

VISUAL IMPACT ASSESSMENT REPORT

APPENDIX W





Sydney Metro City & Southwest Pitt Street South Over Station Development:

Visual Impact Assessment Report

Applicable to:	Sydney Metro City & Southwest
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Executive Summary

A concept State Significant Development Application (SSD Application) has been made to the Department of Planning and Environment (DPE) by Sydney Metro for Over Station Development (OSD) above the approved Pitt Street Station southern portal. The DPE has issued Secretary's Environmental Assessment Requirements (SEARs) for this application, which include a requirement to prepare a Visual Impact Assessment. Ethos Urban has prepared this Visual Impact Assessment (VIA) on behalf of Sydney Metro. This VIA has been based on established NSW, national and international policy and practices, and includes assessment of visual effect, assessment of visual impact and determination of the acceptability of the visual impact.

The site's visual catchment includes areas that are critical to the visual character and identity of Sydney. In particular, the proposal would be visible from parts of Hyde Park, and key gateways into the CBD from the east at Oxford Street and William Street. Largely due to factors such as distance from viewing locations, the presence of intervening elements such as building and trees in the landscape, and the siting of the OSD within the Central Sydney context, this VIA has found that the proposal would have a low to medium visual effect on the existing visual catchment. Due to the urban, high rise character of the Sydney CBD and the proposal's consistency with this character, application of physical absorption capacity and compatibility weighting factors results in an overall low visual impact.

Assessment against the SEARs and other relevant planning documents found that the overall visual impact of the proposal is acceptable on a balance of considerations. In particular, the proposal is consistent with key planning instruments that seek to promote the Sydney CBD as a key location for jobs and employment and the provisions of existing, finer grained local plans. While it is acknowledged that there is an impact on some residential premises, this is reasonable considering the nature of the views, the design of the envelope which reduces the extent of the impact and the long established role and planning intent for the Sydney CBD. In addition, the final development would represent a more refined building within the proposed building envelope, and as such is likely to have an even lesser impact on views.

On this basis, it is determined that overall, the proposal in its current form has an acceptable visual impact.

1. Purpose of this report

1.1. Background

This report supports a concept State Significant Development Application (concept SSD Application) submitted to the Department of Planning and Environment (DPE) pursuant to Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The concept SSD Application is made in accordance with Section 4.22 of the EP&A Act.

Sydney Metro is seeking to secure concept approval for a building envelope above the southern portal of Pitt Street Station, otherwise known as the over station development (OSD). The concept SSD Application seeks consent for a building envelope, maximum building height, land use options, pedestrian and vehicular access, circulation arrangements and associated car parking as well as the strategies and design parameters for the future detailed design of development.

Sydney Metro proposes to procure the construction of the OSD as part of an integrated station development package, which would result in the combined delivery of the station, OSD and public domain improvements. The station and public domain elements form part of a separate planning approval for Critical State Significant Infrastructure (CSSI) approved by DPE on 9 January 2017.

As the development is associated with railway infrastructure and is for residential or commercial premises with a Capital Investment Value of more than \$30 million, the project is a State Significant Development (SSD) pursuant to Schedule 1, Clause 19(2)(a) of the *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP). The full extent of the proposed development can also be considered to be SSD by virtue of Clause 8(2) of the SRD SEPP.

This report has been prepared to specifically respond to the Secretary's Environmental Assessment Requirements (SEARs) issued for the concept SSD Application for Pitt Street South on 30th November 2017 which state that the Environmental Impact Statement (EIS) is to address the following requirements:

visual and view impact analysis and photomontages

1.2. Overview of the Sydney Metro in its context

The New South Wales (NSW) Government is implementing *Sydney's Rail Future*, a plan to transform and modernise Sydney's rail network so that it can grow with the city's population and meet the needs of customers in the future. Sydney Metro is a new standalone rail network identified in *Sydney's Rail Future*.

Sydney Metro is Australia's biggest public transport project, consisting of Sydney Metro Northwest, which is due for completion in 2019 and Sydney Metro City & Southwest, which is due for completion in 2024.

Sydney Metro West is expected to be operational in the late 2020s (refer to **Figure 1Error! Reference source not found.**).



Figure 1 – Sydney Metro alignment map

Sydney Metro City & Southwest includes the construction and operation of a new metro rail line from Chatswood, under Sydney Harbour through Sydney’s Central Business District (CBD) to Sydenham and on to Bankstown through the conversion of the existing line to metro standards.

The project also involves the delivery of seven new metro stations, including at Pitt Street. Once completed, Sydney Metro will have capacity for 30 trains an hour (one every two minutes) through the CBD in each direction - a level of service never seen before in Sydney.

On 9 January 2017, the Minister for Planning approved the Sydney Metro City & Southwest - Chatswood to Sydenham application lodged as a Critical State Significant Infrastructure project (reference SSI 15_7400), hereafter referred to as the CSSI Approval.

The CSSI Approval includes all physical work required to construct the CSSI, including the demolition of existing buildings and structures on each site. Importantly, the CSSI Approval also includes provision for the construction of below and above-ground structures and other components of the future integrated station development (including building infrastructure and space for future lift cores, plant rooms, access, parking and building services, as relevant to each site). The rationale for this delivery approach, as identified within the CSSI

Application, is to enable the integrated station development to be more efficiently built and appropriately integrated into the metro station structure.

The EIS for the Chatswood to Sydenham component of the Sydney Metro City & Southwest project identified that the OSD would be subject to a separate assessment process.

Since the CSSI Approval was issued, Sydney Metro has lodged four modification applications to amend the CSSI Approval as outlined below:

- Modification 1- Victoria Cross and Artarmon Substation which involves relocation of the Victoria Cross northern services building from 194-196A Miller Street to 50 McLaren Street together with inclusion of a new station entrance at this location referred to as Victoria Cross North. 52 McLaren Street would also be used to support construction of these works. The modification also involves the relocation of the substation at Artarmon from Butchers Lane to 98 – 104 Reserve Road. This modification application was approved on 18 October 2017.
- Modification 2- Central Walk which involves additional works at Central Railway Station including construction of a new eastern concourse, a new eastern entry, and upgrades to suburban platforms. This modification application was approved on 21 December 2017.
- Modification 3 - Martin Place Station which involves changes to the Sydney Metro Martin Place Station to align with the Unsolicited Proposal by Macquarie Group Limited (Macquarie) for the development of the station precinct. The proposed modification involves a larger reconfigured station layout, provision of a new unpaid concourse link and retention of the existing MLC pedestrian link and works to connect into the Sydney Metro Martin Place Station. This modification application was approved on 22 March 2018.
- Modification 4 - Sydenham Station and Sydney Metro Trains Facility South which incorporated Sydenham Station and precinct works, the Sydney Metro Trains Facility South, works to Sydney Water's Sydenham Pit and Drainage Pumping Station and ancillary infrastructure and track and signalling works into the approved project. This modification application was approved on 13 December 2017.

Given the modifications, the CSSI Approval is now approved to operate to Sydenham Station and also includes the upgrade of Sydenham Station.

The remainder of the City & Southwest project (Sydenham to Bankstown) proposes the conversion of the existing heavy rail line and the upgrade of the existing railway stations along this alignment to metro standards. This portion of the project, referred to as the Sydenham to Bankstown Upgrade, is the subject of a separate CSSI Application (No. SSI 17_8256) for which an Environmental Impact Statement was exhibited between September and November 2017 and a Response to Submissions and Preferred Infrastructure Report was submitted to the NSW Department of Planning & Environment (DPE) in June 2018 for further exhibition and assessment.

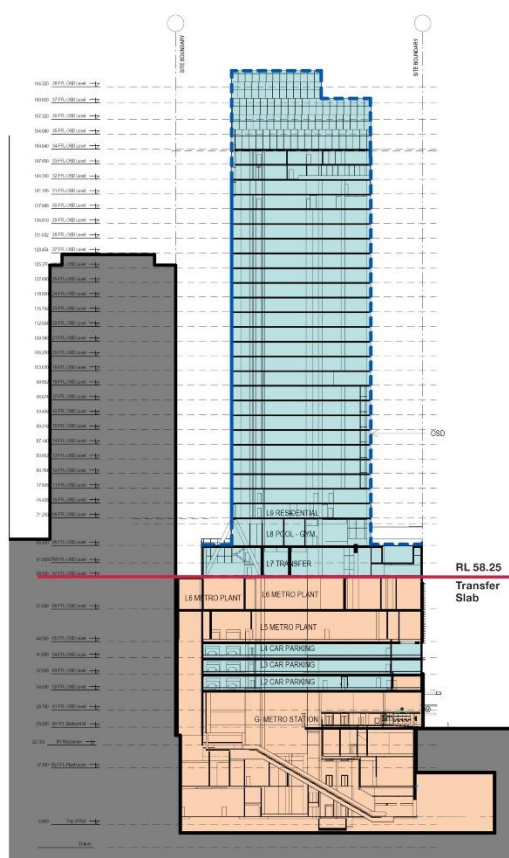
1.3. Planning relationship between Pitt Street Station and the OSD

While the southern portal of Pitt Street Station and the OSD will form an integrated station development, the planning pathways under the *Environmental Planning and Assessment Act 1979* involve separate approval for each component of the development. In this regard, the approved station works (CSSI Approval) are subject to the provisions of Part 5.1 of the EP&A Act (now referred to as Division 5.2) and the OSD component is subject to the provisions of Part 4 of the EP&A Act.

For clarity, the approved station works under the CSSI Approval included the construction of below and above ground structures necessary for delivering the station and also enabling construction of the integrated OSD. This included but is not limited to:

- demolition of existing development
- excavation
- station structure including concourse and platforms
- lobbies
- retail spaces within the station building
- public domain improvements
- station portal link (between the northern and southern portals of Pitt Street Station)
- access arrangements including vertical transport such as escalators and lifts
- structural and service elements and the relevant space provisioning necessary for constructing OSD, such as columns and beams, space for lift cores, plant rooms, access, parking, retail and building services.

The vertical extent of the approved station works above ground level is defined by the 'transfer slab' level (which for Pitt Street South is defined by RL 58.25), above which would sit the OSD. This delineation is illustrated in **Error! Reference source not found. Figure 2** below.



Section North-South - CSSI Podium Approval below RL 58.25

Figure 2 – Delineation between station and OSD

The CSSI Approval also establishes the general concept for the ground plane of Pitt Street Station including access strategies for commuters and pedestrians. In this regard, pedestrian access to the station would be from Bathurst Street and the OSD lobby would be accessed from Pitt Street.

Since the issue of the CSSI Approval, Sydney Metro has undertaken sufficient design work to determine the space planning and general layout for the station and identification of those spaces within the station area that would be available for the OSD. In addition, design work has been undertaken to determine the technical requirements for the structural integration of the OSD with the station. This level of design work has informed the concept proposal for the OSD. It is noted that ongoing design development of the works to be delivered under the CSSI Approval would continue with a view to developing an Interchange Access Plan (IAP) and Station Design Precinct Plan (SDPP) for Pitt Street Station to satisfy Conditions E92 and E101 of the CSSI Approval.

The public domain improvement works around the site would be delivered as part of the CSSI Approval.

1.4. The Site

The Pitt Street South OSD site is located near the corner of Pitt Street and Bathurst Street, comprising four individual allotments but excluding the Edinburgh Castle Hotel, above the southern portal of the future Pitt Street Station. The context of the site is demonstrated at **Error! Reference source not found. Figure 3** below.

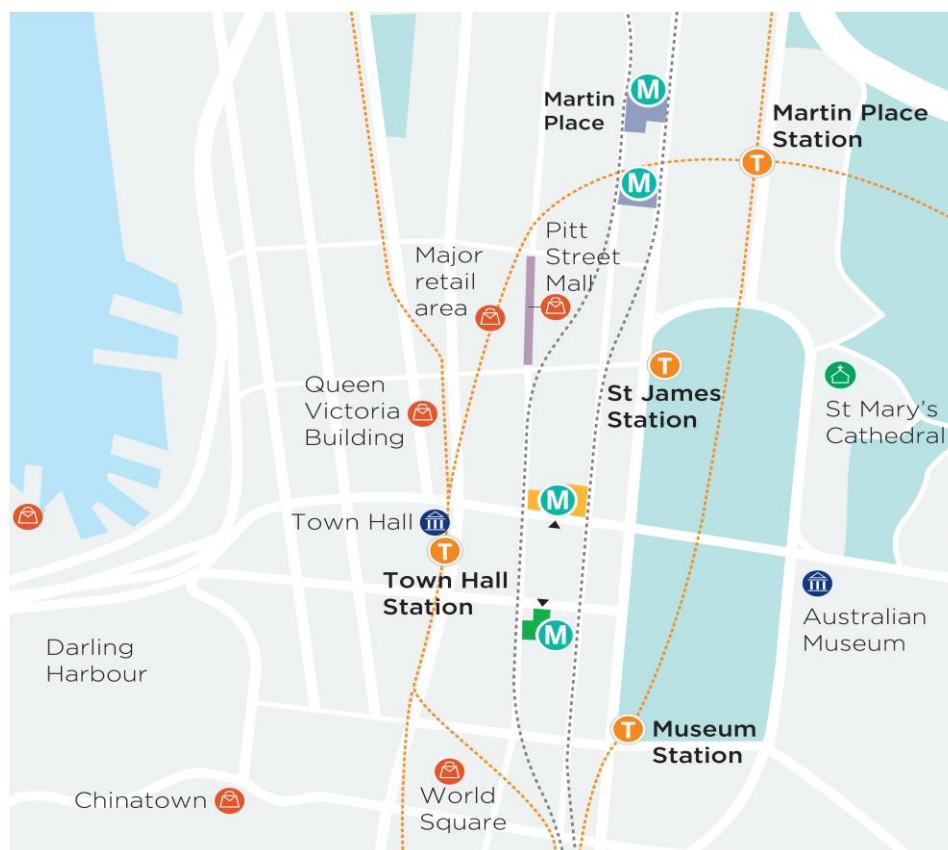


Figure 3 – Pitt Street Station location plan

The site is located in the City of Sydney Local Government Area. The site (refer to **Figure 4** below) is irregular in shape, has a total area of approximately 1,708 square metres and has street frontages of approximately 32 metres to Pitt Street and 24 metres to Bathurst Street.

