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urbaine
DESIGN GROUP

VISUAL IMPACT ASSESSMENT

SSDA FOR RESIDENTIAL/ AFFORDABLE HOUSING, HOTEL & COMMERCIAL OFFICES.

2-4 BURLEIGH STREET & 20-24 RAILWAY PARADE, BURWOOD

JANUARY 23 2025

Project Type: SSDA
Lot No: Lot C in DP 438222; Lot B in DP 438222; Lot A in DP 438222; Lot D in DP 438222; Lot E in DP 438222
Nos.2-4 Burleigh St & 20-24 Railway Pde, Burwood

CONTENTS

1. INTRODUCTION

1.1. Scope and Purpose of Report

This Visual Impact Report has been prepared for NSW Housing Corporation Pty Ltd. and is submitted to the Burwood Council in support of a State Significant Development Application (DA) for a mixed-use development at 2-4 Burleigh St & 20-24 Railway Pde, Burwood (the site). The report provides an analysis of the proposed development's visual impact in relation to its visual and statutory contexts and is to be read in conjunction with the drawings and other material submitted with the development application.

The subject application is made under State Environmental Planning Policy (Housing) 2023 (Housing SEPP), which provides for additional height and floor space ratios for developments that include a minimum of 10% of dwellings as dedicated affordable housing units for a minimum of 15 years.

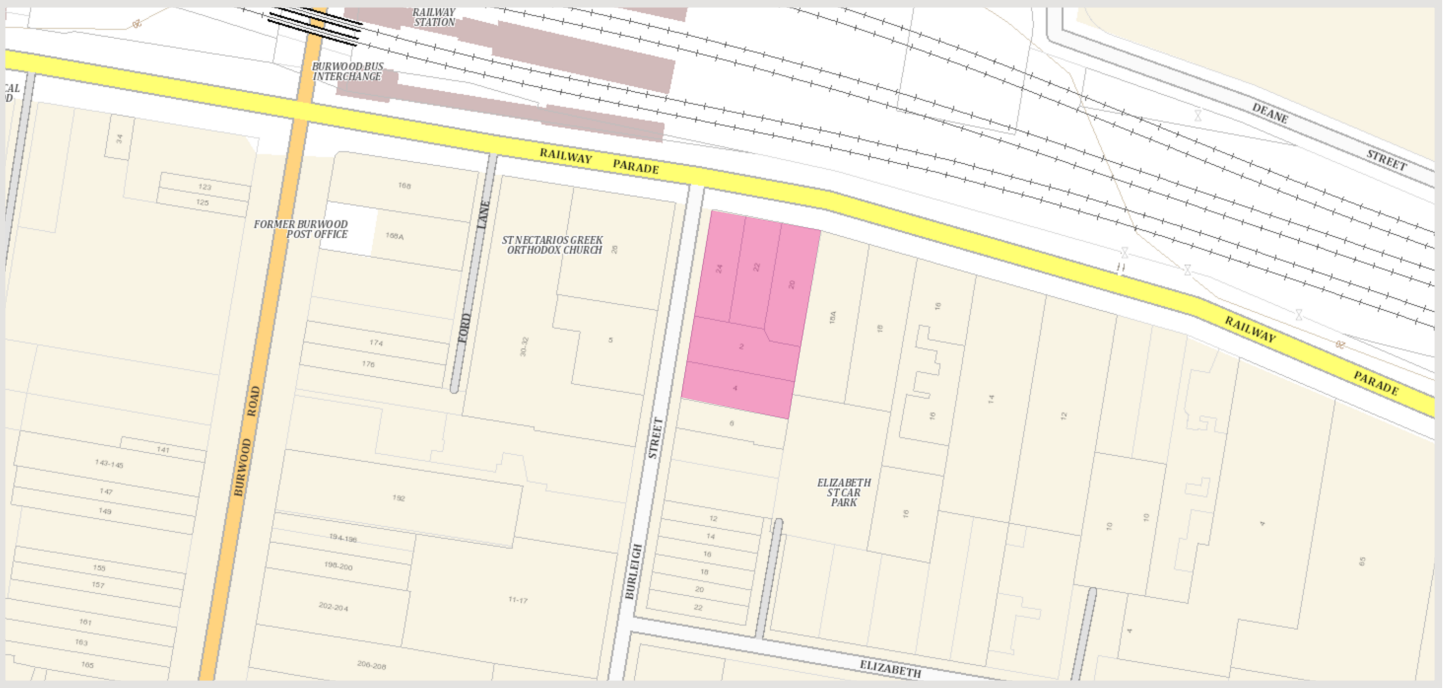


Figure 1 – Site location shown in magenta

1.2. The Proposed Development

The SSD Application will seek consent for the construction of a 39-storey mixed use development containing a hotel with 120 rooms, commercial office premises and a residential flat building with 48 dual key residential apartments and 5 levels of basement car parking..

1.2.1. The Site and existing property

The site is located within the Burwood Town Centre which contains a number of mixed use developments comprising commercial, retail, medical and residential land uses. The locality is characterised by a diverse range of developments, ranging from single storey dwellings to 30 storey commercial and residential buildings. The immediate locality is to support high density development given its location within close proximity to Burwood Railway Station, as evidenced by the applicable built form controls which allow for building heights of 70m, and up to 140m on some sites. The site is located on the southern side of Railway Parade and to the south of the Main Suburban railway line and sits at the corner of Burleigh Stret and Railway Parade. This site comprises 5 parcels of land identified as follows:

20 Railway Parade – Lot C in DP 438222;

22 Railway Parade – Lot B in DP 438222;

24 Railway Parade – Lot A in DP 438222;

2 Burleigh Street – Lot D in DP 438222; and

4 Burleigh Street – Lot E in DP 438222.

Existing on the site are single storey buildings, both detached and attached, occupied by various small businesses, including a family medical practice, tutoring business and a hearing clinic. Shared vehicle access is provided at Burleigh Street to a small carpark shared by all of the existing buildings. The site is relatively flat will a fall of approximately 1m from the Railway Parade frontage to the southern boundary. The site is almost entirely built over with the only vegetation existing on the site limited to small areas of grass and three small trees along the Railway Parade frontage

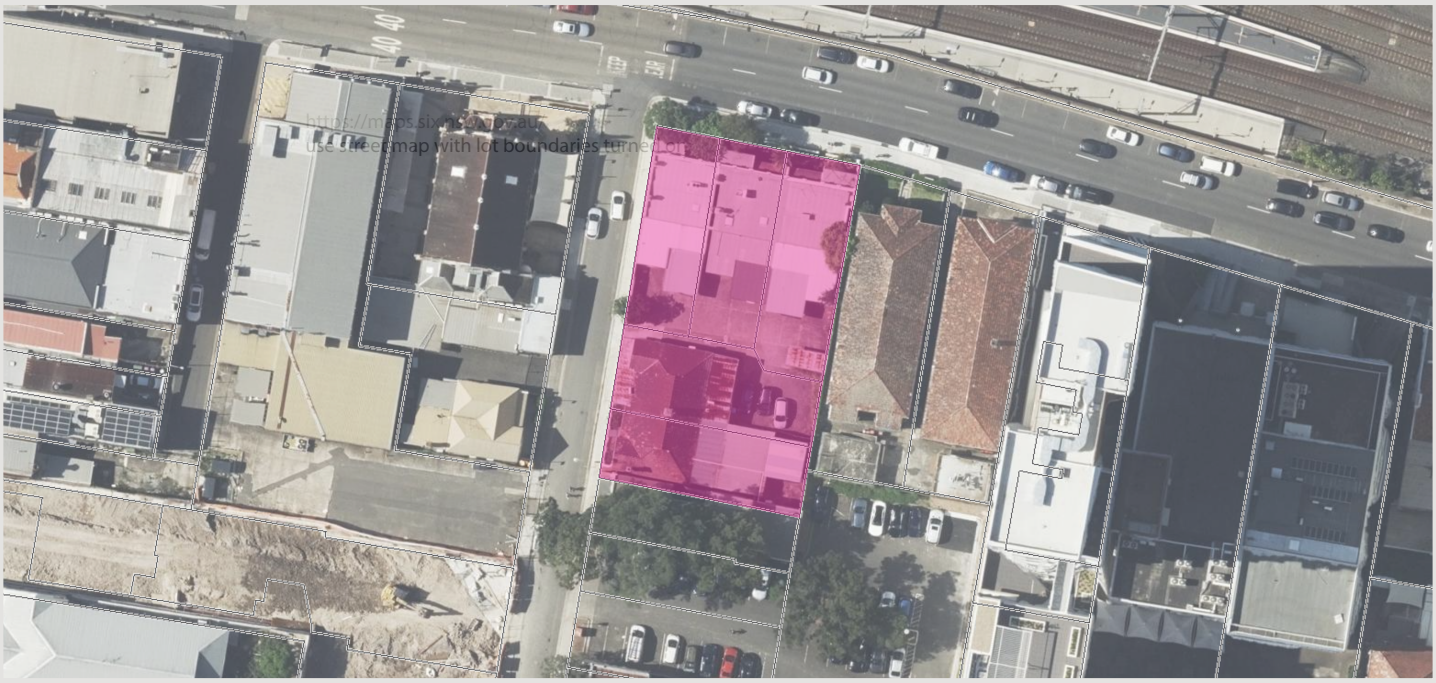


Figure 2 – Subject site shown in magenta overlay

1.3. Proposed Land Use and Built Form

Proposed accommodation schedule:

