

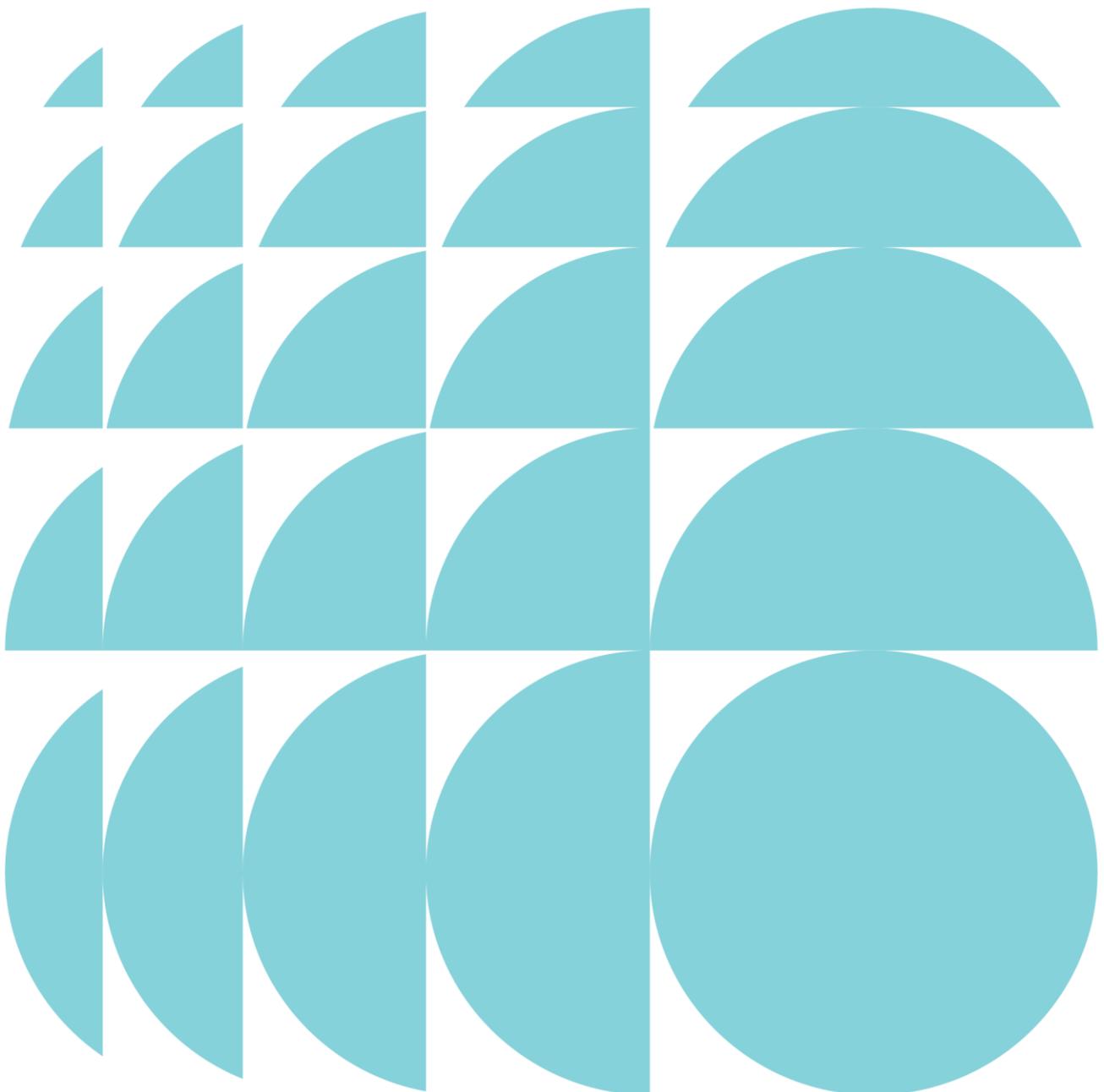
# ETHOS URBAN

## Visual Impact Assessment

50 - 52 Phillip Street, Sydney  
State Significant Development  
Application for a Hotel

Submitted to NSW Department of  
Planning, Infrastructure and  
Environment  
On behalf of Built Development Group  
Pty Ltd

26 March 2021 | 2200408



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This document has been prepared by:



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Ethos Urban
- B** Visual amenity evidence  
Virtual Ideas

## Key terms and abbreviations

Key term or abbreviation	Meaning	Source
<b>Characteristics</b>	Elements, or combinations of elements, which make a contribution to distinctive landscape character	GLVIA3
<b>Council</b>	City of Sydney Council	N/a
<b>DA</b>	Development application	EP&A Act
<b>DCP</b>	Development control plan	EP&A Act
<b>Designated landscape</b>	Areas of landscape identified as being of importance at international, national or local levels, either defined by statute or identified in development plans or other documents	GLVIA3
<b>Elements</b>	Individual parts which make up the landscape, such as, for example, trees, hedges and buildings	GLVIA3
<b>Feature</b>	Particularly prominent or eye-catching elements in the landscape, such as tree clumps, church towers or wooded skylines OR a particular aspect of the project proposal	GLVIA3
<b>Filtered glimpse</b>	A glimpse that is partially obscured by vegetation, often the leaves of trees, between the viewer and the target of the view. See also - glimpse	Ethos Urban
<b>Glimpse</b>	A highly constrained, partial view of an element or feature or a view of an element or feature that is either in the long range or not prominent relative to other elements in the view. See also – filtered glimpse	Ethos Urban
<b>Key characteristics</b>	Those combinations of elements which are particularly important to the current character of the landscape and help to give an area its particularly distinctive sense of place	GLVIA3
<b>Landform</b>	The shape and form of the land surface which has resulted from combinations of geology, geomorphology, slope, elevation and physical processes	GLVIA3
<b>Landscape</b>	An area, as perceived by people, the character of which is the result of the action and interaction of natural and/or human factors	GLVIA3
<b>Landscape character</b>	A distinct, recognisable and consistent pattern of elements in the landscape that makes one landscape different from another, rather than better or worse	GLVIA3
<b>Landscape character areas</b>	These are single unique areas which are the discrete geographical areas of a particular landscape type	GLVIA3
<b>Landscape character types</b>	These are distinct types of landscape that are relatively homogeneous in character. They are generic in nature in that they may occur in different areas in different parts of the country, but	GLVIA3

Key term or abbreviation	Meaning	Source
	wherever they occur they share broadly similar combinations of geology, topography, drainage patterns, vegetation and historical land use and settlement pattern, and perceptual and aesthetic attributes.	
<b>Landscape value</b>	The relative value that is attached to different landscapes by society. A landscape may be valued by different stakeholders for a whole variety of reasons	GLVIA3
<b>LEP</b>	Local environmental plan	EP&A Act
<b>Magnitude</b>	A term that combines judgements about the size and scale of the effect, the extent of the area over which it occurs, whether it is reversible or irreversible and whether it is short or long term in duration	GLVIA3
<b>MoS</b>	Museum of Sydney	Ethos Urban
<b>Narrow view</b>	View of a narrow area in the horizontal field of view created by the combination of negative space at the ground level (often a road or path) adjoined by elements (often closely spaced) in the vertical plane such as building or trees that constrain the natural field of view and direct the eye to a single point in the distance. The view may take in a large area in the vertical field of view, such as in a highly urban setting. Synonym – focal view	Ethos Urban
<b>Perception</b>	Combines the sensory (that we receive through our senses) with the cognitive (our knowledge and understanding gained from many sources and experiences)	GLVIA3
<b>Sensitivity</b>	A term applied to specific receptors, combining judgements of the susceptibility of the receptor to the specific type of change or development proposed and the value related to that receptor	GLVIA3
<b>Significance</b>	A measure of the importance or gravity of the environmental effect, defined by significance criteria specific to the environmental topic	GLVIA3
<b>Vista</b>	A view that is considered to have high visual amenity	Ethos Urban
<b>Visual amenity</b>	The overall pleasantness of the views people enjoy of their surroundings, which provides an attractive visual setting or backdrop for the enjoyment of activities of the people living, working, recreating, visiting or travelling through an area	GLVIA3
<b>Visual impacts</b>	Effects on specific views and on the general visual amenity experienced by people	GLVIA3
<b>Visual receptor</b>	Individuals and/or defined groups of people who have the potential to be affected by a proposal	GLVIA3
<b>Wide view</b>	View of a wide area, often long range, in the horizontal field of view enabled by an absence of obstructing elements in the foreground or midground and elements in the vertical plane that constrain the	Ethos Urban

Key term or abbreviation	Meaning	Source
	natural field of view The view may also take in a large area in the vertical field of view. Synonyms – panorama, prospect	

## Executive summary

Built proposes to demolish Kusu House, which is a 1970s office tower, and replace it with a high-rise, contemporary hotel building. Part of the tower will cantilever over the Former Public Works building, a heritage listed building on the site. Given the scale of the proposal and its relationship with a heritage listed building, detailed consideration of visual impact is appropriate.

To this effect and in accordance with the Secretary's Environmental Assessment Requirements (SEARs), Ethos Urban in collaboration with CMS Surveyors and Virtual Ideas has undertaken a visual impact assessment (VIA) of the proposal. Consistent with the SEARs, this addresses the potential impact of the proposal on views within the public domain.

Due to the interplay of landform, public domain and built form, the area from which the proposal may be visible to the human eye under normal viewing conditions is likely to be largely contained to Bridge Street and Phillip Street to the north, south and west. It will also have an impact on Phillip Lane. Due to its height and location on the edge of Central Sydney, it will be visible from a large area to the east.

The VIA relies on an evidence base of photomontages prepared for five viewpoints that correspond with this area. The photomontages were prepared in accordance with the Land and Environment Court photomontage policy.

The lower levels of the proposal will ordinarily be visible from Phillip Lane. Setting aside heritage considerations (addressed in the separate heritage report), it is not considered that this part of Phillip Lane has high visual value. Subject to detailed design at the Stage 2 Development Application (DA) stage, the proposal has the capacity to make a positive contribution to its visual character.

The proposal will be visible as a large new element from locations in the closer range to the east, including parts of Macquarie Street. However, its siting will mean that it will not have a significant impact on the visual values of the heritage listed building on the site or the heritage listed buildings in the surrounding locality. Furthermore, its siting together with its form will result in it integrating with the existing Macquarie Street cityscape. It will certainly not be an uncharacteristic nor discordant element. While photomontages have not been prepared for locations further to the east, it is likely that this visual outcome will be repeated in these longer range locations.

Analysis has shown that due to matters such as its narrow width and dense built form, the proposal will be visible as a comparatively smaller element in the background of the Phillip Street streetscape when viewed from locations further to the south, to the left (east) of the main visual focus of Phillip Street and in front of Aurora Tower when viewed from locations to the north and only its lower few levels will be visible from the balance of Phillip Street.

Primarily due to the Museum of Sydney (MoS) forecourt, the proposal will be highly visible from a small part of Bridge Street between its intersection with Young Street and Phillip Street. As a consequence, this is the key visual consideration.

The existing visual environment from this location is characteristic of the north-eastern part of Central Sydney. The prevailing visual character of this area does not comprise a single, intact or cohesive built form. Rather, it contains a number of dominant forms, most notably that of the 'sandstone' precinct and tall, innovative and contemporary office towers. These two forms are usually visible next to each other in views. This creates a visually rich, complex and dynamic visual environment. The proposal is consistent with to this overall visual character.

The cantilever is of particular visual interest. The incorporation of a number of design measures is considered to result in it achieving an acceptable visual relationship with the heritage listed building on the site. These include:

- substantial physical setback to Bridge Street;
- alignment with the existing Phillip Street street wall;
- the amount of vertical separation between the cantilever and the top of the Former Public Works Building;
- the staggered form of the underside of the cantilever; and
- the absence of a physical connection between the cantilever and the Former Public Works Building.

In addition, it is considered that the proposal results in an improved visual outcome due to two measures. The first is the replacement of the existing, lower quality Kusu House with a high quality, innovative building that provides a stronger visual contrast with the Former Public Works Building. The second is the unique and innovative visual response represented by the cantilever that balances optimising yield, delivering a more visually consistent scale relative to other taller buildings in the vicinity and respecting the Former Public Works Building.

It is not considered necessary to make fundamental or otherwise large-scale amendments to the proposal in its current form to satisfactorily manage visual impact. It is recommended that the Design Excellence Strategy be implemented as part of the subsequent, separate Stage 2 DA process.

On this basis and subject to the mitigation measures outlined in the document, it is considered that the proposal in its current form has acceptable visual impact and as such can be supported on visual grounds.

## 1.0 Introduction

This document is a Visual Impact Assessment (VIA). Its purpose is to identify, describe, analyse and assess the acceptability of the likely visual impact of a proposal to develop land located at 50 and 52 Phillip Street, Sydney (the site) for a new mixed use hotel and branded residential building (the proposal).

This VIA has been prepared by Ethos Urban on behalf of Built Development Group Pty Ltd (Built) (the applicant) in response to modified Secretary's Environmental Assessment Requirements (SEARS) issued by the Planning Secretary on 23 March 2021. The modified SEARS require the following:

*'prepare a Visual Impact Assessment and view analysis of the proposal to/from key vantage points including existing photographs, photomontages and perspectives of each elevation and 3 dimensional images of the proposal, addressing:  
key elements and views of the development from key locations, including close views showing the relationship of the heritage buildings with the proposed tower as well as Phillip Lane key views, vistas and view corridors from the public domain and residential buildings that may be impacted as determined by the view analysis  
planning principles for impacts on private and public domain views'.*

To address the SEARs, the VIA is structured as follows:

- **Part 1.0 – Introduction:** outlines the nature of this VIA
- **Part 2.0 – The site and its context:** describes the site and its context
- **Part 3.0 – The proposal:** describes the proposal
- **Part 4.0 – The planning framework:** identifies the relevant parts of the planning framework to the consideration of the likely visual impact of this proposal
- **Part 5.0 – Methodology:** outlines the methodology used in this VIA, including the concepts of sensitivity, magnitude and significance
- **Part 6.0 – Existing visual character:** identifies and describes the viewshed, visual receptors and pattern of viewing
- **Part 7.0 – Viewpoints:** identifies the viewpoints upon which this VIA is based
- **Part 8.0 – Visual impact assessment:** identifies and describes the likely visual impacts and assesses these impacts against sensitivity and magnitude to determine their significance
- **Part 9.0 – Assessment against the planning framework:** assesses the acceptability of likely visual impact against the relevant parts of the planning framework
- **Part 10.0 – Discussion of key issues:** considers the key issues raised by the VIA and assessment against the planning framework
- **Part 11.0 – Mitigation measures:** identifies mitigation measures recommended to address visual impact
- **Part 12.0 – Conclusion:** identifies whether the proposal in its current form can be supported on visual impact grounds, and summarises the basis for this determination.

## 2.0 The site and its context

This part of the VIA describes the site and its context

The associated Environmental Impact Statement (EIS) provides full details of the site and its context.

### 2.1 The site

The site comprises 50 and 52 Phillip Street, Sydney (refer **Figure 1**). It is legally described as follows:

- **50 Phillip Street:** Lot 31 DP984186, Lot 32 DP984186, Lot 33DP1141812, Lot 631 DP1149543, Lot 632
- **52 Phillip Street:** Lot 1 DP448584.

It has a regular, rectangular shape. It comprises an area of 1,726m<sup>2</sup> with the following boundaries:

- 30m to the north bordering 70 Phillip Street
- 46m to the east along Phillip Lane
- 30m to the south along Phillip Lane
- 46m to the west along Phillip Street.

The landform slopes gently and diagonally across the site from the south-east to the north-west.

The site is occupied by two buildings:

1. **Former Public Works Building:** 6 storey heritage building comprising office premises and constructed in stages between 1890 - 1893
2. **Kusu House:** 12 storey tower building mainly comprising office premises with a ground storey street facing restaurant and constructed in 1975. It is notable for its relatively narrow width of approximately 12m.

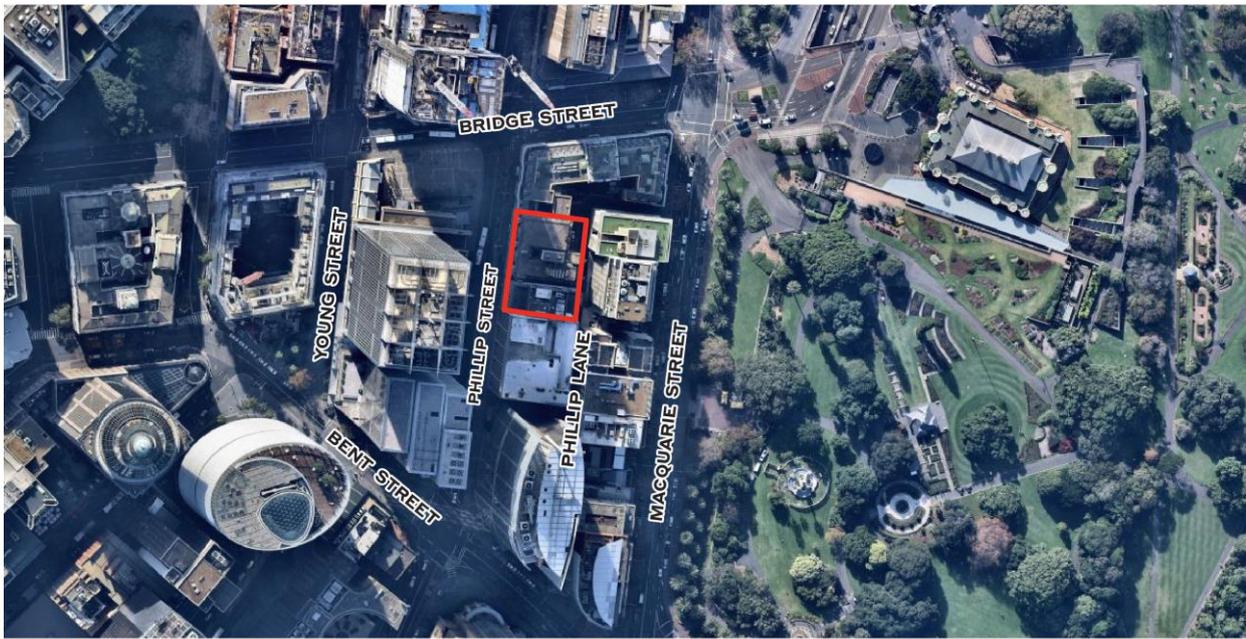
**Figure 2** illustrates the site.

The State heritage listing for the Chief Secretary's Building (broadly capturing the Former Public Works Building on the site) identifies a number of characteristics that are relevant to visual impact assessment. These can be broadly summarised as follows:

- **importance:** 'one of the pre-eminent public buildings of the nineteenth century, comparing equally with the GPO and Sydney University' and of 'national significance by reason of its historic, social, architectural, aesthetic and scientific values', 'dominant building in the pre-eminent administrative and political quarter of Sydney'
- **architectural style:** 'the building is one of the most significant late nineteenth century architectural works in Sydney'
- **quality:** 'high quality of its architectural composition and execution, both externally and internally'
- **contextual relationship:** 'its placement in relation to Government House, Parliament House, the Treasury Building and other major departmental offices symbolises the relationship to the office to both political and public offices', 'primary contribution to the surviving Victorian era streetscapes in Phillip Street, Macquarie Street and, in particular Bridge Street.'

#### Summary: The site

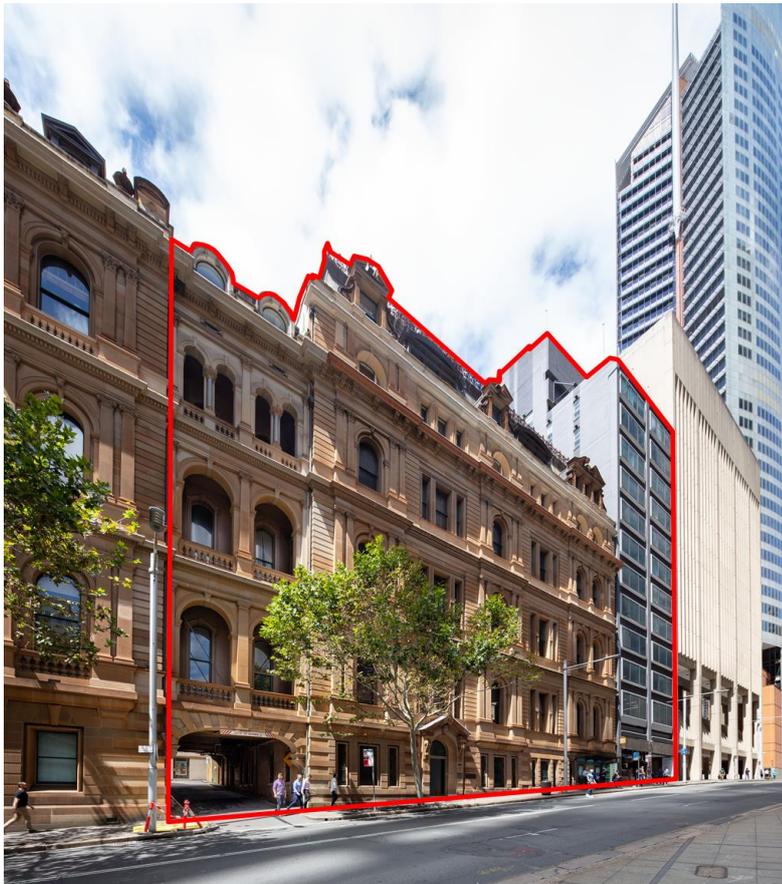
In summary, the existing visual character of the area can be considered to be a combination of a key heritage asset with strong and distinctive characteristics that connect it with parts of its broader surrounds and are also associated with Sydney as a whole such as sandstone materiality and a non-distinct mid to late 20<sup>th</sup> century office tower



 Site Boundaries



**Figure 1: the site**

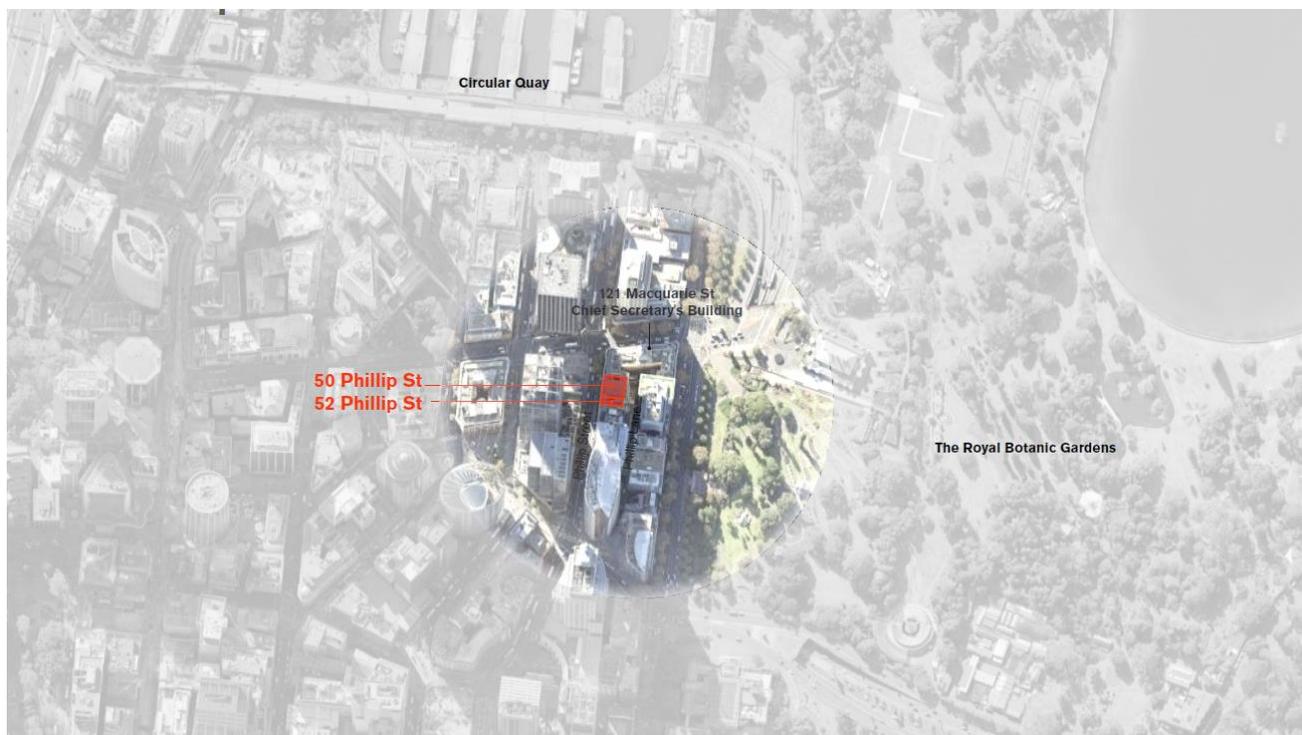


**Figure 2: the site, Phillip Street elevation**

Source: FJMT

## 2.2 The context

The site located in north-east Central Sydney within the Bridge Street/Macquarie Place/Bulletin Place special character area. It is also located next to, and close to, a number of other special character areas. Due to the site's substantial frontage, Phillip Street and Phillip Lane are key elements of the context. **Figure 3** shows the site context.



