

DA Kiama Shores Seniors Living



Views Assessment Addendum Report

Report prepared for DTB Architects on behalf of

Kiama Shores Pty Ltd

by Dr. Richard Lamb

August 2018

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1.0 Purpose of this report

RLA are specialists in visual analysis and visual impact assessment of projects ranging from individual residences to urban release areas. The company specialises in landscape assessment, view loss and view sharing in addition to strategic planning for visual protection and conservation of cultural landscapes and heritage views. Dr. Lamb, the author of this report, has 30 years' experience in development assessment, landscape assessment and landscape management.

A CV for Dr Richard Lamb, principal of RLA can be viewed or downloaded from the RLA website at www.richardlamb.com.au. A summary CV is attached to this document at Appendix 2.

Richard Lamb and Associates (RLA) were appointed by Kiama Shores Pty Ltd to undertake an assessment of potential visual impacts in relation to the proposed development at 23 Meares Place and 33 Collins Street in Kiama. RLA prepared visual assessment advice and visual impact assessments in 2016 and 2017 which related to previous proposed developments on the site.

This report should be read in conjunction with the RLA reports of 2016 and 2017, which contain a full description of the methodology used, documentation and analysis of views, site context and general principles of visibility of development on the subject site, which remain relevant to this amended DA. To avoid unnecessary repetition, this report only provides an analysis of the visual effects and impacts on view sharing of the new DA submitted to Kiama Council. The amended DA has been prepared in response to Land and Environment Court of New South Wales proceedings in *DTB v Kiama Municipal Council and Southern Joint Regional Planning Panel* resulting in amendments arising out of negotiations that occurred at a compulsory s34 conciliation conference in the proceedings held in July 2018.

Our analysis in this report is based on amended plans prepared by Kennedy and Associates Architects in association with DTB Architects, prepared in August 2018. A 3D architectural model of the proposed amended development was prepared and used as the base for block-model photomontages representing the same views from adjacent dwellings as those in the RLA 2017 report, prepared by Digital Line Pty Ltd (Digital Line). Digital Line are architectural illustration specialists who prepared block photomontages for our 2016 and 2017 reports. The methods and assumptions adopted in preparing the photomontages in this addendum report were the same as set out in our 2016 and 2017 reports. The photomontages were prepared to comply with the Land and Environment Court of New South Wales practice note for the preparation of photomontages for use in evidence. They can therefore be relied on to accurately represent the likely effects of the proposed development on view sharing.

Our assessment of potential visual effects and impacts of the proposed development on view sharing is based on an analysis of new block model photomontages by Digital Line, analysis of the views from selected private domain locations including all units at 21 Meares Place and on field work in relation to the visibility, visual exposure, and visual effects on views and streetscapes.

Photographic plates which show private and public domain viewing locations, other than in photomontages, have not been reproduced in this addendum report and can be viewed in our original 2016 report. Block-model photomontages showing the effect on view sharing of the amended plans seen from all the residential dwellings located in Minnamurra Street that were assessed in our expanded 2017 report, including all units in 21 Meares Place, are included in Appendix 1.



Figure 1 Site location and private domain view locations

③① Private Domain Viewing locations (house numbers)

□ Approximate site boundary

2.0 The amended proposal

The long boundary of the site parallel to Minnamurra Street, from which it is separated by a row of detached residences, is elongated from north-west to south-east. The convention adopted in this report for ease of description is that this boundary is the north boundary, with Collins Street to the east and Meares Place to the west.

In the Design Analysis drawings, there is a massing comparison drawing, DA 06C, which shows, in axonometric view looking north, the original scheme refused by the SJRPP in blue and the proposed revised scheme, in red. The change in the massing proposed is substantial, changing from a single, perimeter block building with a single level courtyard in the centre over most of the site, to three buildings and two conjoined buildings, with a double-level central courtyard and multiple other communal open space locations. Two breaks in massing and one total break between buildings provides building separation and views into and through the site.

The amended DA as before is for a seniors' living development which would appear to be predominantly three storeys in height above ground, includes 2 levels of basement car parking. The built form above ground is broken up into five building elements, one off Collings Street to the east and two L-shaped buildings each comprised of two elements in the main part of the site, which occupy the north-east (Buildings A and D) and south-east portions of the main part of the site (Buildings B and C), respectively. Communal open space accessible from all of the buildings occupies the centre of the site and the space between Buildings C and D and A and Buildings A and E. Landscaped setback areas occur between all buildings and the boundaries except for Building E, which has a zero setback to the north, south and eastern (Collins Street) boundaries.