Basement Level 2-5:

- *30 parking spaces per level*
- *5 lifts, including 1 residential lift, 1 commercial lift, 2 hotel lifts and 1 service lift*
- *Storage, including bulky goods storage*
- *Services*
- *Stair access*

Basement level 1:

- *18 parking spaces*
- *5 lifts, including 2 residential lifts, 2 commercial - hotel lifts and 1 service lift*
- *Hotel BOH and linen room.*
- *Fire pump room, cold water pump room, switch room and services.*

Ground Floor:

- *Residential lobby*
- *Hotel/commercial lobby and café*
- *Bathrooms*
- *Bicycle parking*
- *Fire control room*
- *Commercial waste room*
- *Residential waste room*
- *Recycling waste room*
- *Bulky waste / service room*
- *Substation*
- *Hotel vehicle drop off zone with porte-cochere above*
- *Two way basement driveway via Railway Parade*
- *MRV loading/service bay with two way vehicle access via Burleigh Street*
- *Garden with OSD tank below at the corner of Burleigh Street and Railway Parade*
- *5 lifts, including 1 residential lift, 1 commercial lift, 2 hotel lifts and 1 service lift Stair access'*

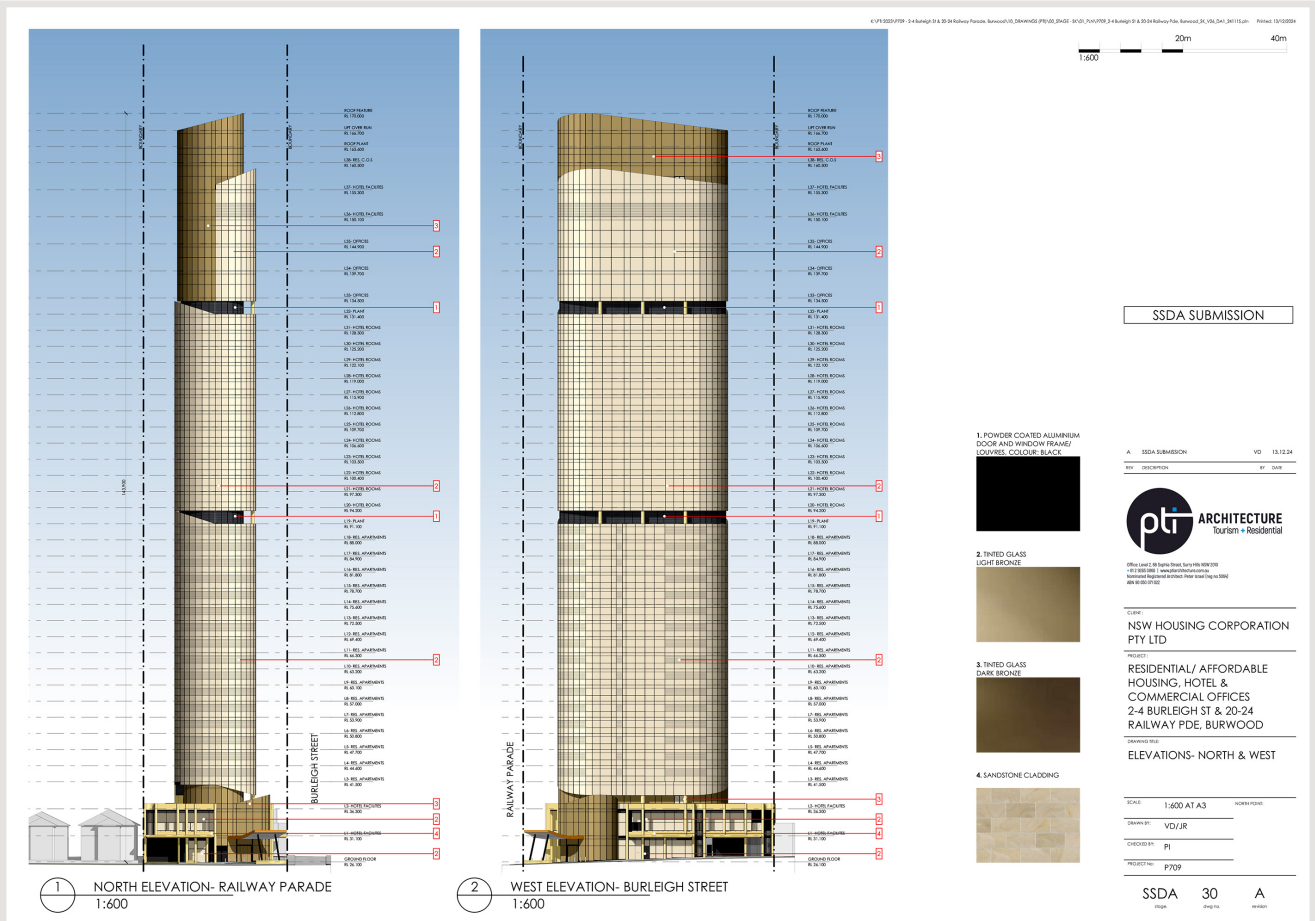


Figure 3 – Elevations of the proposed design by PTI Architecture.

For descriptions of usages from Levels 1 to above, refer to the Environmental Impact Statement that accompanies this SSDA from Planning Ingenuity.

The building façades have been designed in a manner whereby they serve to modulate the building volume while variations in materiality seek to further define the layers of the development in a manner that also facilitates the provision of a greater level of visual interest. Furthermore, appropriate window positioning and proportions serve to articulate the building elevations and help to avoid unadorned expanses of cladding