**Figure 3: the context**

FJMT

### 2.2.1 North-east Central Sydney

Phillip Street and the site are located in the north-east part of Central Sydney. This area is generally bound by Circular Quay to the north, the Royal Botanic Gardens to the east, Hunter Street to the south and Pitt Street to the north.

Comprising part of the eastern hill slope of the Tank Stream, it rises at a moderate slope from its low points at the north and west upwards to its high point to south and east along the Macquarie Street ridge.

The area was prominent in the earliest history of Sydney, being the location for the first government quarters. This role was continued and strengthened with the erection of a number of major building in the late 19<sup>th</sup> century housing the State's premier government agencies. This includes the former Treasury Building, former Education Department building and the Chief Secretary's Building. Starting in the mid 20<sup>th</sup> century with the construction of the AMP Building, much of the area was progressively redeveloped for largely high rise office premises. This has seen the erection of some of Sydney's most notable contemporary buildings, including Aurora Place, Governor Phillip Tower and the currently under construction Quay Quarter. While most of the government departments have relocated, the buildings that housed them have remained. A number have either been converted (former Treasury Building) or are in the process of being converted (former Education Department building) to hotel uses.

While the resulting built form is highly varied, it is generally of a substantial scale. Where smaller buildings occur, they are generally overwhelmed. Combined with the typically narrow streets (with the exception of Bridge Street), this provides for an overall intense, highly urban character.

The Central Sydney Planning Strategy identifies land to the immediate west, including that occupied by Governor Phillip Tower and Governor Macquarie Tower on Phillip Street, as one of four tower cluster within which development of further scale is considered appropriate. This enables the future evolution of this area, consolidating its existing role as a key and highly visible (from the north and east) location for tall buildings.

### **2.2.2 Special character areas**

Under the Sydney Development Control Plan 2012 (SDCP2012), much of the north-east Central Sydney is included in special character areas. Special character areas are considered by the City of Sydney to be of significance and importance to the identity and quality of Central Sydney.

The site is located within the Bridge Street/Macquarie Place/Bulletin Place special character areas. It also adjoins the Macquarie Street special character area, and is located nearby to the Circular Quay special character area and the Chifley Square special character area.

Review of the locality statements and principles for these areas is helpful for providing further understanding the visual character of the site's context.

#### **Bridge Street/Macquarie Place/Bulletin Place special character area**

The Bridge Street/Macquarie Place/Bulletin Place special character area is 'significant for its association with a major colonial government building programme in the 1880's', and a 'cohesive group of landmark sandstone buildings, some occupying whole blocks, define important public spaces and corners'. The area also contains significant laneways.

The Museum of Sydney Forecourt provides a distinct, highly visible and publicly accessible urban plaza within this area.

#### **Macquarie Street special character area**

The Macquarie Street special character area 'forms the eastern built edge of the City Centre' and is 'one of Sydney's pre-eminent public spaces flanked by heritage items which house activities of State and national significance'. 'Its western built edge consists of medium scale buildings, stepping up to the city high rise beyond, creating a prominent city skyline when viewed from the Botanic Gardens'.

#### **Circular Quay special character area**

The Circular Quay special character area has a 'unique character where Sydney Harbour meets the City'. It has an 'urban character and scale' with buildings exhibiting a 'notable disparity in building scale, form and architectural treatment, representative of their different periods'.

#### **Chifley Square special character area**

The Chifley Square special character area is characterised by 'large-scale high rise tower buildings interspersed with lower scale development'. Of note, the Chifley Tower which terminates views north along Phillip Street 'exhibit (s) a rather lofty and imposing presence, expressing the corporate nature of the building, which is entirely appropriate by virtue of its location in the financial core of the city'.

These locality statements and principles further support the argument that the existing visual environment is overall intense and highly urban, with an overall pattern of varied buildings of substantial scale built to the alignment of narrow, short streets creating a perception of linear enclosure. Notable features include:

- major late 19th century government buildings, largely constructed in sandstone
- key contemporary high rise office buildings.

### **2.2.3 Phillip Street**

The site fronts that part of Phillip Street located between Bent Street and Bridge Street. North of Bent Street, Phillip Street becomes aligned in a general north – south direction. This alignment together with its downward slope opens

up views to Circular Quay and Sydney Cove from within Central Sydney, introducing aspects of a maritime character.

The street itself, including the carriageway and footpaths is narrow. For its most part it is bordered on both sides by buildings built to its alignment and contiguous to one another. This creates a strong perception of linear enclosure.

The southern part of the street is dominated by the scale of Aurora Place and Governor Macquarie Tower. This scale is emphasised by both buildings rising vertical from the ground with no mitigating lower rise elements such as podiums. High rise office premises continue along the eastern side of the street, comprising around two thirds of the streetscape. About halfway down the western side is a collection of three storey terraces. Governor Phillip Tower is setback behind these terraces. The northernmost third of the western side of the street opens up to the Museum of Sydney forecourt. Together with the Museum of Sydney itself, the forecourt is historically important as the site of the First Government House. Rare in Central Sydney, the forecourt provides a relatively large, paved public plaza. The forecourt is a feature of the area, and provides for visual relief from the predominant nature of the surrounding visual environment. Of note, it provides for clear views to the Chief Secretary's Building from locations to the west on Bridge Street.

#### 2.2.4 Phillip Lane

The site fronts the northern part of Phillip Lane. Under the *Sydney Local Environmental Plan 2012* (SLEP2012), Phillip Lane is identified as local heritage item. The statement of significance for Phillip Lane is as follows:

*'Phillip Lane has Historic Significance for its ability to evidence the development of Victorian Sydney lane networks and for its high level of integrity of the building stock and high archaeological potential. The lanes formed the service access to properties developed in the 1840's and the Chief Secretary Buildings developed in the 1870's'.*

#### 2.2.5 Aesthetic attributes

In terms of aesthetic attributes, overall the area can be considered to exhibit the following broad characteristics:

- **line:** a dominance of straight lines generally with vertical emphasis.
- **shape and form:** geometric rectilinear shapes and forms.
- **colour:** mix of lighter, weaker and more natural colours such as whites, greys, browns and blues. The yellow / brown of the sandstone buildings is notable.
- **texture:** mixture of coarse (e.g., sandstone) and smooth (e.g., glass, steel) textures. The level of articulation in façades, which provides for three dimensional texture, is variable, ranging from a high level of articulation in the Chief Secretary's Building to a lower level in the Governor Phillip Tower.

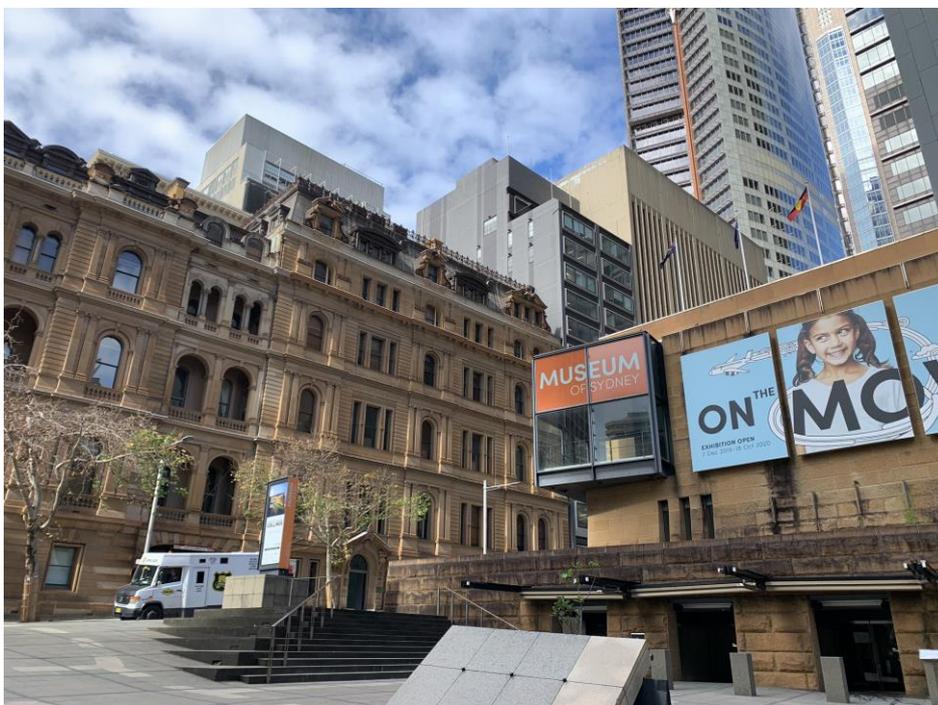
#### 2.2.6 Perceptual attributes

In terms of perceptual attributes, overall the area can be considered to exhibit the following broad characteristics:

- **scale:** substantial scale of built form.
- **enclosure:** generally narrow (excluding Bridge Street), straight street segments bordered by buildings of substantial scale usually built contiguous to each other and to the street boundary create strong linear enclosure.
- **time-depth:** evidence of a variety of styles and eras of building.
- **variety:** there is a variety of types and styles of built form.
- **movement:** a substantial volume of vehicles move through the area, including at a generally high level of speed for a Central Sydney context along Bridge Street.
- **complexity:** overall, these elements combine to provide for a complex visual environment.

**Summary: the existing visual character of the context**

In summary, the existing visual character of the area can be considered to be complex, intense and highly urban, with an overall pattern of varied buildings of substantial scale built to the alignment of narrow, short streets. Geometric, rectangular and vertically aligned lines, shapes and forms and lighter, weaker natural colours dominate, and there is a variety of textures. The yellow / browns of the sandstone buildings are notable colours.



**Figure 4: looking east towards the site from the Museum of Sydney forecourt**



**Figure 5: looking south-east towards the site from the intersection of Phillip Street and Bridge Street**



**Figure 6: looking west towards the site from the Royal Botanic Gardens**

### 3.0 The proposal

This part of the VIA describes the proposal

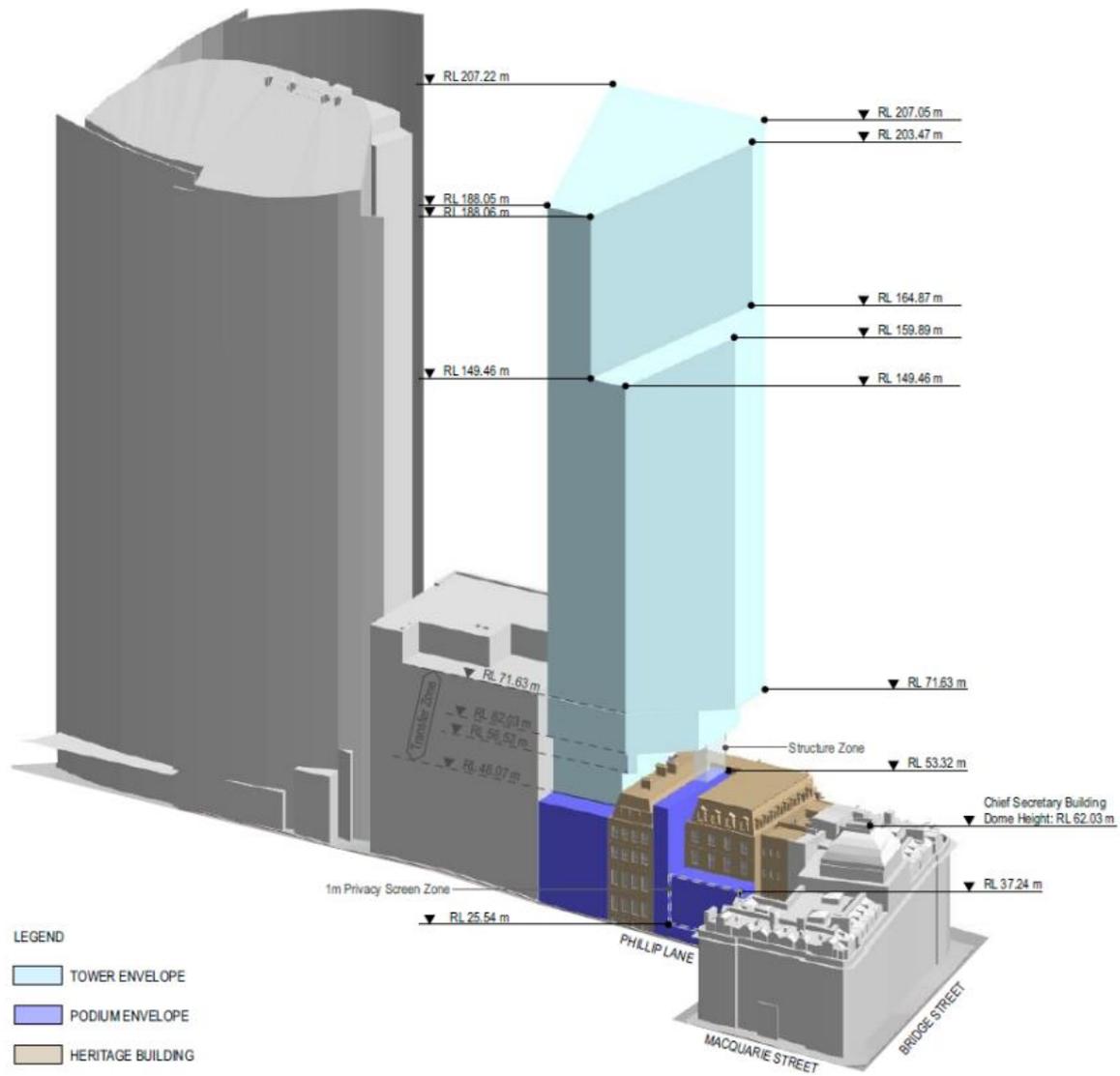
The associated EIS provides full details of the proposal. In summary, the proposal is for:

- full demolition of Kusu House;
- refurbishment of the heritage listed Former Public Works Building on the site; and
- construction of a high-rise tower comprising a hotel and branded residential apartments which will in part cantilever over the Former Public Works Building on the site.

This VIA accompanies a Stage 1 SSD DA seeking development consent for the proposal. The associated EIS provides detail on this SSDA. **Table 1** provides a high level summary of the key aspects of the proposal, and **Figure 1** and **Figure 2** illustrate the proposal.

**Table 1: the proposal**

Component	Proposal
Site area	1,681.1 m <sup>2</sup>
Maximum GFA	25,374.5m <sup>2</sup>  Indicatively comprising: Hotel GFA: 81.5% Residential GFA: 18.5%
Maximum FSR	15:1
Maximum Height	RL 207.22
Transition/Structure Zone Setbacks <ul style="list-style-type: none"> <li>• Level 6 – RL 48.39</li> <li>• RL 56.52</li> <li>• RL 62.03</li> <li>• RL 71.63</li> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• East (Front): 8 m <ul style="list-style-type: none"> <li>• West (Rear): 8 m</li> <li>• North (Side): 36.1 m</li> <li>• South (side): 0 m</li> </ul> </li> <li>• East (Front): 6 m <ul style="list-style-type: none"> <li>• West (Rear): 8 m</li> </ul> </li> <li>• East (Front): 4 m <ul style="list-style-type: none"> <li>• West (Rear): 6 m</li> </ul> </li> <li>• East (Front): 4 m <ul style="list-style-type: none"> <li>• West (Rear): 6 m</li> </ul> </li> <li>•</li> <li>• Average front setback to Phillip Street: 13.3 m</li> <li>• Average rear setback to Phillip Lane: 12.8 m</li> </ul>
Tower Setbacks	<ul style="list-style-type: none"> <li>• East (Front): 4 m</li> <li>• West (Rear): 6 m</li> <li>• North (Side): 17.3 m</li> <li>• South (Side): 0 m</li> <li>•</li> <li>• Average front setback to Phillip Street: 8.0 m</li> <li>• Average rear setback to Phillip Lane: 9.8 m</li> </ul>



**Figure 7: the proposal**

Source: FJMT

## 4.0 The planning framework

This part of the VIA identifies the relevant parts of the planning framework to the consideration of the likely visual impact of this proposal

### 4.1 Relevant matters

The following parts of the planning framework are considered relevant matters for the consideration of visual impact:

- **Strategic plans**
  - Greater Sydney Region Plan – A Metropolis of Three Cities (the Region Plan)
  - Eastern City District Plan (the District Plan)
  - City Plan 2036: City of Sydney Local Strategic Planning Statement (the LSPS)
- **Environmental planning instruments**
  - *Sydney Local Environmental Plan 2012* (the SLEP2012)
  - City of Sydney Development Control Plan 2012 (the SDCP2012)
- **Land and Environment Court planning principles**
  - views – impact on public domain views: *Rose Bay Marina Pty Limited v Woollahra Municipal Council and anor* [2013] NSWLEC 1046 (Rose Bay).

The modified SEARS issued by the Department on 23 March 2021 also identify the following as being relevant matters:

- **Environmental planning instruments**
  - Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
- **Land and Environment Court planning principles**
  - Views - general principles: *Tenacity Consulting v Waringah* [2004] NSWLEC 140
- **Other plans, policies and strategies**
  - Central Sydney Planning Strategy (CSPS), including associated proposed amendments to the SLEP2012 and the SDCP2012
  - National Heritage Listing – Governors' Domain and Civic Precinct.

### 4.2 Matters set aside

The *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005* is not considered relevant as the site is located outside of its land application area. *Tenacity Consulting v Waringah* [2004] NSWLEC 140 is also not considered relevant as the CSPS establishes a clear position on private views in Central Sydney, which includes the site.

### 4.3 Relevant provisions

Table 2 shows the relevant provisions of the SLEP2012 and the SDCP2012 for the site.

**Table 2: relevant provisions of the SLEP2012 and the SDCP2012**

SLEP2012	
Zone	B8 - Metropolitan Centre
Height	Nil
Floor space ratio	8:1

<b>SLEP2012</b>	
<b>Heritage</b>	State significance: Chief Secretary's Building Significance Local significance: Phillip Lane
<b>SDCP2012</b>	
<b>Special character area</b>	Bridge Street/Macquarie Place/Bulletin Place Special Character Area (in part)
<b>Late night trading area</b>	Late night management area
<b>Pedestrian priority</b>	New vehicle access not preferred
<b>Signage precinct</b>	Bridge Street

Table 3 identifies the relevant parts of the planning framework and their current (August 2020) status:

**Table 3: relevant parts of the planning framework**

Part of the planning framework	Relevant part	Status
<b>Strategic plans</b>		
<b>Greater Sydney Region Plan – A Metropolis of Three Cities</b>	Objective 28: Scenic and cultural landscapes are protected	Adopted
<b>Eastern City District Plan</b>	Planning priority E16: Protecting and enhancing scenic and cultural landscapes	Adopted
<b>City Plan 2036: City of Sydney Local Strategic Planning Statement</b>	Priority L2: Creating great places (protecting and enhancing cultural landscapes)	Adopted
<b>Environmental planning instruments</b>		
<b>Sydney Local Environmental Plan 2012</b>	Part 4: Principal development standards, clause 5.10: Heritage conservation	Adopted
<b>Sydney Local Environmental Plan 2012</b>	New clause: Protection of public views	Draft (post exhibition)
<b>City of Sydney Development Control Plan 2012</b>	Section 2.1.5: Bridge Street/Macquarie Place/Bulletin Place special character area	Adopted
<b>City of Sydney Development Control Plan 2012</b>	New section 5.1.8: Views from public places	Draft (post exhibition)

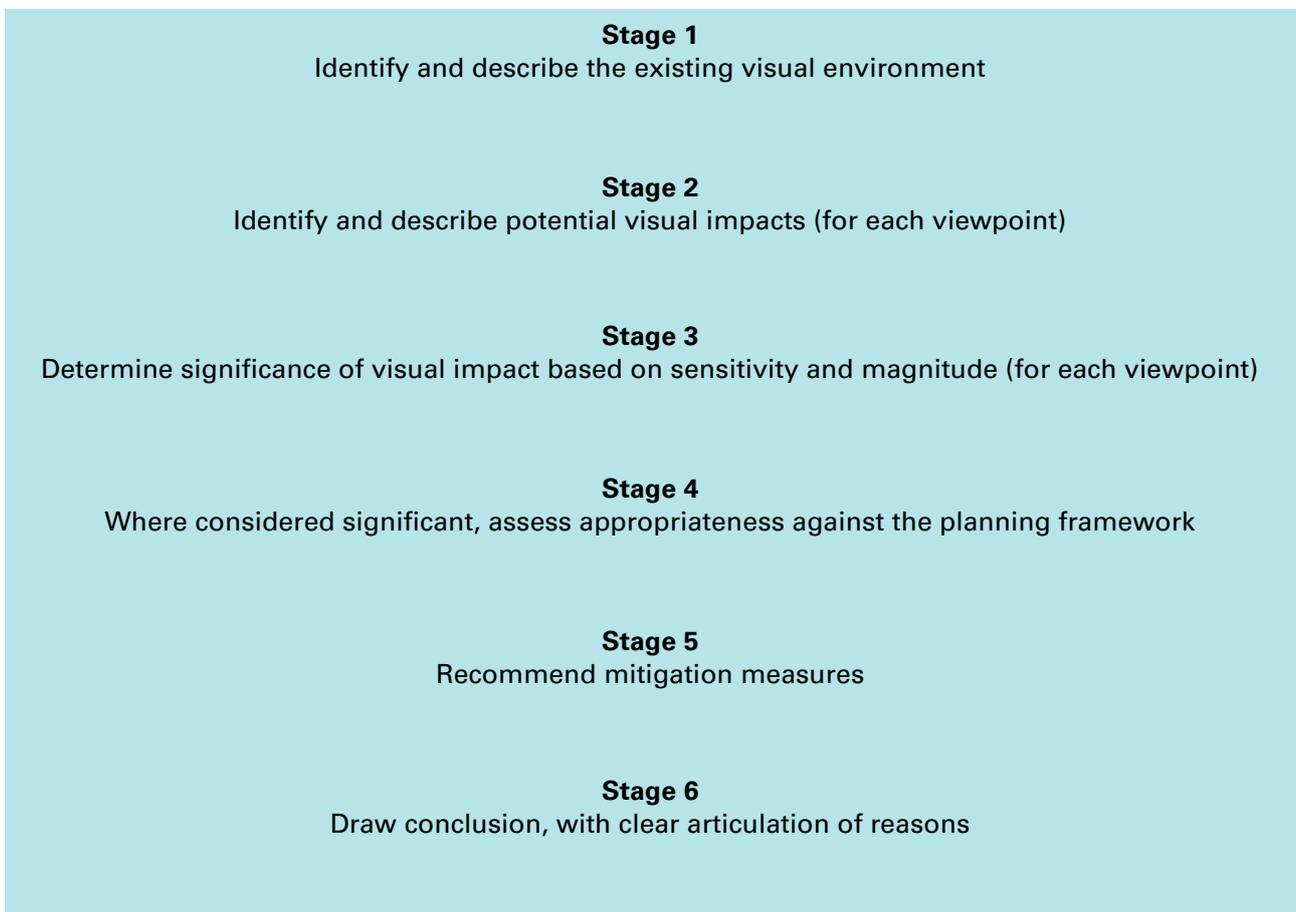
## 5.0 Methodology

This part of the VIA outlines the methodology used in this VIA, including the concepts of sensitivity, magnitude and significance

The methodology undertaken by this VIA is generally accordance with that set down in the 'Guidelines for Landscape and Visual Impact Assessment' (GLVIA3) published by the Landscape Institute and Institute of Environmental Management and Assessment in 2013 adjusted to better reflect the local NSW context by including consideration of:

- the requirements of the NSW planning system under the *Environmental Planning and Assessment Act 1979*; and
- NSW Land and Environment Court planning principles.

The GLVIA methodology is broadly outlined in **Figure 8**. Further detail is provided in **Appendix A**.



**Figure 8: methodology**

### 5.1 Assumptions, limitations and exclusions

The following assumptions apply to this VIA:

- development will occur generally in accordance with plans prepared by FJMT and provided in the associated EIS and Design Report; and
- a detailed Stage 2 SSD DA will be prepared and lodged for assessment, with the decision providing scope for the setting of appropriate conditions in line with the recommendations of this VIA.

The following limitations apply to this VIA:

- the proposal is represented by photomontages prepared in accordance with Land and Environment Court photomontage policy. While such photomontages provide an indication of likely future visual environment, they can only provide an approximation of the rich visual experience enabled by the human eye. As they are based on photographs, the same limitations that apply to photography, including optical distortion, apply. To best show the relationship between the Chief Secretary's Building and the tower, a wide angle lens placed in portrait orientation was selected for some views. Due to this, and the verticality of the building, upper parts may appear more recessive than reality.

