

# Cranbrook School SSDA

# Visual Assessment Report

Prepared for Cranbrook School by Dr Richard Lamb

Richard Lamb and Associates May 2018



# **Table of Contents**

	Purpose of this report	3
1.0	The site and surrounding visual context	4
2.0	THE PROPOSAL	4
3.0	Existing external visibility of the Site	4
3.1	Public Domain	4
3.2	Private Domain	6
4.0	Views that may be affected	10
4.1	Public domain	10
4.2	Private domain	10
	No. 7 Rose Bay Avenue	10
	No. 5 Rose Bay Avenue	11
	No. 3 Rose Bay Avenue	11
	No. 1 Rose Bay Avenue	11
5.0	VIEW SHARING	12
5.1	Request for access to dwellings	12
5.2	Need for additional survey data	12
5.3	METHOD OF PREPARATION AND ALIGNMENT OF THE 3D MODELS	12
5.4	View sharing analysis	13
5.4.1	Assumptions	13
5.4.2	Analysis of CGIs	14
5.5	View sharing principles	16
5.6	Application of the Tenacity planning principle	16
5.7	Application of the Rose Bay Marina planning principle	18
6.0	Conclusions	20
APPENDIX 1:	Photographic Plates	21
APPENDIX 2:	Request for access	33
APPENDIX 3:	Advice on survey requirements	36
APPENDIX 4:	CGI PACKAGE	40
Appendix 5: Curriculum Vitae		



# Purpose of this report

Richard Lamb and Associates (RLA) have been appointed by Cranbrook School to provide independent visual assessment advice in respect of an SSD Application, to the NSW Department of Planning (DPE) as the consent authority, for redevelopment of part of the School site (the Site).

Richard Lamb and Associates (RLA) have extensive experience in visual analysis and visual impact assessment of projects ranging from individual residences to urban release areas. The company specialises in landscape assessment, landscape heritage conservation, visual impacts and strategic planning for visual protection and conservation of cultural landscapes. Dr. Lamb, the principal author of this report, has 30 years' experience in development assessment and strategic planning and has published articles in local and international journals on perception, aesthetic assessment and landscape management. RLA have been engaged to provide independent visual analysis of many Major Projects, planning proposals and development applications in urban settings similar to the subject site (the site).

A CV for Dr Richard Lamb, principal of RLA and author of this report can be viewed or downloaded from the RLA website at <a href="https://www.richardlamb.com.au">www.richardlamb.com.au</a>. A summary CV is attached to this document at Appendix 5.

This report provides an assessment of the visual effects and potential visual impacts of the changes sought in the SSDA on views from adjacent residences and on the immediate streetscape to the Site. Changes included in this application in this regard relate to new built form above ground, primarily in the south part of the Site. This report also provides certification of the accuracy of the preparation of Computer Generated Images (CGIs) in the form of photomontages, prepared to represent the likely effects of the proposed built form on view sharing in the private domain east of the Site. These CGIs along with fieldwork and desktop analysis, have helped to inform this assessment.

The SDD includes new built forms and substantial subterranean works such as underground carparking and an aquatic centre to be installed below the existing sports fields. RLA have confined our analysis and commentary to proposed built forms that will be visible above ground. Therefore, this report primarily concerns view loss and view sharing impacts that would be caused to adjacent dwellings as a result of construction of a school hall and Chapel that replaces existing buildings and structures within the school grounds.

We observed, photographed and analysed the views and subsequent analysis of aerial imagery to determine the likely direction and content of views that could be affected.

We have no comment on compliance with any development controls that do not affect the overall height of the building, as these technical compliances are matters for those with town planning expertise to address.

Our advice focusses on an analysis of the comparison of the visibility, visual exposure, and visual effects on views that would occur as a result of the construction of the SSD application, and is supported by analysis of block model CGIs prepared by Architectus, the project architects, in April, 2018.

The building envelope shown in the block-model CGIs (Appendix 4) reflects the maximum height, bulk and location of built form proposed in the SSDA.



# 1.0 The site and surrounding visual context

Cranbrook School Campus occupies all land along the western side of Rose Bay Avenue extending to the west and north to meet New South Head Road. Land inside the campus falls broadly from the south-east to the north-west so that the highest parts of the school's landscape and built form are concentrated in the south and adjacent to Victoria Road and Rose Bay Avenue. Rose Bay Avenue intersects with Victoria Road at a high point from which the landform falls in elevation along the Avenue to the north where it intersects with New South Head Road.

The subject site for the proposed built forms is on land that slopes steeply from south-east to north-west so that the majority of the bulk, height and scale of the Memorial Hall form, will sit below the height of higher land to its east and behind the taller Perkins Building. The north end of the proposed development projects north of the Perkins Building towards the school's eastern boundary that follows the curve of Rose Bay Avenue.

The proposal in general terms includes new built forms above ground in the south-east part of the school campus, located close to the School's Rose Bay Avenue boundary. The proposed development includes the Centenary Building that is a long building and equivalent to approximately 3 residential storeys in height and a single level Chapel building located at the top storey and toward the north end of the Centenary Building. This is a simply massed building with a rectangular floorplate and flat roof profile. The low form of the Chapel will appear as a separate pavilion linked to the Perkins Building by a simple flat-roofed pergola structure. A number of mature trees located within the proposed buildings footprint will be removed as part of the development.

# 2.0 The proposal

The key components of the SSD application that are relevant to view sharing are demolition and adaptation of existing buildings and the proposed construction of a new chapel.

Adjacent to the buildings to be demolished and along a change of level between existing building and the proposed development Site are a number of mature trees of various species that are proposed to be removed. An arborist's report accompanies the SSDA. The majority of the trees are not considered to be significant and many are or weed species such as Chinese Hackberry.

