URBIS

PITT STREET NORTH

VISUAL IMPACT ASSESSMENT

PREPARED FOR

PITT STREET DEVELOPER NORTH PTY LTD

JUNE 2020 - REVISION C

SMCSWSPS-URB-OSN-PL-PLN-000003

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1.0 EXECUTIVE SUMMARY

INTRODUCTION

This report has been prepared to accompany a detailed State Significant Development (SSD) Development Application (DA) for a commercial mixed-use Over Station Development (OSD) above the new Sydney Metro Pitt Street North Station.

The detailed SSD DA is consistent with the Concept Approval (SSD 17_8875) granted for the maximum building envelope on the site, as proposed to be modified. The Minister for Planning, or their delegate, is the consent authority for the SSD DA and this application is lodged with the NSW Department of Planning, Industry and Environment (NSW DPIE) for assessment.

This report has been prepared in response to the requirements contained within the Secretary's Environmental Assessment Requirements (SEARs) dated 25 October 2019. Specifically, this report has been prepared to respond to the following SEARs.

This report provides an independent visual impact assessment (VIA) of the proposed development Stage 2 development of the Sydney Metro Pitt Street North Over Station Development. This VIA should be read in conjunction with the Secretary's Environmental Assessment Requirements (SEARs) and conditions of consent outlined below.

This report provides an independent Visual Impact Assessment (VIA) to accompany the State Significant Development Application (SSD DA)

This report has been prepared in response to the requirements contained within the Secretary's Environmental Assessment Requirements (SEARS) Dated 25 October 2019. Specifically, this report has been prepared to respond to the SEARS requirements summarised in Table 1.2 and addresses relevant Conditions of Consent where they relate to views, view sharing or visual impacts.

This assessment also considers the visual effects and potential impacts of the concurrent 4.55 Modification Application.

This VIA includes certification of the accuracy of the preparation of photomontages required to accompany the VIA by the Secretary's Environmental Assessment Requirements (SEARs). A Certification Statement is included in Section 7. Key Issue 5 of the SEARs requires the preparation of a View Impact Analysis, specific requirements for which are outlined in Plans and Documents including the requirement for photomontages.

METHOD AND RESULTS

The method followed is described in section 1.2.4. This method describes the key components of the visual impact assessment including the analysis and documentation of existing views, analysis of the existing visual context and the visual effects of the proposed development on both the public and private domain and the third main component which is the assessment of the visual impacts. Visual Impacts are detailed in the Summary Table 2 and summarised in the Visual Impact statement at pages 25 and 34.

We found that no significant change would be caused by the Proposed Development in relation to visual character, scenic quality, sensitivity of the view place or viewer sensitivity. There would be a minor or levels of visual effects generated by the Proposed Development for the majority of views and a medium level of visual effects from two close views.

When the levels of visual effect were weighted against the additional factors of visual absorption capacity, compatibility with the Concept Approval and urban features the residual visual impacts were considered to decrease in significance and were rated as low for all locations that were modelled and analysed.

CONCLUSIONS

The overall visual impacts of Proposed Development were found to be low and acceptable. The level of visual change caused by the Proposed Development compared to the Concept Approval on the closest or most sensitive views was considered to be an appropriate outcome. In our opinion, a similar level of visual effects and impacts on close, sensitive views are anticipated and have been approved in the Concept Approval.

The visual effects and potential impacts of the minor changes proposed in relation to the clause 4.55 Modification Application will be low and acceptable.

EXTENT OF PROPOSED DEVELOPMENT

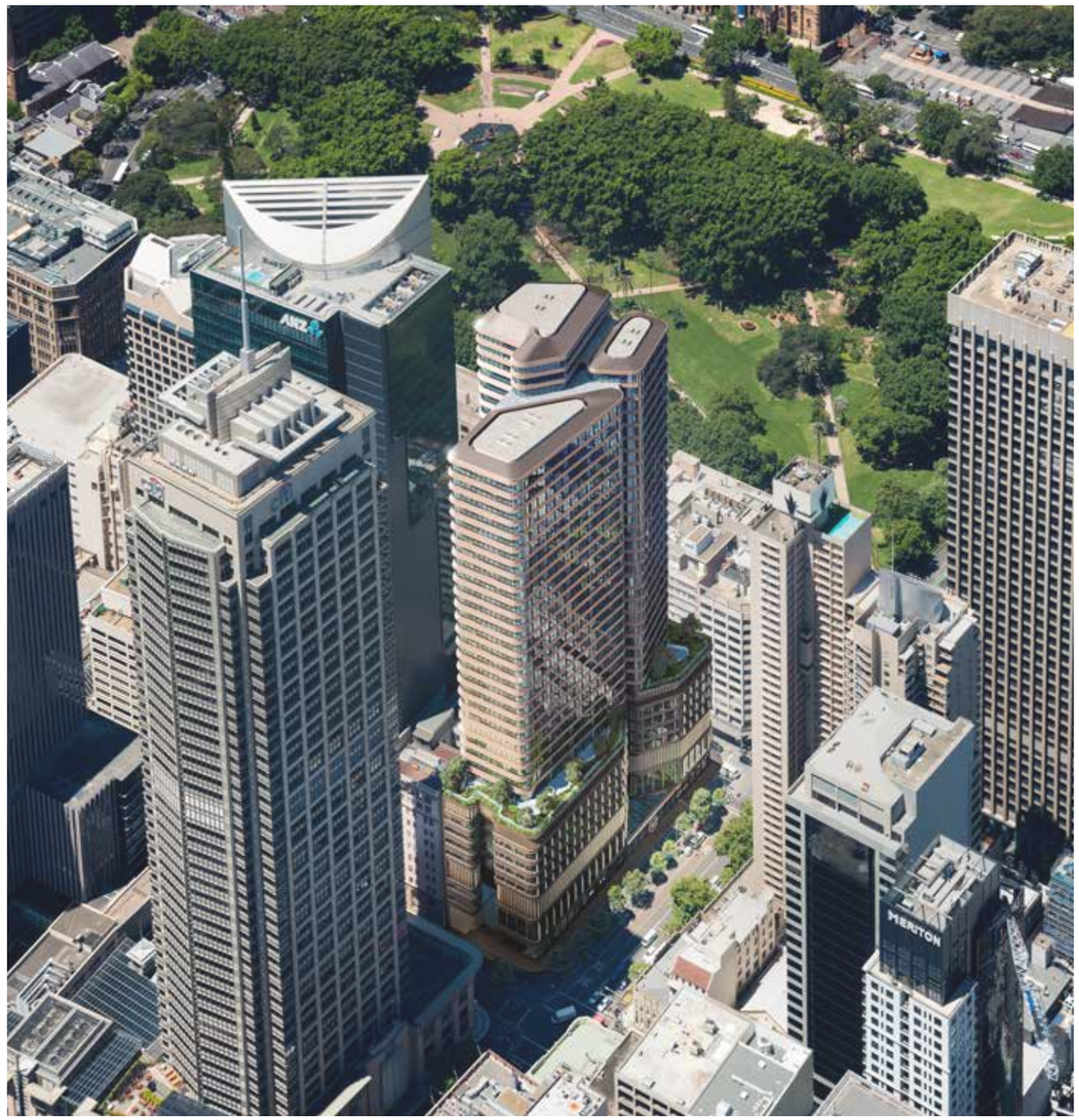


Figure 1 Aerial photo-montage of the proposed development within the existing visual context of the Sydney CBD *(Source: Fosters and Partners - Architects)*

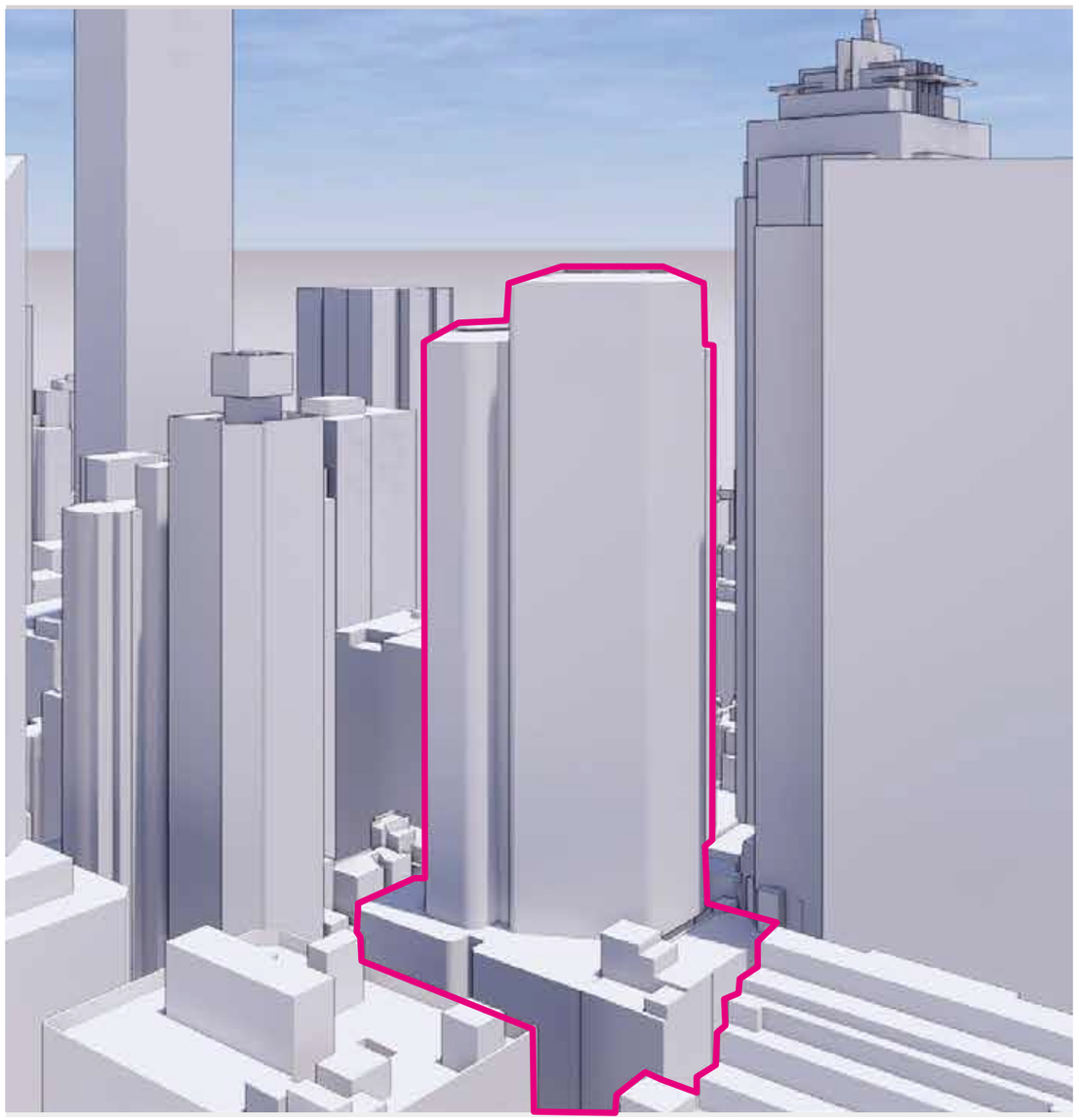


Figure 2 Massing Scheme of the proposed development showing the height and scale of the proposed building envelope within the existing visual context of this part of the Sydney CBD*(Source: Fosters and Partners - Architects*

1.2 SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS

This report addresses the following requirements which are relevant to visual effects and impacts. Compliance with the SEARs is outlined below.

Consistency with Stage 1 Concept Approval

The EIS shall:

- Demonstrate the proposal is consistent with the concept approval (SSD 8875)
- Provide details of consistency with any modification(s) to the concept approval if sought concurrently.

SEARs section 5. Visual and amenity impacts

The EIS shall:

- Provide a detailed visual / view impact analysis, which considers the impact of the proposed building (compared to the existing situation and the approved envelope) when viewed from the public domain and key vantage points surrounding the site. This is to include a written description of the existing view, the likely impact and justification of the proposal and any required mitigation measures. The view locations and methodology for the analysis must be prepared in consultation with the Department and Council.
- Provide a view impact analysis showing the proposed building as viewed by pedestrians when moving along Park, Castlereagh and Pitt Streets and where the proposed building is visible from the streets immediately surrounding the site.

Plans & Documents

- Visual and view impact analysis and photomontages

Block-model and rendered photo-montages have been prepared by Unsigned Studio in relation to public domain views and Computer Generated Images (CGIs) have been provided to show the effects of the proposed development on private domain views. Refer to figures noted as sourced from Unsigned Studio.

Table 1.2 Compliance with SEARs

Requirements	**Addressed in section**
Consistency with Stage 1 Concept Approval	Refer to Table 2 Summary of Visual Effects
View impact analysis including existing view, approved view and proposed view	Refer to Photomontages
Description of baseline factors including the visual catchment, existing view, extent of visual effects and likely impact	Refer to Table 1 and all text sections
Methodology	All sections and page 4
VIA methodology	Refer to descriptive introduction in each section

Urbis Comment

The proposed development has been assessed from 10 public domain view points which are shown on view Camera Location Map Figure 4 and recorded in Table 2 prepared by Unsigned Studio. The photomontages include block models of the Concept Approval shown in translucent yellow with the Proposed Development within this envelope shown in pink which when overlaid appears as an orange colour. The edges of the proposed development are highlighted using a bold orange outline.

Photographs were captured in February 2020 by Unsigned Studio and include the existing surrounding visual context. These locations were selected for modelling by others in relation to the Concept Approval and have been replicated in this report so that the visual effects of the Proposed Development can easily be compared to the Concept Approval. A description of the existing view, a comparative analysis of the visual effects caused by the Proposed Development in relation to the Concept Approval and a level of overall visual impacts is identified and summarised in Table 2. View points assessed include close locations in Park Street, Castlereagh Street and George Street near Town Hall.

1.2.1 PLANS AND DOCUMENTS

Block-model and rendered Photomontages have been prepared by Unsigned Studio in relation to public domain views and Computer Generated Images (CGIs) have been provided to show the effects of the proposed development on private domain views.

10 public domain view points have been selected by the project team for investigation. The views selected include close and medium distant views from surrounding streets and include those which were inspected and modelled in relation to the Concept Approval. These and additional documented views from close and sensitive locations within the potential visual catchment are included in section 2 for example views from parts of Hyde Park, from the Town Hall entry steps and adjacent to St Andrews Cathedral.

1.2.2 STAGE 1 SSDA CONDITIONS OF CONSENT

The Concept Approval conditions of consent for Stage 1 issued in June 2019 include some conditions that are relevant in relation to the assessment of visual effects and impacts. Notwithstanding there are no specific conditions in relation to view loss or visual impacts the following conditions require consideration as follows;

- Design Guidelines A23

(ii) incorporate building articulations, building modulations and façade treatments to provide distinctive visual breaks along Park Street frontage of the site, respecting the surrounding subdivision of built form patterns. The distinctive visual breaks shall be proportional to the overall building height and length of street frontage.