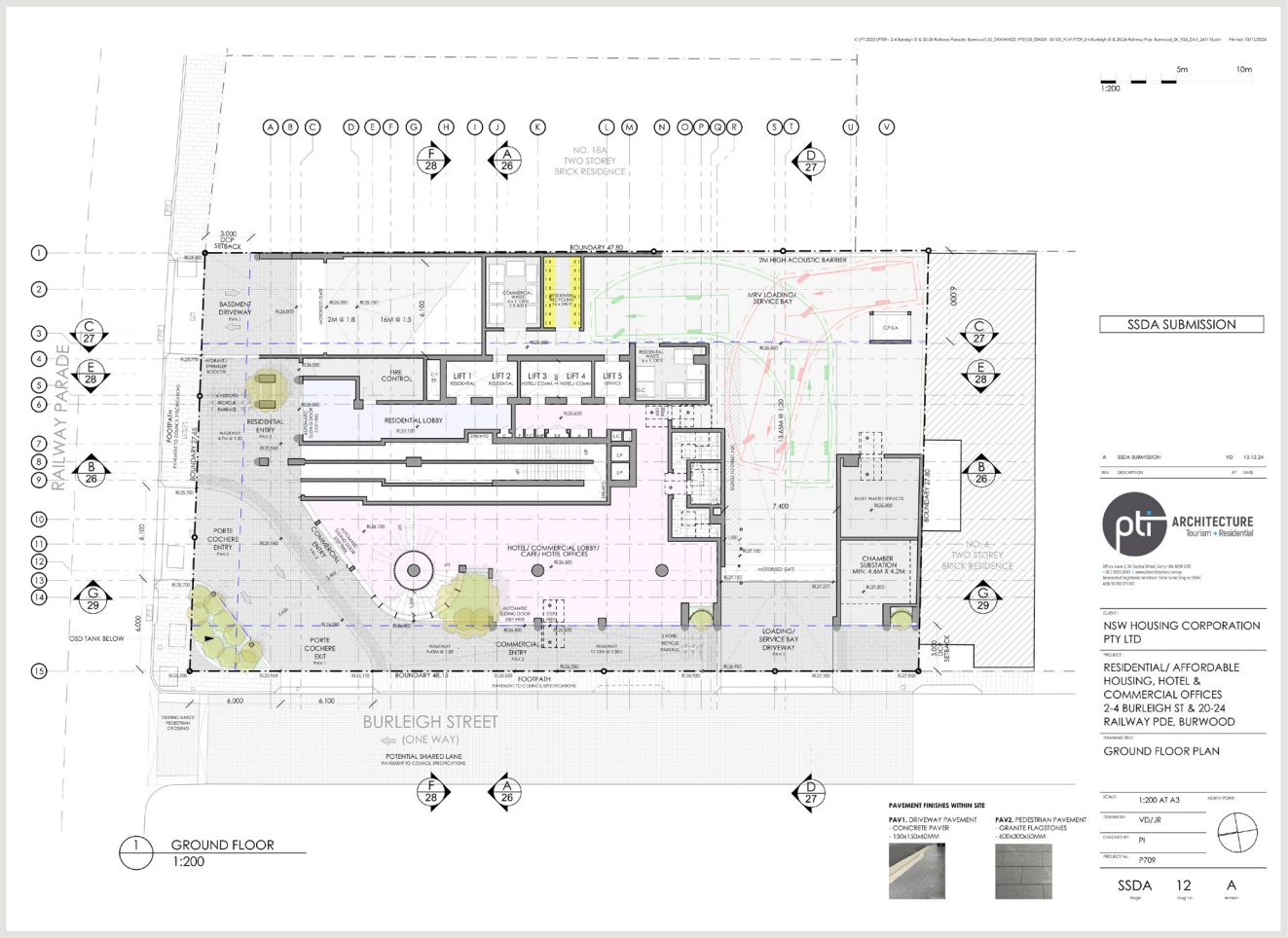


Figure 4 – Typical floor plan of the proposed design by PTI Architecture.

1.4. Methodology of Assessment

The methods used by Urbaine, for the generation of photomontaged images, showing the proposed development in photomontaged context are summarised in an article prepared for New Planner magazine in December 2018 and contained in Appendix A. A combination of the methods described were utilised in the preparation of the photomontaged views used in this visual impact assessment report.

1.4.1. Process

A drone assessment was undertaken and triangulated into a 3D point cloud which was aligned to ground control points using a RTK GNSS rover with NTRIP corrections. This was placed into the scene and further verified against the survey DWG and aligned to a wider area geo-located Lidar model with an RMS of 0.25cm provided by Aerometrix.

Survey, plans, elevations and model of the proposal were sourced from the architect , PTI Architecture. and aligned to the scene using the survey information from RGM Surveyors, which accompanies the DA submission.

For the initial assessment of visual impact a light projection map was rendered to gauge the view corridors and guide locations to visit for photography. Figure 5 shows, but is not limited to the locations visited to check for sight lines and to photograph if a sight line is present. A summary of the site visit is in section 2.4 with contact sheet in Appendix C.

A Canon EOS RP Full Frame Digital Camera with fixed focal length 24mm lens was used to take all viewpoint photos, at an eye level of 1600mm. Positions were recored using a using a RTK GNSS rover with NTRIP corrections in GDA 2020 + AHD height. see appendix D

The images were processed reviewed and a selection were chosen for montage to show the visual impact and also the lack of impact and to assess in the report.

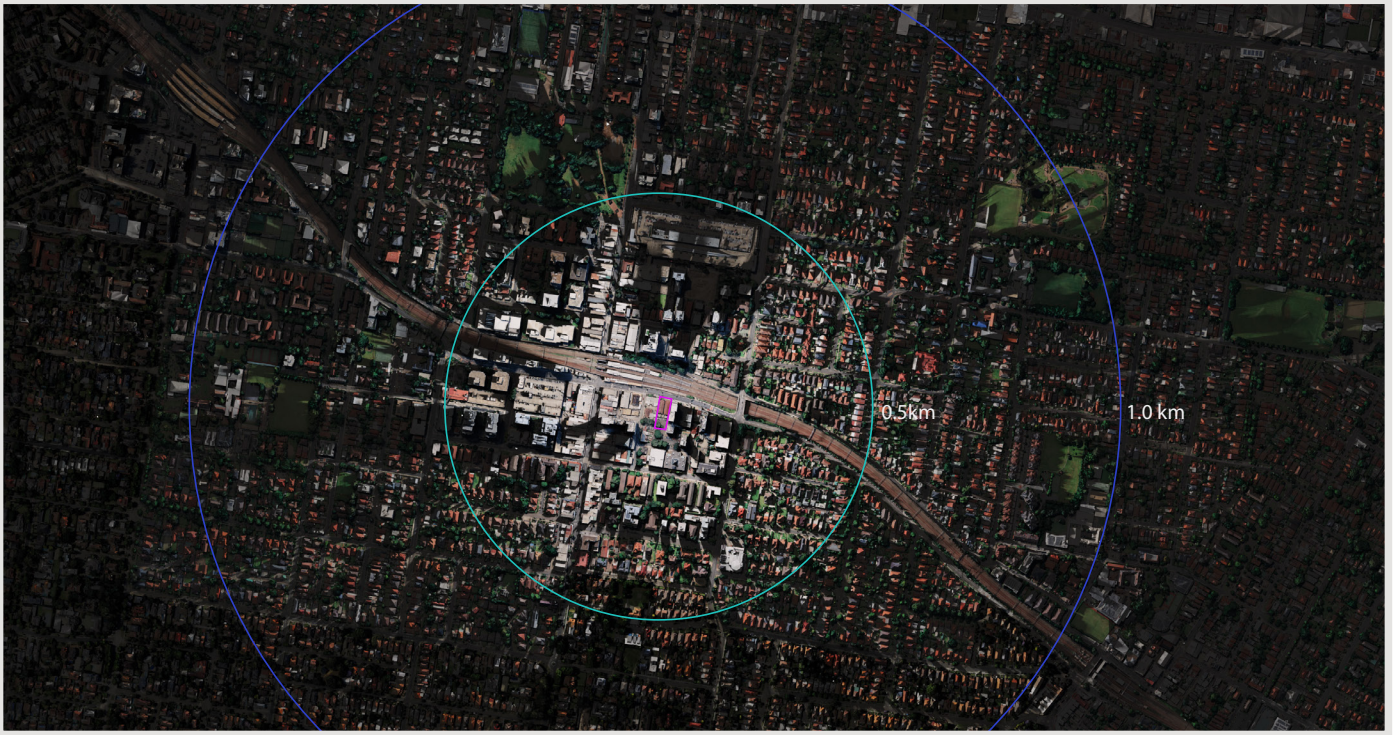


Figure 5 - Light map projection from the proposal (site in magenta)

Virtual cameras were placed into the 3D model to match various selected viewpoints, in both height and position. These locations were measured on-site using a survey provided. From these cameras, rendered views have been generated and photomontaged into the existing photos, using the ground plane for alignment at standing height 1600mm.

The final selection of images shows these stages, including the block montage of the original development application and concluding with an outline, indicating the potential visual impact and view loss. For the purposes of statutory requirements, the images within the report are of a standard lens format and are also presented nested in a panorama in Appendix A for a viewpoint closer matching the field of view of two human eyes.

