URBIS

PATYEGARANG PROJECT PLANNING PROPOSAL

PRELIMINARY LANDSCAPE VISUAL ASSESSMENT

PREPARED FOR

METROPOLITAN LOCAL ABORIGINAL LAND COUNCIL (MLALC)

JULY 2023

FINAL

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Urbis acknowledges the important contribution that Aboriginal and Torres Strait Islander people make in creating a strong and vibrant Australian society.

We acknowledge, in each of our offices, the Traditional Owners on whose land we stand.

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INTRODUCTION

1.1 PURPOSE OF THE REPORT

Urbis have been engaged by Metropolitan Local Aboriginal Land Council (MLALC) to prepare a landscape visual impact assessment report for the site in relation to the planning proposal. The report will be submitted to the Department of Planning Industry and Environment (DPIE) as the consent authority to inform their assessment of the potential visual impacts of the proposed development (planning proposal) on the subject site.

NOTE: This report has been updated to include a revised zoning plan in July 2023 following Gateway Approval.

On 9th June 2023, the Department of Planning and Environment issued a Gateway determination for the planning proposal. Following the issue of the Gateway determination, the Metropolitan Aboriginal Land Council resolved to adopt an alternative name for the project to reflect the Aboriginal cultural heritage of the site. This report has accordingly been updated to reference the Patyegarang Project.

The report provides an assessment of the visual effects of the proposed development on public domain views towards, into and across the site and on the existing visual character and scenic quality of the site.

The analysis considers the response of the draft structure plan to the natural and physical visual resources and constraints of the subject site and provides commentary regarding potential visual impact mitigation strategies.

This report considers the visual impacts of urban development densities as proposed in the structure plan primarily for residential and associated purposes, based on the existing visual character of areas of the subject land, their external and internal visibility and the potential visual effects and impacts that would occur following approval of the planning proposal and construction of residential development across parts of the site.

Our analysis and findings are based on a desktop review of relevant material, including mapping provided by other consultants, field work observations and our own view shed and external visibility mapping. The assessment of all baseline information has established a baseline against which to assess the extent of visual effects (changes to the visual environment) and resultant overall likely visual impacts of the proposed development on the existing landscape visual character of the subject site.

1.2 LIMITATIONS

This report is constrained to an analysis of visual effects and impacts being only one criteria that should be included for assessment of impacts on the landscape. Various other physical and natural constraints have been taken into account by others with the appropriate expertise.

The draft structure plan prepared by Cox Architecture appears to have regard to natural and physical characteristics of the site and considers many relevant issues including; indigenous heritage, fauna corridors, protection and enhancement of biodiversity, bushfire protection, physical access and servicing.

Analysis of the visual effects on some views is provided at a 'high level' and based on simplified massing models for super blocks rather than individual building envelops, in approximate locations as shown in the structure plan. Indicative views from the closest and potentially most affected residential dwellings (those locations that will be exposed to the greatest extent of visual change) have been included.

A detailed analysis of impacts on individual specific views cannot be undertaken at this time given the early stages of the planning proposal however important view places and compositions have been identified for further analysis if required.

Visual Impacts have been considered at a high level in relation to the draft Structure Plan.

1.3 DOCUMENTS CONSULTED

In addition to fieldwork observations this report has been informed by a desktop review of the following documents:

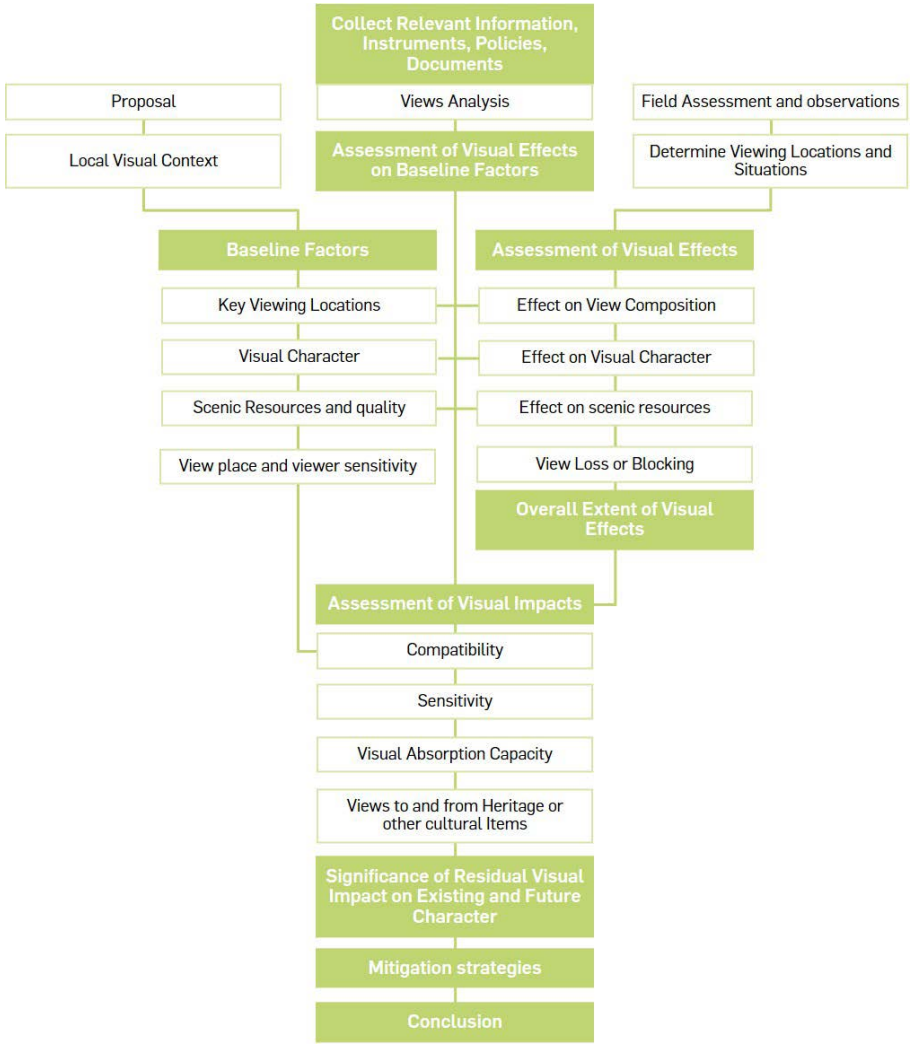
- Submission to the DPIE April 2020 prepared by City Plan
- Cox Structure Plan, survey data and mapping
- Warringah Local Environmental Plan 2011 (WLEP)
- Greater Sydney Commission Northern District Plan
- Warringah Development Control Plan 2011 (WDCP)
- Northern Beaches Local Strategic Planning Statement (LSPS)
- Warringah Natural Areas survey, Vegetation and Wildlife Corridors 2005 (WNAS)
- Local Habitat Strategy 2007 (LHS)
- Open Space Strategy 2009 (OSS)
- Recreational Strategy 2009 (RS)

1.4 ASSESSMENT METHODOLOGY

The methodology used in this assessment is based on the authors experience and uses relevant aspects of methods accepted in landscape assessment, extended and modified to adapt to urban and suburban visual environments. The modifications introduced are informed by visual perception research that has been carried out by experts in the field in NSW. The key steps in the method are shown in the method flow chart.

The main components of a visual impact assessment are understanding the proposed development including its location, massing and extent, to understand the scale and spatial arrangement of the development. Subsequently detailed fieldwork is undertaken to identify important viewing locations, visiting the representative locations, documenting views and making an overall assessment of the visual effects and relative visual impact factors.

This assessment includes a brief overview of relevant overarching strategic scenic resource management objectives and related recommended visual amenity impacts mitigation measures.



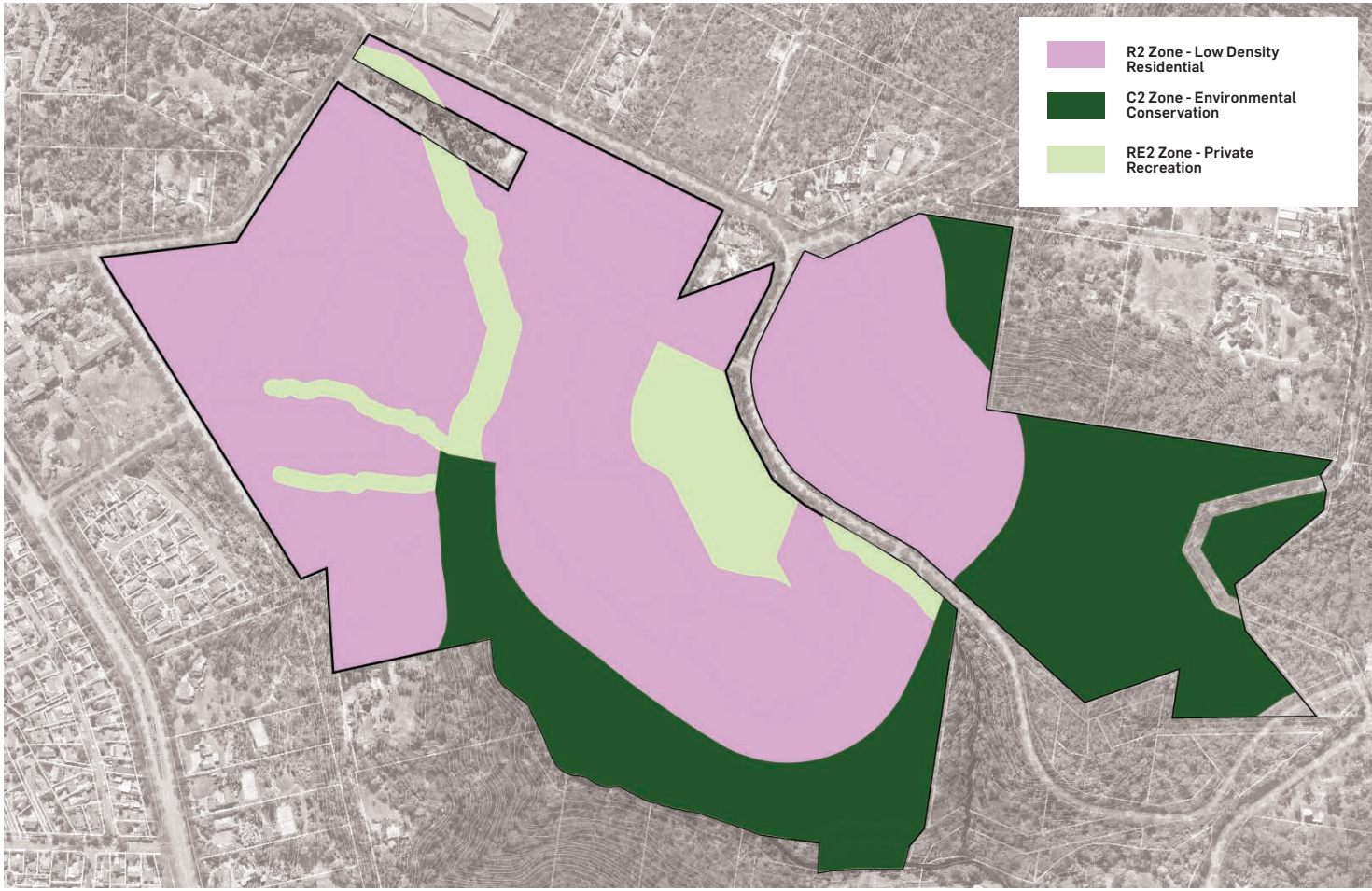
1.5 PROPOSED DEVELOPMENT

The purpose of this Planning Proposal is to implement the Development Delivery Plan for the subject site created under State Environmental Planning Policy (Planning Systems) 2021. The objective of the Planning Proposal is to create a residential community embodying strong conservation principles to support the enhancement of the unique environmental and Aboriginal cultural heritage characteristics of the site. An indicative draft structure plan has been developed by COX Architecture that is reflective of the site's opportunities and constraints in the areas of flora and fauna biodiversity, bushfire management, transport planning, Aboriginal heritage and stormwater management. The Planning Proposal intends to ensure development outcomes align with traditional indigenous 'Caring for Country' practices and relevant 'Connecting with Country' and 'Designing with Country' principles and strategies. Subsequent to the approval of a planning proposal parts of the site would be cleared to make way for residential dwellings, access roads and neighbourhood services and amenities.