The following exclusions apply to this VIA:

- due to the policy position of the CSPA, consideration of impact on the private domain is excluded;
- consideration of night-time impact, including lighting, is excluded;
- detailed consideration of heritage matters in accordance with the SEARS, in particular item 8, is excluded; and
- consideration of impact on Aboriginal cultural heritage values associations with landscape in accordance with SEARS item 9, is excluded. This is only appropriately undertaken by a member or qualified representative of the Aboriginal community.

## 6.0 Existing visual character

This part of the VIA identifies and describes the viewshed, visual receptors and pattern of viewing

### 6.1 The viewshed

The viewshed is the area within which the proposal can be seen, either in totality or in part. Under the GLVIA3 method, there are two approaches to identifying the viewshed:

1. digital approaches
2. manual approaches.

Given that digital approaches rely only on the elevation of the proposal relative to topography and do not factor in items that may obscure views such as buildings, in highly urban contexts such as Central Sydney it can often provide a misleading indication of the viewshed. On this basis, a manual approach based on desktop analysis and site inspection has been undertaken.

The general boundaries of the viewshed have been determined considering:

- landform
- the public domain, in particular streets
- buildings and structures
- vegetation and other similar lesser or ephemeral occluding elements
- the scale of the proposal, in particular its height.

**Figure 9** shows the approximate viewshed for the proposal. It shows that the viewshed can be considered to broadly comprise two parts:

- close range (0 – 99m)
- medium range (100 – 499m)
- long range (500m or greater).



Figure 9: viewshed

## 6.2 Close range

In the close range, the proposal will be visible from parts of:

- Bridge Street.
- Phillip Street.
- Macquarie Street.

### Bridge Street

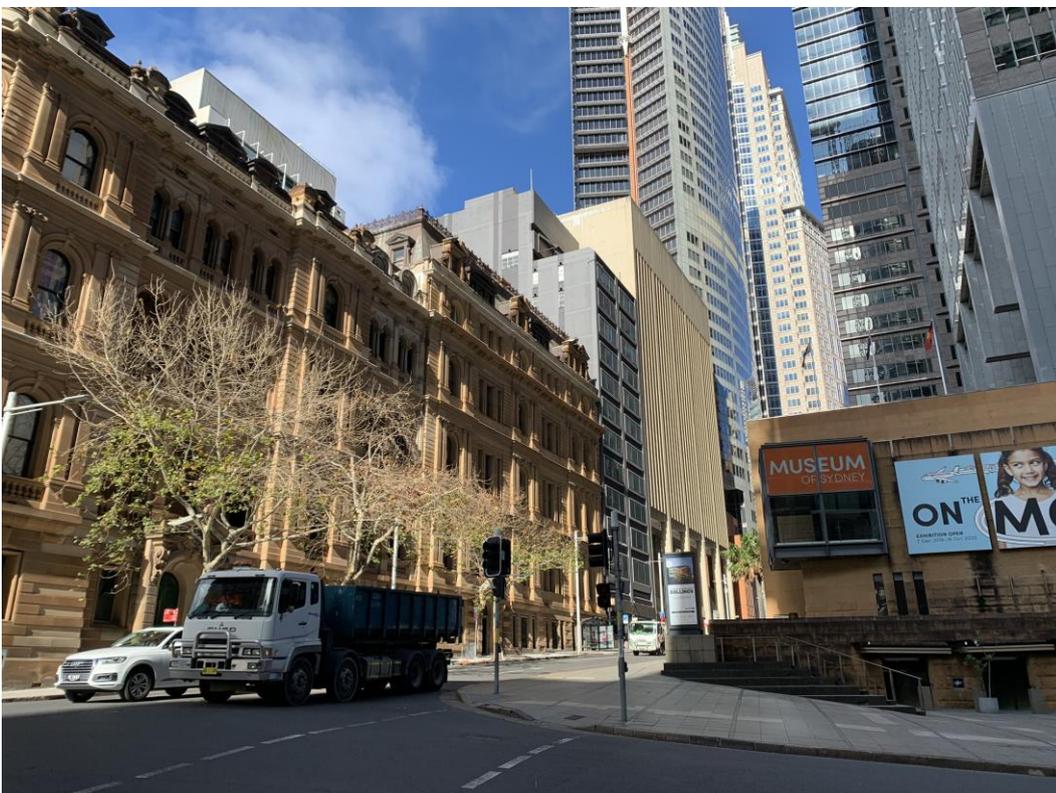
The western extent of the viewshed is generally delineated by the intersection of Bridge Street and Young Street. While it is possible that glimpses of the upper parts of the tower may be visible in the vicinity of the intersection of Bridge Street and Loftus Street across the Lands Department Building, it is more likely that Governor Phillip Tower will block most of any such view. The most expansive views of the proposal, representing the entirety of its northern and western elevations, can be obtained from the northern side of the Bridge Street between Young Street and Phillip Street. On the southern side, a similar view, this time across the MoS forecourt, is provided. Between Phillip Street and Macquarie Street a glimpse of the upper part of the tower may be possible looking directly upwards.



Figure 10: Bridge Street sequence – corner of Bridge Street and Young Street



**Figure 11: Bridge Street sequence – between Young Street and Phillip Street**



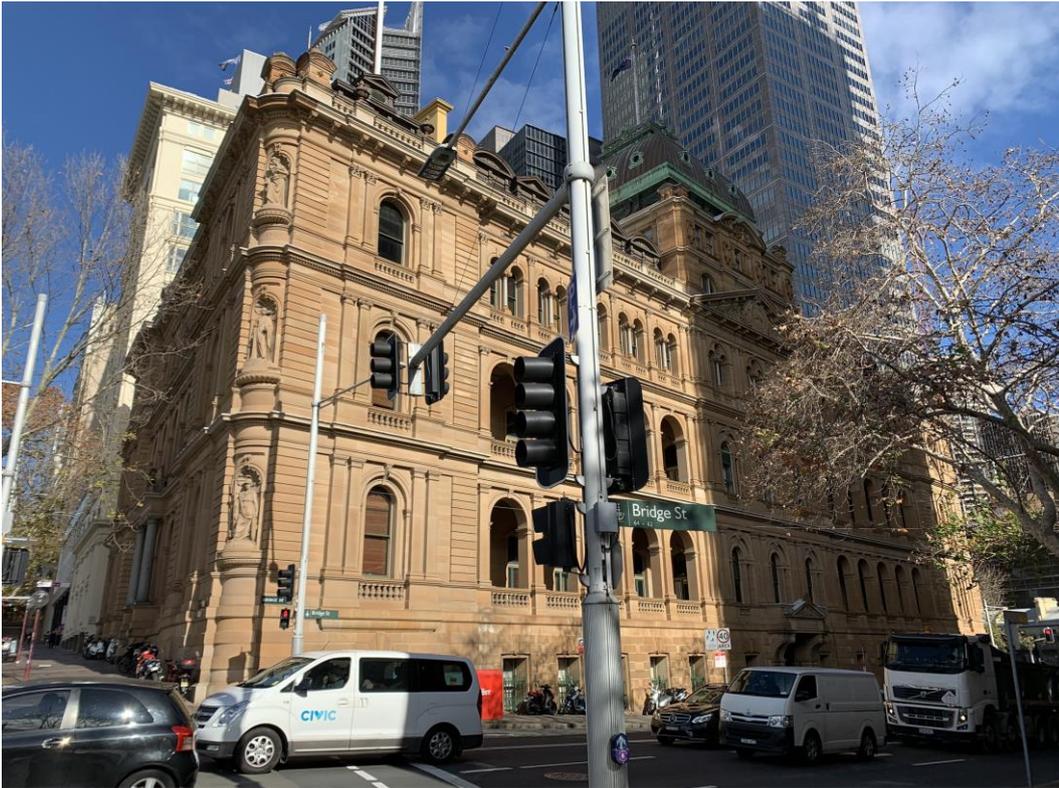
**Figure 12: Bridge Street sequence –corner of Bridge Street and Phillip Street**



Figure 13: Bridge Street sequence – corner of Bridge Street and Phillip Street



Figure 14: Bridge Street sequence – between Phillip Street and Macquarie Street



**Figure 15: Bridge Street sequence – corner of Bridge Street and Macquarie Street**

### **Phillip Street**

The lower levels of the proposal will be visible from locations in Phillip Street immediately opposite or adjoining the site. Due to the narrow width of Phillip Street and the scale and height of the Former Public Works Building, that part of the proposal cantilevered over the Former Public Works Building is unlikely to be readily noticed by the casual observer. A person would need to stand on the opposite side of Phillip Street and look upwards at an acute angle to see the northern or western elevations of the tower.

### **Macquarie Street**

The proposal will not be readily visible from the close range in Macquarie Street. North of Bridge Street, the downhill sloping landform combined with the scale of the former Treasury Building and large street trees will effectively preclude views to the proposal. North of the Former Public Works Building is the Chief Secretary’s Building which anchors the corner of Phillip Street and Bridge Street. Further to the north the western street wall of Macquarie Street will preclude views to the proposal. The upper part of the proposal may be visible when standing on the eastern side of Macquarie Street looking upwards at an acute angle. However, it is likely that the Astor Apartments will occlude the majority of any such view.

## **6.3 Medium range**

The southern boundary of the viewshed is delineated by where the alignment of Chifley Square changes to become Phillip Street. This provides a focal glimpse of the upper part of the tower above 70 Phillip Street and next to Aurora Place. North of Bent Street the proposal will form part of the overall street wall, and will not be readily evident to the casual observer.

The northern boundary of the viewshed is delineated by the elevated bridge of the City Circle Line between Circular Quay and Alfred Street. The proposal will be visible from Phillip Street between Bridge Street and Alfred Street behind the Intercontinental and in front of Aurora Place.

In the medium range to the east the proposal will be visible from Conservatorium Road. This is notable due to the road forming a main point of entry to Central Sydney as well as being the main road entrance to the Conservatorium of Music. The proposal may also be visible from locations within the Royal Botanic Gardens.

### 6.3.1 Long range

Given its location close to the elevated Macquarie Street ridge at the eastern edge of Central Sydney, the proposal is likely to in part be visible from locations in the long range to the east. As a general guide, it is likely that the proposal will be visible from locations where Aurora Place is also visible. This may include locations without buildings, trees and other occluding elements in the foreground such as Mrs Macquaries Point / Yurong, Yarranabbe Park at Darling Point and the intersection of Darlinghurst Road, Victoria Street and Kings Cross Road at Kings Cross.

## 6.4 Visual receptors

Visual receptors are people who have the potential to be impacted by the proposal (refer to **key terms and abbreviations**). In general (refer to **Appendix A** for detail), visual receptors can be categorised as:

- people living in an area
- people working in an area
- people travelling through an area
- people engaged in recreation in an area
- people accessing services and facilities (eg, food shopping) in an area
- people visiting an area as a tourist.

### Close and medium range

Most people who are exposed to views of the proposal within the public domain will be travellers.

This includes people walking to locations in Central Sydney, most likely associated with working such as meetings, lunch and other similar activities. Due to its largely unembellished nature, it is unlikely that a large number of people will dwell within the MoS forecourt. As it includes the main entrance to the MoS as well as two designated tourist routes (the Federation Track and Sydney Heritage Walk), it is likely that tourists will be present in the viewshed.

People within the viewshed in the medium range to the east will be using the Royal Botanic Gardens, primarily for active or passive outdoor recreation such as walking, jogging or resting. While people exiting the gardens from Conservatorium Gate will have the greatest exposure to the proposal, the view will largely be occluded by the Astor Apartments.

People will also be present in the viewshed travelling in vehicles, either a driver or passenger. People in vehicles using Bridge Street and Conservatorium Road, being the highest volume streets, will likely be as follows:

- **Bridge Street:** people travelling southbound from the North Shore and other locations to the north via the Sydney Harbour Bridge to access Central Sydney, including the use of Macquarie Street to travel further south. Bridge Street is an important movement corridor, carrying a large volume of traffic in four lanes in a higher speed environment.
- **Conservatorium Road:** people travelling southbound from the North Shore and other locations to the north via the Sydney Harbour Bridge to access Central Sydney, including the use of Macquarie Street to travel further south and Bridge Street to travel further west. Drivers are required to negotiate the relatively acute curve of the Cahill Expressway off-ramp.

### Long range

People within the viewshed within in the longer range will likely be using public open space for a range of outdoor recreation uses similar to those in the medium range.

## 7.0 Viewpoints

This part of the VIA identifies the viewpoints upon which this VIA is based

The better understand its visibility, FJMT prepared computer simulations (in the City Model) of the proposal as seen from a selection of candidate viewpoints within the viewshed Analysis of these candidate viewpoints was then undertaken against the criteria contained in the GLVIA3 (part 6.20) to select the most appropriate viewpoints upon which to base this VIA. These viewpoints and their attributes are identified in **Table 4**.

**Table 4: viewpoints**

Ref	Location	Accessible to public	Viewpoint group	View type	Nature of view	Viewing direction	Viewing distance	Viewing elevation
	<b>Phillip Lane</b>	In part	Illustrative	Limited	Sequence	East	5m	Level
	<b>Bridge Street at Young Street</b>	Yes	Representative	Panorama	Sequence	East	85m	Below
	<b>Bridge Street across Museum of Sydney forecourt</b>	Yes	Specific	Panorama	Sequence	East	55m	Below
	<b>Phillip Street at Museum of Sydney forecourt</b>	Yes	Representative	Limited	Sequence	East	20m	Below
	<b>Conservatorium Road</b>	Yes	Representative	Panorama	Sequence	West	105m	Level

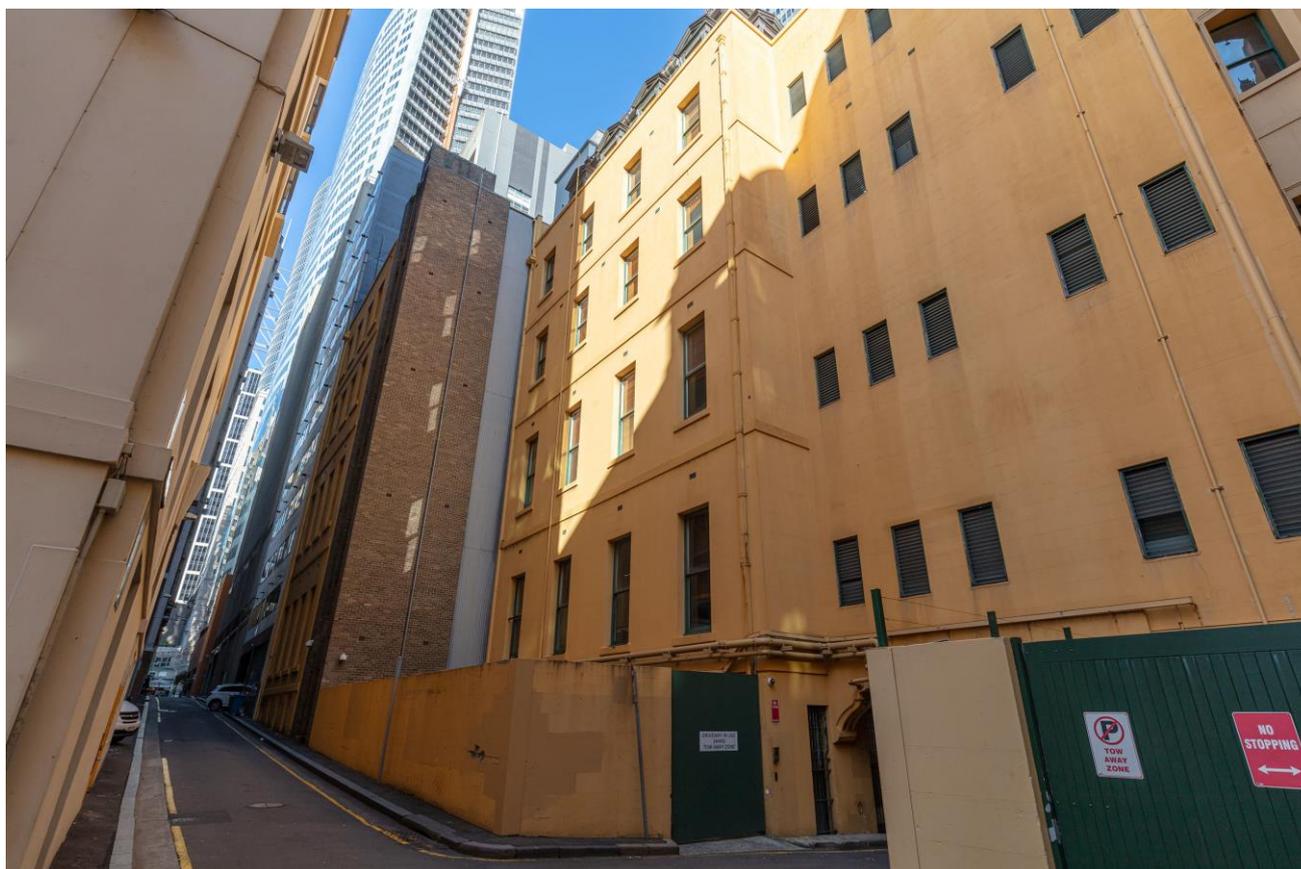
## 8.0 Visual impact assessment

This part of the VIA identifies and describes the likely visual impacts and assesses these impacts against sensitivity and magnitude to determine their significance

### 8.1 Viewpoint 1: Phillip Lane

Accessible to public	In part
Viewpoint group	Illustrative
View type	Limited
Nature of view	Sequence
Viewing direction	East
Viewing distance	5m
Viewing elevation	Level

#### 8.1.1 Existing visual character



**Figure 16: viewpoint 1 – Phillip Lane: existing view**

Source: Virtual Ideas and FJMT

#### Visual receptors

Phillip Lane is primarily a service lane providing:

- pedestrian egress from the rear of buildings;
- vehicle access to carparks; and

- rubbish storage and collection.

It is likely that most people exposed to this view are workers, either in adjoining or nearby offices or tradespeople. They will likely be travelling through Phillip Lane on foot or in a vehicle during standard business hours on their way to another place. There is a possibility that a small number of people may dwell in the lane to take a break from work in adjoining buildings. As the nearest City of Sydney pedestrian walking count location (Bent Street) shows a low (3,959) weekday average of pedestrians, it is likely that a similar low number of people will be exposed to the view. Site inspection (July 2020) confirmed this, with only a small number of people observed.

The duration of exposure to the view is likely to be low.

### Social and cultural value

Phillip Lane is identified as a local heritage item under the SLEP2012 and is partly contained in the Bridge Street / Macquarie Place / Bulletin Place special character area under the SDCP2012.

The OEH statement of significance for Phillip Lane is as follows:

*'Phillip Lane has Historic Significance for its ability to evidence the development of Victorian Sydney lane networks and for its high level of integrity of the building stock and high archaeological potential. The lanes formed the service access to properties developed in the 1840's and the Chief Secretary Buildings developed in the 1870's.'*

There is no evidence of indicators of other value such as infrastructure or reference in guidebooks.

### Visual characteristics

The view comprises the following elements:

**Table 5: viewpoint 1 – elements**

	Element	Type	Description
<b>Foreground</b>	Street	Laneway	Phillip Lane, including its accessway from Phillip Street
	Buildings	Mid-rise, Victorian Second Empire	Former Public Works Building
	Buildings	Mid-rise, interwar	Astor Apartments
<b>Midground</b>	Street	Laneway	Phillip Lane, including its accessway from Phillip Street
	Buildings	Mid-rise, Victorian Second Empire	Former Public Works Building
	Buildings	Mid-rise, interwar	Astor Apartments
	Buildings	Mid-rise, contemporary	Kusu House and the remainder of the Phillip Lane western street wall
<b>Background</b>	Buildings	High-rise, contemporary	Aurora Place and Deutsche Bank Place
<b>Backdrop</b>	Sky		

Phillip Lane and the Former Public Works Building are features in the view.

While not visible, the nearby sandstone arch to Phillip Street is associated with this view.

Vertical lines dominate. This includes at the larger scale the form of buildings as well as at the smaller scale such as windows. This verticality is offset to a degree by the strong horizontal line formed by Phillip Lane. This line leads the eye southwards away from the viewpoint towards a point of termination at the base of Aurora Place.

The view is dominated by geometric, rectangular shapes and forms.

The view is dominated by varieties of yellow and brown hues. Greys and blues are also present. The colours are weak and light.

Textures are generally smooth (e.g., bitumen paving, rendered masonry). The exposed brick of the projecting part of the Kusu House is a notable exception, providing for a coarser texture. The Former Public Works Building is relatively unarticulated, providing for a low level of broader texture.

The view clearly demonstrates visual characteristics associated with perceptions of an urban laneway. It can be considered to have the following main perceptual attributes:

- **linearity:** the length and straight alignment of Phillip Lane provides for a strong perception of linearity
- **enclosure:** the narrow width of the Phillip Lane (which is further accentuated by its very narrow footpaths) combined with the contiguous, high street wall built to its boundary provides for a strong perception of enclosure
- **scale:** the width of Phillip Lane compared to the height of the adjoining buildings, as well as the presence of Aurora Place and Deutsche Bank Place, provides for a perception of scale
- **time-depth:** a variety of architectural periods, including Victorian, interwar and contemporary, are present in the view providing for a perception of time-depth
- **urbanity:** the overall composition provides for a strong sense of urbanity.

### 8.1.2 Sensitivity to the nature of change proposed

Table 5 provides an assessment of the sensitivity of the view to the nature of change proposed.

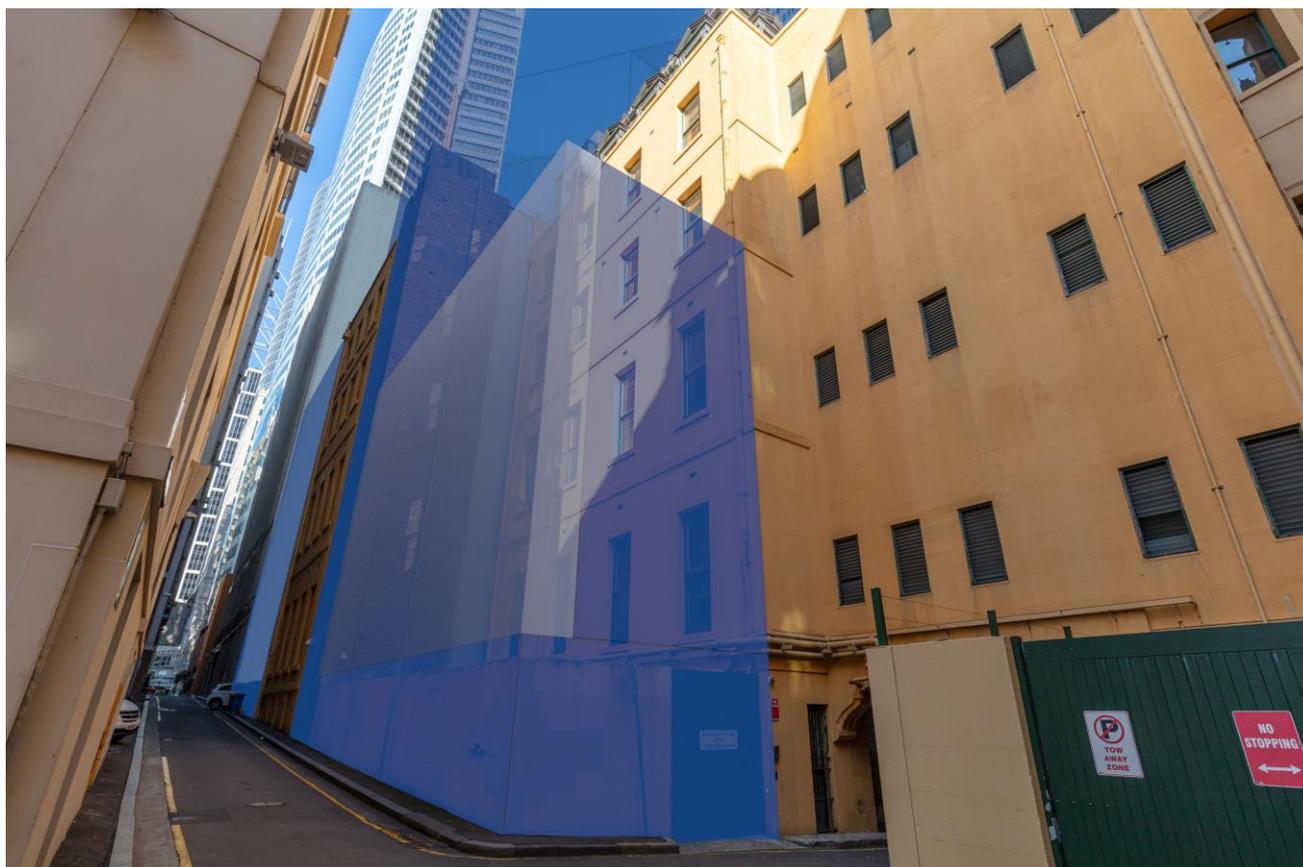
Table 6: viewpoint 1 – sensitivity to the nature of change proposed

Criteria	Sensitivity			
	High	Medium	Low	Negligible
<b>Category: visual receptor</b>				
<b>Number</b>	High (greater than 30,000, eg George Street)	Medium (5 – 30,000, eg Bridge Street)	Low (less than 5,000, eg Bent Street)	Ordinarily inaccessible to the public
<b>Activity (as an indicator of assumed level of attention or interest in the view and visual amenity)</b>	Resident Tourist	Traveller (private vehicle, public transport or active transport) Passive outdoor recreation	Worker Accessing service or facility Active outdoor recreation	Ordinarily inaccessible to the public
<b>Reason</b>	Specific to visit the view	Determined on a spectrum with reference to high and low	Passing through on way to another place	Ordinarily inaccessible to the public
<b>Duration of exposure</b>	Long	Medium	Short	Nil
<b>Attention or interest in the view or visual amenity</b>	High	Medium	Low	Nil
<b>Category: social and cultural value</b>				

Criteria	Sensitivity			
	High	Medium	Low	Negligible
<b>Planning or heritage designation</b>	International, national or State heritage listing	Local heritage listing Special character area	No heritage listing	No heritage listing
<b>Indicator of other value</b>	Infrastructure or guidebook	Determined on a spectrum with reference to high and low	No infrastructure or guidebook	-
<b>Category: visual characteristics</b>				
<b>Visual characteristics</b>	Dominance of attractive, notable or otherwise valued elements, features or aesthetic or perceptual characteristics	Presence of attractive, notable or otherwise valued elements, features or aesthetic or perceptual characteristics	Absence of attractive, notable or otherwise valued elements, features or aesthetic or perceptual characteristics	Absence of attractive, notable or otherwise valued elements, features or aesthetic or perceptual characteristics
<b>Category: Capacity to accommodate change</b>				
<b>Capacity</b>	Smaller, 'finer' element or feature Intact visual environment Singular item	Determined on a spectrum with reference to high and low	Larger, 'bold' element or feature Complex or variable visual environment Part of a larger grouping	N/a
<b>Special attribute/s</b>	Silhouette principle	N/a	N/a	N/a

Based on this assessment, it is considered that the view has a high sensitivity to the nature of the change proposed.