The Pitt Street South site comprises a number of individual properties which front Bathurst Street and Pitt Street. Specifically, the site comprises the following:

- 125-129 Bathurst Street, Sydney (Lot 1 in DP60293)
- 131-135 Bathurst Street, Sydney (Lot 1 in DP59101)
- 296-300 Pitt Street, Sydney (Lot 1 in DP436359)
- 302 Pitt Street, Sydney (Lot 1 in DP62668)

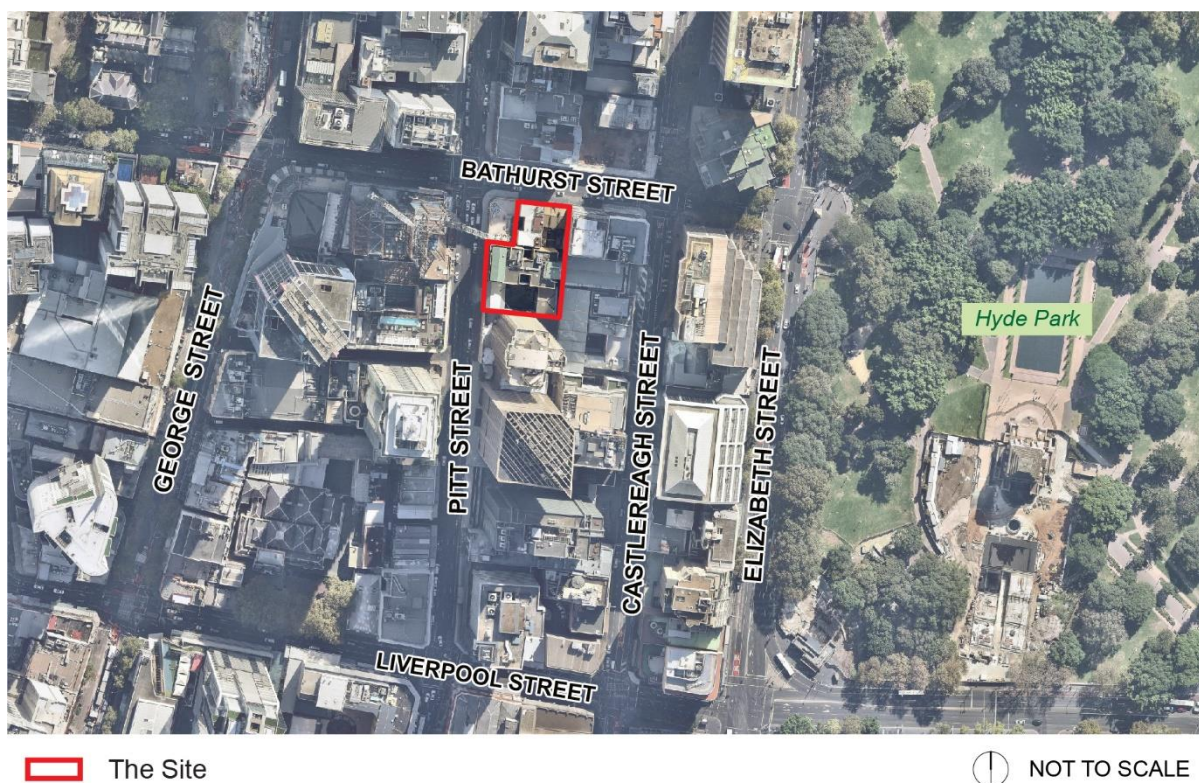


Figure 4 – Aerial photo of Pitt Street South

1.5. Overview of the proposed development

This concept SSD Application comprises the first stage of the Pitt Street South OSD project. It will be followed by a detailed SSD Application for the design and construction of the OSD to be lodged by the successful contractor who is awarded the contract to deliver the integrated station development.

This concept SSD Application seeks approval for the planning and development framework and strategies to inform the future detailed design of the OSD. It specifically seeks approval for the following:

- a building envelope
- a maximum envelope height of Relative Level (RL 171.6) which equates to approximately 35 storeys, including the podium height of RL 71.0 which equates to approximately 8 storeys above ground
- use for the OSD component of the development for uses, subject to further detailed applications, which could include:
 - residential accommodation; or
 - commercial premises

- use of the conceptual OSD space provisioning within the footprint of the CSSI Approval (both above and below ground), including the OSD lobby areas, podium car parking, storage facilities, services and back-of-house facilities
- car parking for a maximum of 34 spaces located across three levels of the podium
- loading, vehicular and pedestrian access arrangements from Pitt Street
- strategies for utilities and service provision
- strategies for the management of stormwater and drainage
- a strategy for the achievement of ecologically sustainable development
- indicative future signage
- a strategy for public art
- a design excellence framework
- the future subdivision of parts of the OSD footprint (if required)

As this concept SSD Application is a staged development pursuant to section 4.22 of the EP&A Act, future approval would be sought for detailed design and construction of the OSD. Concept indicative designs showing potential residential and commercial building form outcomes at the site have been provided as part of this concept SSD Application at Appendix E and Appendix F respectively.

Pitt Street Station is to be a key station on the future Sydney Metro network, providing access to the Sydney CBD. The proposal combines the metro station with an OSD component. The OSD would assist in strengthening the role of Central Sydney as the key centre of business in Australia and would contribute to the diversity, amenity and sustainability of the CBD.

It is noted that Pitt Street Station northern portal OSD is subject to a separate application, and does not form part of this concept SSD Application.

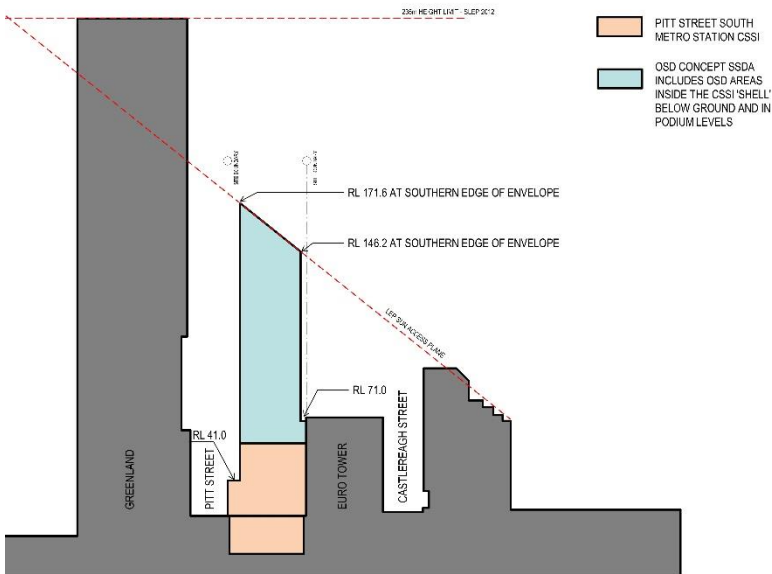


Figure 5 – Pitt Street South OSD envelope, including OSD components (Blue) and station box (Orange)

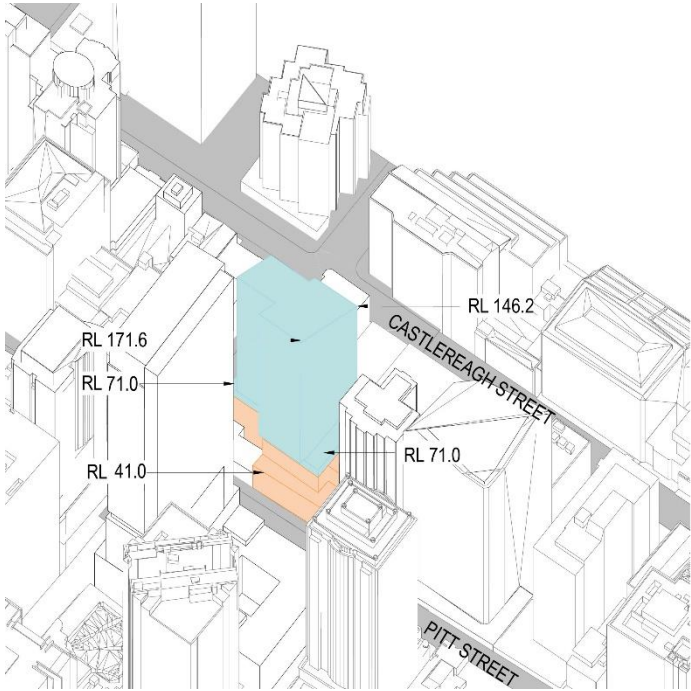


Figure 6 – Pitt Street South OSD axonometric diagram, as seen from the south-west

1.6. Staging and framework for managing environmental impacts

Sydney Metro proposes to procure the delivery of the Pitt Street South integrated station development in one single package, which would entail the following works:

- station structure
- station fit-out, including mechanical and electrical
- OSD structure
- OSD fit-out, including mechanical and electrical.

Separate delivery packages are also proposed by Sydney Metro to deliver the excavation of the station boxes/shafts ahead of the integrated station development delivery package, and line-wide systems (e.g. track, power, ventilation) and operational readiness works prior to the Sydney Metro City & Southwest metro system being able to operate.

Three possible staging scenarios have been identified for delivery of the integrated station development:

1. Scenario 1 – the station and OSD are constructed concurrently by constructing the transfer slab first and then building in both directions. Both the station and OSD would be completed in 2024.
2. Scenario 2 – the station is constructed first and ready for operation in 2024. OSD construction may still be incomplete or soon ready to commence after station construction is completed. This means that some or all OSD construction is likely to still be underway upon opening of the station in 2024.
3. Scenario 3 – the station is constructed first and ready for operation in 2024. The OSD is built at a later stage, with timing yet to be determined. This creates two distinct construction periods for the station and OSD.

Scenario 1 represents Sydney Metro's preferred option as it would provide for completion of the full integrated station development and therefore the optimum public benefit at the site at the earliest date possible (i.e. on or near 2024 when the station is operational). However, given the delivery of the OSD could be influenced by property market forces, Scenarios 2 or 3 could also occur, where there is a lag between completion of the station component of the integrated station development (station open and operational), and a subsequent development.

The final staging for the delivery of the OSD would be resolved as part of the detailed SSD Application(s).

For the purposes of providing a high level assessment of the potential environmental impacts associated with construction, the following have been considered:

- Impacts directly associated with the OSD, the subject of this SSD Application
- Cumulative impacts of the construction of the OSD at the same time as the station works (subject of the CSSI Approval)

Given the integration of the delivery of the Sydney Metro City & Southwest metro station with an OSD development, Sydney Metro proposes the framework detailed in Error! Reference source not found. to manage the design and environmental impacts, consistent with the framework adopted for the CSSI Approval.

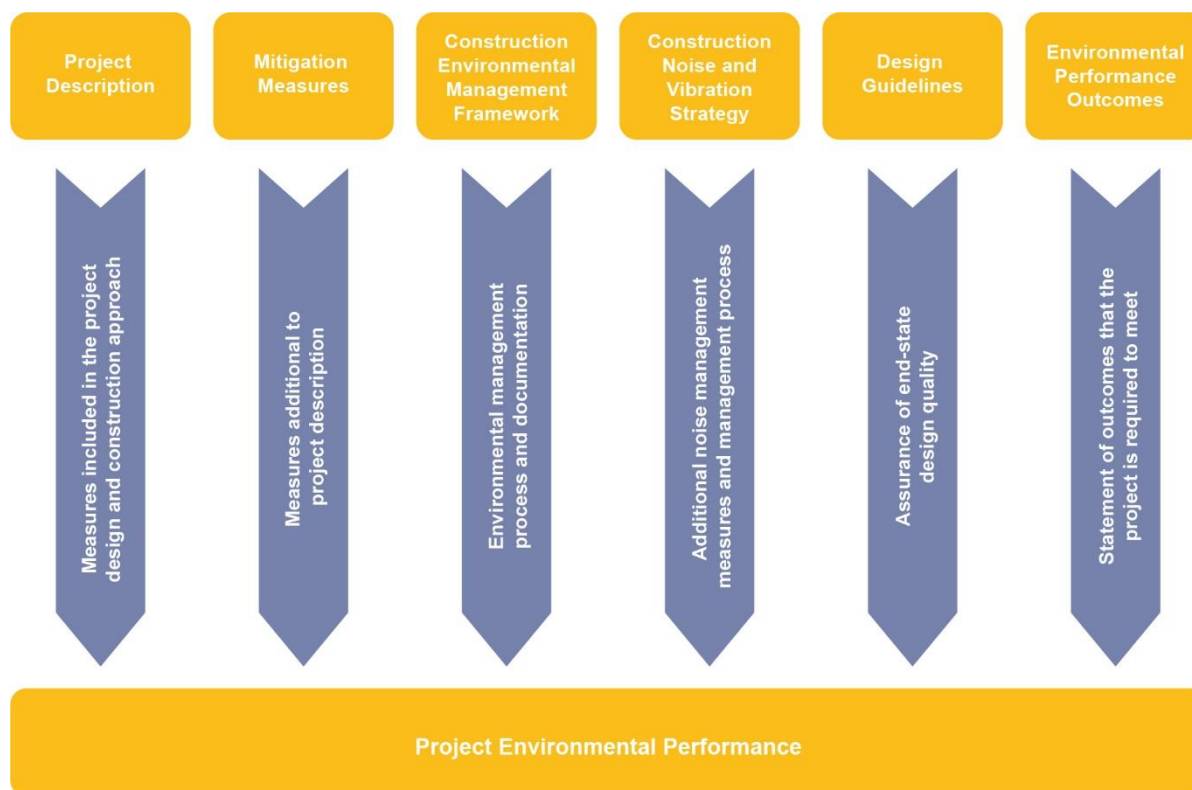


Figure 7 – Project approach to environmental mitigation and management

Sydney Metro proposes to implement a similar environmental management framework where the integrated delivery of the CSSI station works and the OSD occur concurrently. This would ensure a consistent approach to management of design interface and construction-related issues.

Sydney Metro proposes this environmental management framework would apply to the OSD until completion of the station and public domain components of the integrated station development delivery contract (i.e. those works under the CSSI Approval). Should the OSD be constructed beyond the practical completion and opening of the station, standard practices for managing construction related environmental impacts would apply in accordance with the relevant guidelines and Conditions of Approval for the detailed SSD Application(s).

1.7. Purpose of this report

This report documents a Visual Impact Assessment (VIA) of the proposed OSD above the approved Pitt Street Station southern portal, Sydney (the concept SSD Application). It is based on input provided by Architectus, CMS Surveyors, AAM and Virtual Ideas and documented in Appendix A. The VIA is based on an assessment of the proposed building envelope that represents the maximum extent of built form possible. The actual building would be further refined within the confines of the building envelope as part of the subsequent detailed SSD Application process

The VIA responds to the Secretary's Environmental Assessment Requirements (SEARs) issued by the Department of Planning and Environment (DPE). The purpose of the VIA is to determine whether the visual impact of the concept proposal is acceptable. To achieve this purpose, this report is structured as follows:

- **Parts 1 to 4:** provides an introduction, background and overview of the site, its context and the proposal
- **Parts 5 and 6:** provides an assessment of the visual effect and visual impact of the proposal on the existing visual catchment
- **Parts 7 and 8:** provides an assessment of acceptability of visual impact
- **Part 9:** provides a conclusion.

The scope of the VIA has been designed to respond to the SEARs, as well as other relevant planning instruments. The relevant SEARs are:

- Key Issue 6. Amenity
 - demonstrate the impacts of the proposal on the amenity of surrounding residential development including measures to minimise potential overshadowing, privacy and view impacts
- Key Issue 6. Amenity
 - view analysis to and from the site from key vantage points and streetscape locations. Photomontages or perspectives should be provided showing the proposed development
- Key Issue 6. Amenity
 - view impact analysis from adjoining developments
- Plans and Documents
 - visual and view impact analysis and photomontages

Note that views in the context of heritage considerations are addressed in detail in other supporting information for this application.