The Structure Plan shows that areas of larger lots and typical lots, which will provide a variety of appropriate housing typologies, are proposed for parts of the site where the slope and other topographical constraints allow for such carrying capacities. Large areas of the site that are characterised by dense vegetation, riparian corridors, steep terrain or are of sensitive cultural value are shown to be retained and unaffected by the proposed layout. We note that in addition some areas of vegetation would need to be

removed to satisfy Asset protection zones in relation to bush fire requirements.

The intended outcome of the Planning Proposal is to amend the applicable local planning controls to accommodate up to 450 new residential dwellings with a variety of scale and character reflective of the dominant dwelling type in the Belrose locality, as well as a new cultural community centre and protection of aboriginal heritage sites.



Map 1 Patyegarang Project Zoning Plan - July 2023

2.0 SUBJECT SITE VISUAL RESOURCES

2.1 SITE LOCATION

The subject site is located in the suburb of Belrose at the western margins of the Northern Beaches LGA approximately 20km north-east of the Sydney CBD and comprises 18 separate allotments totalling approximately 60 hectares that is accessible via Morgan Road.

For contextual purposes we provide a short summary of the geophysical factors that influence the visual character of the subject site.

LEGEND

Site Boundary

Map 2 Aerial Site Plan

2.2 GEOLOGY

The site includes a series of stratified rock types where Wianamatta shales overlay above Hawkesbury Sandstone which in turn rests on Narrabeen shales, interspersed with some volcanic material.

The Narrabeen Group has the widest distribution of any major suite of rocks in the Sydney Basin and is subdivided into 21 distinct formations scattered across the basin including two that are present in the local area of the Northern Beaches.

It is likely that the subject site is characterised by the underlying Bald Hill claystone overlaid by the New Port formation thick sandstones.

2.3 VEGETATION

The height and variety of vegetation present contributes significantly to the visual and scenic quality and character of the site.

Vegetation across the site varies broadly from west to east depending on the underlying topography, slope, geology and resultant and soils. At a macro level the vegetation is considered to be Narrabeen Slopes forest, predominantly including Rough-barked Apple forest and Oak Forest.

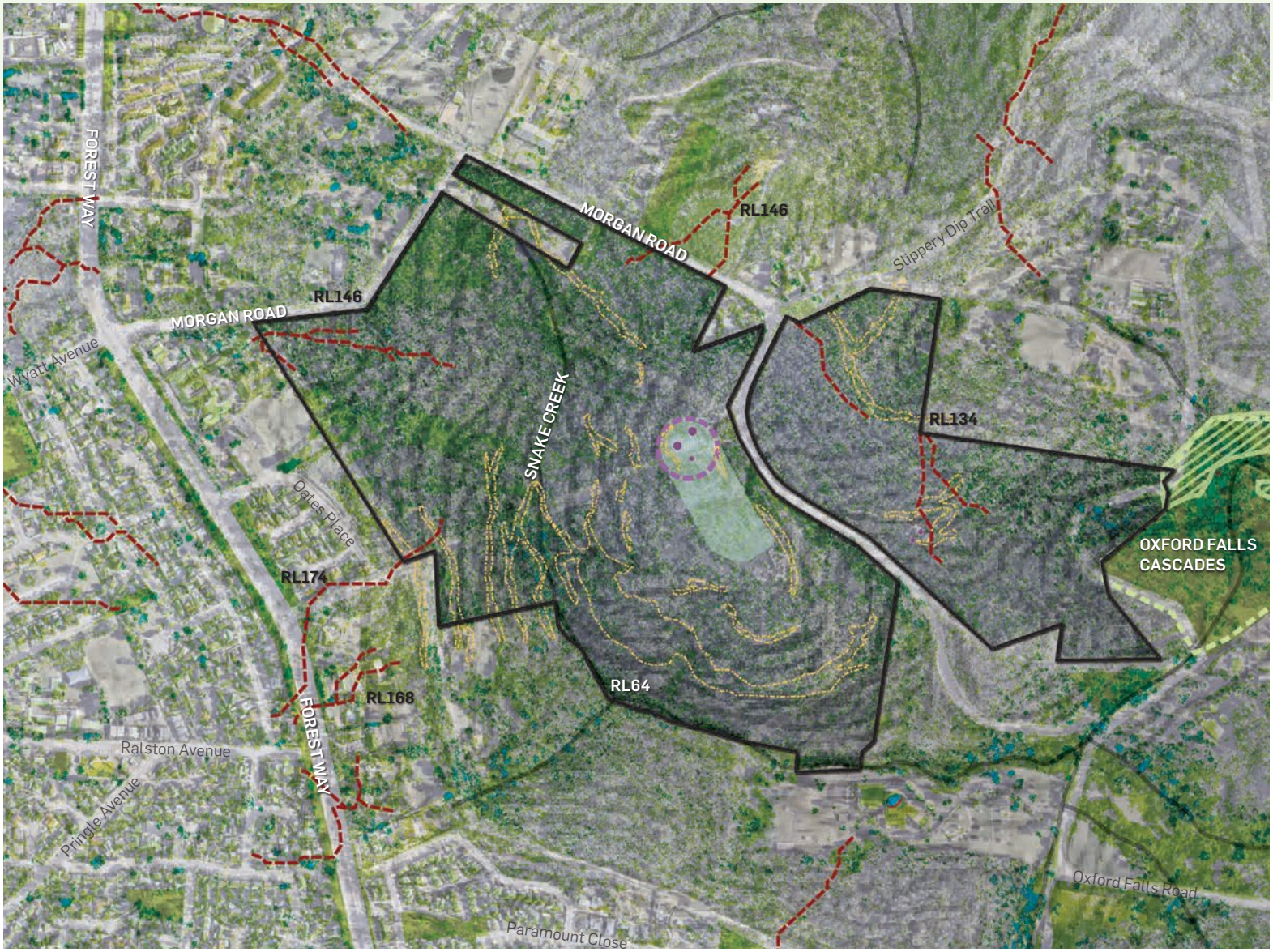
Sydney Sandstone Gully vegetation covers the majority of the central valley and western slopes this vegetation predominantly includes Peppermint-Angophera Forest, Blackbutt Open-Forest and Coachwood rain forest.

Eastern slopes of Snake Creek and southern margins of the subject site are characterised by Sydney sandstone ridgetop and the upper reaches immediately west of the Morgan Road is characterised by Coastal Clay Heath including sandstone rock out crops.

The Sydney sandstone ridgetop woodland type predominantly includes: Bloodwood-Scribbly gum, Narrow-leaved Scribbly gum and Angophera woodland. This vegetation type includes taller open tree canopy (Bloodwoods and Angophera species) up to approximately 14 metres in height.

The upper slopes are characterised with Coastal Clay species including: Coastal Banksia-teatree scrub, Narrabeen Escarpment scrub and smaller amounts of Themeda grassland and Lomandra sedgeland. Scrub vegetation varies in height but is typically lower than 7m but can include isolated trees for example Banksia up to 20m in height.

A small part of the site at its north-west edge adjoins existing development including the Uniting Care Aging Northern Sydney Region community centre is mapped in the WNAS as highly disturbed vegetation. This area has largely been cleared of vegetation and is characterised by areas of open turf, some native regeneration and invasive weed species.



LEGEND

- Site Boundary
- Archaeological Sites with Indigenous Significance
- Archaeological Site: 50m Buffer Zone
- Visually Prominent Ridgelines and Highpoints (>120)
- Exposed Rock Platform and Outcrops
- Conservation Area: Landscape
- Threatened and High Conservation Habitat
- Areas of Dense Vegetation (below 12m in height)
- Significant Canopy Trees (height of 12m and above)
- Environmentally Sensitive Area
- Public Open Space

Map 3 Key Visual Resources

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2.4 SCENIC RESOURCES

Urbis acknowledge that the following terms and definitions are 'Euro-centric' in that they do not consider the cultural, visual and spiritual values and importance of landscape visual resources for Aboriginal and Torres Strait Islander Peoples. Our understanding of these terms is based on research and the author's experience in landscape visual assessment.

Scenic resources is a general term which refers to the natural, physical and visual features that are present on the site. Scenic resources (features) relate to the site's underlying geophysical landform for example: visible topographical features such as steep slopes, undulating landforms, rock out crops and platforms, vegetation cover and distinctive or individual trees. Such features individually and collectively are considered to contribute to the scenic resources of the site.

The site also includes the ephemeral water course of Snake Creek views of which would also contribute to the site's scenic quality.

2.4.1 SCENIC QUALITY

Scenic resources can be described in terms of 'scenic quality' which is a measure of the value of the scenic resources to those who see them. Scenic quality is a term used in landscape assessment and perception research which relates to the likely expectations of viewers regarding scenic beauty, attractiveness or preferences of the visual settings. The level of scenic quality attributed to a site is baseline factor against which to measure the visual effects. Urbis follow the guidance about scenic quality and cultural values of aesthetic landscapes as determined in empirical research undertaken in Australia by academics including Terrance Purcell, Richard Lamb, Colleen Morris and Gary Moore.

Moore (2006) summarises the theoretical and methodological constructs in the field of environment, behaviour and society (EBS) and discusses the largest body of research in this area prepared by Associate Professor Terry Purcell and Dr Richard Lamb. The research details results in relation to the experience, perception and aesthetics of natural and cultural landscapes, affective experience of the environment, and the perception of scenic quality.