The overall height of the Building E when seen from Collings Street would be the same as the approved residential building adjacent to the south at 35-41 Collins Street. Because of the significant setback between Buildings E and D behind, the upward viewing angle and the zero setback to Building E on the street frontage, the remainder of the proposed development would not be visible from the street frontage of the site.

The proposed development has a low visual presence to Terralong Street to the south, as the visual effects are confined to an access between commercial buildings. The proposed development would otherwise be visible from the rear of commercial premises that face Terralong Street. The south-west elevation that would be partly visible from the street is well articulated, with varied materiality, detailing and colours and an overall height that is similar to or less than that of residences to the north in Minnamurra Street.

The north-east elevation that is visible from the rear of residences that face Minnamurra Street to the north of the site is broken by substantial breaks between Buildings A and E and A and D into what will appear as four discrete elements, between which there are view opportunities into and in some cases through the site. The elevation would appear to be of 1-3 storeys in height, as the proposed development is excavated below the existing ground line in a number of locations. Views of the massing of buildings on that elevation are shown in some of the photomontages in Appendix 1.

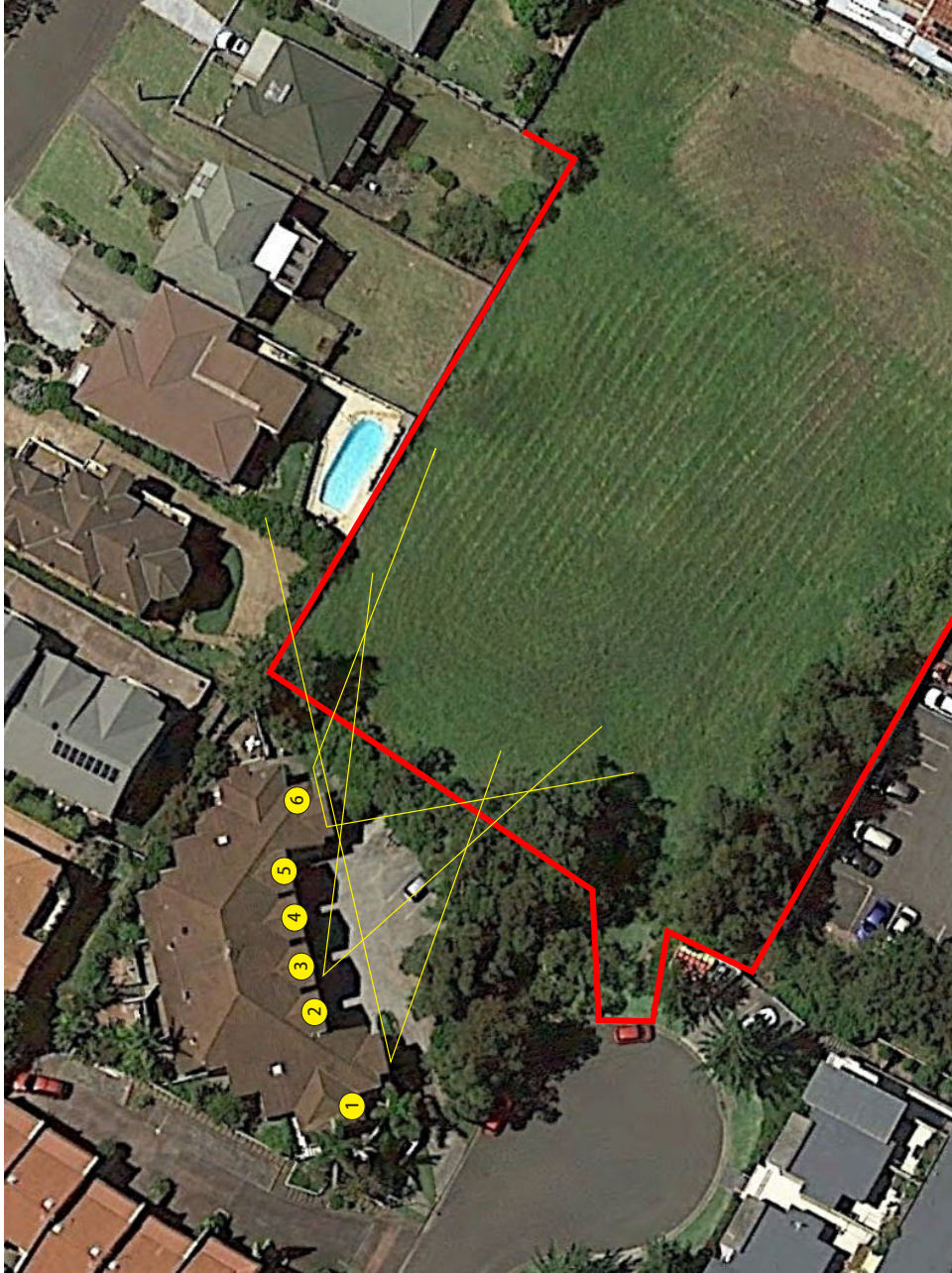


Figure 2 Location of 21 Meares Place

5

Unit numbers of dwellings within 21 Meares Place



Approximate site boundary



Indicative extent of available view from selected units



The height of the north-west sector of the development has been further reduced compared to the original scheme and in elevation (see the north-west and north-east elevations) is equivalent to or less than one storey in height above the adjacent existing ground level of 21 Meares Place. The relative elevation of the living level of the nearest unit in 21 Meares Place to the proposed development is shown in the view impacts graphic in sectional form. The floor level of the living level of Unit 6, is approximately the same as the parapet height of the proposed building, providing a clear view line for both a standing and seated viewer in Unit 6/21 Meares Place, over the top of the proposed development, which then steps lower as it extends toward the east.

As each of the units in 21 Meares Place has the same floor level at the lower living level as Unit 6, the same principle applies to views from all of the units in relation to the height of the north-west part of the proposed development. That is, there would be standing and seated views over the building. The four units in the centre of 21 Meares Place (Units 2-5) are also two-storey units, which have first floor levels, predominantly bedrooms off circulation space, that would have views unaffected by the proposal.

The DA plans prepared by Kennedy Associates in collaboration with DTB show that the proposed development generally complies with the Kiama Local Environmental Plan (KLEP) height control of 11m and a side setback to above-ground built form of 6m in respect of the north, west, and south boundaries. A zero setback to No.33 Collins Street in the east has been included in the design in response to legislative controls for Seniors Living development and in the Apartment Design Guide. The Kiama Development Control Plan (KDCP) also encourages uniform building alignment within the Kiama Town Centre and as such the east façade of the proposed Building E is closely aligned with adjacent developments.