### 8.1.3 Proposed future visual character



**Figure 17: viewpoint 1 – Phillip Lane: proposed future view**

Source: Virtual Ideas and FJMT

#### Visual impact

The proposal will appear as a new element in the foreground and midground of the view. It will replace part of the Former Public Works Building and all of Kusu House. The proposal will obstruct views to Aurora Place in the background.

### 8.1.4 Magnitude of the nature of change proposed

Table 6, Table 7 and Table 8 provides an assessment of the magnitude of the nature of change proposed.

**Table 7: viewpoint 1 – scale of change factors**

Size	Major	Moderate	Minor	Insignificant	Imperceptible
<b>Loss or addition factors</b>					
<b>Loss or addition of features</b>	Complete or large	Moderate	Minor	Insignificant	Imperceptible
<b>Change in composition</b>	Major	Moderate	Minor	Insignificant	Imperceptible
<b>Proportion of view occupied by the proposal</b>	<50%	26 – 50%	6 – 25%	>5%	0%

Size	Major	Moderate	Minor	Insignificant	Imperceptible
<b>Contrast factors</b>					
<b>Scale and mass</b>	Large and different	Different	<b>Similar</b>	Very similar	Very similar
<b>Form</b>	Very different	Different	<b>Similar</b>	Very similar	Very similar
<b>Line, height, colour and texture</b>	Very different	Different	<b>Similar</b>	Very similar	Very similar
<b>Nature of the view factors</b>					
<b>Type</b>	Full	<b>Partial</b>	Glimpse	Glimpse	Nil
<b>Duration</b>	Long (eg, resident from home)	Moderate (eg, traveller on foot)	<b>Short (eg, traveller in vehicle)</b>	Passing through	Passing through

**Table 8: viewpoint 1 – geographic extent factors**

Size	Major	Moderate	Minor	Insignificant	Imperceptible
<b>Distance</b>	<b>Close</b>	Medium	Long	Long	Long
<b>Angle</b>	Perpendicular	<b>Oblique</b>	Oblique	Oblique	Oblique
<b>Extent</b>	Large area (eg, district)	Moderate area (eg, landscape character area)	<b>Small area (eg, localised)</b>	Small area (eg, localised)	Small area (eg, localised)

**Table 9: viewpoint 1 – overall magnitude of the nature of change proposed**

		Duration and / or reversibility			
		Ongoing and irreversible	Ongoing capable of being reversed	Limited life (5 – 10 years)	Limited life (< 5 years)
<b>Scale of change</b>	<b>Major change over wide area</b>	Dominant	Considerable	Considerable	Noticeable
	<b>Major change over restricted area, or Moderate change over wide area</b>	Considerable	<b>Considerable</b>	Noticeable	Noticeable
	<b>Moderate change over restricted area; or</b>	Considerable	Noticeable	Noticeable	Perceptible

		Duration and / or reversibility			
	Minor change over a wide area				
	Minor change over a restricted area; or Insignificant change	Perceptible	Perceptible	Perceptible	Imperceptible
	Imperceptible change	Imperceptible	Imperceptible	Imperceptible	Imperceptible

### 8.1.5 Significance of visual impact

Table 9 provides an assessment of the likely significance of visual impact.

Table 10: viewpoint 1 – significance of visual impact

		Magnitude				
		Dominant	Considerable	Noticeable	Perceptible	Imperceptible
Sensitivity	High	Major	High	Moderate	Low	Negligible
	Medium	High	Moderate	Low	Low	Negligible
	Low	Moderate	Low	Low	Negligible	Negligible
	Negligible	Low	Low	Negligible	Negligible	Negligible

### 8.2 Viewpoints 2, 3 and 4: Bridge Street and Phillip Street sequence

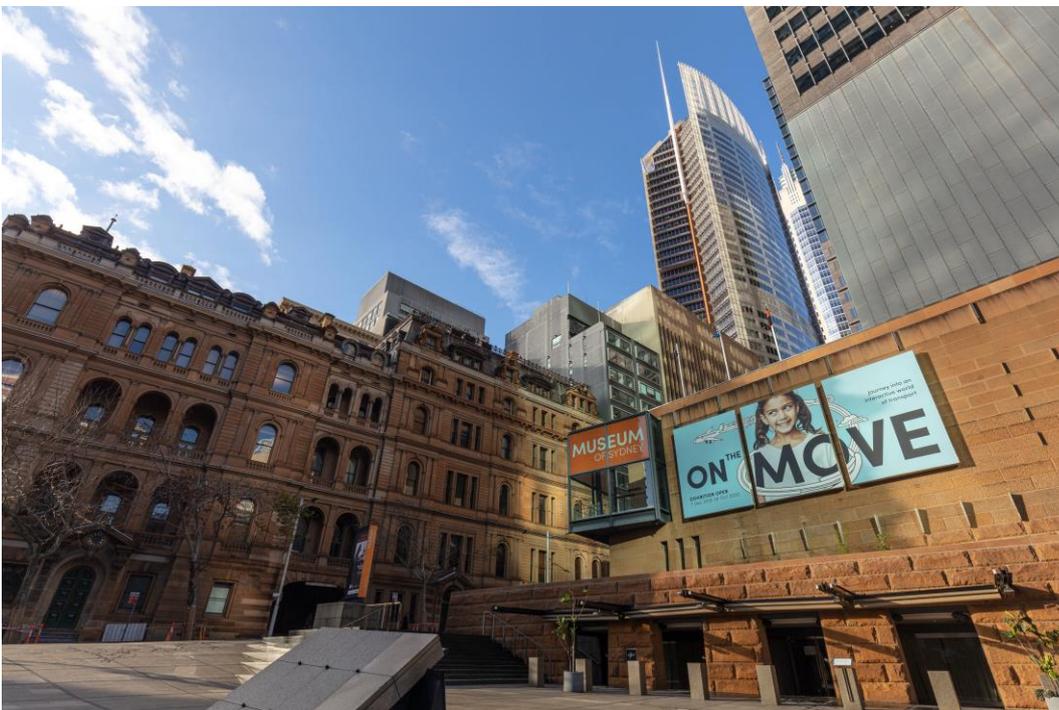
Matter	Viewpoint 2	Viewpoint 3	Viewpoint 4
Accessible to public	Yes	Yes	Yes
Viewpoint group	Illustrative	Illustrative	Illustrative
View type	Panorama	Panorama	Limited
Nature of view	Sequence	Sequence	Sequence
Viewing direction	South-east	South south-east	South
Viewing distance	85m	55m	20m
Viewing elevation	Below	Below	Below

### 8.2.1 Existing visual character



**Figure 18: viewpoint 2 – Bridge Street at Young Street: existing view**

Source: Virtual Ideas



**Figure 19: viewpoint 3 – Bridge Street across Museum of Sydney Forecourt: existing view**

Source: Virtual Ideas



**Figure 20: viewpoint 4 – Phillip Street at Museum of Sydney Forecourt: existing view**

Source: Virtual Ideas

### Visual receptors

Bridge Street is an important movement corridor, carrying a large volume of vehicle traffic east-west in four lanes (two in each direction) in a higher speed environment. Phillip Street is a lesser movement corridor, carrying a moderate volume of vehicle traffic north-south in two lanes in a lower speed environment. Bridge Street and Phillip Street form part of loop for buses terminating or starting their journey at Circular Quay.

It is likely that people in vehicles exposed to the view are from a range of visual receptors. They will likely be travelling along Bridge Street or Phillip Street during standard business hours on their way to another place.

It is likely that most people on foot exposed to this series of views are workers, either in adjoining or nearby offices. They will likely be travelling along Bridge Street or Phillip Street during standard business hours on their way to another place, most likely associated with working such as meetings, lunch and other similar activities. It is likely that tourists will also be exposed to the views from the Federation Track (northern side of Bridge Street) and Sydney Heritage Walk (eastern side of Phillip Street) and the MoS forecourt.

As the nearest City of Sydney pedestrian walking count location (Young Street) shows a low (7,806) weekday average of pedestrians. Site inspection (July 2020) confirmed this, with only a small number of people observed.

The duration of exposure to the view is likely to be low. While there is capacity for the people to dwell in the MoS forecourt, due to its largely unembellished nature it is unlikely that a large number of people will do so.

### Social and cultural value

The Former Public Works Building is designated as a State heritage item, and Bridge Street and Phillip Street are contained in the Bridge Street / Macquarie Place / Bulletin Place special character area under the SDCP2012.

While views 2 and 3 include tourist paths in the form of the Federation Track and view 3 in the form of the Sydney Heritage Walk, there is no evidence of special infrastructure supporting these routes.

### Visual characteristics

The views comprise the following elements:

**Table 11: viewpoint 2 - elements**

	Element	Type	Description
<b>Foreground</b>	Street	Major	Bridge Street
	Building	Terrace row, heritage	Young Street Terraces
	Building	High-rise, contemporary, notable in Central Sydney	Quay Quarter
<b>Midground</b>	Street	Major	Bridge Street
	Open space	Plaza	MoS forecourt
	Building	High-rise, contemporary, notable in Central Sydney	Governor Phillip Tower
<b>Background</b>	Building	Mid-rise, Victorian Free Classical and Victorian Second Empire	Former Public Works Building
<b>Backdrop</b>	Building	Mid-rise, interwar	Astor Apartments
	Building	Mid-rise, contemporary	Kusu House and others

The Young Street Terraces, Former Public Works Building and Governor Phillip Tower are features in this view.

**Table 12: viewpoint 3 - elements**

	Element	Type	Description
<b>Foreground</b>	Open space	Plaza	MoS forecourt, including a diagonal plinth
<b>Midground</b>	Building	Cultural facility	MoS
	Building	Mid-rise, Victorian Free Classical and Victorian Second Empire	Former Public Works Building
	Building	High-rise, contemporary, notable in Central Sydney	Governor Phillip Tower
<b>Background</b>	Building	Mid-rise, contemporary	Kusu House and others
<b>Backdrop</b>	Sky		

The MoS, MoS forecourt, Former Public Works Building, Governor Phillip Tower and Aurora Place are features in this view.

**Table 13: viewpoint 4 - elements**

	Element	Type	Description
<b>Foreground</b>	Street	Standard	Phillip Street
	Open space	Plaza	MoS forecourt
	Building	Cultural facility	MoS
	Building	Mid-rise, Victorian Free Classical and Victorian Second Empire	Former Public Works Building
	Building	High-rise, contemporary, notable in Central Sydney	Governor Phillip Tower

<b>Midground</b>	Building	Mid-rise, Victorian Free Classical and Victorian Second Empire	Former Public Works Building
	Building	High-rise, contemporary, notable in Central Sydney	Governor Phillip Tower
<b>Background</b>	Building	Mid-rise, contemporary	Kusu House and others
	Building	High-rise, contemporary, notable in Central Sydney	Aurora Place
<b>Backdrop</b>	Sky		

The MoS, Former Public Works Building and Aurora Place are features in this view.

Figure 22 to Figure 28 provides a formal aesthetic analysis of the views. In summary, they show:

- **line:** presence of strong horizontal and vertical lines
- **shape and form:** dominance of large, geometric forms
- **colour:** primarily 'neutral' colours
- **texture:** mainly smooth textures.

The views can be considered to have the following main perceptual attributes:

- **enclosure and relief:** the relationship between the public domain and built form, including street walls and towers, provides for a strong perception of enclosure. However, the MoS forecourt provides for visual relief from this aspect.
- **scale:** the scale of most buildings, including their overall form and detail (e.g. windows of the Former Public Works Building) is substantial. Where smaller forms exist, such as the Young Street Terraces, they appear anomalous.
- **time-depth:** a variety of architectural periods, including Victorian and contemporary, are present in the view providing for a perception of time-depth.
- **urbanity:** the overall composition provides for a strong sense of urbanity.
- **complexity:** typical of much of Central Sydney, the variety of built form provides for a varied, interesting and complex visual environment.



**Figure 21: viewpoint 3 – Bridge Street across Museum of Sydney Forecourt: elements**



**Figure 22: viewpoint 3 – Bridge Street across Museum of Sydney Forecourt: features**

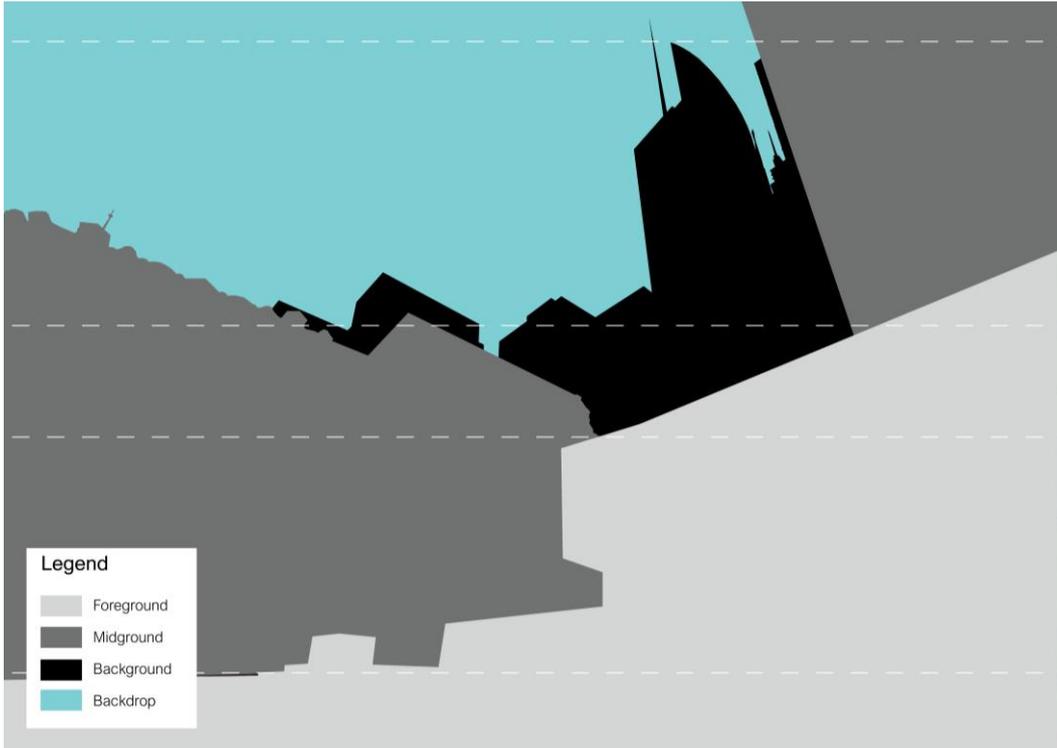


Figure 23: viewpoint 3 – Bridge Street across Museum of Sydney Forecourt: composition

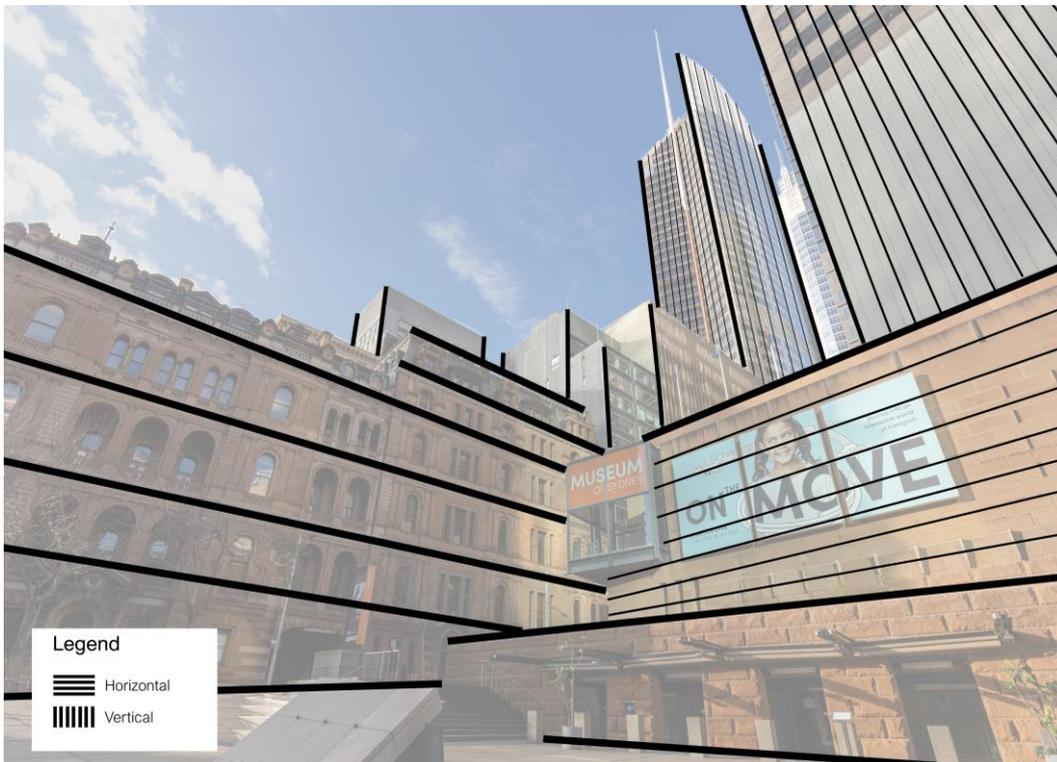


Figure 24: viewpoint 3 – Bridge Street across Museum of Sydney Forecourt: line



Figure 25: viewpoint 3 – Bridge Street across Museum of Sydney Forecourt: shape and form



Figure 26: viewpoint 3 – Bridge Street across Museum of Sydney Forecourt: colour

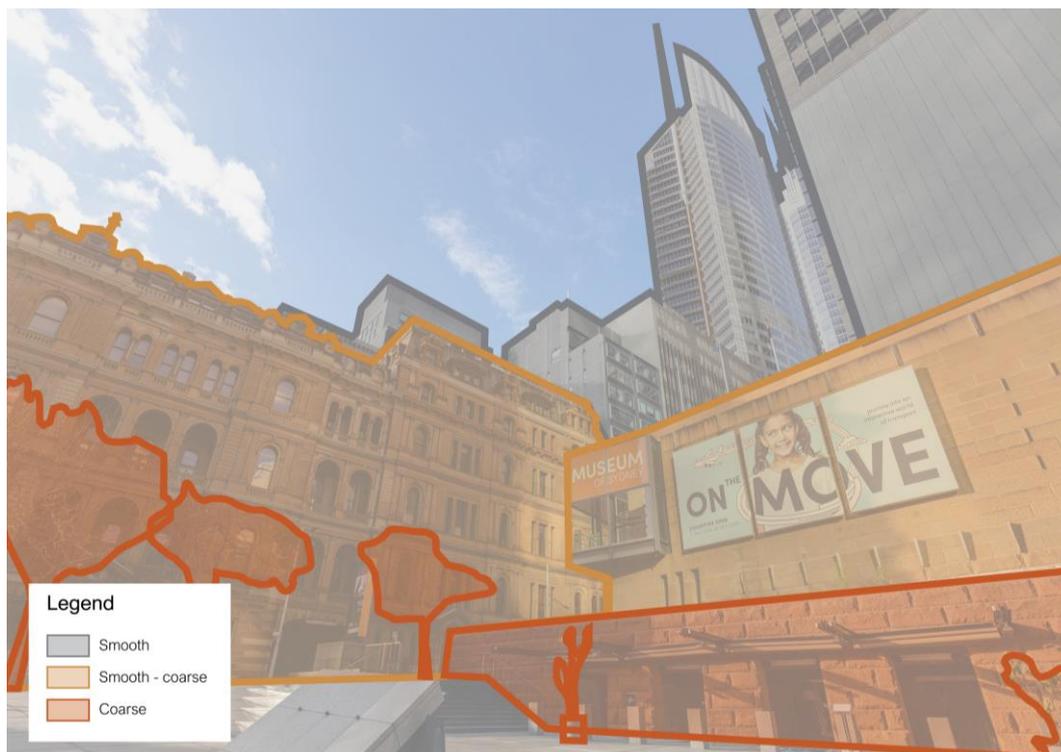


Figure 27: viewpoint 3 – Bridge Street across Museum of Sydney Forecourt: texture

**Sensitivity of the view to the nature of change proposed**

Table 14 provides an assessment of the sensitivity of the views to the nature of change proposed.