The site would be considered in isolation and as part of its wider visual setting as high scenic quality given its natural appearance, continuous vegetative cover, undulating topography and visually significant features for example the central rock platform.

2.4.2 LANDSCAPE VISUAL CHARACTER

Visual character is a term which refers to the areas or units of predominant visual features present in the landscape or on the site. They are typically geographically defined based on the most common or homogeneous visual characteristics of smaller areas or units that are visible.

The landscape visual character of the subject site is relatively homogenous with few visually distinctive or discreet areas and is broadly described as 'natural topography with densely vegetated slopes and some rock outcrops'.

2.5 SUBJECT SITE'S SCENIC RESOURCES

The site is characterised by steep, vegetated slopes, areas of more open vegetation and some areas of disturbed vegetation which are characterised by open turfed areas and weed species. In addition, visually prominent rock outcrops and platforms are present on the site (**Map 3, page 9).** We note that some features also have particular cultural significance to the Aboriginal community.

Topographically the site is divided by the Snake Creek riparian corridor which traverses the site centrally from north to south-east. Both sides of the creek rise steeply in elevation to meet local ridgelines which are lower to the east compared to the west. The site is characterised by areas of dense tree canopy and more open areas where vegetation is sparse allowing light to facilitate the growth of ground cover grasses and sub-canopy scrub. Areas of disturbed or cleared vegetation are located along the western edge of the site and adjoin existing development. More open areas characterised by smaller tree canopies, less individual trees and higher densities of low growing escarpment scrub, occupy the upper eastern gentler slopes for example close to the exposed rock platform presumably as a result of thin soils and a lack of nutrients.

Aerial imagery and fieldwork observations indicate that taller, larger canopy trees appear to be predominantly located along the western side of the riparian corridor. Isolated, individual tall trees are scattered across the site. An electricity easement traverses the site from west to east north of 181 Forest Way and includes 33KVA power lines and lattice-style pylons.

The eastern part of the site (east of Morgan Road) is free of obvious built forms and is separated from neighbouring residential development by fire trails. It is characterised by relatively uniform tree cover although closer to the road near its southern boundary more open areas are visible including rocky outcrops and platforms.

3.0 VISUAL CONTEXT AND CHARACTER

3.1 SUB-REGIONAL VISUAL CONTEXT

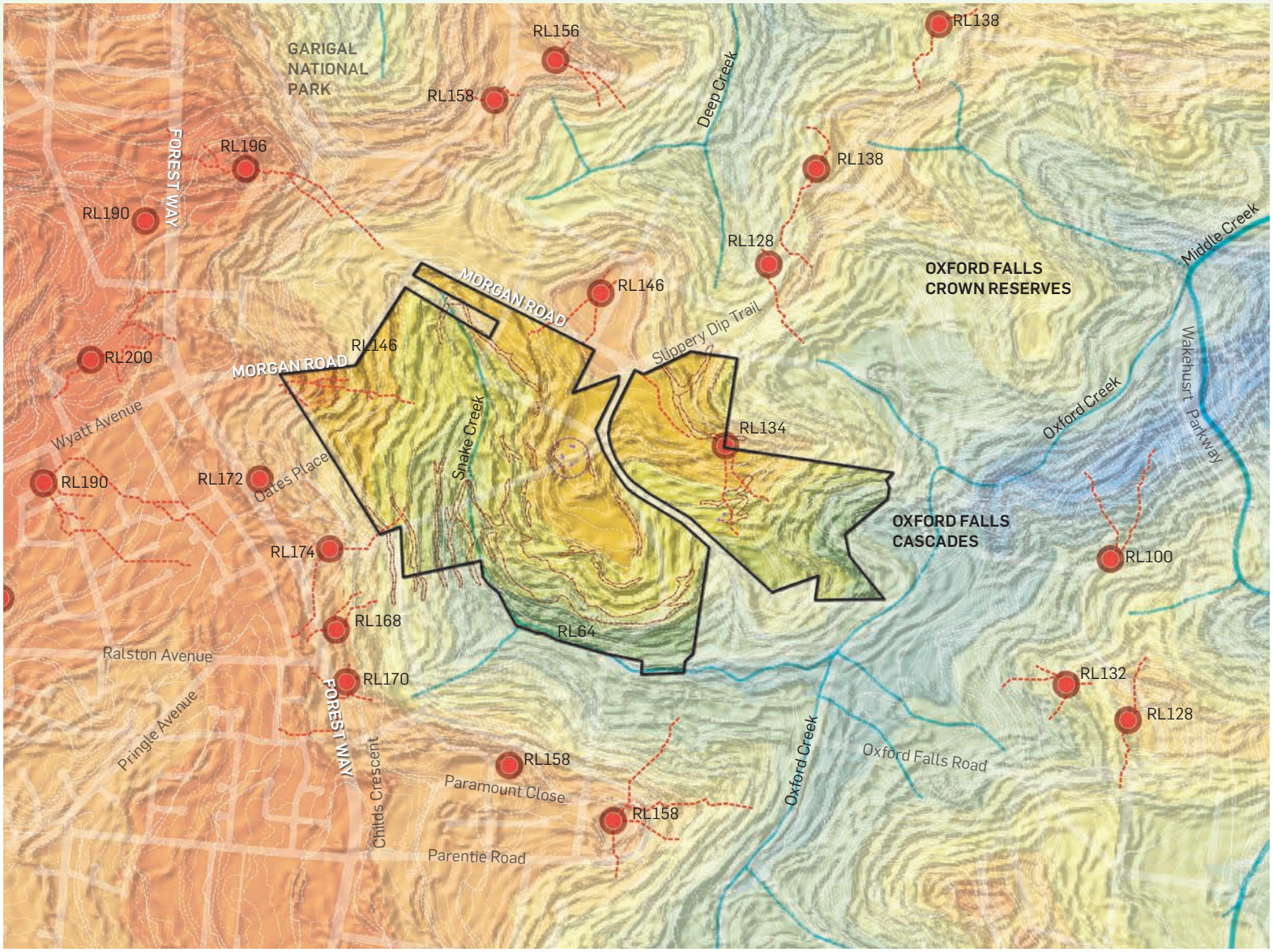
The wider visual context of the site is characterised by undulating heavily vegetated and relatively inaccessible topography to the north including Garigal National Park. Residential development exists to the west and south while the east and north of the site are largely free of built forms and development.

Forest Way is a primary road west of the site which appears to follow a local ridgeline broadly from north to south so that land to the west and east falls in elevation from it. The suburbs of Belrose, Glenrose, Davidson and Frenches Forest lie to the west, south-west and south respectively. The suburb of Oxford Falls is visually and physically remote from the site to the east and includes the Oxford Falls Regional Crown Reserve which appears to extend towards the eastern site boundary from Wakehurst Parkway.

A large industrial site occupied by Telstra including communications dishes is located south-east of the site while other areas to the south are characterised by relatively undeveloped, treed and undulating topography for example Perentie Park east of Harstaf Close.

There are a number of aged care facilities proximate to the site, including Uniting Wesley Gardens, a disability services & support organisation, and Wesley Gardens Aged Care facility, both adjoining the site to the west. Glenaeon Retirement Village is situated north-east of the site on elevated land above Hilversum Crescent. This development is characterised by one and two storey dual occupancies which are massed together in continuous blocks. The development is relatively dense in that the built forms are clustered close together around a curvilinear road layout, separated by small ornamental gardens. In this regard the site is devoid of significant tree canopy and large areas of vegetation. We observed that the site is undergoing further expansion in the eastern and lower part of the site adjacent to Main Drive.

Belrose Country Club Retirement Village is situated south of the site at Perentie Road. This development is characterised by closely spaced individual dwellings around a central services and amenities building. Development further south along Warringah Road includes the Northern Beaches Hospital which is a visible landmark from elevated parts of the subject site.



LEGEND

- Site Boundary
- Main Creek
- Creek line
- Visually Prominent Ridgelines and Highpoints (>120)
- High Points
- Archaeological Sites with Indigenous Significance
- Archaeological Site: 50m Buffer Zone
- Exposed Rock Platform and Outcrops

Map 4 Sub-regional Visual Context

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3.2 LOCAL VISUAL CONTEXT

The subject site is surrounded by residential development to the west and south-west and by isolated dwellings around its boundary along Morgan Road. Morgan Road is a narrow two-lane local road that is characterised by unformed edges, turfed roadside drainage swales and largely by continuous vegetation within both sides of its road reserve except where access is required to dwellings.

The Uniting Care Aging Northern Sydney Region community centre (Uniting Care facility) adjoins the north-west corner of the site. This flanks other community facilities to the west including the Forest Preschool Kindergarten and the Belrose Uniting Church.

The Uniting Care facility is a sprawling development which includes several buildings that are characterised by large floor plates, covered connecting walkways and two to three-storey built forms. The eastern three-storey building is highly visible in westerly views from parts of the subject site.

Residential development in Oates Place and Lyndhurst Way neighbours the western site boundary and is significantly elevated in relation to it. This development is small and isolated including what appear to be typical lot sizes when compared to established suburbs to the west. The subdivision includes one point of access via Oates Place from Forest Way. Oates Place links to Lyndhurst Way which provides access to three short cul-de-sacs. Lyndhurst way runs in a north-south alignment broadly parallel but set back from the western site boundary and follows the edge of a local escarpment so that dwellings along it are significantly elevated in relation to the subject site. Individual dwellings along Lyndhurst Way have formal presentations and primary views access to the east towards the subject site and are separated by wide setbacks. The suburb is characterised by dwellings which vary in architectural style but appears to be circa late 20th Century or early 2000's in age. All dwellings have ground floor levels above the road and in many cases include first floor terraces that appear to be associated with internal living areas.

The east side of Lyndhurst Way includes a wide, open drainage swale characterised by turf and ornamental gardens and access to a walkway along its eastern-most edge. We observed that part of the space includes a large domestic umbrella indicating that the immediate local community use this space for outdoor gatherings.

A number of individual dwellings that are directly accessed from Forest Way including Numbers 181 to 171 are characterised by large lot residential development where built form occupies only a small amount of the site, the majority of which is open space or vegetated. These lots adjoin two large lots at 954 and 955 Forest Way which adjoin the subject site. Dwellings are typically massed in the western parts of those blocks, close to Forest Way presumably to make use of the flatter topography and to take advantage of easterly views.

Further south a ridgeline and residential enclave projects to the east where dwellings located along Childs Circuit and Harstarf Close are orientated to the north-east and north. The suburb is elevated in relation to the site and the roads within it are curvilinear in design and roads in this suburb are curvilinear and elevated in relation to the site and include a variety of lots sizes where the smaller lots occupy the western part of the suburb and larger but typical lots sizes occupy the east.