2. Methodology

There is currently no universally agreed method of undertaking VIA in NSW. Therefore, the methodology used to inform this VIA is based on established NSW practices and national and international policy. The scope of the SEARs in relation to visual impact closely resemble the process established by leading NSW practitioner Richard Lamb and Associates (RLA). Compared to other guidance, which can often focus on the impact of infrastructure such as roads and energy generating or transmission structures on more natural landscapes, RLA has developed a system that enables consideration of the visual impact in built up, urban environments. On this basis, the general framework of this methodology has drawn heavily from RLA practices. Other documents that provide broader guidance, as well as specialist guidance in particular areas of VIA, have been considered where appropriate. These include:

2.1. Broad

- Visual Management System, United States Department of Agriculture Forest Service, 1974
- Guidance for Landscape and Visual Impact Assessment, United Kingdom Landscape Institute and the Institute of Environmental Management & Assessment, 2005

2.2. Specific

- Implementation Guideline No. 8: Identifying and protecting scenic amenity values, Queensland Government, 2008
- Planning Practice Note 43: Understanding Neighbourhood Character, Victorian Department of Environment, Land, Water and Planning, 2015.

The methodology for the preparation of the photomontages has been prepared in accordance with the Land and Environment Court Policy on this matter (refer to **Appendix 1**).

The core methodology follows three key steps:

1. visual effect – assessment of the nature and scale of the proposal on the existing visual catchment
2. visual impact – assessment of the impact of the visual effect following application of other, relevant considerations
3. acceptability of the visual impact – assessment of the visual impact against a balance of other, broader considerations relevant to the proposal.

Based on the findings of this core methodology, a determination is then made as to whether the proposal can be supported in its current form from a visual impact perspective, and if so, whether any elements are critical to ensure its continued acceptability as it evolves from concept to detail design and development.

More specifically, the methodology comprises the following steps.

2.2.1. Visual effect

- Review the proposal
- Prepare a visual model of the proposal
- Identify and understand relevant key planning instruments
- Review topographic maps and undertake site visits to determine the visual catchment and key viewpoints to the site within the catchment
- Take photos from the viewpoints
- Undertake survey work in relation to the viewpoints
- Superimpose the visual model into the viewpoint photos to create accurate photomontages
- Assessment of visual effect using baseline factors
- Assessment of visual effect using variable factors

2.2.2. Visual impact

- Assessment of visual impact by applying physical absorption capacity and compatibility with urban features

2.2.3. Acceptability of the visual impact

- Assessment of the acceptability of visual impact against relevant considerations drawn from the SEARs and other planning instruments
- Identification of elements that are critical to ensure the continued acceptability of the proposal as it evolves from concept to detail design and development
- Drawing a conclusion and making of recommendations.

3. The site and context

3.1. Sydney Metro

Sydney Metro will be a new rail service for Sydney that will connect Tallawong Cudgegong Road in the north-west to Bankstown in the south-west via the Sydney CBD. It will comprise 66km of track and have 31 stations.

The Metro will introduce single level, high frequency trains to Sydney. To achieve the target capacity of approximately 40,000 customers per hour, the Metro has been designed to have capacity for a train every two minutes in each direction through the Sydney CBD.

The Minister for Planning granted approval for the Sydney Metro City & Southwest Chatswood to Sydenham part of Sydney Metro under the Environmental Planning and Assessment Act (the Act) on 9 January 2017

The first trains are expected to commence operations on the City & Southwest line in 2024.

3.2. The site

The site is located at the south-east corner of the intersection of Bathurst and Pitt Streets in the Sydney CBD. The site fronts both streets, but does not include the Edinburgh Castle Hotel, which is located on the corner (refer to **Figure 8**).

It comprises:

- 125-129 Bathurst Street, Sydney (Lot 1, DP60293);
- 131-135 Bathurst Street, Sydney (Lot 1, DP59101);
- 296-300 Pitt Street, Sydney (Lot 1, DP 436359); and
- 302 Pitt Street, Sydney (Lot 1, DP62668).

It is approximately 1,708 square metres in area and has frontages of approximately 124 metres to Bathurst Street and 32 metres to Pitt Street. Previously occupied by commercial premises including offices and retail premises, the site was cleared in 2018 to enable construction of the southern portal of Pitt Street station and is now vacant.

Surrounding land is zoned and occupied as follows:

Table 1: Surrounding zones and land uses

Direction	Relationship	Zone	Current / approved land use
North	Adjoining	B8 Metropolitan Centre	Food and drinks premises, heritage listed Edinburgh Castle Hotel
	Adjacent	B8 Metropolitan Centre	Across Bathurst Street – 7-8 storey buildings, used for ground floor retail with office premises above. Future Castle Residences, shop top housing development
South	Adjoining	B8 Metropolitan Centre	Princeton residential flat building
East	Adjoining	B8 Metropolitan Centre	Heritage listed Metropolitan Fire Brigade Building Shop top housing mixed use developments

Direction	Relationship	Zone	Current / approved land use
West	Adjoining	B8 Metropolitan Centre	Greenland Centre development, comprising a 235m mixed use tower development, as well as preservation works to the heritage listed southern portion of the site. Land uses include retail, residential, commercial and visitor accommodation
	Adjacent	B8 Metropolitan Centre	Mixed use serviced apartments to the north west



 The Site

Figure 8 – The site

3.3. Integrated over station development

A key element of the Metro is the integration of OSD into the station. The OSD is intended to respond to local context and position stations as the centre of their community. Other outcomes include:

- maximise urban outcomes, enhancing customer experience and urban amenity
- create an urban environment that drives high usage of new metro rail
- ensure station precincts are activated as soon as possible following completion of metro infrastructure.
- visually, integrated over station development is to be prominent in its context, and incorporate design excellence.

3.4. Sydney CBD

Identified as a Metropolitan City Centre under the Greater Sydney Region Plan, the Sydney CBD is the metropolitan region's largest and most significant employment location. Supporting over 5 million square metres of office space and 286,000 workers, in 2014 the Sydney CBD generated \$68 billion worth of Australia's Gross Domestic Product.

3.5. Planning context

The main planning instruments that guide development on the site of relevance to visual impact assessment include:

3.5.1. Regional and District

- A Metropolis of Three Cities - the Greater Sydney Region Plan
- The Eastern District Plan
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

3.5.2. Local

- Sydney Local Environmental Plan 2012
- Sydney Development Control Plan 2012
- Central Sydney Planning Strategy.

The key elements of these plans as they relate to the proposal are outlined in this section. They also form the basis of the assessment of the appropriateness of visual impact in this report.

3.5.3. A Metropolis of Three Cities - the Greater Sydney Region Plan

Under A Metropolis of Three Cities - the Greater Sydney Region Plan (the Region Plan), the Sydney CBD forms the Harbour CBD Metropolitan City Centre. It also forms part of the Eastern Economic Corridor. Given these designations, the focus for the CBD under the plan is for economic and jobs growth. This is reflected in content such as Objective 18: Harbour CBD is stronger and more competitive, and Strategy 18.1 – Prioritise public transport projects

to the Harbour CBD to improve business-to-business connections and support the 30-minute city.

Visual impact is reflected in both plans through objectives and strategies relating to scenic and cultural landscapes. Objective 28 of the Region Plan is as follows:

- *Scenic and cultural landscapes are protected.*

This objective is supported by two strategies in the Region Plan:

- *Strategy 28.1: Identify and protect scenic and cultural landscapes*
- *Strategy 28.2: Enhance and protect views of scenic and cultural landscapes from the public realm.*

While these scenic and cultural landscapes are not specifically identified, discussion in this section indicates that in addition to views to natural features such as ridgelines and waterways, views to the urban skyline are important.

Due to its high visibility, the Sydney CBD makes a positive contribution to the visual identity and character of Sydney. This has implications for planning for the CBD, in particular when viewed from the public realm.

3.5.4. The Eastern District Plan

The Eastern District Plan (the District Plan) is consistent with the Region Plan in its prioritisation of employment and economic growth in the Sydney CBD, and repeats the objectives and strategies of the Region Plan for scenic and cultural landscapes.

Discussion related to scenic and cultural landscapes specifically references the value of the CBD skyline:

- *The Sydney City skyline (including the Sydney Opera House and the Sydney Harbour Bridge) is an iconic urban landscape and can be viewed from many areas of Greater Sydney.*

Further, more detailed work has not been undertaken into the visual qualities of the CBD skyline. However, it would be reasonable to argue that maintaining the high level of visibility of the skyline, in particular from key points in the public domain, and maintaining the essential visual characteristics of the CBD is critical to protecting this scenic and cultural landscape.

3.5.5. Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Sydney Harbour REP) seeks to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are recognised, protected, enhanced and maintained for existing and future generations. While not technically applying to the site, it is nonetheless best practice to consider its key provisions.

The Sydney Harbour REP includes the following principle of relevance to visual impact for land within the Sydney Harbour Catchment:

- *development that is visible from the waterways or foreshores is to maintain, protect and enhance the unique visual qualities of Sydney Harbour.*

Clause 26 requires the following matters to be taken into consideration by the consent authority when granting consent to development in relation to the maintenance, protection and enhancement of views:

- *development should maintain, protect and enhance views (including night views) to and from Sydney Harbour*
- *development should minimise any adverse impacts on views and vistas to and from public places, landmarks and heritage items*
- *the cumulative impact of development on views should be minimised.*

In addition to adjoining each other in part at Circular Quay and Darling Harbour, Sydney Harbour and the CBD skyline form a strong visual unit, helping to shape the unique and iconic character of the central city.

3.5.6. Sydney Local Environmental Plan 2012

The aims of this Sydney Local Environmental Plan 2012 (the LEP) are as follows:

- *To reinforce the role of the City of Sydney as the primary centre for Metropolitan Sydney*
- *To support the City of Sydney as an important location for business, educational and cultural activities and tourism*
- *To promote ecologically sustainable development*
- *To encourage the economic growth of the City of Sydney by:*
 - *providing for development at densities that permit employment to increase*
 - *retaining and enhancing land used for employment purposes that are significant for the Sydney region*
- *To encourage the growth and diversity of the residential population of the City of Sydney by providing for a range of appropriately located housing, including affordable housing*
- *To enable a range of services and infrastructure that meets the needs of residents, workers and visitors*
- *To ensure that the pattern of land use and density in the City of Sydney reflects the existing and future capacity of the transport network and facilitates walking, cycling and the use of public transport*
- *To enhance the amenity and quality of life of local communities*
- *To provide for a range of existing and future mixed-use centres and to promote the economic strength of those centres*
- *To achieve a high quality urban form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of particular localities*
- *To conserve the environmental heritage of the City of Sydney*
- *To protect, and to enhance the enjoyment of, the natural environment of the City of Sydney, its harbour setting and its recreation areas.*

Under the LEP, the site is zoned B8 Metropolitan Centre. The objectives of this zone are:

- *To recognise and provide for the pre-eminent role of business, office, retail, entertainment and tourist premises in Australia's participation in the global economy*

- *To provide opportunities for an intensity of land uses commensurate with Sydney's global status*
- *To permit a diversity of compatible land uses characteristic of Sydney's global status and that serve the workforce, visitors and wider community*
- *To encourage the use of alternatives to private motor vehicles, such as public transport, walking or cycling*
- *To promote uses with active street frontages on main streets and on streets in which buildings are used primarily (at street level) for the purposes of retail premises.*

Other provisions of LEP relevant to addressing visual considerations include:

- **Clause 4.3 Height of buildings:** to promote the sharing of views
- **Clause 5.10 Heritage conservation:** to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views
- **Clause 6.21 Design excellence:** whether the proposed development detrimentally impacts on view corridors
- **Clause 7.20 Development requiring or authorising preparation of a development control plan:** a development control plan must include requirements to minimise the detrimental impact of proposed development on view corridors.

3.5.7. Sydney Development Control Plan 2012

The site is within the area covered by the Sydney Development Control Plan (DCP) 2012. While development control plans do not apply to SSD, they provide a useful point of reference against which to consider visual impact in the local context.

The aims of the DCP are to:

- *Encourage development to respond to its context and is compatible with the existing built environment and public domain*
- *Recognise and reinforce the distinctive characteristics of the City of Sydney's neighbourhoods and centres*
- *Build upon the detailed objectives and controls under Sydney LEP 2012*
- *Protect and enhance the public domain*
- *Achieve the objectives of the City's Sustainable Sydney 2030 Strategy*
- *Encourage design that maintains and enhances the character and heritage significance of heritage items and heritage conservation areas*
- *Encourage ecologically sustainable development and reduce the impacts of development on the environment.*

The DCP does not contain a specific part for views or visual impact, and has minimal coverage of the issue in general. The most relevant provision is in Section 3 – General Provisions, 3.2 – Defining the Public Domain, 3.2.1.2 Public views:

- *Buildings are not to impede views from the public domain to highly utilised public places, parks, Sydney Harbour, Alexandra Canal, heritage buildings and monuments including public statues, sculptures and art*

- *Development is to improve public views to parks, Sydney Harbour, Alexandra Canal, heritage buildings and monuments by using buildings to frame views. Low level views of the sky along streets and from locations in parks are to be maintained.*

3.5.8. Draft Central Sydney Planning Strategy

The draft Central Sydney Planning Strategy was unanimously endorsed by the Central Sydney Planning Committee (CSPC) at its meeting on 21 July 2017, and the CSPC also resolved to submit the accompanying Planning Proposal to the Greater Sydney Commission with a request for a Gateway Determination. The Planning Proposal has not yet received Gateway Determination from the NSW Department of Planning and Environment to allow public exhibition, and accordingly has no formal statutory effect on this project under with the EP&A Act.

The main focus of the strategy is to protect the CBD for employment uses, and unlock additional capacity in certain areas for more substantial redevelopment. Given that nature of the development as being for residential or commercial uses, this is a relevant consideration. In addition, the strategy also includes a number of other directions. Of most relevance to public visual considerations is direction 7:

- Protect, enhance and expand Central Sydney's heritage and public places.

Most actions under this direction cover sun protection to public places. The only reference to views is in relation to significant public view corridors at Martin Place, Central Railway clock tower and Observatory Hill. The proposal does not impact on these visual corridors.

The Strategy makes a number of specific statements and recommendations in relation to the balancing of private views and the facilitation of development within Central Sydney:

As old buildings are replaced with new ones, views are subject to change. Given the constantly changing built environment of Central Sydney, regulating for maintenance of private views is overly restrictive and complex. Maintaining existing private views inhibits change and would render Central Sydney uncharacteristically static.

Central Sydney has a privileged position on a peninsula in a harbour surrounded by water and parklands, containing a large number of highly significant structures and buildings of a height that vastly exceeds its surroundings. This means that the large majority of available views are considered "iconic". This sets Central Sydney apart from other places; standard principles around views and the sharing of them are not applicable.

Development in a suburban context is flexible. Building adjustments to form are relatively simple through more skilful design. However, the scope is often not available within the confines of planning requirements to adjust the shape of a building in Central Sydney or move its location on the site. For example, tall commercial buildings consist of large regular floorplates and their complex structural requirements and high quality repeatable exterior cladding reinforces this regularity. For these buildings, better design to provide a better view is rarely possible.

