spatially well separated from the boundary of the dwelling and would be partially screened by proposed planting,
- the building proposed complies with the LEP height control.

PHOTOGRAPHS AND VIEW COMPOSITION 24 ALMA STREET



Viewpoint 2 - North end of deck view to north west



Viewpoint 1 - Living room view to north



Viewpoint 2 - North end of deck view to north east

PUBLIC DOMAIN VIEW

WDCP C1.6.2 - NO. 24 ALMA ST - VIEW FROM LAWSON ST



Woollahra Development Control Plan 2015 - Part C Heritage Conservation Areas C1 Paddington HCA Significant Views and Vistas

Viewpoint - Alma Street from Lawson Street

ALMA STREET FROM LAWSON STREET

Location & distance class

Alma Street view from Lawson Street

- Axial view
- ~100m

Existing Composition of the View

The view is characterised by a foreground of road, street tree vegetation and 2 storey Victorian era terraces along the west side of the Street. The foreground includes street tree vegetation including deciduous Jacaranda trees and evergreen clear-trunk Phoenix Palms. We note that the row of Phoenix Palms are listed as a heritage item in Schedule 5 of the WLEP 2015. The background composition includes distant views to low to medium height tower forms including residential flat buildings that are located along the north side of Neild Avenue. Filtered views to part of the Weigell Sports fields are available between the palm tree trunks and foreground street trees. There is no access to scenic or highly valued items as identified in the *Rose Bay* or *Tenacity* planning principles.

Visual effects of the proposed development

The proposed development introduces a low built form into the mid-ground composition of the view which is largely blocked by intervening vegetation, it is of low to negligible visibility from this location. Filtered partial views to a short section of the proposed building are and would be potentially available from other parts of the road corridor to the west of this view location. View 10 in the VIA shows a close view of Building 2 from the north end of Alma Street.

Conclusion

The public domain view identified in the Woollahra Development Control Plan 2015 was inspected, documented and represented by a photomontage as requested by the DPIE. The minimal level of visibility of Building 2 from this viewpoint generates a low level of visual change (effects) and negligible changes to the existing visual character and scenic quality of the view. The proposed building will not block access to scenic or highly valued items or to the heritage-listed Palm trees. The proposed development does not generate any significant negative visual effects in this indicative DCP view and in our opinion considering other relevant factors, overall generates a **low level of visual impact**.



Original Photo



Photomontage indicating proposed Building 2 massing model



Photomontage indicating proposed Building 2 rendered model

04 SUMMARY

RESIDENTIAL AMENITY

- Views from 24 Alma Street and 9 Vialoux Avenue were inspected and documented.
- Notwithstanding that the approval and construction of Building 2 would occasion some view loss, overall the level of view loss is likely to be acceptable based on the reasons provided above including for example, that not all views available would be affected and that viewer sensitivity is **low** given that the dwellings are both owned by Sydney Grammar School.
- In our opinion potential view loss in relation to both 24 Alma Street and 9 Vialoux Avenue is acceptable.


VIEW IMPACT ASSESSMENT - 24 ALMA STREET

- View 2 from the south end of Alma Street has been modelled accurately in a photomontage prepared by Virtual Ideas to show the visual effects of the proposed Building 2 on a DCP view.
- Visual impacts from View 2 are rated as **low**.

TENACITY RATING - 8 VIALOUX AVENUE

- View loss ratings determined for dwellings at 8 Vialoux Avenue are explained in the VIA and have been further expanded above as requested.
- **Tenacity is a 'recipe' which outlines a number of steps and relevant factors to be considered when determining the extent of view loss.**
- The high ratings are conservative and reflect that in some cases all views including 'whole' views available, will be lost.
- A high level of **view loss can still be acceptable** depending on relevant factors to be considered in all Steps of Tenacity and a developments' compliance with relevant controls.
- View loss ratings determined in the VIA are subjective and conservative, and others may determine alternative, lower values.
- The extent of view loss and overall view sharing outcomes for dwellings at 8 Vialoux Avenue in our opinion is acceptable.

Kind regards,



Jane Maze-Riley
Associate Director National Design