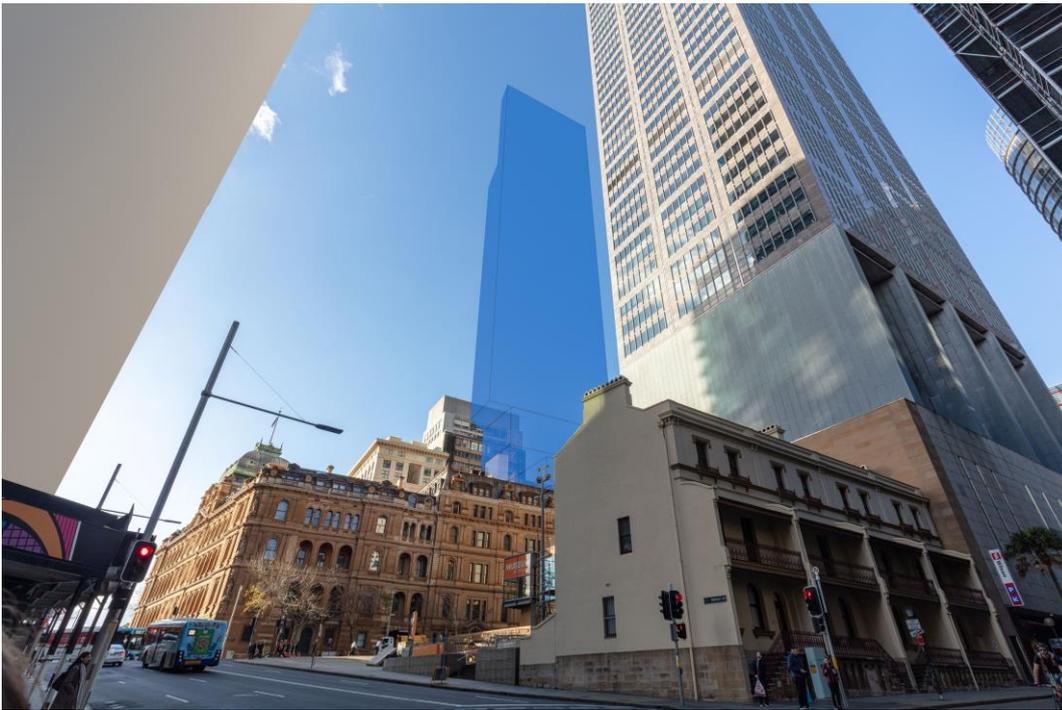
Table 14: viewpoints 2, 3 and 4 – sensitivity to the nature of change proposed

Criteria	Sensitivity			
	High	Medium	Low	Negligible
<b>Category: visual receptor</b>				
Number	High (greater than 30,000, eg George Street)	<b>Medium (5 – 30,000, eg Bridge Street)</b>	Low (less than 5,000, eg Bent Street)	Ordinarily inaccessible to the public
Activity (as an indicator of assumed level of attention or interest in the view and visual amenity)	Resident <b>Tourist</b>	<b>Traveller (private vehicle, public transport or active transport)</b> Passive outdoor recreation	<b>Worker</b> <b>Accessing service or facility</b> Active outdoor recreation	Ordinarily inaccessible to the public
Reason	Specific to visit the view	<b>Determined on a spectrum with reference to high and low</b>	<b>Passing through on way to another place</b>	Ordinarily inaccessible to the public
Duration of exposure	Long	<b>Medium</b>	<b>Short</b>	Nil

	Sensitivity			
Criteria	High	Medium	Low	Negligible
Attention or interest in the view or visual amenity	High	Medium	Low	Nil
<b>Category: social and cultural value</b>				
Planning or heritage designation	<b>International, national or State heritage listing</b>	Local heritage listing <b>Special character area</b>	No heritage listing	No heritage listing
Indicator of other value	<b>Infrastructure or guidebook</b>	Determined on a spectrum with reference to high and low	No infrastructure or guidebook	-
<b>Category: visual characteristics</b>				
Visual characteristics	Dominance of attractive, notable or otherwise valued elements, features or aesthetic or perceptual characteristics	<b>Presence of attractive, notable or otherwise valued elements, features or aesthetic or perceptual characteristics</b>	Absence of attractive, notable or otherwise valued elements, features or aesthetic or perceptual characteristics	Absence of attractive, notable or otherwise valued elements, features or aesthetic or perceptual characteristics
<b>Category: Capacity to accommodate change</b>				
Capacity	Smaller, 'finer' element or feature Intact visual environment Singular item	<b>Determined on a spectrum with reference to high and low</b>	Larger, 'bold' element or feature Complex or variable visual environment Part of a larger grouping	N/a
Special attribute/s	Silhouette principle	-	-	-

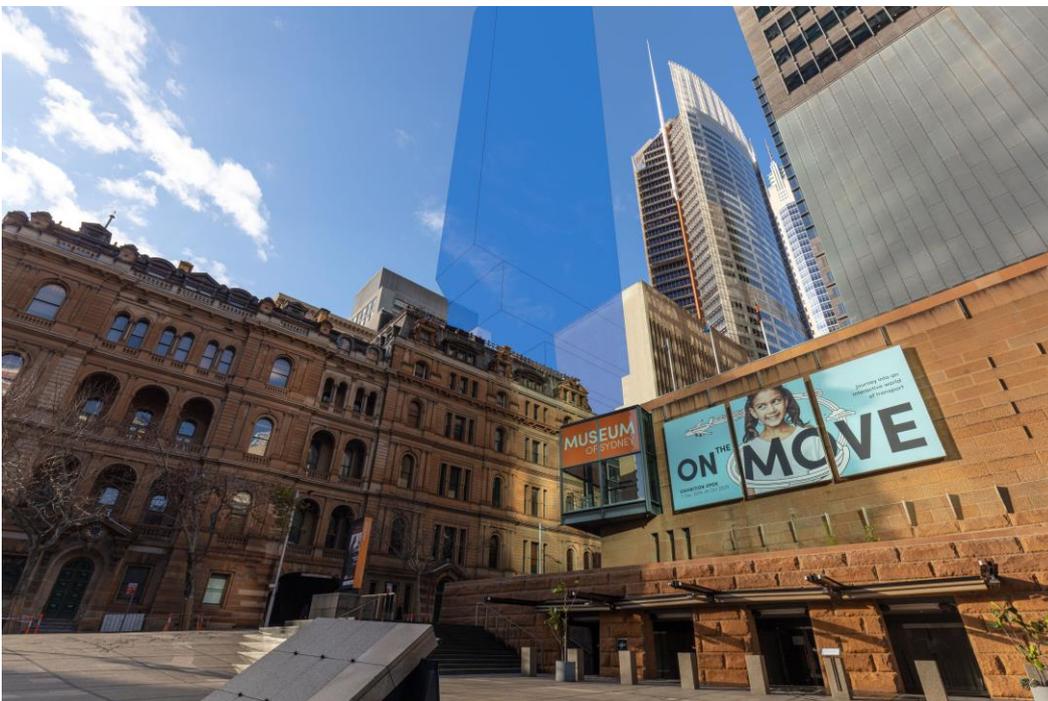
Based on this assessment, it is considered that the view has a high sensitivity to the nature of the change proposed.

### 8.2.2 Proposed future visual character



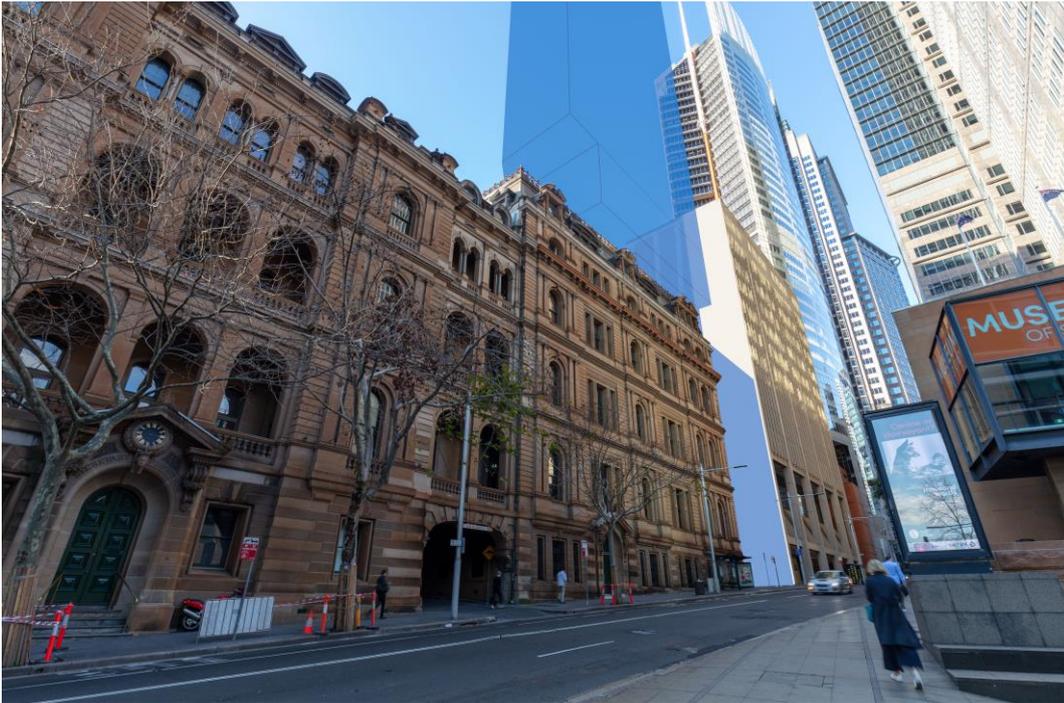
**Figure 28: viewpoint 2 – Bridge Street at Young Street: proposed future view**

Source: Virtual Ideas and FJMT



**Figure 29: viewpoint 3 – Bridge Street across Museum of Sydney Forecourt: proposed future view**

Source: Virtual Ideas and FJMT



**Figure 30: viewpoint 4 – Phillip Street at Museum of Sydney Forecourt: proposed future view**

Source: Virtual Ideas and FJMT

### Visual impact

In all views, the proposal will appear as a new feature. At the streetscape level, this will involve replacement of Kusu House. Above streetscape level, this will involve the replacement of largely sky and parts of buildings in the background with the tower element. Due to the height of the tower, it is most readily appreciated from viewpoint 2. As viewpoints get closer to the site, less of the tower will be visible to the casual observer at eye height without orienting vision upwards. This is particularly the case for viewpoint 3, where the scale and height of the Former Public Works Building will occlude view to much of the tower. Of note, the tower will not be seen above the original Bridge Street part of the Former Public Works Building.

### Magnitude of the nature of change proposed

Table 15 provides an assessment of the magnitude of the nature of change proposed.

**Table 15: viewpoints 2, 3 and 4 – scale of change factors**

Size	Major	Moderate	Minor	Insignificant	Imperceptible
<b>Loss or addition factors</b>					
Loss or addition of features	Complete or large	<b>Moderate</b>	Minor	Insignificant	Imperceptible
Change in composition	Major	<b>Moderate</b>	Minor	Insignificant	Imperceptible
Proportion of view occupied by the proposal	<50%	<b>26 – 50%</b>	6 – 25%	>5%	0%
<b>Contrast factors</b>					

Size	Major	Moderate	Minor	Insignificant	Imperceptible
Scale and mass	Large and different	Different	<b>Similar</b>	Very similar	Very similar
Form	Very different	Different	<b>Similar</b>	Very similar	Very similar
Line, height, colour and texture	Very different	Different	<b>Similar</b>	Very similar	Very similar
<b>Nature of the view factors</b>					
Type	Full	<b>Partial</b>	Glimpse	Glimpse	Nil
Duration	Long (eg, resident from home)	Moderate (eg, traveller on foot)	<b>Short (eg, traveller in vehicle)</b>	Passing through	Passing through

Table 16: viewpoints 2, 3 and 4 – geographic extent factors

Size	Major	Moderate	Minor	Insignificant	Imperceptible
Distance	Close	<b>Medium</b>	Long	Long	Long
Angle	Perpendicular	<b>Oblique</b>	Oblique	Oblique	Oblique
Extent	Large area (eg, district)	Moderate area (eg, landscape character area)	<b>Small area (eg, localised)</b>	Small area (eg, localised)	Small area (eg, localised)

Table 17: viewpoints 2, 3 and 4 – overall magnitude of the nature of change proposed

		Duration and / or reversibility			
		Ongoing and irreversible	Ongoing capable of being reversed	Limited life (5 – 10 years)	Limited life (< 5 years)
Scale of change	Major change over wide area	Dominant	Considerable	Considerable	Noticeable
	Major change over restricted area, or Moderate change over wide area	Considerable	Considerable	Noticeable	Noticeable
	Moderate change over restricted area; or Minor change over a wide area	Considerable	<b>Noticeable</b>	Noticeable	Perceptible

		Duration and / or reversibility			
	Minor change over a restricted area; or Insignificant change	Perceptible	Perceptible	Perceptible	Imperceptible
	Imperceptible change	Imperceptible	Imperceptible	Imperceptible	Imperceptible

### Significance of visual impact

The following table provides an indication of the potential significance of visual impact.

**Table 18: viewpoints 2, 3 and 4 – significance of visual impact**

		Magnitude				
		Dominant	Considerable	Noticeable	Perceptible	Imperceptible
Sensitivity	High	Major	High	Moderate	Low	Negligible
	Medium	High	Moderate	Low	Low	Negligible
	Low	Moderate	Low	Low	Negligible	Negligible
	Negligible	Low	Low	Negligible	Negligible	Negligible

## 8.3 Viewpoint 5: Conservatorium Road

### 8.3.1 Existing visual character

Accessible to public	Yes
Viewpoint group	Illustrative
View type	Panorama
Nature of view	Sequence
Viewing direction	South-west
Viewing distance	105m
Viewing elevation	Level



**Figure 31: viewpoint 5 – Conservatorium Road: existing view**

Source: Virtual Ideas

### **Visual receptors**

This part of Conservatorium Road is connected to the Macquarie Street off-ramp from the Cahill Expressway, and as such provides a major vehicular access to Central Sydney.

It is likely that people in vehicles exposed to the view are from a range of visual receptors. They will likely be travelling Conservatorium Road from the Cahill Expressway during standard business hours on their way to another place.

It is likely that most people on foot exposed to this series of views are workers, either in adjoining or nearby offices, or tourists. They will likely be travelling from Central Sydney via Macquarie Street or Bridge Street during standard business hours on their way to the Royal Botanic Gardens most likely for recreation activities (eg, lunch, rest, exercise).

There is no nearby City of Sydney pedestrian walking count location that can reasonably approximate the number of pedestrians exposed to the view.

Due to the presence of traffic lights, it is likely that the duration of exposure to the view will range between low – medium.

### **Social and cultural value**

The viewpoint is contained in the Macquarie Street special character area under the SDCP2012. The viewpoint is included in the Governors Domain and Civic Precinct National Heritage List Assessment National Heritage Values Statement.

There is no evidence of indicators of other value such as infrastructure or reference in guidebooks.

### **Visual characteristics**

The view comprises the following elements:

**Table 19: viewpoint 5 – elements**

	Element	Type	Description
<b>Foreground</b>	Street	Major	Conservatorium Road
<b>Midground</b>	Open space	Green space	Royal Botanic Gardens
	Structure	Monument, heritage	King Edward VII monument
<b>Background</b>	Street	Major	Macquarie Street
	Street	Major	Bridge Street
	Buildings	Mid-rise, Victorian Free Classical and Victorian Second Empire	Chief Secretary's Building
	Buildings	Mid-rise, interwar	Astor Apartments and others
	Buildings	Mid-rise, contemporary	Hudson House and others
	Buildings	High-rise, contemporary	Intercontinental Hotel
	Buildings	High-rise, contemporary, notable in Central Sydney	Deutsche Bank Place, Chifley Tower, Aurora Place, Governor Phillip Tower and Quay Quarter
<b>Backdrop</b>	Sky		

This is a rich, layered and complex view notable for defining Central Sydney's north-east edge. As such, the human eye is not naturally drawn to one or a small number of features. However, the following can be considered to be notable:

- Edward VII monument;
- Chief Secretary's Building;
- the Astor Apartments; and
- the row of high-rise, contemporary, notable in Central Sydney (the human eye tends to perceive proximate elements that are alike in terms of overall type and form as a single feature).

Vertical lines dominate this view. This verticality is accentuated by the dominance of road within the foreground and its presence in the midground and the grouping of tall buildings. It is offset to a degree by the strong horizontal line formed by Phillip Lane. Macquarie Street leads the eye horizontally across the view, and Bridge Street leads the eye horizontally away from the viewpoint.

The view is dominated by geometric, rectangular shapes and forms. Organic forms are present in vegetation in the Royal Botanic Gardens and Macquarie Street.

The view is dominated by varieties of neutral colours. Of note are the:

- yellow-brown sandstone of the Chief Secretary's Building, and to a lesser extent the former Treasury Building;
- the white of the Astor Apartments;
- the green of the Royal Botanic Gardens; and
- the charcoal-grey of Conservatorium Road.

Textures are generally smooth. Vegetation in the Royal Botanic Gardens is a notable exception.

The view clearly demonstrates visual characteristics associated with perceptions of an urban laneway. It can be considered to have the following main perceptual attributes:

- **edge:** the difference between the foreground comprising the green, Royal Botanic Gardens and negative space of the foreground in contrast with the near solid, two parallel and long lines of buildings of scale in the background provides for a strong edge
- **threshold:** the attributes of the edge noted above combined with Bridge Street and the memorial give a perception of an urban threshold, entry of gateway
- **scale:** the scale of the buildings, combined with their dense spacing, provides for a perception of scale
- **time-depth:** a variety of architectural periods, including Victorian, interwar and contemporary, are present in the view providing for a perception of time-depth
- **urbanity:** the overall composition provides for a strong sense of urbanity.

### Sensitivity of the view to the nature of change proposed

Table 20 provides an assessment of the sensitivity of the view to the nature of change proposed.

**Table 20: viewpoint 5 – sensitivity to the nature of change proposed**

Criteria	Sensitivity			
	High	Medium	Low	Negligible
<b>Category: visual receptor</b>				
Number	<b>High (greater than 30,000, eg George Street)</b>	<b>Medium (5 – 30,000, eg Bridge Street)</b>	Low (less than 5,000, eg Bent Street)	Ordinarily inaccessible to the public
Activity (as an indicator of assumed level of attention or interest in the view and visual amenity)	Resident Tourist	<b>Traveller (private vehicle, public transport or active transport)</b>  Passive outdoor recreation	Worker Accessing service or facility Active outdoor recreation	Ordinarily inaccessible to the public
Reason	Specific to visit the view	Determined on a spectrum with reference to high and low	<b>Passing through on way to another place</b>	Ordinarily inaccessible to the public
Duration of exposure	Long	Medium	<b>Short</b>	Nil
Attention or interest in the view or visual amenity	High	<b>Medium</b>	<b>Low</b>	Nil
<b>Category: social and cultural value</b>				
Planning or heritage designation	International, national or <b>State heritage listing</b>	Local heritage listing <b>Special character area</b>	No heritage listing	No heritage listing

	Sensitivity			
Criteria	High	Medium	Low	Negligible
Indicator of other value	Infrastructure or guidebook	Determined on a spectrum with reference to high and low	<b>No infrastructure or guidebook</b>	-
<b>Category: visual characteristics</b>				
Visual characteristics	Dominance of attractive, notable or otherwise valued elements, features or aesthetic or perceptual characteristics	<b>Presence of attractive, notable or otherwise valued elements, features or aesthetic or perceptual characteristics</b>	Absence of attractive, notable or otherwise valued elements, features or aesthetic or perceptual characteristics	Absence of attractive, notable or otherwise valued elements, features or aesthetic or perceptual characteristics
<b>Category: Capacity to accommodate change</b>				
Capacity	Smaller, 'finer' element or feature Intact visual environment Singular item	Determined on a spectrum with reference to high and low	<b>Larger, 'bold' element or feature Complex or variable visual environment</b> Part of a larger grouping	N/a
Special attribute/s	Silhouette principle	-	-	-

Based on this assessment, it is considered that the view has a medium – high sensitivity to the nature of the change proposed.

### 8.3.2 Proposed future visual character



**Figure 32: viewpoint 5 – Conservatorium Road: proposed future view**

Source: Virtual Ideas and FJMT

#### Visual impact

The proposal will be visible as a new building in the background of the view. It will be located behind the Macquarie Street western street wall, in alignment with Aurora Place and in front of Governor Phillip Tower and Governor Macquarie Tower.

In doing so it will provide a new backdrop to the Astor Apartment building and will block approximately 50% of the eastern elevation of Governor Phillip Tower for its full height, all of Governor Phillip Tower and part of the sky. A blade of sky will provide separation between the proposal and Aurora Place, enabling the appreciation of both elements as distinct forms.

Only a small part of the cantilever will appear to adjoin the roof of the Chief Secretary's Building. The northern elevation, and part of the eastern elevation in the uppermost quarter of the tower will appear above the Chief Secretary's Building. This will largely be contained in the space currently occupied by Governor Phillip Tower.

#### Magnitude of the nature of change proposed

Table 21 and Table 22 provide an assessment of the magnitude of the nature of change proposed.

**Table 21: viewpoint 5 – scale of change factors**

Size	Major	Moderate	Minor	Insignificant	Imperceptible
<b>Loss or addition factors</b>					
<b>Loss or addition of features</b>	Complete or large	<b>Moderate</b>	Minor	Insignificant	Imperceptible
<b>Change in composition</b>	Major	Moderate	<b>Minor</b>	Insignificant	Imperceptible

Size	Major	Moderate	Minor	Insignificant	Imperceptible
Proportion of view occupied by the proposal	<50%	26 – 50%	<b>6 – 25%</b>	>5%	0%
<b>Contrast factors</b>					
Scale and mass	Large and different	Different	<b>Similar</b>	Very similar	Very similar
Form	Very different	Different	<b>Similar</b>	Very similar	Very similar
Line, height, colour and texture	Very different	Different	<b>Similar</b>	Very similar	Very similar
<b>Nature of the view factors</b>					
Type	Full	<b>Partial</b>	Glimpse	Glimpse	Nil
Duration	Long (eg, resident from home)	Moderate (eg, traveller on foot)	<b>Short (eg, traveller in vehicle)</b>	Passing through	Passing through

**Table 22: viewpoint 5 – geographic extent factors**

Size	Major	Moderate	Minor	Insignificant	Imperceptible
Distance	Close	<b>Medium</b>	Long	Long	Long
Angle	<b>Perpendicular</b>	Oblique	Oblique	Oblique	Oblique
Extent	Large area (eg, district)	Moderate area (eg, landscape character area)	<b>Small area (eg, localised)</b>	Small area (eg, localised)	Small area (eg, localised)

**Table 23: viewpoint 5 – overall magnitude of the nature of change proposed**

		Duration and / or reversibility			
		Ongoing and irreversible	Ongoing capable of being reversed	Limited life (5 – 10 years)	Limited life (< 5 years)
Scale of change	Major change over wide area	Dominant	Considerable	Considerable	Noticeable
	Major change over restricted area, or Moderate change over wide area	Considerable	Considerable	Noticeable	Noticeable

		Duration and / or reversibility			
	<b>Moderate change over restricted area; or Minor change over a wide area</b>	Considerable	<b>Noticeable</b>	Noticeable	Perceptible
	<b>Minor change over a restricted area; or Insignificant change</b>	Perceptible	Perceptible	Perceptible	Imperceptible
	<b>Imperceptible change</b>	Imperceptible	Imperceptible	Imperceptible	Imperceptible

### Significance of visual impact

Table 24 provides an indication of the potential significance of visual impact.

Table 24: viewpoint 5 – significance of visual impact

		Magnitude				
		Dominant	Considerable	Noticeable	Perceptible	Imperceptible
<b>Sensitivity</b>	<b>High</b>	Major	High	<b>Moderate</b>	Low	Negligible
	<b>Medium</b>	High	Moderate	Low	Low	Negligible
	<b>Low</b>	Moderate	Low	Low	Negligible	Negligible
	<b>Negligible</b>	Low	Low	Negligible	Negligible	Negligible

### Summary

Table 25 provides a summary of assessed visual impact.

Table 25: summary of significance of visual impact

Ref	Viewpoint	Sensitivity	Magnitude	Significance
1	Phillip Lane	High	Considerable	Moderate – high
2	Bridge and Phillip Street sequence	High	Noticeable	Moderate
3	Conservatorium Road	High	Noticeable	Moderate

## 9.0 Assessment against the planning framework

This part of the VIA assesses the acceptability of likely visual impact against the relevant parts of the planning framework

### 9.1 The modified SEARS

Relevant provision	How addressed
Prepare a Visual Impact Assessment and view analysis of the proposal to/from key vantage points including existing photographs, photomontages and perspectives of each elevation and 3 dimensional images of the proposal, addressing:	<p>This is a VIA. It includes:</p> <ul style="list-style-type: none"> <li>key vantage points x 5</li> <li>existing photographs and photomontages</li> <li>Three dimensional images of the proposal</li> </ul>
<ul style="list-style-type: none"> <li>Key elements and views of the development from key locations, including close views showing the relationship of the heritage buildings with the proposed tower as well as Phillip Lane</li> </ul>	<p>The VIA has:</p> <ul style="list-style-type: none"> <li>identified the key elements, features and aesthetic and perceptual factors which contribute to the existing visual character of the site and its context</li> <li>identified the viewshed, visual receptors, pattern of viewing and key viewpoints (x5) that provide for close and longer range views</li> <li>provided photomontages that show the relationship of the heritage buildings and Phillip Lane with the proposed tower</li> </ul>
<ul style="list-style-type: none"> <li>Key views, vistas and view corridors from the public domain and residential buildings that may be impacted as determined by the view analysis</li> </ul>	<p>The VIA has undertaken an analysis of the current visual environment and identified key viewpoints (x5) from the public domain in which the proposal will be seen in full or in part. Based on the direction of the CSPS, consideration of visual impact from residential buildings has not been undertaken</p>
<ul style="list-style-type: none"> <li>Planning principles for impacts on private and public domain views</li> </ul>	<p>Assessment of visual impact under the GLVIA3 methodology satisfies the requirements for a rigorous process as set down by the Land and Environment Court planning principle for impact on public domain views in <i>Rose Bay Marina Pty Limited v Woollahra Municipal Council and anor</i> [2013] NSWLEC 1046. Where relevant, further consideration is provided against this planning principle</p>

### 9.2 Strategic plans

#### 9.2.1 Greater Sydney Region Plan – A Metropolis of Three Cities

Relevant provision	Assessment	Consistency
Strategy 28.1: Identify and protect scenic and cultural landscapes	<p>The existing and proposed City of Sydney planning framework, in particular the SDCP2012, identifies and protects the Bridge Street/Macquarie Place/Bulletin Place Special Character Area as a cultural landscape</p> <p>The proposal is assessed as being visually acceptable when considered against these provisions</p>	Yes

Relevant provision	Assessment	Consistency
Strategy 28.2: Enhance and protect views of scenic and cultural landscapes from the public realm	The proposal does not impact views of cultural landscapes (e.g., Martin Place) as identified in the CSPA.	Yes

### 9.2.2 Eastern City District Plan

Relevant provision	Assessment	Consistency
Planning Priority E16: Protecting and enhancing scenic and cultural landscapes	Refer above.	Yes

### 9.2.3 City Plan 2036: Draft City of Sydney Local Strategic Planning Statement

Relevant provision	Assessment	Consistency
<b>Priority L2: Creating great places (Protecting and enhancing cultural landscapes)</b>		
'Preserving significant view corridors'	The proposal does impact significant view corridors as identified in City Plan 2036.	Yes

### 9.2.4 Central Sydney Planning Strategy

The CSPA provides substantial planning policy guidance on views.