# 3.0 Existing external visibility of the Site

### 3.1 Public Domain

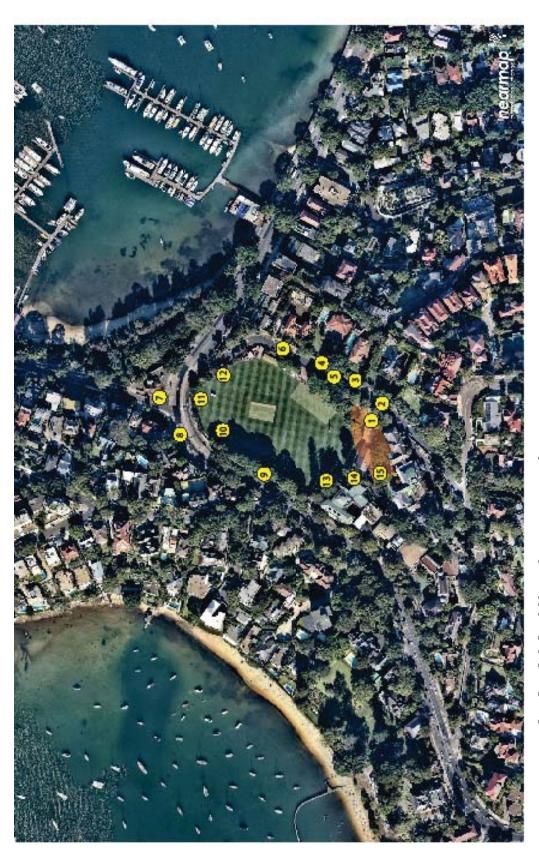
In the field of view loss assessment, it is accepted and acknowledged in statutory and non-statutory planning that public domain views are given greater weight than private domain views. Public domain views are considered as being more sensitive to the potential visual effects and impacts of a development because they attract higher user numbers, often for sustained periods of time and in some cases they affect locations from which there are viewer expectations of high visual quality and character in relation to the composition of views, for example views from a heavily used road such as New South Head Road, Sydney Harbour or from Heritage Items associated with the Site or its history.

Figure 1 shows locations from which views have been documented and assessed. We observed that the potential visual catchment of the Site in the public domain is small, because of the amphitheatre-





Not to Scale



Cranbrook School SSDA Views Assessment

View location

Approximate location of relevant buildings on the site



Rigins 1: Location of relevant buildings above ground and view locations assessed



like topography, existing built form that confines inward view opportunities, vegetation and the subterranean location of most of the proposed new construction. Figures 2 and 3 are oblique views from the south and north respectively. These give a clear indication of the constraints on external views that are caused by topography, built form and vegetation in and adjacent to the Site.

Although the Site is potentially overlooked from the higher topography to the south in Bellevue Hill, there are minimal view opportunities in the public domain in that locality as a result of the street alignments, development pattern, vegetation in gardens and built form, that limit or block views. Views from the north-west and north in New South Head Road are limited by existing built form on the Site, vegetation within the site and the road reserve and buildings associated with the existing playing field/ oval. There is no significant visibility of the Site from the reserve in the south-west corner of Rose Bay north of the Site, and there is only minimal visibility of the upper parts of existing buildings and trees from Wunulla Road and New South Head Road in the vicinity of the Heritage listed Police Station.

To the east of the site, the Site is also substantially screened from view from Rose Bay Avenue by existing built form and vegetation. Large dwellings in landscaped gardens in Rose Bay Avenue itself and between it and streets further east such as Cranbrook Lane and Cranbrook Road block views toward the Site. This can be seen on Figures 2, 3 and 4.

### 3.2 Private Domain

The east side of Rose Bay Avenue includes a small number of individual residential dwellings that are orientated to the west and north-west. Those closest to the site and potentially most affected by potential visual effects and impacts of the proposed built forms include Nos. 23b Victoria Road, 3, 5 and 7 Rose Bay Avenue.

### No 23b Victoria Road

This building is located opposite and south of the Perkins Building and south of the subject site on land that is elevated significantly above the subject site and above the level of any proposed built forms. Further, the building is substantially set back from the boundary behind mature vegetation that creates a dense screen. Given its orientation, it is likely that panoramic views from the upper floors are available to the north-west to north-east. The proposed development would be far below the view lines.

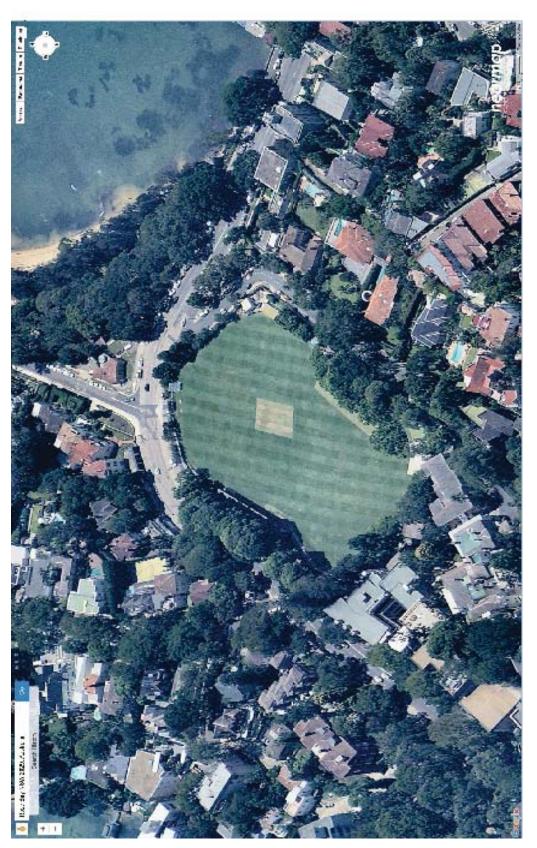
### No. 7 Rose Bay Avenue

This dwelling is located adjacent to and across the road in Rose Bay Avenue in the general vicinity of the part of the Site proposed for the Chapel building. We observed that the dwelling is set back to the south-east on its site behind a tennis court and that the site includes mature vegetation along its western boundary (see plates in Appendix 1). There is also some mature vegetation in the road reserve. The building is a two-storey dwelling with a roughly rectangular floorplate, the western elevation of which presents to Rose Bay Avenue. Its longer elevation including associated outdoor terraces, pool deck and pool area is orientated to the north, while a port cochere is attached to the south-east side. Given its relative elevation, potential views to the west and north from first floor locations may be available toward or across the existing school grounds and may include features that would be considered valuable in the application of the planning principle for view sharing in *Tenacity Consulting v Warringah [2004] NSWLEC 140 - Principles of view sharing: the impact on neighbours (Tenacity). These* 



Not to Scale





Crambrook School SSDA Views Assessment

Figure  $\geq$  Oblique view over the subject also from the south. Buildings, topography and vegetation limit visibility



potentially include water, land-water interface, whole views and arguably, an iconic view of Sydney Harbour and the City of Sydney CBD skyline.