Morgan Road intersects with Forest Way north-west of the site and follows a circuitous route falling in elevation along its course to the east and south. The road corridor itself is lined along either side for the majority of its length, by dense native vegetation or regenerating bush some of which appears to be located within the road reserve. Due to the screening effects of the roadside vegetation views into the site from Morgan Road are relatively isolated and limited. The southern section of Morgan Road dissects the site so that approximately one third of the site's area sits above and north of the road level.

Several large lots including isolated dwellings are located north and north-east of the site along Morgan Road including Nos 9, 11, 17, 20, 24 and 35 and others at 168 and 169 Hiversum Crescent which are slightly elevated in relation to it. These lots are partially cleared to make way for large dwellings and outbuildings in some cases for example at 168 Hilversum Crescent are completely cleared of vegetation to allow for equine facilities such as yards, stables and a covered dressage arena. The majority of the built form of dwellings and facilities are not highly visible from the Morgan Road due to the screening effects of vegetation within the road reserve.

4.0 VISUAL ANALYSIS

4.1 EXTERNAL VISIBILITY

External views to and into the site are limited to the closest roads and dwellings. Public views will be available from parts of Morgan Road where it navigates the site including from key view places as shown on the Visual Catchment **Map 5**.

Views into the site are mostly available from the elevated west edge of the site near Lyndhurst Way, the elevated slopes at the west end of Morgan Road and in axial views towards the site along Morgan Road.

4.2 VISUAL CATCHMENT

4.2.1 PUBLIC DOMAIN

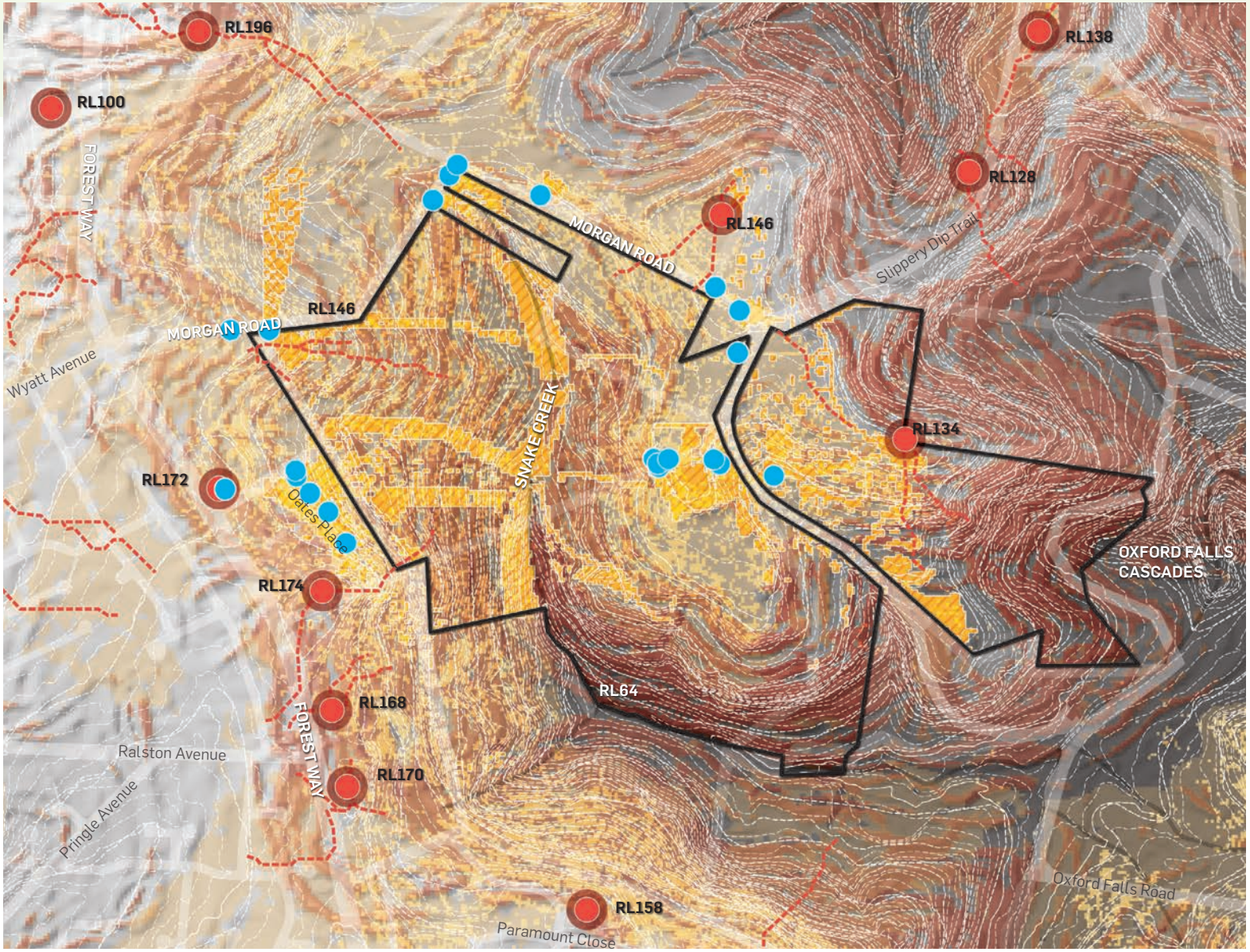
Visual catchment is a term that refers to the likely extent of visibility of all or part of the subject site. **Map 5** shows the indicative boundary of the potential visual catchment of the site and notable visible ridgelines, contours and neighbouring residential streets. The potential visual catchment indicates the likely extent of external visibility of the subject site and subsequently of parts of the proposed development. Public domain views are those that are available from publicly accessible locations such as roads and reserves and in terms of strategic planning and principles established in the Land and Environment Court of New South Wales are considered to be of more importance compared to private domain views.

Public domain views do not appear to be available from any other parks and reserves within the immediate visual context with the exception of the road reserve linear corridor associated with Lyndhurst Way. Urbis has not identified any open spaces or elevated viewing areas within Garigal National Park or in Oxford Falls Regional Crown Reserve that is likely to be exposed to views of the proposed development.

The majority of public domain views are available from Morgan Road, Lyndhurst Way, Childe Crescent and Perentie Road. Axial views to the north-east along Oates Place, Caleyi Way and Ocean View Way are available via the road corridor.

The potential public domain visual catchment is relatively small and limited given the proximity of surrounding roads, the subject site's topography and relative heights of the surrounding landscape. Slope analysis and ridgeline identification including local high points shown on **Map 5** confirms our fieldwork observations:

- The highest local knolls and ridgelines closest to the site which will provide potential views into parts of the site are located at Oates Place and Lyndhurst Way.
- Higher viewing locations are more remote from the site to the north and west broadly located along the Forest Way ridgeline for example at RL 200 and RL 174. Therefore there is limited or no direct visual access to the site due to the blocking effects of intervening built form and vegetation located along the east side of Forest Way.
- Some view access is likely from residential areas south of the site near Paramount Close and Perentie Road at RL 158.
- **Map 5** confirms that topography falls in elevation as Morgan Road follows the north boundary and central course through the site. Local high points north-east and east of the site for example RL 146 and RL 134 are unlikely to provide direct views into the site especially considering existing vegetation cover.



LEGEND

- Site Boundary
- Visually Prominent Ridgelines and Highpoints (>120)
- High Points
- View Places
- Slope 15% and above

View Shed Analysis

- Visible Area based on elevation
- Visible Area based on Elevation and Existing Tree Canopy
- Additional Visible based on Structure Plan's potential vegetation clearing

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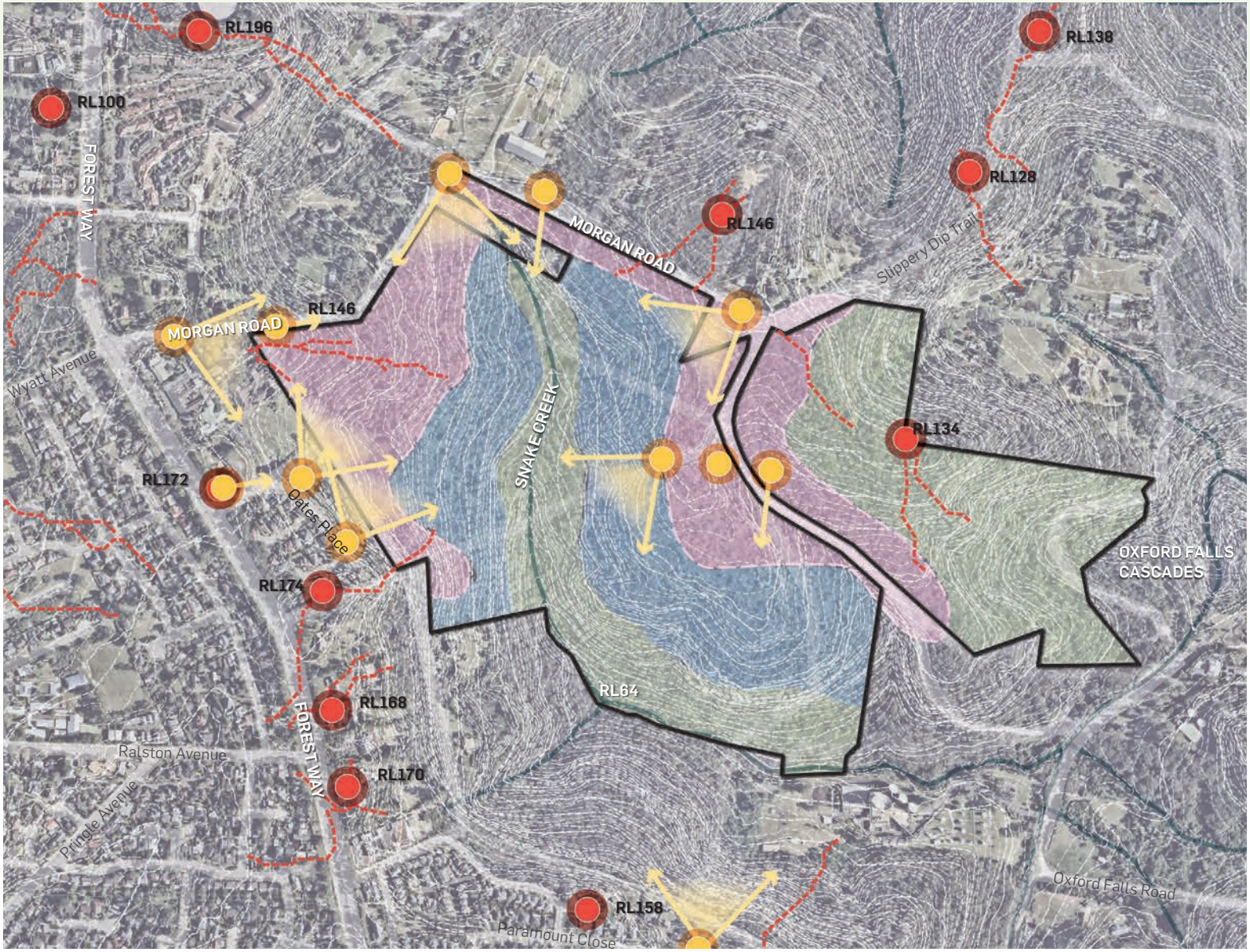
Map 5 Analysis of Potential Visual Catchment