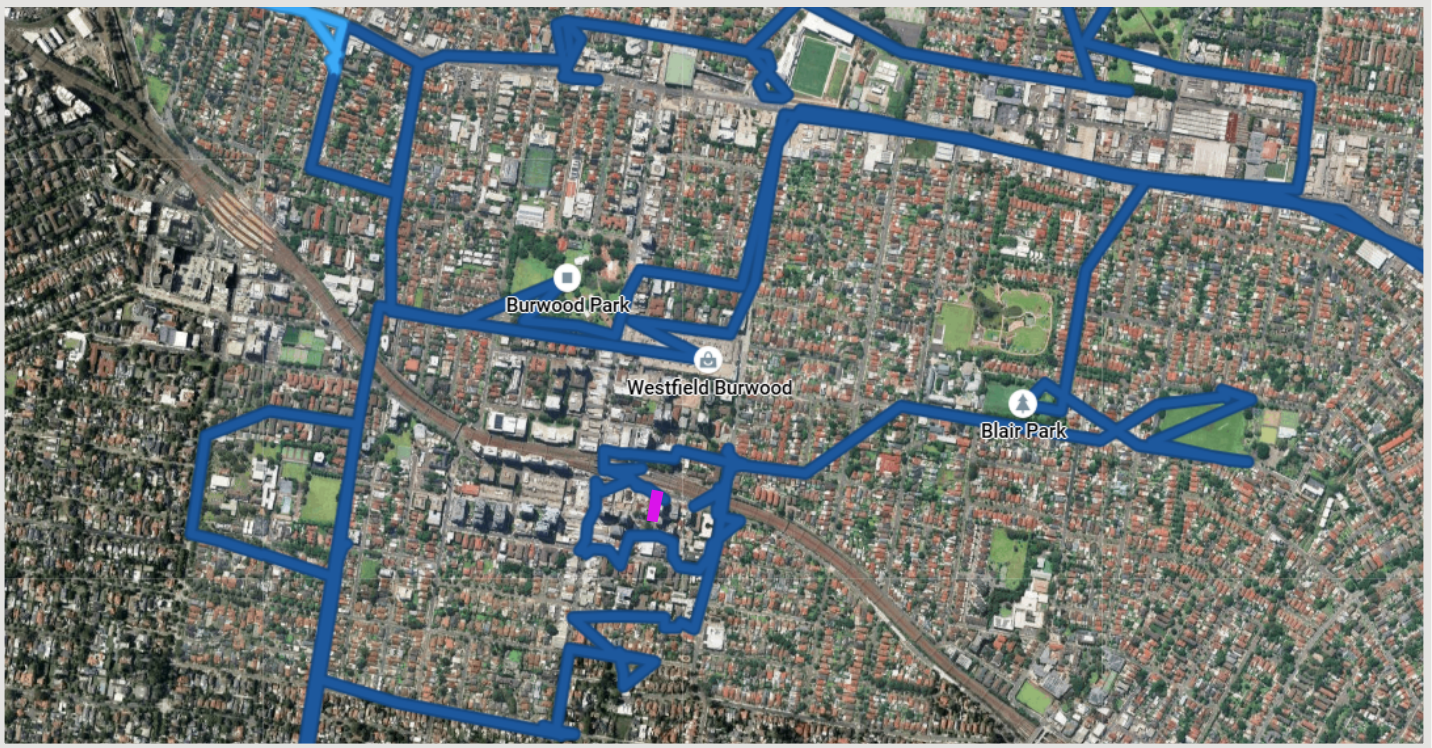


Figure 6 - Local area site visit (site in magenta)

1.4.2. Assessment Methodology

There are no set guidelines within Australia regarding the actual methodology for visual impact assessment, although there are a number of requirements defined by the Land and Environment Court (LEC) relating to the preparation of photomontages upon which an assessment can be based.

Where a proposal is likely to adversely affect views from either private or public land, Council will give consideration to the Land and Environment Court's Planning Principle for view sharing established in Tenacity Consulting v Warringah Council [2004] NSWLEC 140.

This Planning Principle establishes a four-step assessment to assist in deciding whether or not view sharing is reasonable:

- *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.*

However, there is no peer review system for determining the accuracy of the base material used for visual impact assessments. As a result, Urbaine Group provides a detailed description of its methodologies and the resultant accuracy verifiability – this is contained within Appendix A.

The methodology applied to the visual assessment of the current design proposal has been developed from consideration of the following key documents:

- *Environmental Impact Assessment Practice Note, Guideline for Landscape Character and Visual*
- *Impact Assessment (EIA-N04) NSW RMS (2013);*
- *Visual Landscape Planning in Western Australia, A Manual for Evaluation, Assessment, Siting and Design, Western Australia Planning Commission (2007);*
- *Guidelines for Landscape and Visual Impact Assessment, (Wilson, 2002);*

In order to assess the visual impact of the Design Proposal, it is necessary to identify a suitable scope of publicly accessible locations that may be impacted by it, evaluate the visual sensitivity of the Design Proposal to each location and determine the overall visual impact of the Design Proposal.

Accessible locations that feature a prominent, direct and mostly unobstructed line of sight to the Project are used to assess the visual impact of the Design Proposal. The impact to each location is then assessed by overlaying an accurate visualisation of the new design onto the base photography and interpreting the amount of view loss in each situation, together with potential opportunities for mitigation.

Views of high visual quality are those featuring a variety of natural environments/ landmark features, long range, distant views and with no, or minimal, disturbance as a result of human development or activity. Views of low visual quality are those featuring highly developed environments and short range, close distance views, with little or no natural features.

Visual sensitivity is evaluated through consideration of distance of the view location to the site boundary and also to proposed buildings on the site within the Design Proposal. Then, as an assessment of how the Design Proposal will impact on the particular viewpoint. Visual sensitivity provides the reference point to the potential visual impact of the Design Proposal to both the public and residents, located within, and near to the viewpoint locations.

1.4.3. Site Inspections

A site inspection was undertaken to photograph the site and surrounding area to investigate:

- *The topography and existing urban structure of the local area*
- *The streetscapes and houses most likely to be affected by the Proposal*
- *Important vistas and viewsheds*
- *Other major influences on local character and amenity*

The map, see figure 7, indicates chosen locations for site photography.

1.4.4. Contextual Analysis:

An analysis was undertaken of the visual and statutory planning contexts relevant to the assessment of visual impacts in a Development Application.

Figure 7: Selected private viewpoint locations for visual impact assessments with site outlined in red.

1.4.5. Visual Impact Analysis:

The visual impacts of the proposed development were analysed in relation to the visual context and assessed for their likely impact upon the local area and upon specific residential properties.

1.4.6. Statutory Planning Assessment:

The results of the local view impact assessment are included in Section 3 of this report.

1.5. References

The following documentation and references informed the preparation of this report:

- *The design drawings and information relied upon for the preparations of this report were prepared by PTI Architecture.*
- *Burwood DCP*
- *RGM Property Surveys - Surveyors*
- *Photography - Urbaine*
- *Photomontaging and 3D - Urbaine*
- *LIDAR - Aerometrix*