The CSPA acknowledges that given the nature of Central Sydney, there should be a level of acceptance that views are subject to change. This is particularly the case with views obtained from the private domain:

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

Given this, the CSPA largely rejects the application of the general planning principles for views handed down by the Land and Environment Court in Tenacity:

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

Furthermore, the CSPA also acknowledges the constraints that exist in Central Sydney that can limit the ability to employ skilful design to mitigate visual impact:

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

On this basis, the policy focus of the CSPS in relation to views is on the protection of significant views obtained from the public domain focusses to significant public places and buildings.

The CSPS proposed to amend the SLEP2012 and SDCP2012 consistent with this approach.

### 9.3 Environmental planning instruments

#### 9.3.1 Sydney Local Environmental Plan 2012

Relevant provision	Assessment	Consistency
<b>Part 4 Principal development standards</b>		
<b>Clause 5.10 Heritage conservation</b>		
<b>Controls</b>		
<p>(4) Effect of proposed development on heritage significance</p> <p>The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6)</p>	<p>Consideration of the proposal's visual impact on the heritage significance of the Chief Secretary's Building, the Former Public Works Building, Phillip Lane and the Bridge Street / Macquarie Place / Bulletin Place Special Character Area is provided in <b>section 8.0</b> of this VIA.</p>	Yes
<b>Is merit based assessment against the objectives required?</b>		<b>Yes</b>
<b>Objectives</b>		
<p>(1) The objectives of this clause are as follows:</p> <ul style="list-style-type: none"> <li>(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views</li> </ul>	<p>Refer to the separate Heritage Report that forms part of this SSD DA for detailed address of impact on heritage significance.</p> <p>Visually, the heritage significance of the CSB is its legibility as a large, distinct building within the Bridge Street streetscape. This is achieved by a number of measures, including its</p> <ul style="list-style-type: none"> <li>siting on a prominent corner elevated above adjoining streets</li> <li>overall scale</li> <li>size of frontage (height and length) to Bridge Street and Phillip Street distinct Victorian Free Classical and Victorian Second Empire style</li> <li>its materiality (sandstone) and colour.</li> </ul>	Yes

Relevant provision	Assessment	Consistency
	<p>Its setting enhances this legibility. This includes:</p> <ul style="list-style-type: none"> <li>its northernmost part (north of the Astor Apartments in view 2 and Hudson House in view 3), including the important pavilion dome, being silhouetted against the sky</li> <li>the distinctly different nature of other nearby major built forms, including their largely slender verticality and simpler, contemporary design.</li> </ul> <p>When viewed from Bridge Street, the proposal does not impact the fabric of the CSB. Through a range of measures, including siting furthest away from Bridge Street, placement above natural human eye level and a consistency with the other nearby major built forms, the proposal retains the key visual characteristics of its setting that provide for its clear legibility.</p>	

**9.3.2 Proposed amendments to the Sydney Local Environmental Plan 2012 to give effect to the draft Central Sydney Planning Strategy**

Relevant provision	Assessment	Consistency
<b>New clause (unknown number: Protection of public views)</b>		
<b>Controls</b>		
<p>It is proposed to include new controls in the LEP to preserve and protect the following important views from obstruction by tall buildings in Central Sydney:</p> <ul style="list-style-type: none"> <li>From Broadway towards George Street and the Central Station clock tower</li> <li>From Martin Place to the western sky</li> <li>From Martin Place to the eastern sky</li> <li>From Observatory Hill to Sydney Harbour; Vaucluse lighthouse; and Pennant Hills</li> </ul>	The proposal will not impact these views	Yes
<b>Is merit based assessment against the objectives required?</b>		<b>No</b>

## 9.4 Development control plans

### 9.4.1 City of Sydney Development Control Plan 2012

Relevant provision	Assessment	Consistency
<b>Section 2.1.5: Bridge Street/Macquarie Place/Bulletin Place Special Character Area</b>		
<b>Controls</b>		
<b>Character statement</b>		
It is significant for its association with a major colonial government building programme in the 1880's, which included the First Government House and Macquarie Place Reserve	The proposal will not have a significant adverse impact on this characteristic.	Yes
Both the Reserve and Bridge Street represent the early planning of the colony with a street pattern that is reflective of the area's early topography	The proposal will not have a significant adverse impact on this characteristic.	Yes
The area retains evidence of its establishment by Governor Macquarie as the geographic and administrative centre of the colony, with the sandstone obelisk placed at the centre of Macquarie Place to mark the point from which all distances in the colony were measured	The proposal will not have a significant adverse impact on this characteristic.	Yes
A cohesive group of landmark sandstone buildings, some occupying whole blocks, define important public spaces and corners	As has been noted above, the proposal will not impact the fabric of the CSB when viewed from Bridge Street. The landmark nature of the CSB together with its location in a varied and complex visual environment means that is relatively robust and able to accommodate a reasonable level of change in its setting without this characteristic being compromised.  It so considered that the proposal, most notably its siting, form and design, will enable the CSB to continue to be appreciated as a landmark and the overall sandstone precinct to be perceived as a coherent grouping.	Yes
Bridge Street offers an important vista to the Conservatorium of Music to the east and views to the water	The proposal will not have a significant adverse impact on this characteristic.	Yes
Other views are distinguished by significant buildings within the area, especially those with special roof features	The siting of the proposal provides for a substantial physical setback to Bridge Street. As can be seen in views 2, 3 and 5, this maintains a high degree of legibility for the CSB profile. As such, the proposal will not have an impact on the pavilion dome, much of the CSBs Bridge Street elevation including its Bridge Street and Phillip	Yes

Relevant provision	Assessment	Consistency
	<p>Street edge will be visible with minimal built form in the background. From viewpoint 5, the CSB will continue to be seen together with the former Treasury Building as the 'book ends' of the eastern end of Bridge Street. Of note, from view 5 the proposal will appear to be setback from Bridge Street further than Governor Phillip Tower, and as such appear to be integrated with the overall profile of the eastern edge of Central Sydney.</p>	
<p>The intact system of supporting lanes, some incorporated within building facades, is rare in the City and improves pedestrian permeability</p>	<p>The proposal will not impact the Phillip Lane public domain, preserving its role as a supporting laneway.</p> <p>The proposal will replace part of the western Phillip Lane street wall, namely Kusu House and the Former Public Works Building.</p> <p>It is noted that the western street wall of Phillip Lane south of the Former Public Works Building, and including Kusu House, is of a contemporary built form. The proposal will extent this style further north down the lane.</p> <p>At natural eye level, the proposal will retain the overall key characteristics of the Phillip Lane street wall, including zero setback, a relatively narrow frontage and substantial height.</p> <p>Apart from a greater height, which will not be readily visible to a casual observer in the laneway, the replacement of Kusu House is considered insignificant. Subject to subsequent design measures, the replacement of Kusu House, in particular its presentation as a carpark entry, has the potential to be a positive visual impact.</p> <p>While not commenting on its heritage value, in visual terms that part of the Former Public Works Building being replaced is:</p> <ul style="list-style-type: none"> <li>• a relatively small part of the overall Former Public Works Building;</li> <li>• contained to that part north of the valuable sandstone archway access;</li> <li>• is markedly different in detailing to the valued Bridge Street and Phillip Street elevations, appearing as a relatively visually plain composition; and</li> <li>• apart from its broader properties such as enclosing the lane, cannot be considered to make as significant a contribution to character of the lane as the elevation of the original CSB.</li> </ul> <p>On this basis, in visual terms the proposal is considered to have an acceptable visual impact on Phillip Lane.</p>	<p>Yes</p>

Relevant provision	Assessment	Consistency
<b>Principles</b>		
Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles	Refer above	Yes
Recognise and enhance Bridge Street as one of Sydney's pre-eminent urban spaces and as the locality of heritage items which have housed activities of State and National significance	Refer above	Yes
Protect and extend morning sun access to Macquarie Place, Bridge Street and First Government House Place	Sun access is not a relevant consideration for visual impact.	Yes
Conserve the existing significant laneways in the area and encourage active uses, where compatible with their significance	The proposal will not impact the Phillip Lane public domain, preserving its role as a supporting laneway. Subject to further detailed design, it is possible that the proposal can incorporate active uses to the lane, mirroring those at the base of the Astor Apartments and activating the lane	Yes
Maintain and reinforce existing important public spaces, intersections and corners, in particular those crowned by significant buildings, such as the Lands Department and the Chief Secretary's Department Building	The proposal will not have a significant adverse visual impact on public spaces, intersections and corners. This will largely be achieved by containing the siting of the building to the southern end of the Former Public Works Building and locating the tower form above and separated from the roof of the Former Public Works Building.	Yes
Maintain and enhance existing views to the water, and also significant vistas to the Lands Department Building from Loftus Street, Macquarie Place and Bridge Street itself, in addition to the vista along Bridge Street to the Conservatorium of Music	The proposal does not involve the Lands Department Building or impact the vista along Bridge Street to the Conservatorium of Music	Yes
Maintain and reinforce the cohesive and rare streetscape character of Bridge Street and Macquarie Place by requiring new buildings to be built to the street alignment and with building heights that reinforce the existing predominant street frontage height	The proposal does not have frontage to Bridge Street or Macquarie Place	Yes
Protect vistas that terminate at significant heritage buildings, including nineteenth and twentieth century public and commercial buildings.	As can be seen from the sequence of views along Bridge Street and Phillip Street and viewpoint 5 from Conservatorium Road, the proposal will retain the fundamental characteristics of these vistas	Yes
<b>Is merit based assessment against the objectives required?</b>		<b>No</b>

#### 9.4.2 Proposed amendments to the City of Sydney Development Control Plan 2012 to give effect to the draft Central Sydney Planning Strategy

Relevant provision	Assessment	Consistency
<b>New section 5.1.8: Views from public places</b>		
<b>Controls</b>		
Development must not encroach within any of the views nominated on the Public Views Protection Maps and where possible should improve the views to Sydney Harbour (surface of the water) through modulation of built mass	The proposal does not encroach within any of these views.	Yes
Development must minimise impact on existing public views to heritage items with significant architectural roof features (clock towers, spires, lanterns etc) through modulation of proposed built mass, to allow for clear air around the roof feature and legibility	The pavilion dome can be considered to be a significant architectural roof feature. As can be seen from viewpoints 2, 3 and 5, the proposal will be setback a sufficient distance from the dome to not affect its existing physical outline, including clear air from viewpoints 2 and 3.	Yes
Views nominated on the Public Views Protection Maps relate to significant vistas or silhouettes generated by existing built form. The location of public domain structures such as trees and banners are to be considered ephemeral and should not be used as parameters to obstruct or encroach into a protected public view	The proposal does not impact any of these views.	Yes
Views from Observatory Hill to the harbour, Millers Point, adjoining areas and distant views to the east, west and north should be maintained. New building in Millers Point and Walsh Bay should be limited. No new building should exceed the established patterns of scale and form, nor should it have an adverse impact on any identified views or the setting of Observatory Hill and Millers Point	The proposal does not impact any of these views.	Yes
Development that terminates a public view on the Public Views Protection Map must contribute to its quality through massing, high quality materials and demonstrated design excellence	The proposal does not impact any of these views.	Yes
Consideration should also be given to additional significant public views not mapped in the Public Views Protection Map but identified in the Special Character Area Locality Statements	As has been noted, while not of the same level of significance as those identified in the CSPS, views from Bridge Street and Conservatorium Road can be considered to make a positive contribution to the overall character of the north-east part of Central Sydney. The proposal will not have a significant adverse impact on these views, will	Yes

Relevant provision	Assessment	Consistency
	not impact on the valuable pavilion dome roof feature and is consistent with the scale and form of other contemporary buildings in the area.	
<b>Is merit based assessment against the objectives required?</b>		No

## 9.5 Other plans, policies and strategies

### 9.5.1 Governors Domain and Civic Precinct National Heritage List Assessment National Heritage Values Statement

Review of this values statement has shown a number of characteristics relevant to the consideration of the proposal’s visual impact. These include:

- ‘a pattern which places buildings facing towards and next to parkland’
- ‘distinctive government and civic precinct with historic roots relating to the early Sydney Colony’
- ‘the axial lines through Hyde Park and along Macquarie and Bridge Streets are a unifying element in a city which lacks regular grid geometry’
- ‘the buildings along the ridge line and high ground on the eastern side of Macquarie Street’
- ‘buildings along Bridge Street’.

A number of these characteristics are present in viewpoint 5. Of most relevance is the ‘the buildings along the ridge line and high ground on the eastern side of Macquarie Street’. This creates a distinct and memorable eastern edge to Central Sydney. It comprises two roughly parallel parts. The first part of the line of medium rise building having direct frontage to Macquarie Street. This includes buildings such as Hudson House as well as buildings such as the CSB that are notable in their own right. The second part comprises the far taller and larger scale line of high-rise buildings having frontage to Phillip Street located behind this first line. This comprises some of Central Sydney’s most important and recognisable contemporary towers, including Aurora Place and Governor Phillip Tower. These relative siting of these two lines of buildings comprise a cohesive, layered edge, and their difference in scale, form and design enables each to be readily distinguishable from each other. The proposal will be consistent with the characteristics of this second line, and as such will integrate with this overall composition. As such, it will reinforce the visual characteristic of ‘buildings along the ridge line and high ground on the eastern side of Macquarie Street’.

The proposal is not considered to have a significant adverse impact on the remaining characteristics.

### 9.5.2 State heritage register: Chief Secretary’s Building

Relevant provision	Assessment	Consistency
<b>SHR Criteria c) [Aesthetic significance]</b>		
The Chief Secretary's building is of aesthetic significance because its primary contribution to the surviving Victorian era streetscapes in Phillip Street, Macquarie Street and, in particular Bridge Street. It remains a dominant building in the pre-eminent administrative and political quarter of Sydney.	<p>The proposal is considered to retain the overall legibility of the CSB as a visually dominant Victorian era building that makes an important contribution to the Bridge Street streetscape.</p> <p>The proposal's form, in particular the significant cantilever, can be considered to represent an innovative, high quality solution to site constraints. On this basis, compared to</p>	Yes

Relevant provision	Assessment	Consistency
<p>The finishes and artworks purposely bought for the building, many from the Sydney International Exhibition and some commissioned in London, are of the highest quality and lavishness. They not only demonstrate the prestige of the department but are exemplars of late nineteenth century public taste and refinement.</p> <p>The Chief Secretary's building is of architectural significance because of the high quality of its architectural composition and execution, both externally and internally. It represents two works of great importance in the professional careers of two outstanding nineteenth century architects. Barnett as Colonial Architect, considered it second only to his work at the GPO. The additions by Vernon represent one of the first and major works by the newly appointed Government Architect. That they were completed in a style and quality matching that of the original building (at least outwardly) in a time of severe economic recession is a further testament to the contemporary importance attached to this building. The Chief Secretary's Building remains one of the pre-eminent public buildings of the nineteenth century, comparing equally with the GPO and Sydney University (Jackson Teece Chesterman Willis 1994:64)</p>	<p>a conventional footprint it can be considered to exhibit an element of design quality that is consistent with that of the CSB and Former Public Works Building. Furthermore, the proposal will:</p> <ul style="list-style-type: none"> <li>replace the existing, unremarkable and outdated Kusu House</li> <li>have the ability to enhance the activation of Phillip Lane.</li> </ul>	

### 9.5.3 Local heritage register: Phillip Lane

Relevant provision	Assessment	Consistency
<b>SHR Criteria c) [Aesthetic significance]</b>		
<p>Phillip Lane has Aesthetic Significance: For its high level of integrity of the building stock.</p> <p>As a late Victorian laneway with street entry through a significant building facade, demonstrating a good use of archways and former paving techniques. Has aesthetic significance locally.</p>	<p>Refer to the assessment in section 9.4.1 of this VIA.</p>	<p>Yes</p>

## 10.0 Discussion of key issues

This part of the VIA considers the key issues raised by the VIA and assessment against the planning framework

The following are considered to be key issues relevant to the VIA of the proposal:

- overall visual character;
- relationship between the Former Public Works Building and the proposal;
- relationship between Phillip Lane and the proposal;
- impact on special character areas;
- impact on urban form and skyline of Central Sydney; and
- the role of design excellence.

### 10.1 Overall visual character

Consistent with much of Central Sydney, and in particular the north-east part, the existing visual environment does not comprise a single, intact or cohesive built form. While varied, the most notable built typologies are the 'sandstone' precinct such as the Chief Secretary's Building and high rise, contemporary buildings of note in Central Sydney such as Governor Phillip Tower. These two typologies are usually visible in views next to each. This creates a visually rich, complex and dynamic visual environment. The proposal is consistent with high rise, contemporary buildings of note typology. Its location relative to the Chief Secretary's Building and Former Public Works Building, while the first to propose a cantilever, is nonetheless broadly consistent with the overall relationship between these two typologies. The cantilever itself can be considered an innovative and bold measure above the Former Public Works Building, aligning with the notable nature of buildings in the area.

### 10.2 Relationship between the Former Public Works Building and the proposal

The landmark nature of the CSB and Former Public Works Building together with their location in a varied and complex visual environment means that they are relatively robust and able to accommodate a reasonable level of change in its setting without this characteristic being compromised.

The proposal incorporates a number of design measures which result in an acceptable visual relationship between the cantilever and the Former Public Works Building. These include:

- substantial physical setback to Bridge Street;
- alignment with the existing Phillip Street street wall;
- the amount of vertical separation between the cantilever and the top of the Former Public Works Building;
- the staggered form of the underside of the cantilever; and
- the absence of a physical connection between the cantilever and the Former Public Works Building, except for the single proposed structural column.

In particular, the substantial physical setback to Bridge Street maintains a high degree of legibility for the Former Public Works Building profile and will ensure no impact on the pavilion dome of the Chief Secretary's Building further to the north. When seen from Bridge Street, Phillip Street and Macquarie Street, much of the CSBs and Former Public Works Building elevations will be visible with minimal built form in the background. From viewpoint 5, the CSB will continue to be seen together with the former Treasury Building as the 'book ends' of the eastern end of Bridge Street. Of note, from view 5 the proposal will appear to be setback from Bridge Street further than Governor Phillip Tower, and as such appear to be integrated with the overall profile of the eastern edge of Central Sydney.

### 10.3 Relationship between Phillip Lane and the proposal

The statement of significance for Phillip Lane focusses on the 'its ability to evidence the development of Victorian Sydney lane networks and for its high level of integrity of the building stock'. It further notes that 'the streetscape has a medium integrity'. It is noted that most of Phillip Lane is adjoined by contemporary buildings of scale, and prominent buildings such as Deutsche Bank Place, Aurora Place and Governor Phillip Tower are visible. The proposal will replace a non-contributory element in the form of Kusu House, as well part of the rear of the Former Public Works Building. It will retain key overall visual characteristics such as the continuous street wall, zero setback and irregular lot pattern. It will not impact particular elements such as the archway or remnant cobblestone paving, trachyte and sandstone kerbing.

Above eye level, the proposal will increase the perception of enclosure within the lane by replacing sky with built form. However, the proximity of the Former Public Works Building to the viewer compared to the proposal, together with its large scale (width and height), distinct form and incorporation of vertical separation will not prejudice the ability to perceive the Former Public Works Building as a distinct, separate and visually dominant visual feature.

### 10.4 Impact on the Bridge Street and Phillip Street streetscape

As can be seen from the sequence of views along Bridge Street and Phillip Street, the proposal will retain the fundamental characteristics of the Bridge Street and Phillip Street streetscape.

The proposal will not have a significant adverse visual impact on the key contributing visual characteristic of how the CSB or Former Public Works Building relate to public spaces, intersections and corners. This will largely be achieved by containing the siting of the building to the Former Public Works Building and locating the tower form above and separated from the roof of the Former Public Works Building.

The proposal does not involve the Lands Department Building or impact the vista along Bridge Street to the Conservatorium of Music.

### 10.5 Impact on the Macquarie Street streetscape

The key visual characteristic of Macquarie Street when seen from viewpoint 5 is its layering of two parallel rows of buildings, the lower rise Macquarie Street western street wall comprising buildings such as the Astor Apartments, and the higher Phillip Street street wall comprising buildings such as Aurora Place. This creates a distinct and memorable north-east edge to Central Sydney.

The proposal will form part of the Phillip Street street wall, slotting in behind the Astor Apartments and in front of Governor Phillip Tower. It will have a siting, scale, form and line consistent with the prevailing characteristics of this street wall. As such, it will integrate well with this overall composition.

### 10.6 Impact on urban form and skyline of Central Sydney

Given the attributes noted above in relation to Macquarie Street, the proposal will be contained within the overall outline of the existing north-east edge to Central Sydney, and will form another layer to and reinforce the visual effect of 'buildings along the ridge line and high ground on the eastern side of Macquarie Street'.

### 10.7 The role of design excellence

As this is a concept SSD DA, relevant matters for consideration are of a conceptual nature. As has been found, it is considered that in this regard the proposal satisfies the relevant provisions of the planning framework, and as such has an acceptable visual impact. However, given the contribution that the Former Public Works Building makes to the Bridge Street precinct, consideration of more detailed matters relevant to visual impact such as architectural detail is required as part of the subsequent Stage 2 DA process. The SEARS requirement for preparation and implementation of a Design Excellence Strategy is considered to satisfy this requirement. **Part 9.0** of this VIA provides further detail on what this strategy may wish to consider.

## 11.0 Mitigation measures

This part of the VIA identifies mitigation measures recommended to address visual impact

Pursuant to the modified SEARS, there are three broad types of mitigation measure:

- avoid
- minimise
- offset.

This is generally consistent with the principles for the management of environmental impacts in the GLVIA3 (part 3.37).

Under the GLVIA3 (part 4.21), there are a number of stages in the development process when mitigation measures should be considered. Of relevance to this proposal are the following:

- **primary measures:** considered as part of design development and refinement
- **secondary measures:** considered as part of conditioning a development consent.

As has been outlined in the associated EIS and Design Report, the proposal has been the subject to a rigorous technical and engagement process that has include consideration of visual impact matters. This has resulted in the incorporation of a number of primary measures appropriate to a concept SSD DA (e.g., siting and massing / form measures) that seek to avoid and minimise any potential significant adverse visual impacts. These include:

- **siting measures:** such as substantial physical setback to Bridge Street and alignment with the existing Phillip Street street wall.
- **massing / form measures:** such as the extent of cantilever over the Former Public Works Building, the vertical separation between the cantilever and the top of the Former Public Works Building, the form of the underside of the cantilever and whether the proposal is physically connected to the Former Public Works Building.

As has been determined by this VIA, the incorporation of these mitigation measures have been critical to the determination of acceptable visual impact. On this basis, it is not considered necessary to make further fundamental or otherwise large-scale amendments to the proposal in its current form to satisfactorily manage visual impact.

Given that this is a concept SSDA, secondary measures should be focussed on detailed architectural matters. It is noted that the SEARS require the preparation of a Design Excellence Strategy. This is considered to be the most important secondary measure, and should be implemented as part of the subsequent Stage 2 detailed DA. It is recommended that as part of this, other matters identified in the SEARS as well as the findings of this VIA be considered. This may include:

- integration of signage;
- integration of services such as waste management, loading zones and mechanical plant; and
- careful consideration of line, shape and form, colour and texture in the expression of the eastern elevation to ensure the Former Public Works Building can continue to be readily legible as a separate building.

The Chief Secretary's Building makes a valuable contribution to the character of the overall sandstone precinct, and is a dominant and attractive element in views from location along Bridge Street between Young Street and Phillip Street. It is recommended that as part of the proposal, street furniture such as trees, poles, signs and other elements not be placed within the Phillip Street reserve to protect the visibility of the Former Public Works Building elevation which is read in the context of the Chief Secretary's Building.