LEGEND

- Site Boundary
- Visually Prominent Ridgelines and Highpoints (>120)
- High Points
- View Places
- Key View Points
- Key Vistas
- Low External Visibility
- Medium External Visibility
- High External Visibility

Map 6 Potential Visual Catchment

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DOCUMENTED VIEWS WITHIN VISUAL CATCHMENT

Map 7 View Location Map

LEGEND

- Site Boundary
- All View Places
- Documented Views
- Main View Direction
- View Directions

View 1A. Axial view east along Morgan Road from Forest Way

View 1B. Detail of adjoining development Uniting Church Belrose

View 2A. View west wide angle all residential development

View 2B. Key vista from rock shelf detail of Uniting Church

View 2C. Detail view west Oates Place from rock shelf

View 2D. Detail south west from rock shelf 181 to 175 Forest Way

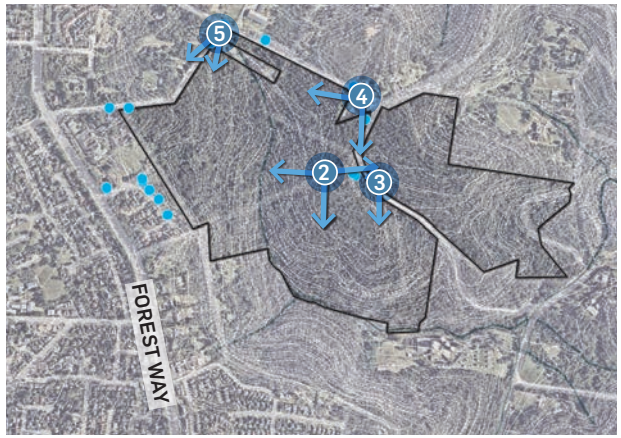
View 2E. Detail SSW from rock shelf Childs Circuit

View 2F. Detail Horstaf Way and Childs Circuit from rock shelf

View 2G. Detail South Horstarf Way

View 2H. View south from rock shelf

DOCUMENTED VIEWS WITHIN VISUAL CATCHMENT



Map 8 View Location Map

LEGEND

- Site Boundary
- All View Places
- Documented Views
- Main View Direction
- View Directions

View 2I. View south-east from rock shelf

View 2J. Rock platform view east to Morgan Road

View 2K. Detail facing residential from Lyndhurst Way

View 3A. View south along Morgan Road from site entry near rock shelf

View 3B. View south along Morgan Road

View 4A. Morgan Road bend adjacent to 24 direct view to typical lot living

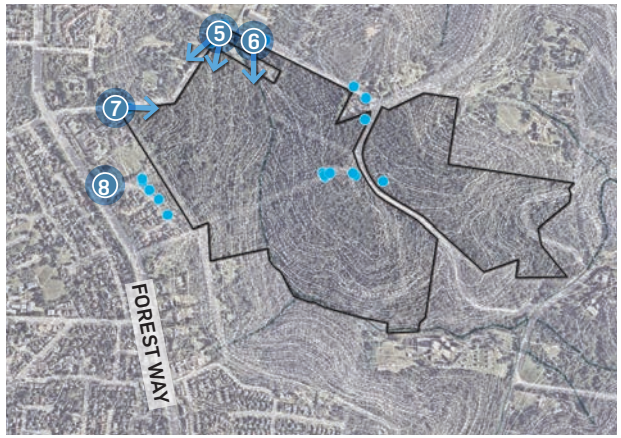
View 4B. Morgan Road view south adjacent to 24 Morgan Road

View 4C. Key vista Morgan Road view west towards Forest Way from adjacent to 20 Morgan Road

View 5A. Key vista detail of site adjacent to 20 Morgan Road

View 5B. Detail 20 Morgan Road

DOCUMENTED VIEWS WITHIN VISUAL CATCHMENT



Map 9 View Location Map

LEGEND

- Site Boundary
- All View Places
- Documented Views
- Main View Direction
- View Directions

View 5C. Key vista Morgan Road view north approaching the site entrance

View 5D. Direct view to the north edge of the site adjacent to typical residential lots

View 5E. Detail of adjacent development Morgan Road near Hilversum Crescent

View 5G. Key vista near corner Hilversum Crescent and Morgan Road to NW edge of site

View 5H. Detail of elevated lat. lot living Hilversum Crescent

View 6. Snake Creek north entry to the site

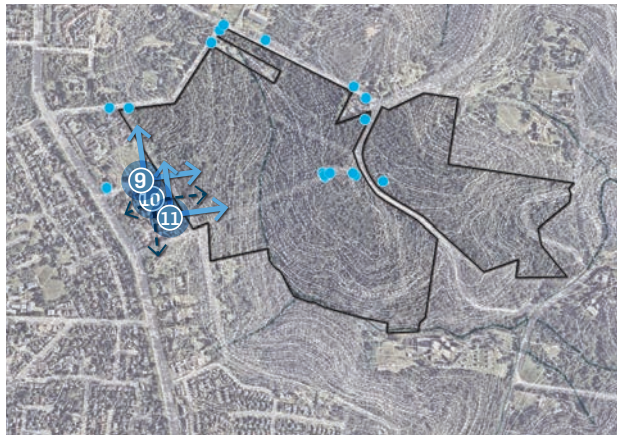
View 7A. Key vista Morgan Road adjacent to Uniting Church

View 7B. Detail of site from Uniting Church grounds

View 8A. Lyndhurst Estate entry

View 8B. East elevation Lyndhurst Place

DOCUMENTED VIEWS WITHIN VISUAL CATCHMENT



Map 10 View Location Map

LEGEND

- Site Boundary
- All View Places
- Documented Views
- Main View Direction
- View Directions

View 9A. Detail north end Lyndhurst Road

View 9B. North end of Oates Place view NNE

View 9C. North end of Oates Place view NE

View 9D. North end Oates Place view east

View 9E. Oates Place detail east to rock platform

View 10A. View west along Caleyi Way

View 10B. View east-south-east from Lyndhurst Way approximately opposite Caleyi Way

View 11. View north-east from the south end of Lyndhurst Way

4.2.2 PRIVATE DOMAIN

Private domain views refers to potential views from private dwellings. Some neighbouring dwellings in elevated locations are likely to be exposed to potential views of the site and subsequently to parts of the proposed development. Dwellings potentially most affected are those located closest to the site including on Morgan Road and Lyndhurst Way.

Potential views to parts of the proposed development from neighbouring dwellings at 9, 11, 17, 20 and 24 Morgan Road which adjoin parts the site and others at 168 and 169 Hiversum Crescent are likely to be partially or heavily screened by intervening vegetation within the road reserve.

The ground level of adjoining streets to the west is significantly elevated in relation to the site. In addition in Lyndhurst Way the dwellings are two residential storeys in height and spring from ground levels that are elevated above the street. Horizontal (primary views) to the east would cross the subject site and extend beyond it to distant landforms including to open areas of the Pacific Ocean. Easterly views are likely to be expansive and panoramic stretching in a wide arc from the north to the south. In this regard, the subject site and its lower eastern margins sit significantly below the height of views gained from both ground and first floor windows.

The subject site and aspects of the proposed development is also likely to be visible from north facing dwellings located south of the site along in Harstaf Close, Childs Circuit and Laurie Place. Dwellings located along the north side of Laurie Place and Harstaf Close are set below road level and along the edge of relatively steep terrain with likely view access that is elevated above the subject site. They adjoin a heavily treed area of land south of the subject site. Childs Circuit includes dwellings along only its southern side so that the road carriageway which traces the edge of steeply sloping land provides further physical and visual separation from the site. Land below Childs Circuit appears to be included in lot 955 Morgan Road is not part of the subject site.

Notwithstanding that many dwellings to the west and south of the subject site may be exposed to some visual effects as a result of the subsequent subdivision, view loss (the blocking of views) is anticipated to be negligible.

4.2.3 IDENTIFICATION OF KEY VIEWS

Following fieldwork observations Urbis have selected key view locations and situations which we deem to be either sensitive private or public domain viewing locations from which sustained views to parts of the site will be available. These locations are places from which large areas of the site may be visible including areas where vegetation will be removed or disturbed.

The majority of views from Morgan Road would be available from moving, viewing situations and for short periods of time.

4.2.4 SUMMARY VIEWS ACCESS

- The subject site has a small and localised public domain visual catchment given the surrounding topography and slopes which limit external views from north of Morgan Road and west of Forest Way.
- The most affected public domain views will be from Morgan Road as its traverses the site's boundaries and from the Lyndhurst Way.
- Some axial views from high points in Caleyi Road and Ocean View Way are available towards the upper east side of the site.
- The majority of views from Morgan Road into the site will be available for short sections of the road dependent on the retention of vegetation within the road reserve and along the site boundary.
- Some northerly views towards the site will be available from dwellings in Harstaf Close and Childs Circuit.

4.3 VISUAL EFFECTS ON VIEWS

The draft structure plan will create significant visual change in some views from within the visual catchment.

4.3.1 LIKELY VISUAL EFFECTS ON PUBLIC DOMAIN VIEWS

The visual effects of potential development with respect to siting and visibility was assessed from the key view places from which they are reasonably capable of being viewed (their visual catchment). Subsequent to the approval of the application and the construction of a residential subdivision the closest and potentially most affected views will be affected as follows:

- The visual character of the Morgan Road streetscape will change with the removal of road reserve vegetation for both construction of infrastructure and new road intersections.
- Views from Lyndhurst Way and adjoining cul-de-sacs will be exposed to views of individual residential roof forms interspersed across parts of the site and road corridors within the subdivision or cleared vegetation corridors above new carriageways.
- Some built forms and roofs depending on the location, siting and massing of neighbourhood services and amenities open areas.
- The visual character of the Morgan Road streetscape will change depending on the treatment of access road intersections and extent of road reserve tree removal immediately adjacent to the site and retention of vegetation inside and along the boundary of the site.

4.3.2 LIKELY VISUAL EFFECTS ON PRIVATE VIEWS

Dwellings were inspected from publicly accessible places from adjacent roads to assess the spatial and elevational arrangement and the orientation of dwellings to the subject site. The assessment of likely views access is based on a desktop review, assessment of baseline mapping, the topographical survey and fieldwork observations.

Detailed view sharing analysis may be required at a later stage but in our opinion view loss when considered in 'view sharing terms' if assessed against relevant Land and Environment Court of New South Wales planning principles would be likely to find that view sharing outcomes would be reasonable and acceptable.