## No. 5 Rose Bay Avenue

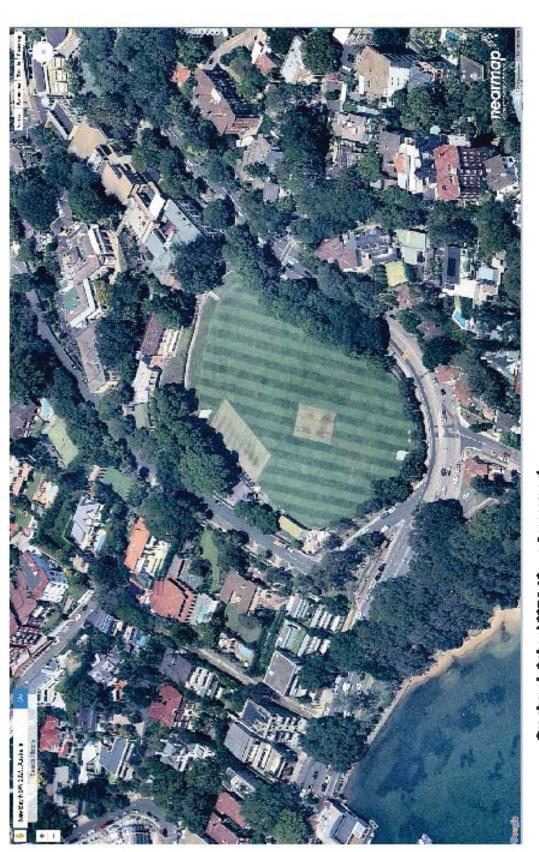
This is a two-storey dwelling accessed via a wide sweeping driveway that leads to a port cochere along its southern elevation (see plates in Appendix 1). The western elevation that presents to Rose Bay Avenue is characterised by Georgian proportions and a symmetrical layout of windows. The dwelling appears to sit further forward ie. to the west on its block compared to both of its neighbours. Potential views to the south-west, west and north from first floor locations may be available across the existing school grounds. Substantial vegetation in the garden, on the street, in the road reserve and inside the Site are likely to limit views. If these features are ignored, the composition may include features that would be considered valuable in the application of the planning principle for view sharing in *Tenacity*.

## No. 3 Rose Bay Avenue

No.3 Rose Bay Avenue is a two storey Spanish style circa 1930's dwelling used as the Japanese consulate. It is located north of the subject site and at lower elevation relative to it. The dwelling is positioned toward the rear of the block and is separated from the road by a wide setback, formal gardens and an extensive paved forecourt (see plate in Appendix 1). As a result of the deep setback from Rose Bay Avenue, the majority of the dwelling is located east of the built form of No. 5 Rose Bay Avenue, so that potential views to the subject site will be blocked or if available, would be extremely oblique. Further, we observed that the location of mature vegetation in the front yard of No. 5 Rose Bay Avenue will provide screening effects in views towards the subject site. In our opinion it is unlikely that views over the subject site to scenic or highly valued items as defined in *Tenacity* will be available from No. 3 Rose Bay Avenue.

#### No. 1 Rose Bay Avenue

No.1 Rose Bay Avenue is a two-storey Mediterranean influenced dwelling by in a U-shaped configuration, with a flat front façade to Rose Bay Avenue and two wings that extend to the east, on each side. It is set relativly close to the street, with three driveway crossovers and a paved area between its front fence and the dwelling. The planning and relationship between the building and its gardens suggests that the primary living spaces may be orientated toward the north and rear, on the north and east sides of the dwelling, respectively. As the dwelling is on the low part of the street and views outward to the north-west appear to be screened by vegetation and built form inside the School Site, it is unlikely that the building has access to views of highly valued items as defined in *Tenacity* that would be blocked or lost as a result of construction of the development proposed.



Cranbrook School SSDA Views Assessment

Figure 3: Oblique view over the authlest alterfrom the north. Topography and vegetation limit viability



# 4.0 Views that may be affected

### 4.1 Public domain

Based on our assessment of the whole visual catchment of the Site in the external public domain, there do not appear to be any significant locations where the proposed development is likely to result in view loss. The proposed development would be visible in cameo view from a short part of New South Head Road in the vicinity of the entrance adjacent to the intersection with Wolseley Road, where there is an existing view opportunity adjacent to the heritage listed cricket pavilion. The new structures proposed would not block views of any scenic features behind. This is because the proposed built form is low, further excavated than some of the buildings to be demolished and backed by existing vegetation to be retained or by much taller existing built form that is proposed to be retained.

Views from New South Head Road further to the north-west and north of the Site would be significantly screened in the foreground by retained topography and vegetation as is the case in the existing situation. The upper parts of the building may be visible in cameo view from the area adjacent to the Police Station on the intersection of Wunulla Road and Old South Head Road, similarly to the existing situation. The presence of new built form, which would at the most be only partial, would not lead to blocking of views of features or items behind, as it is proposed to be low and is backed by taller existing development and rising topography on Bellevue Hill, behind.

There would be some visibility of the new built form from Rose Bay Avenue over a very short section north of the existing buildings to be retained or adaptively reused. The replacement of existing buildings with a new building of predominantly single storey construction would not be likely to significantly change the character of the view from the street or cause the loss of view of any significant features. Currently, the view across the site from the street is highly constrained by vegetation in the street and built form on the Site. Most of the vegetation on the site is proposed to be retained or if removed would not reveal significant scenic items beyond the site.

## 4.2 Private domain

The proposed development may be partly visible from some of the elevated residences in the Bellevue Hill locality to the south and south-west of the Site. However, as the views would be at a downward angle and from generally distant and higher locations, it is unlikely that the proposal could cause any significant view loss.

Based on the analysis of visual exposure of the Site above, potential for view loss is considered most likely to be confined to dwellings in Rose Bay Avenue and to Nos 1, 3, 5 and 7. We analysed the plans and based on observations in the street, aided by aerial imagery, concluded the following in relation to dwellings that may be affected and therefore warranted further investigation.

## No. 7 Rose Bay Avenue

Potential views from the ground and first floors may include parts of the proposed development. It is unlikely that the majority of the Centenary Building will be visible in views, but parts of the single level one-storey Chapel may be visible, notwithstanding they will be filtered by vegetation that exists in the road reserve of the street and within the property itself. The extent of visual effects on the composition of views from this dwelling will partly also depend on the amount of vegetation to be removed as part of the proposal.



