

Visual Impact Assessment

Quincy Hotel – 35-55 Harrington Street, The Rocks



'Gura Bulga'

Liz Belanjee Cameron

'Gura Bulga' – translates to Warm Green Country. Representing New South Wales.

By using the green and blue colours to represent NSW, this painting unites the contrasting landscapes. The use of green symbolises tranquillity and health. The colour cyan, a greenish-blue, sparks feelings of calmness and reminds us of the importance of nature, while various shades of blue hues denote emotions of new beginnings and growth. The use of emerald green in this image speaks of place as a fluid moving topography of rhythmical connection, echoed by densely layered patterning and symbolic shapes which project the hypnotic vibrations of the earth, waterways and skies.

Ethos Urban acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture.

We acknowledge the Gadigal people, of the Eora Nation, the Traditional Custodians of the land where this document was prepared, and all peoples and nations from lands affected.

We pay our respects to their Elders past, present and emerging.

Contact

Chris Bain
Director

cbain@ethosurban.com

This document has been prepared by:



Kerryanne Lewis

05/12/2022



Arcangelo Antoniazzi

05/12/2022

This document has been reviewed by:



Chris Bain

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Prepared By

KL, AA

KL, AA

KL, AA

Approved by

CB

CB

CB

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Executive summary

This Visual Impact Assessment (**VIA**) has been prepared by Ethos Urban on behalf of Far East Rocks Organisation (**FEO**) (**the applicant**) in support of a State significant development application (**SSDA**) submitted to the Minister of Planning under Part 4 of the Environmental Planning and Assessment Act 1979 (**EP&A Act**). This SSDA seeks development consent for the detailed design and construction of a new hotel with ancillary retail, through-site links, and associated works (**the proposal**) at 35-55 Harrington Street, The Rocks (**the site**). The SEAR's issued by the Department of Planning and Environment (**DPE**) include requirements relating to view and visual impacts of the proposal. The purpose of this Visual Impact Assessment (**VIA**) is to address these information requirements.

The key question to be answered by the VIA is whether the proposal gives rise to significant, unacceptable visual impacts and/or view loss on the public and private domain.

The methodology used by this VIA is derived from the international standard 'Guidelines for Landscape and Visual Impact Assessment' version 3 (GLVIA3), the NSW Land and Environment Court (LEC) planning principle for 'impact on public domain views' established in *Rose Bay Marina Pty Limited v Woollahra Municipal Council and anor* [2013] NSWLEC 1046 (Rose Bay) and for 'Views - general principles' established in *Tenacity Consulting v Warringah* [2004] NSWLEC 140. To form the evidence base for this VIA, photomontages were prepared in accordance with the LEC photomontage policy for a number of viewpoints in the nearby public and private domain.

Significance of visual impact is determined through analysis of photomontages considering the factors of sensitivity and magnitude. This analysis found that:

- The sensitivity of the selected public domain viewpoints range from low to high, depending on the number/type of visual receptors, the presence of important social and cultural elements in some views, and the visual characteristics of the views.
- The scale of visual change ranges from low to moderate, with closer-range views generally being subject to more visual change than those at longer range where the proposed new building generally appears to blend in with the surrounding buildings.
- When considering the factors of view sensitivity and magnitude of visual change, the overall scale of visual impact from the selected public domain viewpoints ranges from negligible to moderate. To minimise the perceived bulk of the proposal, a pitched roof form, modulated facades, upper-level setbacks to Argyle Street and curvature to the Argyle and Harrington Street corner have been incorporated into the detailed design of the building. The detailed design of proposed new building on the site is considered to generally sit comfortably within the context of the existing buildings.
- The proposed building envelope, when compared to the existing SCRA envelope, will present a more uniform built form that is less visually prominent (due to removal of the tower element) and will generally result in a similar level of view loss, or less, to iconic elements in the landscape, such as water elements, the Sydney Opera House and the Sydney Harbour Bridge.
- In terms of view loss, the proposed building envelope and detailed building design will not cause significant loss of iconic landscape views, such as to the Sydney Opera House or the Harbour Bridge. Furthermore, it will continue to sit comfortably within the established built form context of The Rocks from longer range views, and the visual characteristics of The Rocks can continue to be seen from the Opera House forecourt. This includes the sloping landform, varied and tiered built form, crowning by the Observatory Hill tree lines and the Bradfield Highway.
- Additionally, key views from Observatory Hill to Macquarie Lighthouse, Vaucluse, and Fort Denison are not obstructed.
- The proposal remains consistent with the broader strategic and statutory planning framework.

In respect of view loss for the selected private domain viewpoints, on the qualitative Tenacity scale, view loss ranges from minor to moderate. The only private domain viewpoint which has been given a moderate ranking for view loss is the upper-level balcony of the southern terrace building at 46 Gloucester Street. The reason for this is that a partially obscured view of the Sydney Harbour Bridge is obtained from this viewpoint, and the proposal will result in loss of visibility of the harbour bridge in this view.

While the proposal will be visible from other private domain viewpoints, it will generally blend in with the existing established built form context and will not result in view loss to any significant or iconic elements.

It is the key finding of this VIA that the proposal does not give rise to significant, unacceptable visual impacts on the public or private domain. On this basis, the conclusion of this VIA is that the proposal can be supported on the grounds of visual impact on the public and private domain appropriate to this stage of the planning process.

Glossary

Abbreviations

Term	Meaning
CoS	City of Sydney
CSPF	Central Sydney planning framework
DCP	Development control plan
DPE	NSW Department of Planning and Environment
EIS	Environmental impact statement
EP&A Act	Environmental Planning and Assessment Act 1979
GBA	Gross floor area
GLA	Gross lettable area
GLVIA3	Guidelines for Landscape and Visual Impact Assessment (third edition)
LCA	Landscape character area
LEC	NSW Land and Environment Court
LEP	Local environmental plan
PMNSW	Place Management NSW
RL	Reduced level
Rose Bay	Rose Bay Marina Pty Limited v Woollahra Municipal Council and anor [2013] NSWLEC 1046
SDCP2012	Sydney Development Control Plan 2012
SDRP	State design review panel
SEAR	Planning Secretary's Environmental Assessment Requirements
SHB	Sydney Harbour Bridge
SLEP2012	Sydney Local Environmental Plan 2012
SOH	Sydney Opera House
SSDA	State significant development application
Tenacity	Tenacity Consulting v Waringah [2004] NSWLEC 140
VIA	Visual impact assessment

Key terms

Term	Meaning	Source
Characteristics	means elements, or combinations of elements, which make a contribution to distinctive landscape character	GLVIA3
Element	means individual parts which make up the landscape, such as, for example, trees, hedges and buildings	GLVIA3
Feature	means 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
Impact on views overall	means balanced consideration of all views. In some cases, weighting may be considered. For example, while impact on most views may be considered acceptable, a significant, unacceptable visual impact on a particularly important view may be grounds for refusal. However, it is expected that this will occur very rarely.	Ethos Urban
Landscape	means 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
Landscape character	means a distinct, recognisable and consistent pattern of elements in the landscape that makes one landscape different from another, rather than better or worse	GLVIA3
Landscape character area	means a single unique area which is the discrete geographical areas of a particular landscape type	GLVIA3

Term	Meaning	Source
Landscape character type	means 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 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	GLVIA3
Magnitude	means 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
Sensitivity	means 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
Significant	means at least a considerable magnitude of change occurring to an at least high sensitivity view	GLVIA3
Townscape	means the character and composition of the built environment including the buildings and the relationships between them, the different types of urban open space, including green spaces, and the relationship between buildings and open spaces	GLVIA3
Unacceptable	means an outcome that satisfies all three of the following conditions: inconsistent with the intent of a planning provision, considering aims, objective or similar qualitative statement of a desired outcome where there is insufficient environmental planning ground to justify that inconsistency, having regard to relevant matters such as the public interest, environmental outcomes, social outcomes and economic outcomes where reasonable and relevant conditions of consent are unlikely to satisfactorily mitigate this impact	Ethos Urban (informed by DPE)
Visual amenity	means 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
Visual impact	means impact on specific views and on the general visual amenity experienced by people	GLVIA3
Visual receptors	means individuals and/or defined groups of people who have the potential to be affected by a proposal	GLVIA3

1.0 Introduction

This Visual Impact Assessment (**VIA**) has been prepared by Ethos Urban on behalf of Far East Rocks Organisation (**FEO**) (**the applicant**) in support of a State significant development application (**SSDA**) submitted to the Minister of Planning under Part 4 of the Environmental Planning and Assessment Act 1979 (**EP&A Act**). This SSDA seeks development consent for the detailed design and construction of a new hotel with ancillary retail, through-site links, and associated works (**the proposal**) at 35-55 Harrington Street, The Rocks (**the site**).

The site is legally described as Lot 1 in Deposited Plan 775889. The site comprises the following buildings:

- The 'Clocktower building' at 35-55 Harrington Street (to which this SSDA predominately relates); and
- The existing Rendezvous Hotel at 75 Harrington Street.

The project has been declared as a State significant development (**SSD**) pursuant to Section 4.36(2) of the EP&A Act. In accordance with Schedule 2, Clause 6 of the State Environmental Planning Policy (Planning Systems) 2021 (**Planning Systems SEPP**), the project is declared SSD for the reason that it is development on land within The Rocks Site and it has a capital investment value (**CIV**) of more than \$10 million.

This SSDA seeks approval for the redevelopment of the existing building to facilitate the change of use of an existing building to new hotel accommodation. Specifically, the proposed development involves:

- Demolition of the existing mixed use building (referred as the 'Clocktower' building) and site features;
- Construction of a new eight (8) storey hotel accommodation building comprising:
 - Two (2) levels of retail and commercial land uses at the ground level and first floor level
 - Five (5) levels of hotel accommodation, providing a total of 206 hotel rooms
 - One (1) level of roof-top space
- Establishment of new publicly accessible through-site links;
- Alterations to the existing basement car park to upgrade to contemporary code compliance;
- Public domain improvements, including three (3) new public spaces, landscaping, and paving; and
- Ancillary works, including site services.

Note. The proposed new hotel accommodation to which this SSDA relates will eventually connect with the existing Rendezvous Hotel which adjoins the subject site to the south (75 Harrington Street). This future connection will be facilitated by specific refurbishment works to the existing Rendezvous Hotel, consent for which will be sought via a separate approval(s).

Note. Vehicular access to the 'Clocktower building' is provided via an access point at 75 Harrington Street.

This VIA addresses the specific project requirements provided in the Secretary's Environmental Assessment Requirements (**SEARs**) issued by Department of Planning and Environment (**DPE**) on 14 December 2021 (DPE reference: SSD-32766230).

1.1 Purpose and scope

The purpose of the VIA is to address the Planning Secretary's Environmental Assessment Requirements (**SEARs**) issued by the Department of Planning and Environment (**DPE**) on 14 December 2021 relating to visual impact. These SEARs are identified in **Table 1**.

Table 1 – SEARs relating to visual impact on the public domain

Issue	Assessment requirement	Documentation
1: Statutory Context	• Address all relevant legislation, environmental planning instruments (EPIs) (including drafts), plans, policies and guidelines • Identify compliance with applicable development standards and provide a detailed justification for any non-compliances	Visual Impact Assessment
5: Environmental amenity	Assess amenity impacts on the surrounding locality, including visual amenity, view loss and view sharing	View Analysis

Issue	Assessment requirement	Documentation
6: Visual impact	- Provide a visual analysis of the development from key viewpoints, including photomontages or perspectives showing the proposed and likely future development - Where the visual analysis has identified potential for significant visual impact, provide a visual impact assessment that addresses the impacts of the development on the existing catchment	- Visual Analysis - Visual Impact Assessment

1.2 Limitations and exclusions

1.2.1 Limitations

The following limitations apply to this VIA:

- while photomontages provide an indication of the 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.

1.2.2 Exclusions

The following exclusions apply to this VIA:

- consideration of night-time impact (including lighting) is excluded;
- detailed consideration of heritage impact is excluded. Refer to the Heritage Report prepared by Urbis and dated February 2022 that is provided with the EIS for address of this matter;
- consideration of impact on Aboriginal cultural heritage values associations (including connecting with Country) is excluded. This is only appropriately undertaken by a member or qualified representative of the Aboriginal community;
- consideration of the draft State Environmental Planning Policy Design and Place is excluded by virtue of DPE advice precluding its current application to DA contexts.

1.3 Structure

- Section 1 - Introduction:** identifies the purpose, structure, assumptions and limitations of this VIA
- Section 2 - Methodology:** outlines the methodology used
- Section 3 - The site and its context:** provides an overview of the site and its adjoining and wider context
- Section 4 – Relevant planning decisions:** provides an overview of relevant planning decisions for redevelopment proposals in The Rocks
- Section 5 - The proposal:** describes the proposal
- Section 6 – The planning framework:** identifies the parts of the planning framework against which visual impact is to be assessed
- Section 7 - Visual impact assessment – public domain views:** identifies the key visual impacts of the proposal and undertakes an assessment of visual impact against the factors of sensitivity to the nature of change proposed and the magnitude of the change to identify significant visual impacts
- Section 8 - Visual impact assessment – private views:** identifies the key visual impacts of the proposal and undertakes an assessment of view loss against *Tenacity Consulting v Waringah* [2004] NSWLEC 140 (Tenacity)
- Section 9 - Assessment against planning framework:** considers visual impact and view loss against the planning framework
- Section 10 - Mitigation measures:** recommends mitigation measures to address visual impact
- Section 11 – Key assessment issues:** outlines the key issues that have been assessed in this VIA.
- Section 12 – Key findings:** outlines the key findings of this VIA
- Section 13 - Conclusion:** identifies whether the proposal can be supported on overall visual impact grounds.

2.0 Methodology

2.1 The purpose of VIA

The purpose of VIA is to identify whether the proposal results in a significant, unacceptable visual impact, considering impact on views overall.

Consideration of visual impact is inherently subjective, and involves professional value judgements. As noted by the Land and Environment Court of New South Wales (the LEC) in *Rose Bay Marina Pty Limited v Woollahra Municipal Council* and anor [2013] NSWLEC 1046 (**Rose Bay**), the key to addressing this challenge is to adopt a rigorous methodology.

For impact on views obtained from the public domain, the methodology used by this VIA is derived from the international standard 'Guidelines for Landscape and Visual Impact Assessment' version 3 (**GLVIA3**), the NSW Land and Environment Court (**LEC**) planning principle for 'impact on public domain views' established in *Rose Bay Marina Pty Limited v Woollahra Municipal Council* and anor [2013] NSWLEC 1046 (Rose Bay). Consideration has also been given where relevant to other VIA documents listed in **Appendix B**.

For impact on views obtained from the private domain, the methodology used by this VIA is consistent with 'Views - general principles' established in *Tenacity Consulting v Waringah* [2004] NSWLEC 140.

2.2 Three key stages

Under this methodology, VIA is undertaken in three (3) main stages:

1. preparation of the evidence base
2. identification, description and assessment of visual impact
3. assessment of visual impact against relevant matters in the planning framework.

2.3 Preparation of the evidence base

For public views, the evidence base is undertaken in accordance with the LEC photomontage policy. This involves surveying, photography and software-based modelling.

Consistent with this policy, the evidence base comprises:

- a photograph of the existing view from the viewpoint; and
- a photomontage illustrating the potential future view from the viewpoint should the proposal be approved, which may include any appropriate reference points such as an approved planning envelope.

Due to access limitations associated with COVID-19, photomontages are replaced by representation in an accurate, surveyed 3D city model where required.

2.4 Analysis of the evidence base

For public views, the evidence base is analysed against three (3) main considerations:

1. **sensitivity:** of the view to the nature of change proposed
2. **magnitude:** of the nature of change proposed
3. **significance:** of the nature of change proposed factoring in sensitivity and magnitude.

Each of these considerations includes address of a number of sub-matters. Figure 1 summarises the process.

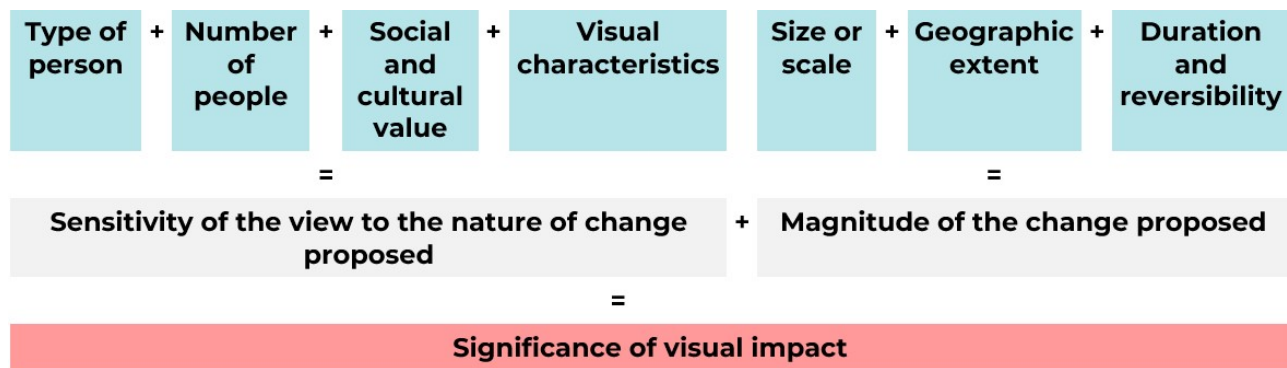


Figure 1 – Outline of analysis process

Source: Ethos Urban

2.4.1 Sensitivity

Sensitivity is measured based on consideration of:

- 1. number of people:** how many people are ordinarily exposed to the view
- 2. type of people:** the predominant type/s of people, such as workers, visitors and travellers, ordinarily exposed to the view
- 3. social and cultural value:** whether and if so, how, the view is recognised in any planning instrument
- 4. visual characteristics:** elements and features seen in composition (i.e., foreground, midground, background and backdrop).

These factors are then combined together to provide a ranking of sensitivity based on a five (5) point verbal scale:

1. Negligible
2. Low
3. Medium
4. High
5. Exceptional.

Table 2 shows how these factors derive this ranking.

Table 2 – Sensitivity

Sensitivity ranking	Description			
	Number and type		Social and cultural	Visual
Negligible	Number:	Low	Low social or cultural value	No discernible, valuable visual characteristics
	Type:	level of interest in the view		
Low	Number:	Low, medium or high	Low social or cultural value	Low level of discernible, valuable visual characteristics
	Type:	Low level of interest in the view		
Medium	Number:	Medium level of interest in the view	Medium social or cultural value	Medium level of discernible, valuable visual characteristics
	Type:	Low level of interest in the view		
High	Number:	High	High social or cultural value	High level of discernible, valuable visual characteristics
	Type:	High level of interest in the view		
Exceptional	As per high sensitivity		As per high sensitivity	As per high sensitivity, with the addition of where the view does not contain visible development of the nature proposed

2.4.2 Number of people

Table 3 provides a general overview of how the ranking for number of people is determined.

Table 3 – Number of people

Sensitivity ranking	Description	Number (based on City of Sydney walking counts)
Negligible and low	Low number of people	Less than 5,000 per day on average
Medium	Medium number of people	5,000 – less than 15,000 per day on average
High	High number of people	15,000 or greater per day on average

2.4.3 Type of people

Table 4 provides a general overview of how the ranking for type of people is determined.

Table 4 – Type of people determined

Sensitivity ranking	Description	Predominant type of person
Negligible and low	Low level of interest in the view	• People at their place of work • People engaged in active outdoor sport or recreation • Visitors to facilities or services (eg, shops, offices) for convenience or day to day reasons • Travellers on road, rail or other transport routes
Medium	Medium level of interest in the view	• Visitors to facilities or services (e.g., cafes) for lifestyle reasons • Travellers on road, rail or other transport routes where passing through an area of noteworthy scenic amenity
High	High level of interest in the view	• Communities where views contribute to the landscape setting enjoyed by residents in the area (GLVIA3) • People, whether residents or visitors, who are engaged in active or passive outdoor recreation whose attention or interest is likely to be focused on the landscape and on particular views (GVIA3) • Visitors to heritage assets, or to other attractions, where views of the surroundings are an important contributor to the experience (GLVIA3) • Travellers on a designated scenic road, rail or other transport route

2.4.4 Social and cultural value

Table 4 provides a general overview of how the ranking for social and cultural value is determined.

Table 5 – Social and cultural value

Sensitivity ranking	Description	Detail
Negligible and low	Low social or cultural value	• No heritage or iconic feature
Medium	Medium social or cultural value	• Local heritage item or heritage conservation area
High	High social or cultural value	• State, national or world heritage item or heritage conservation area, iconic built or natural landscape feature

2.4.5 Visual characteristics

Table 6 provides a general overview of how the ranking for visual characteristics is determined.

Table 6 – Visual characteristics

Sensitivity ranking	Description	Detail
Negligible and low	No discernible, valuable visual characteristics	• Absence or valuable features • Poorly defined foreground, midground and background • Indistinct or unattractive formal aesthetic composition or perceptual aspects
Medium	Medium discernible, valuable visual characteristics	• Restricted visibility of features identified as having high sensitivity, either through distance or occlusion by intervening element between the viewer and feature • Presence of other valuable features such as a land / water interface or CBD skyline, or a rare, representative, intact and attractive built or natural landscape feature (eg, streetscape) • Well defined foreground, midground and background • Distinct and attractive formal aesthetic composition or perceptual aspects

Sensitivity ranking	Description	Detail
High	High discernible, valuable visual characteristics	• A dominance and unrestricted visibility of features identified as having high sensitivity, often in the form of a panorama or focal view • Valuable features centred in field of view • Well defined foreground, midground and background • Distinct and attractive formal aesthetic composition or perceptual aspects

2.4.6 Magnitude

Magnitude is measured based on consideration of:

- size or scale
- geographical extent of the area influenced
- duration and reversibility.

Size or scale

Size or scale involves consideration of:

- the scale of the change in the view with respect to the loss or addition of features in the view and changes in its composition, including the proportion of the view occupied by the proposed development
- the degree of contrast or integration of any new features or changes in the landscape with the existing or remaining landscape elements and characteristics in terms of form, scale and mass, line, height, colour and texture
- the nature of the view of the proposed development, in terms of the relative amount of time over which it will be experienced and whether views will be full, partial or glimpses.

In general, large-scale changes which introduce new, non-characteristic or discordant or intrusive elements into the view are more likely to be placed in the major category (GLVIA3).

Geographical extent of the area influenced

Geographical extent of the area influenced involves consideration of:

- the angle of view in relation to the main activity of the receptor;
- the distance of the viewpoint from the proposed development; and
- the extent of the area over which the changes would be visible.

Duration and reversibility

Duration and reversibility involve consideration of whether the proposal is:

1. ongoing and irreversible.
2. ongoing and capable of being reversed.
3. limited life (5 – 10 years).
4. limited life (< 5 years).

It is important to note that whether a proposal can be considered to be ongoing and irreversible or ongoing capable of being reversed is relative and specific to the circumstances of the development. For example, a new development can be considered ongoing and capable of being reversed if the land remains under single ownership and is then reconfigured over time.

These factors are then combined together to provide a ranking of magnitude based on a five (5) point verbal scale:

1. major
2. moderate
3. minor
4. insignificant

5. imperceptible.

Table 7 shows how these factors derive this ranking.

Table 7 – Factors of magnitude

		Duration and / or reversibility			
		Ongoing and irreversible	Ongoing capable of being reversed	Limited life (5 – 10 years)	Limited life (< 5 years)
Scale of change and geographical extent of the area influenced	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	Noticeable	Noticeable	Perceptible
	Minor change over a restricted area or Insignificant change	Perceptible	Perceptible	Perceptible	Imperceptible
	Imperceptible change	Imperceptible	Imperceptible	Imperceptible	Imperceptible

2.5 Significance

Significance of visual impact is determined by combining judgements about sensitivity and magnitude (refer to **Table 8**).

The categories of significance are as follows:

1. major
2. high
3. moderate
4. low
5. negligible.

The GLVIA3 provides the following guidance for judgements about significance:

- “There are no hard and fast rules about what makes a significant effect, and there cannot be a standard approach since circumstances vary with the location and context and with the type of proposal. In making a judgement about the significance of visual effects the following points should be noted:
 - effects on people who are particularly sensitive to changes in views and visual amenity are more likely to be significant
 - effects on people at recognised and important viewpoints or from recognised scenic routes are more likely to be significant
 - large-scale changes which introduce new, non-characteristic or discordant or intrusive elements into the view are more likely to be significant than small changes or changes involving features already present within the view”.

It should be noted that determination of significance does not automatically mean that the impact is unacceptable. Rather, subsequent consideration is required to be made of relevant parts of the applicable planning framework.

Table 8 – Factors of significance

		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

For private views, consideration is made against Tenacity.

2.6 Assessment of visual impact against relevant matters in the planning framework

For public views, to reduce its inherently subjective nature, assessment of visual impact is made only against relevant matters in the planning framework. In particular this includes applicable environmental planning instruments. For private views, assessment is made against Tenacity.

3.0 The site and context

3.1 Location

The site is located at 35-55 Harrington Street, The Rocks and is legally described as Lot 1 in Deposited Plan 775889. **Figure X** identifies the context of the site. It is located in the City of Sydney local government area (**LGA**).

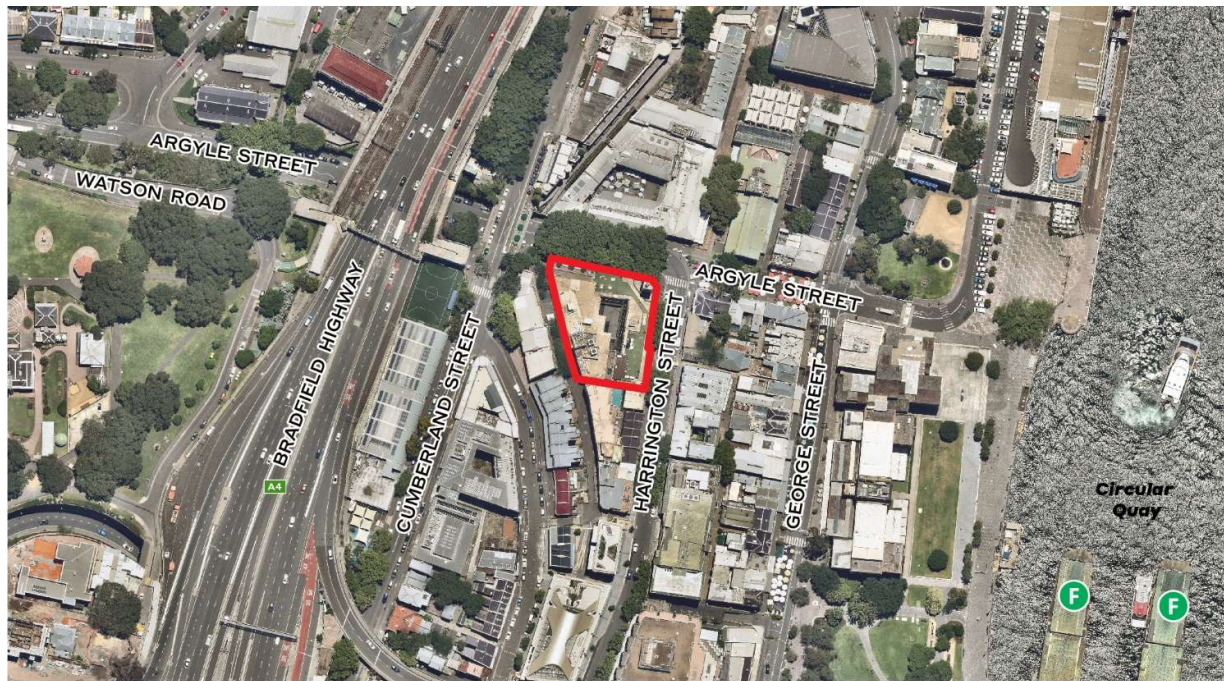


Figure 2 – Site context

Source: Ethos Urban and NearMaps'

3.2 Site description

The site has an area of 2,350 square metres and is trapezoidal in shape, having frontage of approximately 50m to Harrington Street, approximately 50m to Argyle Street, approximately 55m to Cambridge Street and approximately 28m to its southern boundary.



 The Site

 NOT TO SCALE

Figure 3 – Site aerial

Source: Ethos Urban and NearMaps

3.2.1 Land use and built form

The site is occupied by a seven (7) storey mixed use building comprising 2,195 square metres of retail premises over two (2) storeys (ground and first storeys) and 5,614 square metres of office premises over five (5) storeys. 138 car parking spaces are provided over two (2) basement levels (beneath the building and the adjacent Rendezvous Hotel).

The building was completed in 1989.

The building has a perimeter block form, being built to each of its street alignments and southern boundary. The centre of the building is an open to the sky courtyard. Due to the lack of gradient change in this location, the Harrington Street frontage has a consistent 4 storey height. Conversely, due to its slope, the Argyle Street frontage is 3 storeys at its eastern end and 4 storeys at its western end. The Cambridge Street frontage is 4-5 storeys. Its form along the northern end of Cambridge Street steps down in response to slope.

The clocktower structure at its Argyle Street and Harrington Street corner is a distinct departure from its generally restrained form and style, is visually prominent and a landmark in The Rocks. The clocktower structure marks the entrance to the retail part of the building, which comprises an internally focussed food-court with a 2 storey void above and a mezzanine level.



Figure 4: Argyle Street elevation

Source: FJMT Studio

3.2.2 Topography

The site rises by approximately three (3) storeys from the lowest point in the northeast corner of the Argyle Street and Harrington Street intersection to the southwest corner of Cambridge Street (FJMT, 2022).

3.2.3 Trees and vegetation

Largely due to its near complete site coverage, the site does not support any significant trees or other vegetation.

However, the adjoining section of Argyle Street contains a visually significant canopy of tall, spreading London Plane Trees that provide continuous canopy coverage.

3.2.4 Site access

The main pedestrian access to the site is obtained from the north-east corner of the Argyle Street and Harrington Street intersection at the clocktower structure.

A secondary pedestrian access is provided from Harrington Street at the southern end of the site. While connecting through the site to Cambridge Street, through pedestrian movement is precluded by a locked gate.

Access to office tenancies are obtained from both Argyle Street and Harrington Street. Vehicle access to basement parking is obtained from the corner of Argyle Street and Cambridge Street.

3.3 Adjoining and surrounding land

3.3.1 Argyle Street

The northern boundary of the site is formed by Argyle Street.

Together with George Street, Argyle Street is one of the main streets in The Rocks. It is notable as being the only street that traverses the entirety of The Rocks in an east-west connection, connecting Sydney Cove / Warrane in the east through the natural sandstone topography and under the Sydney Harbour Bridge via 'The Cut' to Millers Point in the west.

In this location, Argyle Street is a two-way street, comprising one travel lane in each direction, with parallel carparking on either side. Bitumen paved footpaths are located on either side.

East of Harrington Street Argyle Street is pedestrianised, supporting informal outdoor dining associated with adjoining food and beverage premises.

As already noted, between Harrington Street and The Cut, Argyle Street supports a formal row of tall, spreading, mature London Plane trees that form a continuous canopy across the street.

The Argyle Stores

The northern side of Argyle Street opposite the site is occupied by the State heritage listed Argyle Stores. The Argyle Stores is a 'simple Georgian sandstone building' of 2 – 3 storeys in height built to the Argyle Street alignment. Its long, simple, continuous facade, including a notable repetitive pattern of vertically oriented windows and simple hipped roof forms, creates a strong street wall to Argyle Street. Its statement of significance notes that 'the size, scale, and prominent position of Argyle Stores in views from Argyle Street and Gloucester Walk make the complex an outstanding landmark in the streetscape and visual character of The Rocks precinct.

Streetscape

In this location, the Argyle Street streetscape is visually dominated by Clocktower Square on the southern side and the Stores on the northern side. The clocktower is visually prominent, and inconsistent with the general tenor of the streetscape due to its tall, slender form and clear modern construction. In addition, unlike Central Sydney, The Rocks does not have a heritage of landmark clock towers. For these reasons the clocktower is a visually discordant element within the Argyle Street streetscape.

While the scale and age of Clocktower Square is different to the Argyle Stores, its simple form and its elevation that features a repetitive pattern of windows results in it being generally sympathetic. Together with the formal row of tall, spreading, mature London Plane trees, Clocktower Square and the Stores focus the eye towards the opening framed by an archway provided by The Cut. This is a rare and distinct visual feature in not only The Rocks but also Central Sydney.

Features

Individual features of the Argyle Street streetscape are:

- The clocktower
- The Cut
- the formal row of tall, spreading, mature London Plane trees
- Argyle Stores.



Figure 5 – Argyle Street

Source: Google Streetview



Figure 6 - Argyle Street

Source: Google Streetview

3.3.2 Harrington Street

The eastern boundary of the site is formed by Harrington Street.

Harrington Street is a main north-south street in The Rocks and connects Argyle Street opposite the site in the north to Grosvenor Street and Lang Park in the south.

In this location, Harrington Street is a two-way street, comprising one travel lane in each direction. While parallel carparking is provided on either side of the street at its northern end, carparking is only provided on the eastern side for most of its length where adjoining the site. Bitumen paved footpaths are located on either side.

Parts of Harrington Street, including the western side of the northern end of the street opposite the site support tall, mature London Plane trees.

Of note, the Suez Canal and the Mission Stairs (which connects to Nurses Walk) terminate at the southern side of Harrington Street opposite the site. These are key laneways in The Rocks.

Heritage buildings

The eastern side of Harrington Street opposite the site is occupied by a continuous row of diverse, State heritage listed buildings. These comprise:

- the Terraces
- British Seamen's Hotel (former)
- Reynolds Cottages
- 32 Harrington Street
- Evans Stores / Harbour Rocks Hotel
- Terraces / Harbour Rocks Hotel.

The terraces

The terraces comprise a collection of three separate buildings located at 55-71 Harrington Street.

The architectural character of the buildings demonstrates the variety of styles of residential development in the mid nineteenth century ranging from an example of bald face Victorian Georgian terraces to examples with Italianate influenced decoration, and an example of a Victorian terrace with verandas featuring cast iron lace.

The rock cuttings at the base of the buildings are of note.

'The buildings enhance the human scale of the streetscape and reinforce the historic character of the precinct'. The terraces have 'considerable aesthetic and technical significance as an important part of a strong visual precinct, contributing to the characteristic townscape of The Rocks'.

British Seamen's Hotel (former).

The British Seamen's Hotel (former) is located on the corner of Argyle Street and Harrington Street.

It comprises a two storey, Federation Free Classical style building having elevations that 'are highly decorative with rendered horizontal banding, stone detailing, arched windows with leadlight panels and parapet wall'. 'The form, scale and detailing on the place contributes to the historical streetscape'.

32 Harrington Street

32 Harrington Street comprises a three storey Georgian shop building 'with a street facing gable, small and modest scale and simple detailing, representative of its architectural style and period'. 'It's gabled form is an unusual element in the streetscape and its shop window is distinctive', and it 'contributes a sense of age and an evocative historic character to the Harrington Street and Suez Canal streetscapes'.

Of note, 'the diminutive scale of 32 Harrington Street when compared to the later Victorian buildings in the vicinity serves to highlight it in the streetscape as a group'.

Reynolds Cottages

Reynolds Cottage is located at 28 – 30 Harrington Street.