Urbis Comment

The built form proposed is massed in three conjoined tower forms set back from a lower podium which combine to provide visual breaks and visual permeability above each part of the tower in some views.

- Response to private domain view loss objection

The Consent conditions do not refer to private domain view loss as being significant or unacceptable however an objection to the concept development from a resident at 197 Castlereagh Street (Victoria Towers) was received and is addressed in section 06. Urbis have reviewed the objection that relates to loss of iconic views from a low level apartment at the Victoria Tower apartments at 197 Castlereagh Street. Our analysis of the potential visual impacts is based on an analysis of CGIs prepared by Unsigned Studios and assesses the difference in the extent of visual impacts caused by the Proposed Development compared to the Concept Approval.

1.2.3 LIMITATIONS

This report is limited to an assessment of visual impacts. Analysis in this report provides a comparison of the visual effects and potential visual impacts of the Proposed Development and the extent of visual effects and impacts that would be caused by the construction of the Concept Approval. Visual issues that are related to other technical disciplines for example town planning are addressed by others with appropriate expertise.

1.2.4 CONCURRENT 4.55 MODIFICATION APPLICATION

The visual effects and potential visual impacts in relation to a clause 4.55 Modification Application have also been considered. As part of the ongoing minor modifications to the Concept Approval are now required to accommodate the detailed design. A section 4.55(2) modification application is therefore being lodged concurrently with the Detailed SSD DA. The section 4.55(2) modification application seeks consent for the following amendments to the Concept DA:

- increase the maximum GFA to 55,743m² (including station floor space);
- align the building envelope with the adjacent heritage buildings (Masonic Hotel on Castlereagh Street and the National Building on Pitt Street) to allow for a more responsive scale transition at podium level;
- to allow for minor extrusions to the envelope for the purposes of sun shading devices, planted vegetation, architectural embellishments and balustrades; and
- reallocation of floorspace between OSD and station uses to maintain consistency with what is being delivered under CSSI.
- The Detailed SSD DA is consistent with the Concept DA as proposed to be modified.

Sunshade protrusions will not extend beyond the Concept Approval envelope and are not visible in the photomontages or in CGIs as modelled. The most visible change will be the increased height of the podium to align with the adjoining heritage street wall height of 45m (RL69.60). The additional height proposed will create minor visual effects in some close views however the increased height will make the built form proposed more compatible with the established heritage streetscape for example National Building at Ashington Place. This high level of compatibility will contribute to a low level of visual impact.

The proposed podium is consistent with the approved envelope as modified and the visual impacts of this will be satisfactory. The sunshading protrusions will not have detrimental visual impacts beyond the envelope and are consistent with the Modification Application.

1.2.5 METHODOLOGY

The author of this report has been a colleague of Dr Richard Lamb for the last 8 years and as such the methodology used for this report follows a combination of Dr Lamb's objective methods for assessment of visual impacts and refers also to the Guideline for landscape character and visual impact assessment, Environmental Impact Assessment practice note EIA -N04 prepared by the Roads and Maritime Services December 2018 (RMS LCIA). Although the content and purpose of the RMS LCIA is to assess the impact on the aggregate of an area's built, natural and cultural character or sense of place rather than solely on views, nonetheless it provides useful guidance as to the process.

The methodology developed and used by Dr Lamb is unique in that it endeavours to separate objective information about the existing visual environment and the extent of potential visual effects caused by a proposed development on baseline environmental factors from more subjective issues such as the sensitivity of a view place or its compatibility with the visual character or important features that may be present in the local visual context. Therefore our approach is to limit the level of subjective, emotional interpretation of potential impacts by adopting a systematic, objective and comprehensive approach to the assessment. This includes separating factors into two key groups; existing baseline factors such as visual character, scenic quality and viewer sensitivity (public and private domain) and an assessment of the extent of the visual effects of the proposed development on each of the baseline factors and on other additional factors such as type and composition of views, distance, viewing period or view blocking effects.

The final part of the methodology is to 'weight' the level of visual effects to arrive at a level of significance of visual impacts. This is achieved by considering influencing factors such as compatibility, visual absorption capacity and sensitivity of the proposed development with its visual context.

In the context of the Concept Approval, Urbis have accepted that the level of visual effects and impacts caused are acceptable and reasonable in the circumstances. We acknowledge that the NSW Department of Planning, Industry and Environment (DPIE) have approved a level of visual impacts on private and public domain that will be caused by the Concept Approval. In this regard this report focusses predominantly on the visual impacts caused by the minor differences between the envelopes that are shown in the photomontages and CGIs. In addition this report considers graphic information presented by Foster and Partners (FP) in the Design Report March 2020.

KEY STEPS OF VIA METHODOLOGY

Stage 1 Preliminary Research and Analysis

- Establish baseline factors i.e. identify and describe the existing visual landscape in terms of visual character, scenic quality, viewer sensitivity and view place sensitivity
- Identify and describe the visual effects of the proposed development on those baseline factors

Stage 2 Analyse the visual effects on baseline factors and specifically in relation to all views that have been modelled.

Stage 3 Assess the visual impacts in the context of relevant subjective 'weighting' factors

- Consider additional factors that influence the level of visual effects by adding 'weight' to each to arrive at a level of visual impacts for example; consider visual effects in the context of Physical Absorption Capacity(PAC), Compatibility with particular features for example with heritage items, an existing concept approval or with maritime features.
- Assess the proposed development the relevant regulatory framework for example SEARs or LEPs
- Consider mitigation strategies if appropriate for example ameliorative planting or, altering the massing of a proposed development
- Identify residual visual impacts

2.0 VISUAL CONTEXT

2.1 SITE CONTEXT AND PROJECT DESCRIPTION

The site is located within the Sydney CBD. It has three separate street frontages, Pitt Street to the west, Park Street to the south and Castlereagh Street to the east. The area surrounding the site consists of predominantly commercial high-density buildings and some residential buildings, with finer grain and heritage buildings dispersed throughout.

The site has is a single lot of approximately 3,151sqm and is legally described as Lot 20/DP 1255509.

This is a visually prominent location that includes two street frontages within the urban block near the southern end of the Sydney CBD, north of Haymarket and west of Hyde Park. The site is located on and set within topography that is relatively flat but has a slight cross-fall from east to west so that Castlereagh Street and Hyde Park to the east are slightly elevated in relation to the site.

2.2 THE PROJECT

The most visible elements of the Proposed Development are the podium and tower forms. The podium as seen from the south includes the equivalent of approximately 10 residential storeys above ground and rises to a level that aligns with the adjoining heritage street wall height of 45m or RL 69.6 on Pitt Street and 73.41 on Castlereagh Street,. Above the podium a tower form is set back and rises to RL 176.8 at its roof level. We note that the height of the building is significantly below the maximum height of the Concept Approval.

Figure 3 Documented views from within the site's visual catchment

3.0 VISUAL EFFECTS

EXTERNAL VISIBILITY

Urbis conducted fieldwork in March 2020 to review the public domain view points that had been selected and assessed in relation to Concept Approval. We found that due to the underlying street-grid arrangement, relatively uniform topography and the alignment of roads in relation to the subject site, that direct views to the Proposed Development were limited to close views (within 100m) and medium distant view (between 100-500m). Beyond this approximate distance to the west, south and north external visibility is limited however some isolated views are available along roads corridors for example Park Street to the east and west to approximately Druitt Street. There is greater visual exposure to the east given that there are a number of large open spaces nearby such as Hyde Park and the Domain. Within the Domain and Hyde Park potential views to the site are constrained by mature street trees, significant vegetation with the parks and by some intervening built form.

Visibility is limited from more distant locations by intervening development in each direction including by towers of a similar height as that proposed and taller forms to the south and south-west for example Park Regis Apartments at 27 Park Street, ANZ Tower and the Citigroup Tower at 2 Park Street.

A comparative analysis of the visual effects of the Concept Approval and Proposed Development is included in Table 2.

BASELINE VISUAL ANALYSIS

THE VISUAL CATCHMENT OF THE PROJECT SITE

The potential total visual catchment means the physical area within which the proposal would be visible and identifiable if there were no other constraints on that visibility, such as intervening vegetation and buildings. In theory the potential total visual catchment is larger than the area within which there could be visual effects of the proposal. Within the potential visual catchment, the visibility of the proposal would therefore vary. In this regard we have broadly described the area within which the proposal would be identifiable, where its visual effects are discernible and therefore where it could cause visual impacts.

Visibility means the extent to which the proposal would be physically visible, is identifiable for example as a new, novel, contrasting or alternatively as a recognisable but compatible feature. Various features can affect the extent of visibility for example intervening buildings, the presence of vegetation, infrastructure and topography.

The potential visual catchment of the proposed development was initially determined using 3D aerial imagery, maps, client supplied information and a review of relevant documentation submitted in relation to the Concept Approval. Subsequent to this process the visual catchment was determined via fieldwork observations from public view points including from view locations that were analysed as part of the Concept Approval which were accepted as being representative by the NSW Department of Planning, Industry and Environment (DPIE).

Notwithstanding the height of the proposed tower, its potential visual catchment is limited in the public domain due to its location in the context of other tall towers and closely spaced built forms of similar and greater height and by the surrounding street grid where views are predominantly constrained to roads.

The visual catchment is therefore limited to a short section of Pitt and Castlereagh Streets to the north and south and to the west and east along Park Street. Fieldwork observations from public domain locations surrounding the site indicate that parts of the proposed development will be visible from the west along Park Street approximately to the intersection of Druitt Street after which Druitt Street curves to the north and south so that views along the road to the east are constrained by intervening built form.

The Proposed Development is visible from the front steps of Town Hall and from the intersection of Park and George Streets. There is limited visibility of the site and the Proposed Development from Park Street to the east beyond College Street. Views from the north side of Parks Street in the vicinity of Hyde Park are further constrained by overhanging vegetation in the Park itself.

The visual catchment extends to the north along Pitt and Castlereagh Streets approximately to the intersection with Market Street. Views from the north along these roads are constrained to the road corridor by built form which is predominantly characterised by a zero setback at street level and some overhanging awnings. To the south along both streets the visual catchment extends approximately to Liverpool Street south of which views would be constrained to intermittent glimpses to the north depending on the location of intervening street trees and built form. In addition the alignment of Pitt Street curves to south-west further reducing view access to the site.

The potential visual catchment is larger to the east and north-east where the upper parts of the tower are potentially visible from isolated locations along Elizabeth Street and College Street. Views from Elizabeth Street are constrained to small isolated high-level gaps between buildings and would be oblique and upward views. Views from a number of locations in Hyde Park are potentially available notwithstanding the screening effects of the mature fig trees which are visually significant and provide dense visual screening. Some potential views to the upper parts of the tower are available from the Park Street entry steps to north section of the park and from open areas in the south section of Hyde Park for example adjacent to the Lake of Reflections. In addition views to the south-west towards the proposed tower form are available from open spaces in the Domain and potentially from the parts of the Eastern Distributor albeit from isolated locations and from moving viewing situations.

VISUAL CHARACTER

A description of visual character includes identifying features that are present on the subject site and immediately surrounding visual context. This includes the physical and built components including features such as topography, vegetation, land uses, settlement pattern, urban and built form etc.

The subject site has been cleared of existing built forms and is being prepared for construction according to the Concept Approval Development Consent and in this regard the previous character of the site has been subject to significant change.

The site's immediate visual context is characterised by densely spaced built form in a highly urbanised visual context that includes mixed-use, commercial and residential buildings predominantly tower forms. Street trees are located along Park Street to the east and Castlereagh Street to the north which contribute to the site's visual setting.

Neighbouring buildings to the north, east and south-east are commercial towers. A medium height mixed-use tower at 195-197 Castlereagh Street is located south of the site. This building appears to include commercial and carparking uses on lower floors with a residential tower above. The residential tower includes windows that are orientated to the north and corner balconies that are orientated to the north-east and towards the subject site.

The visual character surrounding the site is influenced by the presence of towers of a similar height to that proposed and taller forms to the south and south-west for example Park Regis Apartments at 27 Park Street, ANZ Tower and the Citigroup Tower at 2 Park Street. In addition we are aware of a number of proposed and approved tower developments in the vicinity of the subject site and wider visual context which indicates that this part of Sydney's CBD is undergoing change to a desired future character which includes tower forms of greater height.

SCENIC QUALITY

Scenic quality relates to the likely expectations of viewers and is a measure of the ranking, which the setting of the proposal either is accepted to, or would be predicted to have, on the basis of empirical research carried out on scenic beauty, attractiveness, preference or other criteria of scenic quality. Much empirical research has been undertaken in relation to preference judgements and cultural values of aesthetic landscapes including in Australia undertaken by many including Terrance Purcell, Richard Lamb, Colleen Morris and Gary Moore.

Scenic quality is a baseline factor against which the visual impacts caused by the proposal are assessed.

The site would be considered in isolation and within its visual setting as having moderate scenic quality given the likely expectations of viewers in this CBD environment for scenic views.

VIEW PLACE SENSITIVITY

This factor relates to the likely level of public interest in a view of the proposed development. The level of public interest includes assumptions made about its exposure in terms of distance and number of potential viewers. For example close and middle distance views from public places such as surrounding roads and intersections that are subject to large numbers of viewers, would be considered as being sensitive view places. However the level of sensitivity depends on the nature of the view and whether it is gained from either a moving viewing situation and the duration of exposure to the view for example for short periods of time or for sustained periods. We consider that locations in Hyde Park would be of greater sensitivity given its close location importance as the pre-eminent public domain green space in Sydney's CBD, its heritage significance and the high numbers of users using the space who may be exposed to sustained or longer views. The public space and entry to Town Hall would also be considered as a more sensitive view location relative to others which have been assessed.

In relation to the proposed development in our opinion the number of view places of high sensitivity is limited.

VIEWER SENSITIVITY

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

ADDITIONAL FACTORS FOR CONSIDERATION

Many factors affect the perception of visual effects of a proposed development. In broad terms these refer to the type or extent of the existing view available. Views can be characterised according to their composition for example using key words such as; expansive, restricted, panoramic, focal or feature. An example of a 'restricted view' would be one that is characterised by features which constrain or block part of a potential view such as vegetation, built forms and topography. An example of a focal view is when the direction of the view is dictated by peripheral features such as a road corridor or the spatial arrangement of built forms.