The desire for views to the north favours the northern foreshore precincts and the ridges behind them, but in an increasingly dense and compact urban centre, the ability to protect

private views comes secondary to the protection and enhancement of public views and the protection of outlook as a focus of the planning framework.

It is clear from the above that the protection of private views should not impede the future growth and evolution of Central Sydney. The Strategy includes specific language which rejects the application of the Tenacity planning principle in the context of Central Sydney, specifically in relation to the characterisation of affected views and the ability to rely on building design to minimise view impacts in a high-density urban context. In addition, the Planning Proposal includes a proposed amendment to the wording of clause 4.3 of LEP 2012 to make clear that the “promote the sharing of views” objective of this development standard should only apply to land outside of Central Sydney.

4. The Proposal

This concept SSD Application comprises the first stage of the Pitt Street South OSD project. It will be followed by a detailed SSD Application for the design and construction of the OSD to be lodged by the successful contractor who is awarded the contract to deliver the Integrated Station Development.

This concept SSD Application seeks approval for the planning and development framework and strategies to inform the future detailed design of the OSD. It specifically seeks approval for the following:

- a building envelope
- a maximum envelope height of Relative Level (RL 171.6) which equates to approximately 35 storeys, including the podium height of RL 71.0 which equates to approximately 8 storeys above ground
- use for the OSD component of the development for uses, subject to further detailed applications, which could include:
 - residential accommodation; or
 - commercial premises
 - use of the conceptual OSD space provisioning within the footprint of the CSSI Approval (both above and below ground), including the OSD lobby areas, podium car parking, storage facilities, services and back-of-house facilities
- car parking for a maximum of 34 spaces located across three levels of the podium
- loading, vehicular and pedestrian access arrangements from Pitt Street
- strategies for utilities and service provision
- strategies for the management of stormwater and drainage
- a strategy for the achievement of ecologically sustainable development
- indicative future signage
- a strategy for public art
- a design excellence framework
- the future subdivision of parts of the OSD footprint (if required)

As this concept SSD Application is a staged development pursuant to section 4.22 of the EP&A Act, future approval would be sought for detailed design and construction of the OSD. Concept indicative designs showing potential residential and commercial building form outcomes at the site, have been provided as part of this concept SSD Application at Appendix E and Appendix F, respectively.

Pitt Street Station is to be a key station on the future Sydney Metro network, providing access to the Sydney CBD. The proposal combines the metro station with an OSD component. The OSD would assist in strengthening the role of Central Sydney as the key centre of business in Australia and would contribute to the diversity, amenity and sustainability of the CBD.

It is noted that Pitt Street Station northern portal OSD is subject to a separate application, and does not form part of this concept SSD Application.

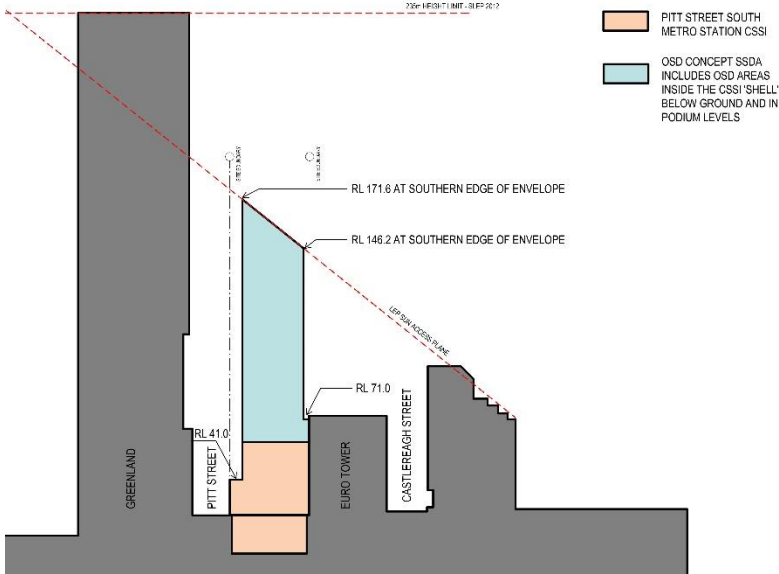


Figure 9: Pitt Street South OSD envelope, including OSD components (Blue) and station box (Orange)

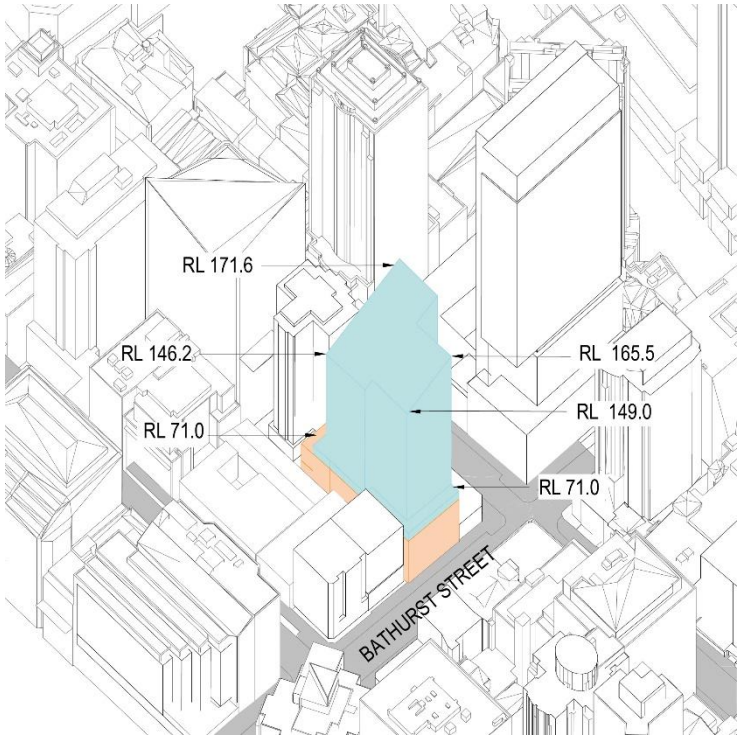


Figure 10: Pitt Street South OSD axonometric diagram, as seen from north-east

5. Visual effect

This part of the report describes the existing visual environment and assesses the visual effect of the proposal. Assessment is made against baseline and variable factors. Baseline factors are criteria that are independent of the nature of viewing locations. On this basis, they can be discussed for the site as a whole. Conversely, variable factors are criteria that differ according to viewing location. On this basis, they must be discussed individually.

5.1. Baseline factors

5.1.1. Visual catchment

A visual catchment is the area that has the potential to be impacted by a proposal. It is created by the interrelationship of a number of factors, including elevation, landform and landscape elements.

Due to its scale and height combined with the natural landform of the Sydney basin and surrounds, the theoretical visual catchment of the Sydney CBD is extensive. Subject to certain weather conditions, an uninterrupted view of the CBD skyline can be viewed from locations as distant as the lower Blue Mountains to the west and Engadine to the south.

However, due to intervening elements of topography, buildings and vegetation, for most points in the public domain within a closer range, the extent of this view is compromised, with only partial views available. Nonetheless, a multitude of potential viewpoints are theoretically available.

This poses challenges in terms of identify from what viewpoints the proposal can potentially be seen. To bring these viewpoints down to a manageable number and to focus on these that may have the greatest impact, it is important to consider more localised conditions.

Length wise (north-south), the site occupies a position in the centre of the CBD. Width wise (east-west), it occupies a position close to the eastern flank of the CBD as delineated by Elizabeth Street. Due to the nature of the CBD, which is dominated by a dense clustering of tall towers, the proposal is therefore unlikely to be visible from most points in the public domain to the north, south and west. However, the proposal has the potential to be highly visible from points in the public domain in the medium range to the east. This is mainly due to its peripheral location, as well as the presence of Hyde Park which provides for a large number of users and an absence of tall structures (excluding the war memorial), and the slope of land form the site downwards to Woolloomooloo before picking up again as it transitions towards Potts Point. This location is also the most sensitive to changes in the visual field, as the combination of Hyde Park and the CBD skyline are attractive features when viewed from major entry points from the east, and Hyde Park itself is a highly valued and attractive landscape element.

Based on this, eight (8) viewpoints were selected to enable the baseline and variable factor visual effect assessment to be undertaken. These are shown in **Figure 11**. These viewpoints were selected considering the following factors (note viewpoints do not need to satisfy all factors):

- Focussing on points to the east, while also capturing some other points for the purposes of being comprehensive

- Providing a mix of viewing distances
- Being located in the public domain
- High levels of public utilisation
- Ensuring capture of positions of particular sensitivity
- General recognition as a point from which views can be enjoyed.

As they represent major entry points to the CBD from the east, a number of locations were selected on William Street and Oxford Street, and as it is a key feature of the CBD, a number of locations were selected with Hyde Park in the foreground.

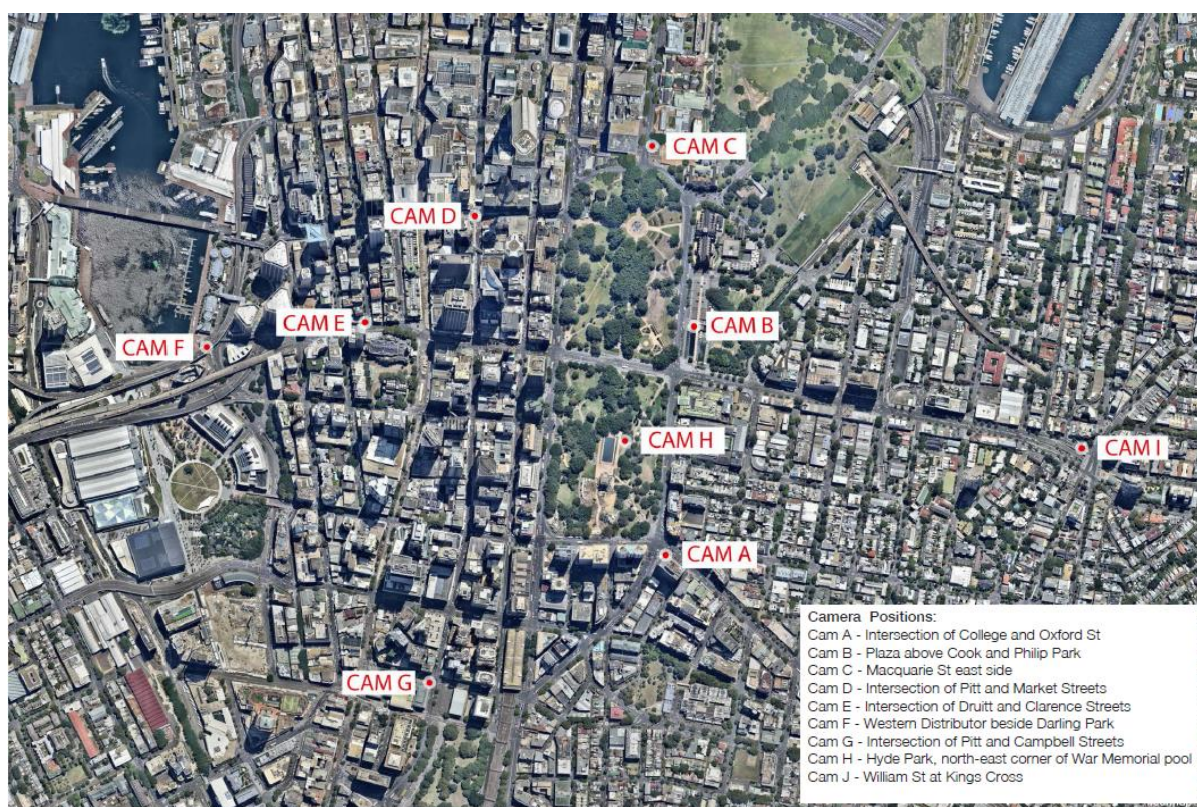


Figure 11 – View locations

Source: Virtual Ideas

5.1.2. Visual character

Visual character is formed by patterns created by the relationship of all elements within an area, including both the public and private domain (Victorian Department of Environment, Land, Water and Planning, 2015).

In terms of visual character, given the theoretical visibility of the proposal, it is important to consider a long, medium and close range of scales.

Long

The broad visual character of eastern Sydney is one of the most recognisable and iconic in the world. This character is derived from a complex interplay of natural and built features,

including landforms such as hills, ridges and valleys, Sydney Harbour, vegetation, structures and buildings. In particular, landmarks such as the Harbour Bridge, Opera House and Sydney Tower provide strong visual appeal. Compared to other cities with more recessive natural features or a stronger assertion of built form through rigid grid street network, this has the general effect of a city heavily influenced by its natural landscape.

Due to its scale and height, the Sydney CBD is a key landmark in this context. Presenting at over 2 kilometres in length, the CBD is particularly dominant when viewed from positions to the east. Due to the sheer drop to Hyde Park and the Domain, many buildings on the eastern flank of the CBD can be clearly read as distinct items set within a backdrop of other buildings. A cluster of tall, architecturally distinct buildings occurs at the northern end of the CBD generally between Martin Place and Bent Street (e.g. Deutsche Bank and Aurora Place). While the balance of the CBD when presenting to the east comprises a number of notable buildings, in particular the MLC Tower and World Tower, it does not have the same density of tall buildings as this northern cluster. Sydney Tower is the key built landmark within the CBD when viewed from the east. This is due to its height, unique form and location in a part of the CBD relatively devoid of very tall buildings.

Due to its location, form, scale and height relative to the CBD skyline, the proposal would have a low effect on long range visual character.

Medium

From the east, the medium range visual character is heavily influenced by the interplay of the CBD's eastern frame of public open space (stretching from Sydney Harbour to include the Botanic Gardens, The Domain and Hyde Park) and the CBD skyline. From points in the public domain at ground level, the CBD skyline typically appears as a crown floating above the parklands tree canopy. Similar to the broader landscape character, this provides a unique combination of natural and built elements. In particular, the parklands create a softer visual character than would otherwise be achieved in their absence. Due to the height of much of the parklands vegetation, lower height or more distant buildings take a more recessive role in the visual character, with taller buildings such as Sydney Tower and the MLC Tower becoming even more dominant. In addition, a more fine grain clustering of taller buildings becomes apparent at this scale. The site sits within one of these clusters. This cluster comprises the following existing towers:

- 201 Elizabeth Street
- Citigroup Centre
- Park Regis City Centre
- ANZ Tower.

Subject to its constriction, this cluster will be further complemented by 115 Bathurst St and 116 Bathurst St, and the potential future redevelopment of 201 Elizabeth Street (subject to detailed planning approval).

Each of these buildings are slender, high rise towers. Dating from the 1960s and 1970s, 201 Elizabeth Street and the Park Regis City Centre are older structures with simple forms. Conversely, while sharing the same general scale and height, the Citigroup Centre and ANZ Tower have more contemporary, expressive forms. The ANZ tower in particular has established itself as landmark tower due to its unique form and orientation.

Due to its location, form, scale and height relative to the CBD skyline, the proposal would have a low effect on medium range visual character.

Close

Without the benefit of the CBDs eastern frame of public open space, the close range presents distinct from the long and medium ranges as a highly urban visual character.

