

4. Context and Site Analysis

4.2 Views and Vistas

Views are generally narrow corridors and are often constrained in length or width by buildings or other features in the foreground. Vistas are broader panoramic views or a combination of views, often seen from an elevated position and defined by physical or geographical features within the broader landscape such as ridgelines or valleys.

The impact of new development on views and vistas needs to be considered in the context of:

- * avoiding or minimising any reduction in the spatial extent of views and vistas from publicly accessible locations such as beaches, headlands, navigable waterways, river foreshores, parks and roads; and

- * managing view sharing between new and existing developments on private land.

Private view sharing is achieved where new dwellings, or alterations and additions to existing dwellings, are designed so as to access available views whilst at the same time avoiding or minimising the impact on private views enjoyed from existing dwellings on neighbouring sites.

Objectives

01. Ensure the spatial extent of public views and vistas containing significant natural features or cultural landmarks are protected or enhanced.
02. Protect public views and vistas from obstruction, particularly views from highly trafficked public places such as major roads, parks, trails, navigable waterways, historic landmark sites and other tourist destinations.
03. Recognise that the enjoyment of views adds significantly to the amenity of private property and to provide for a reasonable sharing of views of significant landscape features.
04. Encourage equitable private view sharing and ensure new development respects important views from living areas and rooms within existing neighbouring dwellings by employing the Principles of View Sharing.



Controls

- C1. Dwellings and other ancillary residential development should be designed and sited so as to avoid (where possible) or minimise any obstruction to public views and vistas containing natural features such as water, foreshore, ridgeline or bushland, and particularly those containing significant landscape features such as Wollumbin / Mt Warning and the Tweed Caldera rim, the Pacific Ocean, Tweed River and coastal waterways, or cultural or heritage places or items.
- C2. Building siting, height, bulk and projecting elements are designed, as far as practically possible, to minimise the impact on existing views from living areas and other highly utilised spaces of surrounding properties.
- C3. Where views from neighbouring properties will be reduced as a result of new buildings or structures, development applications are to address the established NSW Land and Environment Court Planning Principles relating to view sharing between properties (see Notes).

Note:

The NSW Land and Environment Court Planning Principles relating to View Sharing in *Tenacity Consulting v Warringah Council* (2004) NSWLEC 140 can be accessed at http://www.lec.justice.nsw.gov.au/Pages/practice_procedure/principles/planning_principles.aspx

4.3 Scenic Landscape Quality

The unique natural and cultural scenic landscape qualities of the Tweed are nationally recognised and hold high value not only to the residents of the Tweed but also to people who are visiting the area, whether as tourists or as regular visitors for work or recreation.

Aesthetics and impact on landscape character as experienced from public viewing areas should therefore be considered with every land development decision made in the Tweed.

Tweed Shire Council's Scenic Landscape Strategy (SLS) and its associated mapping provides a comprehensive visual impact assessment methodology to be undertaken and submitted as part of any development application considered to have the potential to have a moderate to significant adverse visual impact on the surrounding landscape.

Objectives

01. Achieve development that avoids (where possible) or minimises visual impacts on the broader visual environment within which it occurs.
02. Ensure that development is sited and designed to respect and integrate with the surrounding landscape character, particularly when viewed from significant public viewing places.
03. Ensure consideration of scenic impact of buildings and land use at development application stage, having regard to the SLS and Council's Scenic Landscapes Policy.

Note:

The SLS identifies when a proposal triggers the need for a Visual Impact Assessment to be prepared, and the level of detail that should be submitted.

For many developments there may be no additional information required beyond criteria in the Statement of Environmental Effects and Site Analysis Checklist (Appendix 7.2).

Check the SLS and associated Landscape Character Unit mapping to identify the visual elements that contribute and add value to the broader landscape character of a given area or locality.

The SLS Viewshed and Visibility mapping helps to identify where a development is visible from and how important it is to avoid or mitigate any visual impacts.

Controls

- C1. Any application for development must address the SLS. Where the proposal is likely to have a measurable, negative impact on the visual attributes or character of the surrounding landscape, it must be accompanied by a **Visual Impact Assessment** prepared in accordance with the methodology within the strategy.
- C2. Building location, form, colour and materials are, as far as practical, to integrate with and be sympathetic to the immediate environment to minimise the visual contrast of the building from its surrounds.
- C3. Dwellings are to be designed to reflect the character of the broader landscape within which they are placed e.g. architectural form, colour, materials and massing of buildings should complement or add to the elements which give the landscape its distinctive character and value.

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