Access to views that include scenic and valued composition features, for example Sydney CBD and icons such as the Harbour Bridge or Opera House were considered to require further in investigation.

## No. 5 Rose Bay Avenue

Potential views from the first floor may include parts of the proposed development, for example the Chapel, although this is likely to be filtered by vegetation that exists within the property and by vegetation intended to be retained on the Site. The extent of visual effects on the composition of views from this dwelling will also partly depend on the amount of vegetation to be removed as part of the proposal and whether scenic and valued features are potentially visible and may be lost.

## No. 3 Rose Bay Avenue

This dwelling is further separated from the most visible above-ground elements of the proposed development compared to 5 and 7 Rose Bay Avenue and is unlikely to be affected by loss of views caused by the construction of the Hall and Chapel. However, for the sake of abundant caution, the potential for loss of views was considered to require further investigation.

## No. 1 Rose Bay Avenue

This dwelling is less likely that others in Rose Bay Avenue to be affected by loss of views caused by the construction of the Hall and Chapel. However as the potential for loss of views was considered to require further investigation for other dwellings, this one was included in those requiring further investigation.



# 5.0 View sharing

We advised Cranbrook School that the most objective method of analysing the likely impact of the SSDA on view sharing was by having verifiable photomontages prepared. This requires physical access to be provided to dwellings, from which standardised photographs are captured for the purpose of preparing certifiable photomontages. The accepted method adopted, as we advised, is compliance with the Land and Environment Court of New South Wales practice note for preparation of photomontages for use in evidence. The location and RL of the camera used to take the photographs is required to be surveyed.

## 5.1 Request for access to dwellings

To this end we were assisted by Cranbrook School who undertook a letterbox drop of a formal request for access (see Appendix 2). All properties on Rose Bay Avenue were targeted. We received only one response, a refusal of access, from 3 Rose Bay Avenue. This meant that it was not possible to prepare photorealistic photomontage and therefore Computer Generated Images (CGIs) would have to be used instead, to analyse the potential view sharing.

## 5.2 Need for additional survey data

We then advised Cranbrook School that in the absence of physical access to the properties potentially affected, further survey information would be required to augment and increase the accuracy of the CGIs. This was because two areas of survey information would be missing. The first is the location and RL of the camera, which is required in preparing photorealistic photomontages. The second is the location and width of canopy of vegetation, which would be likely to cause significant screening or potential blocking of views. This would have been visible in real time photographs but was absent from the site survey. Further survey of vegetation inside the Site and road reserves adjacent to the affected properties would therefore have to be added to the survey, so it could be modelled along with the proposed buildings in views.

To guide the necessary survey work, we provided Cranbrook School with photographs of the dwellings to be analysed for the height and location of the theoretical 3D camera used to set up the CGIs and a map on which vegetation required to be surveyed and added to the survey had been marked (Appendix 3). Registered surveyors carried out the necessary survey work and the data was added to the existing 3D model of the proposed development.

Architectus, the project architects, supervised the preparation of the CGIs to simulate views from various locations in the dwellings we nominated from BIM Consulting (see CGIs in Appendix 4).

## 5.3 Method of preparation and alignment of the 3D models

Architectus issued BIM Consulting with all the relevant architectural, context and topographical models as well as the point cloud model.

On the scope that was outlined by Architectus, BIM Consulting who prepared the CGIs carried out the following workflow:

- Accurately linked the Sydney CBD and North Sydney context model. The Architectus model was created using MGA coordinates which allowed accurate placement of city models.
- Linked a 2M contour topography of the eastern suburbs including Point Piper (topography only –



no buildings).

- Placed and sized trees in the relevant areas based on accurate point cloud survey information.
- Set up virtual camera views for all requested viewpoints using a combination of traditional DWG survey information and point cloud information.
- Two views were created for each view point requested by RLA, one with existing conditions and one with proposed development.

We can confirm that the CGIs are as accurate as is reasonable in the circumstances and can be relied on to provide and indication of the likely impact of the proposed development on view sharing.

The CGIs show the outline of the massing envelopes as transparently filled, so that, as an aid to assessment, the extent to which the building may hide or obscure the current landscape behind is visible through the fill, for example through vegetation or landforms.

## 5.4 View sharing analysis

The view sharing analysis was confined to three properties for which views were modelled. The owners of 3 Rose Bay Avenue responded to our request for access with a polite refusal and as a mark of respect for that response, we did not request modelling of the views from that dwelling.

## 5.4.1 Assumptions

#### 5.4.1.1 Vegetation canopy

Vegetation has been surveyed for height, location and crown spread, but beyond that the 3D shapes of the actual trees have not been modelled. Therefore, the trees are shown as simple lozenge-shaped forms. The trees are also shown with the same degree of transparency wherever they are on the survey, so they do not obscure what is potentially behind them. It should be kept in mind that in reality, the trees are relatively opaque, particularly where more than one overlaps with another. In many cases there are multiple overlaps, meaning that in reality, there would be no significant view through the vegetation.

#### 5.4.1.2 Use of spaces

As the precise use of the spaces from which the views were modelled is not known, we assumed for the purposes of this analysis that they are of the same significance (that is, that they are either living areas or of equivalent importance, views from which would be expected to be protected, equivalent to the assumption made in this regard in Step 3 of *Tenacity*). This may prove to be conservative, if the actual uses of the spaces are as bedrooms or service areas, which would be given less importance in Tenacity.



## 5.4.2 Analysis of CGIs

#### No. 7 Rose Bay Avenue

The potential composition of the view from two locations in 7 Rose Bay Avenue were modelled: the open terrace on the north side of the dwelling (RL 37.1m) and a view from the first floor central bay window, with an assumed floor level of RL 40.7m.

The view from the terrace appears to the substantially blocked in the existing environment by tree canopy. Removal of some of the vegetation on the Site in the proposal will potentially result in opening up of a view toward the North Sydney CBD. The Chapel building would be visible as a taller element on the Site than currently exists directly across Rose Bay Avenue. As the Chapel is closer to the viewer than some of the existing vegetation on the Site, it would be more prominent in the view, but it would not appear likely that the Chapel will block the view of any significant iconic or scenic items in the background.

