

# **VISUAL IMPACT ASSESSMENT REPORT**

## **‘ABBOTSFORD’ PROPERTY, FAIRLEYS ROAD & ABBOTSFORD ROAD, PICTON PLANNING PROPOSAL**

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## **ACCOMPANYING REPORTS**

**Agricultural Land Capability Study** – Harvest Scientific Services Pty Ltd, 27 February 2013

**Curtilage Study** – NBRS + Partners, June 2013

**Flood Assessment Report** – Floodmit Pty Ltd, February 2013

**Biodiversity Study** – ACS Environmental Pty Ltd, June 2013

**Bushfire Risk Assessment** – ACS Environmental Pty Ltd, June 2013

**Geotechnical Study** – Harvest Scientific Services Pty Ltd, 23 January 2013

**Aboriginal Cultural Heritage Assessment** – Tharawal Local Aboriginal Land Council,

**Onsite Wastewater Feasibility and Water Quality Study** – Harvest Scientific Services Pty Ltd, 14 February 2013

**Contaminated Land Study** – Harvest Scientific Services Pty Ltd, 18 June 2013

**Site Specific Urban Salinity Study** – Harvest Scientific Services Pty Ltd, 8 March 2013

**Potential Impacts of Mine Subsidence** – MSEC, 1 May 2013

**Traffic & Transport Study** – Thompson Stanbury Associates, July 2013

**Wollondilly Transportation Model Traffic Impact** – Gabites Porter, October 2012

**Socio-Economic Assessment Report** – Mike George Planning Pty Ltd, July 2013

**State & Local Infrastructure Assessment Report** – Mike George Planning Pty Ltd June 2013

**State & Local Context Report** – Mike George Planning Pty Ltd, June 2013

**Cumulative Impact Assessment Report** – Mike George Planning Pty Ltd, November 2013

## 1.0 EXECUTIVE SUMMARY

This report forms part of a suite of studies required to support a Planning Proposal to rezone part of Lot 1, DP 1086066 situated adjacent to the intersection of Fairleys Road and Abbotsford Road, Picton, to enable up to 40 rural residential allotments. The planning proposal also involves rezoning a section of the site that is proposed to be dedicated to Council, to RE1 Public Recreation.

The site also contains the “Abbotsford Group” of buildings, which is included on the State Heritage Register. It is intended that a Conservation Management Plan be prepared for this group, and that adaptive re-use options be explored. This outcome is not contingent on the Planning Proposal, although a study has been undertaken to determine a suitable curtilage, and accompanies the Planning Proposal.

The site study area comprises approximately 66.56 ha of land currently zoned RU2 Rural Landscape, and subject to a minimum lot size of 40 ha. (Wollondilly LEP 2011 – the “LEP”). The LEP contains a series of provisions which require the consent authority to be satisfied that essential infrastructure that is required for development is either available or subject to adequate arrangements, before development consent can be granted.

The Planning Proposal is the product of the set of site attributes, in the context of an identified latent demand for rural living opportunities. The site has limited agricultural potential, notwithstanding its history; is adjacent to Picton Township and readily accessible to town facilities, and is flanked by existing small holdings developments. It is able to be developed without impact on any agricultural use in the vicinity, or on those parts of the site with environmental values. The pattern of settlements adjoined by large lot residential/rural small holdings land use is a distinctive characteristic of the wider locality, and underpins the Council’s vision of “Rural Living”.

The Planning Proposal is required to be supported by an assessment of the potential visual impact of potential future development. There are conceptual

difficulties with this assessment given that the nature of future building development is unknown, and that future visual impact will be influenced by the nature of landscaping, and the growing period of landscaping vegetation.

The definition of the part of the overall site that is the subject of the Planning Proposal in part was based on consideration of fundamental visual impact principles. The area proposed to be developed is below and separated from, and will be visually framed by the cleared ridgeline behind. Building elements will not project above the ridgeline except from immediate viewpoints. The view to and from Picton township will be dominated by existing vegetation in the town and along the creekline between the two areas.

Further, the definition of the proposed curtilage to the heritage precinct is in part intended to provide and maintain an appropriate visual separation between potential new development and heritage items and their context.