It comprises a two storey, Colonial Georgian Style building having 'extant architectural features of the cottages which embody the early Colonial character (low proportion, simple roof form with eaves, dressed stone windows and door heads, face stone construction, multi-pane windows, low ceilings, deep reveals)'. It is regarded as one of the most characterful buildings within the Rocks and is highly evocative of the aesthetic character of early Colonial Sydney.

Reynolds' Cottages contributes 'a sense of authenticity to the streetscape and visual catchment at the corner of Harrington and Argyle Streets'. Together with 32 Harrington Street, it forms 'a group of early Colonial buildings being of a similar scale and proportion set close to the footpath, making a 'positive contribution to a diverse streetscape which is characterised by later, larger, 19th and early 20th century buildings'.

Evans Stores / Harbour Rocks Hotel

The Evans Stores, Harbour Rocks Hotel is located at 34-40 Harrington Street.

It comprises a three storey, late Victorian Italianate Style warehouse with prominent pediments and symmetrical styling having a painted façade 'divided into four bays by pilasters capped by finials' and 'dominated by four pediments above the cornice, each decorated with a sunrise motif'.

'The building has aesthetic significance as an unusual and imposing warehouse which forms an important visual element in Harrington Street, with Suez Canal on one side and the terraces at 42-52 Harrington Street on the other'. 'It also forms part of a strong visual precinct of buildings with Nos 42-52 and Nos 55-71 on the other side of the street, and relates to 39-47 Argyle Street'.

Terraces / Harbour Rocks Hotel

Terraces / Harbour Rocks Hotel is located at 42-52 Harrington Street.

It comprises a two storey, Georgian row of six terrace houses stepped up Harrington Street of rendered brickwork with steeply pitched roofs of corrugated iron and windows are double hung of twelve panes with sandstone sills.

'The terrace has aesthetic significance as it forms part of a strong visual precinct with Nos 42-52 and Nos 55-71 on the other side of the street, and also relates to the buildings at 39-47 Argyle Street. The terrace makes an important contribution to the streetscape and is representative of the terrace housing constructed for the working classes throughout The Rocks area and other parts of Sydney in the late 19th century'.

Streetscape

Harrington Street in this location is a 'diverse streetscape which is characterised by later, larger, 19th and early 20th century buildings'. 'The wide street is juxtaposed with the narrow and steep lanes leading from it - Cumberland Place, Suez Canal and Nurses Walk'. The siting of the terraces on the eastern side of the street, 'stepping up the hill and elevated on rocky platforms, demonstrates the character of residential development in The Rocks and relates to the underlying landforms'.

In general, south of the Mission Stairs both side of the streetscape comprise larger, 20th and 21st century buildings. While north of the Mission Stairs most of the street wall comprises heritage buildings, the Rendezvous Hotel and the Clocktower are visually noticeable elements. In particular, the clocktower is visually prominent at its corner with Argyle Street.

Harrington Street is terminated at its northern end by the Argyle Stores, providing for a sense of enclosure.

Features

Unlike Argyle Street, Harrington Street does not comprise individual features. Rather, it comprises a number of elements that combine to create a distinct, diverse streetscape.



Figure 7 – Harrington Street

Source: Google Streetview



Figure 8: Harrington Street

Source: Google Streetview

3.3.3 Cambridge Street

The eastern boundary of the site is formed by Cambridge Street. Cambridge Street is a north-south pedestrian laneway, connecting Argyle Street in the north to Gloucester Street in the south. It is narrow and bitumen paved. At its intersection with Argyle Street, it comprises a series of low steps to manage a gradient change. While the northern end includes variety such as a small space for outdoor dining, trees and low sandstone walls, the northern end contains no street furniture.

Heritage buildings

The western side of Cambridge Street opposite the site is occupied by a contiguous row of diverse State heritage listed buildings. These comprise:

- 40 Gloucester Street
- 46-56 Gloucester Street.

40 Gloucester Street

40 Gloucester Street comprises three separate yet contiguous properties:

- 26-30 Gloucester Street
- 32-36 Gloucester Street
- 38-40 Gloucester Street

They comprise a streetscape of plain fronted, mid-Victorian terraces that are continuous in height and fenestration.

46-56 Gloucester Street

46-56 Gloucester Street is an Edwardian building comprising 16 duplex-style three bedroom units arranged in eight terraces on four levels that incorporates typical Federation period details such as face brick planes, rough cast rendered detail and timber details to verandah and also advancements and improvement of building materials in the use of high brick walls, steel and concrete.

It is aesthetically significant as good and largely intact examples of Federation multistorey residential development that retains its original form, fabric and detailing.

The building is visually prominent looking north along Cambridge Street from Cumberland Place. The large face brick planes of the south and eastern facades of the building are in contrast to the rendered and painted facades of the neighbouring buildings.

Streetscape

When seen from both its northern and southern ends, the eastern side of Cambridge Street is dominated by the continuous, 4-5 storey rendered brick western elevation of the Rendezvous Hotel and Clocktower Square that generally follows the curve of the street. Apart from a small number of unused courtyards at the building's southern end, the building has no setback to the street. It is largely unarticulated, with a repetitive pattern of windows. A through-site link separates the Rendezvous Hotel and Clocktower Square. However, its entrance is located underneath the buildings, and access is blocked by a locked gate.

When seen from its northern end, the western side is dominated by 40 Gloucester Street. In this location, the ground storey of the terraces are occupied by retail shopfronts, and are painted in a variety of colours. When combined with other elements such as the series of low steps as well as minor building elements such as signs, the western side is generally visually attractive.

When seen from its southern end, the western side is dominated by the 4 storey elevation of 46-56 Gloucester Street. The buildings brown brick façade is distinct, and provides a strong contrast to rendered brick of the Rendezvous Hotel and Clocktower Square. The building is setback from the street, with its boundary being formed by a high timber fence.

Features

Cambridge Street does not include features. Rather, the relationship between the public domain and adjoining built form combines to create a narrow, intimate space with a strong sense of enclosure. This directs the eye ahead in a focal manner.



Figure 9 – Cambridge Street

Source: Google Streetview

3.4 Wider setting

Note: the following description is derived from The Rocks Conservation Areas prepared under section 170 of the Heritage Act 1977.

The Rocks is sited on a prominent rocky headland (SHFA, 2022) projecting into Sydney Harbour at its narrowest point and on the western side of Sydney Cove / Warrane.

Its northern boundary is formed by Sydney Harbour, its eastern boundary by Sydney Cove / Warrane, its southern boundary by the Cahill Expressway,¹ and its western boundary by 'the southern approach of the Sydney Harbour Bridge'. (SHFA, 2022). According to its State heritage listing, this boundary is particularly important, being 'crowned by the approach to the Sydney Harbour Bridge' (SHFA, 2022).

It is highly visible from Circular Quay, from East Circular Quay and from the Harbour.

For these reasons, The Rocks has 'outstanding landmark qualities' and a 'major visual element of Sydney Harbour and Circular Quay'.

¹ While there is a smaller part to the south of the Cahill Expressway, as it does not form part of the site's visual catchment it has been excluded from this VIA

It is a precinct of national cultural significance (SHFA, 2022), and is regarded as the 'historic early town of Sydney' (National Trust, 2020).

The entire area is listed as a conservation area of State heritage significance.

The Rocks has a complex, visible layering of significant fabric, containing a rich accumulation of features that demonstrate layers of Australian history from 1788 until the present.

It is important in a world context as a foreshore port settlement, having a strong maritime character.

Given its siting on a prominent rocky headland, The Rocks topography 'falls steeply to the east in a series of sandstone escarpments'.

This topography has 'given rise to an erratic street pattern, with many cuts into the rock to provide building materials and enable streets and stepped pedestrian ways to traverse the area'.

A large amount of public open space is included in the area, including Dawes Point Park, with its early fortifications and archaeological remains, Foundation Park, West Circular Quay, First Fleet Park, the public domain around the Museum of Contemporary Art, Overseas Passenger Terminal, Campbells Cove, Park Hyatt and the Hickson Road Reserve.

There is a mixture of individually important buildings by significant architects and more humble shops, cottages and terraces from different eras.

Distinctive low-rise scale and fine grain textures in The Rocks contrast with, yet complement, the imposing built forms and modern architecture of the city centre beyond.

Within this diversity the area has a coherent and consistent character of streetscapes and urban spaces in a very strong topographical setting.

These elements and features, and in particular topography, provide for 'the important harbour views characteristic of the area'.

Overall, these elements and features combine to create the unique visual characteristics of The Rocks. These are well described in the statement of significance which is summarised as follows:

- The precinct displays an unparalleled diversity in townscape and building style, form and texture. Its historical development with an abundance of warehouses and wharves near the water and small scale commercial and / or residential buildings, combined with its topography of sandstone escarpments, cuttings and retaining walls and its street pattern and stepped walkways gives it a coherent and consistent townscape character of great aesthetic appeal. Within the area or travelling around it, a series of views and glimpses is afforded of diverse but harmonious streetscapes comprising buildings of diverse character and style (many of which have high individual architectural merit) of narrow picturesque, stepped laneways, urban spaces and water, which adds to its aesthetic appeal.

Within this, there are a smaller number of key physical features that contribute to the visual character of The Rocks. These are:

- natural, layered topography
- glimpses of Sydney Harbour
- juxtaposition of different building types and styles, in particular heritage items
- glimpses to Sydney Harbour Bridge
- corner building typology
- intimately scaled laneways
- Sandstone outcrops.

Figure 10 and **Figure 11** illustrate some of these features.



Figure 10 – Cambridge Street
Source: Property NSW



Glimpses of Sydney Harbour



Juxtaposition of different building types and styles



Glimpses to Sydney Harbour Bridge



Corner building typology



Figure 11 – Elements and features that contribute to The Rocks visual characteristics

Source: Property NSW

4.0 Relevant planning decisions

4.1 85 Harrington Street

Under former section 89H of the EP& A Act, on 12 January 2018 the Independent Planning Commission granted consent to a mixed use development comprising residential and commercial uses (SSD-7037) on land located at 85 Harrington Street and 68-72 Gloucester Street (including a variation to the Sydney Harbour Redevelopment Authority Scheme) located approximately 55m to the south of the site. The approved allowed two (2) buildings, one of six (6) storeys (north building) and one of eight (8) storeys (south building) (refer **Figure 12**).

Visual impact on its immediate surrounds and wider context was identified as a key issue. In particular, 'the key issue is whether the proposed building heights and design are visually compatible with the historic character of neighbouring buildings and surrounding streetscapes'.

Visual impact on immediate surrounds

DPE adopted a contextual approach to the consideration of visual impact on the proposal's immediate surrounds:

- 'The Department considers the built form of Building 1 must be considered in the visual context of the separate Harrington Street and Gloucester Street frontages and to the Baker's Terrace'.

The Department considered visual impact on its immediate surrounds acceptable:

- 'The Department considers the proposed built form of the development, as revised through the assessment process, will sit comfortably within the surrounding heritage context and will provide an attractive and visually interesting built form that is sympathetic to the overall character of The Rocks. Although the proposal will have some impacts on existing views from commercial uses and hotels, the Department considers the impacts to be acceptable'.

Supporting conclusions include:

- 'the Department considers the proposed design successfully achieves visual interest within the streetscape whilst retaining a design rhythm that is characteristic of The Rocks'
- 'the visual impacts of the development viewed from Gloucester Street and the adjacent Expressway will be minor and acceptable'
- 'given the buildings are offset from each other, they will not visually dominate Gloucester Street or adversely alter its heritage context'

- 'the Department concludes the proposed built form and design presents a sympathetic visual scale and massing to Gloucester Street and responds sympathetically to the character of surrounding traditional terrace housing and the wider streetscape'
- 'the Department considers the proposed setbacks to levels 6 and 7 suitably mitigate the visual bulk of the building when viewed from street level particularly given the additional height of the roof will not be visible'
- 'the Department concludes the proposed built form and design of Building 1 appropriately responds to the scale, proportions and character of Harrington Street and will not result in adverse heritage or visual impacts on the streetscape'.

Visual impact on wider context

The City of Sydney contended that visual impact on its wider context, in particular when seen from the Sydney Opera House and East Circular Quay, was unacceptable. The Department did not support this concern:

- 'While the Department acknowledges the upper levels of the proposed buildings will be visible to varying degrees from these locations, the visual impacts are considered negligible given the distances involved and the relationship of the proposed development to surrounding buildings. In particular, the Department notes views of the development from East Circular Quay and the SOH will be substantially obscured by the Museum of Contemporary Art and the DFS Galleria Building'.

Supporting conclusions include:

- 'although the Department notes the development will be more visible when viewed from the Harbour Bridge, it will be predominantly viewed with the YHA building in the foreground together with a backdrop of significant towers within the CBD. This relationship minimises any visual prominence of the proposed buildings'
- 'the Department concludes the proposed development will sit comfortably in its context when viewed from various locations and will not adversely impact the scenic character at these locations or The Rocks'
- 'although the proposed development will be partly visible from a variety of more distant locations including East Circular Quay, SOH and Harbour Bridge, the Department concludes the proposed buildings will not be obtrusive and are compatible with surrounding buildings and any visual impact on the heritage character of The Rocks will be negligible'.



Figure 12 – 85 Harrington Street

Source: Golden Age

4.2 Museum of Contemporary Art

Under the former Part 3A of the EP&A Act, on 26 June 2009 the Minister for Planning granted consent to the upgrade of the Museum of Contemporary Art (Application Number MP08_0064) on land located at 140 George Street, The Rocks approximately 90m to the southeast of the site. The proposal involved a contemporary addition to the existing older building (refer **Figure 13**).

The proposal impacted public views obtained from the Circular Quay promenade to the Sydney Harbour Bridge.

The DPE assessment concluded:

- 'the views and vistas resulting from the proposed addition to the MCA are typical to the locality, that is, views enjoyed through layers of streets, thoroughfares and buildings. The...justification for view impacts is considered reasonable'.

The proposal also impacted private views obtained from all rooms in the Harbour Rocks Hotel. This included obscuring views to the Sydney Opera House from over half of these rooms. While DPE recommended further detailed design work be undertaken 'to result in an improvement to the level of view loss identified', it was also 'accepted that there will be a degree of view loss as a result of the proposal'. It was concluded that 'through further consultation with the Harbour Rocks Hotel and the consideration of view sharing principles any view loss would be acceptable'.

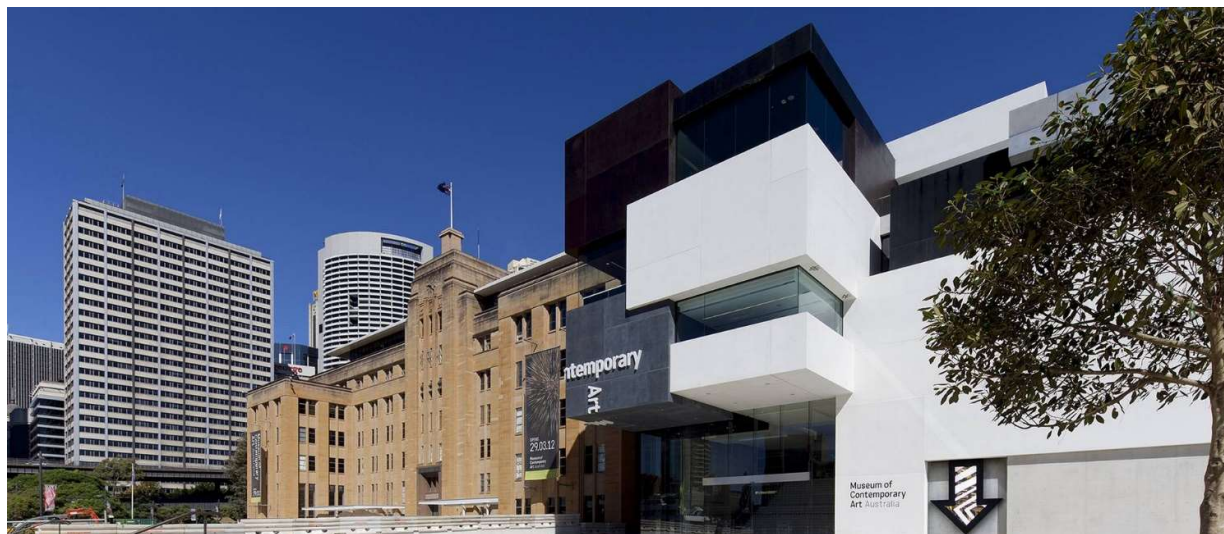


Figure 13 – Museum of Contemporary Art

Source: Museum of Contemporary Art

4.3 Sirius site

Under part of the EP&A Act, on 18 June 2021 DPE granted consent to alterations, restoration and additions to the Sirius building (SSD-10384) on land located at 2-60 Cumberland Street located approximately 110m to the north of the site. The approval enabled an additional 1,881.38 square meters of GFA and an addition 5.4 metres of building height. Of note, the approved building height is inconsistent with the relevant schedule of State Environmental Planning Policy (State Significant Precincts) 2005 (the relevant environmental planning instrument for the site).

DPE concluded the proposal is satisfactory for the following reasons:

- 'while the proposal exceeds the height controls in State Environmental Planning Policy (State Significant Precincts) 2005, the Department is satisfied the proposed height is acceptable as it would only result in a minor (1-3 storey) increase above the existing building, retains the existing architectural character of the building and protects significant views to the Sydney Opera House'
- 'the restoration and refurbishment works respect the heritage significance of the existing Sirius building and the surrounding heritage items and the proposal would have negligible visual impacts on the Sydney Opera House and Sydney Harbour Bridge'
- 'it provides a high level of residential amenity for apartments in accordance with the ADG, and would not result in any unreasonable impacts to surrounding properties in terms of view loss'.

DPE considered impact on items of World, National and State heritage including the Sydney Opera House (**SOH**), Sydney Harbour Bridge (**SHB**) and The Rocks conservation area. It concluded that the proposal has no adverse heritage impacts on these items as it would have minimal impacts on significant views, outlook and setting of the heritage items and the values of The Rocks conservation area. More specifically, DPE concluded:

- 'there are no significant impact on views to or from the SOH as the overall scale, form and design of the Sirius building is generally maintained, and the new additions complement the building'
- 'the proposal will not adversely affect the world heritage values of the SOH as there are no significant impacts to the SOH shell form, setting or silhouette against the harbour and city'
- 'the new additions ensure the visual outlook from the SHB to the city remains generally unchanged as the majority of the off-form concrete is retained'
- 'the proposal will not change the visual or historic setting of The Rocks, as the proposal enhances the existing Sirius building and no surrounding State heritage items will be altered, have their setting or curtilages affected or significantly alter any existing view towards the surrounding heritage item'.

Impact on private views from Cumberland Street behind the site were also considered. DPE assessed that impact as follows:

- moderate to negligible impact on iconic views to the east including the Sydney Opera House (SOH), Circular Quay and Sydney harbour
- moderate to severe impact on views to the north including the existing Sirius building, Sydney Harbour bridge approach and partial oblique views of the Sydney Harbour bridge.

DPE concluded that the proposal does not unreasonably impact views obtained from affected properties as expansive views of the SOH, the harbour and the CBD skyline from primary open space and living areas are retained. The Department considers impacts to views to the north are acceptable as the existing building is largely retained (with façade articulation) and it is unreasonable to retain views across a side boundary at an oblique angle over private property.

Specifically for the affected private property, DPE concluded:

- the apartment's primary open space (a large circular terrace) and living area continue to have unobstructed views to the east and south, including the SOH, Sydney harbour and the CBD skyline, which remain unchanged by the proposal
- while the view of the Sydney Harbour bridge will be affected by the proposed eastern façade treatments of the Sirius building, the impact is reasonable as it is a partial view obtained from a standing position at the most eastern point of the circular terrace, from an oblique angle and across a side boundary
- the view to the north on the western side of the Sirius building is considered a secondary view as it is obtained from the side terrace outside a bedroom and is across a side boundary
- although the view of the harbour bridge on-ramp is reduced by the proposed 2-storey Cumberland Street building, the expansive sky views to the north are retained.



Figure 14 – Sirius redevelopment

Source: BVN

5.0 The proposal

5.1 Detailed development

The proposal is for redevelopment of the site involving:

- demolition of Clocktower Square, including the clocktower structure
- erection of a new building comprising:
 - a 285-room international standard hotel comprising 20,815 square metres of GBA; and
 - food and drink tenancies along all street frontages.
- new publicly accessible through-site links;
- new publicly accessible lifts to assist with equitable access across the site given the level changes;
- new, publicly accessible roof-top space; and
- alterations to the basement car park to upgrade it to contemporary requirements.

The heritage listed terraces will be retained.

It is intended that the development will ultimately be connected to the adjoining Rendezvous Hotel to the south, which will undergo minor refurbishment works under a separate (non-SSDA) planning approval pathway.

We understand an amendment to the SCRA envelope (to approve the overall envelope of the proposal) for the site has been submitted with the DPE.

As can be seen from the Urban Design Report prepared by FJMT, the envelope and detailed design of the proposal has been informed by rigorous site and context analysis. In addition, the proposal has been shaped by a number of overall built form strategies intended to reduce visual impact. These include:

- responding to the natural, layered topography of the site and The Rocks and the more sensitive Harrington Street streetscape by redistributing massing and building height to the west
- responding to the scale and form of the adjoining heritage listed terraces and surrounding heritage items more broadly by creating a lower rise street wall to Harrington Street
- responding to the existing poor environment of Cambridge Street by creating a triangular shaped 'wedge' of open space adjoining its eastern side
- responding to the common corner built form typology by creating a more human scale corner to the key Argyle Street and Harrington Street intersection
- responding to scale through an upper storey comprising a series of indoor-outdoor publicly accessible spaces supported by a pitched roof
- responding to the laneways character of The Rocks and to break up built form by creating a fine grain, permeable and publicly accessible ground plane.



Figure 15 – Rendering of the proposal seen from the north
Source: FJMT



Figure 16 – Rendering of the proposal seen from the south
Source: FJMT

6.0 The planning framework

Relevant parts of the planning framework for visual impact are identified below.

- legislation and regulations
- environmental planning instruments
- development control plans
- Land and Environment Court planning principles.

6.1 Legislation and regulations

6.1.1 Environmental Planning and Assessment Act 1979

Relevant to VIA, object (g) of the EP&A Act is 'to promote good design and amenity of the built environment'.

This requires address of amenity. DPE defines amenity as 'the pleasantness, attractiveness, desirability or utility of a place, facility, building or feature' (DPE, 2022).

Visual amenity is a sub-set of amenity. The GLVIA3 defines visual amenity as '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'.

Under clause 4.15 (1) of the EP&A Act, the following matters must be taken into consideration where relevant when determining a development application:

- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality
- (e) the public interest.

Interpretations of the public interest as part of planning decisions have in the past been very broad. However, it can generally be considered to comprise environmental outcomes, such as protection of a heritage, economic outcomes such as more jobs and social outcomes such as a greater amount and choice of housing.

The public interest is a feature of the UK planning system, which is broadly comparable to the NSW system. In regard to decisions on such matters, courts with jurisdiction over planning matters in the UK have generally taken the view that 'protection of purely private interests such as the impact of a development on the value of a neighbouring property' are not relevant considerations. It is of note that the Central Sydney Planning Strategy, which is discussed in detail in **section 6.2.3** of this VIA, adopts a similar approach of favouring protection of public views and only seeking to protect outlook (as distinct from views) from the private domain.

6.1.2 Heritage Act 1977

Of relevance for visual impact, through its objects and other provisions, the Heritage Act 1977 requires particular consideration of heritage items and heritage conservation areas.

6.1.3 Environmental Planning and Assessment (Sydney Cove) Savings and Transitional Regulation 1999

The Environmental Planning and Assessment (Sydney Cove) Savings and Transitional Regulation 1999 requires the address of a range of matters when proposing to amend the existing planning controls for land in The Rocks. Relevant for VIA, these include ensuring development will not adversely affect a range of matters, including heritage significance and quality of the public domain, and is consistent with the with the general planning and design principles for the area.

6.2 Strategic plans

As the proposal involves amendment to the SCRA, which is a deemed SEPP, strategic plans under the EP&A Act are relevant considerations.

The relevant strategic plans are:

- **Region Plan:** The Greater Sydney Region Plan – A Metropolis of Three Cities (the Region Plan)
- **District Plan:** The Eastern City District Plan (the District Plan)
- **Local strategic planning statement:** City Plan 2036.

While not a strategic plan under the EP&A Act, the Central Sydney Planning Strategy is also relevant. It provides a more Central Sydney specific address of key strategic planning matters, and arguably can be regarded as the 'true' LSPS for Central Sydney. It has also informed recent amendment to the Central Sydney planning framework, comprising the Sydney Local Environmental Plan 2012 (**SLEP2012**) and the Sydney Development Control Plan 2012 (**SDCP2012**).

6.2.1 The Greater Sydney Region Plan – A Metropolis of Three Cities and the Eastern City District Plan

The Greater Sydney Region Plan – A Metropolis of Three Cities (**the Region Plan**) and the Eastern City District Plan (**the District Plan**) address visual impact under the direction of 'a city in its landscape - valuing green spaces and landscape', and in particular in the context of scenic and cultural landscapes.

The District Plan notes that scenic and cultural landscapes have a number of benefits, including:

- 'contribute to the identity and international profile of Greater Sydney
- encourage an appreciation of the natural environment, protect heritage and culture, and create economic opportunities, particularly for recreation and tourism
- help preserve links to Aboriginal cultural heritage'.

The District Plan identifies Sydney Harbour and its coastline as a key scenic and cultural landscape:

- 'One of the District's key assets is its stunning Harbour and coastline. The District's urban landscapes sit within this natural setting and contribute to the diversity of the District's scenic value. The unique built form of locations such as the Sydney Opera House, the Rocks and Sydney Harbour Bridge further add to this setting'.

The Central Sydney skyline is identified as an iconic landscape:

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

The District Plan also notes renewal 'can also protect and maintain views to the coastline, harbours and waterways from public spaces'.

6.2.2 City Plan 2036

As with the Region Plan and the District Plan, City Plan 2036 addresses visual impact in the context of 'protecting and enhancing cultural landscapes. City Plan 2036 defers to the Central Sydney Planning Strategy in terms of addressing views.

6.2.3 Central Sydney Planning Strategy

The Central Sydney Planning Strategy (**CSPS**) identifies how Central Sydney's physical location and setting has shaped the nature of views:

- 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".

The CSPS notes that 'this sets Central Sydney apart from other places'.

The CSPS also notes the challenges that affect Central Sydney compared to other contexts:

- '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'.

For these reasons, the CSPS is clear in terms of the address of provide views:

- 'standard principles around views and the sharing of them are not applicable'.

It further elaborates as follows, identifying that protection of private views is unreasonable:

- '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'.

Conversely, the CSPS is clear on the protection of a small number of key views obtained from the public domain:

- 'The streets, parks and squares of Central Sydney provide multiple and various public views to pedestrians, providing orientation and relief from the enclosure provided by the buildings of the surrounding city. A few of these views have higher significance due to their association with significant public places and buildings. These public views from public places are worthy of conservation'.

The view from the signal station on Observatory Hill to the South Head Lighthouse is identified as being a key view.

These are proposed to be protected by 'view planes' (refer **Figure 17**).



Figure 17 – Extract of the Central Sydney Planning Strategy view protection planes

Source: City of Sydney

The CSPS also protects views to and from Observatory Hill:

- 'Views to and from Observatory Hill are therefore perhaps some of Sydney's most historically significant. How development around Observatory Hill impacts on these views has a very real impact on how the public and visitors to Sydney are able to interpret, understand and value the evolution of Sydney as city. Observatory Hill should remain a prominent hill besides and above the original port of Sydney; it should retain its vast open aspect and distant views, a feature that informed its successive historic uses, and; its existing setting should be maintained where proposed development in Millers Point and the Rocks respects the establish patterns of scale and form'.

Figure 18 shows the view from the Sydney Observatory to Fort Denison as an historic view that should be protected.



Figure 18 – Extract of the Central Sydney Planning Strategy public views protection map

Source: City of Sydney

6.3 Environmental planning instruments

6.3.1 State Environmental Planning Policy (Biodiversity and Conservation) 2021

State Environmental Planning Policy (Biodiversity and Conservation) 2021 (which contains the previous Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005)) covers Sydney Harbour and its waterways, foreshores and catchment (DPE, 2022).

It 'aims to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways' (DIPNR, 2005).

It seeks to achieve these aims through provisions such as planning principles, zoning and matters for consideration.

The site is included in:

- the Foreshores and Waterways Area
- the City Foreshores Area (a Strategic Foreshore Site).

Of note, the western boundary of the Foreshores and Waterways Area extends to the eastern edge of Cahill Walk.

In terms of visual impact, the SEPP requires consideration of a small number of matters, including:

- ensuring development that is visible from the waterways or foreshores maintain, protect and enhance the unique visual qualities of Sydney Harbour
- increasing the number of publicly accessible vantage points for viewing Sydney Harbour
- ensuring development does not detract from the character of waterways and adjoining foreshores
- minimising adverse impacts on views and vistas to and from public places, landmarks and heritage items.



Figure 19 – Foreshores and Waterways Area

Source: DPE

6.3.2 Sydney Cove Redevelopment Authority Scheme

The Sydney Cove Redevelopment Authority (**SCRA**) Scheme was prepared under the former Sydney Cove Redevelopment Authority Act 1968. It is a deemed SEPP under schedule 6 of the EP&A Act (Urbis, 2021).

The SCRA Scheme contains a number of building site control drawings (**BSCD**). The relevant BSCD for the site is Drawing XXXVI (1) (refer **Figure 20**). Consistent with that for many other sites in The Rocks, the BSCD limits site coverage, height and provides for two (2) pedestrian through site links. As can be seen, site cover and building height largely aligns with the existing building. Maximum building height across most of the site is RL35.5 metres, while part of the site has a lower maximum building height of RL27 metres. The north-south through-site link is provided through the retail arcade, and the east-west through site link is provided under the Rendezvous Hotel.

As there are no aims or objectives supporting the building site control drawings, or other supporting material, the intent of the BSCDs cannot be confirmed.

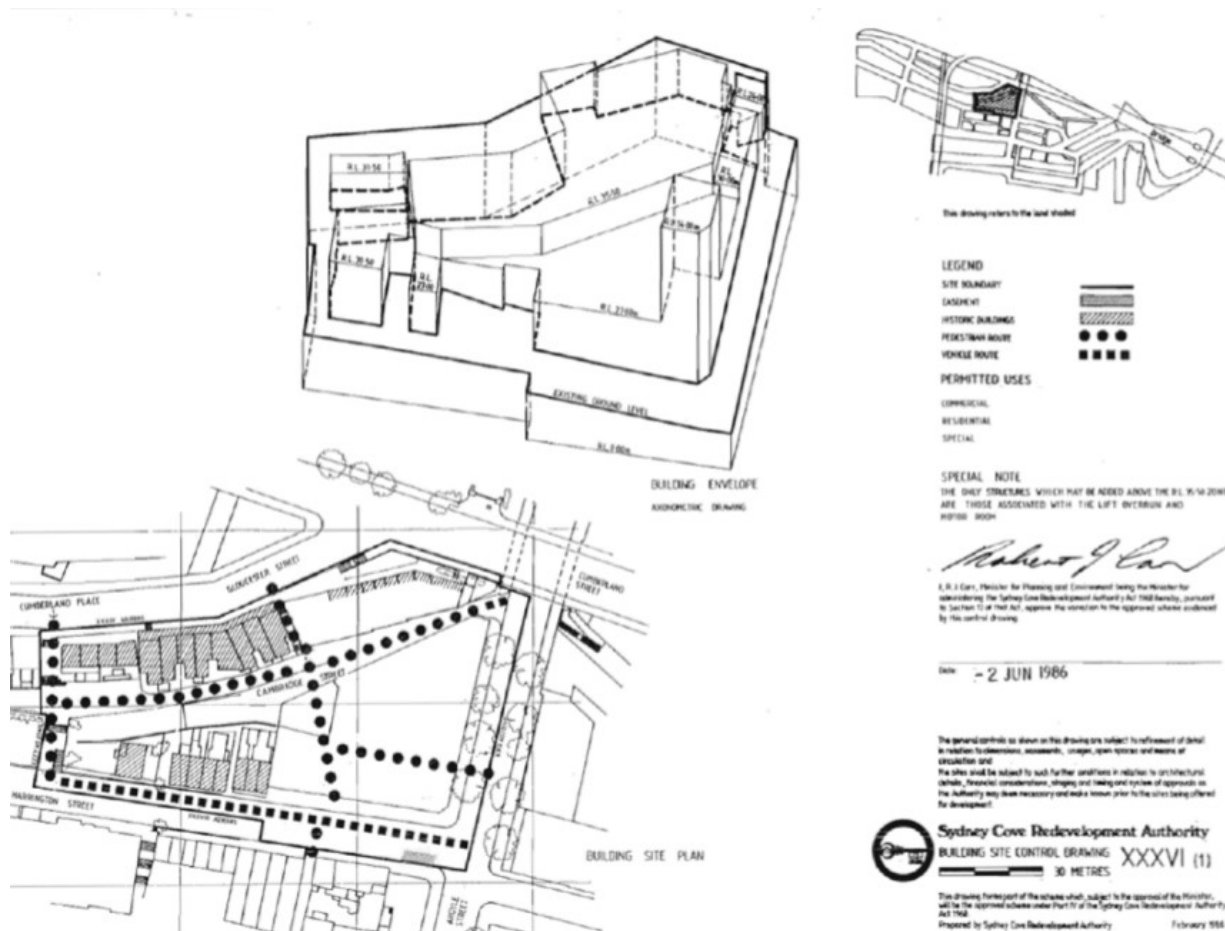


Figure 20 – Sydney Cove Redevelopment Authority Scheme envelope controls

Source: FJMT and Sydney Cove Redevelopment Authority Scheme

6.3.3 Sydney Local Environmental Plan 2012

While the Sydney Local Environmental Plan 2012 (**SLEP2012**) does not apply to the site or The Rocks, it is nonetheless of interest as it implements the intent of the Central Sydney Planning Strategy with regard to views.

Clause 4.3 (1)(c) implements the CSPS intent to avoid protecting existing private views:

- 'to promote the sharing of views outside Central Sydney'.

6.16 (1) (d) requires that tall buildings (those over 55m in height) 'provide adequate outlook for occupants of new buildings'.

Section 6.19 implements protection of key views from public places. Its objectives are:

- (a) to preserve significant views from public places
- (b) to ensure development does not obstruct public views.

Development consent must not be granted to a building intruding within a number of 'view planes', including the Sydney Observatory view to Macquarie Lighthouse at Vacluse view protection plane.

Section 6.19 (A) protects views to the north and west of Sydney Harbour from:

- the Observatory Hill Rotunda
- a point in the north west quadrant of Observatory Hill, east of the fig trees
- a point west of the Cahill Expressway corkscrew off ramp.

6.4 Development control plans

6.4.1 Sydney Harbour Foreshores and Waterways Area Development Control Plan

The Sydney Harbour Foreshores and Waterways Area Development Control Plan (the **SDCP**) applies to the Foreshores and Waterways Area as identified by the SREP.

Its aims are:

- protecting ecological communities within the area covered by SREP (Sydney Harbour Catchment) 2005
- ensuring that the scenic quality of the area is protected or enhanced
- providing siting and design principles for new buildings and waterside structures within the area
- identifying potential foreshore access locations in the area.