This is shaped by the relationship between the following elements:

- building scale and height, including some tall, visually dominant buildings
- built to the street boundary
- continuous street wall
- narrow streets
- street trees not providing a consistent canopy cover
- absence of green spaces
- heavy use of roads and footpaths.

Due to its location, form, scale and height relative to the CBD skyline, the proposal would have a low effect on short range visual character.

5.1.3. Scenic quality

Scenic quality, or scenic amenity, is determined by a combination of factors. Most importantly it considers concepts of scenic preference and visual exposure from the public domain (Queensland Government, 2007).

Scenic preference indicates people's relative liking of different landscape features. Visual exposure is the extent to which a place in the landscape is seen from important public viewing locations (e.g. roads, recreation areas, schools, golf courses).

The CBD has a high level of visual exposure from parts of the visual catchment. However, as it comprises built form as opposed to natural elements such as beaches, when considered against standard scenic amenity methods, its scenic preference is low. Nonetheless, factoring in other considerations such as its status as an attractive and sought-after part of many views, it is reasonable to consider that the CBD has a moderate level of scenic amenity, in particular from longer range viewing location where an appreciation of a large part or the entirety of the skyline can be obtained.

Noting that the site and proposal would not be readily visible from these locations, the exception to this is views to the CBD from Sydney Harbour. Under standard scenic amenity methods, views to open water have a high scenic preference. As it forms an integral part of the Sydney Harbour visual catchment, the CBD skyline can be considered to have a high scenic preference by this association. This is particularly the case for views across the Harbour to iconic built features such as the Harbour Bridge and the Opera House.

The proposal would not be readily visible from Sydney Harbour. While the proposal is a built element, it does not introduce an item or items that are typically ranked as having low scenic preference. While evident in the landscape, the form, scale and height of the proposal would not be particularly distinct from the existing CBD skyline.

5.1.4. View place sensitivity

View place sensitivity is a measure relevant to the public domain.

The main public locations in the visual catchment from which a view to the site can be obtained are roads and parks.

Views to the CBD skyline from middle range distances to the east have particular sensitivity. From these locations Hyde Park in the fore and middle ground and the CBD skyline in the background create an attractive visual character. Due to the large number of people who theoretically have the opportunity to obtain views to the site over sustained periods of time associated with recreation activities, locations in Hyde Park high view place sensitivity. Given they are key entry points to the CBD from the east and provide attractive focal views of the CBD skyline, William Street and Oxford Street also have high view place sensitivity.

From positions within and on the eastern perimeter of Hyde Park, the bulk of the proposal would be screened by trees and other vegetation. Similarly, when viewed from viewpoints on William Street and Oxford Street, the proposal is largely screened by fore, mid and background buildings, trees and infrastructure.

On this basis, the proposal does not have a significant effect on these sensitive locations.

5.1.5. Viewer sensitivity

Viewer sensitivity is usually a relevant consideration in relation to the private domain, in particular residential areas. It is seldom a key matter for commercial areas. Viewer sensitivity decreases with distance. The highest effects occur within the closest sensitivity range (within 100 metres), with moderate sensitivity at the medium sensitivity range (100 metres – 1000 metres) and low sensitivity beyond 1000 metres (RLA 2016).

Under successive planning instruments the Sydney CBD has primarily been designated for large scale commercial office and mixed use development. This is reflected in the strategic intent of the Central Sydney Planning Strategy to unlock more land for employment uses. Consequently, there are relatively few residential buildings in the CBD. The only major residential accommodation within the immediate visual catchment of the site are the Century Tower, Princeton Apartments and future Greenland Centre (under construction), which is discussed further at Section 8.

Separately from those residential buildings specifically assessed in Section 8, there are three residential areas with potential medium viewer sensitivity:

1. Woolloomooloo
2. Darlinghurst
3. Surry Hills.

While the CBD skyline is a valuable key feature from certain properties in these areas, the location, scale and height of the proposal, in particular relative to nearby taller towers, means that it is unlikely to significantly alter the nature of existing views.

On this basis, the proposal has a low – medium effect when considered against this criteria.

5.2. Variable factors

Photomontages obtained from the view points were prepared by Virtual Ideas. The analysis of variable factors in this study is based on this work. The variable factors considered for each view are:

- View composition type
 - Expansive
 - Restricted
 - Panoramic
 - Focal
 - Feature
- Relative viewing level
 - Above the site
 - Level with the site
 - Below the site
- Viewing period
 - Short
 - Long
 - Irregular
 - Regular
- Viewing distance
 - Close range (<100 metres)
 - Medium range (100 metres – 1,000 metres)
 - Long range (>1,000 metres)
- View loss or blocking.

5.3. Viewpoint 1: Intersection of Oxford Street and Wentworth Avenue, Surry Hills

Table 2 – Viewpoint 4: Intersection of Oxford Street and Wentworth Avenue, Surry Hills

Element	Category	Comment	Level of effect
Category of view	Public domain, main road	N/a	N/a
Visibility	N/a	The upper floors of the proposal are visible from this viewpoint	N/a
View composition type	Restricted within feature context	The presence of Hyde Park opens up this view, with road surface dominant in the foreground, the park dominant in the middle ground and the CBD skyline dominant as a feature in the background. On this basis, the broader view composition type is feature (the presence of The Connaught residential tower prevents the view from being classed as expansive). The overall composition of the view would be unchanged by the proposal.	Low
Relative viewing level	Level with the site	At 45 – 50 metres AHD, the relative viewing level is level with the site	Low
Viewing period	Short, with opportunities for regularity	Being located within a road reserve, most people would be travelling through the viewpoint either in vehicles or as cyclists or pedestrians. Due to the presence of traffic lights, this short length would be extended on occasions. Due to the nature of Oxford Street in this location primarily for commuting and general access purposes (as opposed to tourist routes), there is opportunity for repeated viewing period events	Low-medium
Viewing distance	Medium range	At approximately 520 metres from the site, the viewpoint is located in the medium range	Low
View loss or blocking	No loss of valuable views of landscape features from ground level	The proposal would not impede or block a significant view currently obtained from the viewpoint	Low
Overall			Low



Figure 12 – Viewpoint 1: Intersection of Oxford Street and Wentworth Avenue, Surry Hills, existing view



Figure 13 – Viewpoint 1: Intersection of Oxford Street and Wentworth Avenue, Surry Hills, proposed view

5.4. Viewpoint 2: Cathedral Square, College Street, Sydney

Table 3 – Viewpoint 5: Cathedral Square, College Street, Sydney

Element	Category	Comment	Level of effect
Category of view	Public domain, public open space	N/a	N/a
Visibility	N/a	The upper floors of the proposal are visible from this viewpoint	N/a
View composition type	Expansive	The view has an unobstructed foreground and features Hyde Park in the complete length of the view in the middle ground and the CBD skyline in the complete length of the view in the background. On this basis, the view is expansive. The overall composition of the view would be unchanged by the proposal.	Low
Relative viewing level	Below the site	At 35 – 40 metres AHD, the relative viewing level is below the site	Low – medium
Viewing period	Medium	Cathedral Square provides opportunities for passive and active recreation activities carried out over extended time periods, including for tourism (associated with the adjoining St Mary's Cathedral), events, gathering, sitting and skateboarding	Medium
Viewing distance	Medium range	At approximately 375 metres from the site, the viewpoint is located in the medium range	Low
View loss or blocking	No loss of valuable views of landscape features from ground level	The proposal would not impede or block a significant view currently obtained from the viewpoint	Low
Overall			Low – medium



Figure 14 – Viewpoint 2: Cathedral Square, College Street, Sydney, existing view



Figure 15 – Viewpoint 2: Cathedral Square, College Street, Sydney, proposed view

5.5. Viewpoint 3: Macquarie Street, near College Street, Sydney

The proposal would not be visible from this viewpoint. Therefore, the level of visual effect is automatically low. Nonetheless, it is useful to analyse the nature of the view for context purposes. This is outlined in the table.

Table 4 – Viewpoint 6: Macquarie Street, near College Street, Sydney

Element	Category	Comment	Level of effect
Category of view	Public domain, main road	N/a	N/a
Visibility	N/a	The proposal is not visible from this viewpoint	N/a
View composition type	Restricted feature	The foreground and middle ground of the view is dominated by roads. This open terrain focusses the eye on the continuous wall of figs within Hyde Park along College Street and Prince James Road in the background. The CBD skyline forms a backdrop to this main feature. The overall composition of the view would be unchanged by the proposal.	Low
Relative viewing level	Level with the site	At 45 – 50 metres AHD, the relative viewing level is level with the site	Low
Viewing period	Short, with opportunities for regularity	Being located within a road reserve, most people would be travelling through the viewpoint either in vehicles or as cyclists or pedestrians. Due to the presence of traffic lights, this short length would be extended on occasions. Due to the nature of College Street in this location primarily for commuting and general access purposes (as opposed to tourist routes), there is opportunity for repeated viewing period events	Low-medium
Viewing distance	Medium range	At approximately 500 metres from the site, the viewpoint is located in the medium range	Low
View loss or blocking	No loss of valuable views of landscape features from ground level	The proposal would not impede or block a significant view currently obtained from the viewpoint	Low
Overall			Low, due to the proposal not being visible from this viewpoint



Figure 16 – Viewpoint 3: Macquarie Street, near College Street, Sydney, existing view



Figure 17 – Viewpoint 3: Macquarie Street, near College Street, Sydney, proposed view

5.6. Viewpoint 4: Intersection of Pitt Street and Market Street, Sydney

The proposal would not be visible from this viewpoint. Therefore, the level of visual effect is automatically low. Nonetheless, it is useful to analyse the nature of the view for context purposes. This is outlined in the table.

Table 5 – Viewpoint 4: Intersection of Pitt Street and Market Street, Sydney

Element	Category	Comment	Level of effect
Category of view	Public domain, main road	N/a	N/a
Visibility	N/a	The proposal is not visible from this viewpoint	N/a
View composition type	Focal	The dominance of a ground plane lateral feature in the form of Pitt Street focusses and directs along the Pitt Street road reserve. This is further reinforced by the largely consistent street walls in the fore and mid ground. On this basis, the view composition type is focal. The overall composition of the view would be unchanged by the proposal	Low
Relative viewing level	Above the site	At approximately 95 metres, the viewing location is located above the site	Low
Viewing period	Short, with opportunities for regularity	Being located within a road reserve, most people would be travelling through the viewpoint either in vehicles or as cyclists or pedestrians. Due to the presence of traffic lights, this short length would be extended on occasions. Due to the nature of Pitt Street in this location primarily for commuting and general access purposes (as opposed to tourist routes), there is opportunity for repeated viewing period events	Low-medium
Viewing distance	Medium range	The viewpoint is located approximately 430 metres from the site	Medium
View loss or blocking	Nil	N/a	
Overall			Low, due to the proposal not being visible from this viewpoint



Figure 18 – Viewpoint 4: Intersection of Pitt Street and Market Street, Sydney, existing view



Figure 19 – Viewpoint 4: Intersection of Pitt Street and Market Street, Sydney, proposed view

5.7. Viewpoint 5: Intersection of Druitt and Clarence Streets, Sydney

The proposal would not be visible from this viewpoint. Therefore, the level of visual effect is automatically low. Nonetheless, it is useful to analyse the nature of the view for context purposes. This is outlined in the table.

Table 6 – Viewpoint 5: Intersection of Druitt and Clarence Streets, Sydney

Element	Category	Comment	Level of effect
Category of view	Public domain, main road	N/a	N/a
Visibility	N/a	The proposal is not visible from this viewpoint	N/a
View composition type	Focal	The dominance of a ground plane lateral feature in the form of Druitt Street focusses and directs along the road reserve. On this basis, the view composition type is focal. The overall composition of the view would be unchanged by the proposal	Low
Relative viewing level	Below the site	At approximately 40 metres, the relative viewing level is below the site	Low – medium
Viewing period	Medium	Being located within a road reserve, most people would be travelling through the viewpoint either in vehicles or as cyclists or pedestrians. Due to the presence of traffic lights, this short length would be extended on occasions. Due to the nature of Druitt Street in this location primarily for commuting and general access purposes (as opposed to tourist routes), there is opportunity for repeated viewing period events	Medium
Viewing distance	Medium range	At approximately 265 metres from the site, the viewpoint is located in the medium range	Low
View loss or blocking	Nil	N/a	Low
Overall			Low, due to the proposal not being visible from this viewpoint



Figure 20 – Viewpoint 5: Intersection of Druit and Clarence Streets, Sydney, existing view



Figure 21 – Viewpoint 5: Intersection of Druit and Clarence Streets, Sydney, proposed view

5.8. Viewpoint 6: Western Distributor beside Darling Park, Ultimo

The proposal would not be visible from this viewpoint. Therefore, the level of visual effect is automatically low. Nonetheless, it is useful to analyse the nature of the view for context purposes. This is outlined in the table.

Table 7 – Viewpoint 6: Western Distributor beside Darling Park, Ultimo

Element	Category	Comment	Level of effect
Category of view	Public domain, motorway	N/a	N/a
Visibility	N/a	The proposal is not visible from this viewpoint	N/a
View composition type	Feature	The Sydney CBD is the dominant landscape feature in this view. Due to location, visibility, and height and narrow profile relative to other buildings, the under construction Greenland Centre will become a notable feature of this viewpoint in the future	Low
Relative viewing level	Below the site	At approximately 15 metres, the relative viewing level is below with the site	Low
Viewing period	Short, with opportunities for regularity	Being located within a motorway road reserve, most people would be travelling through the viewpoint in vehicles. Due to the nature of the Western Distributor in this location primarily for commuting and general access purposes (as opposed to tourist routes), there is opportunity for repeated viewing period events	Low-medium
Viewing distance	Medium range	At approximately 545 metres from the site, the viewpoint is located in the medium range	Low
View loss or blocking	Nil	N/a	Low
Overall			Low, due to the proposal not being visible from this viewpoint



Figure 22 – Viewpoint 6: Western Distributor beside Darling Park, Ultimo, existing view



Figure 23 – Viewpoint 6: Western Distributor beside Darling Park, Ultimo, proposed view

5.9. Viewpoint 7: Intersection of Pitt and Campbell Streets, Sydney

The proposal would not be visible from this viewpoint. Therefore, the level of visual effect is automatically low. Nonetheless, it is useful to analyse the nature of the view for context purposes. This is outlined in the table.