The view from the central bay window may contain part of the Harbour Bridge, depending on the extent of screening that is caused by vegetation on and beyond the development Site and possibly also a view of the North Sydney CBD. The Sydney CBD would be obscured by existing vegetation. The Chapel building would occupy part of the centre of the view that is currently occupied by some smaller trees on the Site, that are proposed to be removed. The CGI indicates that there would be no additional view blocking caused by the building to distant and scenic features. Some of the foreground view that may exist across the southern part of the existing oval would be replaced by the proposed buildings.

#### No. 5 Rose Bay Avenue

The potential views from 5 Rose Bay Avenue were simulated for a first floor window on the west side and a central ground floor window. The current views from both levels appear likely to be significantly screened by vegetation with no significant presence of the Sydney CBD or scenic and cultural items and icons in the view.

In the view from the first floor window, the Chapel building will be partly visible, replacing some small trees that are proposed to be removed in the foreground. The new building does not appear likely to block the view of any existing scenic or iconic items. It is possible that removal of some non-significant trees across the upper level of the Site may in fact open up a view toward par of the Sydney CBD skyline.

In the view from the central ground floor window, the existing view is heavily screeed by existing vegetation. Removal of some vegetation on the site will have the effect of slightly opening up the view into the School site and part of the Chapel building will be visible. It is unlikely that the proposal will cause significant view loss.

#### No. 1 Rose Bay Avenue

The view was simulated from a first floor window of 1 Rose Bay Avenue. The foreground of the view would be slightly changed in composition by visibility of parts of two individual structures. There would be a slight reduction in view into the space over the existing oval but there would not be any significant view loss.









Not to Scale







Figure 4: Location of dealings in Rose Bay Avenue where expose was maintened for the purpose of preparation of photomorphysel. Cite



## 5.5 View sharing principles

We have undertaken an assessment of the potential visual effects and impacts of the proposed development pursuant to the planning principles in the judgment of Roseth SC of the Land and Environment Court of New South Wales in *Tenacity Consulting v Warringah* [2004] NSWLEC 140 - Principles of view sharing: the impact on neighbours (Tenacity).

Each of the steps in the planning principle is predicated on the preceding step exceeding the threshold that is necessary before proceeding to the next step. This information is to provide clarity in relation to the conclusions of the assessment.

The first part of this section of this report includes our assessment of the application in relation to the initial threshold step in Tenacity which, if met, may require the remaining steps of the planning principle to be applied.

Relevantly, we note that Tenacity is not case law and the planning principle in Tenacity is not to be interpreted in that way. Indeed, the principle, which is often described as a four-part test, is not a 'test' at all. In legal terms a 'planning principle' is described by the Court as a statement of a desirable outcome from a chain of reasoning aimed at reaching a planning decision, or a list of appropriate matters to be considered in making a planning decision. The importance of the principle is in citing relevant matters to be taken into account and in highlighting the relationships among them.

In the preamble to the four-step principle in Tenacity, Roseth SC states at Paragraph 25:

The notion of view sharing is invoked when a property enjoys existing views and a proposed development would share the view by taking some if it away for its own enjoyment. (Taking it all away cannot be called view sharing, although it may, in some circumstances, be quite reasonable).

The implementation of the SSDA will result in some loss of views to the dwellings analysed, which will thereby share the views. That is the baseline against which to judge the environmental impact on view sharing of the SSD application.

# 5.6 Application of the Tenacity planning principle

Roseth SC in *Tenacity* defines a four-step process to assist in the determination of the impacts of a development on views from the private domain. The steps are sequential and conditional as noted above, meaning that proceeding to further steps may not be required if the conditions for satisfying the preceding threshold is not met in each view or in relation to each residence considered.

Step 1: Views to be affected

The first step quoted from the judgement in Tenacity is as follows:

The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, eg a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.

Step 1, in the context of Tenacity judgment, is not simply mechanical, ie. listing what would be lost in the view. The notion of views to be affected is to be understood in the context of the principle itself,







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Figure 5: Location of dwellings in Rose Bay Avenue for which CGb were propored

Approximate location of relevant buildings on the site



which focusses entirely on view sharing, a cornerstone of which is understanding what is valued about views and how much of the value of a view could be shared. In that context, if there is no substantive loss, or if the items lost are not considered to be valued in Tenacity terms, the threshold is not met and there is no justification for proceeding to Step 2, or to other steps beyond Step 2. In other words, the proof that something will be lost to view is not sufficient for the remainder of the principle to have any work to do, unless there is potential for the other steps to be relevant.

An important issue in the circumstances of this assessment is the existing level of view loss caused by the Concept Approval and the items of the view that would be lost to view. If the degree of loss is nil, minimal or is of items that would not be considered relevant to view loss, in our opinion there is no valid reason to continue with the Tenacity steps beyond Step 1.

In our opinion in each of the three private domain views analysed, the proposed development will take away a small section of the existing view, primarily a view of existing vegetation on the site close to the boundary or above and behind the proposed Chapel building. The Chapel will replace part of the existing view. The analysis of the CGIs indicates that the new building would not block views of valued items identified in Step 1 of Tenacity, such as scenic features, icons, water, whole views or land-water interfaces. The proposal may in fact have a minor benefit, as a result of removal of some non-significant vegetation, in opening up views of the distant horizon.

In our opinion, the visual impacts of the proposed development are minor and the effects are primarily to replace some existing vegetation in the view with a building that does not cause loss of view of items identified as valued in Tenacity, or changes to the composition of the view that would lead to the perception of view loss. Thus, the planning principle in Tenacity has no work to do, as the threshold for proceeding past Step 1 is not met and therefore the application of the Tenacity principle is not required.

# 5.7 Application of the Rose Bay Marina planning principle

The planning principles in Rose Bay Marina Pty Limited v Woollahra Municipal Council and Anor [2013] NSWLEC 1046 (Rose Bay Marina) have extended Tenacity to considering view loss from the public domain.

In Rose Bay Marina Moore SC sets out a process for assessing the acceptability of visual impacts of private developments on views from the public domain in the vicinity of the development. The process of determining whether a development is acceptable or not must account for reasonable development expectations as well as the enjoyment of members of the public, or outlooks from public places. The principle is divided into 2 Stages involved in assessment. The first is factual and the second analytical.

#### Stage 1

In this stage relevant baseline data is identified and is broken down into 5 key components;

- 1. Identification of Views
- 2. Location of Views
- 3. Extent of Obstruction
- 4. Intensity of the public use
- 5. Identified Views

RLA have carried out the analysis of views on the five baseline criteria above. View opportunities from the public domain are limited, as noted above. The proposed development would not significantly obstruct views or views of identified items.