Other additional factors that influence the perception of visual effects include;

- Relative viewing level
- Viewing period
- Viewing distance
- View loss or blocking effects

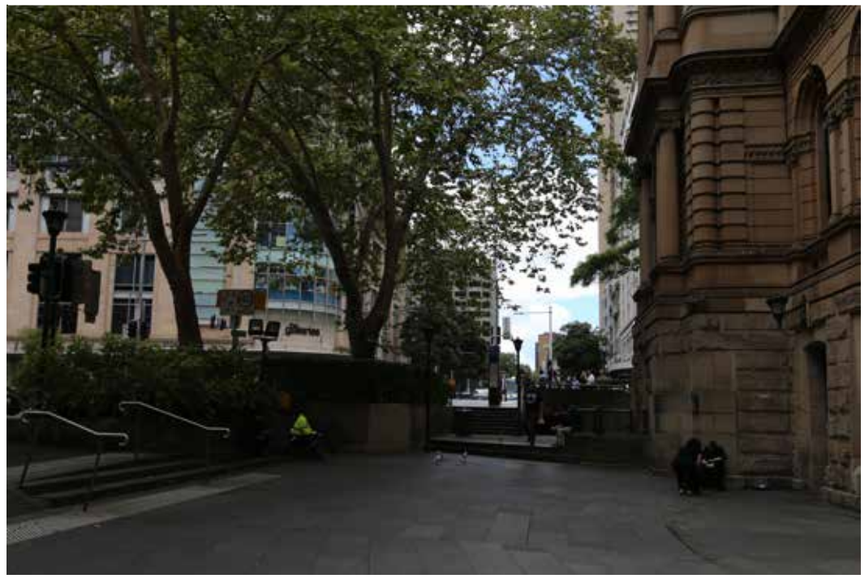
Given that the level of visual effects and potential visual impacts of the Concept Approval have already been accepted by the Department this report does not provide explicit detail as to weighting that these variable factors would add to the perception of visual effects. The most relevant factors to consider in relation to the Proposed Development are outlined in section 5 Visual Impact Assessment.

DOCUMENTED VIEWS FROM THE VISUAL CATCHMENT

Site Photo 01 View from Pitt Street, adjacent to the Galleries entrance.

Site Photo 02 Detailed view towards the residential context on Park Street

Site Photo 03 **View n**orth-east towards the site from Town Hall main entrance



Site Photo 04 View from the plaza on the northern side of Town Hall along Druitt Street

Site Photo 05 View from St Andrew's Cathedral Square.

Site Photo 06 South-west view from the corner of Bathurst and George Streets.

Site Photo 07 Corner of Pitt street and Bathurst Streets.

Site Photo 08 View from fire station on Castlereagh Street.

Site Photo 09 **View** north-west view towards the site from near 201 Castlereagh Street.

Site Photo 10 View from Hyde Park.

Site Photo 11 View from a diagonal path in the section of Hyde Park.

Site Photo 12 View from Hyde Park central path

Site Photo 13 View from Park Street - adjacent to centrals steps

Site Photo 14 Hyde Park from the central north-south aligned path

Site Photo 15 North-east corner of Market and Castlereagh Streets.

4.0 PUBLIC DOMAIN VIEWS ANALYSIS

The following pages undertake a detailed analysis of the 10 view points which were identified and analysed in relation to the Concept Approval.

View Location	Unsigned Location Reference	Description	View Direction	Photo Number	Focal Lens	Distance range <100m, 100-500m, >500m
View 01	Cam_01	Macquarie St east side, next to Hyde Park Barracks	South-west	9758	35mm	466m
View 02	Cam_02	Plaza above cook and Philip park close to water feature next to aquatic centre	South-west	9770	35mm	370m
View 03	Cam_03	South-east corner intersection of college and Oxford street	North-west	9931	35mm	335m
View 04	Cam_04	Hyde park, North east corner of War memorial pool	North-west	9975	24mm	313m
View 05	Cam_05	South-east corner intersection of William and Dowling street	North-west	9753	50mm	1078m
View 06	Cam_06	South-east corner intersection of Oxford and Brisbane street	North-west	9942	50mm	603m
View 07	Cam_07	South-west corner intersection of George and Druitt Street, in front of Sydney Town Hall	East	9832	35mm	132m
View 08	Cam_08	Pier street adjacent to ICC Sydney Theatre	North-east	9889	35mm	841m
View 09	Cam_09	William Street adjacent to Australian Museum	West	9946	35mm	386m
View 10	Cam_10	Looking West from bus stop towards Park Street	North-west	9956	35mm	151m

Table 4.1: Public domain views focal length advice

SELECTED VIEWS FOR PHOTOMONTAGES

Photographs were taken by Unsigned Studio from locations that were directed and specified by others. The composition, distance range and location of views used were based on the locations used and that were accepted in relation to Stage 1 SSD Application and have been revisited, inspected by Urbis and updated by Unsigned Studio. In some cases, the approved and proposed North OSD is not visible in a view however has been included in this report for completeness based on the accepted view locations included in the Stage 1 SSD application.

PHOTOGRAPHY

Photographs were taken by Unsigned Studio using a professional quality 35mm format full-frame camera and both 50mm, 35mm and 24mm fixed focal length lenses. The images are single frame photographs, have not been stitched together or otherwise modified to our knowledge and in this regard have one centre of perspective. The single frame photograph has limited peripheral distortion at the outer edges of the image which replicates the same single point perspective as that used by the computer software to generate a 3D image of the proposed development.

Notwithstanding an industry wide preference for the use of a 50mm focal length lens as bases for photomontages, in some situations given the size, scale and horizontal extent of a proposed development, the use of a 50mm focal length lens is not practicable. Therefore, the focal lengths used for the base photographs vary depending on the location of each view relative to the subject site. For close locations the proposed built form and surrounding visual context cannot be captured in the composition of a photographs using a 50mm focal length and in this regard focal lengths of 35mm or 24mm that allow for a wider field of view have been adopted. For distant views a 50mm focal length lens has been used. The focal length lens for each view is recorded in Table 4.1 prepared by Unsigned Studio.

The locations and RLs of the camera lens used to prepare photomontages were established by survey by Aurecon on the day of photography. Aurecon used 'point-cloud' survey capture to record multiple fixed features around the site and in the composition of the view including the camera location. In this way the location of the camera's lens can be in the software used by Unsigned Studio as an additional cross reference when locating the 3D architectural model in the view. The camera was levelled and set on a tripod at 1.6m above ground level.

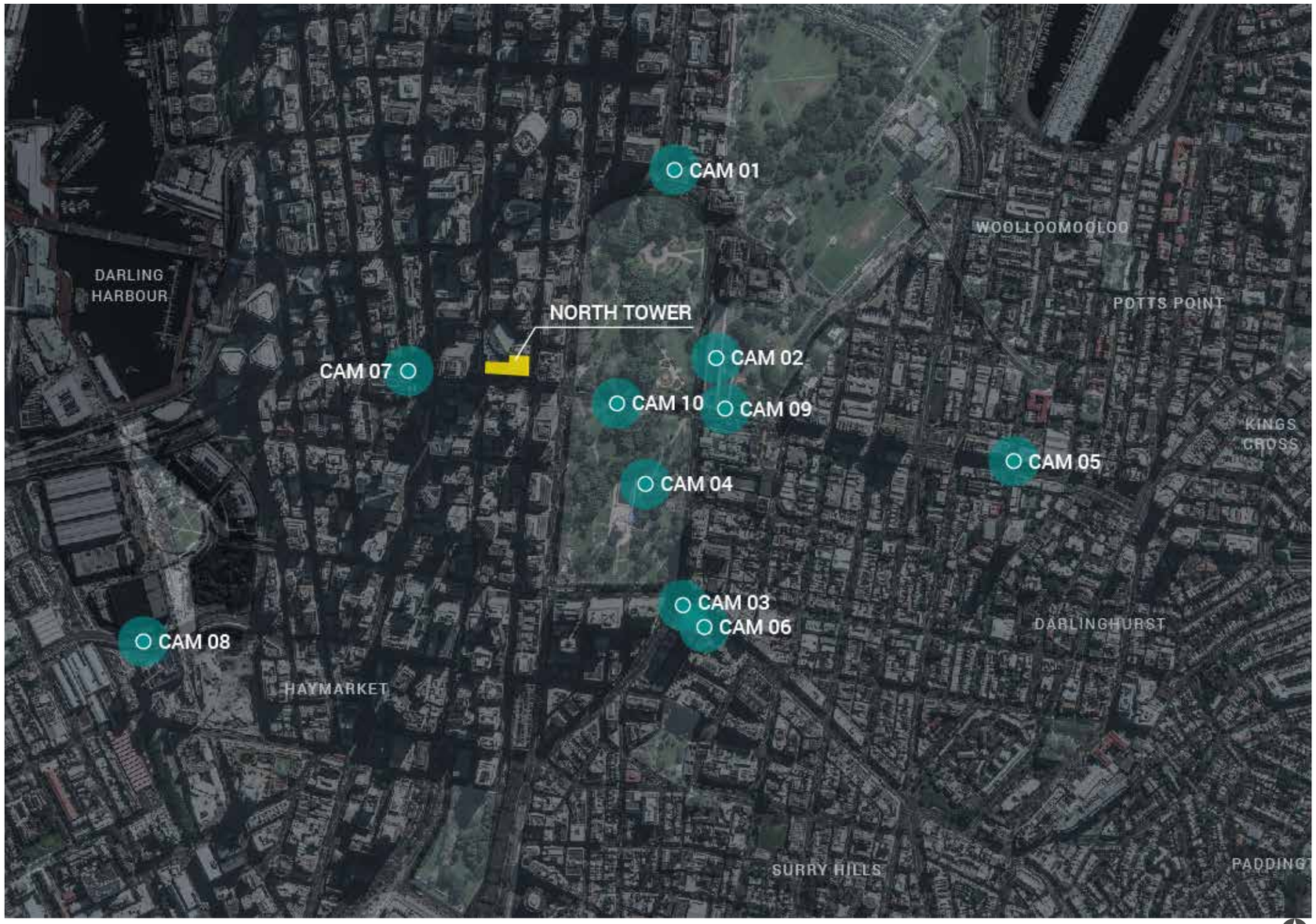


Figure 4 View Locations *(Source: Unsigned Studio)*

VIEW 1

MACQUARIE STREET, EAST SIDE NEAR HYDE PARK BARRACKS

Description & Distance
South-east end of Macquarie Street pedestrian area, looking south-west across Hyde Park

- Approximately 466m to proposed Pitt Street North OSD.

Visual Effects of the Concept Approval
The upper parts of the Concept Approval are shown as a translucent green block that is visible above the tree canopy in Hyde Park

Visual Effects of the Proposed Development
The upper parts of the proposed development shown as a translucent purple block are visible above the mid-ground tree canopy in Hyde Park. The built form proposed is lower than and within the Concept Approval envelope so that it does not generate any additional visual effects compared to the Concept Approval. The built form proposed is massed in 3 sections which vary in height so that the visual effects are reduced compared to the Concept Approval and more open sky is revealed.

Assessment of visual effects of the proposed development	
Visual Effects of the Proposed Development	Minor
Variable weighting factors rated as low, medium, high	
Sensitivity	Medium
Visual Absorption Capacity	High
Compatibility with Visual Context	High
Compatibility with Concept Approval	High
Overall rating of significance of visual impact	Low

LEGEND:

Visible elements of concept approval

Visible elements of the proposed development within the concept approval envelope

Figure 5 View 1 Macquarie Street - South-East end, existing view at 35mm focal length *(Source: Unsigned Studio)*

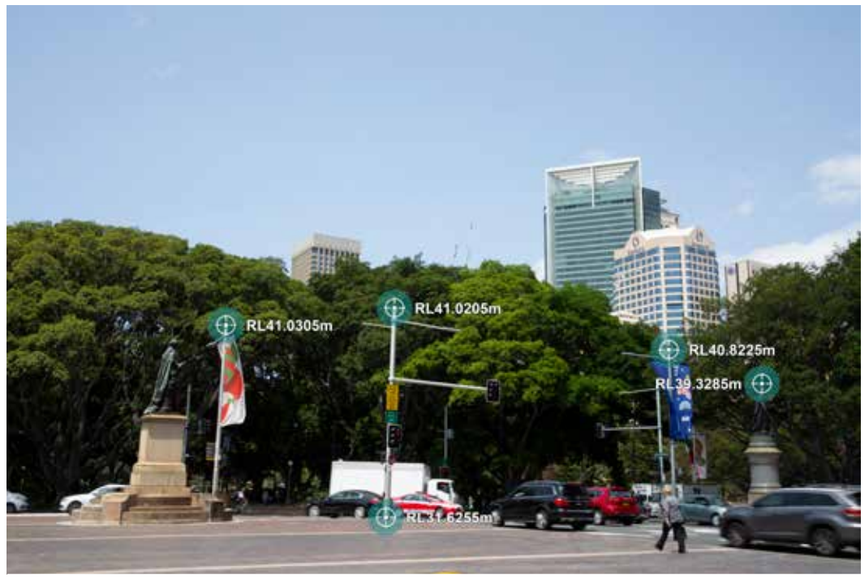


Figure 6 Alignment points for model integration *(Source: Unsigned Studio).*

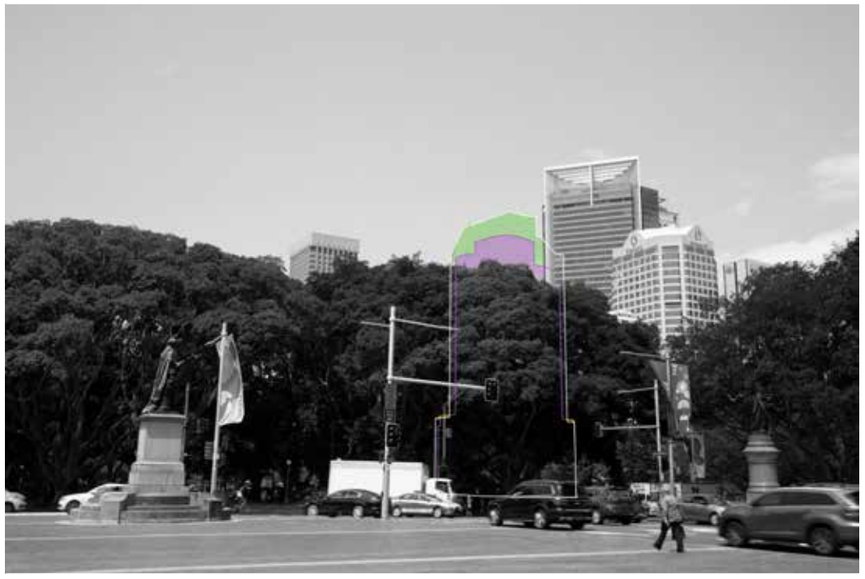


Figure 7 View 1 Macquarie Street - South-East end, location of proposed development within existing view (*Source: Unsigned Studio).*

Figure 8 View 1 Macquarie Street - South-East end, proposed view *(Source: Unsigned Studio).*

VIEW 2

PLAZA ABOVE COOK AND PHILIP PARK

Description & Distance
View south-west across the plaza and tree canopy in Hyde Park

- Approximately 370m to proposed Pitt Street North OSD.

Visual Effects of the Concept Approval
The upper part of the east elevation of the Concept Approval shown in green, is visible above foreground and mid-ground composition.

Visual Effects of the Proposed Development
The upper part of the proposed building envelope shown in purple is visible above the foreground composition and vegetation in Hyde Park. The built form proposed sits within but is lower than the Concept Approval so that less visual effects are generated and more open sky in this view will be revealed.