5.0 PLANNING CONTEXT OVERVIEW

OVERVIEW OF RELEVANT PLANNING OBJECTIVES

This section of the report briefly discusses key themes and objectives that are relevant to views across the Northern Beaches LGA. This report does not seek to address objectives and policies in detail but has had regard to the over-arching priorities and objectives.

5.1 GREATER SYDNEY COMMISSION

THE NORTH DISTRICT PLAN

The North District Plan was released by the Greater Sydney Commission (GSC) in March 2018. The North District Plan sets out planning priorities and actions for the District which align with the liveability, productivity and sustainability framework of the overarching Greater Sydney Regional Plan (GSRP). The following priorities and actions are relevant to scenic landscape management of the proposed Patyegarang Project:

Planning Priority N17

'Protecting and enhancing scenic and cultural landscapes', promotes the preservation of Aboriginal cultural heritage by protecting scenic and cultural landscapes .Particular parts and topographical features of the Northern District are identified for example views to and from the Harbour, beaches, bays and rock outcrops and views to notable vegetated escarpments for example at West Head.

Protected Natural Areas provide scenic views from beaches and the coastline, including locations such as Palm Beach and Whale Beach. Bushland areas, shaped by ridgelines and valleys, are also important landscapes in the District, such as Ku-ring-gai National Park. Notwithstanding that the subject site is privately owned and is not identified as a protected Natural Area or as a Metropolitan Rural Area (MRA) its undulating topography, open undeveloped nature, extensive vegetation do contribute significantly to local views particularly from elevated location from the west to the Pacific Ocean.

Actions 67 and 68 of the North District Plan support Planning Priority N17

67. Identify and protect scenic and cultural landscapes.

68. Enhance and protect views of scenic and cultural landscapes from the public realm.

URBIS COMMENT

In visual terms the MLALC proposal leaves large parts of the site untouched and therefore protects the visual character and scenic quality of those areas by retaining areas of natural topography, vegetation and habitat. The dispersed and low scale nature of the proposed development protects the large rock platform and associated archaeological site of indigenous significance and will not affect long distance scenic views across the site to the Pacific Ocean.

The proposal will allow for:

- Protection from further degradation and preservation the Aboriginal Rock Carvings and Paintings;
- Protection and preservation the mature trees and large areas of native vegetation and habitat on the site;
- Preservation of the many rock-shelves.

5.2 NORTHERN BEACHES COUNCIL DOCUMENTS

URBIS COMMENT

The WLEP and WDCP includes policies and guidelines that are relevant to visual effects and views, compliance with which would be assessed at a more fine-grained level subsequent to the approval of this planning proposal. Notwithstanding some guidelines are addressed here for completeness.

WARRINGAH LEP 2000

Locality B2 Oxford Falls Valley

Desired Future Character

The present character of the Oxford Falls Valley locality will remain unchanged except in circumstances specifically addressed as follows:

- Future development will be limited to new detached style housing conforming with the housing density standards set out below and low intensity, low impact uses. There will be no new development on ridgetops or in places that will disrupt the skyline when viewed from Narrabeen Lagoon and the Wakehurst Parkway.
- The natural landscape including landforms and vegetation will be protected and, where possible, enhanced. Buildings will be located and grouped in areas that will minimise disturbance of vegetation and landforms whether as a result of the buildings themselves or the associated works including access roads and services. Buildings which are designed to blend with the colours and textures of the natural landscape will be strongly encouraged.
- A dense bushland buffer will be retained or established along Forest Way and Wakehurst Parkway. Fencing is not to detract from the landscaped vista of the streetscape.
- Development in the locality will not create siltation or pollution of Narrabeen Lagoon and its catchment and will ensure that ecological values of natural watercourses are maintained.

URBIS COMMENT

In visual terms subsequent to further evolution of the draft structure plan the proposed development will be able to satisfy objectives in relation to desired future character.

The draft structure plan allows for various densities of development on the site where large lot residential development is concentrated in steeper more constrained parts of the site, allowing for more vegetation to be retained on those lots.

Large areas of natural landscape including landforms and vegetation will be protected and neighbourhood services buildings and residential dwellings will be located and grouped in areas that will minimise disturbance of vegetation, landforms and distinctive visual features such as roads outcrops.

The further design development of roads including intersections with Morgan Road, the treatment and retention road reserve vegetation and retention of large tracts of existing vegetation will assist in creating visual buffers, screening and retention of the Morgan Road streetscape character.

6.0 VISUAL IMPACTS ANALYSIS

6.1 RESPONSE OF THE STRUCTURE PLAN TO THE SCENIC RESOURCES

The Structure Plan has been designed to respond to various critical factors including the physical and environmental constraints of the site. This description relates only to an analysis of the response of the Structure Plan to the visual resources of the site.

- Typical lot sizes are generally located closest to the site boundaries along the western, northern and eastern boundaries of the site. These locations adjoin existing residential development or community buildings and on some areas where vegetation is more sparse or disturbed for example in the north-west part of the site near the Uniting Care facility.
- One exception to this is a linear area which flanks the east side of the Snake Creek Riparian corridor. Typical lots in this vicinity are located within a zone of low external visibility and are adjacent to vegetation retained in association with Snake Creek. Therefore in potential views from the west the visibility of building envelopes would be reduced.
- Typical lots proposed east of Morgan Road are located on accessible areas and across less densely vegetated spaces.
- Large lot development is located in parts of the site which are more constrained by steep slopes. We anticipate that dwellings on large lots will occupy only a small part of the area leaving more constrained parts, largely vegetated.
- Two areas of large lot development are proposed below Lyndurst Way at lower elevation relative to it and will occupy areas identified as being of low or medium external visibility.
- These areas are sited either side of green fingers of vegetation association with riparian corridors. In this regard the location of these large lots responds appropriately to the underlying topography and as such results in the retention of visually significant bands of vegetation. This vegetation will provide useful screening effects in relation to public or private domain views.
- The remaining large lot zone is on sloping land which curves around and below the central rock platform. Given its sloping elevation it is unlikely that building envelopes will block any potential views towards this important feature.
- Neighbourhood services and amenities are proposed in a physically accessible area and on level parts of the site. Sensitive massing and siting of built forms in these locations should be employed so that where possible the height and bulk proposed is carefully screened in easterly views by retained vegetation.
- The Structure Plan set asides large eastern and southern sections of the site that adjoin undeveloped vegetated neighbouring areas. The visual character of these parts of the site will be unaffected by the proposed development plan is and highly compatible with the surrounding visual character of adjoining land.

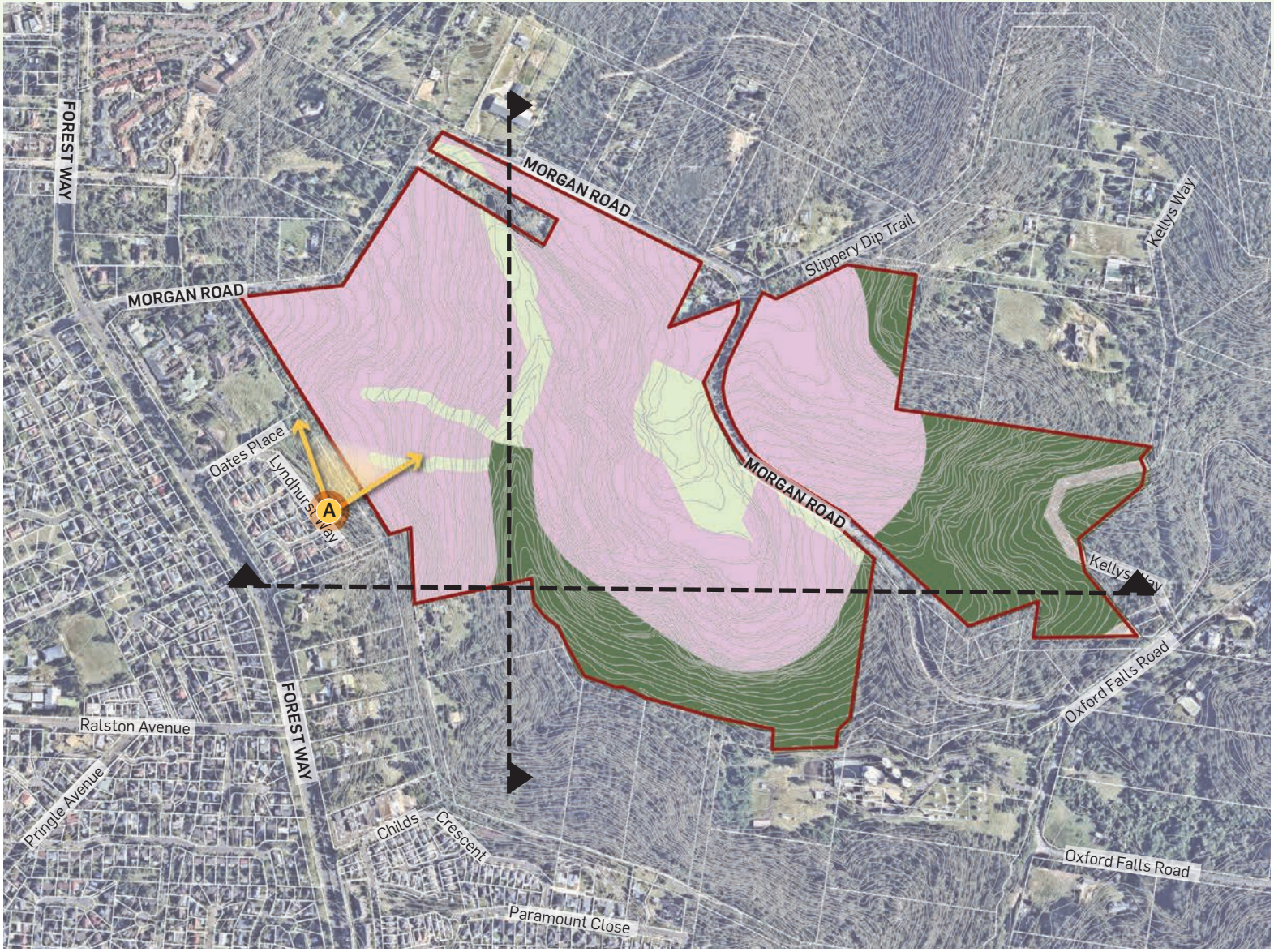
SUMMARY

The draft Structure Plan responds to visual features of the site and to visual constraints in relation to external visibility. The locations and density of areas proposed for residential development maintains view access to riparian corridor vegetation, visually significant stands of tree canopy and green fingers of vegetation along other ephemeral water courses and visually significant rock platforms.

In our opinion the location of typical residential lots adjacent to the Morgan Road boundary will block or reduce further views access into the site in a way that partially mitigates the visual effects of the proposed development on direct views from the road.

The draft Structure Plan retains significant amounts of the subject site in its existing natural state which therefore protects the existing visual character of those areas.