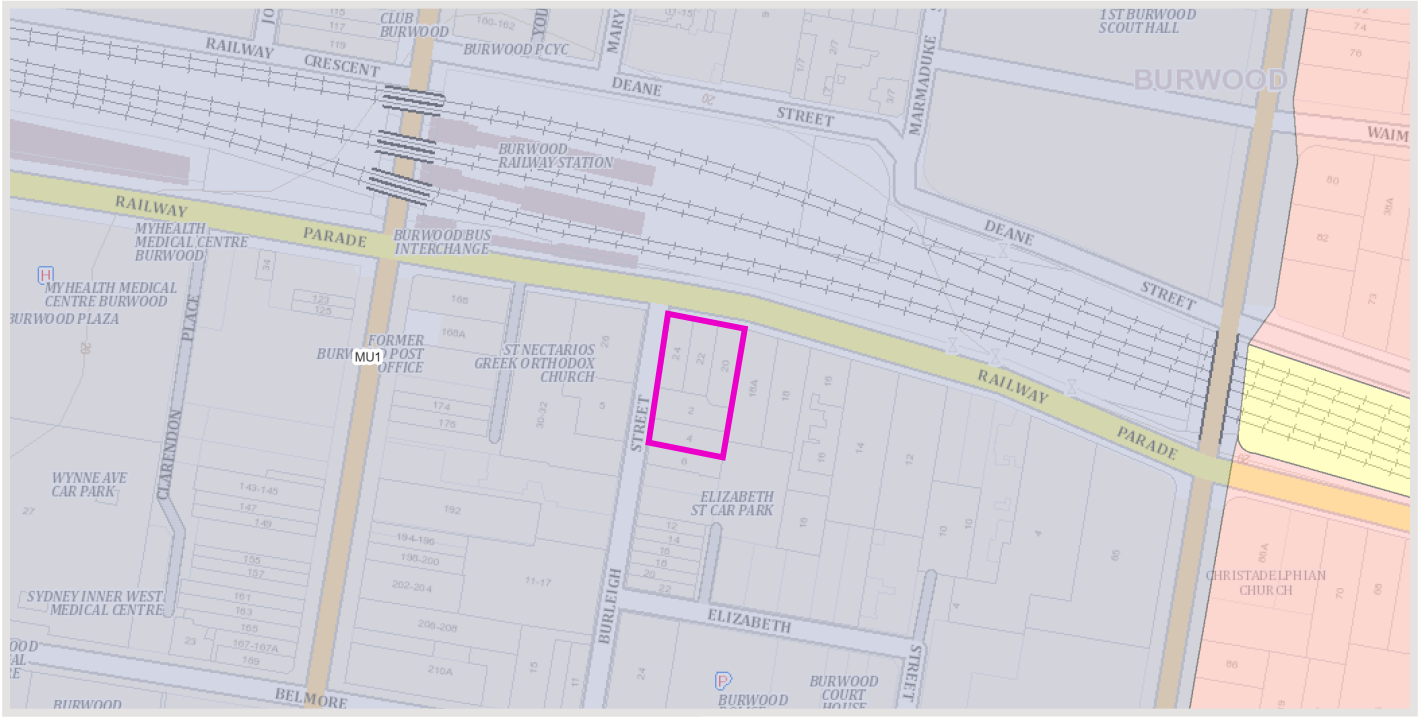


Figure 8: Land zoning map, indicating site with blue outline.

2. THE SITE AND THE VISUAL CONTEXT

Visual impacts occur within an existing visual context where they can affect its character and amenity. This section of the report describes the existing visual context and identifies its defining visual characteristics.

Defining the local area relevant to the visual assessment of a proposed development is subject to possible cognitive mapping considerations and statutory planning requirements. Notwithstanding these issues, the surrounding local area that may be affected by the visual impact of the proposed development is considered to be the area identified on in the topographical area map, Figure 9.

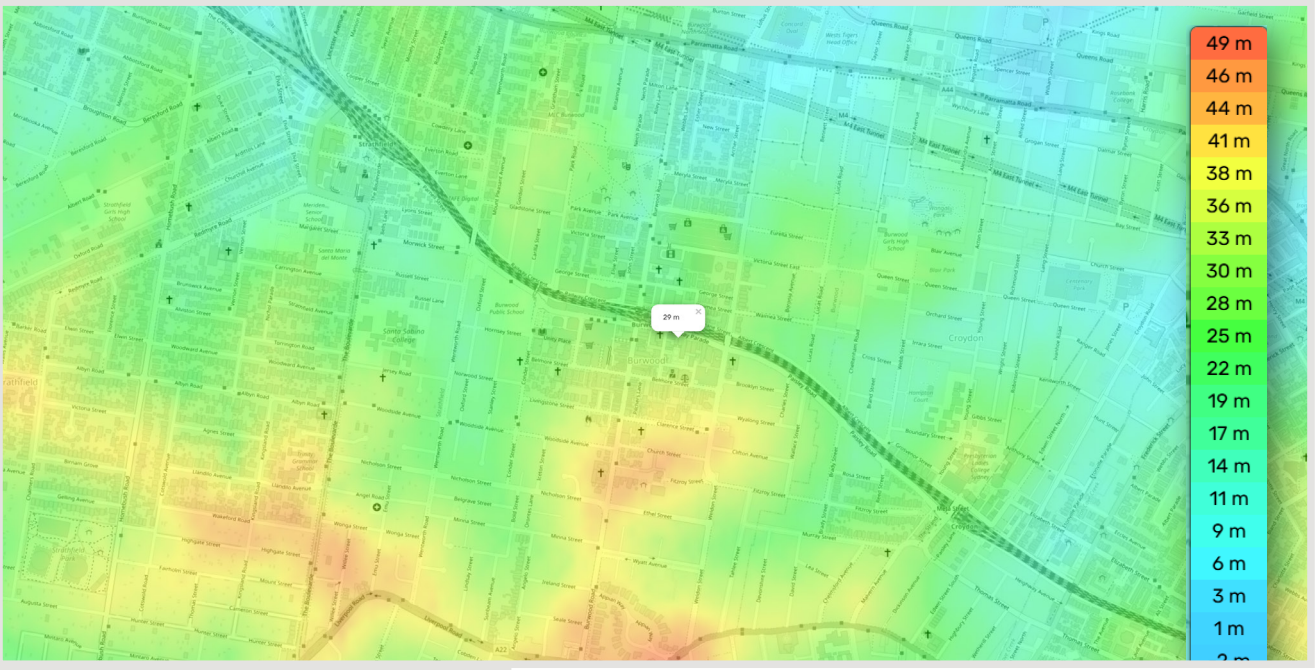


Figure 9: Subject area topographical map.

Although some individuals may experience the visual context from private properties with associated views, the general public primarily experiences the visual context from within the public realm where they form impressions in relation to its character and amenity. The public realm is generally considered to include the public roads, reserves, open spaces and public buildings.

The visual context is subject to “frames of reference” that structure the cognitive association of visual elements. The “local area” (as discussed above) provides one such frame of reference. Other “frames of reference” include the different contextual scales at which visual associations are established and influence the legibility, character and amenity of the urban environment. Within the scope of this report three contextual scales are considered relevant to the analysis of the visual context and the visual impact of the proposed development.

The ‘Street Context’ provides a frame of reference for reviewing the visual relationship of the new development (and in particular its facades) in relation to the adjoining pedestrian spaces and roads. Elements of the development within this frame of reference are experienced in relatively close proximity where, if compatible with the human scale they are more likely to facilitate positive visual engagement and contribute to the “activation” of adjoining pedestrian spaces.

The ’Neighbourhood Context’ provides a broader frame of reference that relates the appearance of the development as a whole to the appearance of other developments within the local area. As a frame of reference, it evolves from the understanding gained after experiencing the site context and the low density of development. Within this context the relative appearance, size and scale of different buildings are compared for their visual compatibility and contribution to a shared character from which a unique “sense of place” may emerge. This frame of reference involves the consideration of developments not necessarily available to view at the same time. It therefore has greater recourse to memory and the need to consider developments separated in time and space. The neighbourhood context is relevant to the visual ’legibility’ of a development and its relationship to other developments, which informs the cognitive mapping of the local area to provide an understanding of its arrangement and functionality.

The ‘Town / City Context’ provides a frame of reference that relates the significance of key developments or neighbourhoods to the town as a whole. The contribution that distinctive neighbourhoods make (or may potentially make) to the image of the city can be affected by the visual impact of an individual development through its influence on the neighbourhood’s character and legibility. Within this context, it is also important to be aware of other proposed developments in the area.

2.1. The Visual Context

The immediate surroundings of the site feature a diverse range of residential options, including terrace houses, apartments within residential complexes, and standalone dwellings. These buildings showcase a blend of architectural styles, encompassing both traditional and contemporary designs. The area's development history spans different eras, leading to a mixture of construction materials and finishes. As a result, the buildings exhibit varying setbacks from the public domain, contributing to the overall eclectic character of the neighbourhood.

The locality has a residential, leafy character characterised by a streetscape quality of side setbacks and predominant landscape. The building heights reinforce the existing cityscape in response to the undulating character of the area.

2.2. Visual Features and Local Landmarks

Particular elements in the urban pattern, through either location and/or built form provide visual nodes and landmarks that assist in differentiating locations within the broader visual context. The following visual nodes are considered to be of the greatest significance in terms of their contribution to the character and legibility of the local and surrounding area. The focus of extent is north to the elevated Great Western Highway, west to Strathfield, south as the topography rises to Liverpool Road and East to Ashfield, including:

Conservation area Burwood Road, Paisley Road to Liverpool Road, Heritage items along Railway Parade

Fitzroy Centre, St Nectarios, Greek Orthodox Chrurch, Burwood Park, Wangal Park, Burwood Station

2.3. Streetscapes and View Corridors

Within the immediate and surrounding areas, the streetscapes are typical of the western suburbs of Sydney innerwest suburbs being a mixture of individual houses and apartments blocks of varying scales, commercial buildings and multi-storey hotels. The landscaping is predominantly mature and well established.

2.3.1. View corridors 0.5km-1km

The lower building heights north, east and south east create view corridors over local buildings, where view points from the west were less prevalent, due to the prevalence of mature tree lined streets and other high structures.