A 3D representation of the height plane in aerial perspective is shown on drawing DA 09C, with the height plane shown in light green and any of the building envelope that would exceed the height of the plane, in light grey. Some minor non-compliances with the height plane exist on the east and south edges of the building. The non-compliances do not contribute significantly to the perceived bulk of the building as seen from the south or east. They are also on parts of the building that are distant from dwellings that could be affected by any view loss caused by those elements, in Minnamurra Street and Meares Place.

3.0 Summary of visual effects - private domain

Parts of the proposed amended development will contribute new height, bulk and scale in the composition of views to the south and south-east for the majority of private domain views analysed. The extent of visibility is influenced by the orientation of the dwellings to the site, the viewing locations in the dwelling, the viewers' eye height relative to the site and the location and height of proposed buildings.

Overall, relative to the adjacent private domain, the external visibility of the site increases as the viewing locations and location of each dwelling increases in elevation. Notwithstanding properties located north-west of the site are elevated relative to it, they are also exposed to views which include a greater proportion of the site and of the proposed development.

The majority of dwellings in Minnamurra Street north of the site will be exposed to some view loss from south-facing windows associated with living spaces or decks, which are located at the rear (south) of the dwellings. Properties at No.32, No.34 (although not inspected) and No.36 Minnamurra Street located towards the east end of Minnamurra Street are relatively low-placed and similar in elevation to the adjacent part of the site. The composition of views from these locations will include significant change, for example a 3-storey built form, which steps down the slope, but which also includes a view corridor between Buildings A and E and a low-height break between Buildings A and D that is continuous with a break between Buildings A and B. View lost will include foreground and mid-ground features such as commercial development, and some of the development on the north-facing slopes beyond the commercial area of Kiama, to the south of the site. No views of water, land-water interfaces or icons identified in *Tenacity* as highly valued are available from these lower locations.

Dwellings higher up the slope in Minnamurra Street have access to more expansive views from the rear as the excavation proposed to be undertaken on the subject site increases toward the west and north-west and as the properties in Minnamurra Street also slope increasingly upward toward the road moving west from Collins Street. As a result, while residences toward the western end of the site in Minnamurra Street see more of the proposed development, they equally see more over the site toward the coastal features that are present in the view and which would not be negatively affected or blocked by the buildings in the proposed development.