Assessment of visual effects of the proposed development	
Visual Effects of the Proposed Development	Minor

Variable weighting factors rated as low, medium, high	
Sensitivity	Medium
Visual Absorption Capacity	High
Compatibility with Concept Approval	High
Compatibility with Concept Approval	High

Overall rating of significance of visual impact	Low

LEGEND:

- Visible elements of concept approval
- Visible elements of the proposed development within the concept approval envelope

Figure 9 View 2 Plaza above Cook and Phillip Park, existing view at 35mm focal length *(Source: Unsigned Studio)*

Figure 10 Alignment points for model integration *(Source: Unsigned Studio).*

Figure 11 View 2 Plaza adjacent to Cook and Phillip Park, location of proposed development shown in purple within the Concept Approval envelope shown in green *(Source: Unsigned Studio)*

Figure 12 View 2 Plaza above Cook and Phillip Park, proposed view *(Source: Unsigned Studio).*

VIEW 3

SOUTH - EAST CORNER INTERSECTION OF COLLEGE & OXFORD STREET

Description & Distance

View north-west across a foreground of road carriageway including a mid-ground composition that is predominantly characterised by Hyde Park and mature

- Approximately 335m to proposed Pitt Street North Over Station Development.

Visual Effects of the Concept Approval
The Concept Approval is heavily screened by vegetation so that only partial views will be visible from this intersection

Visual Effects of the Proposed Development
The proposed development is heavily screened by vegetation so that only partial views may be available from this intersection. The proposed building envelope sits entirely within and is lower than the Concept Approval envelope so that it does generates a lesser extent of visual effects compared to the Concept Approval.

Assessment of visual effects of the proposed development	
Visual Effects of the Proposed Development	Negligible
Variable weighting factors rated as low, medium, high	
Sensitivity	Low
Visual Absorption Capacity	High
Compatibility with Concept Approval	High
Compatibility with Concept Approval	High
Overall rating of significance of visual impact	Low

LEGEND:

Visible elements of concept approval

Visible elements of the proposed development within the concept approval envelope

Figure 13 View 3 South-east intersection of College and Oxford Street, existing view at 35mm focal length *(Source: Unsigned Studio).*

Figure 14 Alignment points for model integration *(Source: Unsigned Studio).*

Figure 15 View 3 South-east intersection of College and Oxford Street, location of proposed development within existing view (*Source: Unsigned Studio).*

Figure 16 View 3 South-east intersection of College and Oxford Street, proposed view *(Source: Unsigned Studio).*

VIEW 4

HYDE PARK, NORTH-EAST CORNER OF WAR MEMORIAL POOL

Description & Distance

View west across part of Hyde Park.

- Approximately 313m to proposed Pitt Street North Over Station Development.

Visual Effects of the Concept Approval
The upper parts of the Concept Approval are shown as a translucent green block that is visible above the tree canopy in Hyde Park

Visual Effects of the Proposed Development
The upper part of the proposed development shown as a translucent purple block is visible above the mid-ground tree canopy in Hyde Park. The built form proposed is lower than and within the Concept Approval envelope so that it does lesser extent of visual effects compared to the Concept Approval. The built form proposed is massed in 3 sections of varying height so that more open sky is revealed and the visual effects are reduced compared to the Concept Approval

Assessment of visual effects of the proposed development	
Visual Effects of the Proposed Development	Minor
Variable weighting factors rated as low, medium, high	
Sensitivity	High
Visual Absorption Capacity	High
Compatibility with Concept Approval	High
Compatibility with Concept Approval	High
Overall rating of significance of visual impact	Low

LEGEND:

Visible elements of concept approval

Visible elements of the proposed development within the concept approval envelope

Figure 17 View 4 Hyde Park adjacent to the Pool of Reflection, existing view at 24mm focal length *(Source: Unsigned Studio).*

Figure 18 Alignment points for model integration *(Source: Unsigned Studio).*

Figure 19 View 4 Hyde Park adjacent to the Pool of Reflection, location of proposed development within existing view (*Source: Unsigned Studio).*

Figure 20 View 4 Hyde Park adjacent to the Pool of Reflection, proposed view *(Source: Unsigned Studio).*

VIEW 5

SOUTH-EAST CORNER INTERSECTION OF WILLIAM AND DOWLING STREET

Description & Distance
View west along William Street

- Approximately 1,078m to proposed Pitt Street North Over Station Development.

Visual Effects of the Concept Approval
The Concept Approval is not visible in this view

Visual Effects of the Proposed Development
A minor amount of the proposed building envelope is visible from this distant location. However the detail and minor changes included in the proposed are not easily discernible and will not create any significant additional extent of built form, view loss or blocking effects

Assessment of visual effects of the proposed development	
Visual Effects of the Proposed Development	None
Variable weighting factors rated as low, medium, high	
Sensitivity	N/A
Visual Absorption Capacity	N/A
Compatibility with Concept Approval	High
Compatibility with Concept Approval	N/A
Overall rating of significance of visual impact	N/A

LEGEND:

Visible elements of concept approval

Visible elements of the proposed development within the concept approval envelope

Figure 21 View 5 William Street and Darlinghurst Road, existing view at 50mm focal length *(Source: Unsigned Studio)*

Figure 22 Alignment points for model integration *(Source: Unsigned Studio).*

Figure 23 View 5 William Street and Darlinghurst Road, location of proposed development within existing view (*Source: Unsigned Studio).*

Figure 24 View 5 William Street and Darlinghurst Road, proposed view *(Source: Unsigned Studio).*

VIEW 6

SOUTH-EAST CORNER INTERSECTION OF OXFORD AND BRISBANE STREET.

Description & Distance
View north-west towards the site from a medium distance view location

- Approximately 603m to proposed Pitt Street North Over Station Development.

Visual Effects of the Concept Approval
A narrow vertical stack of the Concept Approval envelope is visible behind intervening built form. The Concept Approval is visible in the context of other tower forms that are not dissimilar in height, character and scale to those in the immediate visual context.

Visual Effects of the Proposed Development
A narrow vertical stack of the Proposed Development is visible in the context of other tower forms. It is both narrower in relation to its podium form and lower in height relative to the Concept Approval and will be visible in the context of surrounding built form that is not dissimilar in height, character and scale to those in the immediate visual context. The proposed development sits wholly within the approved building envelope and reveals more of the built form background in the view and therefore generates less visual effects compared to the Concept Approval.

Assessment of visual effects of the proposed development	
Visual Effects of the Proposed Development	Negligible
Variable weighting factors rated as low, medium, high	
Sensitivity	Low
Visual Absorption Capacity	High
Compatibility with Concept Approval	High
Compatibility with Concept Approval	High
Overall rating of significance of visual impact	Low

LEGEND:

Visible elements of concept approval

Visible elements of the proposed development within the concept approval envelope

Figure 25 View 6 North-east corner of Bathurst and Castlereagh Streets, existing view at 35mm focal length *(Source: Unsigned Studio).*

Figure 26 Alignment points for model integration *(Source: Unsigned Studio).*

Figure 27 View 6 North-east corner of Bathurst and Castlereagh Streets, location of proposed development within existing view *(Source: Unsigned Studio).*

Figure 28 View 6 North-east corner of Bathurst and Castlereagh Streets, proposed view *(Source: Unsigned Studio).*

VIEW 7

SOUTH-WEST CORNER INTERSECTION OF GEORGE STREET AND DRUITT STREET, IN FRONT OF SYDNEY TOWN HALL

Description & Distance
View north-east towards the site from a close location near the front of Town Hall. Approximately 132m south of proposed Pitt Street North Over Station Development.

Visual Effects of the Concept Approval
Parts of the west and south facing elevations of the Concept Approval are visible in this close view.

Visual Effects of the Proposed Development
Parts of the Proposed Development are highly visible in this close view but sit wholly within the Concept Approval. The purple translucent envelope shows that the podium and tower forms are tailored to be narrower relative to the Concept Approval. The reduction of built form reduces the extent of visual effects which will be visible in the context of other tower and podium forms the immediate visual context. The massing and detailing of the tower form are compatible and not dissimilar to the form, scale and character of other development within the immediate and wider visual context.

Assessment of visual effects of the proposed development	
Visual Effects of the Proposed Development	Moderate
Variable weighting factors rated as low, medium, high	
Sensitivity	Medium
Visual Absorption Capacity	High
Compatibility with Concept Approval	High
Compatibility with Concept Approval	High
Overall rating of significance of visual impact	Low

LEGEND:

- Visible elements of concept approval
- Visible elements of the proposed development within the concept approval envelope

Figure 29 View 7 South-west intersection of Pitt Street and Wilmot Street, existing view at 35mm focal length *(Source: Unsigned Studio).*

Figure 30 Alignment points for model integration *(Source: Unsigned Studio).*

Figure 31 View 7 South-west intersection of Pitt Street and Wilmot Street, location of proposed development within existing view (*Source: Unsigned Studio).*

Figure 32 View 7 South-west intersection of Pitt Street and Wilmot Street, proposed view *(Source: Unsigned Studio).*

VIEW 8

PIER STREET ADJACENT TO ICC SYDNEY THEATRE

Description & Distance
View east towards Pitt Street North OSD.

- Approximately 841m from proposed Pitt Street North Over Station Development.

Visual Effects of the Concept Approval
The Concept Approval is not visible from this location.

Visual Effects of the Proposed Development
From this location the proposed development is not visible due to foreground built form.

Assessment of visual effects of the proposed development	
Visual Effects of the Proposed Development	None

Variable weighting factors rated as low, medium, high	
Sensitivity	N/A
Visual Absorption Capacity	N/A
Compatibility with Concept Approval	N/A
Compatibility with Concept Approval	N/A
Overall rating of significance of visual impact	N/A

LEGEND:

Visible elements of concept approval

Visible elements of the proposed development within the concept approval envelope

Figure 33 View 8 medium distant view from the west near the ICC building from which the proposed development is not visible *(Source: Unsigned Studio).*

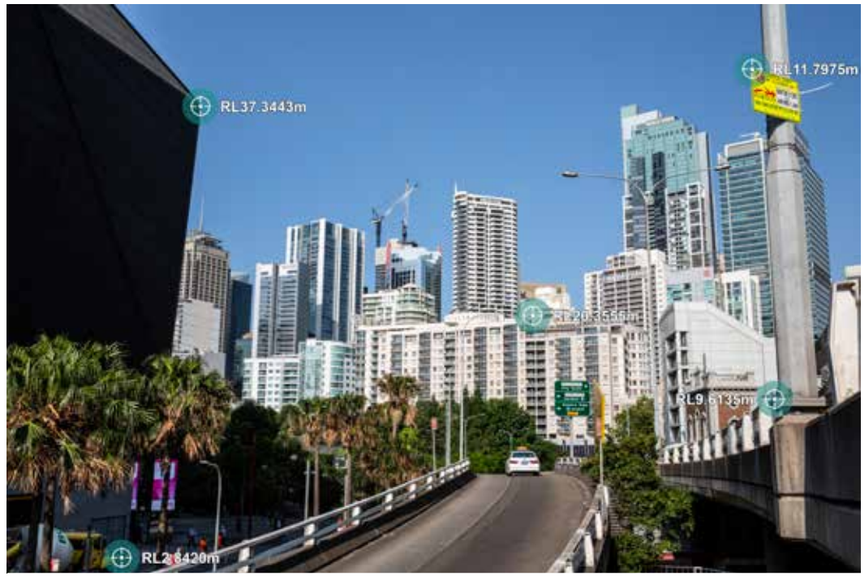


Figure 34 Alignment points for model integration *(Source: Unsigned Studio).*

Figure 35 View 8 The proposed development is not visible from this view location(*Source: Unsigned Studio).*

Figure 36 View 8 *(Source: Unsigned Studio).*

VIEW 9

WILLIAM STREET ADJACENT TO AUSTRALIAN MUSEUM

Description & Distance
View West.

- Approximately 386m from the proposed Pitt Street North Over Station Development.

Visual Effects of the Concept Approval
The upper part of the Concept Approval shown as a translucent green block-model is visible from this location, which is a near axial view from the city-bound lanes .

Visual Effects of the Proposed Development
The upper part of the Proposed Development shown as a translucent purple block, is visible above the mid-ground tree canopy present in Hyde Park. The built form proposed is lower than and within the Concept Approval envelope so that it generates less visual effects and reveals more of the background.

Assessment of visual effects of the proposed development	
Visual Effects of the Proposed Development	Minor
Variable weighting factors rated as low, medium, high	
Sensitivity	Low
Visual Absorption Capacity	High
Compatibility with Concept Approval	High
Compatibility with Concept Approval	High
Overall rating of significance of visual impact	Low

LEGEND:

- Visible elements of concept approval
- Visible elements of the proposed development within the concept approval envelope

Figure 37 View 9 view East from William Street *(Source: Unsigned Studio).*

Figure 38 Alignment points for model integration *(Source: Unsigned Studio).*

Figure 39 View 9 view East from William Street where the upper part of the proposed development is shown in purple lower than the Concept Approval shown in green.*(Source: Unsigned Studio).*

Figure 40 View 9 Western Distributor near the ICC, proposed view *(Source: Unsigned Studio).*

VIEW 10

VIEW LOOKING WEST FROM THE BUS STOP ON PARK STREET

Description & Distance
View north-west.

- Approximately 151m from the proposed Pitt Street North Over Station Development.

Visual Effects of the Concept Approval
Parts of the east and south elevations of the tower and podium Concept Approval are visible in this close view.

Visual Effects of the Proposed Development
Parts of the east and south elevations of the proposed tower and podium are visible in this close view and sit wholly within the Concept Approval envelope. The fully rendered view shows that the podium and tower forms are tailored to be narrower and lower relative to the Concept Approval which provides a minor reduction in the extent of visual effects. The tower form blocks vernacular views of other urban development. The tower form and its curvilinear facade treatment are compatible with and visible in the context of surrounding tower and podium forms that are not dissimilar to the form, scale and character of other developments within the immediate and wider visual context.