Subject to appropriate development controls to augment the performance standards in the land uses proposed, the Structure Plan allows the existing visual character of large parts of the site to remain unaffected.



LEGEND

- Site Boundary
- Key Documented View
- View Direction
- Cross-Section

Map 11 Patyegarang Project Structure Plan

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SECTION 01

NORTH-SOUTH CROSS SECTION, VIEW TOWARDS THE EAST

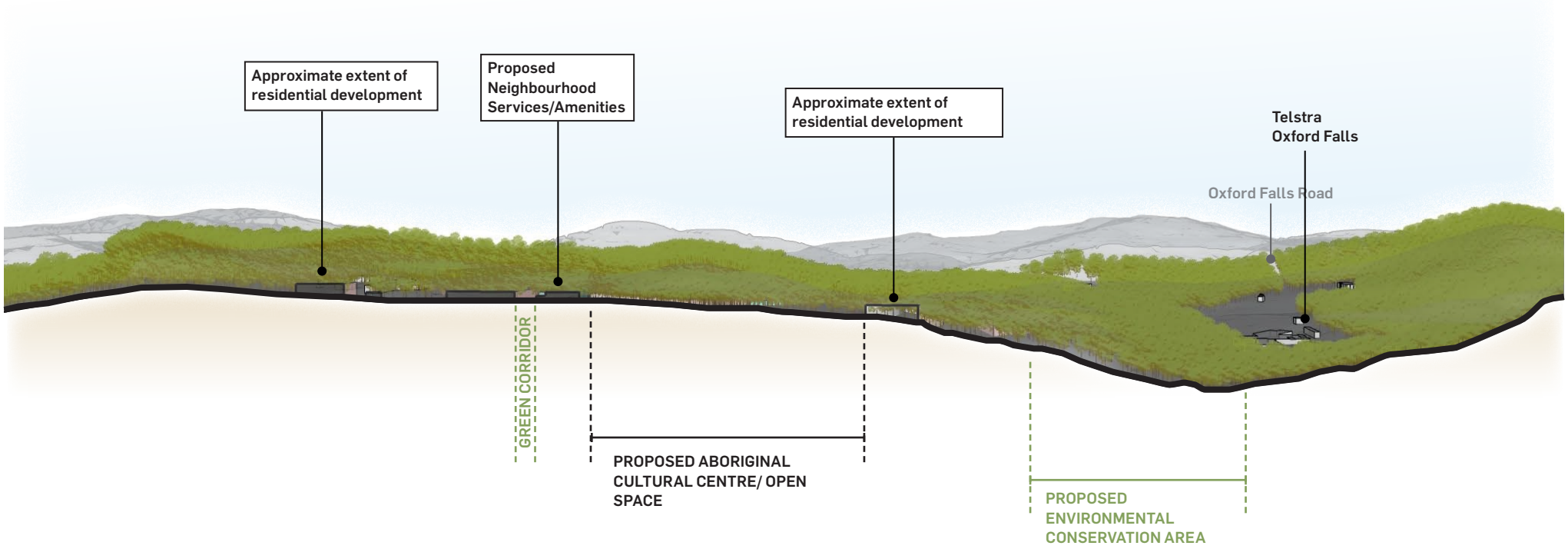
LEGEND

- Site Boundary
- Key Documented View
- View Direction
- Cross-Section

Map 12 Location Map

Note:

The indicated envelope of the Structure Plan represents the proposed ***superblock*** *at a maximum permissible height of 9.5m, based on current LEP. It does not portray detailed development controls e.g. setback, minimum landscaped area.*



Map 13 North-South Cross-Section, View towards the East

SECTION 02

NORTH EAST-SOUTH WEST CROSS SECTION, VIEW TOWARDS THE NORTH

LEGEND

- Site Boundary
- Key Documented View
- View Direction
- Cross-Section

Map 14 Location Map

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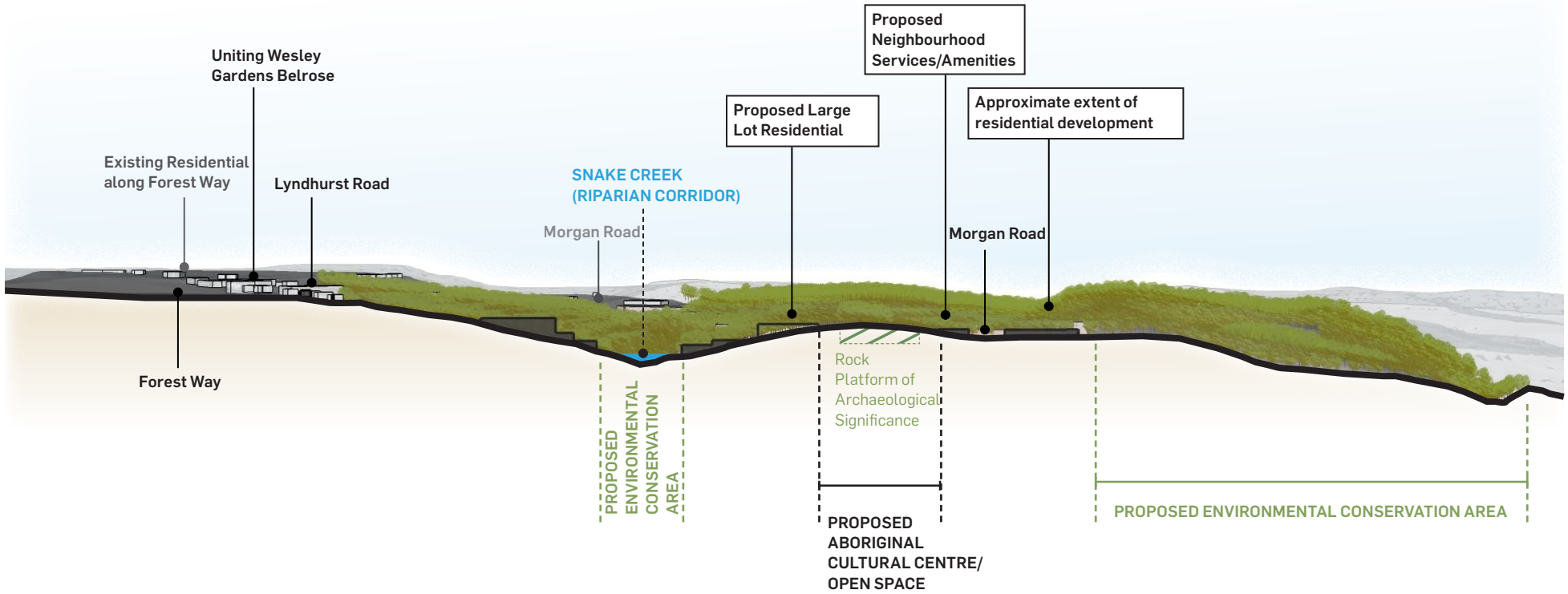
0 200 400 600 800

Note:

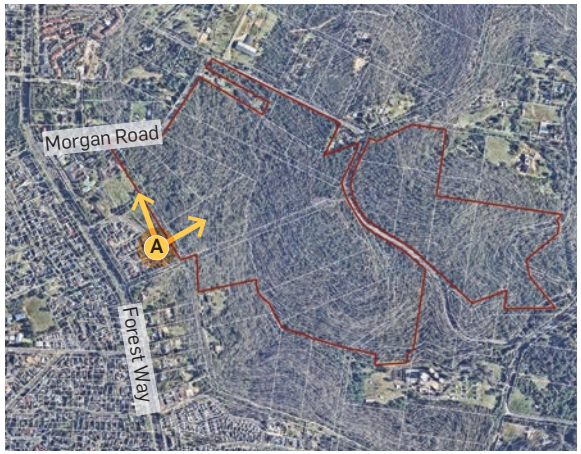
*The indicated envelope of the Structure Plan represents the proposed **superblock** at a maximum permissible height of 9.5m, based on current LEP. It does not portray detailed development controls e.g. setback, minimum landscaped area.*



Map 15 East-west Cross Section

VIEW A

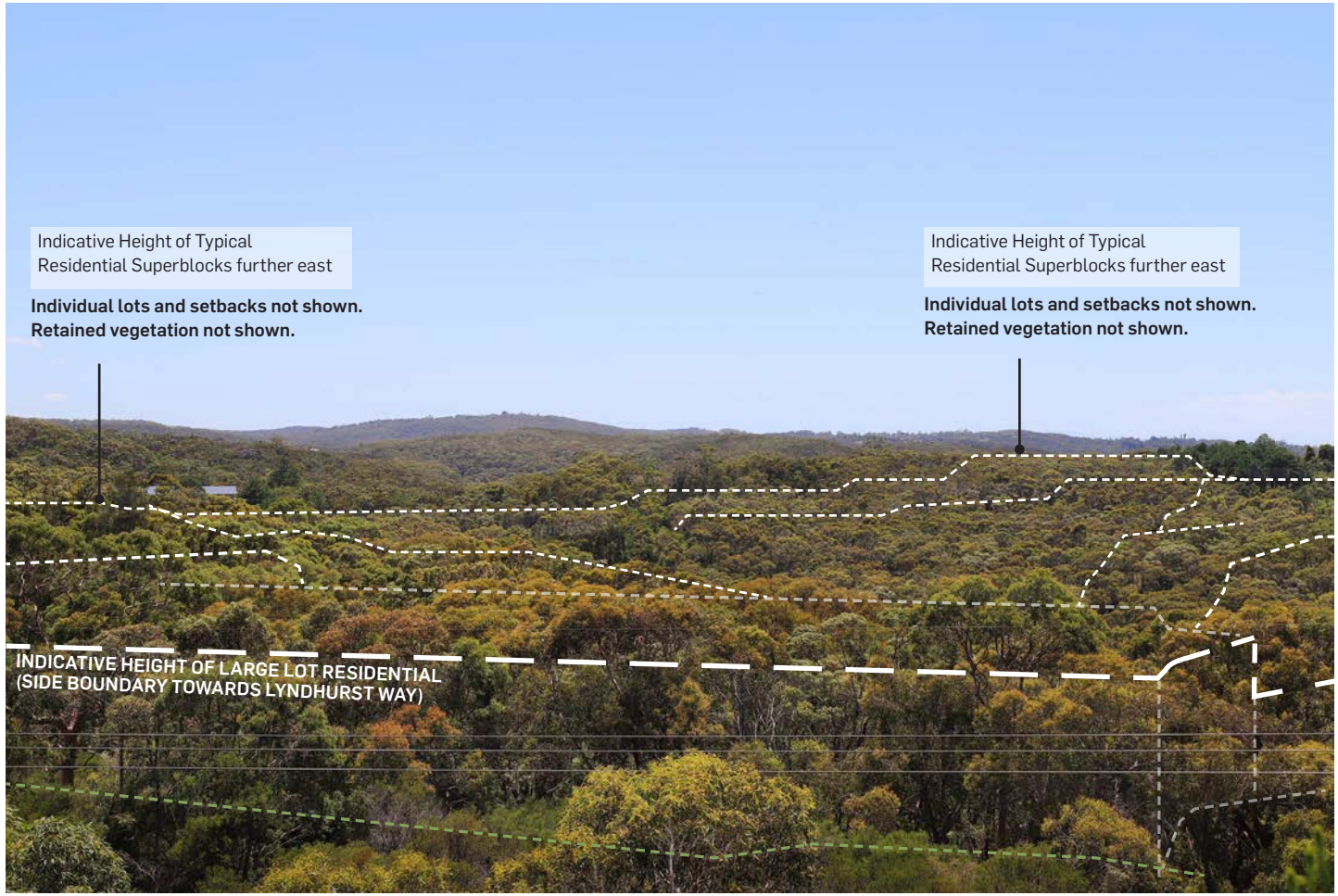
VIEW NORTH-EAST FROM THE SOUTH END OF LYNDHURST WAY



Map 17 Existing View: North-easterly view from Lyndhurst Way

Note:

*The indicated envelope of the Structure Plan represents the proposed **superblock** at a maximum permissible height of 9.5m, based on current LEP. It does not portray detailed development controls e.g. setback, minimum landscaped area.*



Map 18 Proposed View based on indicative permissible building envelopes, visibility will depend on the retention of vegetation cover

6.2 VISUAL IMPACT MITIGATION

We recommend the consideration of a number of strategies which have the potential to limit and mitigate permanent negative visual effects following the approval of the proposed development.