## Stage 2

This involves the analysis of the baseline data, which will need to be weighted in some way in order to develop a quantitative and qualitative assessment.

#### **Qualitative Assessment**

Factors to be considered include;

- 1. Is any significance attached to the view likely to be altered?
- 2. Who has attributed the significance to the view and why?
- 3. Would a change (ie the proposed development) make this view less desirable?
- 4. Would a change alter whether the view is static or dynamic and is this positive or negative?
- 5. If the view is a known attraction from a specific location, how will the view be impacted?
- 6. Would a change render a view tokenistic?
- 7. Has the existing view already been degraded such that the remaining view warrants preservation?

The extent of change to the views from the public domain has been determined to be minor. Significant items in the views that may be affected by the proposed development are confined to heritage items, including the existing Police Station on New South Head Road and some buildings and landscape items on the Site. The heritage impacts of the proposal are the subject of detailed reports by Urbis, however as regards views from the public domain, the proposed development would not be significantly visible from the Police Station and the proposed new buildings would not significantly affect the visibility or contribution to the views of the built or landscape heritage items on the Site.

#### **Ouantitative Assessment**

This requires an assessment of the extent of the present view, compositional elements within it and the extent to which the view will be obstructed by or changed by the insertion of the elements of the proposed development.

RLA have considered this matter. The proposed development would not significantly change the composition of views from the public domain to the extent that there is any significant obstruction of views of significant features, scenic items, icons or other identified features relevant to the Rose Bay Marina planning principle.

Our assessment is that the proposal would not result in significant view loss to the public domain.



## 6.0 Conclusions

The potential visual catchment of the SSDA is small and is confined by topography, built form and vegetation surrounding the Site. There are few view opportunities from the public domain. Views from the private domain are also limited, to a small number of dwellings in Rose Bay Avenue.

The proposed development has been considered in relation to the planning principle for view loss in the public domain in *Rose Bay Marina*. The analysis and assessment showed that the proposal would not cause significant loss of view from the public domain.

The potential impact of the proposed development on private domain views has also been analysed and assessed. Every reasonable attempt was made to gain access to private properties, views from which may be affected, in Rose Bay Avenue, so objective material in the form of photorealistic photomontages could be prepared. In the absence of physical access being granted, CGIs were prepared by Architectus on our direction. The analysis of view sharing showed that the proposed development would be unlikely to cause significant view loss.

Richard Lamb and Associates
April, 2018



Plate 1 View place 1 (Figure 1) View from roof of structure to be demolished in approximate location of Chapel Winter view toward 7 Rose Bay Avenue



Plate 2 View place 1 (Figure 1) View from roof of structure to be demolished in approximate location of Chapel Spring view toward 7 Rose Bay Avenue





Plate 3 View place 1 (Figure 1) View from roof of structure to be demolished in approximate location of Chapel Winter view toward 5 Rose Bay Avenue



Plate 4
View place 1 (Figure 1)
View from roof of structure to be demolished in approximate location of Chapel
Winter view toward 5 and 7 Rose Bay Avenue. Brush box tree in foreground to be
demolished



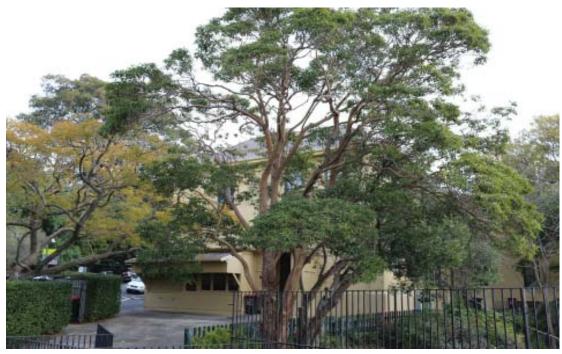


Plate 5 View place 1 (Figure 1) View from roof of structure to be demolished in approximate location of Chapel View toward Perkins Building



Plate 6
View place 1 (Figure 1)
View from roof of structure to be demolished in approximate location of Chapel
View to the west toward vegetation proposed to be removed in view behind Chapel in
view line from 7 Rose Bay Avenue





Plate 7 View place 2 (Figure 1) View toward 7 Rose Bay Avenue from eastern footpath



Plate 8 View place 2 (Figure 1) View of west facade of 7 Rose Bay Avenue from eastern footpath





Plate 9 View place 3 (Figure 1) View of west facade of 5 Rose Bay Avenue from eastern footpath



Plate 10
View place 4 (Figure 1)
View of west facade of 3 Rose Bay Avenue from eastern footpath





Plate 11 View place 5 (Figure 1) View south in Rose Bay Avenue from eastern footpath



Plate 12 View place 5 (Figure 1) View south-west in Rose Bay Avenue from eastern footpath





Plate 13 View place 6 (Figure 1) View of the western facade of 1 Rose Bay Avenue from the western footpath



Plate 14 View place 7 (Figure 1) View toward the Ssite from Wunulla Road/New South Head Road intersection





Plate 15 View place 8 (Figure 1) View toward the Site from New South Head Road on the north-west footpath



Plate 16 View place 9 (Figure 1) View toward the Site from inside the School gate near the Wolseley Road intersection with New South Head Road





Plate 17 View place 10 (Figure 1) View toward the Site from the west side of the playing field



Plate 18 View place 11 (Figure 1) View toward the Site from the north-west side of the playing field





Plate 19 View place 12 (Figure 1) View toward the Site from the north-east side of the playing field



Plate 20 View place 13 (Figure 1) View north over the playing field toward the Wunulla Road intersection. The roof and part of the upper wall of the Police Station at the intersection of New South Head Road is visible





Plate 21 View place 13 (Figure 1) View north-east toward the alignment of Rose Bay Avenue (winter view). It is evident that there would be minimal views of the Site from the street and adjacent residences



Plate 22 View place 14 (Figure 1) View toward the Wolseley Road intersection with New South Head Road from the Site





Plate 23 View place 15 (Figure 1) View from the site toward the Perkins Building showing vegetation proposed for removal





### SSD application, Cranbrook School

### 5 Victoria Street, Bellevue Hill

Request to observe and photograph views from your residence, Rose Bay Avenue.