Assessment of visual effects of the proposed development	
Visual Effects of the Proposed Development	Moderate
Variable weighting factors rated as low, medium, high	
Sensitivity	Low
Visual Absorption Capacity	High
Compatibility with Concept Approval	High
Compatibility with Concept Approval	High
Overall rating of significance of visual impact	Low

LEGEND:

Visible elements of concept approval

Visible elements of the proposed development within the concept approval envelope

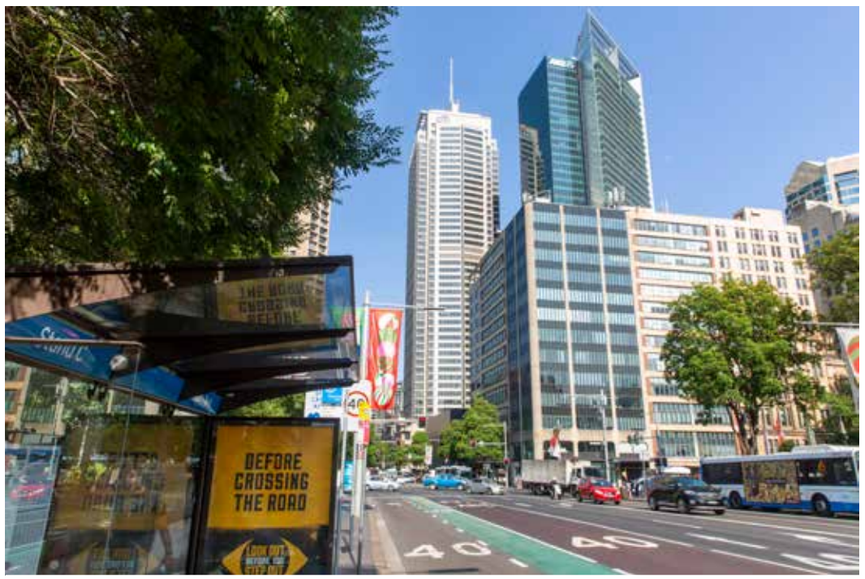


Figure 41 View 10 View west from Park Street, existing view at 35mm focal length *(Source: Unsigned Studio).*

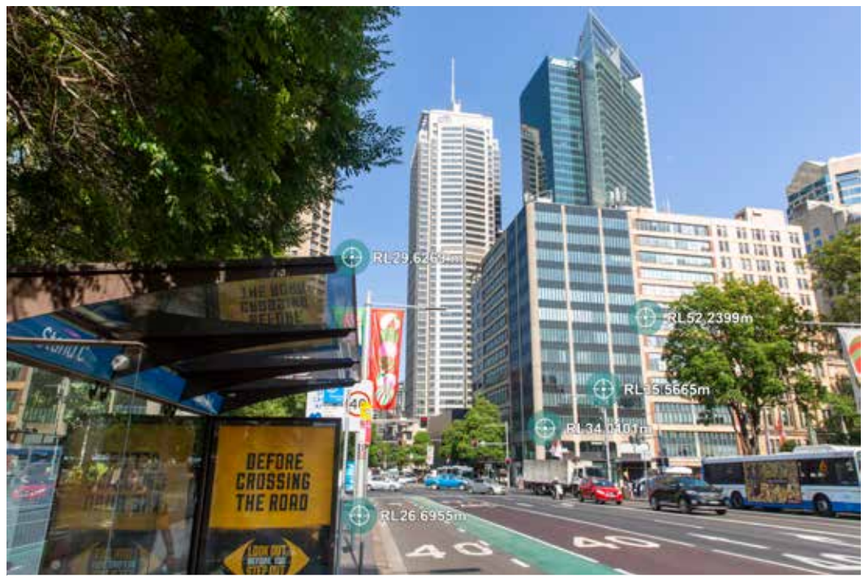


Figure 42 Alignment points for model integration *(Source: Unsigned Studio).*

Figure 43 View 10 View west from Park Street, the proposed development shown in purple sits wholly within the Concept Approval envelope (*Source: Unsigned Studio).*

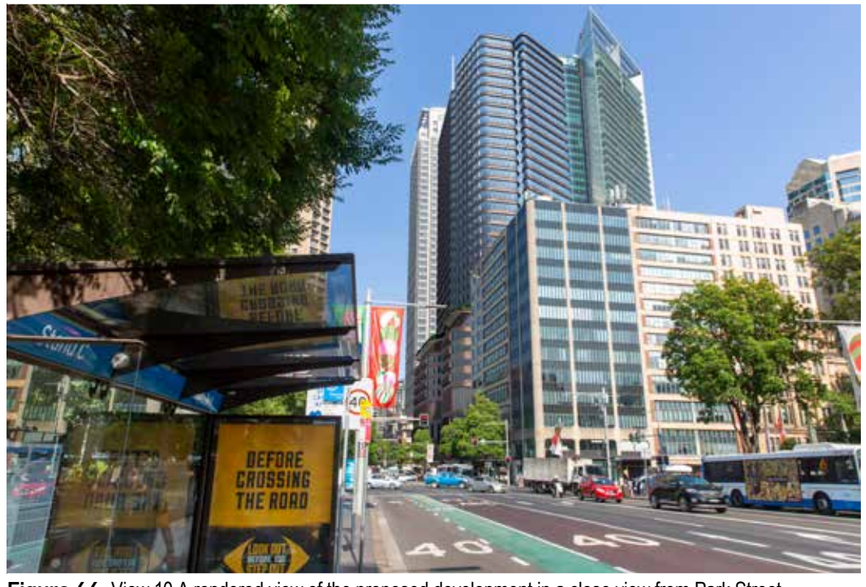


Figure 44 View 10 A rendered view of the proposed development in a close view from Park Street, proposed view *(Source: Unsigned Studio).*

View	Location	Visual Effects of the Concept Approval	Visual Effects of the Proposed Development	Extent of visual effects of the proposed development. Negligible, minor, moderate, severe, devastating
View 01	South-east end of Macquarie Street pedestrian area	The upper parts of the Concept Approval are shown as a translucent green block that is visible above the tree canopy in Hyde Park	The upper parts of the proposed development shown as a translucent purple block are visible above the mid-ground tree canopy in Hyde Park. The built form proposed sits is lower than and within the Concept Approval envelope so that it does not generate any additional visual effects compared to the Concept Approval. The built form proposed is massed in 3 sections which vary in height so that the visual effects are reduced compared to the Concept Approval and more open sky is revealed.	Minor
View 02	Cook and Phillip Park public plaza, east side of College Street	The upper part of the east elevation of the Concept Approval shown in green, is visible above foreground and mid-ground composition.	The upper part of the proposed building envelope shown in purple is visible above the foreground composition and vegetation in Hyde Park. The built form proposed sits within but is lower than the Concept Approval so that less visual effects are generated and more open sky in this view will be revealed.	Minor
View 03	South-east intersection at College Street and Oxford Street	The Concept Approval is heavily screened by vegetation so that only partial views will be visible from this intersection	The proposed development is heavily screened by vegetation so that only partial views may be available from this intersection. The proposed building envelope sits entirely within and is lower than the Concept Approval envelope so that it does generates a lesser extent of visual effects compared to the Concept Approval.	Negligible
View 04	Hyde Park adjacent to the Pool of reflection	The upper parts of the Concept Approval are shown as a translucent green block that is visible above the tree canopy in Hyde Park	The upper part of the proposed development shown as a translucent purple block is visible above the mid-ground tree canopy in Hyde Park. The built form proposed is lower than and within the Concept Approval envelope so that it does lesser extent of visual effects compared to the Concept Approval. The built form proposed is massed in 3 sections of varying height so that more open sky is revealed and the visual effects are reduced compared to the Concept Approval.	Minor
View 05	North-west corner of William Street and Dowling Street	The Concept Approval is not visible in this view	A minor amount of the proposed building envelope is visible from this distant location. However the detail and minor changes included in the proposed are not easily discernible and will not create any significant additional extent of built form, view loss or blocking effects	None
View 06	South-east corner of Oxford Street and Brisbane Street	A narrow vertical stack of the Concept Approval envelope is visible behind intervening built form. The Concept Approval is visible in the context of other tower forms that are not dissimilar in height, character and scale to those in the immediate visual context.	A narrow vertical stack of the Proposed Development is visible in the context of other tower forms. It is both narrower in relation to its podium form and lower in height relative to the Concept Approval and will be visible in the context of surrounding built form that is not dissimilar in height, character and scale to those in the immediate visual context. The proposed development sits wholly within the approved building envelope and reveals more of the built form background in the view and therefore generates less visual effects compared to the Concept Approval.	Negligible
View 07	South-west corner at the intersection of George and Druitt Street in front of the Sydney Town Hall.	Parts of the west and south facing elevations of the Concept Approval are visible in this close view.	In this close view the Proposed Development sits wholly within the Concept Approval. The purple translucent envelope shows that the podium and tower forms are tailored to be narrower relative to the Concept Approval. The reduction of built form reduces the extent of visual effects which will be visible in the context of other tower and podium forms the immediate visual context. The massing and details of the tower form are compatible and not dissimilar to the form, scale and character of other development within the immediate and wider visual context.	Moderate
View 08	Western Distributor near the International Convention Centre	The Concept Approval is not visible from this location	From this location the proposed development is not visible due to foreground built form	None
View 09	William Street adjacent to the Australian Museum	The upper part of the Concept Approval shown as a translucent green block-model is visible from this location, which is a near axial view from the city-bound lanes	The upper part of the Proposed Development shown as a translucent purple block, is visible above the mid-ground tree canopy present in Hyde Park. The built form proposed is lower than and within the Concept Approval envelope so that it generates less visual effects and reveals more of the background.	Minor
View 10	Park Street bus stop	Parts of the east and south elevations of the tower and podium Concept Approval are visible in this close view.	Parts of the east and south elevations of the Proposed tower and podium are visible in this close view and sit wholly within the Concept Approval envelope. The fully rendered view shows that the podium and tower forms are tailored to be narrower and lower relative to the Concept Approval which provides a minor reduction in the extent of visual effects. The massing of the tower form and its curvilinear facade treatment will be compatible with and visible in the context of surrounding tower and podium forms that are not dissimilar to the form, scale and character of other developments within the immediate and wider visual context.	Moderate

Table 2: Public Domain Summary of Visual Effects

SUMMARY STATEMENT PUBLIC DOMAIN VISUAL EFFECTS

- The nature and level of visual effects caused by the Concept Approval have been accepted as being reasonable by the DPIE.
- The form, height and floor plate of the Proposed Development as shown in the photomontages does not significantly change or add to the extent of visual effects generated by those effects compared to the Concept Approval.
- In all public domain views the proposed development creates a similar or a lesser extent of visual effects when compared to the Concept Approval. The level of visual effects is difficult to discern in all but the closest views..
- In the closest views from locations for example 2, 7 and 10 the levels of visual effects on the existing visual context were rated as minor to moderate. In all other views the visual effects were rated at being minor, negligible or the proposed development was not visible.
- Location 4 in Hyde Park was the only location rated as a location of high sensitivity however the visual effects of the Proposed Development are minor in quantum, are not easily discernible and were rated as minor.
- The clause 4.55 Modification Application does not create any significant visual effects in any public domain views.

5.0 PRIVATE DOMAIN VIEWS

PRIVATE DOMAIN VIEW LOSS

For completeness all CGI views that were included in the SSD Concept Approval have been remodelled. An accurate appraisal of potential view loss requires inspections of all views available from a dwelling. However this is not always practical or feasible and in relation to the proposed development, an inspection of views was not undertaken. In this regard this assessment relies wholly on analysis of the existing view access and potential view sharing shown in CGIs.

CGIs show only the location and outline in relatively simple terms of features that are present in the composition of a view. The level of detail presented relies on data included in the City of Sydney 3D digital architectural model to be inserted into the modelled view which therefore has an impact on the accuracy of the CGI composition and on the assessment of view sharing.

For this project the private domain view CGIs from the same locations used for the Stage 1 SSD application have been replicated and updated to include the proposed development by Unsigned Studios. The extent of the Concept Approval is shown in green and the Proposed Development is shown in a translucent purple. The view locations adopted for analysis include low, mid and high-rise locations at 197 Castlereagh Street and 23 Park Street both residential developments located south of the subject site.

RELEVANT VIEW SHARING PLANNING PRINCIPLES

There are two planning principles from the Land and Environment Court of New South Wales that are relevant. The most relevant in terms of private domain view sharing is Tenacity Consulting v Warringah [2004] NSWLEC 140 - Principles of view sharing: the impact on neighbours (Tenacity) and Rose Bay Marina Pty Limited v Woollahra Municipal Council and anor. [2013] NSWLEC 1046 (Rose Bay).

Rose Bay is relevant to view loss in the public domain. The principle in Rose Bay contains a recommended approach based first of a quantitative and secondly a qualitative assessment. It also emphasises the need to consider views that have been identified as being of particular importance for example any views that are documented n planning instruments and policies or as heritage views.

This report assesses the likely visual effects and potential impacts of the construction of the Proposed Development from three neighbouring residential developments to the site. Our analysis of view loss and blocking effects of the proposed development are considered in the context of the visual effects of the Concept Approval and the principles of private domain view sharing established by Roseth SC in the Land and Environment Court of New South Wales These are referred to in Tenacity.

In summary, Roseth SC in Tenacity defines a four-step process to assist in the determination of the impacts of a development on views from the private domain.

The steps are sequential and conditional, meaning that proceeding to further steps may not be required if the conditions for satisfying the preceding threshold is not met in each view or residence considered. Our assessment is based on a review of the potential effects of the building envelope as modelled and shown as translucent green and purple blocks. The Concept Approval is shown in a green and the Proposed Development is shown purple

Prior to undertaking the assessment however Roseth discusses the notion of view sharing and in the first step of his four-step method requires that views to be affected should be identified and described.

25 The notion of view sharing is invoked when a property enjoys existing views and a proposed development would share that view by taking some of it away for its own enjoyment. (Taking it all away cannot be called view sharing, although it may, in some circumstances, be quite reasonable.) To decide whether or not view sharing is reasonable, I have adopted a four step assessment.

Tenacity includes descriptions of highly valued features, iconic views, whole views which refers to the particulars of the matter for example water and areas of land-water interface and suggests that some views which do not contain such features, whole views or if there the extent of view loss is not considered to be substantial loss in qualitative or quantitative terms then the threshold to apply the four-step Tenacity assessment may not be required.

26 The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (e.g. of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, e.g. a water view in which the interface between land and water is visible is more valuable than one in which it is obscured

PRIVATE DOMAIN VIEW LOCATIONS

This analysis is based on a review of private domain views as modelled in Computer Generated Images (CGIs) prepared by Unsigned Studio. The view locations adopted for analysis are those from neighbouring residential development that were identified in consent documentation for the Approved Development. This includes the locations at the various heights from 197 Castlereagh Street and 27 Park Street.