Table 8 – Viewpoint 7: Intersection of Pitt and Campbell Streets, Sydney

Element	Category	Comment	Level of effect
Category of view	Public domain, main road	N/a	N/a
Visibility	N/a	The proposal is not visible from this viewpoint	N/a
View composition type	Focal	The dominance of a ground plane lateral feature in the form of Pitt Street focusses and directs along the Pitt Street road reserve. This is further reinforced by the street walls that are consistently flush with the eastern side of the street. On this basis, the view composition type is focal. The overall composition of the view would be unchanged by the proposal	Low
Relative viewing level	Above the site	At approximately 25 metres, the viewing location is located below the site	Low
Viewing period	Short, with opportunities for regularity	Being located within a road reserve, most people would be travelling through the viewpoint either in vehicles or as cyclists or pedestrians. Due to the presence of traffic lights, this short length would be extended on occasions. Due to the nature of Pitt Street in this location primarily for commuting and general access purposes (as opposed to tourist routes), there is opportunity for repeated viewing period events	Low-medium
Viewing distance	Medium range	The viewpoint is located approximately 520m from the site	Medium
View loss or blocking	Nil	N/a	
Overall			Low, due to the proposal not being visible from this viewpoint

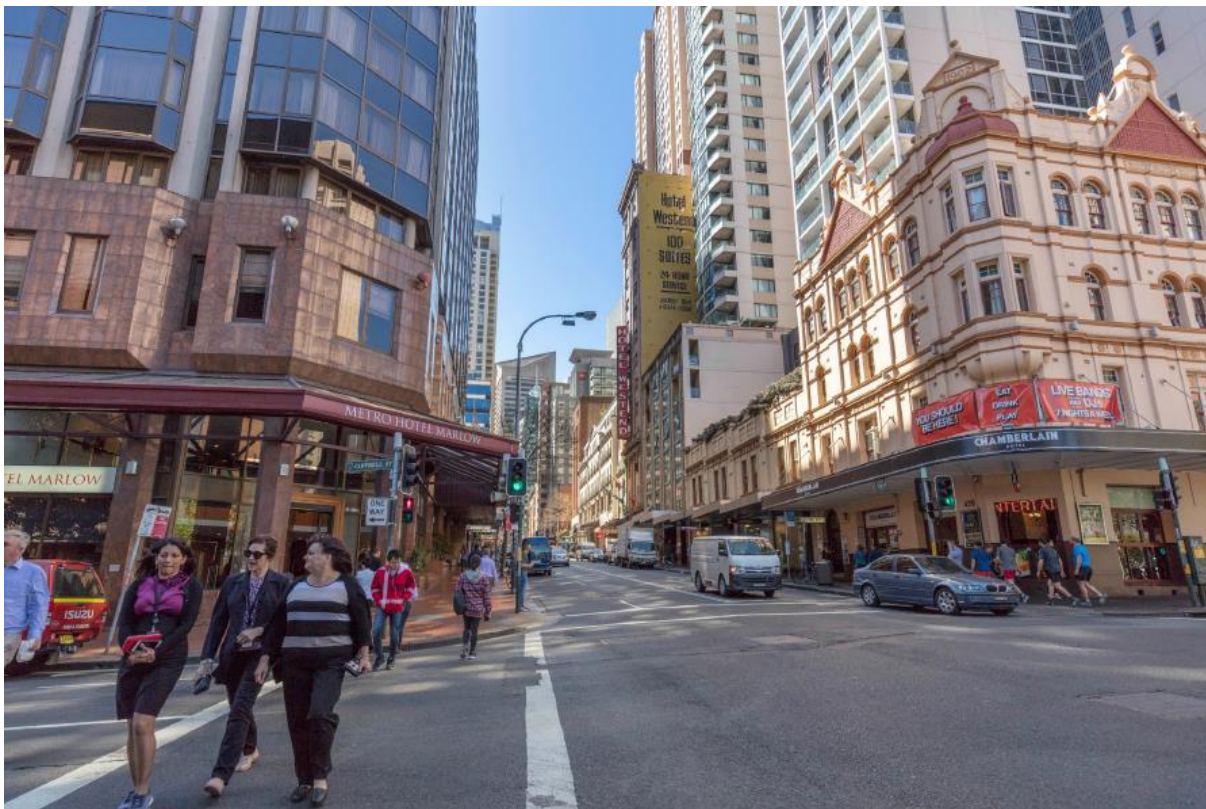


Figure 24 – Viewpoint 7: Intersection of Pitt and Campbell Streets, Sydney



Figure 25 – Viewpoint 7: Intersection of Pitt and Campbell Streets

5.10. Viewpoint 8: Hyde Park, north-east corner of War Memorial pool, Sydney

Table 9 – Viewpoint 8: Hyde Park, north-east corner of War Memorial pool, Sydney

Element	Category	Comment	Level of effect
Category of view	Public domain, public open space	N/a	N/a
View composition type	Restricted	<p>The foreground is dominated by an expanse of lawn, the midground the Pool of Reflection and trees along the western flank of Hyde Park and the background is dominated by the CBD skyline, the lower levels of which are largely obscured by the midground trees. Within this overall composition there are a number of landmarks that draw the eye towards them:</p> <ul style="list-style-type: none"> • the ANZAC memorial draws the eye to the left of the view • 201 Elizabeth Street draws the eye to the right of the view • the under construction Greenland Centre will draw the eye to the centre background of the view. <p>The proposal would integrate with the surrounding CBD skyline visual elements, and the overall composition of the view would be unchanged by the proposal.</p>	Low
Relative viewing level	Level with the site	At 40 metres, the relative viewing level is level with the site	Low
Viewing period	Short, with opportunities for regularity	The grassed open space that forms the foreground of this view is largely used for quieter, passive recreation activities carried out over a longer time frame such as sitting and relaxing.	Low-medium
Viewing distance	Long range	At approximately 300 metres from the site, the viewpoint is located in the medium range	Low
View loss or blocking	Nil	N/a	Low
Overall			Low



Figure 26 – Viewpoint 8: Hyde Park, north-east corner of War Memorial pool, Sydney, existing view



Figure 27 – Viewpoint 8: Hyde Park, north-east corner of War Memorial pool, Sydney, proposed view

5.11. Viewpoint 9: William Street, Potts Point (Kings Cross)

Table 10 – Viewpoint 9: William Street, Potts Point (Kings Cross)

Element	Category	Comment	Level of effect
Category of view	Public domain, main road	N/a	N/a
View composition type	Focal	The dominant lateral element of William Street, along with its adjoining street aligned built form, focusses the eye from the foreground through the midground to the background towards the CBD skyline. This is offset by the presence of the Horizon Building in the mid ground, which is an anomalous in scale and height to all other elements and as such is a distinct feature of the view. The proposal itself is only just visible above the midground bulk of the Ibis Budget Sydney East hotel complex on William Street	Low
Relative viewing level	Above the site	At 54 metres, the relative viewing level is above the site	Low
Viewing period	Short, with opportunities for regularity	Being located within a road reserve, most people would be travelling through the viewpoint either in vehicles or as cyclists or pedestrians. Due to the presence of traffic lights, this short length would be extended on occasions. Due to the nature of William Street in this location primarily for commuting and general access purposes (as opposed to tourist routes), there is opportunity for repeated viewing period events While the paved and terraced area to the right side of the view provides opportunities for seating, based on site visits it was not heavily used for this purpose. This is likely due to it largely being in the shade during the day, and its location adjoining a major road intersection.	Low-medium
Viewing distance	Long range	At approximately 1.2 kilometres from the site the viewpoint is located in the long range	Low
View loss or blocking	Nil	N/a	Low
Overall			Low



Figure 28 – Viewpoint 9: William Street, Potts Point (Kings Cross), proposed view



Figure 29 – Viewpoint 9: William Street, Potts Point (Kings Cross), proposed view

5.11.1. Summary: Level of Visual Effect

Factors	Low	Medium	High	Comment
Baseline factors				
Visual character	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The visual character of eastern Sydney is one of the most recognisable and iconic in the world. This character is derived from a complex interplay of natural and built features, including landforms such as hills, ridges and valleys, Sydney Harbour, vegetation, structures and buildings. In particular, landmarks such as the Harbour Bridge, Opera House and Sydney Tower provide strong visual appeal. Compared to other cities with more recessive natural features or a stronger assertion of built form through rigid grid street network, this has the general effect of a city heavily influenced by its natural landscape.</p> <p>Due to its scale and height, the Sydney CBD is a key landmark in this context.</p> <p>From the east, the medium range visual character is heavily influenced by the interplay of the CBDs eastern frame of public open space (stretching from Sydney Harbour to include the Botanic Gardens The Domain and Hyde Park) and the CBD skyline. From points in the public domain at ground level, the CBD skyline typically appears as a crown floating above the parklands tree canopy. Similar to the broader landscape character, this provides a unique combination of natural and built elements. The site sits within a cluster of taller buildings within the CBD context. Without the benefit of the CBDs eastern frame of public open space, the close range presents distinct from the long and medium ranges as a highly urban visual character.</p> <p>Due to its location, form, scale and height relative to the CBD skyline, the proposal would have a low effect on long, medium and short range visual character.</p>
Scenic quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The CBD has a high level of visual exposure from parts of the visual catchment. However, as it comprises built form as opposed to natural elements such as beaches, when considered against standard scenic amenity methods, its scenic preference is low. While the proposal is a built element, it does not introduce an item or items that are typically ranked as having low scenic preference. While evident in the landscape, the form, scale and height of the proposal would not be particularly distinct from the existing CBD skyline. On this basis the proposal has a low effect on scenic quality.</p>
View place sensitivity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Due to the large number of people who theoretically have the opportunity to obtain views to the site over sustained periods of time associated with recreation activities, locations in Hyde Park high view place sensitivity. Given they are key entry points to the CBD from the east and provide attractive focal views of the CBD skyline, William Street and Oxford Street also have high view place sensitivity.</p> <p>From positions within and on the eastern perimeter of Hyde Park, the bulk of the proposal would be screened by trees and other vegetation. Similarly, when viewed from viewpoints on William Street and Oxford Street, the proposal is largely screened by fore, mid and background buildings, trees and infrastructure.</p> <p>On this basis, the proposal does not have a significant effect on these sensitive locations.</p>
Viewer sensitivity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The site is located proximate to the Princeton, Century and Greenland Centre residential buildings. Discussion on the expected impact on these properties is located at section 8 of this report.</p> <p>While the CBD skyline is a valuable key feature from certain properties in Woolloomooloo, Darlinghurst and Surry Hills, the location, scale and height of the proposal, in particular relative to nearby taller towers, means that it would not significantly alter the nature of existing views. On this basis, overall the proposal does</p>

Factors	Low	Medium	High	Comment
				not have a significant effect on these locations.
Variable factors				
View composition type	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The overall composition of existing views to the site would be unchanged by the proposal. On this basis, it has a low effect on view composition type.
Relative viewing level	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Although the shape of the local landform results in a number of viewpoints being beneath the level of the site, they are located in the middle range and views would be blocked by intervening elements such as buildings, vegetation and infrastructure. On this basis, the proposal has a low - medium effect on the viewing period.
Viewing period	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	As they are primarily used by people moving through the area in vehicles or as cyclists or pedestrians undertaking commuter or local access trips, most views obtained from the selected viewpoints would involve short to medium viewing periods. However, there are a number of viewpoints within or on the perimeter of Hyde Park that provide opportunities for medium viewing periods associated with passive recreation or tourist uses. On this basis, the proposal has a medium effect on the viewing period aspect of views.
Viewing distance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Reflecting sensitivity, all viewpoints used for the purpose of assessment are located in the mid-range. The proposal would have a low effect on the viewing distance aspect of views.
View loss or blocking	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Significant views, such as panoramic views to attractive landscape features, would not be blocked from the public domain. It is possible that views from some units in the Park Regis Building may be affected by the proposal. However, expansive views east to the iconic and highly desirable elements of Hyde Park and Sydney Harbour would not be compromised, and impact on views must be considered against the preferred role of the CBD as a location for growth and change in the form of intensive, tall development largely catering to office accommodation.

6. Visual Impact

This part of the report assesses the visual impact of the concept proposal. Visual impact is determined by considering visual effect against certain factors. The size of the visual effect does not necessarily correlate with the size of its impact. For example, a proposal may have a high visual effect, however a low or moderate visual impact. Conversely, due to the sensitive nature of a place, a small visual effect may have a high visual impact.

The factors selected to inform visual impact are:

1. physical absorption capacity (PAC)
2. compatibility.

6.1. Physical absorption capacity

PAC means the extent to which the existing visual environment can mitigate visibility of a proposal, including through hiding, screening or disguising, and the extent to which the character, scale, colours, materials and finishes of a proposal enable it to reduce contrast with similar nearby development to the extent that it cannot easily be distinguished as a new feature.

Prominence, which is influenced by design, is also relevant to PAC. High PAC can only occur where there is low to moderate prominence of the proposal in the existing visual environment. Design, including, scale, colours, materials and finishes, can decrease prominence.

Due to the screening effect of Hyde Park vegetation, its bulk and height relative to nearby CBD skyline elements and its location set back from the Elizabeth Street edge of the CBD, the proposal would have a moderate prominence from the selected viewpoints.

The dominant high-rise office tower built form typology of the Sydney CBD is able to mitigate visibility of the proposal to a level where it does not have a high contrast with the existing setting. Impact is further mitigated by a comparable height, scale and form to surrounding development. Colours, materiality and finishes can also be carefully considered at the future detailed design stage and can assist with integrating the proposal with existing key features.

On this basis, the existing visual environment has a high PAC.

6.2. Compatibility

Visual compatibility is determined by whether the proposal would unacceptably change the essential scenic character of the visual catchment. Compatibility means that the proposal responds positively to or borrows from within the range of features (e.g. character, scale, form, colours, materials) of the surrounding area or of areas of the locality which have the same or similar existing visual character. Compatibility does not require replicating features that exist in the immediate surroundings. It is also not correlated with whether the proposal can be seen or distinguished from its surroundings, as highly visible elements can be compatible with their setting. Consideration of preferred future character identified in adopted planning instruments is also a relevant consideration.

As has been already noted in this report, the most sensitive and highest value views are obtained from points to the east of the site. The essential scenic character of these views as represented from the selected viewpoints is of a road or other surface in the foreground, a visually dominant expanse of vegetation in the middle ground and a cap of the CBD skyline in the background. The main elements of this scenic character that the proposal has the potential to impact on is CBD skyline. The proposal does not introduce a radically different element into views. Rather, it inserts a building that is compatible in scale, height and form to the existing CBD skyline. Further design refinement as part of subsequent stages of the development process can enhance its compatibility with the existing visual environment, including through detailed design such as materials and colours.

Due to this, the compatibility of the proposal with the essential scenic character of the visual catchment is high.

6.3. Application of factors

The application of PAC and compatibility is to reduce the significance of visual effect. Consequently, low – medium and medium visual effects are reduced to a low visual impact. The main determinants of this are:

- the high PAC of the Sydney CBD context
- existing and under construction buildings, in particular visually dominant buildings such as the Greenland Centre and 101 Elizabeth Street
- compatibility with the CBD context, and in particular the height, scale and form.

7. Assessment of acceptability of visual impact

7.1. Criteria for assessment

The criteria for assessment of whether the visual impact is acceptable has been derived from applicable planning documents, including the SEARs, Eastern District Plan and the City of Sydney DCP 2012. Five (5) criteria have been identified:

1. Criteria 1: Amenity
2. Criteria 2: Character
3. Criteria 3: Scenic and cultural landscapes
4. Criteria 4: Heritage
5. Criteria 5: Vistas and views from the public domain.