It seeks to achieve this aim by establishing performance-based criteria and guidelines relating to matters such as foreshore access, visual and natural environments, recreation and maritime industrial uses.

Under section 1.4 iv, an EIS must address 'visual impact having regard to the landscape character of the area and nature of the proposal'.

Section 3.1 identifies that the visual impact of a development will vary depending on:

- the nature of the proposal – its height, width, siting, scale, colour, reflectivity and function
- the landscape setting in which it is proposed
- the degree of change created – whether it will be minimal or not
- the ability of the proposal to integrate with the landscape character.

As the site and The Rocks are not included in a Landscape Character Type, the general aims of section 3.2 apply. These are as follows:

All development should aim to:

- minimise any significant impact on views and vistas from and to:
 - public places,
 - landmarks identified on the maps accompanying the DCP, and
 - heritage items;
- ensure it complements the scenic character of the area;
- protect the integrity of foreshores with rock outcrops, dramatic topography or distinctive visual features;
- provide a high quality of built and landscape design; and
- contribute to the diverse character of the landscape.

Section 5.4 – Built form of Part 5 Design Guidelines for Land-Based Developments is also applicable. These are as follows:

- where buildings would be of a contrasting scale or design to existing buildings, care will be needed to ensure that this contrast would enhance the setting;
- where undeveloped ridgelines occur, buildings should not break these unless they have a backdrop of trees;
- while no shapes are intrinsically unacceptable, rectangular boxy shapes with flat or skillion roofs usually do not harmonise with their surroundings. It is preferable to break up facades and roof lines into smaller elements and to use pitched roofs;
- walls and fences should be kept low enough to allow views of private gardens from the waterway;
- bright lighting and especially floodlighting which reflects on the water, can cause problems with night navigation and should be avoided. External lights should be directed downward, away from the water. Australian Standards AS/NZ1158.3: 1999 Pedestrian Area (Category P) Lighting and AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting should be observed;

- use of reflective materials is minimised and the relevant provisions of the Building Code of Australia are satisfied;
- colours should be sympathetic with their surrounds and consistent with the colour criteria, where specified, for particular landscape character types in Part 3 of this DCP;
- the cumulative visual impact of a number of built elements on a single lot should be mitigated through bands of vegetation and by articulating walls and using smaller elements; and
- the cumulative impact of development along the foreshore is considered having regard to preserving views of special natural features, landmarks or heritage items.

6.4.2 Sydney Development Control Plan 2012

As with the SLEP2012, while the SDCP2012 does not apply to the site or The Rocks, it is nonetheless of interest as it also implements the intent of the Central Sydney Planning Strategy with regard to views.

While amendments to the SDCP2012 to give effect to the CSPS have as yet not been published, based on the planning proposal for the CSPS (City of Sydney, 2021), relevant objectives are likely to be:

- (a) to identify and preserve significant public views from public places
- (b) to ensure the silhouette created by existing clock towers, turrets and roof features on heritage listed items are clearly visible against the sky
- (c) to require development to respond to public views to Sydney Harbour by improving the view through building modulation
- (d) to require development to respond to significant public views from public places by enhancing views through, building modulation and/or high-quality materials, finishes and design excellence

It is also understood that the SDCP2012 also seeks to protect views from the Sydney Observatory to Fort Denison (refer **Figure 21**).



Figure 21: Excerpt of Sydney DCP's Public Views Protection Map 2

Source: Sydney Development Control Plan 2012

6.5 Land and Environment Court planning principles

6.5.1 Impact on public views

Moore SC and Adam AC handed down their judgement in Rose Bay in 2013 in relation to the visual impact of a proposed marina extension in Rose Bay. Of note compared to the earlier 2004 LEC judgement in Tenacity, the judgement addressed impact public views, and also considered impact on visual characteristics as opposed to simply sightlines.

The planning principles establishes a chain of reasoning, as well as including some value statements, for decision making . This includes two main stages:

1. identification stage
2. analytic stage

The analytic stages comprises two sub-stages:

1. quantitative stage
2. qualitative stage.

Key considerations include:

- nature and scope of the existing views from the public domain
- intensity of public use of those locations
- aesthetic and other elements of the view
- value of the view.

Of note, Moore SC and Adam AC made a point of addressing the role of planning instruments in informing decisions, including matters in which to be careful:

- '48. The final step (in the identification stage) to be identified is whether or not there is any document that identifies the importance of the view to be assessed. This will encompass specific acknowledgment of the importance of a view (for example, by international, national, state or local heritage recognition) or where the relevant planning regime promotes or specifically requires the retention or protection of public domain views'
- '52. If there is a planning document with an objective/aim for the maintenance, protection and/or enhancement of public domain views, such an objective/aim would appear to create a presumption against the approval of a development with an adverse impact on a public domain view. However, merely adopting and applying such a presumption would be entirely inappropriate'
- '53. The relevant weight to be given to such an objective/aim will depend on the status of the document containing it and the terms in which it is expressed. An objective/aim proposing "preservation" of views may be accorded a differing weight to one that proposes "minimisation of impacts" on such a view'.

6.5.2 Impact on private views

Roseth SC handed down judgement in Tenacity in 2004 in relation to the visual impact of a proposed mixed use development on existing views of the Pacific Ocean and Manly obtained for the private domain in North Curl Curl. While made in the context of a suburban residential setting, Tenacity is widely regarded as the main judgement relevant to impact on private views, and has been included or referenced in many Sydney council's DCPs.

Like Rose Bay, Tenacity establishes a chain of reasoning comprising four (4) steps:

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

Of note, the extent of impact is determined as being on a five (5) point qualitative verbal scale of negligible, minor, moderate, severe or devastating.

In Tenacity, Roseth concluded:

- 'I would classify the view to the ocean and Manly as highly valuable, what most people would describe as magnificent. It is now available from four levels from the rear. The proposal would obliterate views from the lower three levels from sitting and standing positions. From the fourth level it would obliterate it from sitting positions and reduce it from standing positions. In my opinion, the impact would be severe'.

Despite obliteration, of a highly valuable and 'magnificent' view, Roseth found the impact to be severe.

The fourth and final step of reasonableness is key in this judgement, and involves compliance with planning controls and the use of skilful design to achieve a balance between the interests of both the developer and the affected party:

- '29. The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.'

7.0 Visual impact assessment – public domain views

7.1 Visual catchment

The area in which the proposal may be visible, in totality or in part, is called the visual catchment.

The visual catchment is shaped by the interplay of a number of factors. These include physical factors such as landform, the alignment of streets, the nature of open space and vegetation (in particular that in parks or that is otherwise afforded some level of protection). It also includes other factors such as distance, direction and angle of view, and the siting and scale of the proposal.

The area in which the proposal may theoretically be visible includes close-range views obtained from the local street network that the site fronts, i.e., Argyle Street, Harrington Street and Cambridge Street. The proposal may also theoretically be viewed from a number of mid-range and long-range public viewpoints, including the nearby Playfair Markets (due to proximity) and the Glenmore Rooftop, Argyle Bridge and the Bridge Stairs due to proximity and the angle of view from these viewpoints to the site. The site may also theoretically be visible from the Overseas Passenger Terminal and the Cahill Walk (north and south) due to the slope down to the water (where these viewpoints are situated) from the site. In addition, due to the relatively large number of people which may be exposed to the proposal, the Sydney Opera House Forecourt was considered to also be of particular interest as part of the VIA.

7.2 Visual receptors

People within the visual catchment who will be affected by the changes in views and visual amenity are referred to as “visual receptors”. Based on the GLVIA3, there are a number of different types of visual receptor:

- residents at home
- communities where views contribute to the landscape setting enjoyed by residents in the area
- people, whether residents or visitors, who are engaged in outdoor recreation, including use of public footpaths, whose attention or interest is likely to be focused on the landscape and on particular views
- travellers on road, rail or other transport routes
- travellers on road, rail or other transport routes where travel involves recognised scenic routes
- visitors to heritage assets, or to other attractions, where views of the surroundings are an important contributor to the experience
- visitors to facilities or services (eg, shops, offices, cafes) that meet their day-to-day needs
- people engaged in outdoor sport or recreation which does not involve or depend upon appreciation of views of the landscape
- people at their place of work whose attention may be focused on their work or activity, not on their surroundings, and where the setting is not important to the quality of working life.

Table 9 identifies visual receptors in the visual catchment.

Table 9: Visual receptors

Direction	Place	Prevailing type of visual receptor	Relative numbers ^{1F2}
North	Glenmore Rooftop, The Rocks Square and Playfair Markets	Pedestrians visiting The Rocks Square and Playfair Markets, and visitors to the Glenmore Hotel Rooftop.	Medium
South	Along Gloucester Street, Cambridge Street and Harrington Street	Residents at home and users of the road or pedestrian pathway	Low

² Relative number of people exposed to views of the proposal from the public domain

Direction	Place	Prevailing type of visual receptor	Relative numbers ^{1F2}
East	Sydney Opera House Forecourt, Overseas Passenger Terminal Forecourt, and Cahill Walk	Visitors to the Sydney Opera House, visitors and travellers at the overseas passenger terminal, and ferry commuters / water users as well as pedestrians using the Cahill Walk.	High
West	Argyle Stairs, Cahill Expressway and Observatory Hill	Pedestrians using the Argyle Stairs, vehicles travelling on the Cahill Expressway and people engaged in outdoor sport or recreation at Observatory Hill	High

7.3 Pattern of viewing

Consideration of the visual catchment and visual receptors in the visual catchment suggests that there are two (2) key patterns of viewing:

1. in the short and medium range from recreational visual contexts
2. in the medium range from key roads and recreational visual contexts.

7.4 Viewpoints

The GLVIA3 notes that viewpoints selected for VIA fall broadly into three (3) groups:

- **representative viewpoints:** selected to represent the experience of different types of visual receptor, where larger numbers of viewpoints cannot all be included individually and where the significant effects are unlikely to differ
- **specific viewpoints:** chosen because they are key and sometimes promoted viewpoints within the landscape, including for example specific local visitor attractions, viewpoints in areas of particularly noteworthy visual and/or recreational amenity such as landscapes with statutory landscape designations, or viewpoints with particular cultural landscape associations
- **illustrative viewpoints:** chosen specifically to demonstrate a particular effect or specific issues, which might, for example, be the restricted visibility at certain locations.

The selection of the final viewpoints used for assessment should take account of a range of factors, including:

- the accessibility to the public
- the potential number and sensitivity of viewers who may be affected
- the viewing direction, distance (i.e. short-, medium- and long-distance views) and elevation
- the nature of the viewing experience (for example static views, views from settlements and views from sequential points along routes)
- the view type (for example panoramas, vistas and glimpses)
- the potential for cumulative views of the proposed development in conjunction with other developments.

The GLVIA3 notes that it is not possible to give specific guidance on the appropriate number of viewpoints since this depends on the context, the nature of the proposal and the range and location of visual receptors. It further states that the viewpoints need to cover as wide a range of situations as is possible, reasonable and necessary to cover the likely significant effects, and that the emphasis must always be on proportionality in relation to the scale and nature of the development proposal and its likely significant effects.

While a view may have value, this does not mean that it is intrinsically worth protecting under the planning framework. As with other similar matters such as heritage, it is often helpful to consider significance. Planisphere has developed a set of matters to consider when assessing the place and people factors of a view to determine significance. These are:

- **exemplary:** how representative or illustrative is this view? Is it 'the best' of its type? Is it exemplary within the local, regional or State context?
- **iconic:** is the view instantly recognisable? Is it symbolic for its visual qualities? Has it been represented in art, photography, literature etc.? Is it iconic within the local, regional or state context?
- **scarce:** how uncommon or rare is the view? Is the view a 'one off' that is not available nearby or elsewhere in the area? Is it scarce within the local, regional or state context?

A view is either significant, or not significant. Views that are not significant do not generally warrant protection under local planning policy. Where significant, the following levels apply:

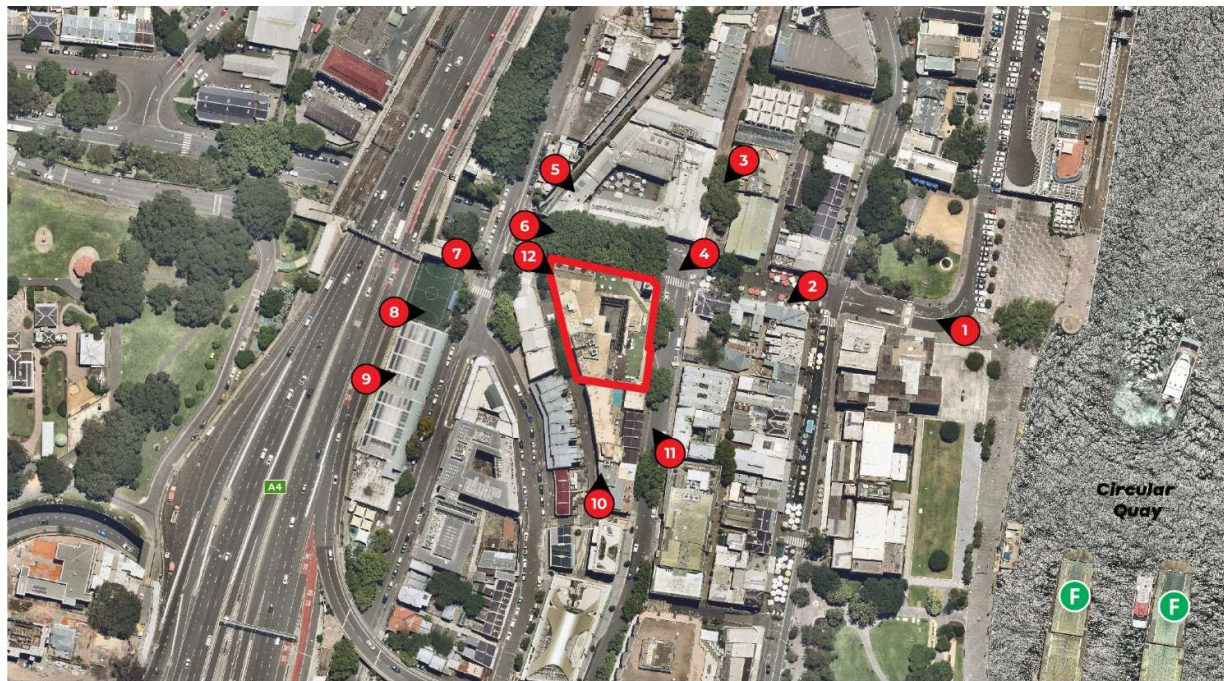
- **moderate:** local or district significance
- **high:** regional significance
- **exceptional:** State, national or international significance.

16 viewpoints in the public domain were selected to represent this pattern of viewing. **Table 10** identifies their location and provides an outline of key, relevant attributes. **Figure 22** and **Figure 23** below shows the location of these viewpoints.

Table 10: Viewpoints

Number	Viewpoint	Distance	Type	Significance	Key notes
1.	Overseas Passenger Terminal Forecourt	Medium range	Townscape	Not significant	Highly visited location
2.	Argyle & George Street	Medium range	Streetscape	Not significant	Threshold entry to The Rocks from east
3.	Playfair Markets	Close range	Streetscape	Not significant	Key gathering and social interaction area
4.	Argyle & Playfair Streets	Close range	Streetscape	Not significant	Impact on heritage streetscape
5.	Glenmore Rooftop	Close range	Townscape	Not significant	Views to CBD towers in background. Level of screening by street canopy in foreground.
6.	Argyle Bridge	Close range	Streetscape	Not significant	Level of screening by street tree canopy
7.	Bridge Stairs	Medium range	Townscape	Moderate significance	View to Sydney Opera House and harbour.
8.	Cahill Walk (north)	Medium range	View line or corridor	Not significant	The Sydney Harbour YHA conceals views to the Sydney Opera House and harbour

Number	Viewpoint	Distance	Type	Significance	Key notes
9.	Cahill Walk (south)	Medium range	View line or corridor	Moderate significance	View to Sydney Opera House
10.	Cambridge Street	Medium range	Townscape	Not significant	Laneway that is currently in average - poor condition
11.	Harrington Street	Close range	Streetscape	Not significant	Impact on heritage streetscape
12.	Argyle & Cambridge Streets	Close range	Streetscape	Not significant	Laneway that is currently in average - poor condition
13.	Observatory Hill	Long range	View line or corridor	Not significant	Moderately visited location for recreational purposes
14.	Cahill Walk (west)	Long range	View line or corridor	Not significant	Laneway that is currently in average - poor condition
15.	Cahill Walk (east)	Long range	View line or corridor	Moderate significance	Potential impact on Observatory Hill
16.	Sydney Opera House Forecourt	Long range	Townscape	Exceptional significance	Impact on Sydney Opera House setting



The Site

1 Overseas Passenger Terminal

2 Argyle and George Street

3 Playfair Markets

4 Argyle and Playfair Streets

5 Glenmore Rooftop

6 Argyle Bridge

7 Bridge Stairs

8 Cahill Walk (north)

9 Cahill Walk (south)

10 Cambridge Street

11 Harrington Street

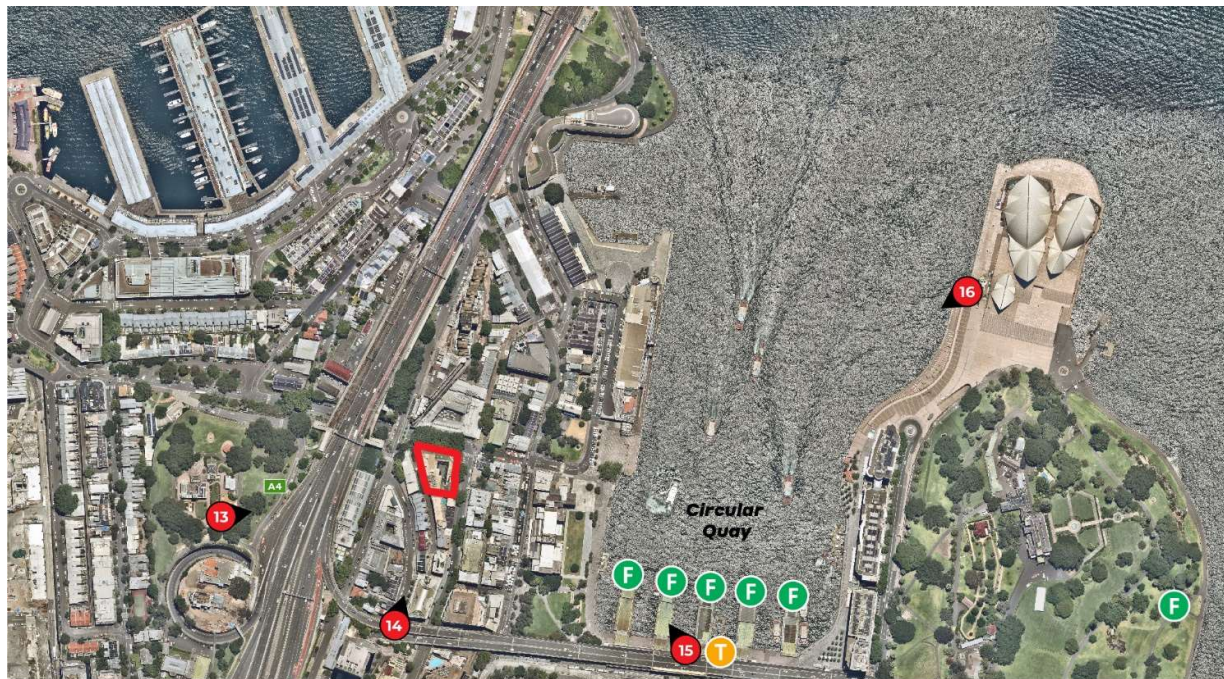
12 Argyle and Cambridge Streets



NOT TO SCALE

Figure 22: Viewpoints in the close and medium ranges

Source: Ethos Urban and Nearmaps



- The Site
- 13 Observatory Hill
- 14 Cahill Walk (west)
- 15 Cahill Walk (east)
- 16 Opera House Forecourt

⊙ NOT TO SCALE

Figure 23: Viewpoints in the long range

Source: Ethos Urban and Nearmaps

7.5 View 1 – Overseas Passenger Terminal Forecourt

Table 11 View 1 parameters

Component	Proposal
View type	Narrow
Viewing range	Medium
Viewing distance	Approximately 150m
Viewing direction	West
Viewing angle	Oblique
Viewing elevation	Below



Figure 24 Overseas Passenger Terminal forecourt - existing view

Source: Virtual Ideas

7.5.1 Assessment of sensitivity

Number and type of people

The type of people who are likely to be exposed to this view are predominately pedestrian travellers along Circular Quay and up Argyle Street. The views obtained by travellers using the street will predominantly be mid-range views from moving (dynamic) locations for a short duration of time while using the street. This can include a range of the public but would mostly be visitors and workers moving in a transitory fashion to and from the city, The Rocks or the terminal. The viewer numbers are expected to be in the low-medium range, but given that these will be from moving locations for a short period of time, viewer sensitivity is considered to be low.

Social and cultural heritage

No views of water or iconic landscapes are obtained from this view. This view of the site is within The Rocks Heritage Conservation Area, and a number of heritage buildings are generally visible in the view as they line Argyle Street and Circular Quay Way. Specifically, Cadmans Cottage and its associated open space area are visible in the foreground, as is the new extension of the Museum of Contemporary Art. Given the heritage significance of the buildings along the streets which are obtained from this view, the social and cultural value of this view is medium.

Visual characteristics

The left hand side of the street from this view has a continuity of built form which is relatively the same height and form. This is a dominant continuous element of the view. The other side of the street is less uniform with open space, and a range of setbacks. The view partly comprises the heritage buildings which line the streets, the clocktower on the subject site in the background, and the sky. Overall, the sensitivity of the visual characteristics in this view is low.

Overall sensitivity

In light of the above, the overall sensitivity of the view to the proposed development is low.

Table 12 View 1 – Overseas Passenger Terminal forecourt: sensitivity of the view to the nature of change proposed

Matter	Rating			
	Negligible	Low	Medium	High
Number and type of visual receptors		Low		
Social and cultural value			Medium	
Visual characteristics		Low		
Overall sensitivity		Low		



Figure 25 Overseas Passenger Terminal forecourt - view with proposed envelope (yellow outline) and detailed design

Source: Virtual Ideas

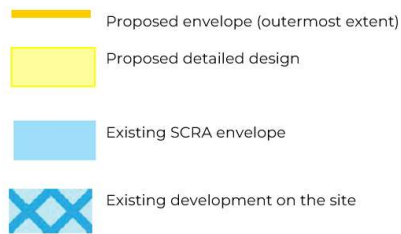
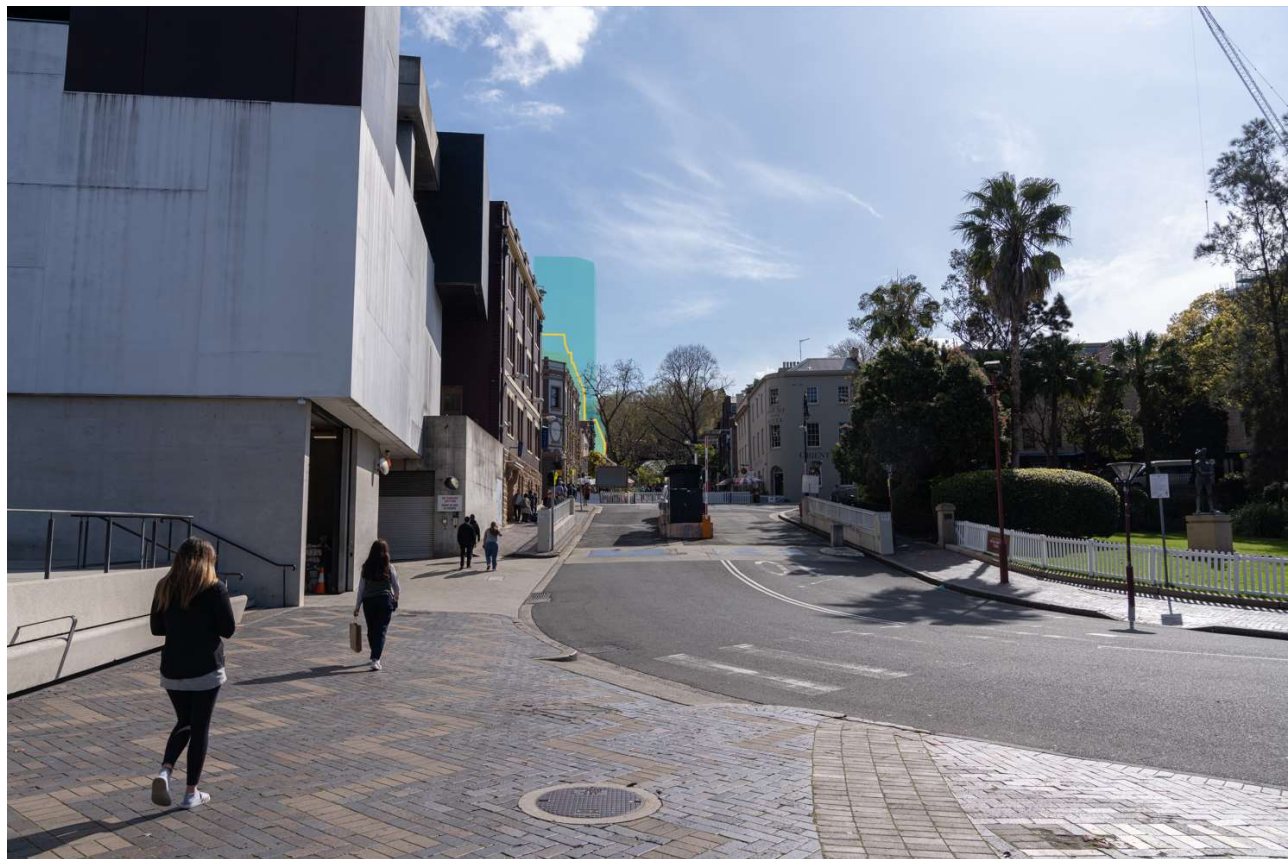


Figure 26 Overseas Passenger Terminal forecourt - Proposed envelope (shown in yellow outline)

Source: Virtual Ideas

Visual impact

The proposed building envelope will be visible in the background of this view, and the detailed building design will be visible to an even lesser extent. From this viewing distance, the building envelope conforms to the strong alignment of built form along the left hand side of the road and represents a gradual continuation of this.

The clocktower on the site which is currently visible in this view will be removed as part of the redevelopment of the site. However, this does not automatically represent an adverse visual impact on the view obtained from this viewpoint.

View loss

The proposed development will not result in the loss of any significant views obtained from this viewpoint due to the minor extent that it is visible.

Comparison of proposed building envelope with the current SCRA envelope

As demonstrated in **Figure 25** and **Figure 26**, the SCRA envelope is significantly more visually prominent than the proposed new building envelope from this viewpoint and will result in a high degree of visual impact and view loss.

7.5.2 Assessment of magnitude of visual impact

The following table provides an assessment of the magnitude of likely visual impact.

Table 13 View 1 – magnitude of visual impact

		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	Noticeable	Noticeable	Perceptible
	Minor change over a restricted area; or Insignificant change	Perceptible	Perceptible	Perceptible	Imperceptible
	Imperceptible change	Imperceptible	Imperceptible	Imperceptible	Imperceptible

7.5.3 Assessment of magnitude of visual impact

The following table provides an assessment of the significance of likely visual impact.

Table 14 View 1 – Overseas Passenger Terminal forecourt: 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

7.6 View 2 – Argyle & George Street

Table 15 View 2 parameters

Component	Proposal
View type	Narrow
Viewing range	Medium
Viewing distance	Approximately 70m
Viewing direction	West
Viewing angle	Oblique
Viewing elevation	Below



Figure 27 Argyle & George Streets - existing view

Source: Virtual Ideas

7.6.1 Assessment of sensitivity

Number and type of people

The type of people who are likely to be exposed to this view are travellers along Argyle Street and patrons sitting in the outdoor dining areas lining the street. The views obtained by travellers and seated patrons will be predominantly medium-range views from moving (dynamic) locations for a short time duration or static locations for a medium time duration. The viewer numbers are expected to be in the medium range due to this being a key pedestrian route through The Rocks, but given the type of viewers and duration of viewing, viewer sensitivity is considered to be low.

Social and cultural heritage

No views of water or iconic landscapes are obtained from this view. This view of the site is within The Rocks Heritage Conservation Area, and a number of heritage buildings are generally visible in the view as they line Argyle Street. Given the State heritage significance of the buildings along Argyle Street which are obtained from this view, the social and cultural value of this view is medium.

Visual characteristics

The dominant feature of this view is the heritage buildings which line Argyle Street and are of State significance, the decorative lanterns and outdoor seating on the street, and the street trees which line the street in the background. The sky is also visible from this view. Due to the presence of heritage-listed buildings in close-range in this view, the sensitivity of the visual characteristics in this view is medium.

Overall sensitivity

In light of the above, the overall sensitivity of the view to the proposed development is medium.

Table 16 View 2 – Argyle & George Streets: sensitivity of the view to the nature of change proposed

Matter	Rating			
	Negligible	Low	Medium	High
Number and type of visual receptors		Low		
Social and cultural value			Medium	
Visual characteristics			Medium	
Overall sensitivity			Medium	



Figure 28 Argyle & George Streets - view with proposed envelope (yellow outline) and detailed design

Source: Virtual Ideas

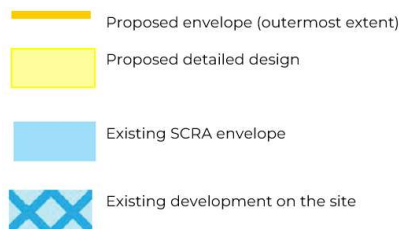


Figure 29 Argyle & George Streets - Proposed envelope (shown in yellow outline)

Source: Virtual Ideas

Visual impact

While the proposed building envelope is visible to a minimal extent in this view, and the detailed building design is visible to an even smaller extent, existing street trees and existing buildings on Argyle Street provide a high degree of visual screening of the proposed development. As a result, the presence of the development in the background only results in a minor visual impact which will likely go unnoticed by the public from this view. This is further achieved by how the detailed building appears to conform to the rising height datum looking westward from this view. Given that the key visual characteristics of the view will remain unaffected by the proposed development, the scale of visual impact of the proposed development on this view will be minor.

View loss

The proposed development will not result in the loss of any significant views obtained from this viewpoint. Importantly, the key views of the heritage buildings in the foreground on Argyle Street will remain unchanged and unobstructed. Only a small portion of the view of the sky will be blocked by the proposed development.

Comparison of proposed building envelope with the current SCRA envelope

As demonstrated in **Figure 28** and **Figure 29**, the visual impacts and view loss of the SCRA envelope would be much greater than that of the proposed building envelope from this viewpoint.

7.6.2 Assessment of magnitude of visual impact

The following table provides an assessment of the magnitude of likely visual impact.

Table 17 View 2 – magnitude of visual impact

		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	Noticeable	Noticeable	Perceptible
	Minor change over a restricted area; or Insignificant change	Perceptible	Perceptible	Perceptible	Imperceptible
	Imperceptible change	Imperceptible	Imperceptible	Imperceptible	Imperceptible

7.6.3 Assessment of magnitude of visual impact

The following table provides an assessment of the significance of likely visual impact.

Table 18 View 2 – Argyle & George Streets: 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

7.7 View 3 – Playfair Markets

Table 19 View 3 parameters

Component	Proposal
View type	Narrow
Viewing range	Close
Viewing distance	Approximately 60m
Viewing direction	South-west
Viewing angle	Oblique
Viewing elevation	Below

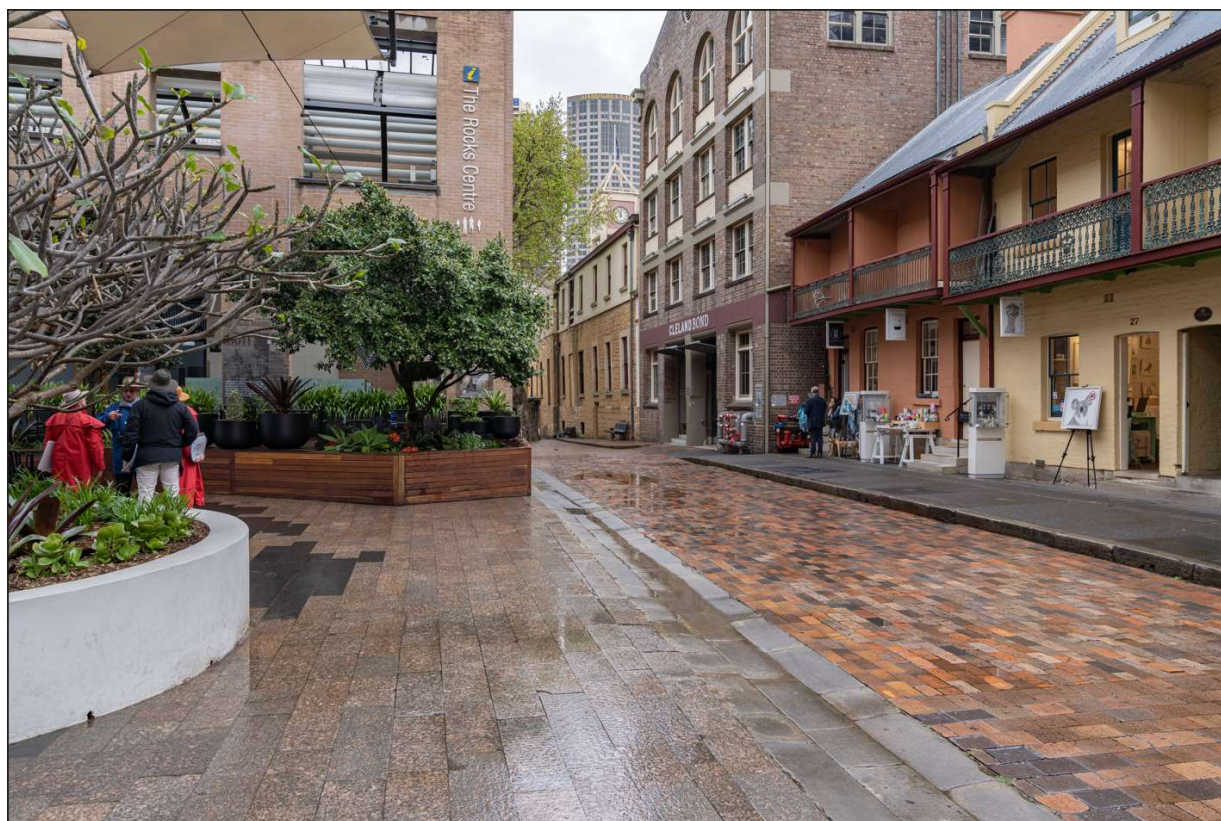


Figure 30 *Playfair Markets - existing view*

Source: Virtual Ideas

7.7.1 Assessment of sensitivity

Number and type of people

The type of people who are likely to be exposed to this view are travellers along Playfair Street and visitors to the adjoining Playfair Market which is an outdoor seating and gathering area. The views obtained by travellers using the street will be predominantly close-range views from moving (dynamic) locations and for a short-medium duration of time, while using the street or visiting the market. The viewer numbers are expected to be low, and given that these will be from moving locations for a short-medium period of time, viewer sensitivity is considered to be low.