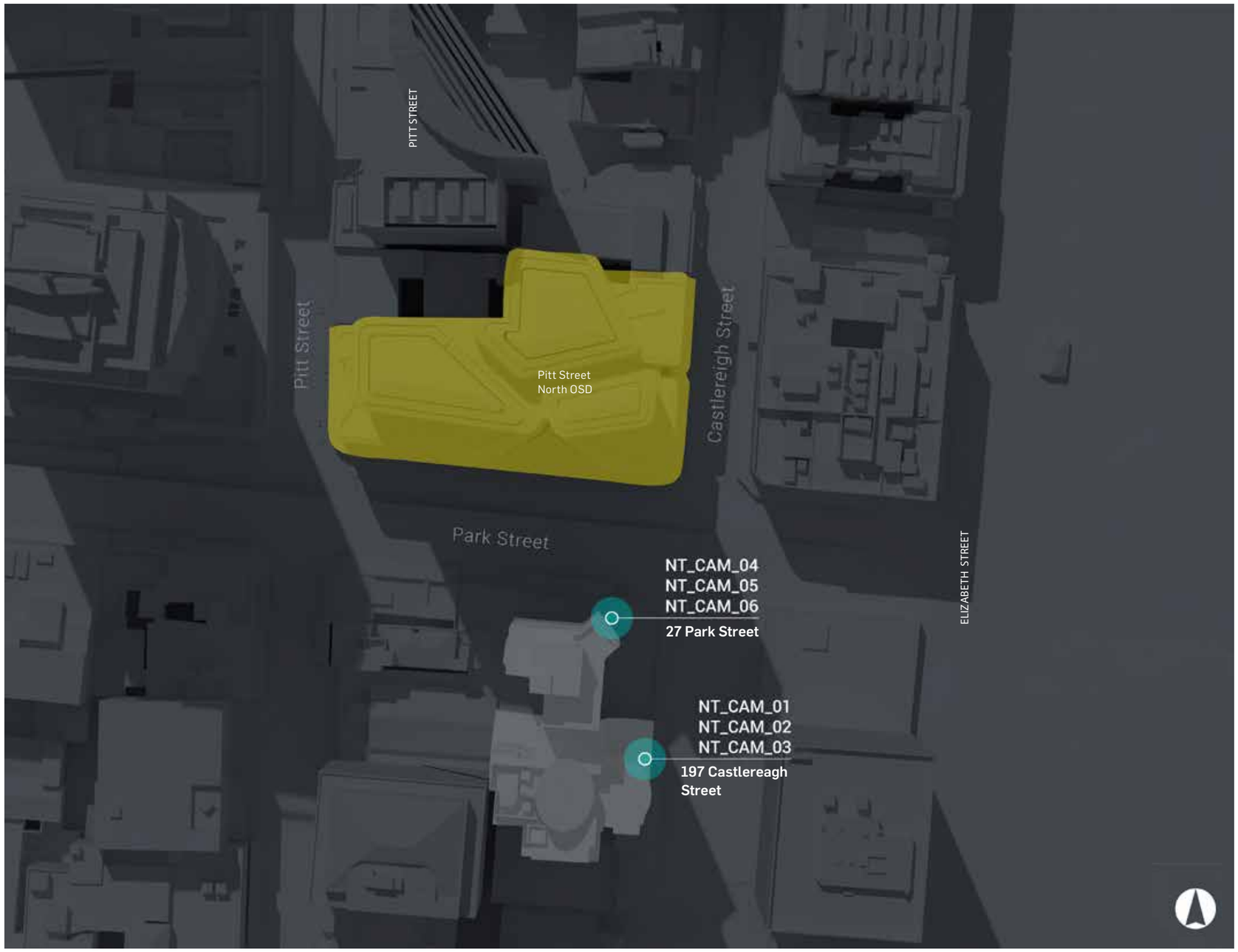


Figure 45 Private Domain View Locations *(Source: Unsigned Studio)*

197 CASTLEREAGH STREET

LOW RISE VIEW TO THE NORTH-EAST
RL 29.5M

CGIs from low and mid-rise locations indicate the Concept Approval and Proposed Development will block a similar extent of a northward view. The Proposed Development sits wholly within the approved building envelope so that no addition view loss is caused. The composition of the view lost includes background built form and areas of open sky.

LEGEND:

- Section 4.55(2) modification application to the Concept Approval
- Proposed Development (Detailed SSD-DA)
- Concept Approval

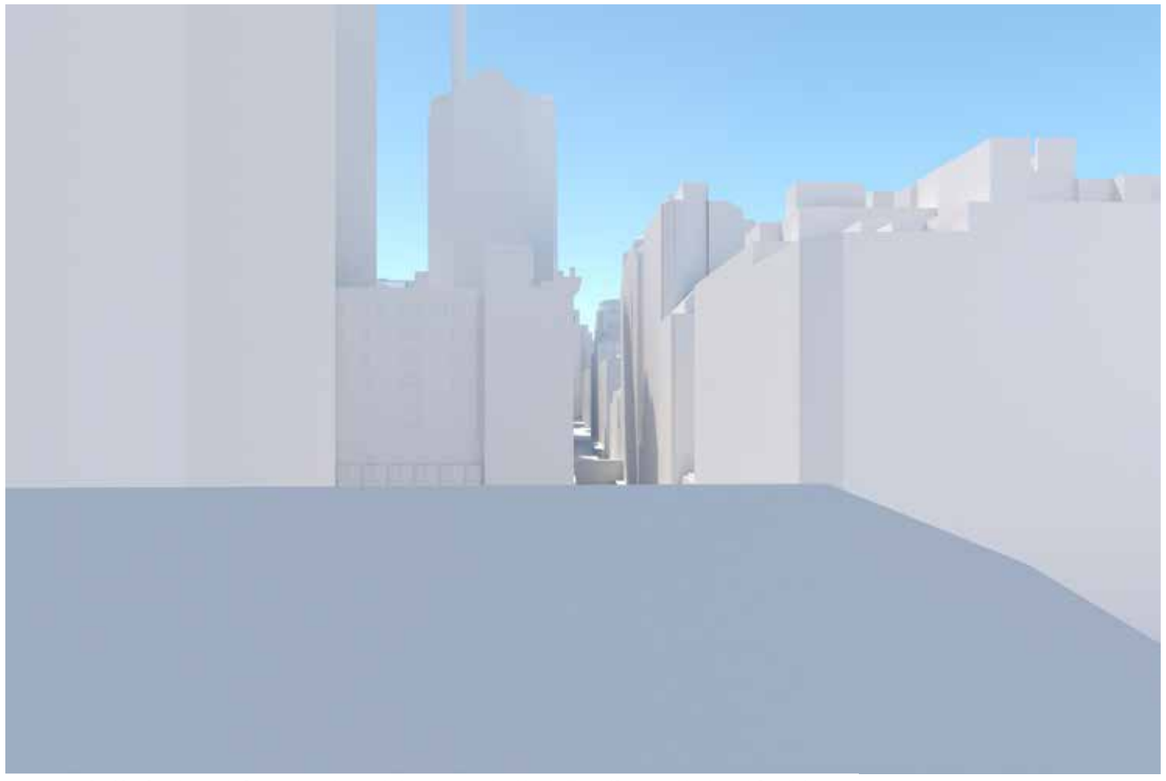


Figure 46 197 Castlereagh Street: low rise, existing view to the North-East *(Source: Unsigned Studio)*.

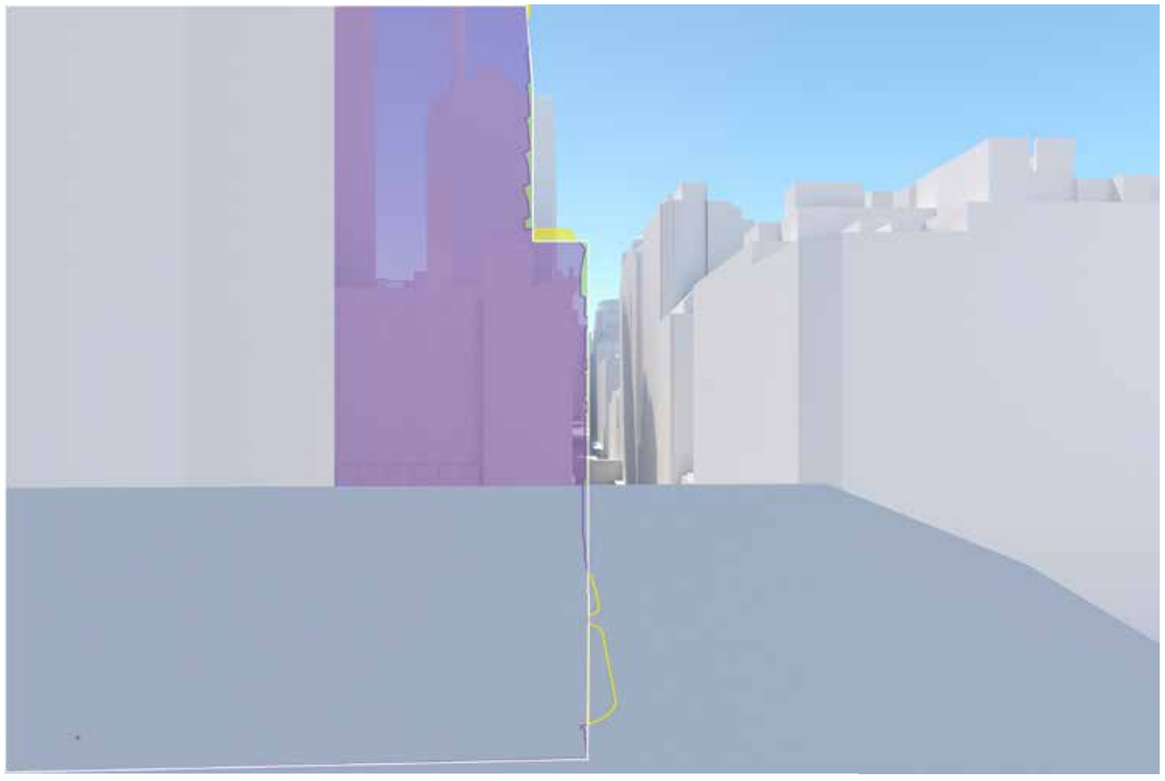


Figure 47 197 Castlereagh Street: low rise, proposed view to the North-East *(Source: Unsigned Studio)*.

197 CASTLEREAGH STREET

MID RISE VIEW TO THE NORTH-EAST
RL 59M

LEGEND:

- Section 4.55(2) modification application to the Concept Approval
- Proposed Development (Detailed SSD-DA)
- Concept Approval

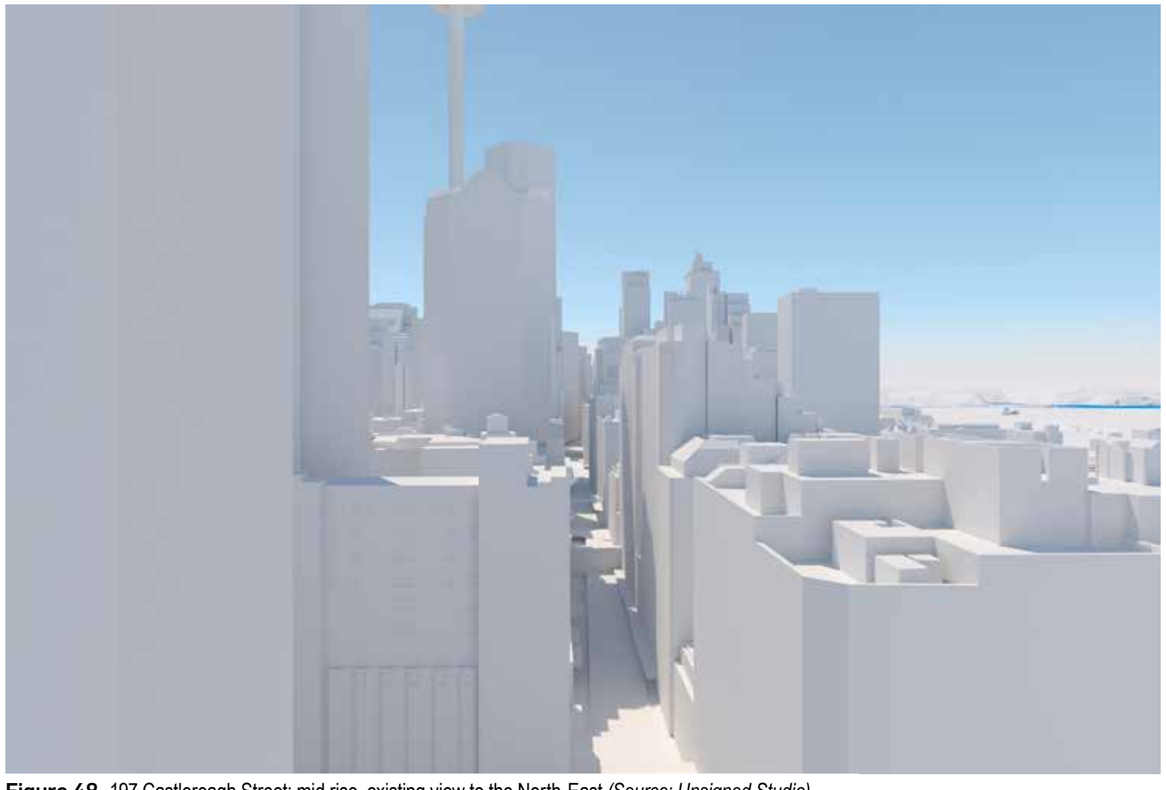


Figure 48 197 Castlereagh Street: mid rise, existing view to the North-East *(Source: Unsigned Studio).*

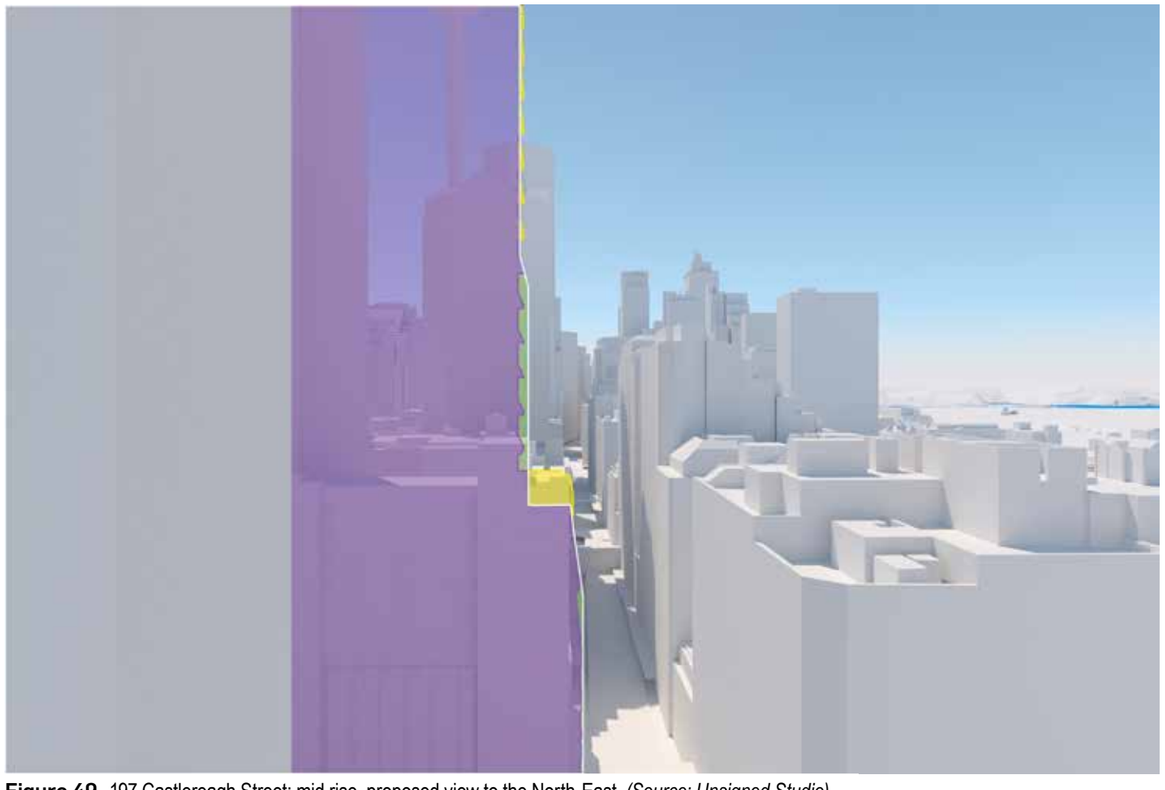


Figure 49 197 Castlereagh Street: mid rise, proposed view to the North-East *(Source: Unsigned Studio).*

197 CASTLEREAGH STREET

HIGH RISE VIEW TO THE NORTH-EAST
RL 95M

This view includes the northern part of the Sydney CBD skyline and the Centre-point Tower, parts of Hyde Park and a background composition which includes areas of land-water interface. It is likely that more north-easterly and easterly view access includes similar scenic features would remain unaffected by the Proposed Development. The extent of view loss constitutes a small part of a much wider view available. Notwithstanding it includes the notable and identifiable built form of the Centre-point Tower, this is an isolated feature that contributes to the wider Sydney Skyline. The typology of the wider Sydney CBD skyline is considered to be a locally iconic but in our opinion individual buildings within it cannot be isolated to be considered as more or less iconic than others. In this regard the loss of the view (as modelled) and in the context of the approved extent of view loss caused by the Concept Approval, view loss as modelled is considered to be reasonable from this location.