7.1.1. Criteria 1: Amenity

Source	Criterion	Response
SEARs	Key Issues 6. Amenity <ul style="list-style-type: none"> • demonstrate the impacts of the proposal on the amenity of surrounding residential development including measures to minimise potential overshadowing, privacy and view impacts 	Discussion in this report has demonstrated that from most proximate residential accommodation, visual impact will be acceptable. While the proposal will have a high impact on views from apartments in the mid levels of the Greenland Centre, the impact is reasonable on the balance of considerations, in particular the role of the Sydney CBD as a dynamic and changing environment intended to accommodate significant levels of future growth

7.1.2. Criteria 2: Character

Source	Criterion	Response
Region Plan	<ul style="list-style-type: none"> • To achieve a high quality urban form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of particular localities 	The proposal is consistent with the dominant existing character of this part of the Sydney CBD, and reflects the planning intent to further enhance the CBD as a preferred location for urban density

7.1.3. Criteria 3: Scenic and cultural landscapes

Source	Criterion	Response
Region Plan	<ul style="list-style-type: none"> • Scenic and cultural landscapes are protected 	Hyde Park and its CBD skyline background present as a valuable landscape unit when viewed from locations to the east, in particular gateways to the CBD from the east. The proposal is consistent with the character of these views. It will not impede the extent of the views, and will not fundamentally alter their focus or composition
District Plan	<ul style="list-style-type: none"> • Maintain the high level of visibility of the skyline, in particular from key points in the public domain, 	
District Plan	<ul style="list-style-type: none"> • Maintain the essential visual characteristics 	

Source	Criterion	Response
	of the CBD	
LEP	<ul style="list-style-type: none"> To protect, and to enhance the enjoyment of, the natural environment of the City of Sydney, its harbour setting and its recreation areas 	The proposal will not reduce the quality of views currently available from Hyde Park itself, and therefore does not detract from its broader character as an important public green space in a highly urban setting

7.1.4. Criteria 4: Heritage

Source	Criterion	Response
LEP	<ul style="list-style-type: none"> To conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views 	The site is located close to a number of heritage items. These items already exist in a highly urban, CBD setting. As such, expansive views to these items are largely not available from the public realm. Views can however be obtained at close range, largely from the opposite side of the street they face. Review of the heritage listing for this item, including recommended management has not identified views from these locations as being of significance. On this basis, the proposal does not have a significant adverse impact on this heritage item

7.1.5. Criteria 5: Vistas and views from public domain

Source	Criterion	Response
LEP	<ul style="list-style-type: none"> To promote the sharing of views 	<p>The proposal does not obstruct views, including view corridors, identified as being valuable in planning instruments. The proposal also does not diminish the presence of the sky in views from Hyde Park.</p> <p>As has been noted already in this report, while the proposal will have a high impact on views from apartments in the mid levels of the Greenland Centre, the impact is reasonable on the balance of considerations, in particular the role of the Sydney CBD as a dynamic and changing environment intended to accommodate significant levels of future growth</p>
LEP	<ul style="list-style-type: none"> Impact on view corridors 	
DCP	<ul style="list-style-type: none"> Buildings are not to impede views from the public domain to highly utilised public places, parks, Sydney Harbour, Alexandra Canal, heritage buildings and monuments including public statues, sculptures and art 	
DCP	<ul style="list-style-type: none"> Development is to improve public views to parks, Sydney Harbour, Alexandra Canal, heritage buildings and monuments by using buildings to frame views. Low level views of the sky along streets and from locations in parks are to be maintained 	

8. Private Views: Century Tower, Princeton Apartments and Greenland Centre

The Sydney CBD is primarily intended to be a jobs and employment location. As such residential accommodation uses are limited in the vicinity of the site. However, Century Tower is located to the south-west of the site, the Princeton Apartments are located to the immediate south of the site and the Greenland Centre is under construction across Pitt Street from the site.

The SEARs require consideration of visual impact on adjoining properties.

In current NSW planning practice there is no absolute right to the ownership of an existing view obtained from a place in the private domain. Doing so would place an unreasonable constraint on the capacity of urban areas to change and grow, in particular in dynamic, growth focussed locations such as the Sydney CBD.

However, view sharing is encouraged in certain circumstances. The principles underpinning views are laid down in the Land and Environment Court's Planning Principle for view sharing established in *Tenacity Consulting v Warringah Council* [2004] NSWLEC 140. This Planning Principle establishes a four-step assessment to assist in deciding whether or not view sharing is reasonable:

1. Step 1: assessment of views to be affected
2. Step 2: consider from what part of the property the views are obtained
3. Step 3: assess the extent of the impact
4. Step 4: assess the reasonableness of the proposal that is causing the impact.

The discussion of view sharing in *Tenacity* was based on a provision of the Warringah Local Environmental Plan 2000 that specifically stated that "development is to allow for the reasonable sharing of views". Whilst clause 4.3 of the Sydney LEP does indeed note that one of the objectives of the maximum building height clause is "to promote the sharing of views", we note that the maximum building height on the site is not limited by this clause. Instead, building heights on the subject site are limited only by clause 6.17 of the Sydney LEP which relates to sun access. There are no objectives in clause 6.17 which relate to view sharing. The Sydney LEP is also only one of a number of environmental planning instruments and policies that are applicable to the proposed development.

Secondly, Roseth SC specifically states in his judgement (at 25) that there are certainly circumstances that do not require any view sharing and where it may be entirely reasonable for a development to entirely block a view. The relevance and reasonableness of applying the *Tenacity* planning principle, made in the context of a three-storey building in a coastal suburban setting, to the current development proposal is therefore questionable. This is confirmed in the draft Central Sydney Planning Strategy which makes clear that the protection of private views comes secondary to the enhancement of public views, when considering the specificities of Central Sydney.

Whilst it is clear that there are some limitations in applying the *Tenacity* planning principle in the

context of the proposed development, the four steps outlined by Roseth SC nonetheless provide a useful framework for identifying and assessing (subject to qualifications) the impacts of a development on views.”

To undertake this assessment, Virtual Ideas prepared photomontages from various floors in these buildings. These photomontages are shown in the figures below.

8.1. Century Tower

8.1.1. Low-rise, view to north-east

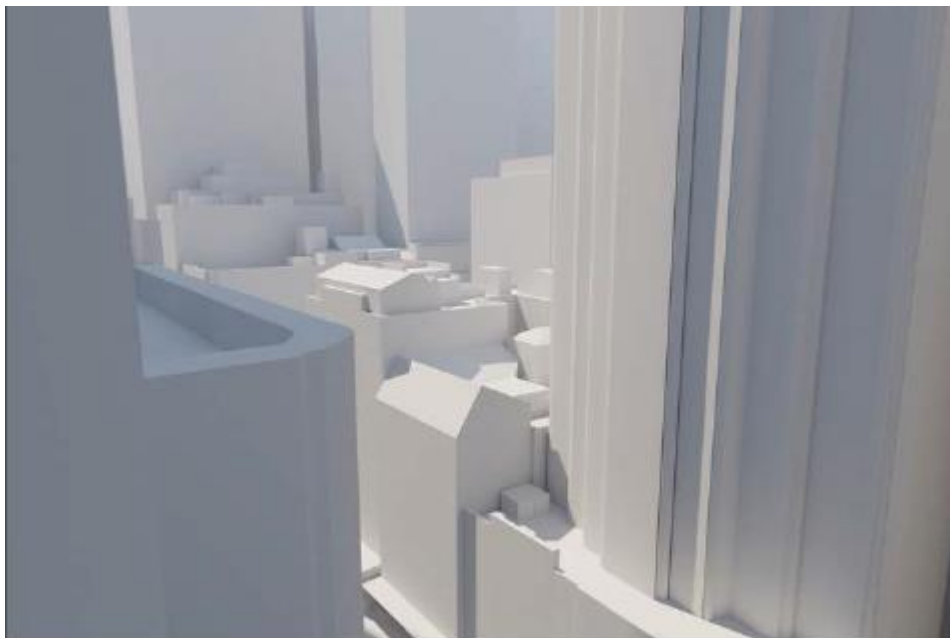


Figure 30 – Century Tower: Low rise, north east, existing view

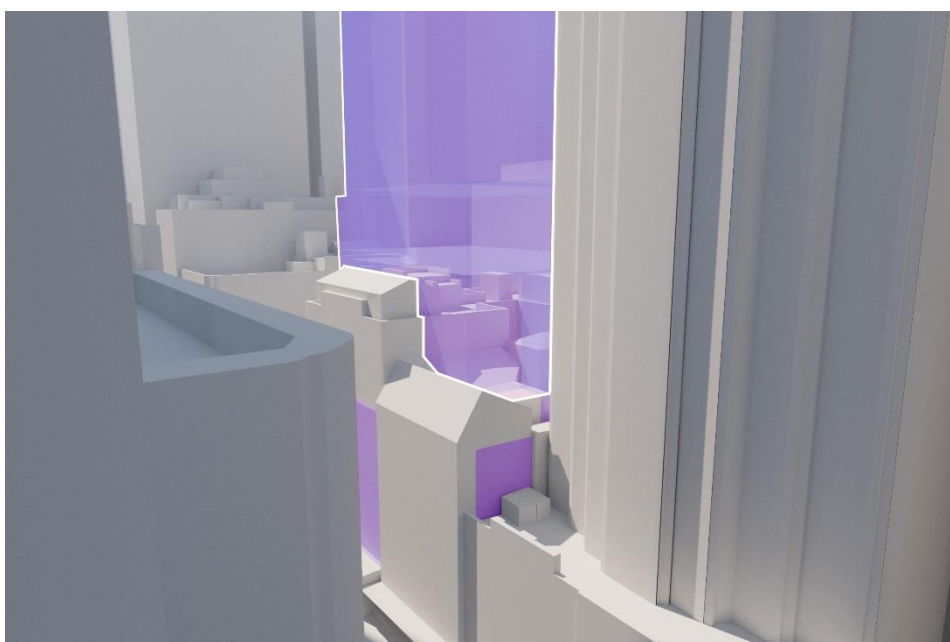


Figure 31 – Century Tower: Low rise, north east, proposed view

This view is highly urban, and is enclosed on all sides by existing high rise buildings. The assembly of relatively low rise buildings currently on the site gives some visual relief to the extent of tall buildings. The main impact of the proposal will be to proposal will replace the majority of this with high rise built form.

8.1.2. High-rise, view to north-east



Figure 32 – Century Tower: High rise, north east, existing view

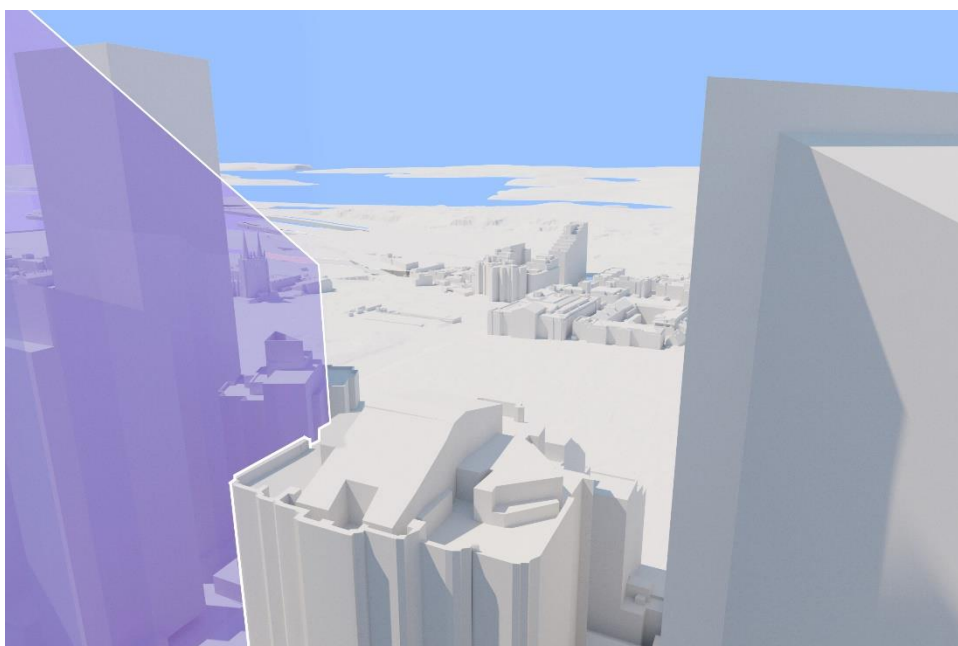


Figure 33 – Century Tower: High rise, north east, proposed view

The focus of this view is across the CBD skyline in the foreground to Hyde Park in the mid ground and Sydney Harbour, including North Head, in the background. The proposal will be a notable new feature of the view, and will obscure views to St Mary’s Cathedral and parts of Hyde Park and Sydney Harbour. However, the extent of obstruction is relatively small and

the essence of the view remains. The angled design of the upper elements of the tower enable preservation of views to North Head compared to what a non-angled tower of the same height.

8.2. Princeton Tower

8.2.1. Low-rise, view to north-east



Figure 34 – Princeton Apartments: Low rise, north east, existing view

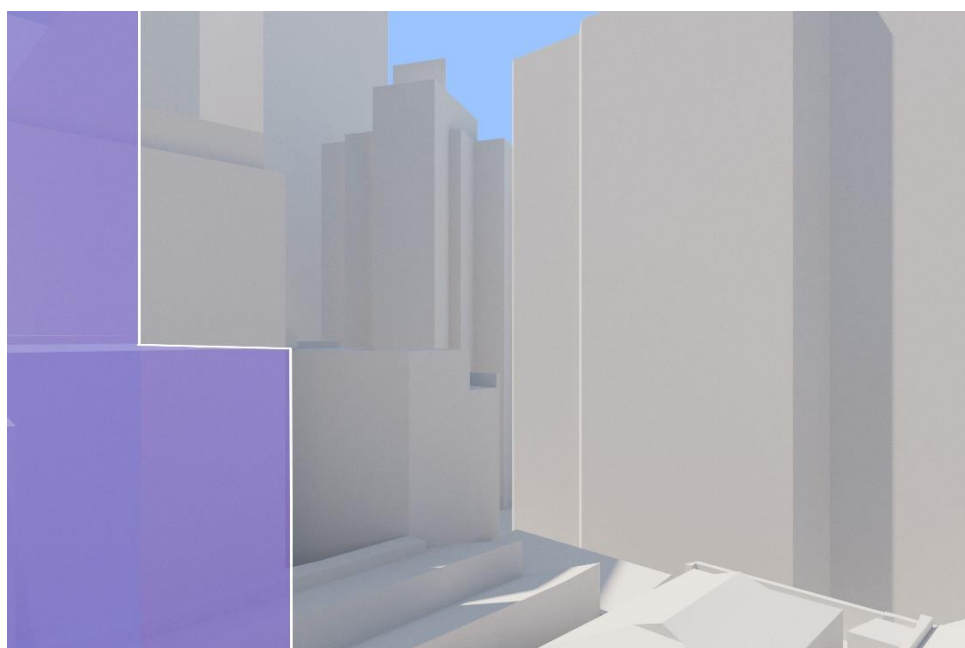


Figure 35 – Princeton Apartments: Low rise, north east, proposed view

This view is highly urban, with only a small glimpse of the sky in the centre background and no views to iconic features such as Sydney Harbour. The proposal, being contained to the left hand side of the view, has negligible impact on the composition or nature of this view.