Social and cultural heritage

No views of water or iconic landscapes are obtained from this view. This view of the site is within The Rocks Heritage Conservation Area, and a number of heritage buildings are generally visible in the view as they line Playfair Street. Given the heritage significance of the buildings along Playfair Street which are obtained from this view, the social and cultural value of this view is medium.

Visual characteristics

The dominant feature of this view is the heritage buildings which line Playfair Street, and The Rocks Square (a public open space) in the foreground. Only a very small portion of the sky is visible from this view. Due to the presence of heritage-listed buildings in close-range in this view, the sensitivity of the visual characteristics in this view is medium.

Overall sensitivity

In light of the above, the overall sensitivity of the view to the proposed development is medium.

Table 20 View 3 – Playfair Markets: sensitivity of the view to the nature of change proposed

Matter	Rating			
	Negligible	Low	Medium	High
Number and type of visual receptors		Low		
Social and cultural value			Medium	
Visual characteristics			Medium	
Overall sensitivity			Medium	



Figure 31 Playfair Markets - view with proposed envelope (yellow outline) and detailed design

Source: Virtual Ideas

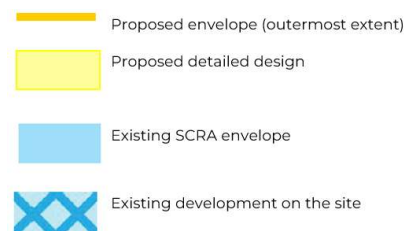
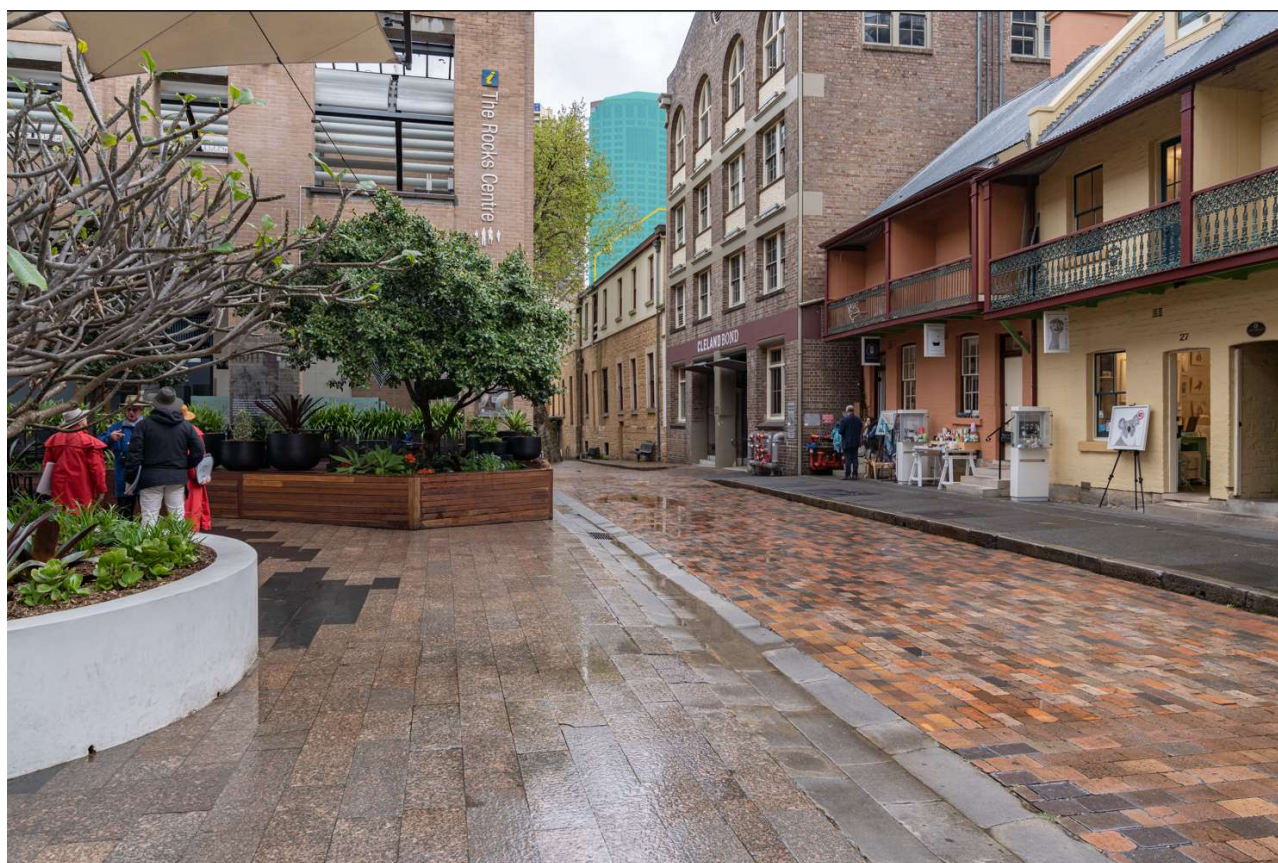


Figure 32 *Playfair Markets - Proposed envelope (shown in yellow outline)*

Source: Virtual Ideas

Visual impact

While the proposed building envelope and detailed building design are visible to a minimal extent in this view, as demonstrated in **Figure 31**. Notably, the clocktower will be removed which is a visible element in the existing view, however this is an inevitable result of redevelopment of the site and does not automatically constitute an adverse visual impact of the development. The prominent views / essence and character of this view is the intimacy of the heritage buildings in the foreground. The clocktower sits behind all this and does not influence the immediate character and views. Given that the key visual characteristics of the view will remain unaffected by the proposal and it will only be visible to a minor extent from this view, the scale of visual impact of the proposal on this view will be negligible.

View loss

The only conceivable view loss is the long-range view behind the existing buildings and minimal blocking of a small portion of the Shangri-La Hotel in the background, which is not significant view loss. Importantly, the views of The Rocks Square and the heritage buildings on Playfair Street will remain unobstructed.

Comparison of proposed building envelope with the current SCRA envelope

As demonstrated in **Figure 31** and **Figure 32**, the SCRA envelope is significantly more visually prominent than the proposed envelope from this viewpoint. As such, visual impacts and view loss from the SCRA envelope would be greater by comparison.

7.7.2 Assessment of magnitude of visual impact

The following table provides an assessment of the magnitude of likely visual impact.

Table 21 View 3 – magnitude of visual impact

		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	Noticeable	Noticeable	Perceptible
	Minor change over a restricted area; or Insignificant change	Perceptible	Perceptible	Perceptible	Imperceptible
	Imperceptible change	Imperceptible	Imperceptible	Imperceptible	Imperceptible

7.7.3 Assessment of magnitude of visual impact

The following table provides an assessment of the significance of likely visual impact.

Table 22 View 3 – Playfair Markets: 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

7.8

7.9 View 4 – Argyle and Playfair Streets

Table 23 View 4 parameters

Component	Proposal
View type	Narrow
Viewing range	Close
Viewing distance	Approximately 30m
Viewing direction	South-east
Viewing angle	Oblique
Viewing elevation	Below



Figure 33 Argyle and Playfair Streets - existing view

Source: Virtual Ideas

7.9.1 Assessment of sensitivity

Number and type of people

The type of people who are likely to be exposed to this view are travellers (pedestrians and vehicle users) along Argyle Street. The views obtained by travellers using the street will be predominantly close-range views from moving (dynamic) locations and for a short duration of time, while using the street. The viewer numbers are expected to be in the low-medium range, but given that these will be from moving locations for a short period of time, viewer sensitivity is considered to be low.

Social and cultural heritage

No views of water or iconic landscapes are obtained from this view. The majority of the view is dominated by the existing building, which is not heritage listed and of no recognised heritage significance. In addition, there are no iconic views behind the existing building which are visible.

Visual characteristics

The dominant feature in this view is the clocktower on the subject site in the foreground. The street trees and the sky are also key elements in this view. There are no iconic visual characteristics in this view, so the sensitivity of the visual characteristics in this view is low.

Overall sensitivity

In light of the above, the overall sensitivity of the view to the proposal is low.

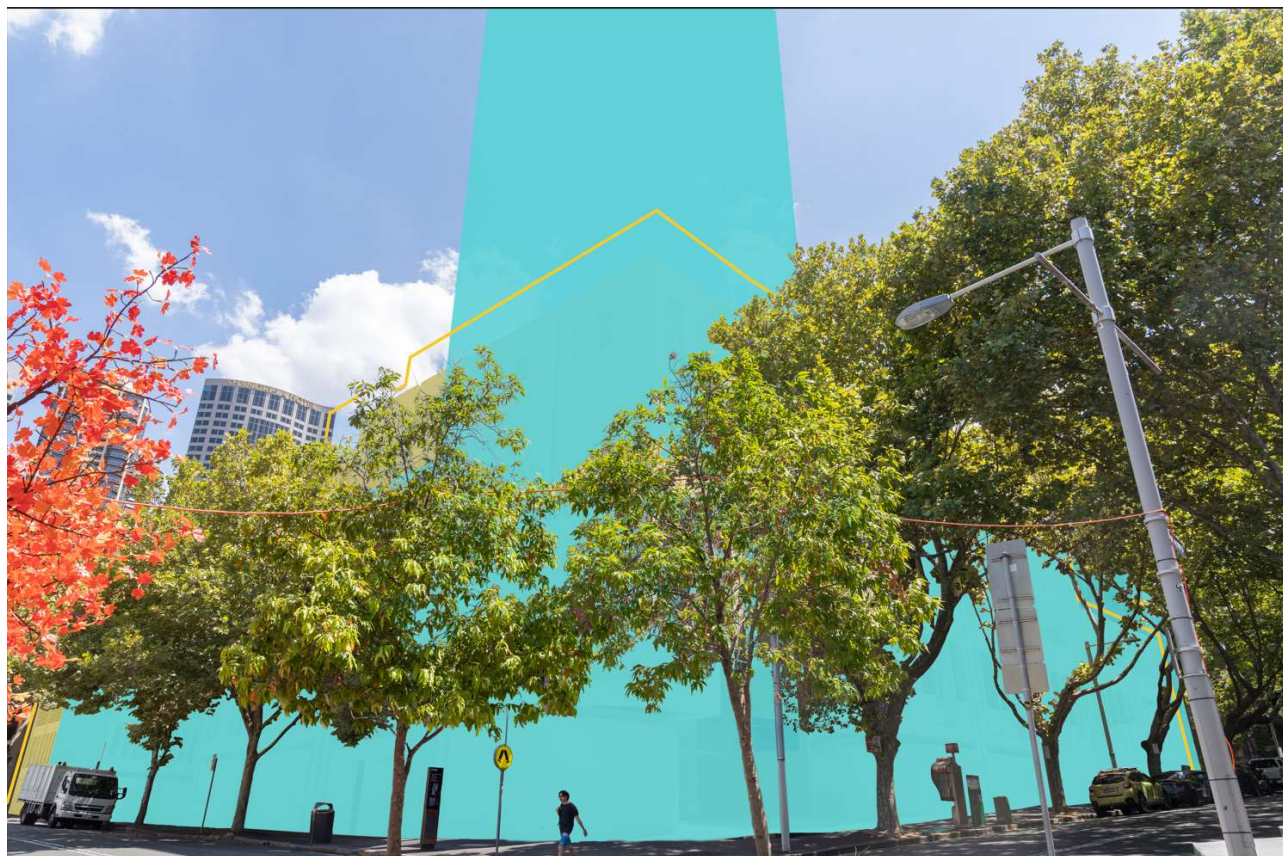
Table 24 View 4 – Argyle and Playfair Streets: sensitivity of the view to the nature of change proposed

Matter	Rating			
	Negligible	Low	Medium	High
Number and type of visual receptors		Low		
Social and cultural value		Low		
Visual characteristics		Low		
Overall sensitivity		Low		



Figure 34 Argyle and Playfair Streets - view with proposed envelope (yellow outline) and detailed design

Source: Virtual Ideas



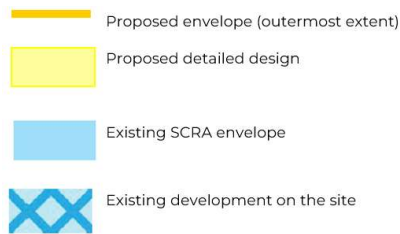


Figure 35 Argyle and Playfair Streets - Proposed envelope (shown in yellow outline)

Source: Virtual Ideas

Visual impact

The proposed development will result in a distinct visual change to this view, although this does not automatically represent an adverse visual impact. The clocktower will be removed for the redevelopment of the site. The key difference will be a more prominent podium form and greater form at the upper levels which is currently open to sky. The new building is, however, very similar at the ground level in terms of built form. Furthermore, to reduce perceived bulk and dominance, the proposed building has been designed with façade modulations and stepped back upper floors. Furthermore, the street trees will provide a degree of screening of the proposed development and this will all help to ensure that visual impacts are minimised. While the proposed building will result in a visual change to this view, it will not appear as overly dominant in the context of the existing buildings.

View loss

The proposal will only result in loss of views to a portion of the sky. No views of buildings, heritage features or iconic landscapes will be blocked by the building.

Comparison of proposed building envelope with the current SCRA envelope

While the proposed new building envelope will sit higher than the SCRA envelope (with the exception of the tower portion of the SCRA envelope), it is considered that the proposed envelope will present an opportunity for a more uniform built form that is overall less visually dominant on this view than that which could be established by the SCRA envelope. The proposed building envelope will also result in an increase in the view of the sky in the background, when compared to the SCRA envelope.

7.9.2 Assessment of magnitude of visual impact

The following table provides an assessment of the magnitude of likely visual impact.

Table 25 View 4 – magnitude of visual impact

		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	Noticeable	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

7.9.3 Assessment of magnitude of visual impact

The following table provides an assessment of the significance of likely visual impact.

Table 26 View 4 – Argyle and Playfair Streets: 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

7.10 View 5 – Glenmore Rooftop

Table 27 View 5 parameters

Component	Proposal
View type	Narrow
Viewing range	Close
Viewing distance	Approximately 40m
Viewing direction	South-east
Viewing angle	Oblique
Viewing elevation	Above

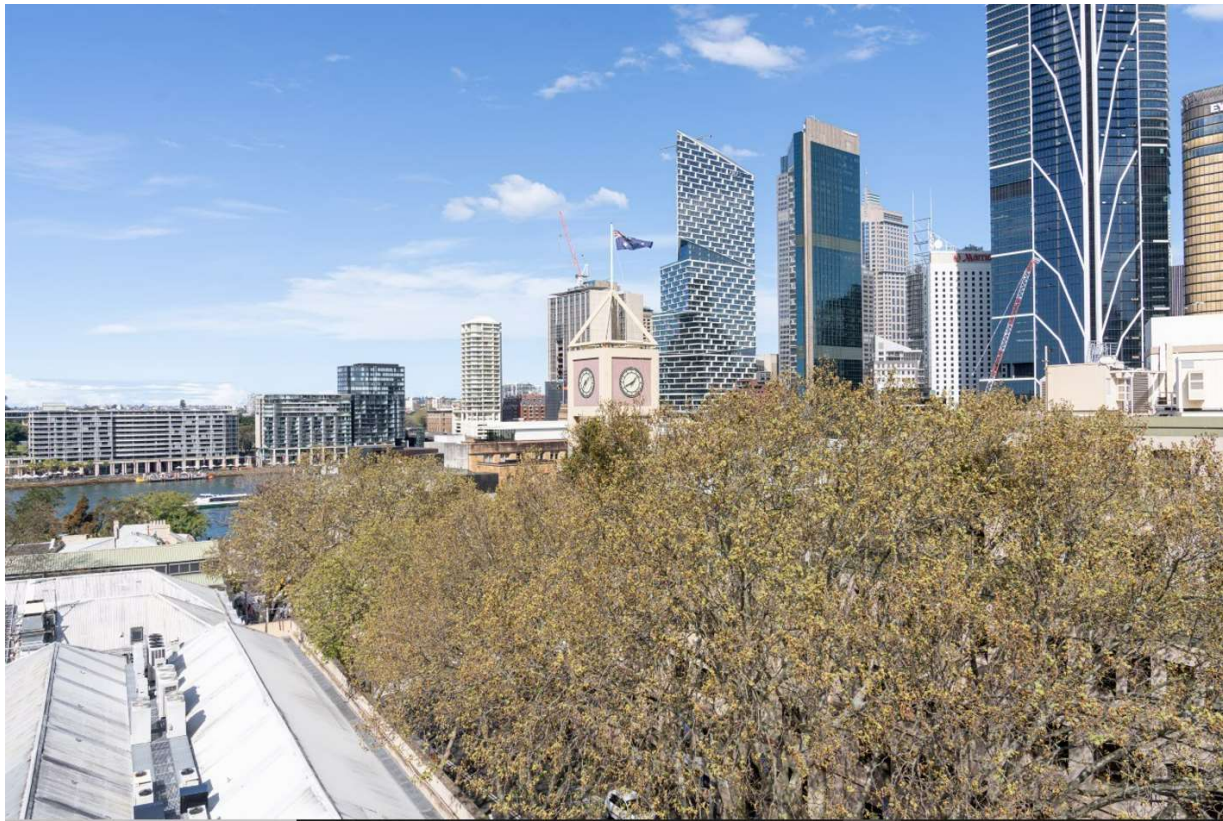


Figure 36 *Glenmore Rooftop - existing view*

Source: Virtual Ideas

7.10.1 Assessment of sensitivity

Number and type of people

The type of people who will be exposed to this view are visitors to the Glenmore Hotel Rooftop. The views obtained will be predominantly close-range views and for a medium duration of time, associated with food and beverage consumption. The number of people exposed to this view will be relatively low, with viewers predominantly being people visiting the Glenmore Hotel for a rooftop dining experience. Given that view obtained will be in close-range and have the potential to be viewed by a low number of people, the sensitivity level for viewers is low.

Social and cultural heritage

There are no views of iconic landscapes, such as the Sydney Opera House, obtained from this view. A small extent of the harbour (closer to Circular Quay) is visible, however. While this view of the site is however within The Rocks Heritage Conservation Area, there are no significant views of listed heritage buildings obtained in this view. A small part of the Museum of Contemporary Art is visible, and the broader CBD skyline is visible in the background. On balance, the social and cultural value of this view is medium.

Visual characteristics

The dominant feature in the foreground of this view are the well-established street trees along Argyle Street, and the clocktower on the subject site which projects above the trees in the midground. A small extent of the Sydney Harbour is visible in the background, as are a number of tower buildings. No particularly significant or iconic features are visible in the view. On balance, the sensitivity of the visual characteristics of the view are low.

Overall sensitivity

In light of the above, the overall sensitivity of the view to the proposed development is low.

Table 28 View 5 – Glenmore Rooftop: sensitivity of the view to the nature of change proposed

Matter	Rating			
	Negligible	Low	Medium	High
Number and type of visual receptors		Low		
Social and cultural value			Medium	
Visual characteristics		Low		
Overall sensitivity		Low		

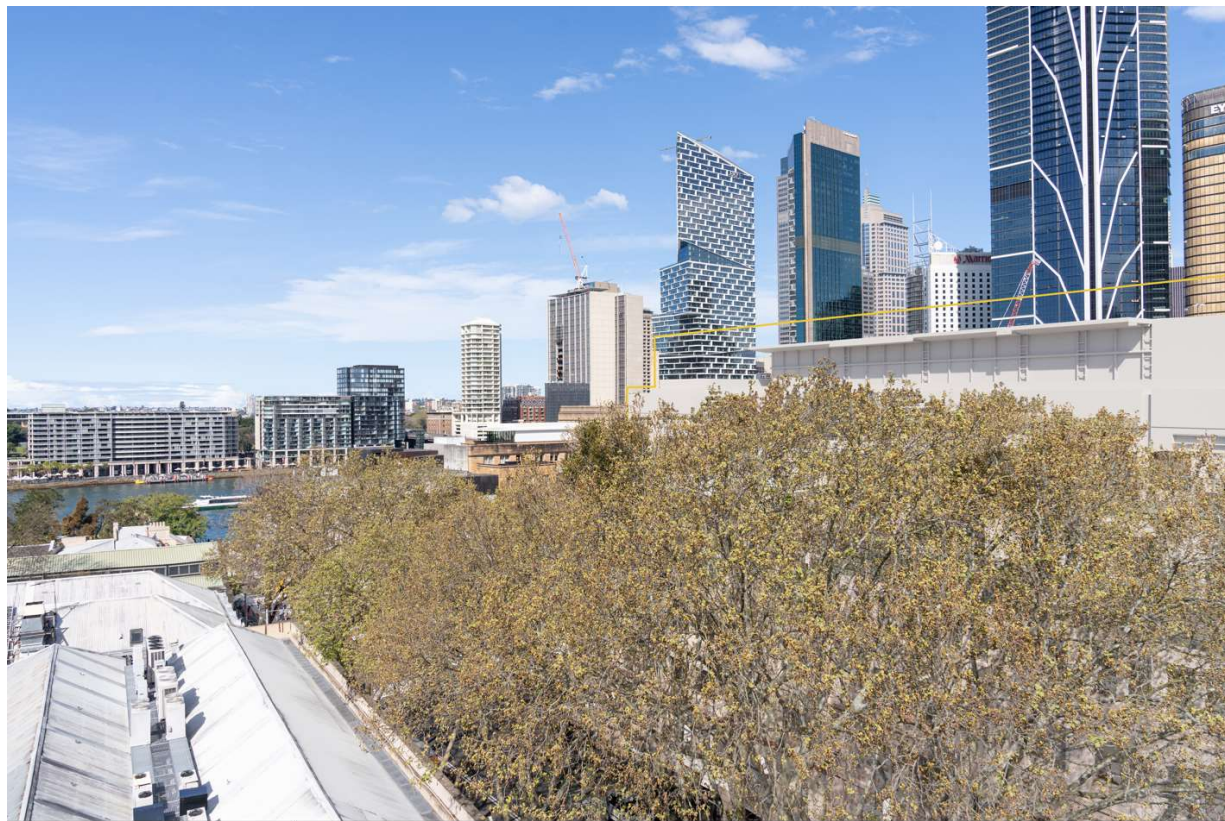


Figure 37 Glenmore Rooftop- view with proposed envelope (yellow outline) and detailed design

Source: Virtual Ideas

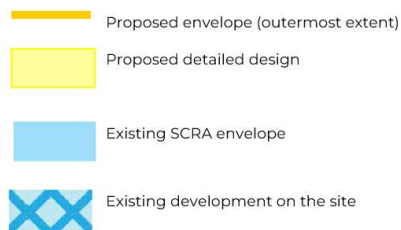
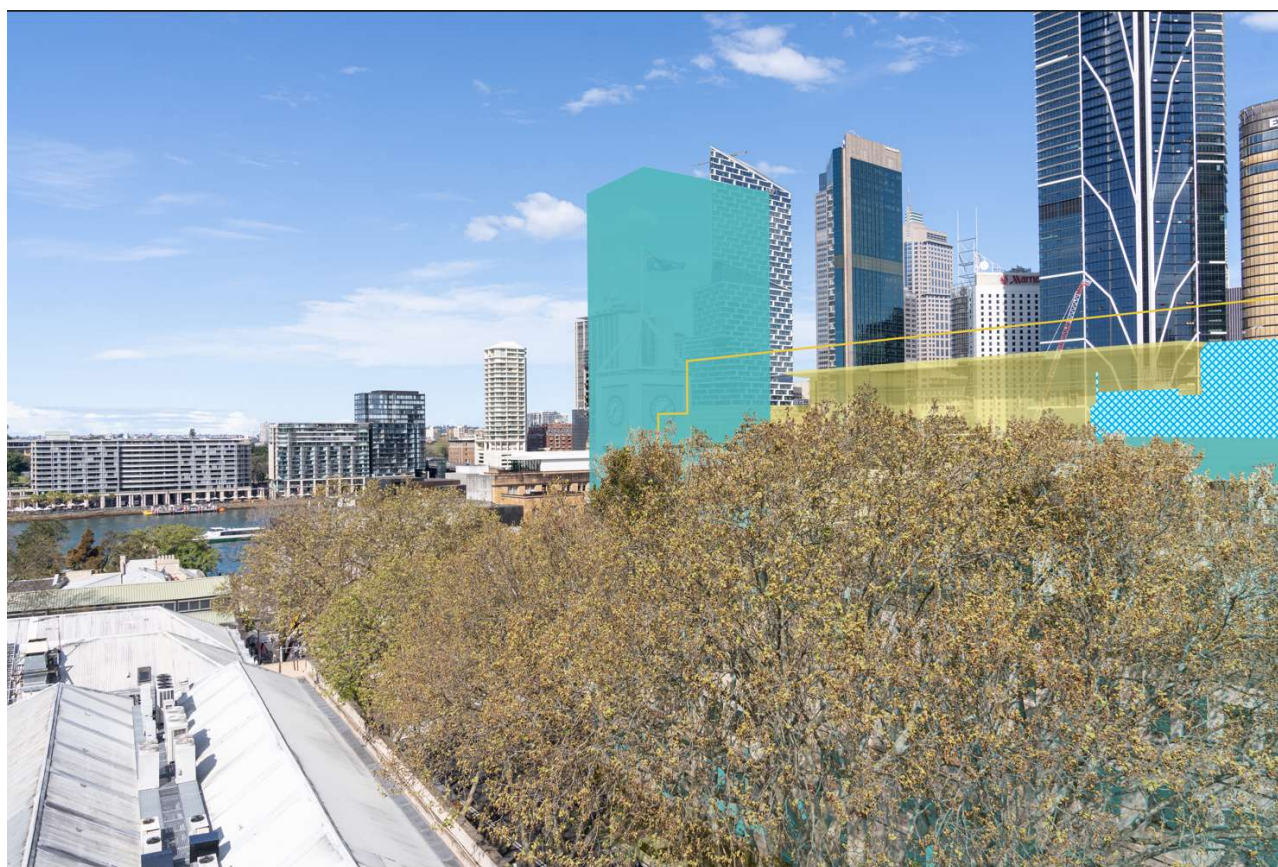


Figure 38 *Glenmore Rooftop - Proposed envelope (shown in yellow outline)*

Source: Virtual Ideas

Visual impact

The proposed development will result in a moderate scale of change to this view. As demonstrated in **Figure 37**, the proposed detailed building design will be visible in the midground of the view, projecting above the top of the trees on Argyle Street. The majority of the development, with the exception of the top floor, will be visually screened by the trees on Argyle Street, which will help to minimise the perceived bulk and scale of the development from this view. Notably, the proposed building will sit comfortably in the context of the surrounding buildings and be well below the height of the tower buildings in the background. Notably, the clocktower will be removed which is a dominant feature in the existing view from this viewpoint, however this is an inevitable result of redevelopment of the site and does not automatically constitute an adverse visual impact of the development. As such, the scale of visual impact of the proposed development on this view will be moderate.

View loss

As noted above, views of a small extent of the Sydney Harbour are obtained from this view. The proposed development will not result in any view loss to the Sydney Harbour from this viewpoint, nor will it result in view loss of the sky or any heritage buildings in the surrounding area. The development will result in a minor degree of view loss, which will be limited to the lower levels of the tower buildings in the background. The prominent visual features of this view are the skyline and tall building elements against the sky. The proposal will not affect views to these features. As such, the degree of any view loss is minimal, and importantly the views of iconic landscapes obtained from this viewpoint will be retained.

Comparison of proposed building envelope with the current SCRA envelope

The new building envelope will generally sit above the SCRA envelope from this viewpoint, although this will only result in a minor degree of view loss of the lower portions of the city towers in the background. The tower portion of the SCRA envelope is visually prominent in this view and would result in a higher degree of view loss than the proposed envelope.

7.10.2 Assessment of magnitude of visual impact

The following table provides an assessment of the magnitude of likely visual impact.

Table 29 View 5 – magnitude of visual impact

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	Noticeable	Noticeable	Perceptible
	Minor change over a restricted area; or Insignificant change	Perceptible	Perceptible	Perceptible	Imperceptible
	Imperceptible change	Imperceptible	Imperceptible	Imperceptible	Imperceptible

7.10.3 Assessment of magnitude of visual impact

The following table provides an assessment of the significance of likely visual impact.

Table 30 View 5 – Glenmore Rooftop: significance of visual impact

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

Magnitude						
Sensitivity	Low	Moderate	Low	Low	Negligible	Negligible
	Negligible	Low	Low	Negligible	Negligible	Negligible

7.11 View 6 – The Argyle Bridge

Table 31 View 6 parameters

Component	Proposal
View type	Narrow
Viewing range	Close
Viewing distance	Approximately 20m
Viewing direction	East
Viewing angle	Right-angle
Viewing elevation	Above



Figure 39 Argyle Bridge - existing view

Source: Virtual Ideas

7.11.1 Assessment of sensitivity

Number and type of people

The type of people who are likely to be exposed to this view are travellers (pedestrians and car users) using and adjacent to the Argyle Bridge. The views obtained by travellers along the bridge will be predominantly close-range views from moving (dynamic) locations and for a short duration of time, while moving across the bridge. The number of people

exposed to this view will vary, but it is noted that Argyle Bridge is not a destination in itself, nor is it on a key pedestrian route, meaning that viewer numbers are not expected to be high.

Social and cultural heritage

There are no views of water or iconic landscapes obtained from this specific view. This view of the site is within The Rocks Heritage Conservation Area, however the existing building on the site is not a heritage item. The development to the west is a State heritage item, however is not prominent. There are no other heritage items which are a dominant feature in this view. As such, the social and cultural value of this view is low.

Visual characteristics

The dominant feature in the foreground of this view is the existing seven storey mixed-use building on the site. The building is partially screened from view by the existing established street trees lining Argyle Street, which are also a dominant visual characteristic in this view. The clocktower structure at the corner of Argyle Street and Harrington Street is not visible from this viewpoint. Part of the sky is also visible, as are several existing Sydney CBD tower structures in the background. Overall, the visual characteristics of the view are considered to be low.

Overall sensitivity

In light of the above, the overall sensitivity of the view to the proposal is low.

Table 32 View 6 – Argyle Bridge: sensitivity of the view to the nature of change proposed

Matter	Rating			
	Negligible	Low	Medium	High
Number and type of visual receptors		Low		
Social and cultural value		Low		
Visual characteristics		Low		
Overall sensitivity		Low		



Figure 40 Argyle Bridge - view with proposed envelope (yellow outline) and detailed design

Source: Virtual Ideas



-  Proposed envelope (outermost extent)
-  Proposed detailed design
-  Existing SCRA envelope
-  Existing development on the site

Figure 41 Argyle Bridge - Proposed envelope (shown in yellow outline)

Source: Virtual Ideas

Visual impact

The visual impact of the proposal is not too dissimilar to the existing view of the development from the Argyle Bridge. The bulk and scale of the existing and proposed development are generally consistent with one another, noting that the proposed building will result in some additional building height and additional bulk on the upper stories. The street trees along Argyle Street will continue to offer a degree of visual screening of the proposal which will make the change to the view less noticeable. It is considered that the proposed development will sit comfortably within the context of the existing buildings, and will not result in a noticeable change for most of the viewing public along this bridge.

View loss

As noted above, there are no significant views of social and/or cultural significance obtained from this view. The proposed development will be visible in the foreground, with the only view loss relating to a small extent of the sky and two tower structures in the background which are not visually prominent or significant features obtained in this view. As such, the degree of view loss is considered low.

Comparison of proposed building envelope with the current SCRA envelope

The proposed new building envelope will sit higher than the SCRA envelope (with the exception of the tower portion of the SCRA envelope) in the foreground of this view. This will result in a minimal increase in visual impact and view loss of a small portion of the CBD tower buildings in the background. These views are not of significant features, however, and it is considered that the proposed envelope will present an opportunity for a more uniform built form that is less visually obtrusive on the landscape than that which could be established by the SCRA envelope with the tower structure which projects above the height of the surrounding buildings in the vicinity of the site.

7.11.2 Assessment of magnitude of visual impact

The following table provides an assessment of the magnitude of likely visual impact.

Table 33 View 6 – Argyle Bridge: magnitude of visual impact

		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	Noticeable	Noticeable	Perceptible
	Minor change over a restricted area; or Insignificant change	Perceptible	Perceptible	Perceptible	Imperceptible
	Imperceptible change	Imperceptible	Imperceptible	Imperceptible	Imperceptible

7.11.3 Assessment of magnitude of visual impact

The following table provides an assessment of the significance of likely visual impact.

Table 34 View 6 – Argyle Bridge: 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

7.12 View 7 – Bridge Stairs

Table 35 View 7 parameters

Component	Proposal
View type	Wide
Viewing range	Medium
Viewing distance	Approximately 50m
Viewing direction	East
Viewing angle	Oblique
Viewing elevation	Above



Figure 42 Bridge Stairs - existing view

Source: Virtual Ideas

7.12.1 Assessment of sensitivity

Number and type of people

The type of people who are likely to be exposed to this view are commuters, walkers and visitors using the Argyle Stairs. This is an area that forms part of a journey rather than being intended to be an established stationary viewing area. As such, the views obtained by travellers using the stairs will be predominantly medium-range views from moving (dynamic) locations and for a short duration of time, as part of their commute / journey while using the stairs. The viewer numbers are expected to be in the medium range, but given that these will be from moving locations for a short period of time, viewer sensitivity is considered to be low.

Social and cultural heritage

Views of the Sydney Harbour and unobstructed views of the Sydney Opera House are obtained from this view. This view of the site is also within The Rocks Heritage Conservation Area, and a number of heritage buildings are generally visible in the view, but are not dominant features in the view. Given the iconic significance of the Sydney Harbour and Sydney Opera House and the unobstructed views of these features from this viewpoint given the height advantage of the stairs, the social and cultural value of this view is high.

Visual characteristics

The dominant feature in the foreground of this view is the Argyle Stairs. The clocktower structure at the corner of Argyle Street and Harrington Street is a dominant feature in the midground of this view. The Sydney Harbour and Sydney Opera House are the dominant features in the background of the view. Views of the sky are also a key element of this view. Due to the number of dominant and iconic features in this view and the largely unobstructed view of them, the sensitivity of the visual characteristics is high.

Overall sensitivity

In light of the above, the overall sensitivity of the view to the proposed development is medium.