The physical nature of the locality is featured by a highly articulated topography that has the effect of defining small contained visual catchments, which sit within broader regional visual catchments defined primarily by higher ridgelines. Man-made elements generally are not visible from any expansive area, with some notable exceptions.

The study area is not visually exposed to a wide catchment, and does not fall within any defined significant vistas. It is not exposed to any significant volume of passing traffic. The intended form of residential development is a characteristic visual element in the locality. On this basis, there are no apparent visual impact issues should impose on the rezoning process or require any non-standard statutory planning response.

The requirement for a Visual Assessment did not form part of the Gateway Determination and has been imposed by Council. Council will be the consent authority in any subsequent development applications and the controls in DCP 2011 will apply equally to the subject land. The creation of the proposed allotments will have negligible impact on the rural landscape. The size, nature and location of any

future dwellings will be assessed by Council at the development application stage. If bulk, scale, dominant location is an issue at that stage the development will need to be refined before approval.

## **2.0 STUDY BRIEF**

The study brief is set out below -

### **Output**

*A detailed report on the existing landscape and visual environment and the impact this development and other current planning proposals (see appendix) would have on the landscape, local view corridors and visual amenity of the area.*

### **Objectives**

- *To examine the visual impacts the development might have on the landscape and setting of the local area and the associated impact on the amenity of the local community and the landscape setting and rural character of Picton.*
- *Identification of areas of existing or potential views and vistas and areas which require conservation*
- *Develop strategies for managing the visual impact of the development.*
- *Provide photographic representations of the area under analysis before and after the proposed development.*

### **Tasks/Methodology**

- *Review of existing information including planning and statutory requirements*
- *Establish the scope and context of the visual assessment*
- *Conduct field observations to establish the landscape character, view corridors and visual catchment of the site and Picton as they exist at present*
- *Evaluate how the visual landscape is viewed, experienced and valued*
- *Determine the potential visual impacts of the proposed development and possible strategies for mitigating negative impacts.*

### **3.0 POTENTIAL SITE DEVELOPMENT**

#### **3.1 Planning Proposal**

The Planning proposal would create the potential for up to 40 large residential allotments on the site as well as expand the area of public open space being developed for sporting facilities, and funding improvements to Fairleys Road.

This would involve applying an R5 Large Lot Residential zone to that part of the site proposed to be developed, and an RE1 Public Recreation Zone to the land to be dedicated. The Lot Size map is proposed to be amended to provide for a minimum area of 4000m<sup>2</sup> over the land to be zoned R5. The heritage precinct curtilage supplements and refines the current heritage listing, but does not require any statutory planning amendment.

The studies carried out for this Proposal have identified parts of the overall site that might warrant consideration for inclusion in an Environment Protection zone (e.g. E2), but that is not essential at this time. That land is unaffected by the zoning change sought in the Planning Proposal.

#### **3.2 Potential Development Characteristics**

Implementation of the Planning Proposal would lead to the opportunity for an additional 40 or so allotments that represent a variation on the theme established by the existing planning controls in areas surrounding Picton and other townships. That is, dwellings on allotments which are substantially larger than suburban lots and which cater for a variety of particular market needs. Dwellings will tend to be separated from others and the locality would have a semi-rural character. That outcome is assisted by the context provided by the site topography, with the area of proposed change being below and framed by an undeveloped ridgeline, and bordering an open space precinct along the creek-line to the east.



It is intended to re-align Fairleys Road, which will have the benefit of reducing erosion risk, and to service the potential subdivision from existing and realigned roads as well as relatively short lengths of new road. The single land ownership will be conducive to the staged development of the land in accordance with the market. From a visual impact perspective, the proposal will avoid significant earthworks or substantial new roads. The visual impact of construction is likely to be spread over time.

## **4.0 POTENTIAL VISUAL IMPACT**

### **4.1 Statutory Planning Provisions**

Visual impact is typically assessed in development applications under s79C(1)(b) which encompasses the range of potential impacts of development. The current statutory planning regime in Wollondilly addresses potential impact in predominantly indirect ways. That is, neither the Act nor Council's planning controls give it any particular individual status.