1. Land use controls will need to regulate building height to preserve the predominant existing visual character.
2. The siting, massing, bulk and scale of built forms proposed should respond to and maximise the natural screening effects of retained vegetation in relation to key views.
3. Amendments to the Structure Plan should consider including a green buffer edge to retain boundary vegetation along the majority of Morgan Road.
4. Restrict the number of road intersections with Morgan Road and ensure that as much vegetation as is possible within the road reserve at intersections is retained and enhanced, subject to road and fire technical inputs.
5. Locate intensive development (typical in areas of low visibility and lower elevation so that the majority of views to scenic features to the east are not significantly affected.
6. Visually significant stands of vegetation including individual canopy trees and groups of trees along the west side of Snake Creek should be retained and protected within large lots.
7. Internal road widths should be the minimum possible given other technical constraints and nuanced in relation to protection of individual significant canopy trees or groups of trees.
8. Building heights and locations will be responsive to existing natural character such as vegetation height and vegetation's capacity to screen or soften views of the proposed development.
9. As natural vegetation heights in woodland and forest vegetation which dominates views is significantly greater than the heights proposed for residences in the Structure Plan at a maximum of 9.5m (assumed based on the standard instrument) a capability principle adopted that no buildings in residential areas will exceed the predominant vegetation canopy height is reasonable.
10. Development consistent with a proposed land use category will generally be acceptable if it has a low impacts on its overall visual catchment, provided that it does not have significant impacts on individual viewing places or adjacent areas of scenic natural or heritage significance.
11. Areas where built forms can be situated on existing cleared land not requiring significant landform modifications or removal of significant indigenous native vegetation have higher capability to support higher density residential or community facility uses.
12. Planting based visual impact mitigation is shown on **Map 19.**

The plan shows the significant proposed planting across the site which will provide some visual mitigation.

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0 100 200 300 400

Map 19 Visual Impact Mitigation Strategies for the Patyegarang Project Illustrative Master Plan

(Source: COX Architecture, dated 14 September 2022)

6.3 IMPACT CONSIDERATIONS

We have determined the visual impacts of the Structure Plan on the existing visual character and scenic quality of the site based on the methodology followed as outlined in section 1.4. Following the methodology we have compared the likely visual effects of the proposed development (subsequent approval and development of a residential subdivision) on the baseline visual characteristics described and mapped in sections 2 and 3 and by analysing the response of the Structure Plan to the natural and visual features of the site and potential visual impacts mitigation strategies.

The final question to be answered after the mitigation factors are assessed, is whether there are any residual visual impacts and whether they are acceptable in the circumstances. These residual impacts are predominantly related to the extent of permanent visual change to the immediate setting.

In terms of the urban component of the development, residual impacts relate to individuals' preferences for the nature and extent of change which cannot be mitigated by means such as colours, materials and the articulation of building surfaces. These personal preferences are to or resilience towards change to the existing arrangement of views. Individuals or groups may express strong preferences for either the existing, approved or proposed form of urban development.

Our method considers the weighting of important relevant factors such as compatibility with the sites surrounding visual context and character, the sensitivity of views and the visual absorption capacity of the site to support such development. The final level of visual impact also considers the effects of visual mitigation strategies in relation to protecting access to views, screening of development and maintaining existing streetscape character.

6.3.1 VISUAL COMPATIBILITY

The following definitions have been developed by Richard Lamb and Associates (RLA).

Visual Compatibility is not a measure of whether the proposal can be seen or distinguished from its surroundings. The relevant parameters for visual compatibility are whether the proposal can be constructed and utilised without the intrinsic scenic character of the locality being unacceptably changed. It assumes that there is a moderate to high visibility of the project to some viewing places. It further assumes that novel elements which presently do not exist in the immediate context can be perceived as visually compatible with that context provided that they do not result in the loss of or excessive modification of the visual character of the locality.

A comparative analysis of the compatibility of similar items to the proposal with other locations in the area which have similar visual character and scenic quality or likely changed future character can give a guide to the likely future compatibility of the proposal in its setting.

URBIS COMMENT

The nature and type of development proposed for parts of the site are compatible with the visual character of the subject site and surrounding visual context.

Geographically nearly one third of the site will be left in its current state with no changes made to its visual character.

The visual character and access to visually significant features across other parts of the site will be retained for example continuous tree canopy and vegetation will be retained along all riparian corridors and dense mature tree canopy which follows the western side of Snake Creek will located partly within large lots in parts of the site which are unlikely to be developable.

The highest densities of residential development proposed are adjacent to Morgan Road and set below Lyndhurst Way, visually compatible in both cases with adjacent residential development or large community facilities.

The proposed development is not dissimilar in scale and form to similar residential developments within the immediate visual context including the Lyndhurst Way enclave and Glenaeon Retirement Village.

6.3.2 PHYSICAL ABSORPTION CAPACITY

The following definitions have been developed by Richard Lamb and Associates (RLA).

Physical Absorption Capacity (PAC) *means the extent to which the existing visual environment can reduce or eliminate the perception of the visibility of the proposed redevelopment.*

PAC includes the ability of existing elements of the landscape to physically hide, screen or disguise the proposal. It also includes the extent to which the colours, material and finishes of buildings and in the case of boats and buildings, the scale and character of these allows them to blend with or reduce contrast with others of the same or closely similar kinds to the extent that they cannot easily be distinguished as new features of the environment.

*• **Prominence** is also an attribute with relevance to PAC. High PAC can only occur where there is low to moderate prominence of the proposal in the scene.*

*• **Moderate:** The proposal is either evident or identifiable in the scene, but is less prominent, makes a smaller contribution to the overall scene, or does not contrast substantially with other elements or is a substantial element, but is equivalent in prominence to other elements and landscape alterations in the scene.*

*• **Low:** The proposal has either no visual effect on the landscape or the proposal is evident but is subordinate to other elements in the scene by virtue of its small scale, screening by intervening elements, difficulty of being identified or compatibility with existing elements.*

URBIS COMMENT

In our opinion the subject site has a medium-high capacity to physically absorb the development proposed in the Structure Plan. This is based on our understanding of likely permissible heights and setbacks of development proposed and preliminary visualisations included in this report.

In the most affected elevated views from Lyndhurst Way, retention of open spaces, green corridors and vegetation buffer zones combined with environmental conservation areas will provide significant screening affects in relation to built forms and internal road corridors.

The PAC may vary, depending on topography and retention of vegetation in some views.

6.3.3 VIEW PLACE SENSITIVITY

This factor relates to the likely level of public interest in a view of the proposed development. The level of public interest includes assumptions made about its exposure in terms of distance and number of potential viewers. For example, close and middle distance views from public places such as surrounding roads and intersections that are subject to large numbers of viewers, would be considered as being sensitive view places. However the level of sensitivity depends on the nature of the view and whether it is gained from either a moving viewing situation and the duration of exposure to the view for example for short periods of time or for sustained periods. In our opinion sensitive public domain locations are constrained to parts of Morgan Road and the public space in Lyndhurst Way.

We rate the sensitivity of views access from Morgan Road as medium and the public space near Lyndhurst Way as low-medium (based on likely user numbers).

NB 'Viewer' sensitivity is a judgement as to the likely level of private interest in the views that include the proposed development and the potential for private domain viewers to perceive the visual effects. The spatial relationship (distance), the length of exposure and the viewing place within a dwelling are factors which affect the overall rating as to the sensitivity to visual effects.

A detailed analysis of viewer sensitivity has not been undertaken at this time.

7.0 CONCLUSION

The subject site has a small and constrained potential visual catchment due to its location, the surrounding topography and limited number of potential viewers likely to be exposed to views.

The subject site is predominantly characterised by undulating topography and vegetated slopes punctuated with some visually significant features such as stands of mature trees and rock platforms or outcrops. External views to the ephemeral Snake Creek riparian corridor are limited.

The site includes scenic resources and overall is rated as being of high scenic quality.

Views access into the site is limited to the closest neighbouring streets and some residential dwellings. Those potentially most affected are located in Lyndhurst Way and in Morgan Road where they adjoin the subject site.

Private views are unlikley to be significantly affected by potential view loss, subsequent to the approval of the planning proposal.

There are a limited number of close public and private domain view places considered to be of high sensitivity.

Some key view places have been identified which may require a further level of analysis subsequent the progression of the planning process.

The Structure Plan appears to respond adequately to the natural and visual scenic resources of the site but will create visual effects in some views, particularly those from elevated locations.

The primary visual effects will be in relation to vegetation removal for road corridors and for Asset Protection Zones.

The Structure Plan may benefit from further nuanced amendments designed to protect scenic resources such as widening retained vegetation buffer zones adjacent to the Morgan Road streetscape, altering road alignments to preserve visually significant stands of vegetation and widening the buffer zone along the west side of Snake Creek to include individual mature canopy trees which may fall within large residential lots.

Parts of the proposed development are considered to be visually compatible with parts of the site and the existing uses and development immediately surrounding the site.

The subject site is considered to have high PAC in relation to absorbing the infrastructure and built forms proposed provided that visual impact mitigation strategies are developed and incorporated in the Structure Plan to limit visual impacts on the character of the site and locality.

Such measures and the siting of residential envelopes particularly on large lots may require the preparation of site specific design controls to be applied during the development application process.