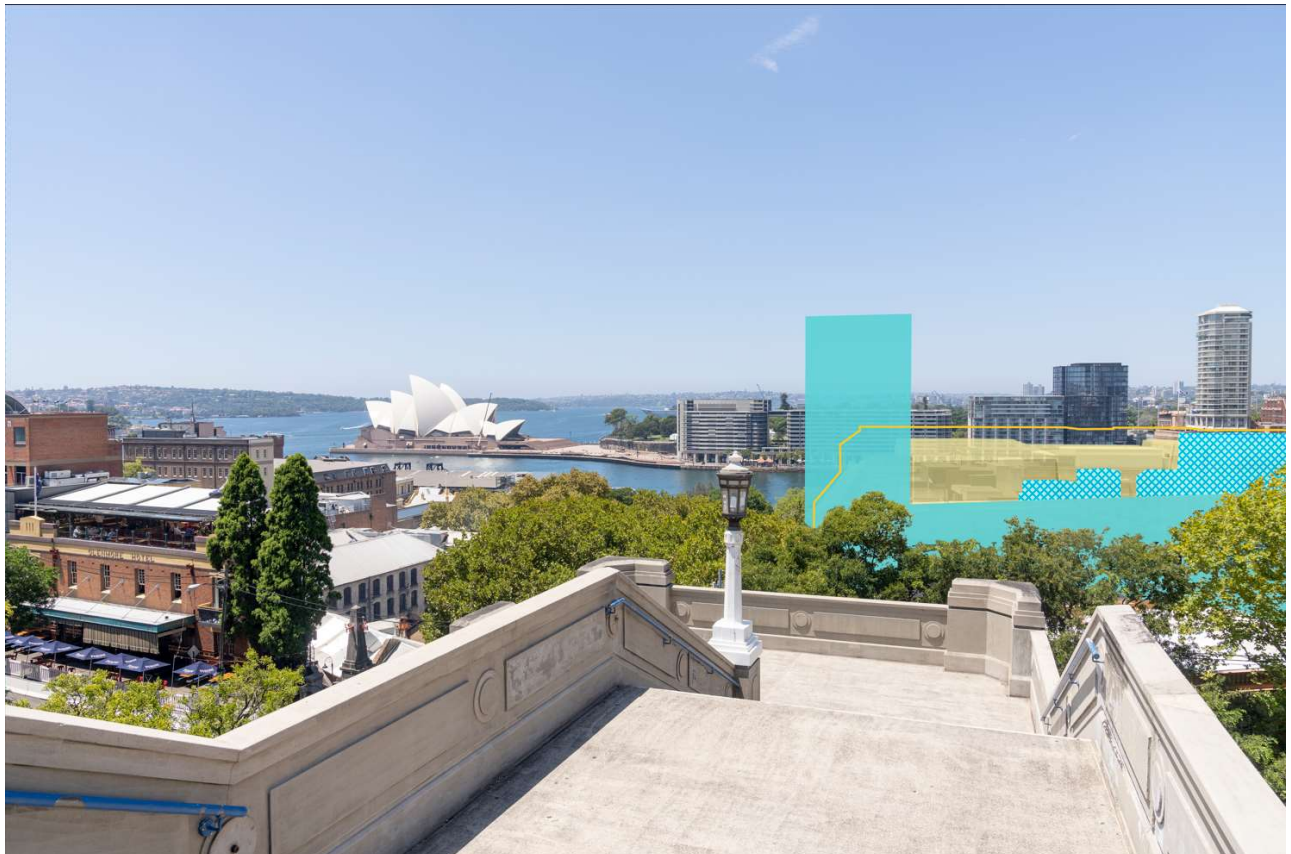
Table 36 View 7 – Bridge Stairs: sensitivity of the view to the nature of change proposed

Matter	Rating			
	Negligible	Low	Medium	High
Number and type of visual receptors		Low		
Social and cultural value				High
Visual characteristics				High
Overall sensitivity			Medium	



Figure 43 Bridge Stairs- view with proposed envelope (yellow outline) and detailed design

Source: Virtual Ideas



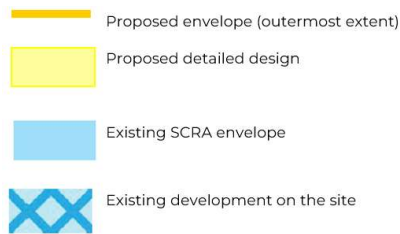


Figure 44 Bridge Stairs - Proposed envelope (shown in yellow outline)

Source: Virtual Ideas

Visual impact

The proposed development will result in a moderate scale of change to this view. As demonstrated in **Figure 43**, the proposed envelope and, to a lesser extent the detailed building design, will be visible in the midground of the view. While the development will present a moderate change this view, the existing established vegetation in the foreground will help to minimise the perceived bulk and scale of the development from this view. Additionally, a modulated rooftop and modulated facades have been incorporated into the design to mitigate the bulk and dominance of the building from this view and it is considered that the proposed building will sit comfortably in the context of the surrounding buildings. Notably, the clocktower will be removed which is a dominant feature in the existing view, however this is an inevitable result of redevelopment of the site and does not automatically constitute an adverse visual impact of the development. As such, the scale of visual impact of the proposed development on this view will be moderate.

View loss

As noted above, views of the Sydney Harbour and the Sydney Opera House are obtained from this view. The proposal will result in a very minor degree of view loss of some water which is currently visible through the gaps in the clocktower and immediately to the east. The proposal will not result in view loss of the sky or the Sydney Opera House. The proposal will mainly block views to an existing roof top plant which is of no value, and roof top features of the Museum of Contemporary Art and the next extension of the museum. Such view loss is considered minor, and not of significant features. A small extent of view loss of the lower portions of the buildings on the opposite side of the Cahill Walk from The Rocks will also occur. On balance, the degree of any view loss is minimal, and importantly the views of iconic landscapes (i.e the Sydney Opera House) obtained from this viewpoint will be retained.

Comparison of proposed building envelope with the current SCRA envelope

While the proposed new building envelope will sit higher than the SCRA envelope (with the exception of the tower portion of the SCRA envelope), it is considered that the proposed envelope will present an opportunity for a more uniform built form that is less visually obtrusive on the landscape than that which could be established by the SCRA envelope.

7.12.2 Assessment of magnitude of visual impact

The following table provides an assessment of the magnitude of likely visual impact.

Table 37 View 7 – magnitude of visual impact

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					
	Moderate change over restricted area, or Minor change over a wide area	Considerable	Noticeable	Noticeable	Perceptible
	Minor change over a restricted area; or Insignificant change	Perceptible	Perceptible	Perceptible	Imperceptible
	Imperceptible change	Imperceptible	Imperceptible	Imperceptible	Imperceptible

7.12.3 Assessment of magnitude of visual impact

The following table provides an assessment of the significance of likely visual impact.

Table 38 View 7 – Bridge Stairs: 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

7.13 View 8 – Cahill Walk (north)

Table 39 View 8 parameters

Component	Proposal
View type	Wide
Viewing range	Medium
Viewing distance	Approximately 75m
Viewing direction	East
Viewing angle	Oblique
Viewing elevation	Above



Figure 45 Cahill Walk (north) - existing view

Source: Virtual Ideas

7.13.1 Assessment of sensitivity

Number and type of people

The type of people who are likely to be exposed to this view are travellers along the Cahill Expressway. The views obtained by travellers along the road will be predominantly medium-range views from moving (dynamic) locations and for a short duration of time. The number of people exposed to this view will vary, but it is noted that the Cahill Expressway is a key distributor highway designed to accommodate high traffic volumes as well as pedestrians. Despite the high number of people who may experience this view, it is considered that the sensitivity level for viewers will be low given that the views will predominantly be medium-range views from moving locations and limited to a short time period.

Social and cultural heritage

Partly obstructed views of the Sydney Opera House and water elements are obtained in the background of this view in between the existing built form. Given the significance of these features, the social and cultural value of this view is high.

Visual characteristics

The dominant feature in the foreground of this view is the solar panels on the rooftop of the KGV Recreation Centre. A cluster of established trees is visible in the midground, and water elements and Sydney Opera House are visible in the background. There are also a number of buildings and rooftops of buildings in The Rocks visible, none of which are particularly dominant features in the view. The sky also makes up a large part of this view. On balance, the sensitivity of the visual characteristics of the view is medium.

Overall sensitivity

In light of the above, the overall sensitivity of the view to the proposed development is medium.

Table 40 View 8 – Cahill Walk (north): sensitivity of the view to the nature of change proposed

Matter	Rating			
	Negligible	Low	Medium	High
Number and type of visual receptors		Low		
Social and cultural value				High
Visual characteristics			Medium	
Overall sensitivity			Medium	



Figure 46 Cahill Walk (north) - view with proposed envelope (yellow outline) and detailed design

Source: Virtual Ideas

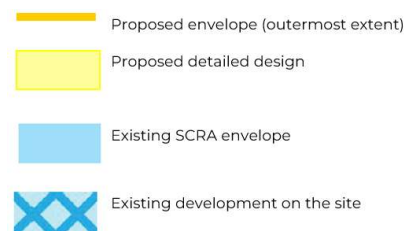
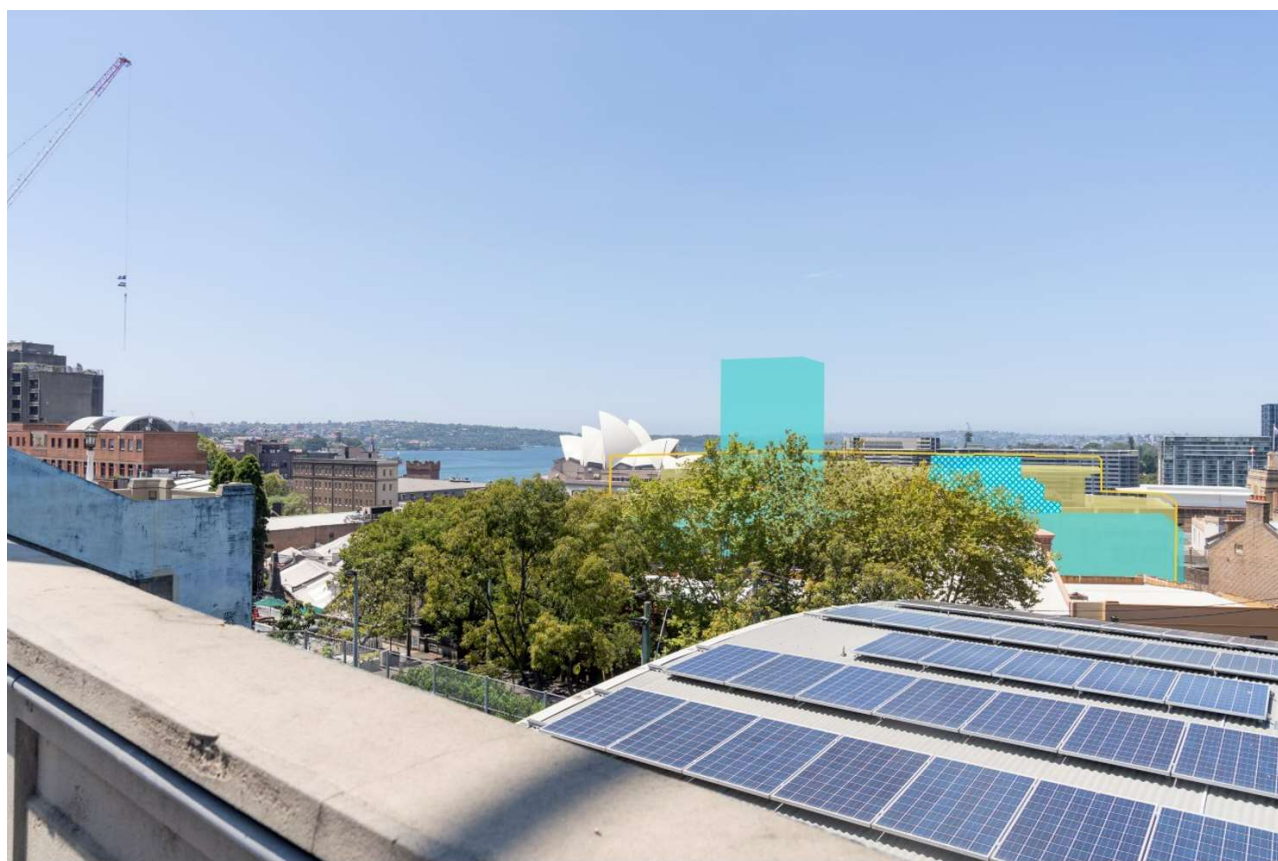


Figure 47 Cahill Walk (north) - Proposed envelope (shown in yellow outline)

Source: Virtual Ideas

Visual impact

The visual impact of the proposal on this view is minimal. As demonstrated in **Figure 46**, the proposed building envelope will be visible in the background of the view, with the proposed detailed building design being visible to a lesser extent and sitting comfortably within the context of the existing buildings in this view. As such, any noticeable change for the viewing public along the Cahill Expressway from this viewpoint will be minimal.

View loss

As noted above, views of the Sydney Harbour and Sydney Opera House are obtained from this view. While it is noted that the proposed building envelope indicates some view loss to the Opera House, the detailed building design has already been established (refer **Figure 46**) and will not result in any noticeable view loss to the Sydney Opera House. Notably, the proposed built form is east of the Opera House thus blocking a less significant view, compared to if it was positioned further west where it would be blocking direct views of the Opera House. Additionally, the proposed development will not block any views of the Sydney Harbour or the sky. There will however be some very minimal view loss to the buildings on Cahill Walk, but this is not likely to be discernible for the general public at this viewpoint. As such, the degree of any view loss is minimal, and importantly the views of the iconic landscapes obtained from this viewpoint will be retained.

Comparison of proposed building envelope with the current SCRA envelope

The proposed new building envelope will represent a different built form than the SCRA envelope which provides for a visually prominent tower in this view. On balance, the proposed building envelope and SCRA envelope would result a similar amount of view loss from this viewpoint (although the views blocked differ due to the change in built form). It is important to note that the proposed envelope would block the view of the bottom right corner of the Sydney Opera House from this viewpoint, however the detailed building design has already been established which will avoid loss of any views to the Opera House.

7.13.2 Assessment of magnitude of visual impact

The following table provides an assessment of the magnitude of likely visual impact.

Table 41 View 8 – magnitude of visual impact

		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	Noticeable	Noticeable	Perceptible
	Minor change over a restricted area; or Insignificant change	Perceptible	Perceptible	Perceptible	Imperceptible
	Imperceptible change	Imperceptible	Imperceptible	Imperceptible	Imperceptible

7.13.3 Assessment of magnitude of visual impact

The following table provides an assessment of the significance of likely visual impact.

Table 42 View 8 – Cahill Walk (north): 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

7.14 View 9 – Cahill Walk (south)

Table 43 View 9 parameters

Component	Proposal
View type	Wide
Viewing range	Medium
Viewing distance	Approximately 100m
Viewing direction	North-east
Viewing angle	Oblique
Viewing elevation	Above



Figure 48 Cahill Walk (south) - existing view

Source: Virtual Ideas

7.14.1 Assessment of sensitivity

Number and type of people

The type of people who are likely to be exposed to this view are travellers along the Cahill Expressway. The views obtained by travellers along the road will be predominantly medium-range views from moving (dynamic) locations and for a short duration of time. The number of people exposed to this view will vary, but it is noted that the Cahill Expressway is a key distributor highway designed to accommodate high traffic volumes. Despite the high number of people who may experience this view, it is considered that the sensitivity level for viewers will be low given that the views will predominantly be medium-range views from moving locations and limited to a short time period.

Social and cultural heritage

There are no views of water or iconic landscapes obtained from this view. This view of the site is however within The Rocks Heritage Conservation Area, and there are listed heritage buildings (such as the Sydney Harbour YHA) which are visible in the foreground of this view. As such, the social and cultural value of this view is medium.

Visual characteristics

The dominant feature in the foreground of this view is the rooftop of the KGV Recreation Centre and the Sydney Harbour YHA in the midground. The sky also makes up a large part of this view, and the flagpole at the Overseas Passenger Terminal is visible in the background. There are no significant or iconic features visible in this view. As such, the sensitivity of the visual characteristics of the view are low.

Overall sensitivity

In light of the above, the overall sensitivity of the view to the proposal is low.

Table 44 View 9 – Cahill Walk (south): sensitivity of the view to the nature of change proposed

Matter	Rating			
	Negligible	Low	Medium	High
Number and type of visual receptors		Low		
Social and cultural value			Medium	
Visual characteristics		Low		
Overall sensitivity		Low		



Figure 49 Cahill Walk (south) - view with proposed envelope (yellow outline) and detailed design

Source: Virtual Ideas



-  Proposed envelope (outermost extent)
-  Proposed detailed design
-  Existing SCRA envelope
-  Existing development on the site

Figure 50 Cahill Walk (south) - Proposed envelope (shown in yellow outline)

Source: Virtual Ideas

Visual impact

The visual impact of the development on this view is imperceptible. As demonstrated in **Figure 49**, the proposed building envelope will only just be visible in the background of the view and will sit comfortably within the context of the existing buildings in this view. The proposed detailed building design sits within the proposed building envelope and is not visible in this view. As such, there will not be a noticeable change for the viewing public along the Cahill Expressway from this viewpoint.

View loss

As noted above, there are no significant views of social and/or cultural significance obtained from this view, however there are heritage listed buildings visible in the foreground of the view. The proposed development will not be visible in this view and will not result in any view loss. In this regard, the views of the existing heritage buildings in the foreground will remain unaffected by the proposed development. The proposed development will also not block any views of the sky. As such, the degree of any view loss is imperceptible.

Comparison of proposed building envelope with the current SCRA envelope

As demonstrated in **Figure 49** and **Figure 50** above, the proposed new building envelope will be much less visually prominent than the SCRA envelope from this viewpoint and will also result in less view loss of elements in the background of this view.

7.14.2 Assessment of magnitude of visual impact

The following table provides an assessment of the magnitude of likely visual impact.

Table 45 View 9 – magnitude of visual impact

		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	Noticeable	Noticeable	Perceptible
	Minor change over a restricted area; or Insignificant change	Perceptible	Perceptible	Perceptible	Imperceptible
	Imperceptible change	Imperceptible	Imperceptible	Imperceptible	Imperceptible

7.14.3 Assessment of magnitude of visual impact

The following table provides an assessment of the significance of likely visual impact.

Table 46 View 9 – Cahill Walk (south): 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

Magnitude					
Negligible	Low	Low	Negligible	Negligible	Negligible

7.15 View 10 – Cambridge Street

Table 47 View 10 parameters

Component	Proposal
View type	Narrow
Viewing range	Close
Viewing distance	Approximately 80m
Viewing direction	North
Viewing angle	Oblique
Viewing elevation	Flat



Figure 51 Cambridge Street - existing view

Source: Virtual Ideas

7.15.1 Assessment of sensitivity

Number and type of people

The type of people who are likely to be exposed to this view are travellers on Cambridge Street looking to the north towards the proposed development. The views obtained by travellers using the street will be predominantly close-range views from moving (dynamic) locations and for a short duration of time, while using the street. The viewer

numbers are expected to be in the low range, and given that these will be from moving locations for a short period of time, viewer sensitivity is considered to be low.

Social and cultural heritage

No views of iconic landscape features, such as the Sydney Harbour Bridge or water views are obtained from this viewpoint. Heritage-listed buildings in The Rocks are, however, a dominant element in this view along the western side of Cambridge Street. Specifically, the State-heritage listed terrace buildings at 40 Gloucester Street and 48-56 Gloucester Street are visible in this view. As such, the social and cultural value of this view is medium.

Visual characteristics

The dominant features in this view are the heritage buildings lining the street. The sky is also visible in the view. It is however noted that Cambridge Street acts as a rear laneway and, as such, only the back of heritage buildings are visible from this viewpoint – the heritage facades which are typically a key element of heritage buildings are not a visible characteristic of this view. For this reason, the sensitivity of the visual characteristics in this view is low.

Overall sensitivity

In light of the above, the overall sensitivity of the view to the proposal is low.

Table 48 View 10 – Cambridge Street: sensitivity of the view to the nature of change proposed

Matter	Rating			
	Negligible	Low	Medium	High
Number and type of visual receptors		Low		
Social and cultural value			Medium	
Visual characteristics		Low		
Overall sensitivity		Low		



Figure 52 Cambridge Street - view with proposed envelope (yellow outline) and detailed design

Source: Virtual Ideas





Figure 53 Cambridge Street - Proposed envelope (shown in yellow outline)

Source: Virtual Ideas

Visual impact

The proposed development will be visible in the background, in place of the existing development. From this view, the building mass of the existing and proposed new buildings will be similar. The proposed new building will generally sit comfortably in the context of the existing buildings along Cambridge Street and provide a sense of continuity in terms of the building's relationship to the street. As such, the visual impact will be minor.

View loss

The proposed development will replace the existing building in the background of this view on the site and will be of a similar building mass and scale as the existing building, from this view. There will not be any view loss from this viewpoint as a result of the proposal.

Comparison of proposed building envelope with the current SCRA envelope

From this viewpoint, the proposed new building envelope and the SCRA envelope differ slightly in their form and shape but not to an extent that is expected to change the extent or nature of visual impact or view loss.

7.15.2 Assessment of magnitude of visual impact

The following table provides an assessment of the magnitude of likely visual impact.

Table 49 View 10 – magnitude of visual impact

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	Noticeable	Noticeable	Perceptible
	Minor change over a restricted area; or Insignificant change	Perceptible	Perceptible	Perceptible	Imperceptible
	Imperceptible change	Imperceptible	Imperceptible	Imperceptible	Imperceptible

7.15.3 Assessment of magnitude of visual impact

The following table provides an assessment of the significance of likely visual impact.

Table 50 View 10 – Cambridge Street: 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

7.16 View 11 – Harrington Street

Table 51 View 11 parameters

Component	Proposal
View type	Narrow
Viewing range	Close
Viewing distance	Approximately 40m
Viewing direction	North
Viewing angle	Oblique
Viewing elevation	Flat



Figure 54 Harrington Street - existing view

Source: Virtual Ideas

7.16.1 Assessment of sensitivity

Number and type of people

The type of people who are likely to be exposed to this view are travellers (both pedestrian commuters and people moving via vehicle) along Harrington Street. The views obtained by travellers using the street will be predominantly close-range views from moving (dynamic) locations and for a short duration of time, while traveling along the street. The viewer numbers are expected to be in the low range, but given that these will be from moving locations for a short period of time, viewer sensitivity is considered to be low.

Social and cultural heritage

No views of water or iconic landscapes are obtained from this view. This view of the site is within The Rocks Heritage Conservation Area, and a number of heritage buildings are generally visible in the view as they line Harrington Street. Specifically, the terraces at 55-59 Harrington Street are State heritage listed. Additionally, in general terms the heritage buildings on this street are a relatively good example of Colonial History. Given the heritage significance of the buildings along Argyle Street which are obtained from this view, the social and cultural value of this view is medium.

Visual characteristics

There are no particularly dominant features in this view. The view partly comprises the heritage buildings which line Harrington Street, the clocktower on the subject site (although the view of this is obscured by existing street trees), and the sky. Due to the lack of dominant visual features in this view, the sensitivity of the visual characteristics in this view is low.

Overall sensitivity

In light of the above, the overall sensitivity of the view to the proposed development is low.

Table 52 View 11 – Harrington Street: sensitivity of the view to the nature of change proposed

Matter	Rating			
	Negligible	Low	Medium	High
Number and type of visual receptors		Low		
Social and cultural value			Medium	
Visual characteristics		Low		
Overall sensitivity		Low		



Figure 55 Harrington Street - view with proposed envelope (yellow outline) and detailed design

Source: Virtual Ideas



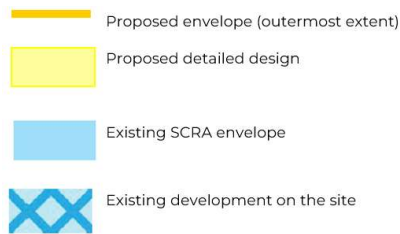


Figure 56 *Harrington Street - Proposed envelope (shown in yellow outline)*

Source: Virtual Ideas

Visual impact

The proposed building will be visible in the foreground of this view and will present an increase in building form within the upper parts of the foreground of the view, compared to current conditions. The proposed development will also be setback on the upper levels, notably from the facades of the heritage buildings which front Harrington Street. The corner setback at the intersection with Argyle Street will also ensure the height / podium datum extends the length of the street. As a result, the development will present a moderate change to the view but the street trees and design elements of the building are designed to mitigate the effects of bulk and dominance. Additionally, it is noted that the clocktower on the site which is currently visible in this view will be removed as part of the redevelopment of the site. However, the clocktower is already visually obscured from this viewpoint so this does not represent an adverse visual impact.

View loss

The proposed development will not result in the loss of any significant views obtained from this viewpoint. Only a small portion of the view of the sky will be blocked by the proposed development.

Comparison of proposed building envelope with the current SCRA envelope

The proposed new building envelope will sit higher than the SCRA envelope (with the exception of the tower portion of the SCRA envelope). However, it is considered that the proposed envelope will present an opportunity for a more uniform built form that is less visually obtrusive on this view than that which could be established by the SCRA envelope, noting the visual prominence of the tower portion of the SCRA from this viewpoint.

7.16.2 Assessment of magnitude of visual impact

The following table provides an assessment of the magnitude of likely visual impact.

Table 53 View 11 – magnitude of visual impact

		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	Noticeable	Noticeable	Perceptible
	Minor change over a restricted	Perceptible	Perceptible	Perceptible	Imperceptible

Duration and / or reversibility					
	area; or Insignificant change				
	Imperceptible change	Imperceptible	Imperceptible	Imperceptible	Imperceptible

7.16.3 Assessment of magnitude of visual impact

The following table provides an assessment of the significance of likely visual impact.

Table 54 View 11 – Harrington Street: 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

7.17 View 12 – Argyle & Cambridge Streets

Table 55 View 12 parameters

Component	Proposal
View type	Narrow
Viewing range	Close
Viewing distance	Approximately 10m
Viewing direction	South-east
Viewing angle	Oblique
Viewing elevation	Below



Figure 57 Argyle & Cambridge Streets - existing view

Source: Virtual Ideas

7.17.1 Assessment of sensitivity

Number and type of people

The type of people who are likely to be exposed to this view are pedestrian travellers along the Cambridge Street. The views obtained by travellers on the street will be predominantly close-range views from moving (dynamic) locations and for a short duration of time. The viewer numbers are expected to be low, and given that these will also be from moving locations for a short period of time, viewer sensitivity is considered to be low.

Social and cultural heritage

This view is within The Rocks Heritage Conservation Area with heritage buildings lining the right side of the path in this view. As such, the social and cultural value of this view is medium.

Visual characteristics

The existing building on the subject site dominates the foreground and midground of this view. is no dominant feature in this view. There are city towers visible in the background, as well as a small portion of the sky. It is comprised of heritage buildings lining the path. The sensitivity of the visual elements in this view are low.

Overall sensitivity

In light of the above, the overall sensitivity of the view to the proposal is low.

Table 56 View 12 – Argyle & Cambridge Streets: sensitivity of the view to the nature of change proposed

Matter	Rating			
	Negligible	Low	Medium	High
Number and type of visual receptors		Low		
Social and cultural value			Medium	
Visual characteristics		Low		
Overall sensitivity		Low		



Figure 58 Argyle & Cambridge Streets - view with proposed envelope (yellow outline) and detailed design

Source: Virtual Ideas

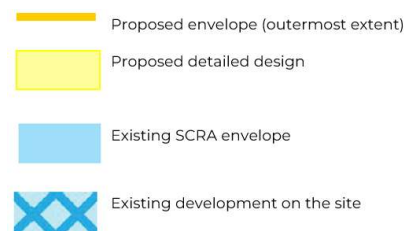


Figure 59 Argyle & Cambridge Streets - Proposed envelope (shown in yellow outline)

Source: Virtual Ideas

Visual impact

The proposal will replace an existing building in the foreground of this view, and will appear as a similar building mass and scale as the existing building from this viewpoint. This will become the dominant feature in this view, but will be consistent with the existing character and built form and will not result in adverse visual impacts on the laneway or the adjacent heritage items on the right side of the path.

View loss

As demonstrated in **Figure 58**, the proposal will replace an existing building in the foreground and will not result in any loss of views to the heritage buildings on the right side of the path or to the city towers or sky in the background.

Comparison of proposed building envelope with the current SCRA envelope

Due to the close-range of this viewpoint, the proposed new building envelope and the SCRA envelope are not expected to be visually discernible from one another, nor will either result in a greater visual impact or increased view loss from this viewpoint.

7.17.2 Assessment of magnitude of visual impact

The following table provides an assessment of the magnitude of likely visual impact.

Table 57 View 12 – magnitude of visual impact

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	Noticeable	Noticeable	Perceptible
	Minor change over a restricted area; or Insignificant change	Perceptible	Perceptible	Perceptible	Imperceptible
	Imperceptible change	Imperceptible	Imperceptible	Imperceptible	Imperceptible

7.17.3 Assessment of magnitude of visual impact

The following table provides an assessment of the significance of likely visual impact.

Table 58 View 12 – Argyle & Cambridge Streets: 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

7.18 View 13 – Observatory Hill

Table 59 View 13 parameters

Component	Proposal
View type	Wide
Viewing range	Long
Viewing distance	Approximately 250m
Viewing direction	East
Viewing angle	Oblique
Viewing elevation	Flat



Figure 60 *Observatory Hill- existing view*

Source: Virtual Ideas

7.18.1 Assessment of sensitivity

Number and type of people

The type of people who are likely to be exposed to this view are travellers and recreational users at Observatory Hill. The views obtained by people at Observatory Hill will be predominantly long-range views from a range of moving (dynamic) and stationary locations and for a short duration of time, while using the open space. The viewer numbers are expected to be in the medium range, but given that these will be from a range of moving and stationary locations for a relatively short period of time, viewer sensitivity is considered to be low.

Social and cultural heritage

No views of water, iconic landscapes or significant heritage items are obtained from this view. As such, the social and cultural value of this view is low.

Visual characteristics

The dominant feature in this view is the public open space at Observatory Hill and the sky. Cahill Expressway and some existing towers in the periphery of the view are also visible. There are no iconic visual characteristics in this view, so the sensitivity of the visual characteristics in this view is low.

Overall sensitivity

In light of the above, the overall sensitivity of the view to the proposal is low.

Table 60 View 13 – Observatory Hill: sensitivity of the view to the nature of change proposed

Matter	Rating			
	Negligible	Low	Medium	High
Number and type of visual receptors		Low		
Social and cultural value		Low		
Visual characteristics		Low		
Overall sensitivity		Low		



Figure 61 Observatory Hill - view with proposed envelope (yellow outline) and detailed design

Source: Virtual Ideas

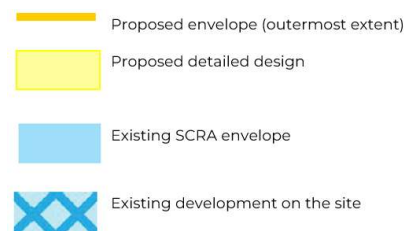


Figure 62 *Observatory Hill - Proposed envelope (shown in yellow outline)*

Source: Virtual Ideas

Visual impact

As demonstrated in **Figure 61**, the proposal is not visible from this viewpoint. As such, there is no visual impact.

View loss

As the proposal is not visible from this viewpoint, there will be no view loss.

Comparison of proposed building envelope with the current SCRA envelope

While the proposed new building envelope is not visible from this viewpoint, the tower portion of the SCRA envelope projects into the background of the view. As such, visual impacts and view loss will be much greater on this viewpoint from the SCRA envelope, compared to the proposed new envelope.

7.18.2 Assessment of magnitude of visual impact

The following table provides an assessment of the magnitude of likely visual impact.

Table 61 View 13 – magnitude of visual impact

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	Noticeable	Noticeable	Perceptible
	Minor change over a restricted area; or Insignificant change	Perceptible	Perceptible	Perceptible	Imperceptible
	Imperceptible change	Imperceptible	Imperceptible	Imperceptible	Imperceptible

7.18.3 Assessment of magnitude of visual impact

The following table provides an assessment of the significance of likely visual impact.

Table 62 View 13 – Observatory Hill: 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

7.19 View 14 – Cahill Walk (west)

Table 63 View 14 parameters

Component	Proposal
View type	Narrow
Viewing range	Long
Viewing distance	Approximately 150m
Viewing direction	North

Component	Proposal
Viewing angle	Oblique
Viewing elevation	Flat



Figure 63 Cahill Walk (west)- existing view

Source: Virtual Ideas

7.19.1 Assessment of sensitivity

Number and type of people

The type of people who are likely to be exposed to this view are travellers on the Cahill Expressway walkway looking to the north along Gloucester Street. The views obtained by travellers using the walkway will be predominantly long-range views from moving (dynamic) locations and for a short duration of time, while using the street. The viewer numbers are expected to be in the low-medium range but given that these will be from moving locations for a short period of time and in between a gap in built form created by the street, viewer sensitivity is considered to be low.

Social and cultural heritage

A view of the Sydney Harbour Bridge, specifically the arches and most of the bridge (excluding the pillars and road) is obtained from this view., The Rocks Heritage Conservation Area is also visible from this viewpoint. The foreground and midground of the view is predominantly characterised by an established uniform two-storey low density built form and character. Given the significance of the harbour bridge, the social and cultural value of this view is high.

Visual characteristics

The dominant features in this view are the heritage buildings lining the street in the foreground and the Sydney Harbour Bridge in the background. The sky is also visible in the view. Given the significance of the harbour bridge, the sensitivity of the visual characteristics in this view is high, although it is noted that the view of the harbour bridge is not completely unobstructed at present from this view.

Overall sensitivity

In light of the above, the overall sensitivity of the view to the proposal is high.

Table 64 View 14 – Cahill Walk (west): sensitivity of the view to the nature of change proposed

Matter	Rating			
	Negligible	Low	Medium	High
Number and type of visual receptors		Low		
Social and cultural value				High
Visual characteristics				High
Overall sensitivity				High



Figure 64 Cahill Walk (west) - view with proposed envelope (yellow outline) and detailed design

Source: Virtual Ideas

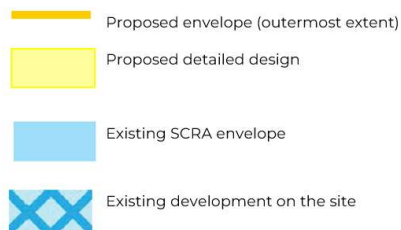


Figure 65 Cahill Walk (west) - Proposed envelope (shown in yellow outline)

Source: Virtual Ideas

Visual impact

The proposal will not affect the visual characteristics/elements in the foreground. The proposal will be visible in the background in front of the lower right portion of the Harbour Bridge from this view, noting that this is currently partially obstructed by the clocktower. As demonstrated in **Figure 64** and **Figure 65**, the detailed building will result in a minimal visual impact which is lesser than that of the building envelope (recognising that the envelope extends outwards), and the view to the Harbour Bridge will remain mostly unaffected. As such, the visual impact will be minor.

View loss

The proposed detailed building will result in a minor loss of views of the Sydney Harbour Bridge from this viewpoint. The Sydney Harbour Bridge is an iconic landmark, however the viewing angle already presents a partly obscured view of the bridge and the degree of view loss as a result of the proposal from this viewpoint is minimal. Furthermore, it is important to note that this is not a prominent area where people are expected to sit and enjoy the view. Therefore, on balance, any impacts associated with view loss are considered moderate.

Comparison of proposed building envelope with the current SCRA envelope

Both the proposed new building envelope and the SCRA envelope will result in some view loss of the Sydney Harbour Bridge from this viewpoint. The tower shape of the SCRA envelope is more visually prominent than the more uniform shape of the proposed envelope from this viewpoint. Furthermore, the extent of view loss of the Harbour Bridge as a result of the SCRA envelope is greater, with half of the arch obscured from view, while the proposed envelope would only block the lower portion of the bridge from view.

7.19.2 Assessment of magnitude of visual impact

The following table provides an assessment of the magnitude of likely visual impact.

Table 65 View 14 – magnitude of visual impact

		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	Noticeable	Noticeable	Perceptible
	Minor change over a restricted area; or Insignificant change	Perceptible	Perceptible	Perceptible	Imperceptible
	Imperceptible change	Imperceptible	Imperceptible	Imperceptible	Imperceptible

7.19.3 Assessment of magnitude of visual impact

The following table provides an assessment of the significance of likely visual impact.