## 12.0 Conclusion

This part of the VIA identifies whether the proposal in its current form can be supported on visual impact grounds, and summarises the basis for this determination

The main findings of this VIA are:

- the proposal has a largely localised viewshed, with its boundaries being contained to streets in the close range;
- due to the presence of negative space in the foreground, the proposal will be most visible from Bridge Street east of and in the vicinity of its intersection with Young Street and from that part of Conservatorium Road closest to Macquarie Street;
- from locations on Bridge Street closer to Phillip Street, as well as most of Phillip Street, the scale and height of the Chief Secretary's Building will largely occlude views to the proposal;
- medium range views may be obtained from parts of the Royal Botanic Gardens;
- long range views will be available from locations to the east such as Mrs Macquarie's Point / Yurong;
- a relatively medium – high number of visual receptors will be exposed to views of the proposal;
- most visual receptors will be workers travelling through the viewshed on their way to other places either on foot or in private vehicles;
- the level of attention or interest of most visual receptors in views or visual amenity is likely to be relatively low;
- while the proposal has a limited viewshed and most visual receptors will not have a high level of attention or interest in the view, due to its heritage and character designations the sensitivity of views to the nature of change proposed is medium to high;
- this level is offset by the complexity of the existing visual environment, the general compatibility of the proposal with the tower forms in the area and the robustness of the heritage items;
- from most selected viewpoints the proposal will appear as a new element in the visual landscape;
- from viewpoint 2 located at the intersection of Bridge Street and Young Street the proposal will appear as a new feature;
- in all views, the proposal will either replace views of buildings or sky in the midground or background;
- the magnitude of the visual impact ranges from noticeable to considerable;
- the significance of visual impact ranges from moderate to high;
- it is considered that the proposal satisfies the intent and key provisions of all relevant plans, policies and strategies;
- Consistent with much of Central Sydney, and in particular this part of Central Sydney, the existing visual environment does not comprise a single, intact or cohesive built form. Rather, it contains a number of dominant forms, most notably that of the 'sandstone' precinct and tall, innovative and contemporary office towers. These two notable forms are usually visible next to each other in views. This creates a visually rich, complex and dynamic visual environment. The proposal is consistent with and makes a positive contribution to this visual character;
- in particular, the cantilever can be considered an innovative and bold measure. In this regard, the proposal aligns with the notable character of other key buildings in the area, including Governor Phillip Tower;
- it is key policy position of the CSPA to seek to protect the silhouette of heritage buildings against clear sky. as the roofline of the CSB is currently seen against a backdrop of buildings, this is not relevant to the proposal and sky is not considered overall to make a significant contribution to the visual characteristics of its setting;
- the incorporation of a number of design measures is considered to result in an acceptable visual relationship between the cantilever and the Former Public Works Building. These include:
  - substantial physical setback to Bridge Street;

- alignment with the existing Phillip Street street wall;
- the amount of vertical separation between the cantilever and the top of the Former Public Works Building;
- the staggered form of the underside of the cantilever; and
- the absence of a physical connection between the cantilever and the Former Public Works Building.
- other outcomes, in particular the retention of the cantilever above only the Former Public Works Building, protects the characteristic dominance of the sandstone precinct buildings within the Bridge Street streetscape;
- the proposal will likely be visible from locations in the long range to the east. In this regard, it will have a scale and form that will integrate with the existing prominent eastern tower edge of Central Sydney;
- it is not considered necessary to make fundamental or otherwise large-scale amendments to the proposal in its current form to satisfactorily manage visual impact. It is recommended that the Design Excellence Strategy be implemented as part of the subsequent, separate development application process, and that consideration be given to:
  - integration of signage;
  - integration of services such as waste management, loading zones and mechanical plant;
  - avoidance of placing street furniture such as trees, poles, signs and other elements within the Phillip Street reserve; and
  - line, shape and form, colour and texture in the expression of the eastern elevation to ensure the Chief Secretary's Building can continue to be readily legible as a separate building.

On this basis and subject to the mitigation measures outlined in the document, it is considered that the proposal in its current form has acceptable visual impact and as such can be supported on visual grounds.

## Appendix A. Address of modified SEARS Attachment A – policies, plans and guidelines

Policy, plan or guideline	Addressed
<b>Statutory policies and plans</b>	
Environmental Planning & Assessment Act 1979	<input checked="" type="checkbox"/>
Heritage Act 1977	No
Gaming and Liquor Administration Act 2007	No
Liquor Act 2007	No
Roads Act 1993	No
Water Management Act 2000	No
Work Health and Safety Act 2011	No
State Environmental Planning Policy (State & Regional Development) 2011	No
State Environmental Planning Policy (Infrastructure) 2007	No
State Environmental Planning Policy No.64 – Advertising and Signage	<input checked="" type="checkbox"/>
State Environmental Planning Policy No.55 – Remediation of Land	No
Draft State Environmental Planning Policy (Remediation)	No
State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	No
State Environmental Planning Policy (Coastal Management) 2018	No
Draft State Environmental Planning Policy (Environment)	No
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	No
Sydney Local Environmental Plan 2012	<input type="checkbox"/>
Any exhibited Planning Proposal	<input type="checkbox"/>
Sydney Development Control Plan 2012	<input type="checkbox"/>
Draft City of Sydney Local Strategic Planning Statement	<input type="checkbox"/>
Central Sydney Planning Strategy	<input type="checkbox"/>
Draft National Heritage Listing – Governors' Domain and Civic Precinct	<input type="checkbox"/>
Any relevant Conservation Management Plan	No
<b>Strategic plans</b>	
Future Transport 2056	No

Policy, plan or guideline	Addressed
NSW State Infrastructure Strategy 2018-2038	No
Greater Sydney Region Plan	<input checked="" type="checkbox"/>
Eastern City District Plan	<input checked="" type="checkbox"/>
Sustainable Sydney 2030	No
Sydney Green Grid	No
Sydney City Centre Access Strategy	No
Visitor Economy Industry Action Plan	No
<b>Guidelines</b>	
Draft Environmental Impact Assessment Guidance Series (DPE, 2017)	No
Guide to Traffic Generating Developments (RMS, 2002)	No
Planning guidelines for walking and cycling (DIPNR & RTA, 2004)	No
Managing Land Contamination: Planning Guidelines - SEPP 55 Remediation of Land	No
Austrroads Guide to Traffic Management Part 12: Traffic Impacts of Development	No
City of Sydney Public Art Policy and Guidelines for Public Art in Private Development	No
Healthy Urban Development Checklist 2009	No
The City of Sydney Competitive Design Policy	<input checked="" type="checkbox"/>
Better Placed – an integrated design policy for the built environment of NSW	<input checked="" type="checkbox"/>
Better Placed – Design Guide for Heritage	No
Development near rail corridors and busy roads (Roads and Maritime Services)	No
Guidelines for waste management in new developments	No
Leave Nothing to Waste – City of Sydney Waste Strategy and Action Plan	No
City of Sydney Environmental Action 2016-2021 (Strategy and Action Plan)	No
Making Sydney a Sustainable Destination	No
Public Domain Manual	No
Sydney Streets Design Code	No
Interim Floodplain Management Policy	No
Stormwater and Drainage Manual	No

Policy, plan or guideline	Addressed
Inclusion and Accessible Public Domain Policy and Guidelines	No
Inclusions (Disability) Action Plan 2017-2021	No
Visitor Accommodation Action Plan (Hotels and Serviced Apartments)	No
Tourism Action Plan	No
Urban Ecology Strategic Action Plan	No
Statement of Heritage Impact Guide (OEH)	No
Australian Guidelines for Water Recycling: Managing Health and Environmental Risks (phase 1) 2006	No
Crime Prevention Through Environmental Design Principles	No
NSW and ACT Government Regional Climate Modelling (NARClIM)	No
Design in context: Guidelines for infill development in the Historic Environment (NSW Heritage Office, 2005)	No
Managing Urban Stormwater – Soils & Construction Volume 1 (Landcom, 2004)	No
Interim Construction Noise Guideline (DECC, 2009)	No
Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (EPA, 2005)	No
Floodplain Development Manual (2005)	No
Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW 2010	No
Heritage Division, Office of Environment and Heritage Guidelines Archaeological Assessment (1996)	No
Assessing Significance for Historical Archaeological Sites and Relics (2009)	No
Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (DECCW, 2011)	No
Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010	No
Aboriginal Heritage Management Strategy 2018-2021.	No

## Appendix B. Visual amenity evidence

# VIRTUAL IDEAS

50 Phillip Street, Sydney

Visual Impact Photomontage and Methodology Report

# Visual Impact Photomontage and Methodology Report - 50 Phillip Street, Sydney

## BACKGROUND

This document was prepared by Virtual Ideas and includes a methodology of the processes used to create the visual impact photomontages and illustrate the accuracy of the results.

Virtual Ideas is an architectural visualisation company that is highly experienced at preparing visual impact assessment media to a level of expertise that is suitable for both council submission and use in court. Virtual Ideas is familiar with the court requirements to provide 3D visualisation media that will accurately communicate a proposed development's design and visual impact.

Virtual Ideas' methodology and results have been inspected by various experts in relation to previous visual impact assessment submissions and have always been found to be accurate and acceptable.

## OVERVIEW

The general process of creating accurate photomontage renderings involves the creation of an accurate, real world scale digital 3D model.

We capture site photographs from specified positions on location. The camera positions are surveyed to identify the MGA coordinates at each position. Additional reference points are also surveyed at each camera location to assist in aligning our 3D camera to the real world camera position.

Cameras are then created in the 3D scene to match the locations and height of where the photographs were taken from. The lens data stored in the metadata of the photograph is also referenced for accuracy.

The cameras are then aligned in rotation so that the surveyed points of the 3D model align with the corresponding objects that are visible in the photograph.

A realistic sun and sky lighting system is then created in the 3D scene and matched to the precise time and date of when each photograph was taken.

3D renderings of the indicative new building or envelope are then created from the selected cameras at the exact pixel dimensions and aspect ratio of the original digital photograph.

The 3D renderings are then placed into the digital photography to show the envelope of the proposed building in context.

## DESCRIPTION OF COLLECTED DATA

To create the 3D model and establish accurate reference points for alignment to the photography, a variety of information was collected.

This includes the following:

1) 3D models of proposed building envelope

- Created by: FJMT
- Format: DWG

2) Camera location and alignment point surveyed data (Appendix A)

- Created by: CMS Surveyors
- Format: PDF and DWG files

3) Site Survey (Appendix B)

- Created by: Veris
- Format: PDF and DWG files

4) Site photography

- Created by: Virtual Ideas
- Format: JPEG and CR2 files

## METHODOLOGY

### Site Photography

Site photography was taken from predetermined positions as directed by Ethos Urban. The photographs were taken using a Canon EOS 5DS R digital camera.

The positions of the photographs were surveyed and then plotted onto a survey drawing in DWG format.

### 3D Model

Using the imported surveyed data into our 3D software (3DS Max) as reference, we then imported the supplied 3D model of the indicative building envelope.

### Alignment

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 from. 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 proposed 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 proposed building design of 50 Phillip Street.

Yours sincerely,

Grant Kolln



## CV of Grant Kolln, Director of Virtual Ideas

## Personal Details

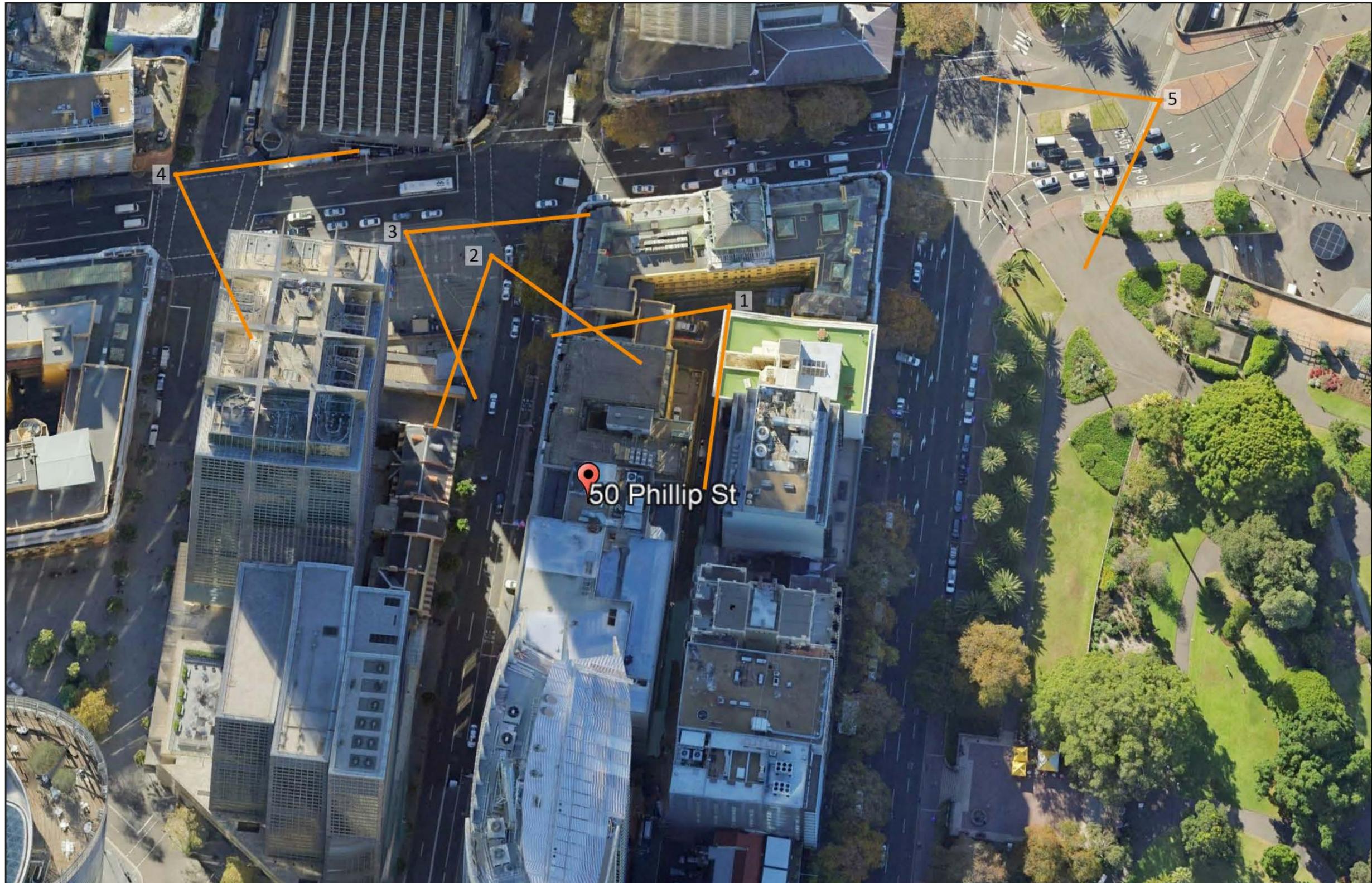
Name: Grant Kolln  
DOB: 07/09/1974  
Company Address: Suite 71, 61 Marlborough St, Surry Hills, NSW, 2010  
Phone Number: 02 8399 0222

## Relevant Experience

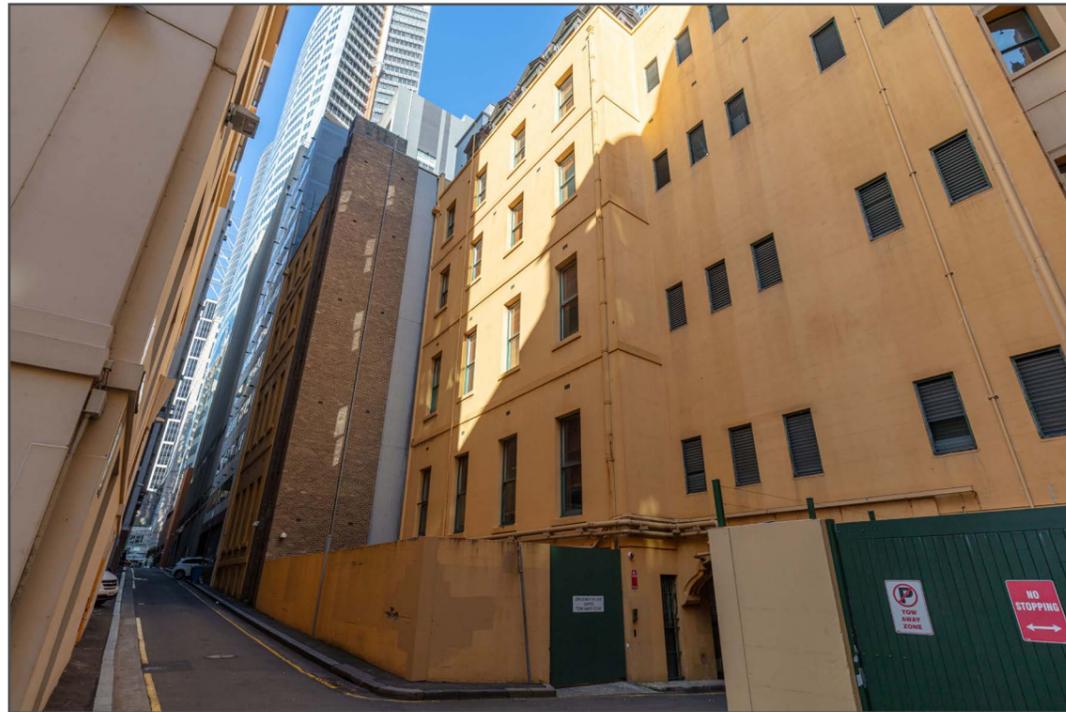
- 2003 - Present Director of 3D visualisation studio Virtual Ideas. During this time, Grant has worked on many visual impact studies for council and planning submission for projects across various different industries including architectural, industrial, mining, landscaping, and several large public works projects. This experience has assisted Grant to develop a highly accurate methodology for the creation of visual impact media and report creation.
- 1999 - 2001 Project Manager for global SAP infrastructure implementation - Ericsson, Sweden
- 1999 - 1999 IT Consultant - Sci-Fi Channel, London
- 1994 - 1999 Architectural Technician, Thomson Adsett Architect, Brisbane QLD.

## Relevant Education / Qualifications

- 1997 Advanced Diploma in Architectural Technology, Southbank TAFE, Brisbane, QLD