2.3.2. View corridors 1km +

Beyond 1km, the proposal will be often filtered through trees and landscaping. A mixture of residential properties will also impact upon the view. The tower will most often be apparent, when observed through gaps in the streetscapes, or from open, public parks and road junctions.

2.4. The selected view locations for the local view analysis

As a result of the site's topography and other large scale developments, the local visual impact is primarily relevant to the residential properties to the north east, east and south with views less likely from the local cardinal and inter cardinal points to the west.

A large number of site photos were taken and a smaller number of specific views selected from these, relevant for private viewing locations, as described above. The selected photos are intended to allow consideration of the visual and urban impact of the new development at a local level and, specifically, from the neighbouring properties and public viewing locations.

2.5. Context of View

The context of the view relates to where the proposed development is being viewed from. The context is different if viewed from a neighbouring building, or garden, as is the case here, where views can be considered for an extended period of time, as opposed to a glimpse obtained from a moving vehicle.

2.6. Extent of View

The extent to which various components of a development would be visible is critical. For example, if the visibility assessment is of a multi-storey development proposal in a low-density context of 2 to 3 storey buildings, it would be considered to have a significant local scale visual impact, whereas if a development proposal is located in an area of a CBD containing buildings of a similar scale and height, it may be considered to have a lower scale visual impact.

The capacity of the landscape to absorb the development is to be ranked as high, medium or low, with a low ranking representing the highest visual impact upon the scenic environmental quality of the specific locality, since there is little capacity to absorb the visual impact within the landscape.

3. VISUAL IMPACT OF THE PROPOSED DEVELOPMENT

3.1. Visual Impact Assessments viewpoint locations

Visual Impact Assessments from 21 viewpoint locations – from areas surrounding the subject site at 2-4 Burleigh Street & 20-24 Railway Parade, Burwood

3.1.1. Method of Assessment

In order to allow a quantitative assessment of the visual impact locations where view impact and view loss,

a Canon EOS Full Frame Digital Camera with fixed focal length 24mm lens was used to take all viewpoint photos, at an eye level of 1600mm.

The photos include location descriptions, to be read in conjunction with the site map, contained in Appendix A. Additionally, information is supplied as to the distance from the site boundary for each location and the distance to the closest built form is provided in Section 3.1.2 below.

To assess the visual impact, there are 2 relevant aspects - view loss of actual substance (landscape, middle and distance view elements etc.) and also direct sky view loss. To a large extent, the value associated with a view is subjective, although a range of relative values can be assigned to assist with comparing views. Figure 9 is a scale of values from 0 to 15, used to allow a numeric value to be given to a particular view, for the purposes of comparison.

On the same table are a series of values, from zero to 15, that reflect the amount of visual impact.

The second means of assessment relates to assigning a qualitative value to the existing view, based on criteria of visual quality defined in the table – see figure 10.

The % visual content is then assessed, together with a visual assessment of the new development's ability to blend into the existing surroundings.

TENACITY / SCALE / VALUE		VISUAL IMPACT	VISUAL QUALITY
NIL	0	NEGLIGIBLE No negative impact on the pre-existing visual quality of the view	N/A
NEGLIBLE	1	LOW A minor negative impact on the pre-existing visual quality of the view Examples: minor impact on natural landscapes no impact on iconic views impact on small number of receivers significant distance between the development and receiver	Predominant presence of low quality man made features Minimal views of natural formations (e.g. cliffs, mountains, coastlines, waterways, ridges etc.) Uniformity of land forms
	2		
	3		
MINOR	4		
	5		
	6		
MODERATE	7	MEDIUM A medium negative impact on the pre-existing visual quality of the view Examples: moderate impact on iconic views or natural landscapes impact on moderate number of receivers located nearby the receiver	Presence of some natural features mixed with manmade features Some views of distinct natural formations (e.g. cliffs, mountains, coastlines, waterways, ridges etc.)
	8		
	9		
SEVERE	10		
	11	HIGH A high negative impact on the pre-existing visual quality of a view Examples: loss of iconic vie impact on significant number of receivers owershadowing effect directly adjacent the receiver	Predominantly natural features Minimal manmade features, however if present of a high architectural standard Significant views of distinct natural formations (e.g. cliffs, mountains, coastlines, waterways, ridges etc.) Presence of iconic regional views of landmark features
	12		
DEVASTATING	13		
	14		
	15		

Figure 10: Urbaine Group Assessment Table

3.1.2. Assessment at selected viewpoints

VIEWPOINT 01

Existing site photo - Burwood Park, northwestern boundary.

From standing position in Burwood park, facing southeast.
RL + 25.41m
Distance to boundary 629.58m

Photomontage of proposal with approved DA Burwood Place in transparent grey

Visual Impact in cyan with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 41%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 0% : 100%*
- *Existing Visual Assessment Scale no: 8 /15 & Visual Impact Assessment Scale no 6 /15:*

This is a static, public view from the northwestern edge of Burwood Park, approximately 630 metres from the subject site. The view looks southeast, across the Burwood Park landscape to the large mature trees lining the park, which fill the entirety of the midground of the view, and beyond to the skyline view of high-rise towers of Burwood town centre in the far distance. This park is utilised for formal sporting events and general, public recreation, with many seating and play areas within its perimeter.

The proposal sits in the centre of Burwood CBD, when viewed from this location, providing a rising focal point, in a city-scape that follows the more traditional 'bell curve' profile for the CBD, with view loss limited entirely to sky view beyond the subject site. The future profile of the Burwood Place development reinforces the intent of future growth within the centre of Burwood and relates favourably to the envelope of the subject proposal. The visual impact, as a result of the new design proposal, would be assessed as .

LEC Judgement: Rose Bay Marina v Woollahra Council (2013) Assessment Criteria:
Value of view: Medium
View location: Public park
Extent of impact: Minor-to-Moderate (in context of future, approved developments)

Reasonableness of proposal: Within the context of the permissible development envelope of the site and the desired future growth of the town, the proposal is acceptable in terms of its local and distant visual impact.

VIEWPOINT 02

Existing site photo - Great Western Highway

From standing height on the northern pavement, facing southeast
RL + 30.80m
Distance to boundary 1536.29m

Photomontage of proposal

Visual Impact in cyan with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 7%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 0% : 100%*
- *Existing Visual Assessment Scale no: 2 /15 & Visual Impact Assessment Scale no: 1 /15*

This is a static and dynamic, public view from The Great Western Highway, its eastern junction with Parramatta Road, located northwest of the subject site. From this location, the foreground of the view is across the road junction, with Parramatta Road continuing in an easterly direction, lined with commercial and low rise residential buildings, which extend into the far distance of this view. In the direction of the subject site, the view is already impacted by existing properties and associated landscaping on the souther side of this road junction.

The subject proposal can be partially observed, in the far distance, close to the centre of this views. The lower and mid-levels are concealed by the built elements across the junction, while the upper levels impact on sky view only, beyond the subject site. The visual impact, resulting from the new design proposal, would be assessed as Negligible within this context..

LEC Judgement: Rose Bay Marina v Woollahra Council (2013) Assessment Criteria:
Value of view: Low
View location: Public pavement
Extent of impact: Negligible.

Reasonableness of proposal: Within the context of the permissible development envelope of the site and the desired future growth of the town, the proposal is acceptable in terms of its local and distant visual impact.

VIEWPOINT 03

Existing site photo - Parramatta Road

From standing height on the pedestrian foot bridge above Parramatta Road
RL + 28.53m
Distance to boundary 1027.43m

Photomontage of proposal with approved DA Burwood Place in transparent grey

Visual Impact in cyan with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 78%*
- *Visual impact ratio - view loss (including buildings) : sky view loss:6% : 94%*
- *Existing Visual Assessment Scale no: 7/15 & Visual Impact Assessment Scale no:6 /15*

This is a static and dynamic, public view from an elevated position, located at the northern access point of the pedestrian bridge across Parramatta Road, looking south-southeast towards Burwood. This adjoins the road junction with Brought-on Street. From this location, the foreground view down the length of the pedestrian bridge towards the southern side of Parramatta Road, with a mix of retail and semi-industrial buildings in this location. Residential flat buildings, located at nos.11-13, Burwood Road are observed to the west. As the view moves to the south-southeast, the upper levels of the multi-dwelling residences along Burwood Road are seen in the distance, forming the skyline of Burwood Centre in the far distance.