Table 66 View 14 – Cahill Walk (west): 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

7.20 View 15 – Cahill Walk (east)

Table 67 View 15 parameters

Component	Proposal
View type	Wide
Viewing range	Long
Viewing distance	Approximately 330m
Viewing direction	North-west
Viewing angle	Oblique
Viewing elevation	Below



Figure 66 Cahill Walk (east) - existing view

Source: Virtual Ideas

7.20.1 Assessment of sensitivity

Number and type of people

The type of people who are likely to be exposed to this view are travellers along the Cahill Walk, including tourists. The views obtained by travellers on the Cahill Walk will be predominantly long-range views from moving (dynamic) locations and for a short duration of time. The viewer numbers are expected to be high, and given that this part of the walk is more central to the heart of Circular Quay, it is expected that people would take in the views a bit more than they would on a typical commuting route. For this reason, viewer sensitivity is considered to be medium.

Social and cultural heritage

Views of the Sydney Harbour, the Museum of Contemporary Art, The Rocks Heritage Conservation Area and the road leading to the Harbour Bridge are obtained from this viewpoint. Furthermore, this viewpoint provides a vantage point for viewing the overall scale of The Rocks precinct. As such, the social and cultural value of this view is high.

Visual characteristics

The dominant feature in this view is Circular Quay in the foreground, The Rocks in the midground and the sky in the background. Given the importance of these visual characteristics, the sensitivity of the visual elements in this view is medium.

Overall sensitivity

In light of the above, the overall sensitivity of the view to the proposal is medium.

Table 68 View 15 – Cahill Walk (east): sensitivity of the view to the nature of change proposed

Matter	Rating			
	Negligible	Low	Medium	High
Number and type of visual receptors			Medium	
Social and cultural value				High
Visual characteristics			Medium	
Overall sensitivity			Medium	



Figure 67 Cahill Walk (east) - view with proposed envelope (yellow outline) and detailed design

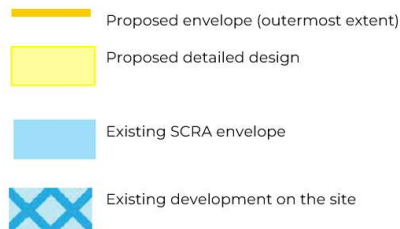


Figure 68 Cahill Walk (east) - Proposed envelope (shown in yellow outline)

Source: Virtual Ideas

Visual impact

As demonstrated in **Figure 67**, the proposed development sits behind the Museum of Contemporary Art and is therefore not visible from this viewpoint. As such, there is no visual impact.

View loss

As the proposed development is not visible from this viewpoint, there will be no view loss.

Comparison of proposed building envelope with the current SCRA envelope

The proposed new building envelope is not visible from this view as it sits behind the Museum of Contemporary Art. By comparison, the tower portion of the SCRA envelope projects up into view behind the museum, resulting in a greater visual impact than the proposed envelope from this viewpoint.

7.20.2 Assessment of magnitude of visual impact

The following table provides an assessment of the magnitude of likely visual impact.

Table 69 View 15 – magnitude of visual impact

		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	Noticeable	Noticeable	Perceptible
	Minor change over a restricted area; or Insignificant change	Perceptible	Perceptible	Perceptible	Imperceptible
	Imperceptible change	Imperceptible	Imperceptible	Imperceptible	Imperceptible

7.20.3 Assessment of magnitude of visual impact

The following table provides an assessment of the significance of likely visual impact.

Table 70 View 15 – Cahill Walk (east): 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

7.21 View 16 – Sydney Opera House forecourt

Table 71 View 16 parameters

Component	Proposal
View type	Panorama
Viewing range	Long
Viewing distance	Approximately 620m
Viewing direction	South-west
Viewing angle	Oblique
Viewing elevation	Below



Figure 69 Sydney Opera House forecourt - existing view

Source: Virtual Ideas

7.21.1 Assessment of sensitivity

Number and type of people

The type of people who are likely to be exposed to this view are visitors/tourists, travellers and recreational users of the Sydney Opera House forecourt. The views obtained will be predominantly long-range views from moving (dynamic) and stationary locations for a short-medium duration of time. The viewer numbers are expected to be very high due to the significance of the Sydney Opera House as a destination, and as such viewer sensitivity is considered to be high.

Social and cultural heritage

Views of Circular Quay, The Rocks Heritage Conservation Area, newer development forming part of Barangaroo and other elements, such as tower buildings, in the Sydney CBD skyline are obtained from this viewpoint. These are iconic features and as such, the social and cultural value of this view is high.

Visual characteristics

The dominant feature in this view is the Opera House foreshore and Circular Quay. The Rocks and the CBD skyline are visible in the background, with the sky as the backdrop. Given the importance of these visual characteristics, the sensitivity of the visual elements in this view is high.

Overall sensitivity

In light of the above, the overall sensitivity of the view to the proposal is high.

Table 72 View 16 – Sydney Opera House forecourt: sensitivity of the view to the nature of change proposed

Matter	Rating			
	Negligible	Low	Medium	High
Number and type of visual receptors				High
Social and cultural value				High
Visual characteristics				High
Overall sensitivity				High



Figure 70 Sydney Opera House forecourt - view with proposed envelope (yellow outline) and detailed design

Source: Virtual Ideas

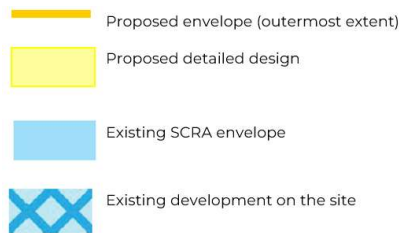


Figure 71 Sydney Opera House forecourt - Proposed envelope (shown in yellow outline)

Source: Virtual Ideas

Visual impact

As demonstrated in **Figure 70**, the general proposed building envelope shape will be visible, however due to the scale of development proposed and the long-range viewing distance, the proposal will not result in a discernible visual impact and will blend in with the existing development surrounding it. As such, the level of visual impact will be minor.

View loss

The proposal will not result in any loss of views of the Sydney Harbour, Barangaroo, the city skyline or The Rocks Heritage Conservation Area from this viewpoint. The proposal will also not result in a significant change to the foreground, midground or background elements of the view.

Comparison of proposed building envelope with the current SCRA envelope

While the proposed new building envelope will sit higher than the SCRA envelope (with the exception of the tower portion of the SCRA envelope), this will generally not be visually discernible from this viewpoint due to the long viewing distance. The tower portion of the SCRA envelope, however, will be visually prominent as it projects above the general height of the surrounding buildings. As such, the SCRA envelope is considered to result in a greater visual impact on this viewpoint.

7.21.2 Assessment of magnitude of visual impact

The following table provides an assessment of the magnitude of likely visual impact.

Table 73 View 16 – magnitude of visual impact

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	Noticeable	Noticeable	Perceptible
	Minor change over a restricted area; or Insignificant change	Perceptible	Perceptible	Perceptible	Imperceptible
	Imperceptible change	Imperceptible	Imperceptible	Imperceptible	Imperceptible

7.21.3 Assessment of magnitude of visual impact

The following table provides an assessment of the significance of likely visual impact.

Table 74 View 16 – Sydney Opera House forecourt: 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

8.0 Visual impact assessment – private views

This section sets out the assessment of key surrounding private views against *Tenacity*. The selected views are summarised in Table 5.

Table 75 – Chosen private viewpoints

Viewpoint	Location	Details	
1.	Quay West	1 view (low rise)	
2.	Shangri-La Hotel	1 view (low rise)	
3.	YHA	1 view (rooftop)	
4.	Glenmore Rooftop	1 view (rooftop)	
	85 Harrington Street	North building	
5.		Ground level	001* (N/E corner)
6.		Level 1	101* (N/E corner)
7.		Level 2	201 (N/E corner)
8.		Level 3	301 (N/E corner)
9.		Level 4	401 (N/E corner)
10.		Level 5	Outdoor communal terrace
		South building	
11.		Level 5	501 (N/E corner)
12.			512 (NW corner)
13.		Level 6	601 (N/E corner)
14.			603 (NW corner)
15.		Level 7	701 (N/E corner)
16.			703 (NW corner)
17.		Level 8	701B (N/E corner)
18.			703B (NW corner)
19.	Gloucester St terraces (north)	Upper-level balcony	Looking northeast to Opera House
20.	Gloucester St terraces (south)	Upper-level balcony	Looking northeast to Opera House

8.1 Quay West

8.1.1 Quay West view montages

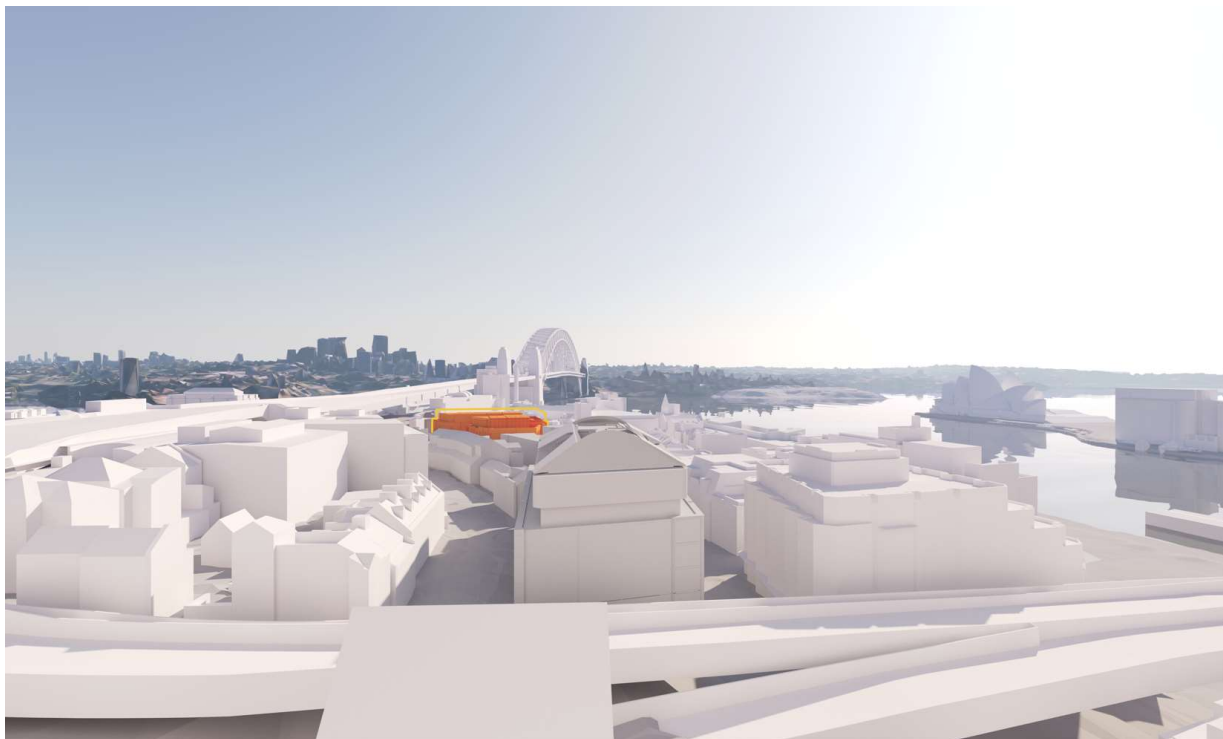


Figure 72 existing view (above) and proposed view (below) from Quay West with proposed envelope (yellow outline) and detailed design (orange)

Source: Virtual Ideas

8.1.2 Quay West Tenacity Assessment

Tenacity step 1: assessment of views to be affected

This is a view primarily of the Cahill Expressway in the foreground, the low to mid-rise historic buildings in The Rocks Heritage Conservation Area in the midground, and the Sydney Opera House, Sydney Harbour Bridge and water views of the Sydney Harbour in the background. These views in the background are considered to be iconic landscape features, and the views to them are largely from this viewpoint. When assessed objectively, the view has a **high value**.

Tenacity step 2: what part of the property the views are obtained

This image represents a view obtained from a low-rise suite of the Quay West.

Tenacity step 3: assess the extent of the impact

This is a panoramic, long-range view, and the envelope will sit comfortably within the context of the existing buildings in The Rocks which are visible in the midground. The presence of the envelope will not be visually discernible from the current view due to the view distance and scale of the envelope and proposal. Furthermore, it will not block views to any iconic landscape features, such as the Sydney Opera House, Sydney Harbour Bridge or parts of the harbour.

On the qualitative Tenacity scale, view loss is assessed as **minor**.

8.2 Shangri-La Hotel

8.2.1 Shangri-La view montages





Figure 73 existing view (above) and proposed view (below) from Shangri-La with proposed envelope (yellow outline) and detailed design (orange)

Source: Virtual Ideas

8.2.2 Shangri-La Tenacity Assessment

Tenacity step 1: assessment of views to be affected

This is a view primarily of the Cahill Expressway in the foreground, the low to mid-rise historic buildings in The Rocks Heritage Conservation Area in the midground, and an angular view of the Sydney Harbour Bridge in the background. The Sydney Harbour Bridge is considered to be an iconic landscape feature.

When assessed objectively, the view has a **high** value.

Tenacity step 2: what part of the property the views are obtained

This image represents a view obtained from a low-rise room of the Shangri-La looking north.

Tenacity step 3: assess the extent of the impact

This is a long-range view, and the envelope will sit comfortably within the context of the existing buildings in The Rocks which are visible in the midground. The presence of the envelope and proposal will be visually discernible from the current view due to the view distance and scale of the proposal, noting that only a small portion of the proposal is visible from this viewpoint. Furthermore, the proposal will not obstruct views to any iconic landscape features, specifically the Sydney Harbour Bridge in the background.

On the qualitative Tenacity scale, this view loss is assessed as **minor**.

8.3 YHA

8.3.1 YHA view montages

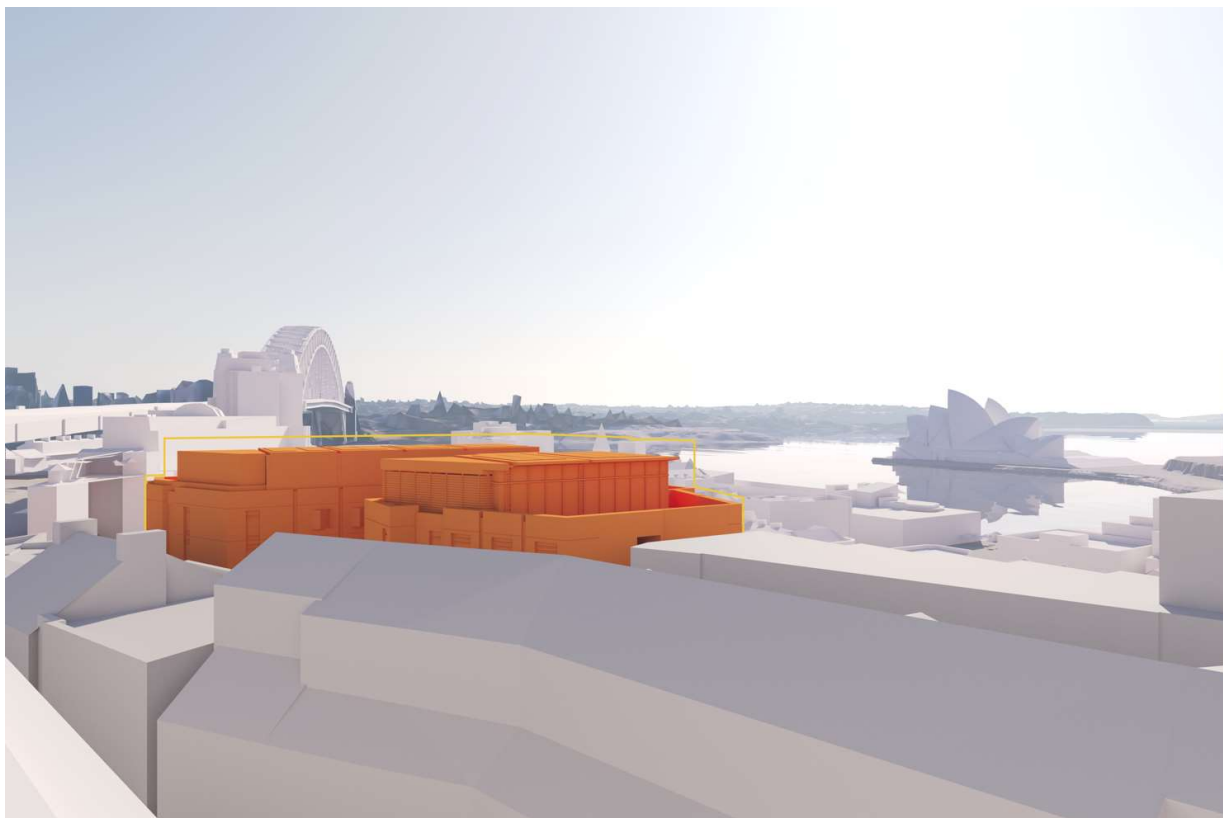
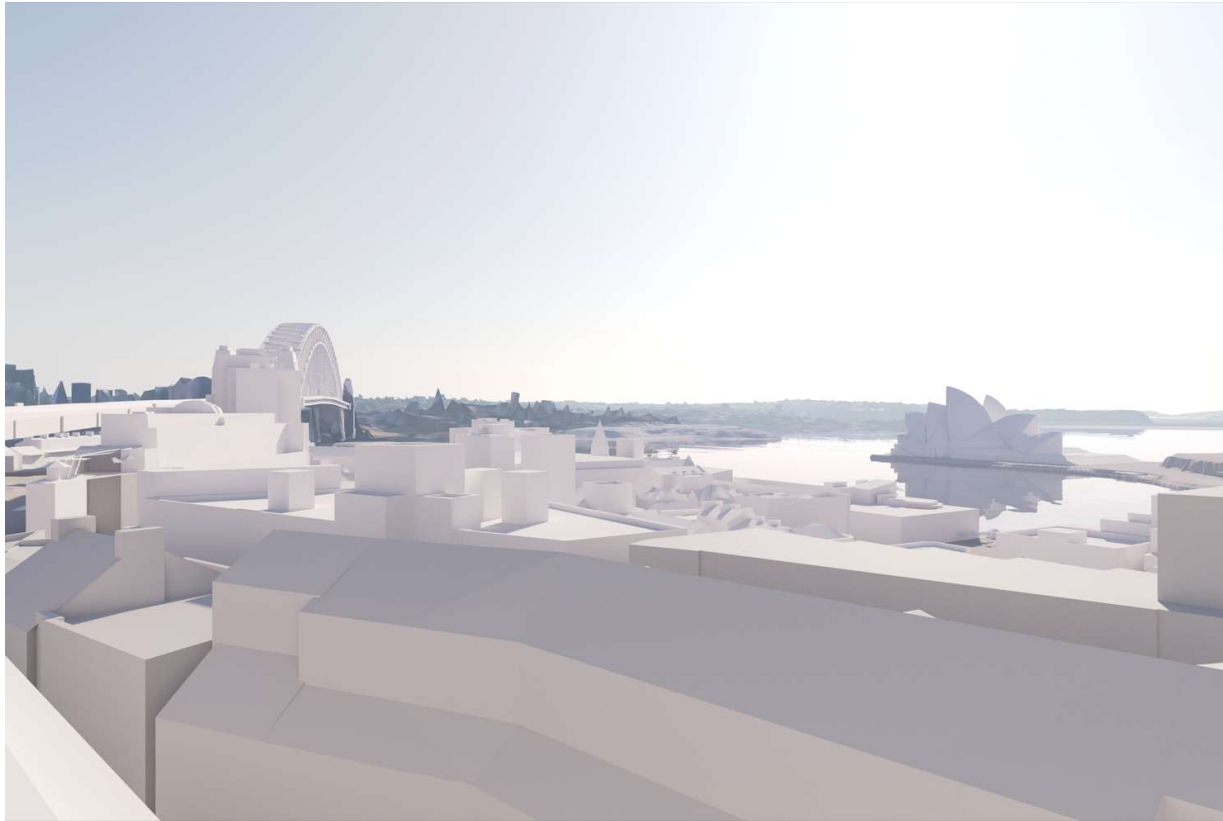


Figure 74 existing view (above) and proposed view (below) from YHA with proposed envelope (yellow outline) and detailed design (orange)

Source: Virtual Ideas

8.3.2 YHA Tenacity Assessment

Tenacity step 1: assessment of views to be affected

This is a view primarily of the historic buildings in The Rocks Heritage Conservation Area in the foreground, and the Sydney Opera House, Sydney Harbour Bridge and water views of the Sydney Harbour visible in the background. These views in the background are considered to be iconic landscape features, and the views to them (especially the Sydney Opera House) are largely unobstructed from this viewpoint. When assessed objectively, the view has a **high** value.

Tenacity step 2: what part of the property the views are obtained

The images represent the view obtained from the rooftop of the YHA.

Tenacity step 3: assess the extent of the impact

The envelope and proposal will occupy the mid-ground of the view, and will largely replace views of other buildings in the background. No views of the Sydney Opera House, Sydney Harbour Bridge or water views will be blocked by the proposal. On the qualitative Tenacity scale, view loss is assessed as **minor**.

8.4 Glenmore Rooftop

8.4.1 Glenmore Rooftop view montages

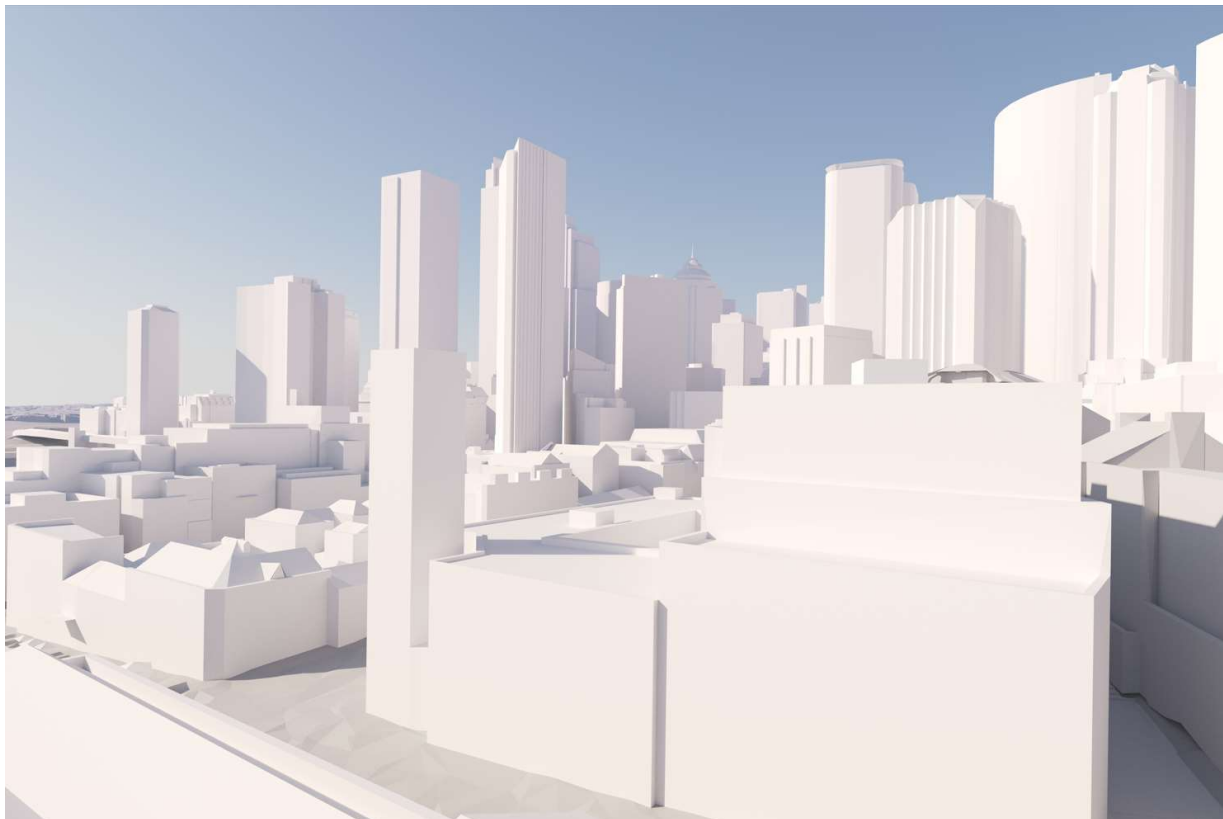




Figure 75 existing view (above) and proposed view (below) from Glenmore rooftop with proposed envelope (yellow outline) and detailed design (orange)

Source: Virtual Ideas

8.4.2 Glenmore Rooftop Tenacity Assessment

Tenacity step 1: assessment of views to be affected

This is a view primarily of a CBD landscape character area. Low to mid-rise heritage buildings in The Rocks occupy the foreground of the view, while high-rise towers dominate the background of the view. The backdrop is occupied by the sky. Iconic landscape features are not visible. When assessed objectively, the view has **moderate** value.

Tenacity step 2: what part of the property the views are obtained

The images represent the view obtained from the rooftop of the Glenmore Hotel.

Tenacity step 3: assess the extent of the impact

The envelope and proposal will occupy the foreground of the view. In doing so, its main impact is to replace views of some of the buildings in the mid-ground. The proposal will not block views of the sky, any iconic landscape features, or the high-rise CBD towers which dominate the background.

On the qualitative Tenacity scale, view loss is assessed as **minor**.

8.5 85 Harrington Street (north building)

8.5.1 85 Harrington Street (north building) ground level to Level 3 view montages

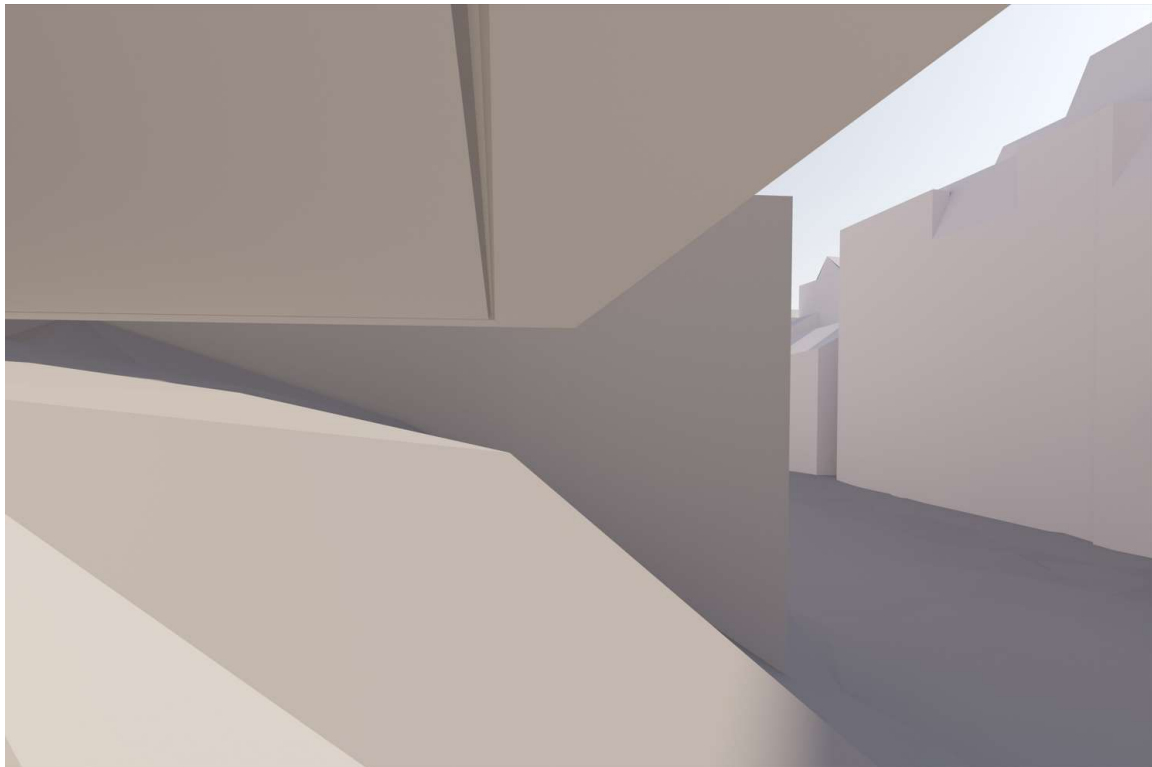


Figure 76 existing view (above) and proposed view (below) from 85 Harrington ground level north east corner with proposed envelope (yellow outline) and detailed design (orange)

Source: Virtual Ideas

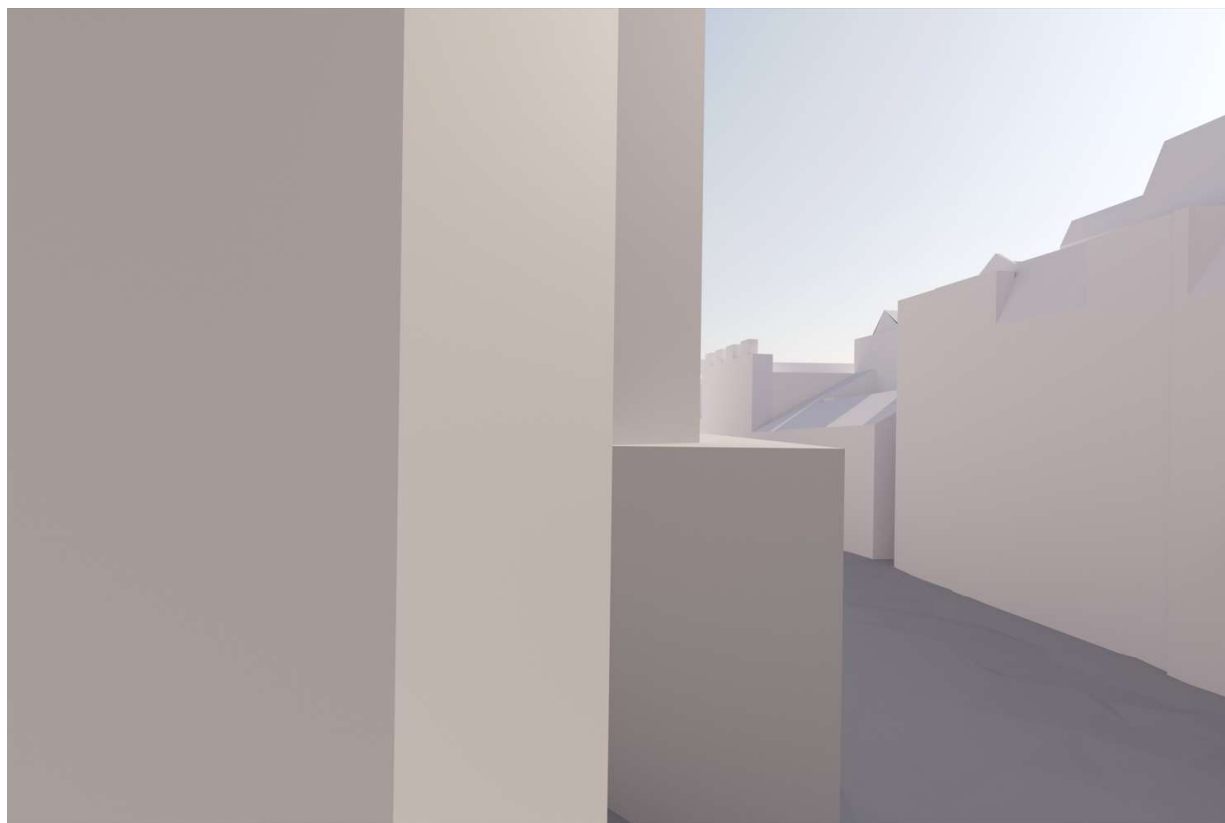
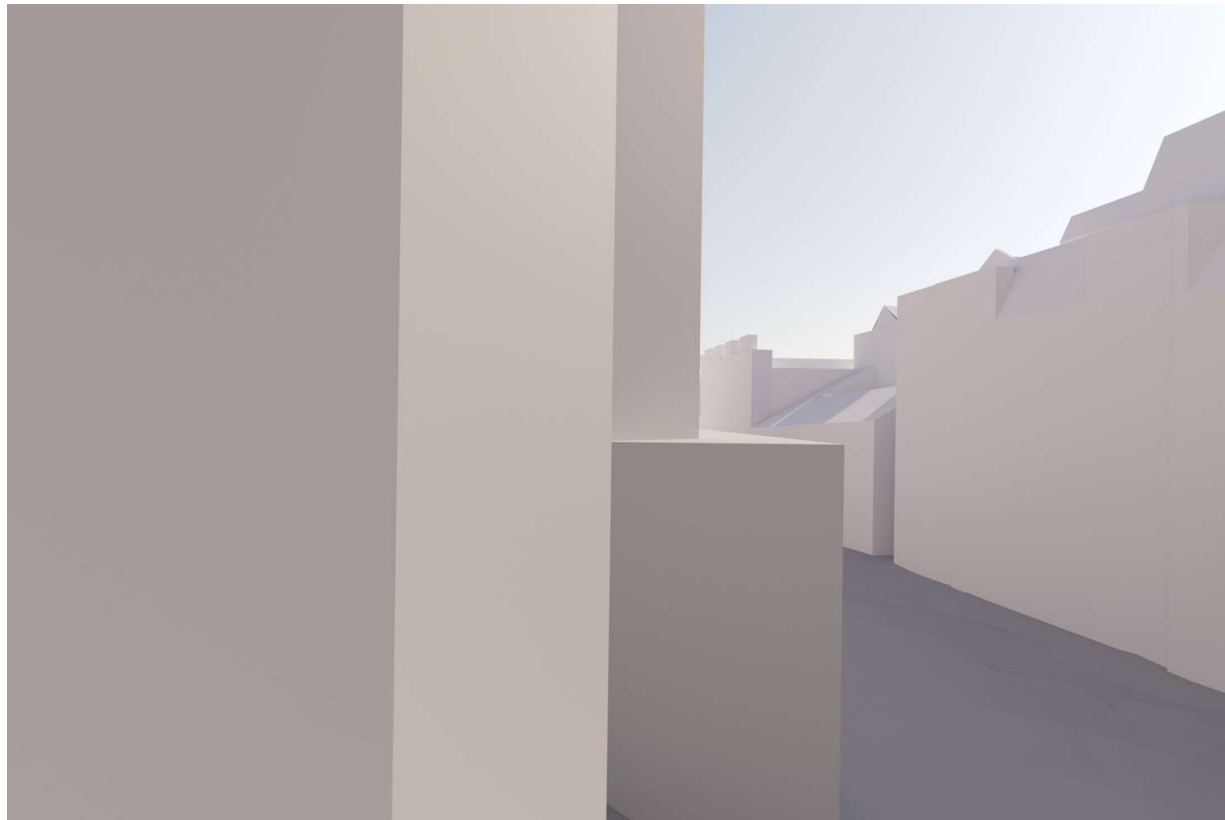


Figure 77 existing view (above) and proposed view (below) from 85 Harrington level 1 north east corner with proposed envelope (yellow outline) and detailed design (orange)