LEGEND:

- Section 4.55(2) modification application to the Concept Approval
- Proposed Development (Detailed SSD-DA)
- Concept Approval

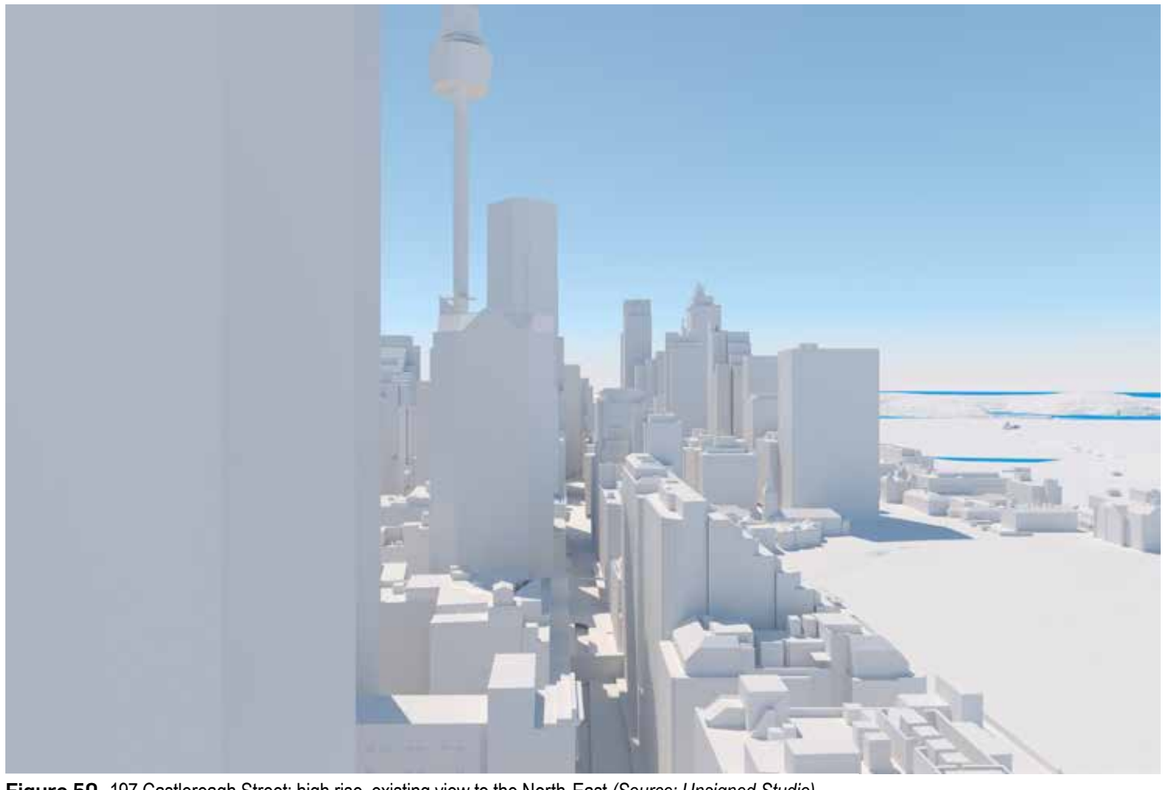


Figure 50 197 Castlereagh Street: high rise, existing view to the North-East *(Source: Unsigned Studio).*

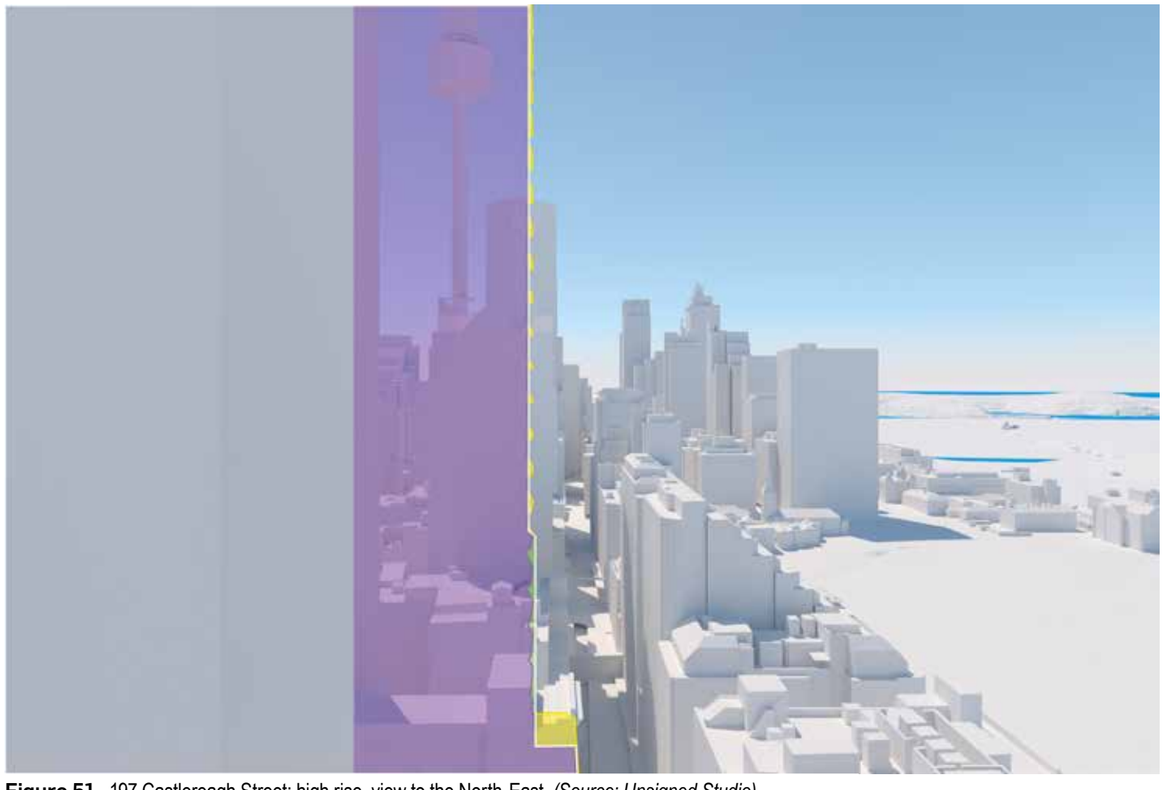


Figure 51 197 Castlereagh Street: high rise, view to the North-East *(Source: Unsigned Studio).*

27 PARK STREET

LOW RISE VIEW TO THE NORTH-EAST
RL 12.5M

In relation to views from 27 Park Street, a narrow vertical stack of the Concept Approval and Proposed Development is visible in an oblique view to the north. In low and mid-level views the Proposed Development will block a mid-ground composition predominantly characterised by urban development in the Sydney CBD. The features in the view and extent of the view lost in our opinion are in substantive in Tenacity terms. In this regard view loss would be considered to be minor overall and the threshold to proceed to step 1 of the Tenacity Assessment is not required.

Views from the high-rise location at 27 Park also includes a short section of Sydney Harbour in the distant background. However the extent of view loss is considered to be minor given the highly oblique angle of the view and likely panoramic and scenic view composition that is available to the north-east and south-east all of which will remain unaffected by the proposed development

LEGEND:

- Section 4.55(2) modification application to the Concept Approval
- Proposed Development (Detailed SSD-DA)
- Concept Approval

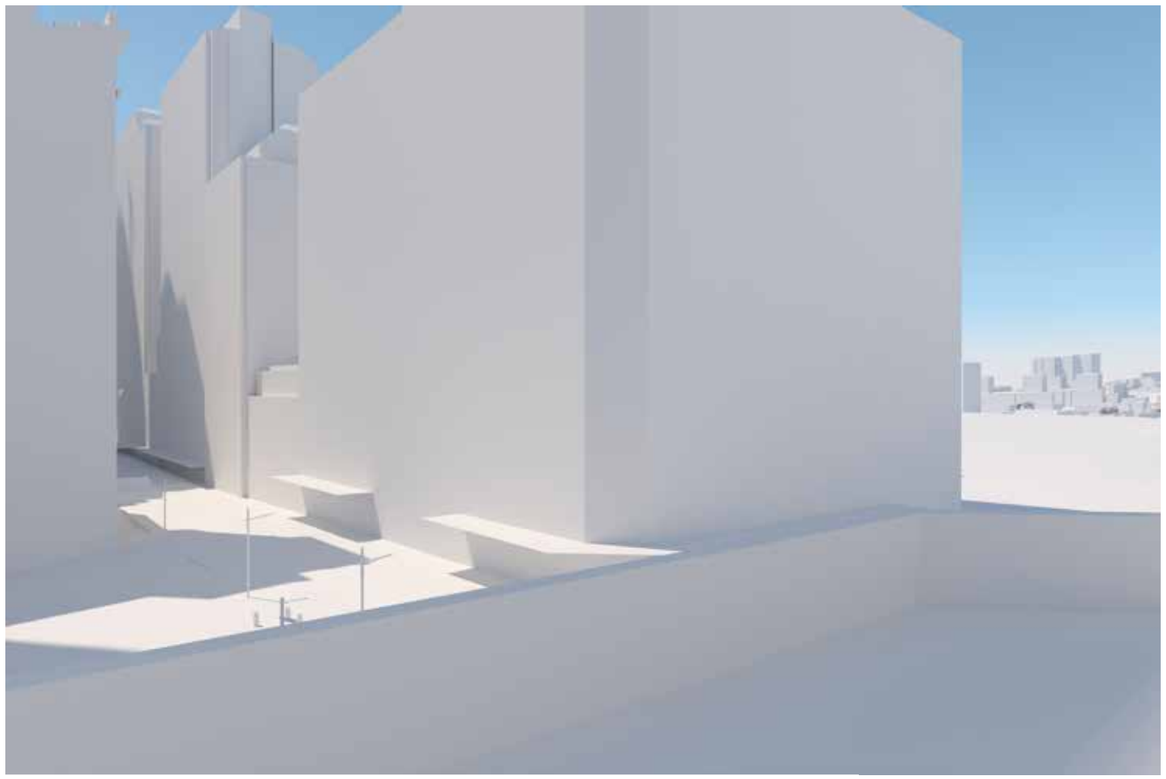


Figure 52 27 Park Street: low rise, existing view to the North-East *(Source: Unsigned Studio).*

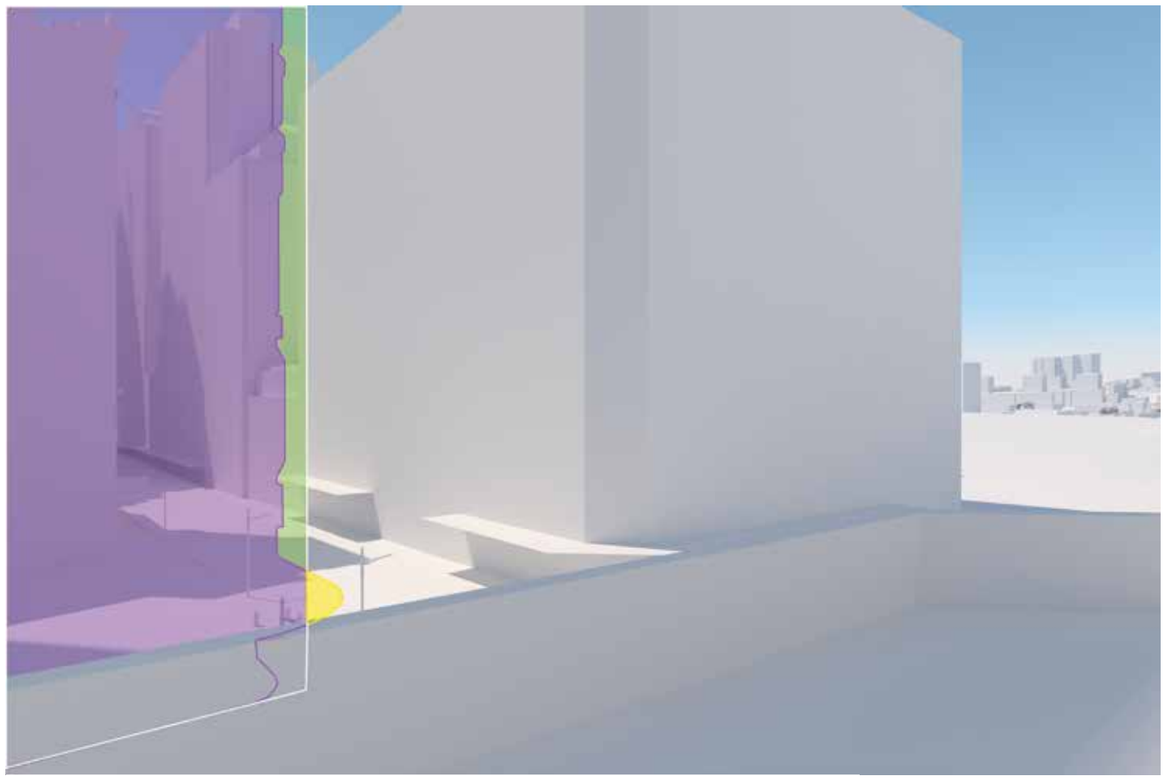


Figure 53 27 Park Street: low rise: proposed view to the North-East *(Source: Unsigned Studio).*

27 PARK STREET

MID RISE VIEW TO THE NORTH-EAST
RL 63.5M

LEGEND:

- Section 4.55(2) modification application to the Concept Approval
- Proposed Development (Detailed SSD-DA)
- Concept Approval

Figure 54 27 Park Street: mid rise, existing view to the North-East *(Source: Unsigned Studio).*

Figure 55 27 Park Street: mid rise: proposed view to the North-East *(Source: Unsigned Studio).*

27 PARK STREET

HIGH RISE VIEW TO THE NORTH-EAST
RL 116.5M

LEGEND:

- Section 4.55(2) modification application to the Concept Approval
- Proposed Development (Detailed SSD-DA)
- Concept Approval

SUMMARY OF VIEW SHARING OUTCOMES

Private domain view loss in relation to the Concept Approval has been accepted as being reasonable by the DPIE and further that in analysing the viewer sensitivity above it was concluded that it is unlikely that private domain views would be significantly affected by the Proposed Development.