Original photograph



Photomontage indicating proposed building



Photograph details

Photo Date

30th July 2020

Camera Used

Canon EOS 5DS R

Camera Lens

EF16-35mm f/4L IS USM

Focal length in 35mm Film

18mm

Original photo indicating surveyed reference points





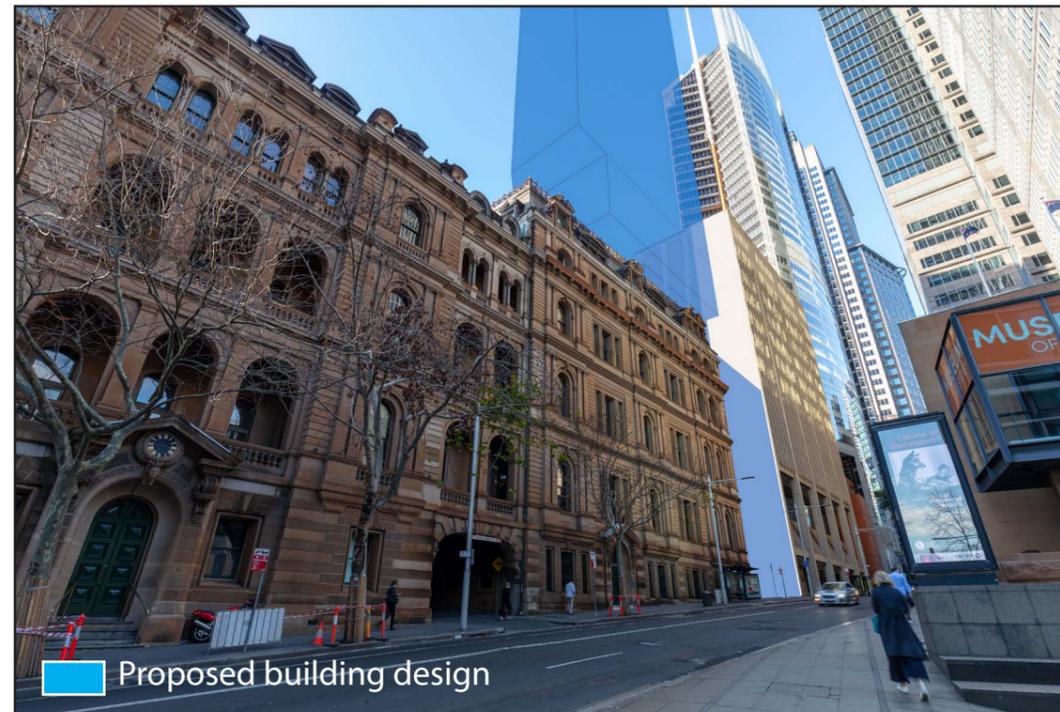




Original photograph



Photomontage indicating proposed building



Photograph details

Photo Date

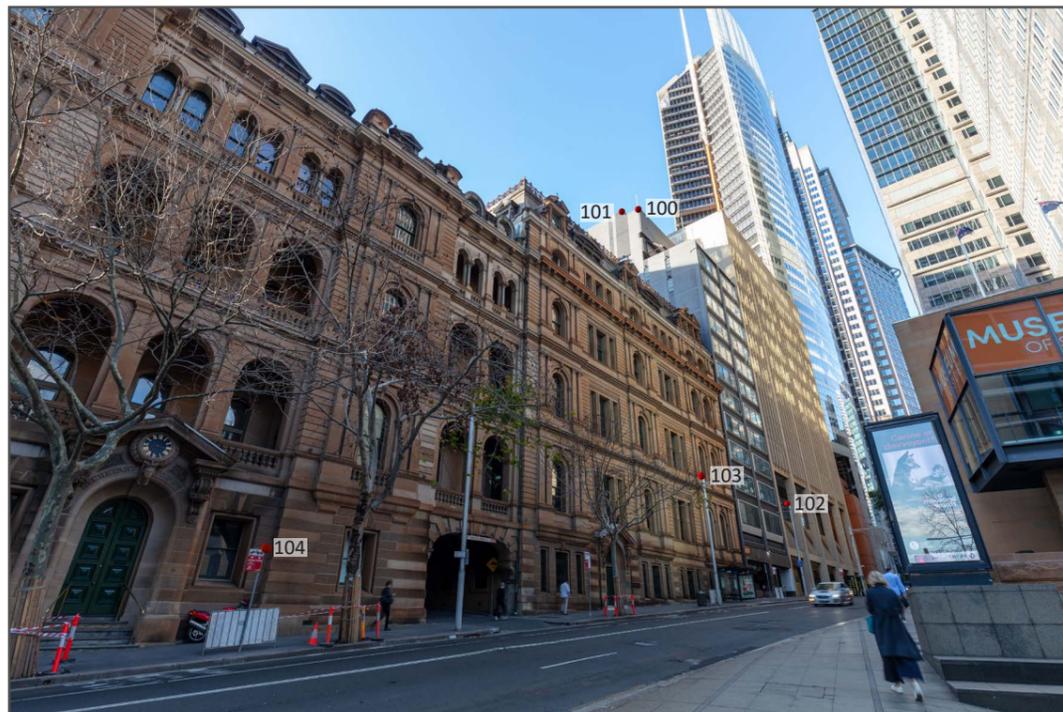
30th July 2020

Camera Used  
Canon EOS 5DS R

Camera Lens  
EF16-35mm f/4L IS USM

Focal length in 35mm Film  
18mm

Original photo indicating surveyed reference points

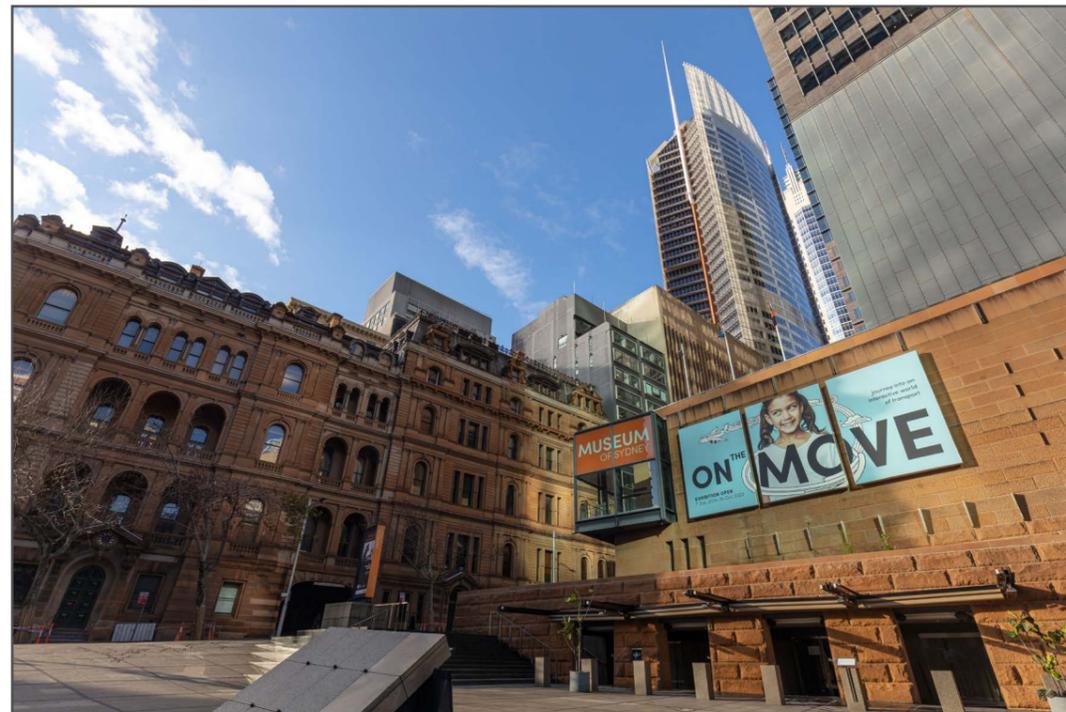




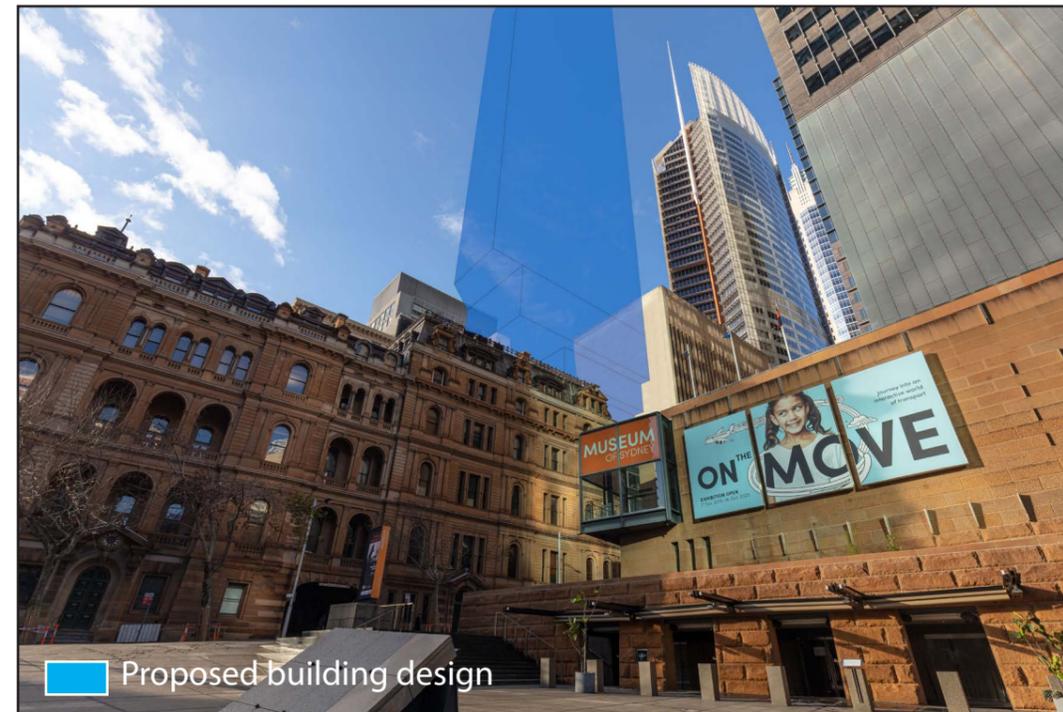




Original photograph



Photomontage indicating proposed building



Photograph details

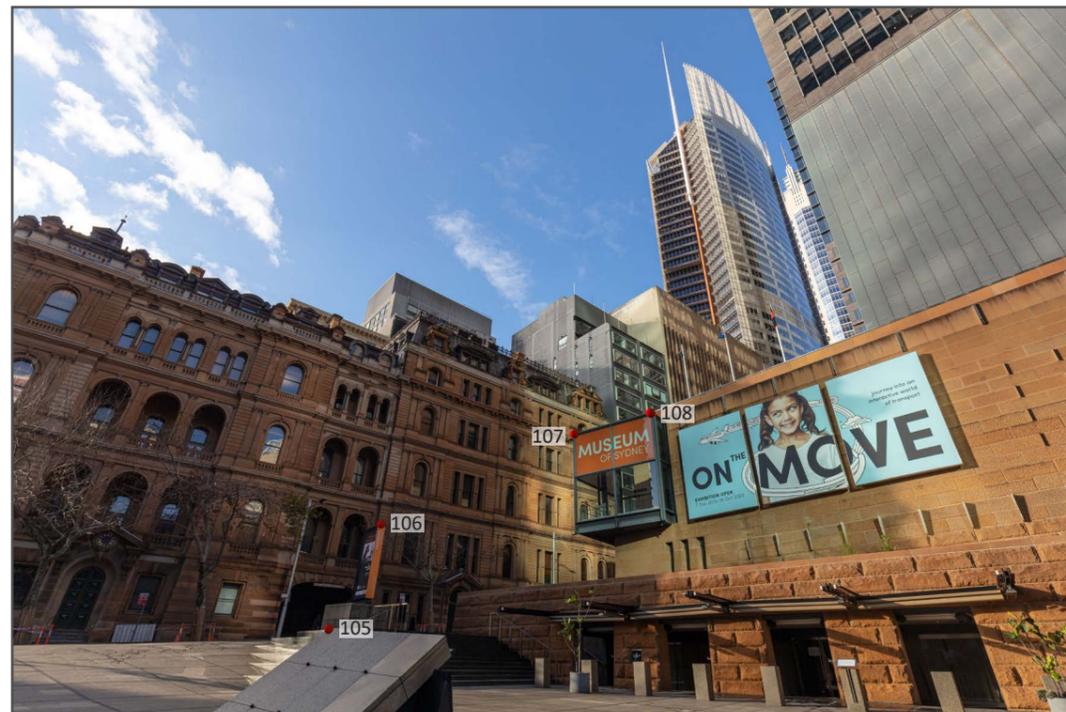
Photo Date  
30th July 2020

Camera Used  
Canon EOS 5DS R

Camera Lens  
EF16-35mm f/4L IS USM

Focal length in 35mm Film  
18mm

Original photo indicating surveyed reference points





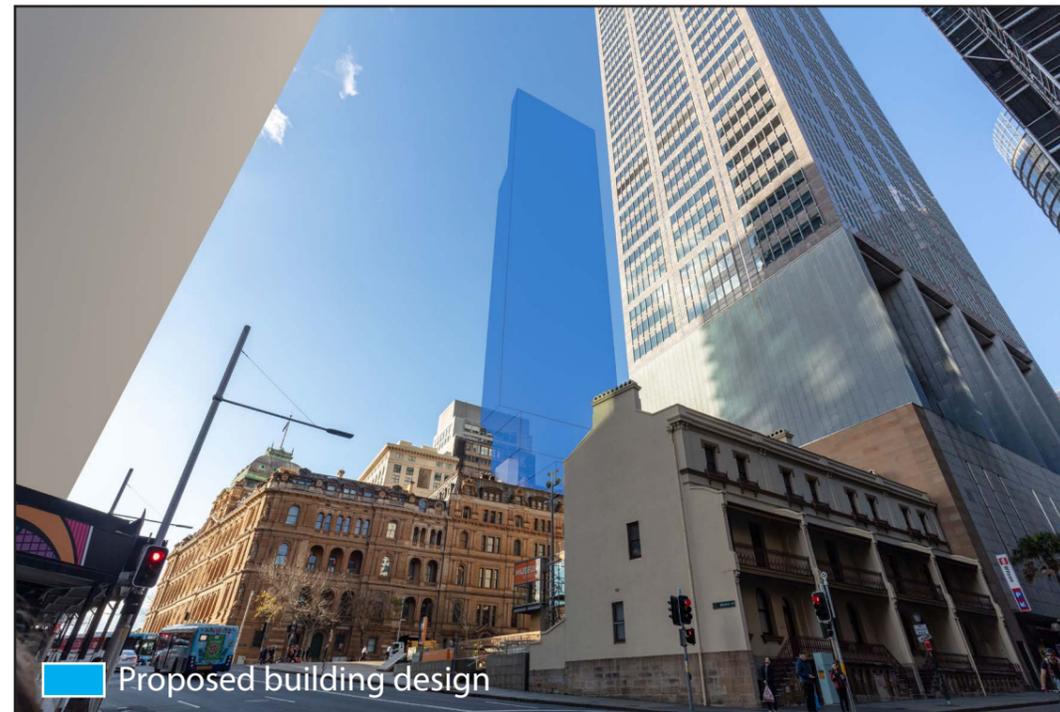




Original photograph



Photomontage indicating proposed building



Photograph details

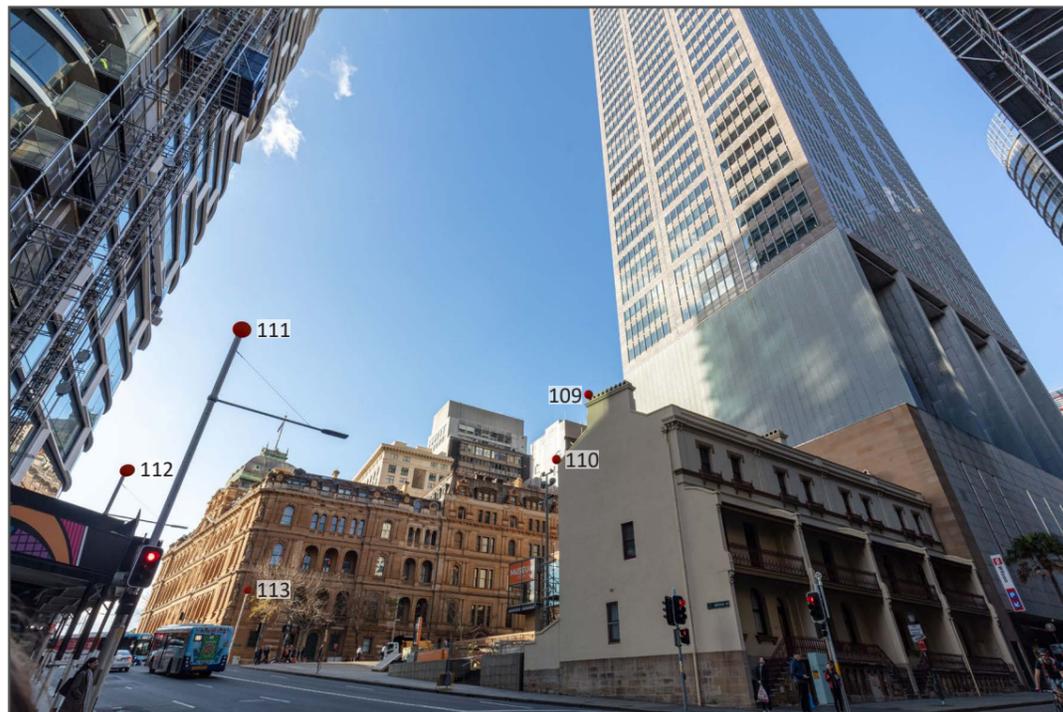
Photo Date  
30th July 2020

Camera Used  
Canon EOS 5DS R

Camera Lens  
EF16-35mm f/4L IS USM

Focal length in 35mm Film  
18mm

Original photo indicating surveyed reference points









Original photograph



Photomontage indicating proposed building



Photograph details

Photo Date  
30th July 2020

Camera Used  
Canon EOS 5DS R

Camera Lens  
EF16-35mm f/4L IS USM

Focal length in 35mm Film  
18mm

Original photo indicating surveyed reference points









## CMS Surveyors Pty Limited

A.B.N. 79 096 240 201  
LAND SURVEYING, PLANNING & DEVELOPMENT CONSULTANTS



Page 1 of 3

Date: 30-07-2020  
Our Ref: 19554 Photo Locations

Studio 71/61 Marlborough Street  
Surry Hills  
NSW 2010

Dear Reena,

As requested, we have attended site and measured the Co-ordinates and Elevation of the photo locations for Phillip & Bridge street Sydney.

Coordinates are MGA zone 56 (GDA 94) and elevation to Australian Height datum (AHD).

Measurements were taken using SCIMS coordinates and theodolite measurements.

DWG of locations has also been supplied.

Point Number	Easting	Northing	Reduced Level (RL)	Photo Point
1	334639.135	6251521.638	22.59	PHOTO1
2	334583.738	6251539.328	18.63	PHOTO2
3	334559.630	6251538.989	16.87	PHOTO3
4	334514.038	6251556.923	13.42	PHOTO4
5	334739.496	6251580.201	21.92	PHOTO5
100	334605.135	6251482.842	75.81	PARAPET
101	334607.960	6251482.535	77.05	PARAPET
102	334593.709	6251476.502	31.90	LIGHT POLE
103	334596.313	6251497.961	30.75	LIGHT POLE
104	334600.188	6251530.391	22.12	SIGN
105	334565.838	6251535.850	18.83	TOP OF WALL
106	334582.513	6251526.024	24.26	SIGN
107	334580.008	6251514.138	32.14	ROOF
108	334574.225	6251513.612	32.14	ROOF
109	334535.919	6251537.006	32.01	CHIMNEY
110	334538.843	6251537.496	28.28	PARAPET
111	334532.576	6251556.888	26.39	LIGHT POLE
112	334556.379	6251559.916	27.83	LIGHT POLE
113	334601.655	6251543.900	28.12	LIGHT POLE
114	334632.943	6251518.110	24.89	TOP OF WALL
115	334633.195	6251511.922	25.15	TOP OF WALL
116	334631.434	6251496.310	25.18	TOP OF WALL



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MBS GREEN & ASSOCIATES  
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Page 2 of 3

Point Number	Easting	Northing	Reduced Level (RL)	Photo Point
117	334627.450	6251512.372	25.14	CORNER OF DOOR
118	334630.581	6251493.362	54.67	PARAPET
119	334671.081	6251514.548	71.29	PARAPET
120	334669.235	6251494.662	71.31	PARAPET
121	334720.696	6251553.414	31.77	LIGHT POLE
122	334676.354	6251574.132	33.52	LIGHT POLE
123	334719.612	6251569.201	31.23	POST

Note: Ground level of camera positions are surveyed. Camera heights to be added if required.



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Page 3 of 3



Yours faithfully,  
CMS Surveyors Pty Limited

Damon Roach

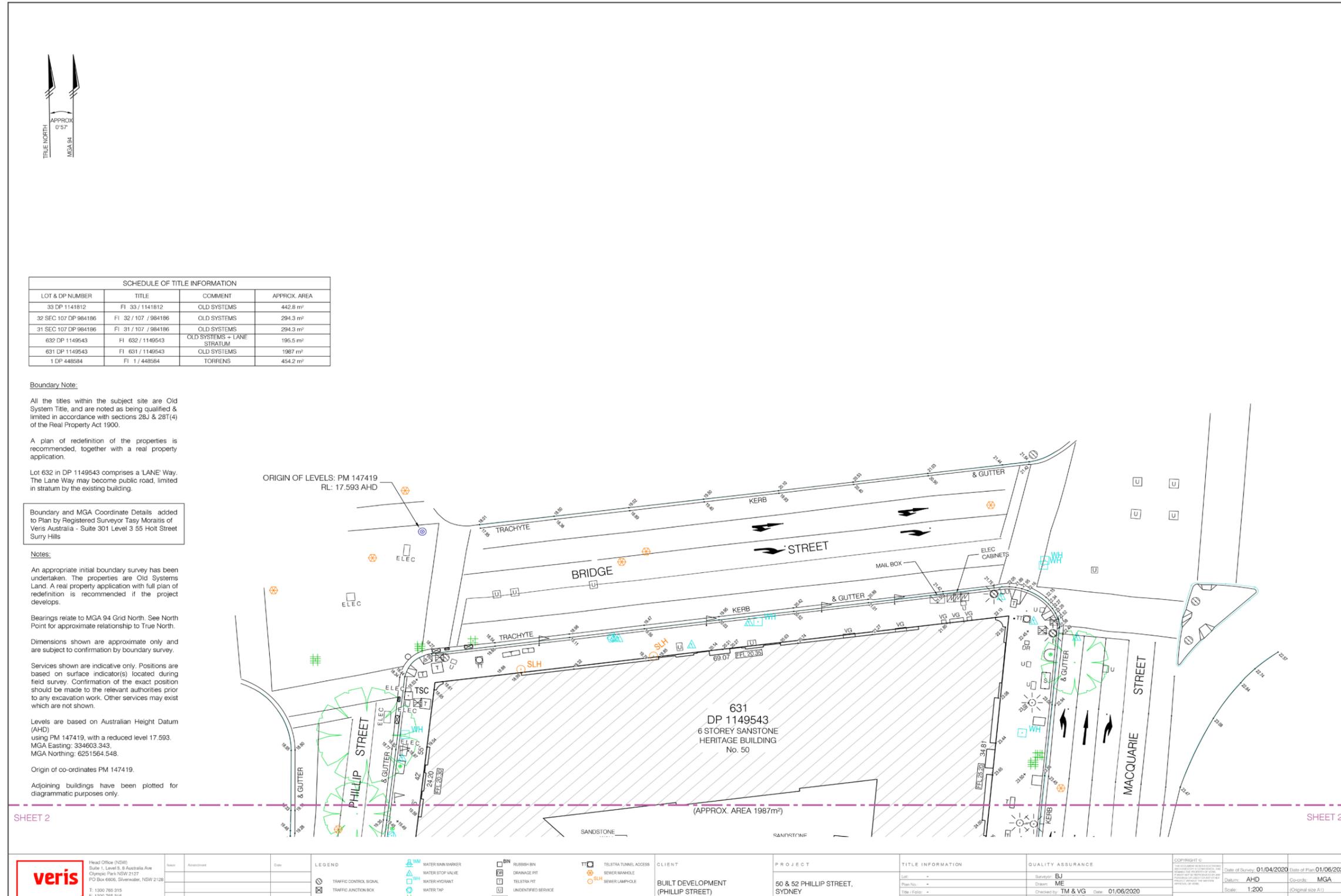


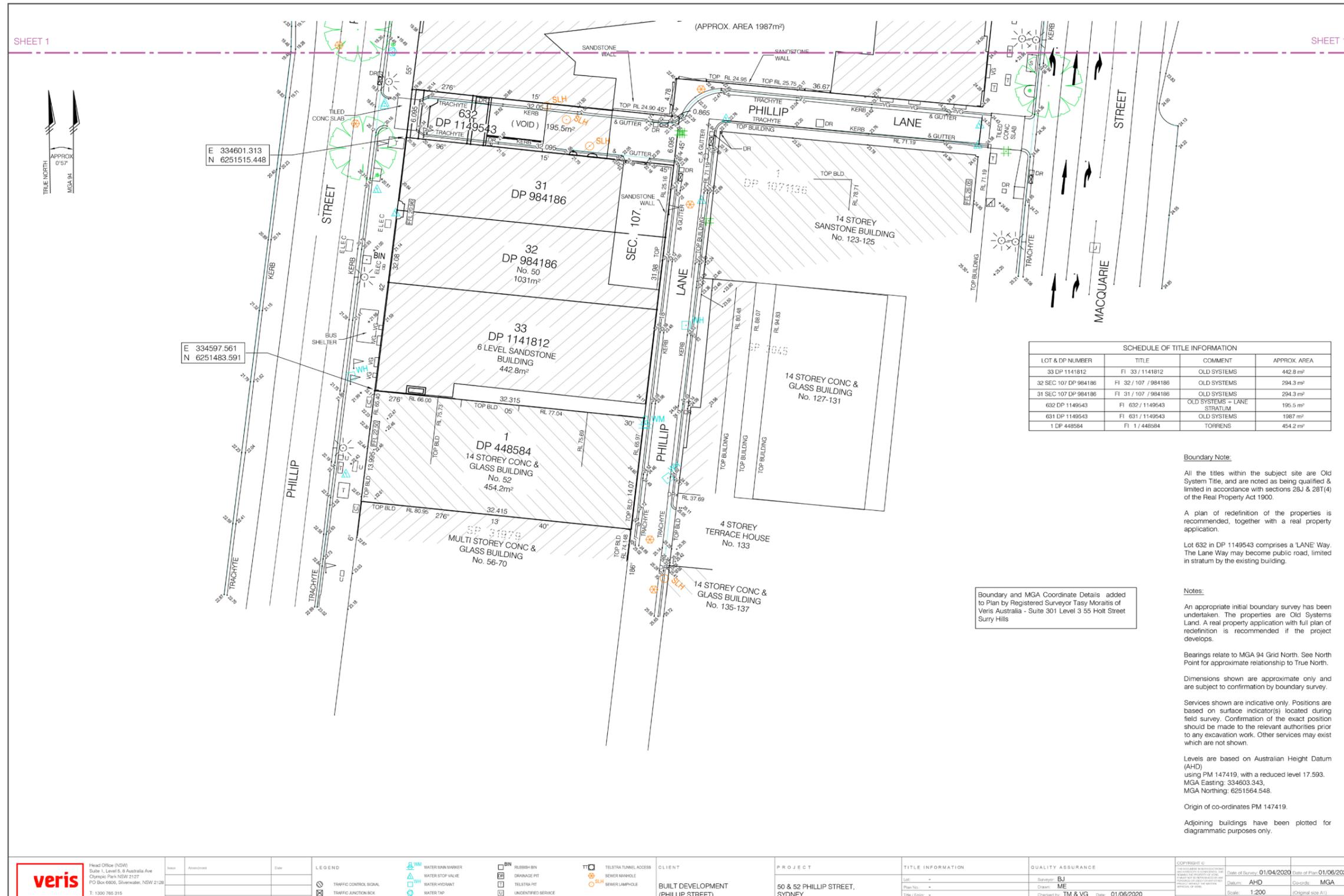
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## DIGITAL CAMERA LENSES FOR PHOTOMONTAGES AND VISUAL IMPACT ASSESSMENTS

The intention of a photomontage rendering is to visually communicate how proposed built form sits in respect to its surroundings. To achieve this, a digitally rendered image from a digital 3D model is superimposed into a digital photograph to provide an accurate representation in terms of light, material, scale, and form.

Camera lens selection also plays an important part in creating a photomontage that communicates visual impact. There are several things to consider with respect to lens selection.

### Field of View of the Human Eye

The field of view of the human eye is a topic that varies depending on the source of information. In many cases, the field of view of the eye is stated to be 17mm. Other opinions claim a smaller field of view of around 22-24mm.

Whichever the case, it is accepted that the human eye has a wide field of view. When a person stands close to a subject - for instance a building - their field of vision can potentially read all of the top, sides and bottom of the building simultaneously in a single glance.

In addition to this, the human eye can change focus and target direction extremely rapidly, allowing a person to view a large structure in a very short period of time, effectively making the perceived field of view even larger.

### The Perspective of the human eye

It is difficult to accurately reproduce what the human eye sees by the means of a printed image. The eye's image sensor - the retina - is curved along the back surface of the eyeball, whereas the sensor on a camera is flat. Consequently, the perspective of a photograph can look quite different to how a person views a scene in the real world, especially when comparing to a photo captured with a wide camera lens.

In digital photography circles, it is widely accepted that using a longer lens (approximately 50mm) reduces the amount of perspective in an image and therefore more closely replicates what the human eye would see in reality. This, however, only addresses how the eye perceives perspective and does not consider the field of view of the eye.

If a photo is taken of a scene using a 50mm camera lens, printed out and then held up in front of the viewer against the actual view at the same location as the photo was taken, it is unmistakable that the human eye can see much more of the surrounding context than is captured within the photo.

## DIGITAL CAMERA LENSES FOR PHOTOMONTAGES AND VISUAL IMPACT ASSESSMENTS

### Changing the field of view on a digital camera

The main difference in using a longer lens vs a wider lens is the amount of information that is displayed at the edges of the subject. Changing the lens to a smaller FOV produces the same result as cropping in on the wide angle image, providing that the position and the angle of the camera remains constant while taking the photographs.

In short, a lens with a wider field of view does not create an image that has incorrect perspective, it simply means that the perspective is extended at the edges of the image showing more of the surrounds in the image.

### Summary

With regards to visual assessment, there is no definitive solution for camera lens selection.

Longer lenses produce images that are more faithful to the perspective of the human eye, though the field of view is more limited, making it difficult to capture the entirety of a subject or enough of the surrounding context in which the subject resides.

Conversely, the perspective of wider camera lenses can make subjects appear further away than they would appear through the perspective of the human eye. This also limits a persons ability to accurately assess visual impact.

For these reasons, Virtual Ideas has taken the view that it is not possible to exactly replicate the real world view of the human eye in an image created with a camera and for visual impact photomontages, camera lenses are selected that strike a balance between these two considerations and can accurately display the built form in its surroundings.

The most effective way to accurately gauge visual impact and achieve a real world understanding of scale, is to take prints of the photomontages to the exact site photography locations and compare the prints with the scale of the existing built form.