Source: Virtual Ideas

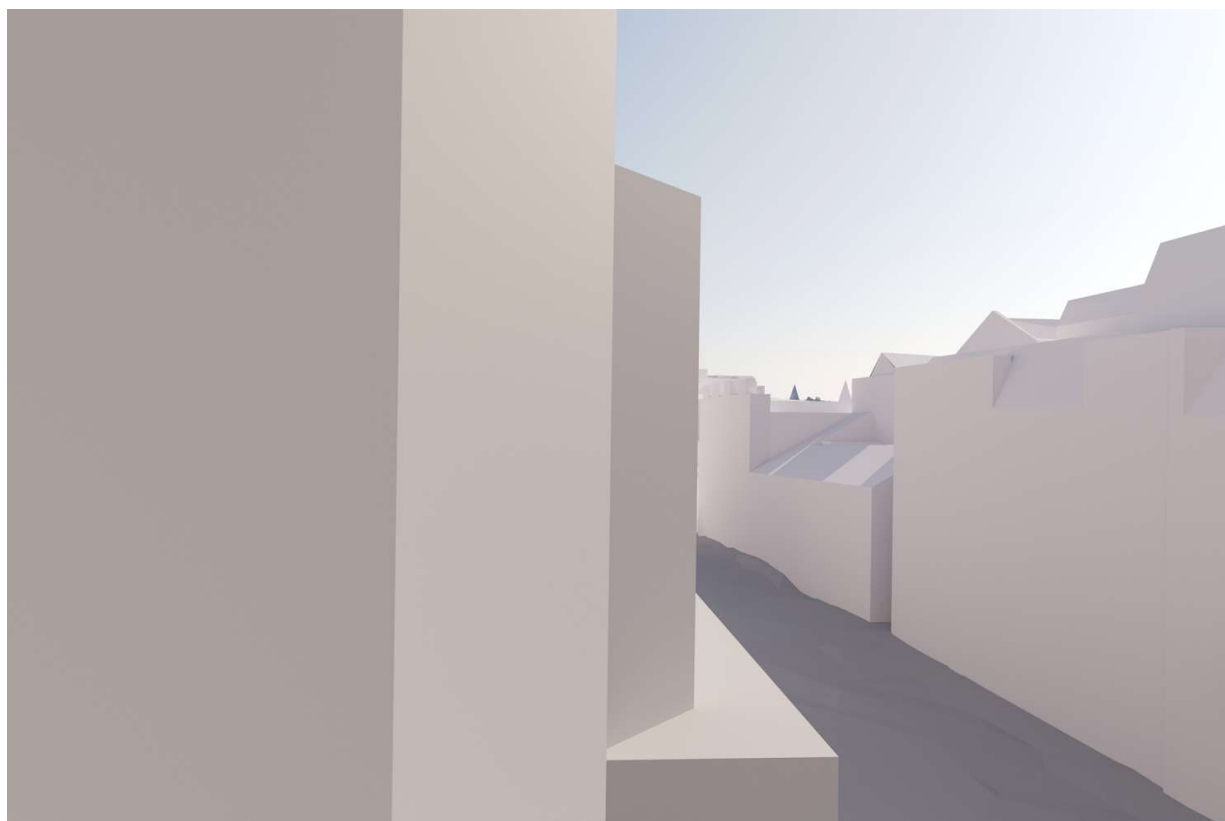
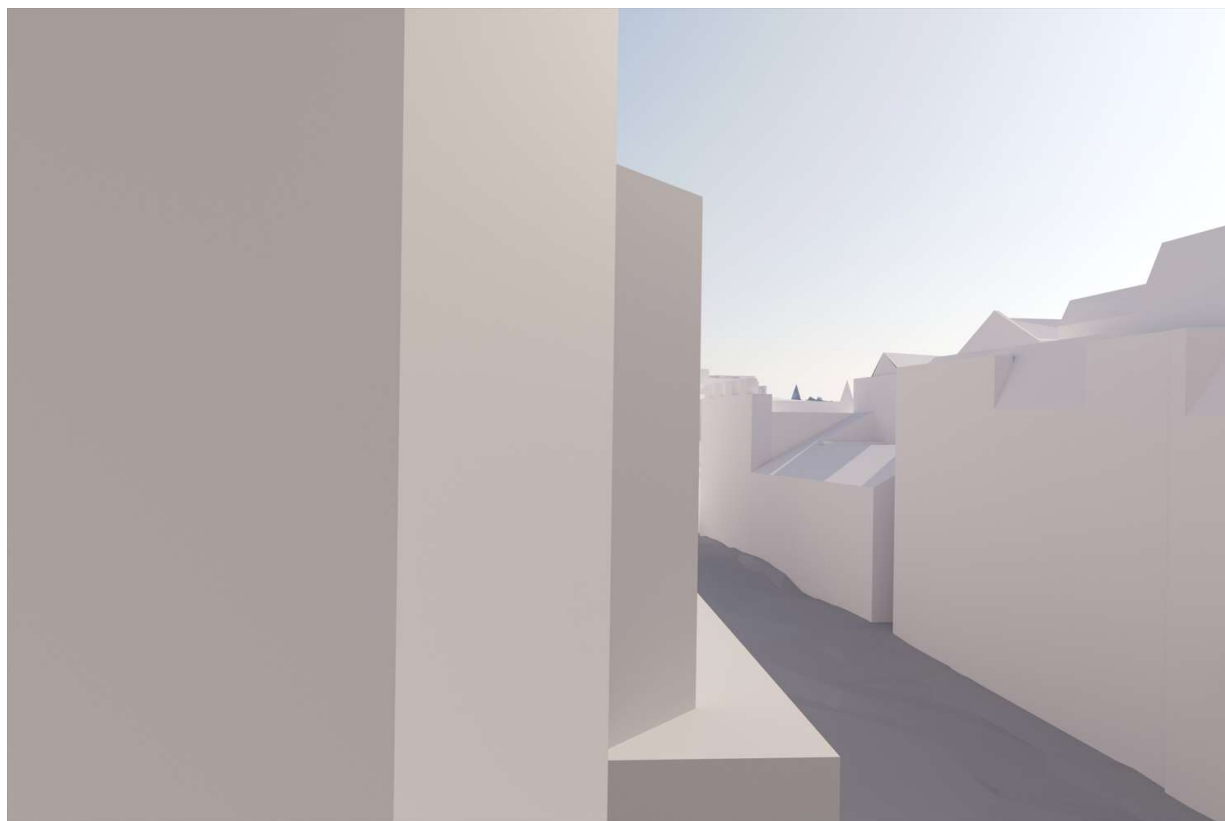


Figure 78 existing view (above) and proposed view (below) from 85 Harrington level 2 north east corner with proposed envelope (yellow outline) and detailed design (orange)

Source: Virtual Ideas

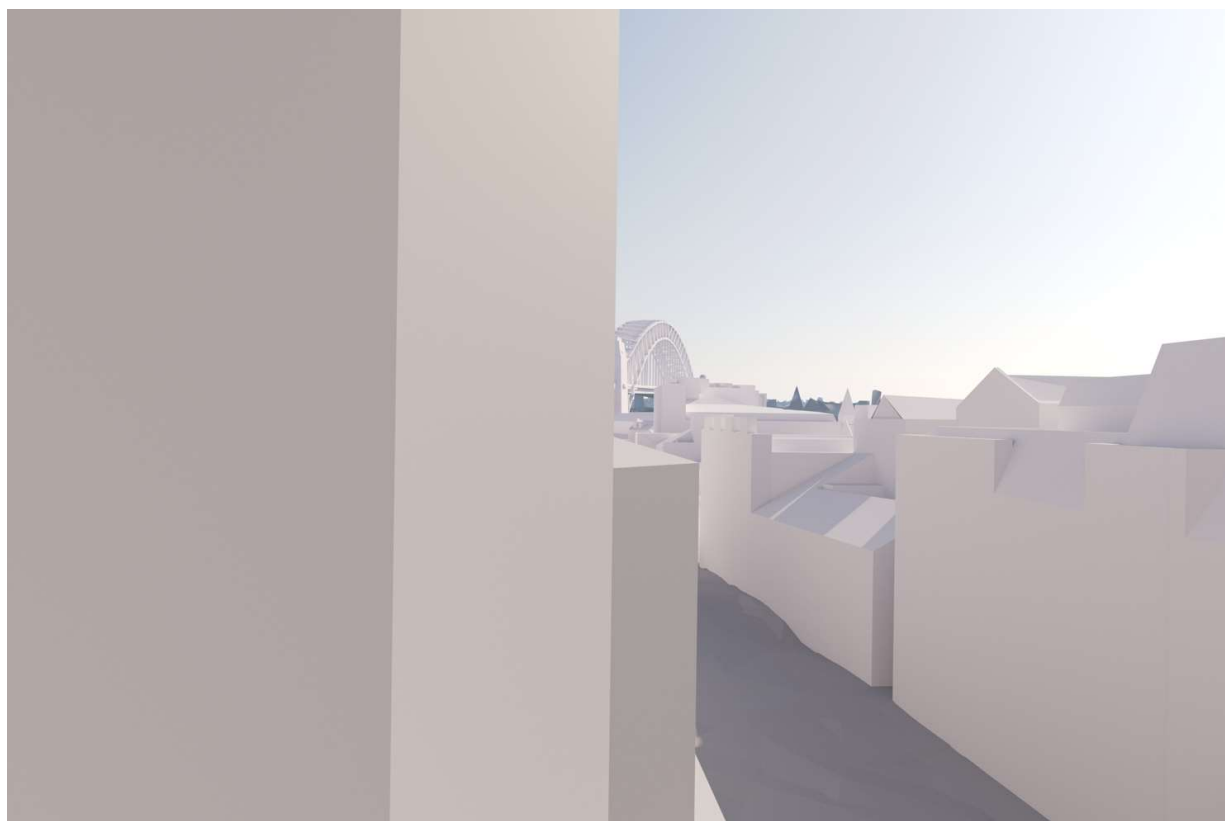
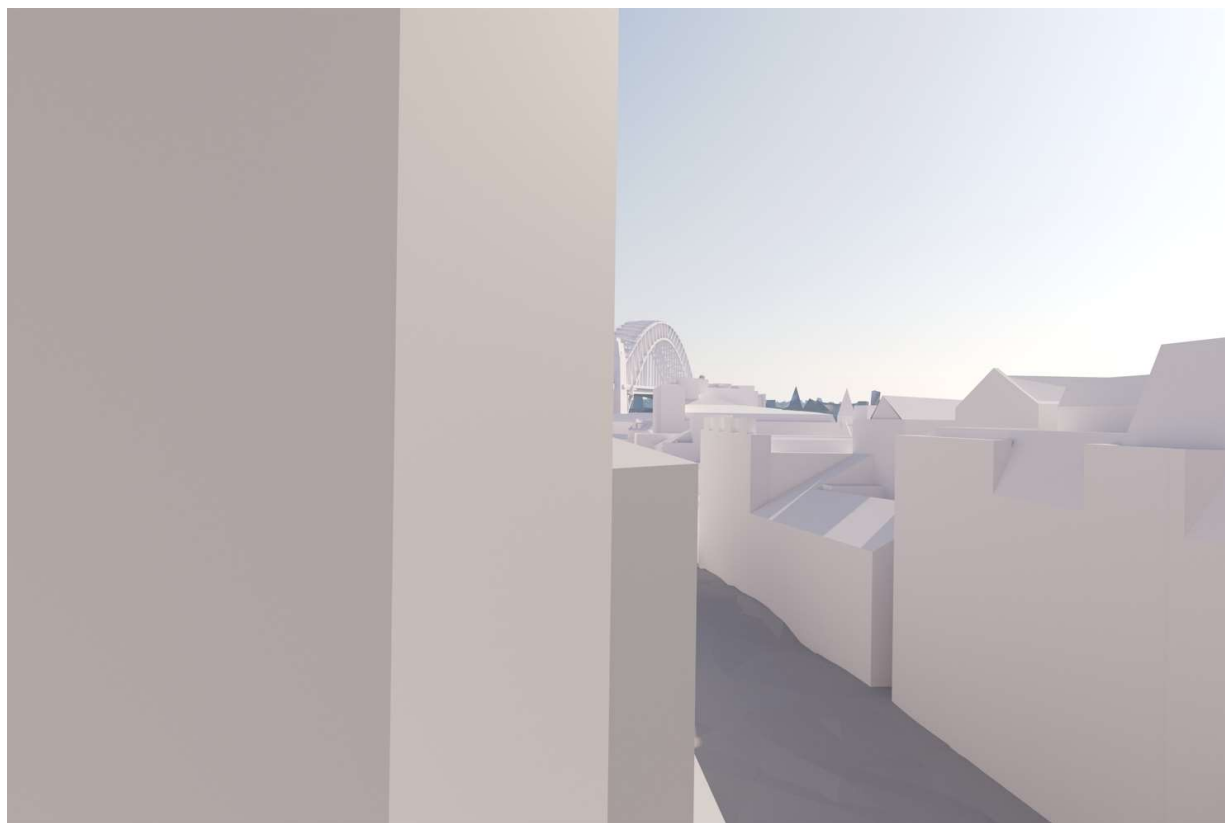


Figure 79 existing view (above) and proposed view (below) from 85 Harrington level 3 north east corner with proposed envelope (yellow outline) and detailed design (orange)

Source: Virtual Ideas

8.5.2 85 Harrington Street (north building) ground to Level 3 Tenacity Assessment

Tenacity step 1: assessment of views to be affected

The north east corner balconies from ground to level 2 of 85 Harrington Street have existing buildings along Harrington Street at the foreground and no iconic landscape features are visible. Level 3 has an obscured view to the Sydney Harbour Bridge. When assessed objectively, the views of ground to level 2 are of **low** value and level 3 of **moderate** value.

Tenacity step 2: what part of the property the views are obtained

The images represent the view obtained from between ground floor and Level 3 of the development at 85 Harrington Street (north building).

Tenacity step 3: assess the extent of the impact

The envelope and proposal will not be visible from these views. On the qualitative Tenacity scale, view loss is assessed as **minor**.

8.5.3 85 Harrington Street (north building) ground Level 4 to Level 5 view montages

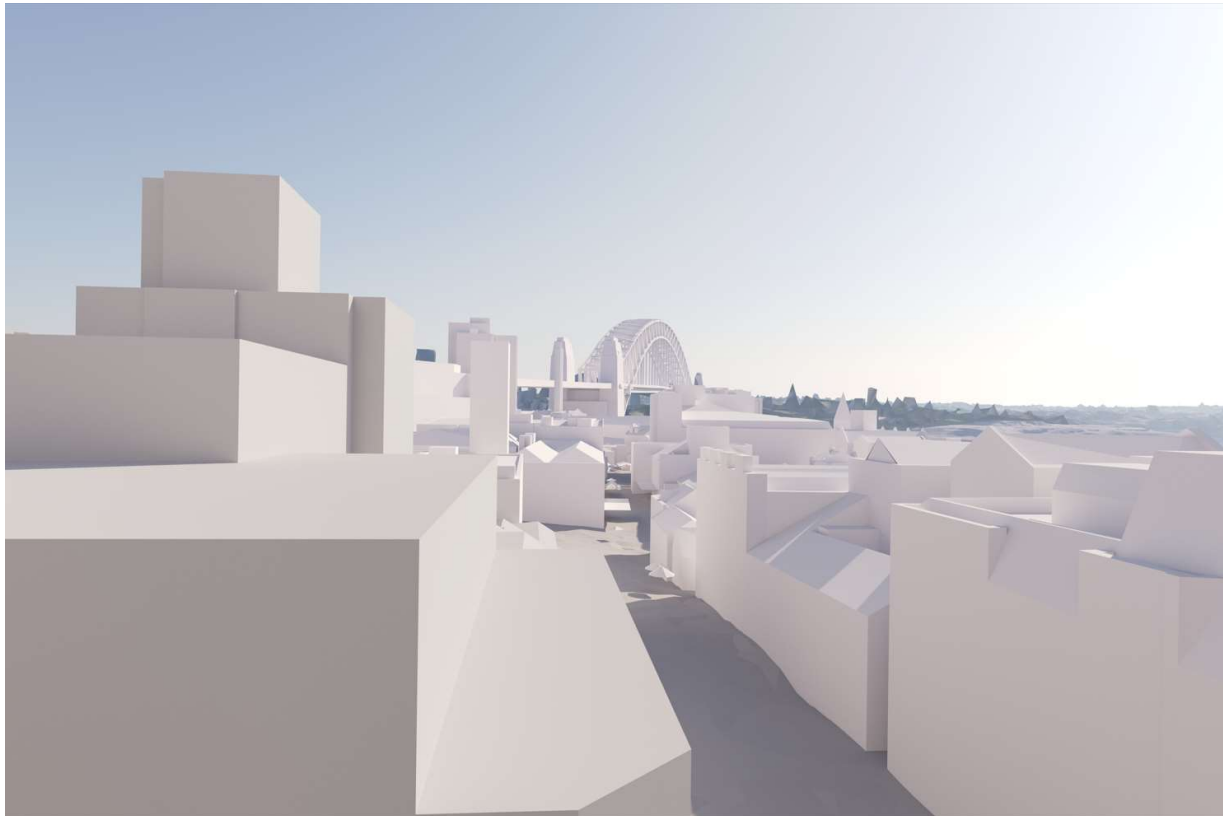
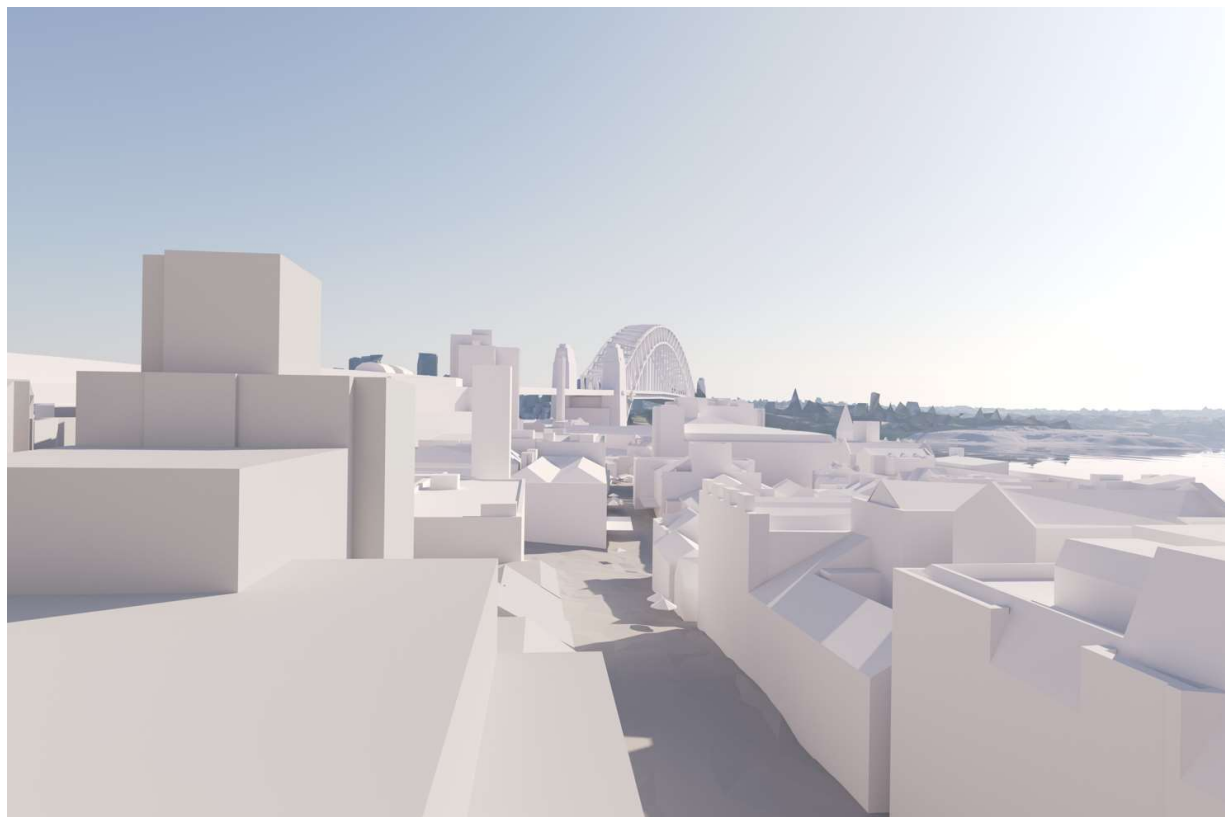




Figure 80 existing view (above) and proposed view (below) from 85 Harrington level 4 north east corner with proposed envelope (yellow outline) and detailed design (orange)

Source: Virtual Ideas



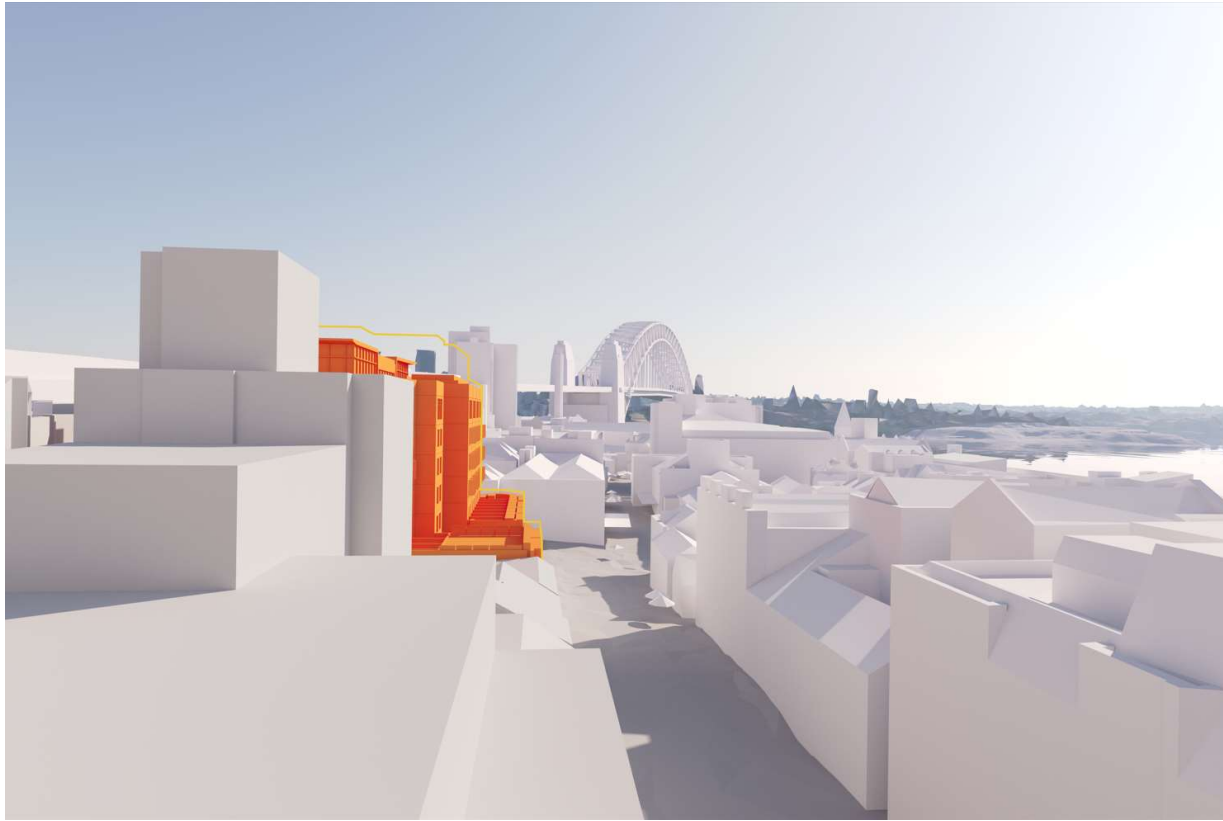


Figure 81 Existing view (above) and proposed view (below) from 85 Harrington level 5 north east corner with proposed envelope (yellow outline) and detailed design (orange)

Source: Virtual Ideas

8.5.4 85 Harrington Street (north building) ground Level 4 to Level 5 Tenacity Assessment

Tenacity step 1: assessment of views to be affected

The existing views contain established development within the Rocks in the foreground and views of the Sydney Harbour Bridge in the background which is considered an iconic landscape feature. When assessed objectively, these views have a **high** value.

Tenacity step 2: what part of the property the views are obtained

These images represent the views obtained from Level 4 and communal terrace of Level 5 of the north building of 85 Harrington Street.

Tenacity step 3: assess the extent of the impact

The envelope and proposal will occupy the midground of the view. In doing so, its main impact is to replace views of some of the buildings in the mid-ground and some level of sky between existing built form. The proposal will not block any iconic landscape features which dominate the background. On the qualitative Tenacity scale, view loss is assessed as **minor**.

8.5.5 85 Harrington Street (south building) Level 5 view montages



Figure 82 existing view (above) and proposed view (below) from 85 Harrington (south building) level 5 north east corner with proposed envelope (yellow outline) and detailed design (orange)

Source: Virtual Ideas



Figure 83 existing view (above) and proposed view (below) from 85 Harrington (south building) level 5 north west corner with proposed envelope (yellow outline) and detailed design (orange)

Source: Virtual Ideas

8.5.6 85 Harrington Street (south building) Level 5 Tenacity Assessment

Tenacity step 1: assessment of views to be affected

The existing views are obstructed by established development in the foreground. The northeast units have sky and partial water views of the Harbour in the background. No iconic views are present. When assessed objectively, these views have a **low** to **medium** value.

Tenacity step 2: what part of the property the views are obtained

These images represent the views obtained from Level 4 of the north west and north east units of Level 5 of the south building at 85 Harrington Street.

Tenacity step 3: assess the extent of the impact

The envelope and proposal will be marginally visible from both views in the background and will sit comfortably within the context of the existing background. The envelope and proposal do not obstruct any prominent view and will sit within views that are already partially obstructed by established form. On the qualitative Tenacity scale, view loss is assessed as **minor**.

8.5.7 85 Harrington Street (south building) Level 6 to Level 8 view montages





Figure 84 existing view (above) and proposed view (below) from 85 Harrington (south building) level 6 north east corner with proposed envelope (yellow outline) and detailed design (orange)

Source: Virtual Ideas



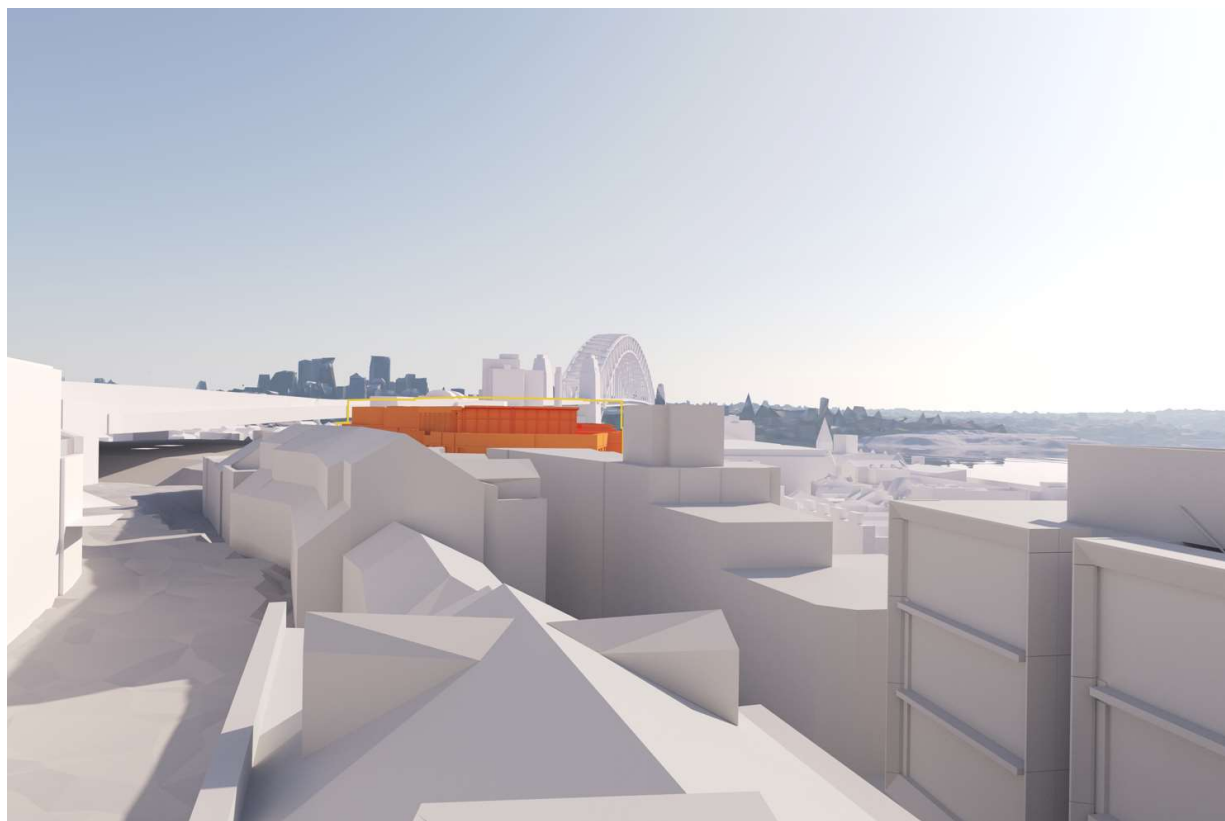


Figure 85 existing view (above) and proposed view (below) from 85 Harrington (south building) level 6 north west corner with proposed envelope (yellow outline) and detailed design (orange)

Source: Virtual Ideas





Figure 86 existing view (above) and proposed view (below) from 85 Harrington (south building) level 7 north east corner with proposed envelope (yellow outline) and detailed design (orange)

Source: Virtual Ideas



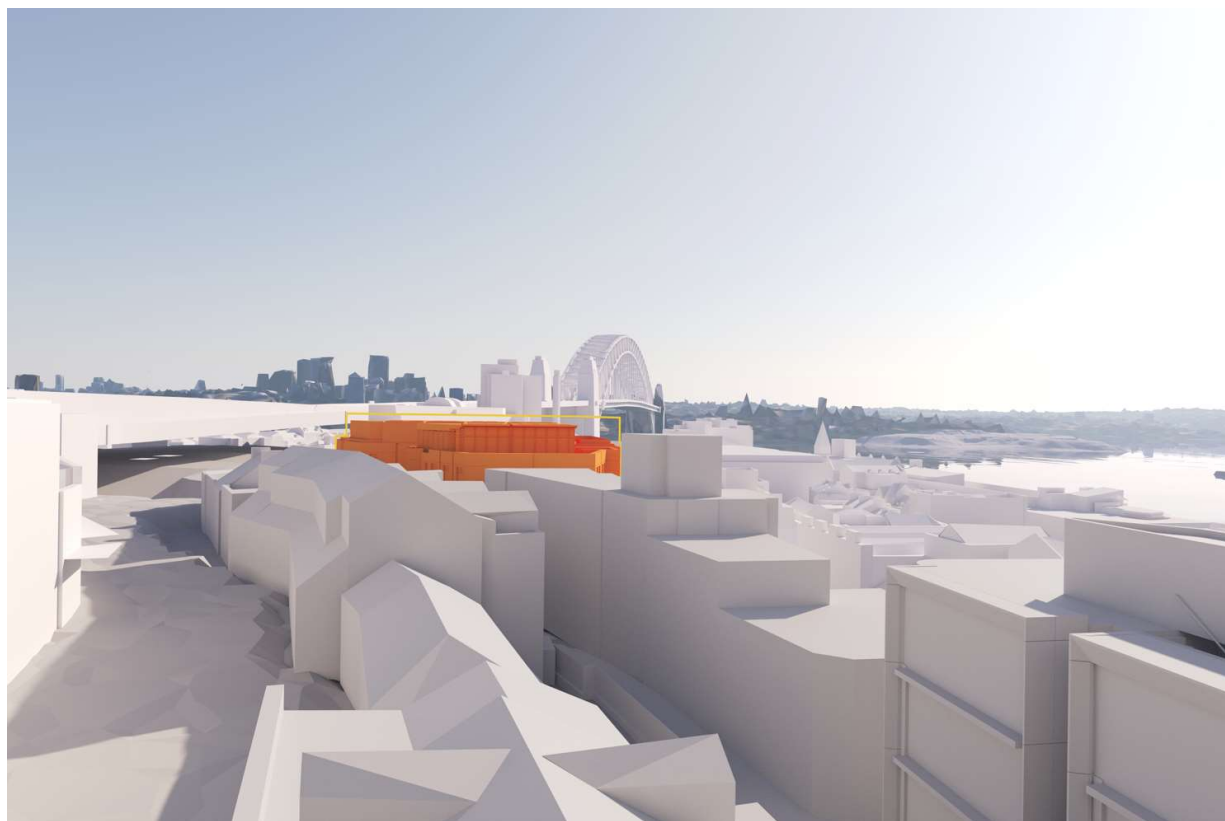


Figure 87 existing view (above) and proposed view (below) from 85 Harrington (south building) level 7 north west corner with proposed envelope (yellow outline) and detailed design (orange)

Source: Virtual Ideas





Figure 88 existing view (above) and proposed view (below) from 85 Harrington (south building) level 8 north east corner with proposed envelope (yellow outline) and detailed design (orange)

Source: Virtual Ideas



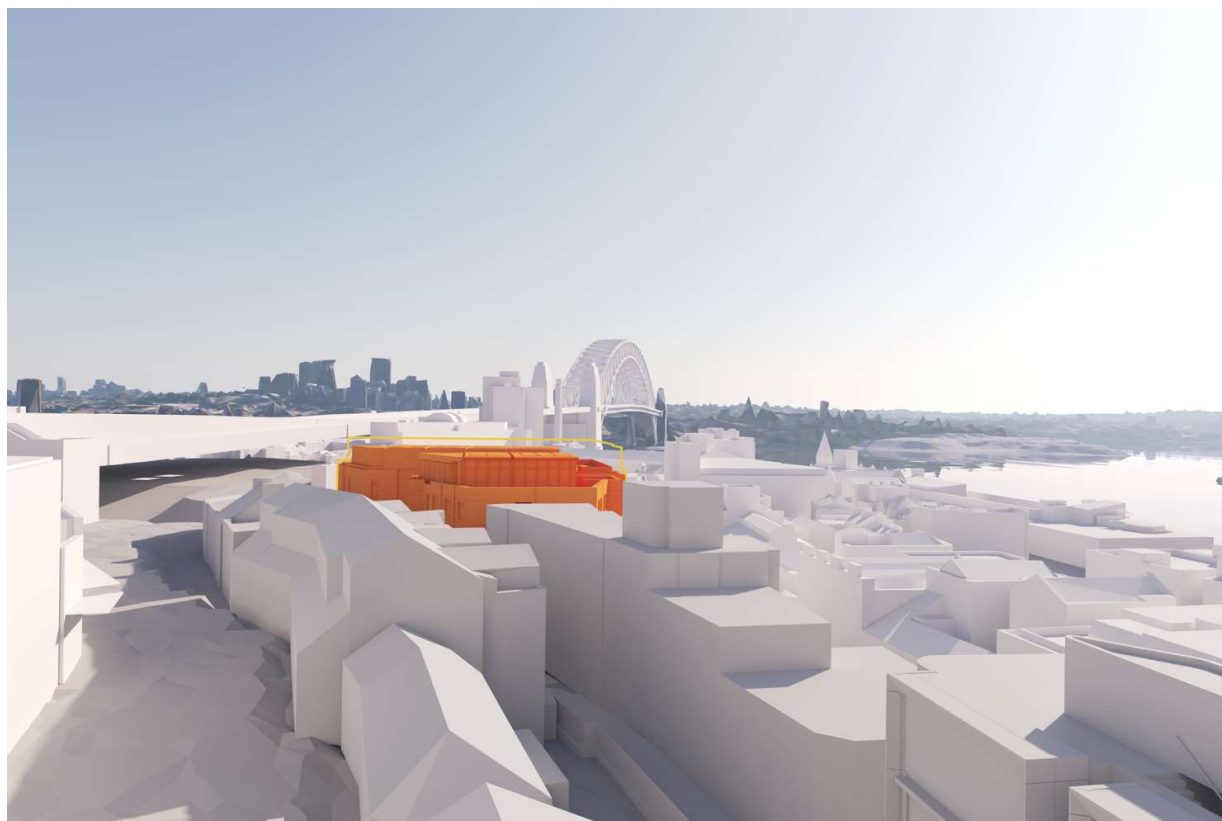


Figure 89 existing view (above) and proposed view (below) from 85 Harrington (south building) level 8 north west corner with proposed envelope (yellow outline) and detailed design (orange)

Source: Virtual Ideas

8.5.8 85 Harrington Street (south building) Level 6 to Level 8 Tenacity Assessment

Tenacity step 1: assessment of views to be affected

The existing views from both the north-west and north-east angles from Level 6 have established building of the Rocks within the foreground and background views containing sky, the Sydney Harbour Bridge (which is deemed as an iconic landscape view) and elements of the Harbour. When assessed objectively, these views have a **high** value.