8.2.2. High rise, view to north east

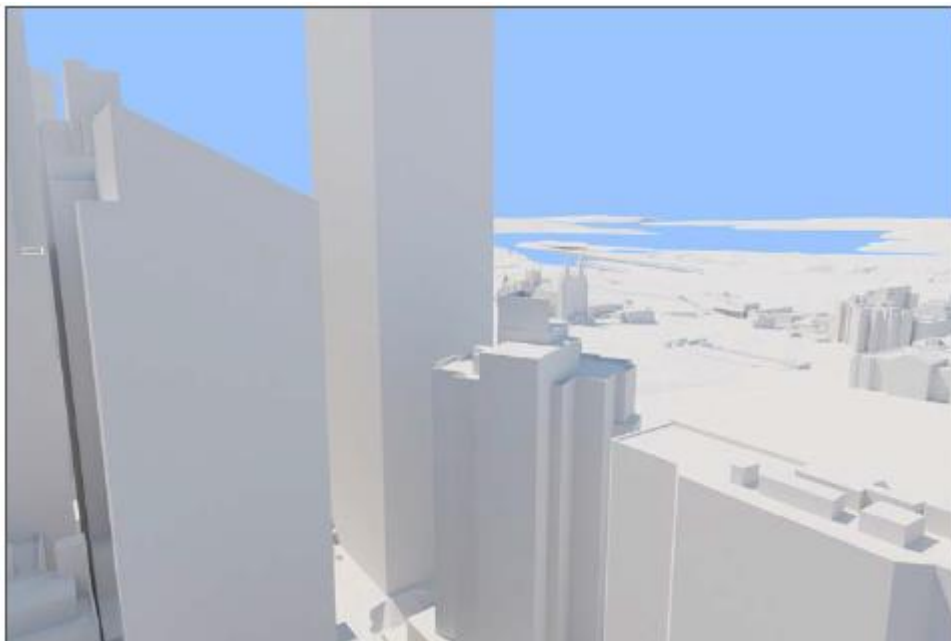


Figure 36 – Princeton Apartments: High rise, north east, existing view

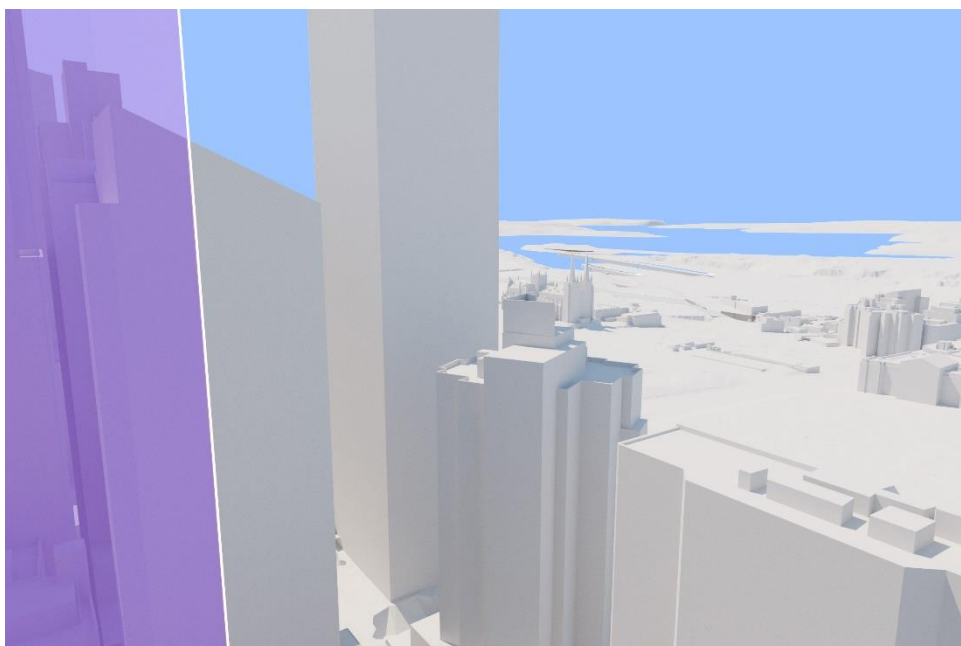


Figure 37 – Princeton Apartments: High rise, north east, proposed view

The left half of this view is to CBD buildings, while the right half overlooks lower rise CBD buildings to Hyde Park in the middle ground and Sydney Harbour in the background. The proposal is contained to the far left of the view, and obscures the apex of a small number of CBD buildings and part of the sky. There is no impact on views to Hyde Park or Sydney Harbour. The impact of the proposal on this view is negligible.

8.3. Greenland Centre

8.3.1. Low Rise, view to north east



Figure 38 – Greenland Centre: Low rise, north east, existing view

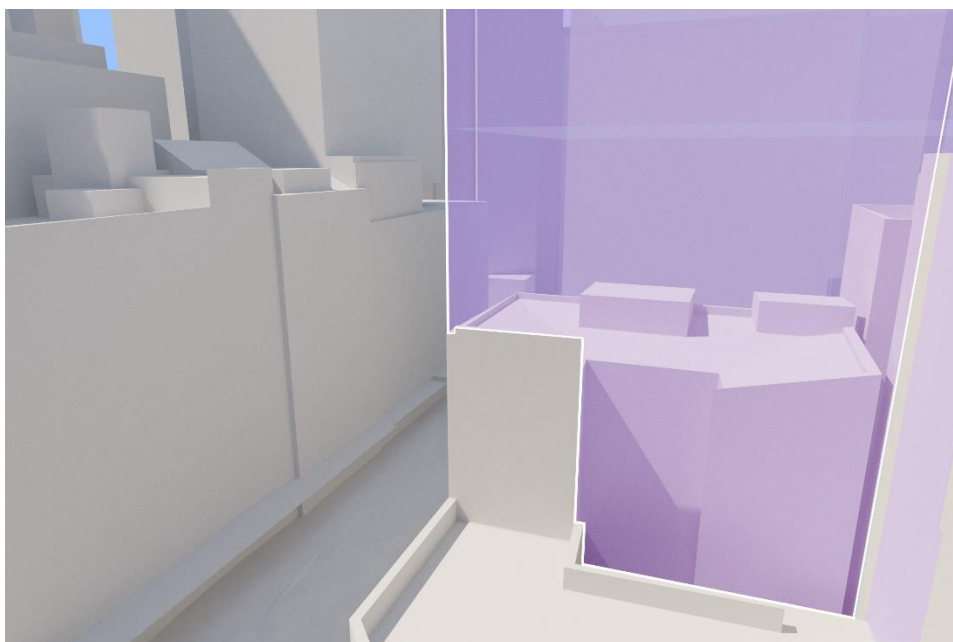


Figure 39 – Greenland Centre: Low rise, north east, proposed view

This view is highly urban, with CBD buildings dominant. The Bathurst Street alignment is also a key feature, running through the fore and mid ground of the view. The impact of the proposal will be to bring a larger buildings closer to the viewpoint, therefore enhancing the sense of enclosure. The proposal will have no significant impact on the nature of the view. It is noted that these views are not yet available as the Greenland Centre is not completed.

8.3.2. Mid-rise – East and North East

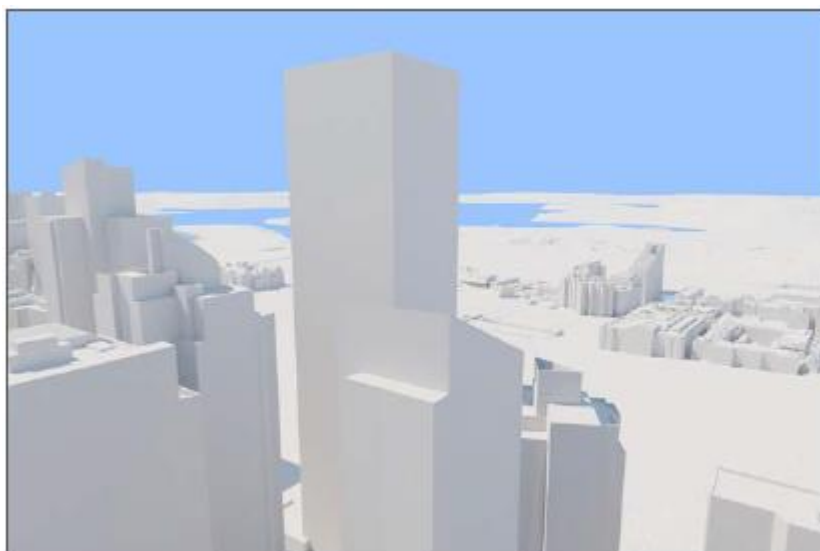


Figure 40 – Greenland Centre: Mid rise, north east, existing views

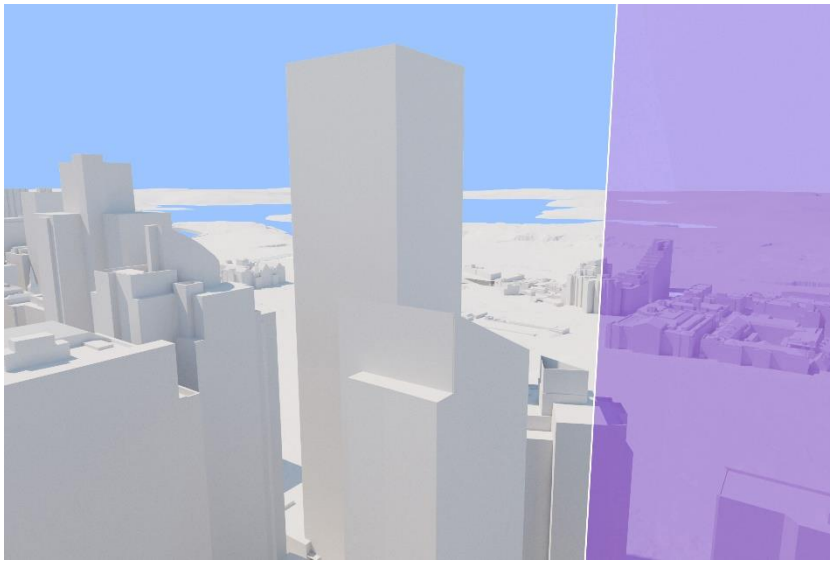


Figure 41 – Greenland Centre: Mid rise, north east, proposed views



Figure 42 – Greenland Centre: Mid rise, east, existing views

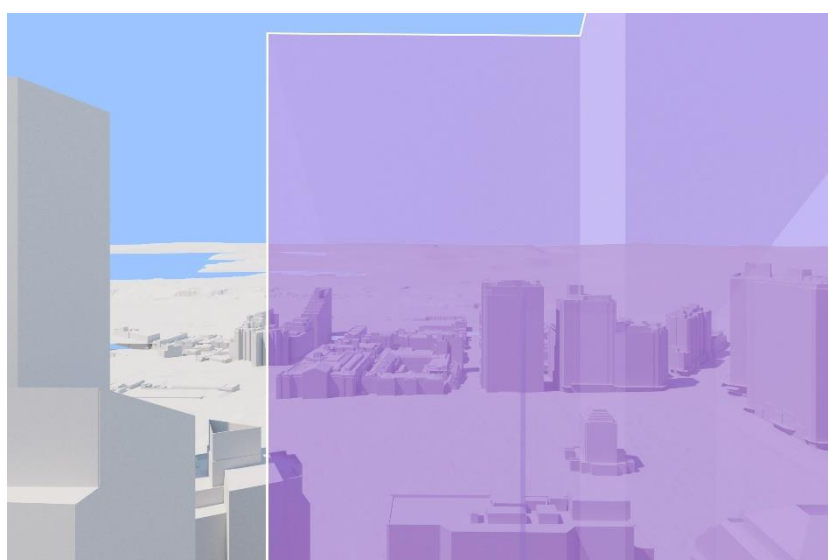


Figure 43 – Greenland Centre: Mid rise, east, proposed views

North-east future views feature CBD buildings in the fore and middle ground, and Hyde Park and Sydney Harbour in the background. Future views to the east also extend to the horizon formed by the interface of land and sky at the eastern suburbs ridgeline that runs from Point Piper to Maroubra.

The impact of the proposal on future views to the north-east is moderate. While it retains the overwhelming majority of future views to Sydney Harbour, it does significantly reduce the amount of Hyde Park and the eastern suburbs that is visible. This has the effect of rebalancing the composition of the view, directing the eye to the left and centre of the view.

The impact on future views to the east is significant. While the apartments would, upon completion, enjoy almost unobstructed views to Hyde Park based on existing development of surrounding sites (including the ANZAC Memorial), the eastern built edge of Hyde Park

and the eastern suburbs to the horizon land / water interface, this will be reduced to a sliver on the western end of the view.

While the impact on these future views is substantial, it is considered reasonable on the following grounds:

- The Sydney CBD is intended for significant growth and change, and residents within the core of the CBD should not expect existing views to be preserved within this context
- Optimising the GFA of the OSD, within reason, promotes land use and public transport integration consistent with key state and local planning policy, and will provide the necessary floorplates for A grade office space (if a commercial option is selected)
- The proposal is compliant with the City of Sydney LEP in terms of building height
- Reduction in location within the site, extent of typical floorplate or height would be challenging to achieve, and would likely impact on the feasibility of the proposal.

8.3.3. High rise – North East and East

The OSD building envelope does not impact upon high rise views from the Greenland Centre, which continue to benefit from expansive views over the proposed OSD envelope to the north east and east.

9. Conclusion

The site's visual catchment includes areas that are critical to the visual character and identity of Sydney. In particular, the proposal would be visible from parts of Hyde Park, and key gateways into the CBD from the east at Oxford Street and William Street. Largely due to factors such as distance from viewing locations and the presence of intervening elements such as building and trees in the landscape, this VIA has found that the proposal would have a low to medium visual effect on the existing visual catchment. Due to the urban, high rise character of the Sydney CBD and the proposals consistency with this character, application of PAC and compatibility weighting factors results in an overall low visual impact.

Assessment against the SEARs and other relevant planning documents found that the overall visual impact of the proposal is acceptable on a balance of considerations. In particular, the proposal is consistent with key planning instruments that seek to promote the Sydney CBD as a key location for jobs and employment and the provisions of existing, finer grained local plans. While it is acknowledged that there are some impacts to private views obtained from the low and mid-rise levels of nearby residential apartment buildings, including Century Tower, Princeton Apartments and Greenland Centre, these impacts are considered to be reasonable, and therefore acceptable, considering the nature of the views affected, the design of the envelope which complies with the maximum building height provisions, and reduces the extent of the impact and the long-established role and planning intent for the Sydney CBD. In addition, the final development would represent a more refined building within the proposed building envelope, and as such is likely to have an even lesser impact on views.

On this basis, it is determined that overall, the proposal in its current form has an acceptable visual impact.

Appendices

9.1.1. Appendix 1: Visual Impact Assessment, Virtual Ideas

9.1.2.

9.1.3. **Appendix 2: Private View Analysis from Century, Princeton and Greenland Towers, Virtual Ideas**