#### Dear Resident,

Cranbrook School are preparing a State Significant Development (SSD) application which includes the demolition of some existing built structures and the construction of a new School Hall and Chapel. The proposed building site is north and west of the Perkins Building (which will remain) and adjacent to the school's eastern boundary. Some vegetation within the school grounds near the site will be pruned or removed as part of the proposed development. Parts of the proposed buildings will be visible from Rose Bay Avenue and potentially from your property or dwelling.

So as to properly assess the potential for impacts on views, Crambrook School request that you allow Dr Richard Lamb and a surveyor to enter your property for the purpose of observing and photographing the views, including views over the site, from your residence. Entry to your property would only be undertaken with your permission, in your company and under your supervision. If you wish you can nominate another person you trust to act on your behalf.

The purpose of the photographs is to provide the base material for preparation of accurate photomortages which will assist the NSW Department of Planning and Environment (DPE) in its assessment of the application. The purpose of the surveyor is to accurately locate the camera lens used to take the photographs and relate this information to the existing survey. In this way, the accuracy of the photomortages can be verified.

Or Lamb is an independent specialist in view impacts and has advised the State Government, Council and private clients in the Woollahra LGA on many occasions, as well as acting as an expert witness in the Land and Environment Court of New South Wales on view impact matters in over 250 cases. Or Lamb's CV can be viewed or downloaded from the Richard Lamb and Associates website at <a href="https://www.nichard.amb.com.su">www.nichard.amb.com.su</a>. Examples of the kinds of block photomontages that will be prepared can be viewed on various pages of the website.

Should you grant access, which is entirely voluntary, you should take the opportunity to show Dr Lamb the locations in your residence from which you may have views over the subject site and to point out any particular features of the views that you value or would be concerned about having reduced or lost.

If you are granting permission for us to visit your residence, we would be grateful if would fill in the details on the form on the next page and either post this form to the address below, fax it to the contact fax number below, scan and email it to the email address below.

1/13/I Military Road, Neutral Bay NSW 2089

PO Box 1727 Neutral Bay, NSW 2089

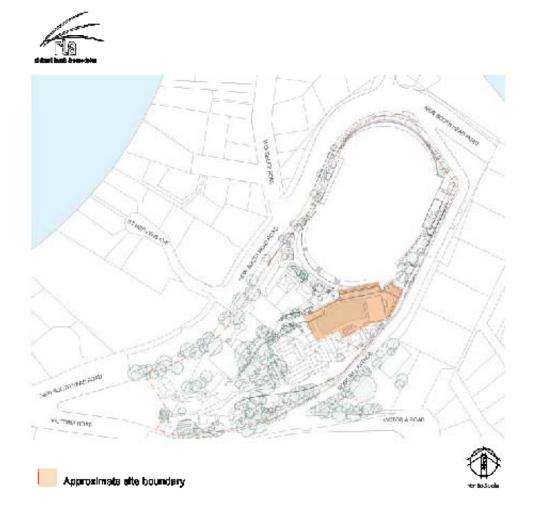
T0298530822 F0299538911 M 0418248810 E admin@richardamb.com.au

www.ichardamb.com.au





As you will appreciate, organising access to a number of separate properties and coordinating surveying work and photography to coincide with visits by consultants is challenging. We have therefore suggested dates and times to visit the properties. Could you please indicate your preferred dates and times and you first choice alternative date and time and also provide contact details so we can coordinate our visit. We will endeavour to coordinate all visits on a day that is preferred by the majority.







# Proposed Development at Cranbrook School, Bellevue Hill

Request to observe and photograph views from your residence in Rose Bay Avenue.

# Consent and preferred dates/times for visit

Name: (Owner/Entity)	Address of the resider	ice to be visited
Signature:	Your contact telephone number:	
Date of signature:	Your email address:	
Your preferred contact (tick chaice)	Telephone	Email
Consent granted for access: (tick choice)	Yes	No
Our preferred date: Thursday 15th February 2018 Our preferred atternative date: Thursday 22nd February 2018	Our preferred time range: 10am to 12pm NB Afternoon or offer work times are not feasible as light conditions preclude successful photography	
Your alterative date 1:	Your alternative time 1	l:
Our contact details:	Flichard Lamb and Associates c/o jane@richardamb.com.au phone 99530922	
Telephone contact number (ask for Who?)		
Ernail address:		

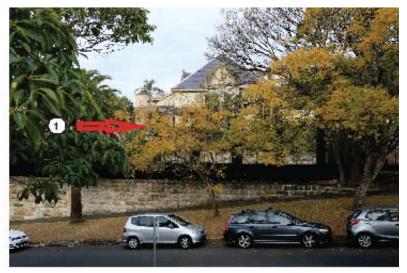
Yours sincerely

Dr Richard Lamb

Richard Lamb & Associates







cantral location on open terrace 1.8m above terrace floor level



(2) first floor cantral bay window 1.8m above floor level

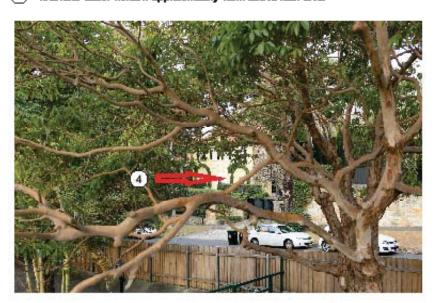
Proposed Development Cranbrook School Levels and locations to be surveyed and modelled in CGIs 7 Rose Bay Avenue







3 first floor south window approximately 1.8m above floor level



Central window ground floor approximately 1.8 above floor level

Proposed Development Cranbrook School Levels and locations to be surveyed and modelled in CGIs 5 Rose Bay Avenue







(5) first floor south window approximately 1.8m above floor level

Proposed Development Cranbrook School Levels and locations to be surveyed and modelled in CGIs 1 Rose Bay Avenue



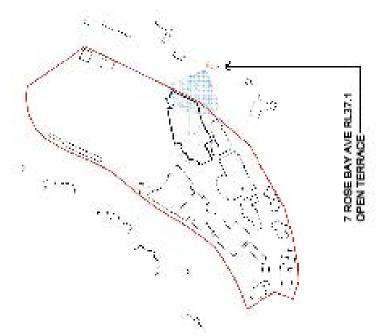




Proposed Development Cranbrook School Vegetation to be surveyed (including height and canopy spread) and modelled in relevant CGIs