Tenacity step 2: what part of the property the views are obtained

These images represent the views obtained from north west and north east units between Level 5 and Level 8 of the south building at 85 Harrington Street.

Tenacity step 3: assess the extent of the impact

The envelope and proposal will be visible in the midground but sit comfortably within the context and form of established development. There is no direct obstruction to the Harbour Bridge and parts of the Harbour. On the qualitative Tenacity scale, this view loss is assessed as **minor**.

8.6 46 Gloucester Street terraces (north) – upper-level balcony

8.6.1 46 Gloucester Street terraces (north) view montages

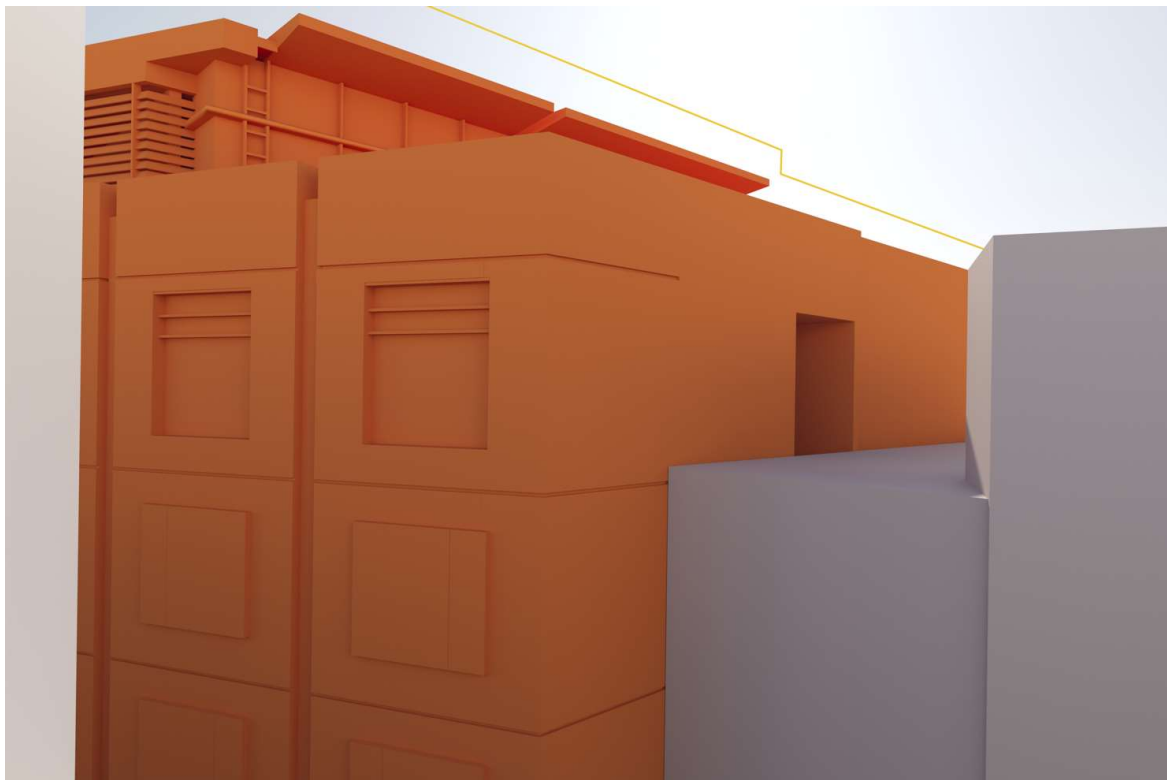
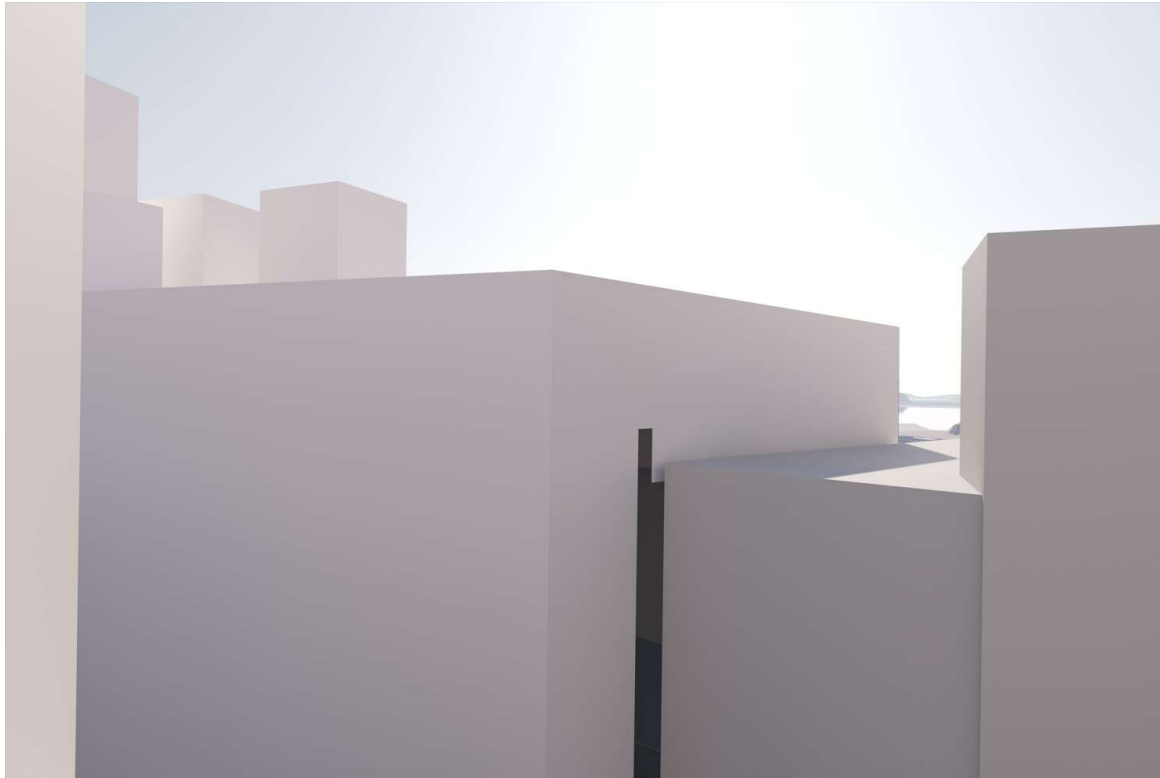


Figure 90 existing view (above) and proposed view (below) from 46 Gloucester Street upper level balcony with proposed envelope (yellow outline) and detailed design (orange)

Source: Virtual Ideas

8.6.2 46 Gloucester Street terraces (north) Tenacity assessment

Tenacity step 1: assessment of views to be affected

The existing view from the upper level balcony of 46 Gloucester Street is of the established mid-rise building currently on the in the foreground position. Further taller form is visible in the background. No iconic landscape features are visible from the balcony. When assessed objectively, the view has **low** value.

Tenacity step 2: what part of the property the views are obtained

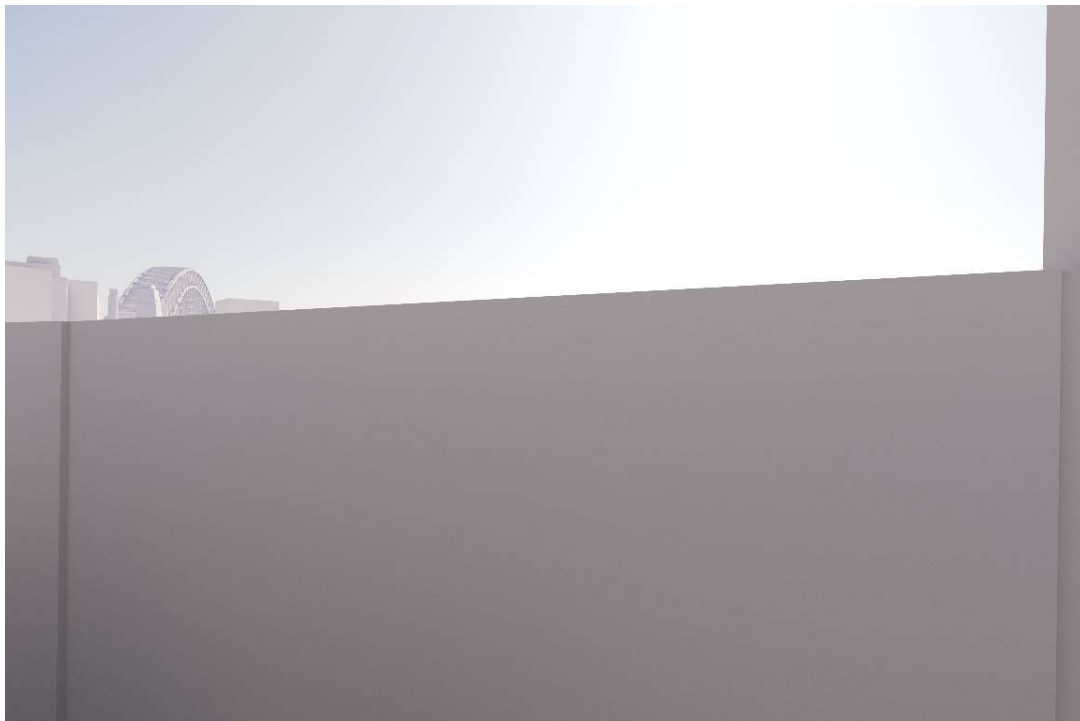
These images represent the views obtained from the upper-level balcony of the northern Gloucester Street terrace at 46 Gloucester Street.

Tenacity step 3: assess the extent of the impact

The proposal will replace an existing building in the foreground which will be of a higher building mass and building height than the existing building. This will result in the main impact being a replacement of views of the top of the taller building elements in the background and a reduction of sky. On the qualitative Tenacity scale, this view loss is assessed as **minor**.

8.7 56A Gloucester Street terraces (south)

8.7.1 56A Gloucester Street terraces (south) view montages



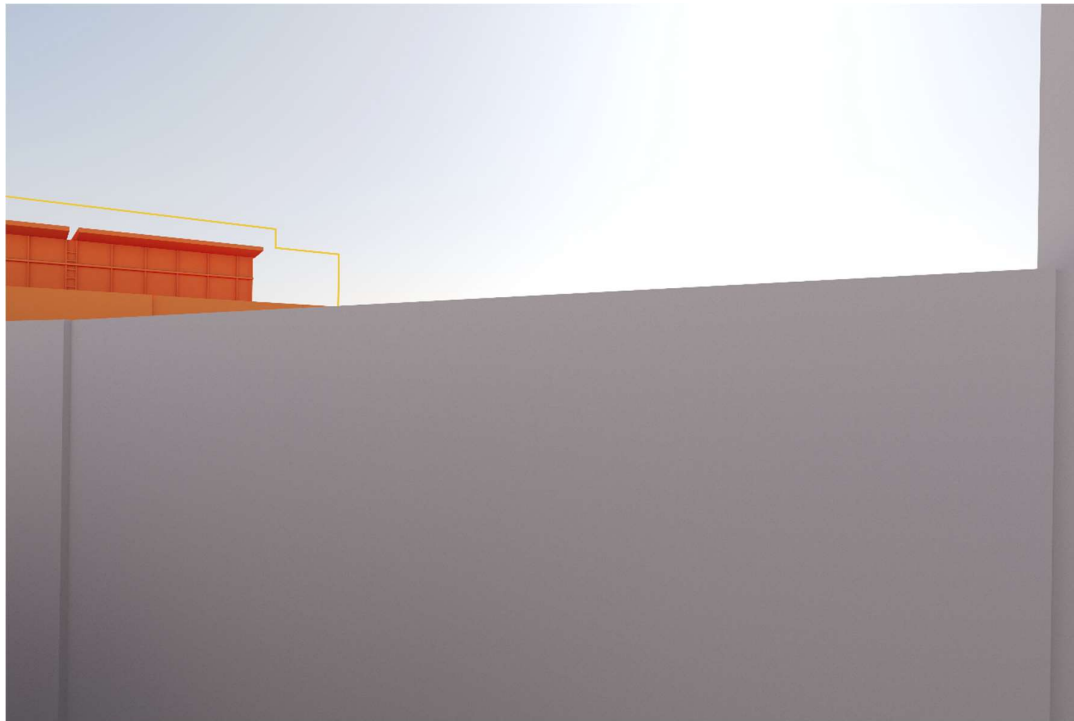


Figure 91 existing view (above) and proposed view (below) from 56A Gloucester Street upper level balcony (south) with proposed envelope (yellow outline) and detailed design (orange)

Source: Virtual Ideas

8.7.2 56A Gloucester Street terraces (south) Tenacity assessment

Tenacity step 1: assessment of views to be affected

The existing view from the upper level balcony of 56A Gloucester Street is of mid-rise buildings in the foreground, with the top of established buildings visible in the background. A partially obscured view of the Sydney Harbour Bridge is also visible in the background of the view. The sky is also present in these views. The view presented in **Figure 91** represents the worst case scenario (as is best practice in VIA), as it is taken from close to the edge of the balcony. Please see **Figure 92** below which shows the location of the camera for the photomontage of the view from the balcony.

When assessed objectively, the view has **moderate** value.

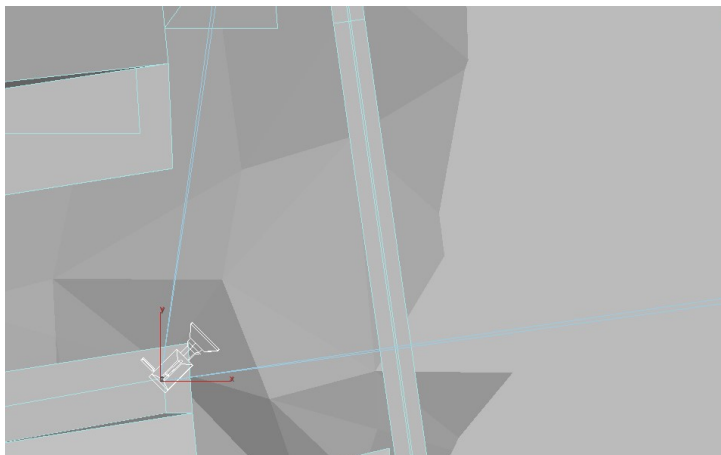


Figure 92: Camera location for photomontage of view from 56A Gloucester Street upper level balcony

Source: Virtual Ideas

Tenacity step 2: what part of the property the views are obtained

These images represent the views obtained from the edge of the upper level balcony of the southern Gloucester Street terrace.

Tenacity step 3: assess the extent of the impact

The envelope and proposal will replace an existing building in the foreground, but will be of a higher building mass and building height than the existing building. The primary impact will be a replacement of the already partially obscured view of the Sydney Harbour Bridge in the background. As noted above, the view presented in **Figure 91** represents the worst case scenario (as is best practice in VIA), as it is taken from close to the edge of the balcony. Ordinarily, users of the balcony would be further back from the edge of the balcony, where the Harbour Bridge would be less visually prominent, thereby lessening the impact of the proposal on their view (refer to **Figure 93** below which demonstrates this).

On the qualitative Tenacity scale, this view loss (in the worst case scenario) is assessed as **moderate**.



Figure 93: Current view from 56A Gloucester Street upper level balcony (south)

Source: Realestate.com.au

8.8 Tenacity step 4: Assess the reasonableness of the proposal that is causing the impact

Under Tenacity, Step 4 involves assessment of the reasonableness of the proposal that is causing the impact. Reasonableness can be a highly subjective concept involving professional value judgements. Subjectivity can be reduced by reference to the planning framework in totality, including strategic plans and statutory plans. It is also helpful to consider a range of other relevant matters such as context and previous, similar planning decisions.

The proposal is considered reasonable because:

- It does not cause significant loss to iconic landscape views to the Sydney Opera House and or Harbour Bridge;
- Key views to Observatory Hill to Macquarie Light, Vaucluse, and Fort Denison are not obstructed;
- From longer range views, it continues to sit comfortably within the established built form context of The Rocks and the visual characteristics of The Rocks can continue to be seen from the Opera House forecourt. This includes the sloping landform, varied and tiered built form, crowning by the Observatory Hill tree lines and the Bradfield Highway;
- It remains consistent with the broader strategic and statutory planning framework (refer to **Section 9**).

9.0 Assessment against planning framework

9.1 SEARs

Table 76 – Assessment against SEARs

Issue	Assessment requirement	Documentation
1: Statutory Context	- Address all relevant legislation, environmental planning instruments (EPIs) (including drafts), plans, policies and guidelines - Identify compliance with applicable development standards and provide a detailed justification for any non-compliances	Visual Impact Assessment
6: Visual Impact	- Provide a visual analysis of the development from key viewpoints, including photomontages or perspectives showing the proposed and likely future development - Where the visual analysis has identified potential for significant visual impact, provide a visual impact assessment that addresses the impacts of the development on the existing catchment	- Visual Analysis - Visual Impact Assessment

9.2 Environmental Planning and Assessment (Sydney Cove) Savings and Transitional Regulation 1999

Table 77 – Assessment against Environmental Planning and Assessment (Sydney Cove) Savings and Transitional Regulation 1999

Provision	Assessment	Consistency
<i>(2) (a) (i) Development will not adversely affect development on adjoining land</i>	The proposal has been designed to minimise impacts on development on adjoining land. The upper floors are setback to minimise perceived bulk from adjoining land and the development will not block highly valued private views from adjoining land.	Yes
<i>(2) (a) (i i) Development will not adversely affect the heritage significance of buildings, structures or sites in the locality</i>	The existing building on the site (to be replaced) is not heritage-listed. The proposal is not expected to adversely affect the heritage significance of buildings in the locality or block any important views of heritage buildings/sites.	Yes
<i>(2) (a) (iii) Development will not adversely affect the quality of the public domain in the locality</i>	Fifteen viewpoints in the public domain have been carefully selected for an assessment of view loss from the proposal. As found in the preceding sections of this report, the proposal will not adversely affect the quality of the public domain in the locality as the development will generally not block any highly valued views from the public domain. Furthermore, the proposal will sit comfortably within the context of the existing buildings and will not visually dominate the public domain.	Yes
<i>(2) (b) Development will not adversely affect the natural or built environment or an adverse social or economic impact in the locality</i>	Please refer to the EIS prepared by Urbis.	

Provision	Assessment	Consistency
(2) (c) Development will conform with the general planning and design principles for the Sydney Cove Redevelopment Area	Please refer to the EIS prepared by Urbis.	

9.3 Greater Sydney Region Plan and Eastern City District Plan

Table 78 – Assessment against Greater Sydney Region Plan and Eastern City District Plan

Region Plan	District Plan	Assessment	Consistency
Objective 28: <i>Scenic and cultural landscapes are protected</i>	Planning Priority E16: <i>Protecting and enhancing scenic and cultural landscapes</i>	The preceding sections of this report have identified any views of important scenic and cultural landscapes. This specifically included harbour views, and views of the Sydney Opera House, the Sydney Harbour Bridge and heritage-listed buildings in The Rocks.	Yes
Strategy 28.1: <i>Identify and protect scenic and cultural landscapes</i>	Action 63: <i>Identify and protect scenic and cultural landscapes.</i>	In line with the assessment in the preceding sections of this report, it is considered that the proposal will retain and protect views of these landscapes from the public realm.	

9.4 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

Table 79 – Assessment against Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

Provision	Assessment	Consistency
Sydney Harbour Catchment		
13 (f) Development that is visible from the waterways or foreshores is to maintain, protect and enhance the unique visual qualities of Sydney Harbour	The proposal is visible at long-range from the Sydney Harbour. Given the scale of the proposal and the distance from the harbour, it is considered that the visual qualities of the Sydney Harbour will be maintained and protected.	Yes
13 (g) The number of publicly accessible vantage points for viewing Sydney Harbour should be increased	As assessed in the preceding sections of this report, the proposal will retain all current publicly accessible vantage points for viewing the Sydney Harbour as no views to the harbour will be blocked from the public domain.	Yes
Foreshores and Waterways Area		
14 (d) Development along the foreshore and waterways should maintain, protect and enhance the unique visual qualities of Sydney Harbour and its islands and foreshores	Given the scale of the proposal and the distance from the harbour, it is considered that the visual qualities of the Sydney Harbour and its islands and foreshores will be maintained and protected.	Yes
Foreshore and waterways scenic quality		
25 (a) The scale, form, design and siting of any building should be based on an analysis of: (i) the land on which it is to be erected	The scale, form, design and siting of the proposed building has been based on an analysis of these matters.	Yes

Provision	Assessment	Consistency
(ii) the adjoining land (iii) the likely future character of the locality		
25 (b) development should maintain, protect and enhance the unique visual qualities of Sydney Harbour and its islands, foreshores and tributaries	Given the scale of the proposal and the distance from the harbour, it is considered that the visual qualities of the Sydney Harbour and its islands and foreshores will be maintained and protected.	Yes
25 (c) the cumulative impact of water-based development should not detract from the character of the waterways and adjoining foreshores	Given the scale of the proposal and the distance from the harbour, it is considered that the proposal will not detract from the character of the waterways and adjoining foreshores. This is demonstrated in the photomontages of the development, as viewed from the Cahill Expressway (east) and the Sydney Opera House forecourt.	Yes
Maintenance, protection and enhancement of views		
26 (a) Development should maintain, protect and enhance views (including night views) to and from Sydney Harbour	As found in the preceding sections of this report, the proposal will maintain and protect views to and from the Sydney Harbour.	Yes
26 (b) Development should minimise any adverse impacts on views and vistas to and from public places, landmarks and heritage items	As found in the preceding sections of this report, the proposal has been designed to minimise adverse impacts on views and vistas to and from public places, landmarks and the heritage items in The Rocks.	Yes
26 (c) The cumulative impact of development on views should be minimised	The impacts of the proposal on fifteen carefully-selected public domain and 20 private domain views have been assessed and overall, any view loss is considered to be minimal. Notably, views to the harbour, the Sydney Opera House and the Sydney Harbour Bridge will not be lost. As such, the cumulative impact of development on views will be minimal.	Yes

9.5 Rose Bay

Table 80 – Assessment against Rose Bay

Step	Description	Assessment	Consistency
Identification stage			
I_1	Identify the nature and scope of the existing views from the public domain	The nature and scope of the existing views for each of fifteen carefully-selected public viewpoints have been identified in the preceding sections of this report.	Yes
I_2	Identify the locations in the public domain from which the potentially interrupted view is enjoyed	The locations in each of the public domain viewpoints from which the potentially interrupted view is enjoyed has been identified in the preceding sections of this report.	Yes
I_3	Identify the extent of the obstruction at each relevant location	The extent of view obstruction at each public domain viewpoint has been identified in the preceding sections of this report.	Yes
I_4	Identify the intensity of public use of those locations where that enjoyment will be obscured, in whole or in part, by the proposed private development	The intensity of public use of the public domain locations (including number and type of people/viewers) has been identified in the preceding sections of this report.	Yes
I_5	Identify whether or not there is any document that identifies the	There is no single document but rather a broader planning framework and	Yes

Step	Description	Assessment	Consistency
	importance of the view to be assessed	methodology which has informed the importance of views to be assessed.	
Analytic stage			
Quantitative			
A_1	Status of the document containing an aim / objective relevant to visual impact and the terms in which it is expressed	There is no single document but rather a broader planning framework and methodology which has informed the importance of views to be assessed.	Yes
A_2	Assessment of the extent of the present view, the compositional elements within it and the extent to which the view will be obstructed by or have new elements inserted into it by the proposed development.	An assessment of the elements in the present view and the new elements inserted into it by the proposal has been carried out for each public domain viewpoint in the preceding sections of this report.	Yes
A_3	Will the view that will remain after the development (if permitted) is still sufficient to understand and appreciate the nature of and attractive or significant elements within the presently unobstructed or partially obstructed view.	An assessment of impacts on the public domain views has been carried out in the preceding sections of this report, and found to be acceptable with minimal impacts on significant elements in the present views.	Yes
Qualitative			
A_4	Assessment of the aesthetic and other elements of the view	An assessment of aesthetic and other elements in each public domain view has been carried out in the preceding sections of this report.	Yes
A_5	What are the factors taken into account and the weight attached to them	The factors taken into account are the sensitivity of the view (based on the number/type of viewers, the social and cultural value of the view and the visual characteristics of the view), the visual impacts on the view, as well as any view loss from the viewpoint.	Yes
A_6	Value of view	The value of each public domain view has been assessed and given a rating of low, medium or high.	Yes
A_7	Is any significance attached to the view likely to be altered?	An assessment of these elements for each public and private domain viewpoint has been provided in the preceding sections of this report.	Yes
A_8	If so, who or what organisation has attributed that significance and why have they done so?		
A_9	Is the present view regarded as desirable and would the change make it less so (and why)?		
A_10	Should any change to whether the view is a static or dynamic one be regarded as positive or negative and why?		
A_11	If the present view attracts the public to specific locations, why and how will that attraction be impacted?		
A_12	Is any present obstruction of the view so extensive as to render preservation of the existing view merely tokenistic?		
A_13	However, on the other hand, if the present obstruction of the view is		

Step	Description	Assessment	Consistency
	extensive, does that which remains nonetheless warrant preservation (it may retain all or part of an iconic feature, for example)?		
A_14	If the change to the view is its alteration by the insertion of some new element(s), how does that alter the nature of the present view?		
A_15	Is any significance attached to the view likely to be altered?		

9.6 Tenacity

Table 81 – Assessment against Tenacity

Step	Description	Assessment	Consistency
1	Assess views to be affected	<i>The preceding section of this report has assessed private views affected by the proposal.</i>	Yes
2	Consider from what part of the property the views are obtained	<i>The preceding section of this report has identified from which parts of the property the views have been obtained from.</i>	Yes
3	Assess the extent of the impact	<i>The preceding section of this report has assessed the extent of impact.</i>	Yes
4	Assess the reasonableness of the proposal that is causing the impact	<i>The preceding section of this report has assessed the reasonableness of the proposal causing the impact.</i>	Yes

10.0 Mitigation measures

There are three broad types of mitigation measures:

3. avoid
4. minimise
5. 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 planning documents, 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 SSDA (e.g., siting and massing / form measures) that seek to avoid and minimise any potential significant adverse visual impacts. These include:

- **massing and form measures** such as:
 - pitched roof form and recessed upper-level setbacks to Argyle Street; and
 - curvature to the Argyle and Harrington Street corner

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.

It is further recommended that consideration be given to the use of lower reflectivity and neutral colour materials for the roof to help reduce its visual impact

11.0 Key assessment issues

11.1 Public views

Significance of visual impact on the public domain has been determined through analysis of photomontages considering the factors of sensitivity and magnitude. This analysis found that:

- The sensitivity of the selected public domain viewpoints range from low to high, depending on the number/type of visual receptors, the presence of important social and cultural elements in some views, and the visual characteristics of the views.
- The scale of visual change ranges from low to moderate, with closer-range views generally being subject to more visual change than those at longer range where the proposed new building generally appears to blend in with the surrounding buildings.
- When considering the factors of view sensitivity and magnitude of visual change, the overall scale of visual impact from the selected public domain viewpoints ranges from negligible to moderate. To minimise the perceived bulk of the proposal, the following mitigation measures have been incorporated into the design:
 - a pitched roof form;
 - modulated facades;
 - upper-level setbacks to Argyle Street; and
 - curvature to the Argyle and Harrington Street corner have been incorporated into the detailed design of the building.

11.2 View lines and corridors

Impacts on view lines and corridors have been assessed in **Section 7** of this VIA. It has been found that the views obtained from the key view lines and corridors from the Cahill Expressway and from Observatory Hill to Macquarie Light, Vaucluse, and Fort Denison will not obstructed by the proposal.

11.3 Townscape

Visual impacts on townscape have been assessed in **Section 7** of this VIA. Generally, impacts on townscape will occur in longer range views. The visual impacts on townscape views have been given overall rankings which range from negligible to moderate. The visual impacts are considered acceptable on balance, noting the following:

- The proposed building envelope, when compared to the existing SCRA envelope, will present a more uniform built form that is less visually prominent in longer range views (due to removal of the tower element) and will generally result in a similar level of view loss, or less, to iconic elements in the landscape, such as water elements, the Sydney Opera House and the Sydney Harbour Bridge.
- The general backdrop of the CBD skyline and the Sydney Harbour in many of the streetscape views will remain largely unchanged by the proposal.
- The visual characteristics of The Rocks can continue to be seen from the Opera House forecourt. This includes the sloping landform, varied and tiered built form, crowning by the Observatory Hill tree lines and the Bradfield Highway.

11.4 Streetscape

Visual impacts on streetscape have been assessed in **Section 7** of this VIA. Generally, impacts on streetscape will occur in closer-range views. It is noted that the proposed building will replace an existing building, with a slightly increased building height and mass, however the visually prominent tower element will be removed. To mitigate adverse effects on streetscape, the following mitigation measures have been incorporated into the design:

- a pitched roof form;

- modulated facades;
- upper-level setbacks to Argyle Street; and
- curvature to the Argyle and Harrington Street corner have been incorporated into the detailed design of the building.

Additionally, the proposal will present a uniform built form that is generally consistent with the surrounding built form context.

In **Section 7** of this VIA, the visual impacts on streetscape views have been given an overall ranking of negligible to low and are therefore considered acceptable.

11.5 Private views

Tenacity is widely regarded as the main judgement relevant to impact on private views and has been included or referenced in many Sydney council's DCPs.

Tenacity establishes a chain of reasoning comprising four (4) steps:

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

20 private domain viewpoints were carefully selected for assessment of view loss as a result of the proposal. These viewpoints were assessed against Steps 1-4 of Tenacity. On the qualitative Tenacity scale, view loss ranges from minor to moderate. The only private domain viewpoint which has been given a moderate ranking for view loss is the upper -level balcony of the southern terrace building at 46 Gloucester Street, as the proposal will result in loss of visibility of a partially obscured view of the Sydney Harbour Bridge from this viewpoint.

While the proposal will be visible from other viewpoints, it will generally blend in with the existing established built form context and will not result in view loss to any significant or iconic elements.

12.0 Key findings

The key findings of this VIA are:

- Due to the relationship between natural and built factors, topography, the public domain and built form, in the longer range the proposal would be most visible from viewpoints located to the south and east of the site. Given the steeper topography to the west, the proposal also becomes visible from the west in the medium range (along Cahill Expressway for example).
- The proposal would be visible by a range and large number of people in the immediate public domain, in particular those along the Harrington and Argyle intersection, given the significant corner interface and frontages afforded to these streets.
- Given the breadth and number of views, the proposal will be visible as a new element in the foreground, midground and background of various views.
- The scale of visual change ranges from low to moderate, with closer-range views generally being subject to more visual change than those at longer range where the proposed new building generally appears to blend in with the surrounding buildings.
- The proposal will present overall a more uniform built form that is less visually prominent (due to removal of the existing tower element) and will generally result in a similar or less level of view loss (compared to the SCRA envelope) in the public domain, to iconic elements in the landscape, such as water elements, the Sydney Opera House and the Sydney Harbour Bridge. Overall, the visual impact of the proposed development on the public domain viewpoints ranges from negligible to moderate, with the Argyle Stairs viewpoint being the only one to be given a moderate visual impact ranking. This is largely due to the scale of visual change that the proposed building envelope will enable. However, this is considered reasonable and acceptable for the following reasons:

- Visual change from this viewpoint is inevitable as a result of redevelopment of the site and does not automatically constitute an adverse visual impact; and
- The degree of any view loss is minimal, and importantly the views of iconic landscapes (i.e the Sydney Opera House) obtained from this viewpoint will be retained.
- Like mentioned above, overall scale of visual impact from the selected public domain viewpoints ranges from negligible to moderate. To minimise the perceived bulk of the proposal, a pitched roof form, modulated facades, upper-level setbacks to Argyle Street and curvature to the Argyle and Harrington Street corner have been incorporated into the detailed design of the building. The detailed design of proposed new building on the site is considered to generally sit comfortably within the context of the existing buildings.
- In respect of view loss for the selected private domain viewpoints, on the qualitative Tenacity scale, view loss ranges from minor to moderate. The only private domain viewpoint which has been given a moderate ranking for view loss is the upper-level balcony of the southern terrace building at 56A Gloucester Street. The proposal will result in the total loss of the view of the Bridge from this viewpoint. The reasonableness of this view loss and hence the moderate rating is based on:
 - The Bridge is in the background of the view (and not the fore or midground) and would be partially obstructed by the SCRA envelope;
 - The Bridge is not the dominant element of the view and remains a relatively small part of the view which is predominately taken up by views to the sky; and
 - The proposal has been the result of a skilful design process which has included the development and testing of envelope options and commentary from the State Design Review Panel.
- While the proposal will be visible from other private domain viewpoints, it will generally blend in with the existing established built form context and will not result in view loss to any significant or iconic elements.
- Additionally, key views from Observatory Hill to Macquarie Lighthouse, Vaucluse, and Fort Denison are not obstructed.
- The proposed envelope remains consistent with the broader strategic and statutory planning framework.

13.0 Conclusion

Based on these findings, it is considered that the visual impacts and view loss experienced from the public and private domain as a result of the proposal are reasonable taking into account all relevant considerations. As such, it is the conclusion of this VIA that the proposal can be supported on the grounds of visual impact and view loss. In addition, the proposal:

- is consistent with clause 13 (g) of the SREP, the proposal will increase the number of publicly accessible vantage points for viewing Sydney Harbour by providing a new, high quality roof top recreation and entertainment area.
- is consistent with clause 13 (f) and 14 (d) of the SREP, the proposal will maintain the unique visual qualities of the Sydney Harbour foreshores, in particular when seen from the south and east Circular Quay, by integrating with the existing townscape.