Wollondilly LEP 2011 makes provision for the zoning of land of high aesthetic value as E2 Environmental Conservation. That zoning would typically be applied to land identified in studies as warranting a high level of protection, on a number of grounds, including visual impact. The plan does not identify any land in the immediate vicinity of the site in an E2 zoning. As noted above, land within the overall holding that includes the planning proposal has been identified as being suitable for an E2 zoning, but not for aesthetic/visual reasons.

The LEP otherwise does not contain any express provisions related to visual impact. The RU2 zoning proposed for the site includes an objective "to maintain the rural landscape character of the land". There is no building height restriction applying to Rural zones in the LEP.

Wollondilly DCP 2011 contains a number of relevant references in Volume 3 which deals with Residential and Tourist Uses. The general objectives in Clause 2.2 include encouraging development to "enhance the streetscape". 2.3.3 expands on this by an objective "to minimise the impact of development on the scenic qualities of the rural landscape", with controls limiting the extent of cut and fill, and requiring dwellings to "be designed to blend with the natural landscape setting through the use of appropriate materials, colours, wall articulation, building form and landscaping" and "not located in a visually prominent area or on a ridgeline if they would be visible from any public place... unless sufficient measures are applied to minimise the visual impact of the building, and there is no other reasonable

alternative.” Clause 2.3.4 provides that a dwelling “must appear no higher than 2 storeys” related to a general objective to ensure development is compatible with the character of the locality. Clause 2.3.5 provides for substantial building set-backs in Rural zones, related to an objective for buildings to be appropriate to the context and character of the street. Clause 2.3.6 promotes landscaping to reduce visual impact.

In other words, the planning regime provides a broad qualitative framework for the evaluation of visual impact, backed by basic development standards intended to ensure dwellings reasonably relate to their context.

#### **4.2 Existing Visual Character and Context.**

The land that is the subject of the planning proposal comprises gently undulating foothill slopes which have been cleared and used for grazing purposes. Farm fencing is visually prominent in this context. Remnant vegetation is sparse and has no visual prominence.

The immediate context of the Planning Proposal land is the balance of the land holding from which it is to be excised. This includes the adjoining heritage precinct, which is the subject of a separate report which defines an appropriate curtilage and visual separation. The balance of the holding comprises grazing land similar to the Planning Proposal site, with more pronounced pockets of remnant vegetation and a ridgeline feature general to the west. A combination of factors, including potential visual impact, have led to the Planning Proposal site being separated, below and not impinging on this ridgeline. Apart from the ridgeline and heritage precinct, the site has no obvious or unique visual attributes that require protection from development.

The biodiversity study accompanying the application notes that some pockets of remnant vegetation have high conservation value, but for biodiversity rather than visual reasons. Nonetheless the planning proposal does not impinge, visually or otherwise, on that vegetation.

The wider site context includes-

- Expansive areas of comparable pasture land generally to the north and west, interspersed with farm and residential buildings, of varying density, and varying degrees of remnant vegetation.
- The creek system and its associated vegetation, and cleared areas, generally to the east and physically and visually separating the site from Picton Township. The canopy of existing trees in the Township adds to the visual separation to the point where town buildings are of limited partial visibility from the site, and the site would not be visually distinguishable from the town.
- Existing large lot residential development on Abbotsford Road, between the site and Picton Township towards the south, and also to the north-west. In common with other townships in the locality, Picton is featured by large lot residential development in the area framing the urban area, to the point that it is a distinctive local landscape character element.
- A generally gently undulating landform across the site and throughout its context, apart from the floodplain of the creek. This has the effect of creating multiple small contained visual catchments. Significant view corridors beyond catchment boundaries are not characteristic, with primary distant views limited to higher ridgelines.
- The level of traffic past the site and able to view the area of future development is minor, and is unlikely to grow to the point where the viewpoint of drivers/passengers becomes of determining weight.

### **4.3 Potential Visual Impact**

#### **4.3.1 Local Visual Catchment**

The development of the land the subject of the Planning Proposal will have a significant visual impact within the local visual catchment. The current view of grassland and fences would be replaced by a cluster of dwellings on large lots, with associated roads, outbuildings, landscaping and other typical residential features.