The new proposal is partially obscured, at its lower and mid-levels by other residential towers, to the north of the subject site. The subject tower rises above these and is matched, in height, by the approved towers to its east, forming Burwood Place. These new towers collectively re-define the skyline of the town. The new proposal impacts almost entirely upon sky view beyond the site, with only a small portion of built structures obscured. The visual impact, resulting from the new design proposal, would be assessed as Negligible-to-Minor within this context..

LEC Judgement: Rose Bay Marina v Woollahra Council (2013) Assessment Criteria:
Value of view: Medium
View location: Public pavement - footbridge
Extent of impact: Moderate (in context of future, approved developments)

Reasonableness of proposal: Within the context of the permissible development envelope of the site and the desired future growth of the town, the proposal is acceptable in terms of its local and distant visual impact.

VIEWPOINT 04

Existing site photo - Blair Park

From standing height on the northern edge of Blair Park, on Queen Street, facing southwest.
RL + 24.65m
Distance to boundary 915.81m

Photomontage of proposal with approved DA Burwood Place in transparent grey

Visual Impact in cyan with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 62%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 12% : 88%*
- *Existing Visual Assessment Scale no: 8 /15 & Visual Impact Assessment Scale no: 8 /15*

This is a static and dynamic, public viewpoint from the centre of Blair Park, on Queen St, located east-northeast of the subject site, at a distance of approximately 915m. From this location, the view looks across the western corner of the park, which is surrounded by mature trees and amenity buildings, forming part of Burwood Girls High School. The other sides of the park are lined with predominantly single-storey, houses, Beyond these, seen in the far distance, to the west-southwest, are the upper levels several residential towers within the Burwood CBD, seen rising above the treeline.

From this location, the mid and upper levels of the new proposal are seen, projecting higher than the existing towers. The increase in height aligns with the overall rise in elevation of new developments as they progress north towards the centre of Burwood CBD. The visual impact of the new proposal, from this location, is assessed as Negligible-to-Minor, the view loss consisting mostly of sky and small areas of existing buildings, to the west of the subject proposal.

LEC Judgement: Rose Bay Marina v Woollahra Council (2013) Assessment Criteria:
Value of view: Medium
View location: Public park
Extent of impact: Moderate (in context of future, approved developments)

Reasonableness of proposal: Within the context of the permissible development envelope of the site and the desired future growth of the town, the proposal is acceptable in terms of its local and distant visual impact.

VIEWPOINT 05

Existing site photo -Centenary Park Sporting playground

From standing height, Centenary Park Sporting playground facing south-southwest.
RL + 18.69m
Distance to boundary 1357.97m

Photomontage of proposal with approved DA Burwood Place in transparent grey

Visual Impact in cyan with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 41%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 0% : 100%*
- *Existing Visual Assessment Scale no: 8 /15 & Visual Impact Assessment Scale no: 9 /15*

This is a static and dynamic, public viewpoint from the northeastern corner of Centenary Park Sports ground, in between Queen Street to the south and Church St to the north, approximately 1.4km east-northeast of the subject property, at no.2 Burleigh St. From this location, the view looks across the entirety of the sports ground, to the southwestern corner of the park, which is lined with mature trees and low level houses beyond. The park is surrounded by predominantly single-storey houses. Beyond these, seen in the far distance, to the west-southwest, are the upper levels of several residential towers within the Burwood CBD, rising above the treeline.

From this location, the mid and upper levels of the new proposal are seen, projecting higher than the existing towers. The increase in height aligns with the overall rise in elevation of new developments as they progress west towards, and beyond, the centre of Burwood CBD. The approved towers of Burwood place, of a similar height, are seen beyond the proposal, to the west. The visual impact of the new proposal, from this location, is assessed as Negligible-to-Minor, the view loss consisting mostly of sky and small areas of existing buildings, to the west of the subject proposal.

LEC Judgement: Rose Bay Marina v Woollahra Council (2013) Assessment Criteria:
Value of view: Medium
View location: Public park
Extent of impact: Moderate (in context of future, approved developments)

Reasonableness of proposal: Within the context of the permissible development envelope of the site and the desired future growth of the town, the proposal is acceptable in terms of its local and distant visual impact.

VIEWPOINT 06

Existing site photo - Shaftesbury Rd

From standing height on the eastern pavement of Shaftesbury Rd, near its cross with Waimea St, facing south west.

RL + 29.24m

Distance to boundary 225.61m

Photomontage of proposal with approved DA Burwood Place in transparent grey

Visual Impact in cyan with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 89%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 29% : 71%*
- *Existing Visual Assessment Scale no: 5 /15 & Visual Impact Assessment Scale no: 9 /15*

This is a static and dynamic, public view from Shaftesbury Road, near its intersection with Waimea St, to the northeast of the subject property, at a distance of approximate distance of 225 metres. From this location the view looks southwest, across the tree-lined Shaftesbury Road, with a mix of two to three-storey mix residences, on both sides of the road as it progresses south to the bridge across the unseen railway line. In the midground of this view, several multi level structures along Railway Parade to the southwest are present, with additional CBD buildings in the background, to the west of the subject site.

The visual impact of the new proposal relates to its mid and upper levels, which project higher than the existing towers to its east. The lower levels of the subject building are already concealed by mature trees, located along Waimea Street.The visual impact of the new proposal, from this location, is assessed as Minor, the view loss consisting of parts of existing buildings in the Burwood CBD, to the west of the subject site and primarily to the sky view in the background.

LEC Judgement: Rose Bay Marina v Woollahra Council (2013) Assessment Criteria:
Value of view: Low-to-Medium
View location: Public footpath
Extent of impact: Moderate (in context of future, approved developments)

Reasonableness of proposal: Within the context of the permissible development envelope of the site and the desired future growth of the town, the proposal is acceptable in terms of its local and distant visual impact.

VIEWPOINT 07

Existing site photo -intersection of Shaftesbury Rd and Deane St

From standing height on the western pavement of Shaftesbury Street.
RL + 31.103m
Distance to boundary 170.90m

Photomontage of proposal with approved DA Burwood Place in transparent grey

Visual Impact in cyan with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 62%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 18% : 82%*
- *Existing Visual Assessment Scale no: 5 /15 & Visual Impact Assessment Scale no: 9 /15*

This is a static and dynamic, public viewpoint, fat the intersection of Shaftesbury Road and Deane Street, to the west and Albert Street to the east. It is directly adjacent the railway tracks between Albert Crescent and Paisley Road, looking due west towards the subject site. From this location, the foreground of the view contains the railway tracks which extend for the entire length of the view into the far distance, with Dean Street high rise apartment buildings flanking the railway to the north. The railway platforms are seen in the midground to the west and to the south of the train tracks, the multi-residence buildings of Railway Parade rise up and fall, in height, as the view moves west. In the far distance, the apartment complex of no.1 Railway Parade and the approved buildings on the western side of Burwood CBD terminate the view.

The north and east elevations of the subject proposal will be seen, projecting higher than the existing towers to the east, with the view loss consisting of buildings along Burwood Street to the west of the CBD, portions of Burwood Place and beyond this, primarily the sky view in the background of the view. The visual impact of the new proposal, from this location, is assessed as Moderate,

LEC Judgement: Rose Bay Marina v Woollahra Council (2013) Assessment Criteria:
Value of view: Low-to-Medium
View location: Public footpath
Extent of impact: Moderate

Reasonableness of proposal: Within the context of the permissible development envelope of the site and the desired future growth of the town, the proposal is acceptable in terms of its local and distant visual impact.

VIEWPOINT 08

Existing site photo - Shaftesbury Rd

From standing height on the eastern pavement of Shaftesbury Rd and the junction with Belmore Street facing northeast

RL + 32.69m

Distance to boundary 222.03m

Photomontage of proposal with approved DA Burwood Place in transparent grey

Visual Impact in cyan with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 6%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 0% : 100%*
- *Existing Visual Assessment Scale no: 4 /15 & Visual Impact Assessment Scale no: 4 /15*

This is a static and dynamic, public view from Shaftesbury Road approximately 220 metres southeast of the subject proposal, facing northwest. The viewpoint looks out across the roundabout at the road junction, towards no.67 Shaftesbury Road, a multi-residential building and Shaftesbury Court retirement Village to the west. Further along Belmore Street, several mid-level residential flat buildings are observed in the far distance. Belmore Street is lined with semi-mature street trees on both sides.