Table 1 Summary of Visual Effects and Impacts

Property Address	View location/room type	Existing View Access	Analysis of Photomontages	Potential view loss rating (negligible, minor, moderate, severe, devastating)	Overall assessment on Tenacity planning principle
30 Minnamurra Street	Rear upper deck, adjacent to a living room	Views to the site are constrained by existing vegetation and include district views and residential development on north facing slopes and a small amount of the horizon ridgeline.	The proposed development is located in the foreground of the view. It will block the majority of district views in this direction.	Moderate	Views would be lost in any permissible development under the controls Outcome is reasonable in the circumstances
32 Minnamurra Street	External rear deck	District view south-west across the site including commercial and residential development on north-facing slopes, heritage items and vegetation	Views lost include the majority of mid-ground commercial development, residential development, heritage items and vegetation and most of the ridgeline horizon. A view corridor is retained which allows for longer distance views to the south.	Moderate	Views would be lost in any permissible development under the controls. Outcome is reasonable in the circumstances
36 Minnamurra Street	External rear deck	District views south across the site including commercial area, residential development on north facing slopes including heritage items and vegetation	Views lost include the commercial development in the mid-ground, vegetation and residential development. Heritage items and vegetation located on the upper slopes and the ridgeline will remain in view.	Moderate	Minor non-compliances do not cause significant view loss. View lost does not contain highly valued items in Step 1 of Tenacity. Outcome is reasonable in the circumstances.
38 Minnamurra Street	Rear enclosed deck adjacent to living room	horizontal district views to south and south-east including development on northern slopes	Views lost include the mid-ground, vegetation and residential development. Heritage items and vegetation located on the upper slopes and the ridgeline will remain in view. The massing and articulation of the proposed built form creates positive spatial separation in this view.	Moderate	View lost is not of highly valued items in Step 1 of Tenacity. Minor non-compliances do not increase view loss. Outcome is reasonable in the circumstances.
42A Minnamurra Street	External front deck	Views east across north-eastern part of site including district views to north facing slopes and water views	The proposed development is located below the horizontal view line and blocks a small amount of mid ground commercial development.	Minor	View lost does not include highly valued features identified in Step 1 of Tenacity. Outcome is reasonable in the circumstances.
42B Minnamurra Street	External front deck associated with living area	Views south-east and east across the entire site including horizontal and downward views to Kiama Town Centre, heritage items, Kiama harbour and headland reserve, areas of land-water interface and open areas of ocean	The majority of the development is located below the horizontal view line. The scenic and highly valued features will remain visible in the composition of the view.	Minor	View lost does not include highly valued features identified in Step 1 of Tenacity. Outcome is reasonable in the circumstances.
Unit 1/21 Meares Place	External 1st floor unit front balcony associated living area	A narrow oblique view to the east and the northern corner of the site. The view includes foreground carpark, mid-ground residential development and filtered distant views to areas of undifferentiated ocean. Views to the south are screened by dense vegetation that exists within 21 Meares Place.	The development sits below the horizontal view line and blocks residential development in the mid-ground composition. The filtered distant views of ocean, remain available.	Minor	View available is partial only. View lost does not include highly valued features identified in Step 1 of Tenacity. Outcome is reasonable in the circumstances.