The height, form and floor plate of the Proposed Development as shown in the CGIs complies with the Concept Approval and reduces the extent of visual effects and view loss compared to it.

In relation to all views modelled in the CGIs the likely private domain view sharing outcome will be similar but slightly improved as a result of the lower, stepped height of the roof form proposed and narrower tower form in all private domain views.

Given the extent of visual effects caused by the Proposed Development in all views, in our opinion an assessment against the Tenacity planning principle is not required. This is because the visual effects of the Proposed Development do not meet the threshold criteria for the application of Step 1 of Tenacity other than potentially for the high-rise view from 197 Castlereagh Street. The extent of view loss caused is anticipated in the Concept Approval and is neither qualitatively or quantitatively substantial therefore Tenacity has no work to do.

If the Proposed Development was considered in isolation and without the knowledge of the extent of visual effects and level of visual impacts anticipated in the Concept Approval, a Tenacity assessment would be likely to find that view loss from the high-rise location at 197 Castlereagh Street would be minor.

In summary in all cases the view sharing outcome caused by the Proposed Development is considered to be reasonable and acceptable in the circumstances

Figure 56 27 Park Street: high rise, existing view to the North-East *(Source: Unsigned Studio)*.

Figure 57 27 Park Street: high rise: proposed view to the North-East *(Source: Unsigned Studio)*.

6.0 VISUAL IMPACT ASSESSMENT

The significance of visual impacts is differentiated from the extent of visual effects by giving weight to relevant impact criteria. In this way, the relative importance of impacts is distinguished from the size of the visual effects. The weighting factors most relevant for consideration for this assessment are sensitivity, visual absorption capacity and compatibility with the Approved Development

SENSITIVITY

The overall rating for view place sensitivity was weighted according to the influence of variable factors such distance, the location of items of heritage significance or public spaces of high amenity and high user numbers. Four locations were assessed as having medium or high sensitivity including location 1 Macquarie Street pedestrian area, location 2 Cook and Phillip Park and Location 7 near the front of Town Hall which were rated as medium sensitivity and location 4 Hyde Park near the pool of reflections which was rated as a high sensitivity location.

VISUAL ABSORPTION CAPACITY

In all views the VAC for the Proposed Development is high. This is because the immediate and wider visual setting has a high visual absorption capacity (VAC) to absorb, block or hide the majority of the built form proposed. The visual catchment is constrained so that the majority of views are from close or medium distance ranges from which the VAC for all locations was considered to be high. This is not to say the Proposed Development will not be visible in direct or close views but that overall the VAC is high given the surrounding built form and visual setting form the majority of view points modelled.

In distant or medium distant views the form and architectural detail of the upper parts of the tower are not easily perceived above or within the CBD building typology. The proposed development would not be perceived as being significantly different in terms of its form or character to the approved development

COMPATIBILITY

COMPATIBILITY WITH URBAN FEATURES

In all cases the visual compatibility of proposed development is high because in the all views the Proposed Development is visible within an immediate visual context of existing, approved and proposed tower forms and in distant views if visible would be seen in the context of the Sydney CBD skyline when it is not dissimilar in height, form or character to others present.

COMPATIBILITY WITH THE CONCEPT APPROVAL

This assessment is a measure of the extent to which the visual effects of the proposal are compatible with the Concept Approval. The Proposed Development was rated as having high compatibility with the Concept Approval in all views. This is because its floor-plate, tower form and height fit wholly within the Concept Approval envelope.

APPLYING THE WEIGHTING FACTORS

To arrive at a final level of significance of visual impact, the weighting factors are applied to the overall level of visual effects. Table 2 summarises the ratings of each variable factor in relation to the visual effects. The level of visual impacts in relation to all public domain views modelled was rated as low.

SUMMARY STATEMENT PUBLIC DOMAIN VISUAL IMPACTS

- The nature and level of visual impacts caused by the Concept Approval been accepted as being reasonable by the DPIE.
- The form, height and floor plate of the Proposed Development as shown in the photomontages does not significantly change and does not provide additional visual impacts compared to the Concept Approval.
- The Summary Table of Visual Impacts includes weighting factors which influence the overall significance of the visual impact and determine a final rating. This table shows that the visual impacts of the Proposed Development for all public domain views were found to be low. This is largely due to its high ratings for compatibility with urban features and the Concept Approval and high absorption capacity.
- In the closest and most sensitive views, once considered in the context of additional 'weighting' factors such as high compatibility of Proposed Development with the Concept Approval, reduced to the level of visual impact to low.
- Location 4 in Hyde Park was the only location rated as high sensitivity however notwithstanding its importance as a public open space, the visual effects of the Proposed Development are minor in quantum, are not easily discernible and were rated as minor. This combined with high VAC, high Compatibility with the urban context and the Concept Approval reduce the overall level of significance of the visual impacts to low.
- Overall the level of visual impacts on all public domain view locations modelled, is considered to be low. In this regard the potential visual impacts of the proposed development on the public and private domain is considered to be reasonable and acceptable..
- As required by the SEARs the visual impacts of the proposed built form in close views for example for pedestrians when moving along Park, Castlereagh and Pitt Streets has been assessed and found to be low in the context of compatibility with existing urban features and the Concept Approval.
- The potential visual impacts in relation to the clause 4.55 Modification Application are minor and acceptable.

Pitt Street North Summary of Visual Impacts			**Relevant variable weighting factors rated as low, medium, high**				
View	**Location**	**Description**	***Sensitivity of view place***	***Visual Absorption Capacity***			**Overall rating of**
1	South-east end of Macquarie Street pedestrian area	View south-west across Hyde Park	Medium	High	High	High	Low
2	Cook and Phillip Park public plaza, east side of College Street	View south-west across the plaza and tree canopy in Hyde Park	Medium	High	High	High	Low
3	South-east intersection at College Street and Oxford Street	View north-west across a foreground of road carriageway including a mid ground composition that is predominantly characterised by Hyde Park and mature vegetation	Low	High	High	High	Low
4	Hyde Park adjacent to the Pool of reflection	View west across part of Hyde Park	High	High	High	High	Low
5	North-west corner of William Street and Dowling Street	View west along William Street	N/A	N/A	High	N/A	N/A
6	South-east corner of Oxford Street and Brisbane Street	View north-west towards the site from a medium distance view location	Low	High	High	High	Low
7	South-west corner at the intersection of George and Druitt Street in front of the Sydney Town Hall.	View north-east towards the site from a close location in front of pedestrian area in near the front of Town Hall. A view from the front of the town hall steps has not been modelled but is considered as a more sensitive view given the building's heritage status.	Medium	High	High	High	Low
8	Western Distributor near the International Convention Centre	View east	N/A	N/A	N/A	N/A	N/A
9	William Street adjacent to the Australian Museum	View west	Low	High	High	High	Low
10	Park Street bus stop View north-west	View north-west	Low	High	High	High	Low

Table 3: Summary of Visual Impacts

7.0 CERTIFICATION ACCURACY OF PHOTOMONTAGES

Statement of Certification of Photomontages

The preparation of photomontages has been undertaken to comply with the practice direction for the use of photomontages in the Land and Environment Court of New South Wales. In NSW this is the most conservative standard to follow in the absence of any statutory. This involves following a number of steps as follows;

Use of photomontages

The following requirements for photomontages proposed to be relied on as or as part of expert evidence in Class 1 appeals will apply for proceedings commenced on or after 1 October 2013. The following directions will apply to photomontages from that date:

Requirements for photomontages

Any photomontage proposed to be relied on in an expert report or as demonstrating an expert opinion as an accurate depiction of some intended future change to the present physical position concerning an identified location is to be accompanied by:

Existing Photograph.

- A photograph showing the current, unchanged view of the location depicted in the photomontage from the same viewing point as that of the photomontage (the existing photograph);
- A copy of the existing photograph with the wire frame lines depicted so as to demonstrate the data from which the photomontage has been constructed. The wire frame overlay represents the existing surveyed elements which correspond with the same elements in the existing photograph; and
- A 2D plan showing the location of the camera and target point that corresponds to the same location the existing photograph was taken.
- Survey data.
- Confirmation that accurate 2D/3D survey data has been used to prepare the Photomontages. This is to include confirmation that survey data was used:
- For depiction of existing buildings or existing elements as shown in the wire frame; and
- To establish an accurate camera location and RL of the camera.

Any expert statement or other document demonstrating an expert opinion that proposes to rely on a photomontage is to include details of:

- The name and qualifications of the surveyor who prepared the survey information from which the underlying data for the wire frame from which the photomontage was derived was obtained; and
- The camera type and field of view of the lens used for the purpose of the photograph in (1)(a) from which the photomontage has been derived.

Verification Key Steps

The fundamental requirement to be able to certify photomontages is that there is a 3D architectural model of the proposed development which can accurately located within the composition of a photograph.

In order to be able to certify the accuracy of the photomontage resulting from merging the 3D model and photographs is being able to demonstrate that the 3D model of the proposed building has a good fit to known surveyed markers on the existing building and other fixed features of the site or locality which are shown on the survey plan.

In addition the model must fit realistically into a photographic representation of the site in its context. Foster and Partners prepared the 3D model of the proposed development using Revit 2019. Parts of the surrounding visual context present in the composition include proposed and approved building envelopes sourced from the City of Sydney 3D model.

Photographs were taken by Unsigned Studio from locations that were directed and specified by others. The composition, distance range and location of views used were based on the locations used and that were accepted in relation to Stage 1 SSD Application and have been revisited, inspected by Urbis and updated by Unsigned. In some cases the approved and proposed North OSD is not visible in the view however has been included in this report for completeness based on the accepted view locations included in the Stage 1 SDD application.

Base photographs and focal lengths

Photographs were taken by Unsigned Studio using a professional quality Canon EOS 5D Mark III full-frame camera at 50mm, 35mm and 24mm Focal lengths. The images are single frame photographs and in this regard have one centre of perspective and therefore limited peripheral distortion at the outer edges of the image. The perspective in the 3D model of the proposed development that is generated by the computer is most closely aligned to the perspective that occurs in a single frame photograph.

The camera images for the photomontages need to be of sufficient resolution taken with a lens of low distortion. The focal length of the lens used needs to be appropriate for the purpose and the focal length of the lens used to take the single frame photographs has to be known and should be standardised wherever possible. The reasons for using a specific focal length is determined by the vertical and horizontal scale of the subject of the view as well as the need to minimise apparent distortion of the images. The subject of the views commonly contains elements of vastly different horizontal and vertical scale, all of which must ideally be visible in each photograph.

The focal lengths used vary between 50mm and 24mm depending on the proximity of the view location to the site. It is not practical to use a 50mm lens from close locations given that the height and scale of the mass could not sensibly fit into a single image. In this regard close views have been taken using wider angel lens at 24mm and 35mm as required. The locations and RLs of the lens of the camera for photographs used to prepare photomontages were established by independent survey by Aurecon on the day of photography. Aurecon used point cloud survey techniques to capture fixed features around the site and in the composition of the view as well as the camera and lens location. In this way the location of the camera's lens can be located and positioned by the modelling software used by Unsigned Studio.

A wire frame image is required to be presented in relation to photomontages used in the Land and Environment. In this project as the view locations surveyed features on the subject site and in the immediate visual context adjacent to the subject site are not visible making the preparation of a wire frame image is problematic.

By using LIDAR Point Cloud capture an extremely dense site survey was captured, due the density and accuracy of information captured a wire-frame model was not needed. However to illustrate the accuracy the coordinates of 5 fixed features have been isolated from the point cloud survey and highlighted in image 3 of each view. Court of New South Wales.

The highlighted RLs (as well as the other dense data captured by the point cloud survey technique) have been used as fixed features or 'markers' that have been linked to RLs on the subject site and to RLs utilised in the 3D model of the proposed building. In this way the surveyed features in each composition are used to cross-check the accuracy of the location and alignment of the model. The 3D models were then merged with digital photographic images of the existing environment

As per the SEARs requirements the photomontages show the proposed built form. Visual Effects are shown in a series of 4 views for each view location including the existing view, the equivalent of wire frame view where the RLs of fixed features in each view are shown. Given the distance of some view locations from the site and the extent of intervening development which blocks views to the ground plane of the subjects site and base of the proposed development, a wire frame image is not practically able to be produced.

The purpose of the detailed surveying/modelling, and independently surveyed camera locations is to enable a 3D virtual version of the site to be created in CAD software. If this has been done accurately, it is then possible to insert the selected photo into the background of the 3d view, position the 3d camera in the surveyed position and then rotate the camera around until the surveyed 3d points match up with the correlating real world objects visible in the photo. If the camera position or the survey data is out by even a small distance then a good fit becomes impossible. A perfect cannot occur for the reasons;

- Variance between measured focal length compared to stated focal length,
- Minor lens distortion which varies from lens to lens and manufacturer to manufacturer,
- Absence of a suitable range of reference points on site/visible through lens
- Allowing for these limitations, Virtual Ideas reported that the alignment was achieved to a high degree of accuracy, within an acceptable tolerance.
- Unsigned provided the following text as to the process followed for the preparation of photomontages

The positions of the real world photography were located in the 3D scene. Cameras were then created in the 3D model to match the locations and height of the position from which the photographs were taken. They were then aligned in rotation so that the points of the 3D model aligned with their corresponding objects that are visible in the photograph.

Renderings of the building massing were then created from the aligned 3D cameras and montaged into the existing photography at the same location. This produces an accurate representation of the scale and position of the new building envelope with respect to the existing surroundings. In conclusion, it is my opinion as an experienced, professional 3D architectural and landscape renderer that the images provided accurately portray the level of visibility and impact of the built form.

Certification Statement

The accuracy of the locations of the 3D model of the proposed development with respect to the photographic images was checked in multiple ways:

1. The model was checked for alignment and height with respect to the 3D survey and adjacent surveyed reference markers which are visible in the images taken by Unsigned Studios.
2. The location of the camera in relation to the model was established using the survey model and the survey locations, including map locations and RLs. Focal lengths and camera bearings in the meta data of the electronic files of the photographs were reviewed by Urbis.
3. Reference points from the survey were used for cross-checking accuracy in a sample of images.
4. No significant discrepancies were detected between the known camera locations and those predicted by the computer software. Minor inconsistencies due to the natural distortion created by the camera lens, were reviewed by Urbis and were considered to be reasonable in the circumstances.

Urbis can certify, based on the methods followed and considering the information provided to us, that the photomontages comply with the SEARs and the required level of accuracy. Unsigned Studios have used survey information to locate the 3D model in each view. Surveyed markers and visual features used for alignment are shown on camera alignment images (view 3 in each set). In our opinion the use of surveyed markers as shown by Unsigned Studios is equivalent to showing a wire-frame diagram and demonstrates that the 3D model has been accurately aligned and fits into the existing visual context.

In our opinion the photomontages are as accurate as is reasonably possible and comply with the Land and Environment Court of New South Wales practice note concerning the use of photomontages in the Court, as is required in the SEARs.

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