This impact is unlikely to be adverse because-

- The visual catchment is small and the impact is limited by it. The primary catchment is essentially an amphitheatre formed by topographic features, and limited by the creek-line corridor and its vegetation to the east. There would be some more distant views from the north, primarily from a motorist's viewpoint. The view of dwellings would be framed by the surrounding ridgelines, which would remain intact as the primary natural visual feature.
- There is nothing visually uncharacteristic about such a cluster of rural dwellings in the particular context. A motorist would pass similar developments to the south and north of the site. There would be no sense of visual surprise.
- The existing view of pasture and fences is neither unique nor of high intrinsic visual quality. It is not an "iconic" view by any normal criterion.
- Apart from motorists passing the site there are minimal visual receptors in the immediate catchment. Any distant view of the site from the Picton urban area would be filtered or prevented by existing vegetation, and otherwise moderated by distance.

#### **4.3.2 Heritage Precinct**

The Curtilage Study prepared by NBRS + Partners accompanying the proposal defines a recommended curtilage to the heritage precinct, which among other aspects aims to protect the heritage buildings from visual impact associated with development that would be enabled by the planning proposal. The Study notes that the key views from the homestead building are towards Picton, and that the view towards the Planning Proposal area is secondary. The potential visual impact of future development is adequately addressed in the Curtilage Study.

#### **4.3.2 Regional Implications.**

There are no identified regionally significant views or vistas, or land of scenic value within the vicinity of the site or affected by the Planning Proposal. The Planning Proposal has been designed to avoid visual impact on the ridgeline to the immediate west. Any visual implications in terms of the relationship with the riparian corridor to the east are essentially local and as discussed above, are not unacceptable. The riparian corridor has no apparent regional significance.

The topographic circumstances of the site, as discussed above, create a relatively small and largely contained visual catchment which tends to preclude any regional perspective.

#### **4.4 Graphic Representation**

The brief for this study calls for photographic representation of visual impact before and after. This has not been undertaken for a number of reasons, and is unnecessary and excessive in the circumstances. There are conceptual difficulties including-

- There is currently no proposed physical development that is capable of being depicted. It would be possible to define boxes representing potential dwellings, but the analysis would be limited to the visual impact of the assumed boxes. Issues such as landscaping, details of building separation, building height and form, and relationship between dwellings are simply unknown at this stage, and there is no legitimate function that would be served by making assumptions.
- There is no obvious representative viewpoint from which the visual impact could be simulated. On the basis that the viewpoint needed to be a public place, it would be somewhere in the adjoining road reserve and would provide a static representation of what would otherwise be seen only by a moving observer.

Given the circumstances as discussed above, there is no apparent visual impact issue that should have a bearing on the question of an alternative zoning of the land. That is readily verified by a site inspection. A graphic depiction of a set of assumptions does not assist in a zoning determination. To the extent there are micro visual impact issues, they are appropriately addressed at the future stage of development applications for dwellings.

#### **4.5 Potential Statutory Planning Measure**

The visual impact issues raised by potential development under a changed zoning appear to be adequately addressed by the existing statutory regime, particularly Wollondilly DCP 2011. The Proposal does not raise any issues that would warrant any site specific DCP provisions relating to visual impact issues. The proposed RU2 zoning provides an objective to maintain the rural landscape character of the land, which axiomatically acknowledges that dwellings on large lots are part of the rural landscape character.

## 5.0 CONCLUSIONS

The potential future construction of up to 40 dwellings on what is currently featureless pasture land will have a visual impact. That is the inevitable consequence of changing the zoning. This visual impact is not adverse, and is not of a proportion that should influence a decision on the zoning of the land. In particular-

- The visual catchment is small.
- There is nothing visually uncharacteristic about such a cluster of rural dwellings in a rural context. It is a feature of Wollondilly Shire reflected in its “Rural Living” slogan.
- The existing view of pasture and fences is neither unique nor of high intrinsic visual quality. It is not an “iconic” view by any normal criterion.
- Apart from motorists passing the site there are minimal visual receptors in the immediate catchment
- The area proposed to be developed has been defined by reference to the ridgeline and heritage precinct. Key potential visual issues have been resolved in site definition.
- The existing statutory planning regime provides an adequate framework for visual impact assessment at the DA stage.