Property Address	View location/room type	Existing View Access	Analysis of Photomontages	Potential view loss rating (negligible, minor, moderate, severe, devastating)	Overall assessment on Tenacity planning principle
Unit 2/21 Meares Place	External 1st floor balcony associated with living area	Oblique view east includes north-west corner of the site, residential development, Norfolk Island pines in gardens and on the Harbour headland and a small area of ocean horizon. The south-east view is significantly screened by existing vegetation within 21 Meares Place.	The development site below the horizontal view line. The majority of scenic and highly valued features including headland vegetation and parts of the distant ocean, will remain available.	Moderate	Some view is taken away, from standing and seated positions on the first floor balcony. Minor non-compliances do not cause significant view loss. Outcome is reasonable in the circumstances.
	External 2nd floor bedroom balcony	Views to the south-east include part of the site. Views to the south are screened by dense foreground vegetation in 21 Meares Place. View includes mid-ground development, part of Kiama headland, and areas of undifferentiated open ocean.	The development is below the view line and the horizon is retained as a whole view element, including ocean, horizon, headland and cultural vegetation.	Minor-Moderate	Some view is taken away, from standing and seated positions on the second floor balcony. Minor non-compliances do not cause significant view loss. Bedroom level is given less importance in Tenacity. Outcome is reasonable in the circumstances.
Unit 3/21 Meares Place	External first floor balcony associated with living area	Slightly oblique view east includes part of the site, residential development, Norfolk Island pines in gardens and on Harbour headland and a small area of land-water interface in Kiama Harbour, with ocean horizon. The south view is significantly screened by existing vegetation within 21 Meares Place.	The development sits below the horizontal view line. The majority of scenic and highly valued features including headland vegetation and parts of the distant ocean, will remain available.	Minor-Moderate	Some view is taken away, from standing and seated positions on the second floor balcony. Minor non-compliances do not cause significant view loss. Outcome is reasonable in the circumstances.
	External 2nd floor bedroom balcony	Views to the south-east includes part of the site. Views to the south are screened by dense foreground vegetation in 21 Meares Place. View includes mid-ground development, part of Kiama headland, and areas of undifferentiated open ocean.	The development is below the view line and the horizon is retained as a whole view element, including ocean, horizon, boat harbour, headland and cultural vegetation.	Minor	Some view is taken away, from standing and seated positions on the second floor balcony. Minor non-compliances do not cause significant view loss. Bedroom level is given less importance in Tenacity. Outcome is reasonable in the circumstances.
Unit 4/21 Meares Place	External 1st floor balcony associated with living area	Views available to the south-east include most of the site. The south corner of the site is screened by existing vegetation within 21 Meares Place. The remaining view includes, built form of unit 6/21 Meares, mid-ground development, a small area of water in Kiama Harbour, parts of Kiama Headland, ocean horizon and open areas of undifferentiated ocean.	The development extends marginally above the horizontal view line in this view. The majority of scenic and highly valued features including headland vegetation and parts of the distant ocean, remain available.	Moderate	Some view is taken away, from standing and seated positions on the first floor balcony. Minor non-compliances do not cause significant view loss. Outcome is reasonable in the circumstances.
	External 2nd floor bedroom balcony	Views available to the south-east include parts of the site. The south-east corner of the site is screened by existing vegetation within 21 Meares Place. The remaining view available to the east includes mid-ground development, parts of Kiama Harbour between vegetation, parts of Kiama Headland and open areas of undifferentiated ocean.	The development is below the view line and the horizon is retained as a whole view element, including ocean, horizon, headland, boat harbour, heritage items and cultural vegetation.	Minor	Some view is taken away, from standing and seated position on the deck associated with bedrooms. Minor non-compliances do not cause significant view loss. Bedroom views have lower significance. Outcome is reasonable in the circumstances.

Property Address	View location/room type	Existing View Access	Analysis of Photomontages	Potential view loss rating (negligible, minor, moderate, severe, devastating)	Overall assessment on Tenacity planning principle
Unit 5, 21 Meares Place	External 1st floor balcony associated with living area	View is a partial and is confined to a narrow angle by projecting form of Unit 6 and by vegetation in 21 Meares Place to the south west.	The development extends close to the horizontal view line. Some of the mid-ground features in the view would be lost, but views to scenic and highly valued features including headland vegetation and parts of the distant ocean, remain available.	Minor	Some view is taken away, from standing and seated positions. Minor non-compliances do not cause significant view loss. Outcome is reasonable in the circumstances.
	External 2nd floor bedroom balcony	Views to the south are screened by dense vegetation which exists within 12 Meares Place. Oblique foreground views to the south-east include part of the site and the built form of 21 Meares Place i.e. roof form of unit 6, development on Collins Street and Kiama, part of Kiama Harbour, Part of Kiama Headland and undifferentiated areas of ocean.	The development is below the view line and the horizon is retained as a whole view element, including ocean, horizon, headland, heritage items and cultural vegetation.	Minor	Some view is taken away, from standing and seated positions on the deck associated with bedrooms. Minor non-compliances do not cause significant view loss. Bedroom views have lower significance. Outcome is reasonable in the circumstances.
Unit 6, 21 Meares Place	External front balcony associated with living area	Oblique views to the south-east across the majority of the site and direct views to the south across the parts of the site are available. Downward views include commercial development in Collins Street, heritage items e.g. church, parts of Kiama Harbour and headland reserve, areas of land-water interface and open areas of ocean.	Part of the development extends toward the horizontal view line. Some of the headland and the majority of vegetation on it and views to distant ocean, remain available. Heritage items are visible above a low part of the proposed built form. Most of the scenic and highly valued features in the view will remain available.	Moderate-Severe	Valued items are affected, from standing and seated positions on the main balcony and adjacent living area. This is a whole view and only view available from the living area. Minor non-compliances do not cause significant view loss. Bedroom views have lower significance. Outcome is reasonable in the circumstances.