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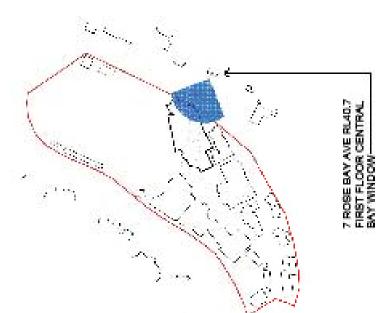
VIEW FROM NO.7 ROSE BAY AVE - EXISTING

VIEW FROM NO.7 ROSE BAY AVE - PROPOSED

- Total

Page 40

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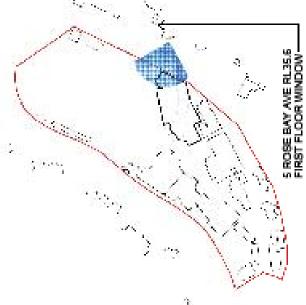


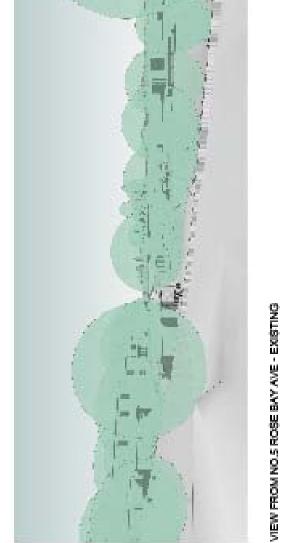
VIEW FROM NO.7 ROSE BAY AVE - PROPOSED

Chambrook School









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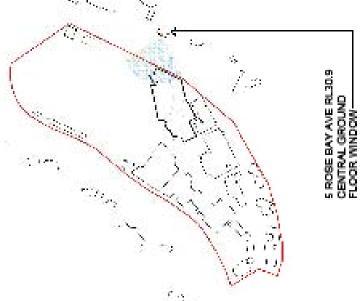


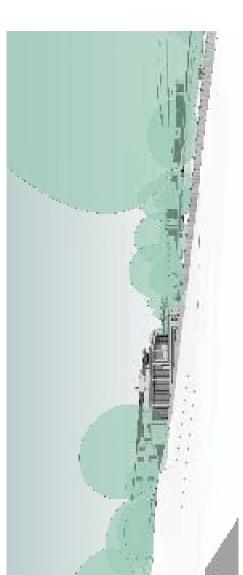
VIEW FROM NO.5 ROSE BAY AVE - PROPOSED

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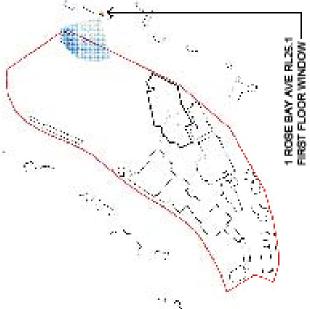


Page 43

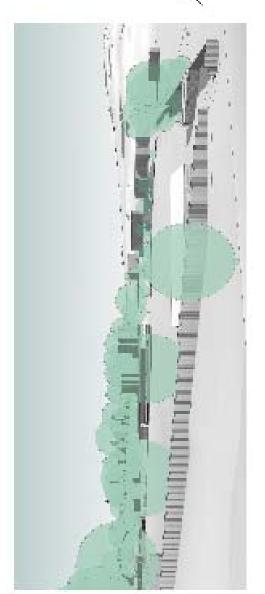
Crambrook School

VIEW FROM NO.5 ROSE BAY AVE - PROPOSED

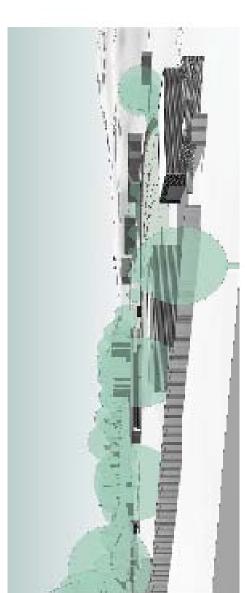








VIEW FROM NO.1 ROSE BAY AVE - EXISTING



VIEW FROM NO.1 ROSE BAY AVE - PROPOSED

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Crambrook, School



## Summary Curriculum Vitae: Dr Richard Lamb



## Summary

- Professional consultant specialising in visual and heritage impacts assessment and the principal of Richard Lamb and Associates (RLA).
- Serior lecturer in Architecture, Landscape Architecture and Heritage Conservation in the Faculty of Architecture, Design and Planning at the University of Sydney 1980-2009.
- Director of Master of Heritage Conservation Program, University of Sydney, 1988-2006.
- 30 years' experimence in teaching and research in environmental impact, heritage and visual impact assessment.
- Teaching and research experise in assessment and interpretation of heritage items and places, cultural transformations of environments, conservation methods and practices, visual perception and cognition, landscape studies, sesthetic assessment and landscape assessment.
- Supervision of Master and PhD students postgraduate students in heritage conservation and environment/behaviour studies.
- Richard Lamb provides:
  - professional services, expert advice and landscape and visual assessments
  - Strategic planning studies to protect and enhance scenic quality and landscape heritage values
  - Scenic and sesthetic assessments in all development scenario contexts, from rural to urban.
  - Advice and assessment of view loss, view staring and landscape heritage impacts
  - Expert advice, evidence and testimony to the Land and Environment Court of NSW and Planning and Environment Court of Queensland in various classes of litigation
  - Specialisation in matters of visual impacts, view loss and landscape heritage in projects including:
    - Urban developments, rezoring and planning proposals, urban renewal and urban release areas
    - Project and proposal visualisation and certification of photomorphic preparation
    - Extractive industry, infrastructure, signage and maritime developments
    - Development assessment, strategic planning, landscape conservation.
  - Appearances in over 250 Land and Environment Court of New South Wates cases, submissions to several Commissions of Inquiry and the principal consultant for over 1000 consultancies.

#### Qualifications

- Bachelor of Science First Class Honours double major, University of New England
- Dactor of Philosophy, University of New England in 1975.
- International Journals for which publications have been referred.
  - Journal of Architectural & Planning Research
  - Architectural Science Review
  - People and Physical Environment Research
  - Journal of the Australian and New Zealand Association for Person Environment Studies
  - Journal of Environmental Psychology
  - Australasian Journal of Environmental Management.
  - Ecological Management & Restoration
  - Urban Design Review International
- Full CV available on Home page tab of RLA website at www.richardlamb.com.au