4.0 Summary of visual impacts on dwellings analysed

Table 1, Summary of Visual Effects and Impacts, shows the application of the planning principle in *Tenacity* to the views from dwellings that have been analysed. The results show that aside from two locations, no residential view loss is rated as being higher than moderate on the qualitative scale for the extent of impact on view sharing that is recommended in Step 3 of *Tenacity*. Of the 16 private domain locations analysed, 7 views are rated as having minor or no view loss, 2 are rated as minor-moderate view loss, 6 locations are rated as moderate view loss and the most affected view, from Unit 6/21 Meares Place is rated as moderate-severe view loss.

The height and bulk of the proposed development is contemplated by the controls and in this context, it would be an unrealistic expectation for single and two-storey dwellings along Minnamurra Street and for the lowest living level at 21 Meares Place to expect to retain all their existing views across this site, which have fortuitously been available for some time. In this regard, some view loss is inevitable in relation to development across a previously undeveloped site.

View loss for the lower living level at 21 Meares Place increases in severity from south to north, from minor to moderate-severe. Units 1 and 6/21 Meares Place, which have a single living level, will experience minor and moderate-severe view loss, respectively. The four central units 2-5 have second floors which would generally experience minor to moderate view loss. The second floor levels are occupied by bedrooms, views from which would be given less weight in Step 3 of *Tenacity*. of View loss considered for the whole building, as recommended by O'Neill C in *Arnot*, would in our assessment, be moderate.

Assessment of view loss from all units in 21 Meares Place assisted in providing a detailed understanding of the effects on view sharing of the amended plans now before Council. We have considered both the reasonableness question for every view place analysed. We consider the proposal to be reasonable as regards view sharing.



Richard Lamb and Associates

August, 2017



View from a rear upper deck of No.30 Minnamurra Street



View from a rear upper deck of No.32 Minnamurra Street



View from a rear upper deck of No.36 Minnamurra Street



View form a rear upper deck of No.38 Minnamurra Street



View from an east-facing balcony at No.42A Minnamurra Street



View from an east-facing balcony at No.42B Minnamurra Street



View from Unit 1/21 Meares Place first floor balcony



View from Unit 2/21 Meares Place first floor balcony



View from Unit 2/21 Meares Place second floor balcony



View from 3/21 Meares Place first floor balcony



View from 3/21 Meares Place second floor balcony



View from 4/21 Meares Place first floor balcony



View from 4/21 Meares Place second floor balcony



View from 5/21 Meares Place first floor balcony



View from 5/21 Meares Place second floor balcony



View from 6/21 Meares Place first floor balcony

Summary Curriculum Vitae: Dr Richard Lamb



Summary

- Qualifications
 - Bachelor of Science - First Class Honours, University of New England in 1969
 - Doctor of Philosophy, University of New England in 1975
- Employment history
 - Tutor and teaching fellow – University of New England School of Botany 1969-1974
 - Lecturer, Ecology and environmental biology, School of Life Sciences, NSW Institute of Technology (UTS) 1975-1979
 - Senior lecturer in Landscape Architecture, 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, 1998-2006
 - Principal and Director, Richard Lamb and Associates, 1989-2017
- Teaching and research experience
 - visual perception and cognition
 - aesthetic assessment and landscape assessment
 - interpretation of heritage items and places
 - cultural transformations of environments
 - conservation methods and practices
- Academic supervision
 - Undergraduate honours, dissertations and research reports
 - Master and PhD candidates: heritage conservation and environment/behaviour studies
- Professional capability
 - Consultant specialising in visual and heritage impacts assessment
 - 30 year's experience in teaching and research in environmental impact, heritage and visual impact assessment.
 - Provides professional services, expert advice and landscape and aesthetic assessments in many different contexts
 - Specialist in documentation and analysis of view loss and view sharing
 - Provides expert advice, testimony and evidence to the Land and Environment Court of NSW on visual contentions in various classes of litigation.
 - Secondary specialisation in matters of landscape heritage, heritage impacts and heritage view studies
 - Appearances in over 250 Land and Environment Court of New South Wales cases, submissions to Commissions of Inquiry and the principal consultant for over 1000 individual consultancies concerning view loss, view sharing, visual impacts and landscape heritage

A full CV can be viewed on the Richard Lamb and Associates website at www.richardlamb.com.au