The new proposal is observable at its uppermost levels, located behind the property at no.67, Shafesbury Road. The new approved development at Burwood Place, can also be observed behind this property to the west, with stepped southern elevations seen in silhouette. The view loss from this location consists of sky view only and visual impact is predominantly hidden from view by the existing structures. The visual impact of the new proposal, from this location, is assessed as Negligible-to-Minor

LEC Judgement: Rose Bay Marina v Woollahra Council (2013) Assessment Criteria:
Value of view: Low
View location: Public footpath
Extent of impact: Negligible-to-Minor (in context of future, approved developments)

Reasonableness of proposal: Within the context of the permissible development envelope of the site and the desired future growth of the town, the proposal is acceptable in terms of its local and distant visual impact.

VIEWPOINT 09

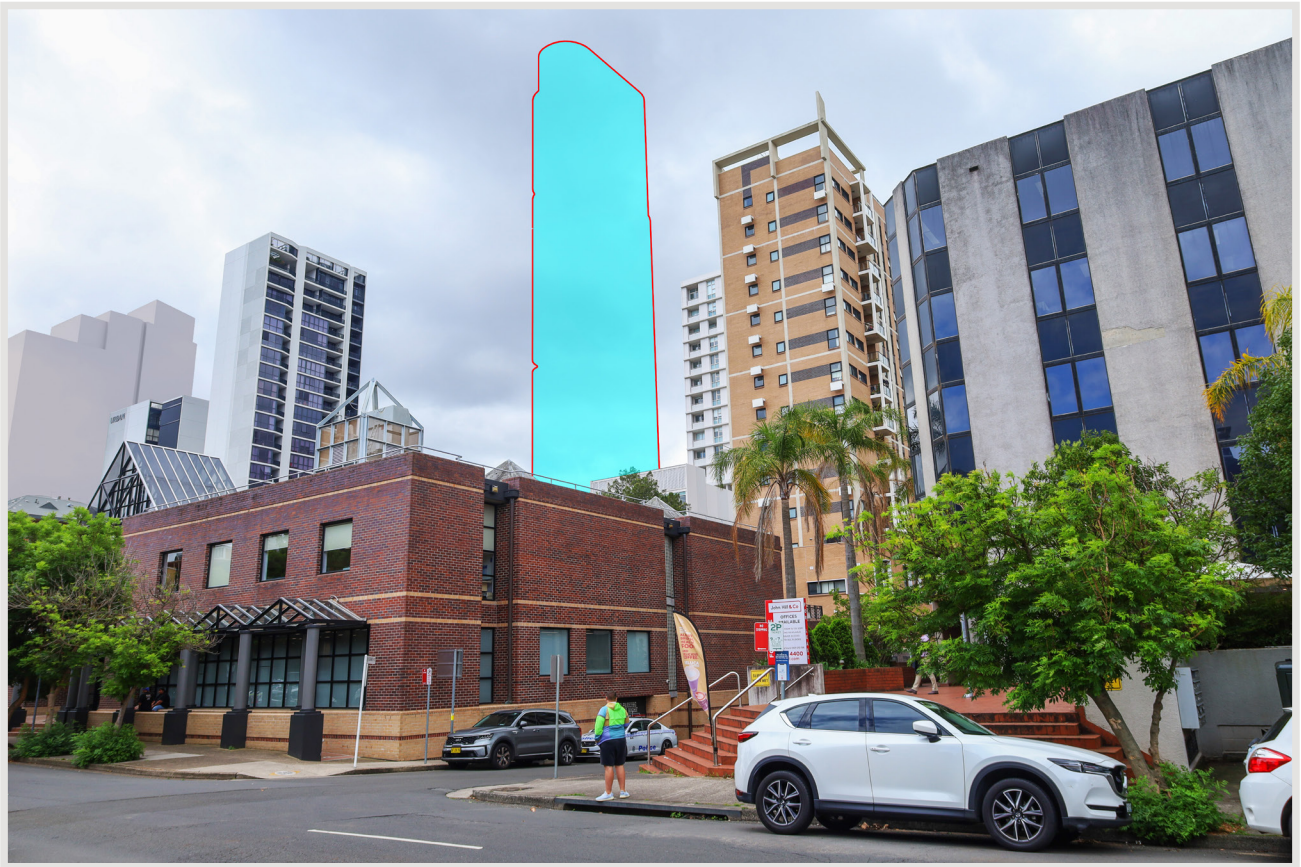
Existing site photo - Belmore Street

From standing height on the southern pavement of Belmore street, in the vicinity of the cross with Elizabeth Street to the north, facing northwest

RL + 31.12m

Distance to boundary 154.47m

Photomontage of proposal with approved DA Burwood Place in transparent grey



Visual Impact in cyan with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 77%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 0% : 100%*
- *Existing Visual Assessment Scale no: 5 /15 & Visual Impact Assessment Scale no: 9 /15*

This is a static and dynamic, public viewpoint from the southern pavement of Belmore Street, at the road junction with Elizabeth Street. The view looks north west, towards the subject site shows a direct view of the southern elevation of Burwood Courthouse in the foreground. A commercial building terminates the view to the east and behind this, a number of residential towers are observed, from east to west, with the subject site sitting in the centre. Belmore Street is lined with semi-mature street trees.

The new proposal is observed at its mid and upper levels, directly behind the courthouse and rises to a level that is significantly higher than the neighbouring towers. The approved Burwood Place development will be seen, rising in elevation from south to north at the western extremity of this view. The visual impact of the tower is acceptable within the context of the future growth of Burwood, forming a high point in the CBD's 'bell-curve' profile. The view loss is entirely to sky view behind the site.

LEC Judgement: Rose Bay Marina v Woollahra Council (2013) Assessment Criteria:
Value of view: Low-to-Medium
View location: Public footpath
Extent of impact: Moderate (in context of future, approved developments)

Reasonableness of proposal: Within the context of the permissible development envelope of the site and the desired future growth of the town, the proposal is acceptable in terms of its local and distant visual impact.

VIEWPOINT 10

Existing site photo - Elizabeth Road

From standing height on the southern pavement of Elizabeth Road, located south east in relation to the subject property, facing northwest

RL + 27.86m

Distance to boundary 75.15m

Photomontage of proposal

Visual Impact in cyan with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 63%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 3% : 97%*
- *Existing Visual Assessment Scale no: 5 /15 & Visual Impact Assessment Scale no: 8 /15*

This is a static and dynamic, public viewpoint on the southern pavement of Elizabeth Rd, located due south of the subject property at a distance of approximately 75 metres. From this location, the foreground view looks across Elizabeth Street to the public carpark and the large, mature tree to the southwest and rear of the multi-level commerical office building at no.16 Railway Parade. Across the car park to the north west, in the midground of this view, the rear of single storey residences along Burley Street, with the Grand Apollo Function & Conference Centre partially obscured behind the foliage and commercial rear access to the Railway Parade businesses.

The proposed tower is partially screened by the commercial office and mature, street trees in the foreground. Behind these, the view loss from this location consists entirely of sky, whilst the visual impact, when observed in the wider context of future development, is appropriate.

LEC Judgement: Rose Bay Marina v Woollahra Council (2013) Assessment Criteria:
Value of view: Low
View location: Public footpath
Extent of impact: Moderate (in context of future, approved developments)

Reasonableness of proposal: Within the context of the permissible development envelope of the site and the desired future growth of the town, the proposal is acceptable in terms of its local and distant visual impact.

VIEWPOINT 11

Existing site photo - crossroad of Burleigh St and Belmore street.

From standing height on the pavement at the corner of Burleigh Street and Belmore street facing north.
RL + 30.01m
Distance to boundary 104.49m

Photomontage of proposal

Visual Impact in cyan with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 83%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 23% : 77%*
- *Existing Visual Assessment Scale no: 5 /15 & Visual Impact Assessment Scale no: 9 /15*

This is a static and dynamic, public view, taken from the northwestern pavement corner of the junction between Burleigh Street and Belmore Street, diagonally opposite the heritage item at no. 24 Burleigh Street, which has 2 large palm trees in its front garden. The view looks north up the street with the single-story heritage item at no.16, Burleigh Street, in the middle distance, surrounded by mature planting, with the western most aspect of the view being obstructed by the red brick facade at no. 22 Belmore Street. Various multi-storey commercial and residential flat buildings are observed in the distance, to the north, along Railway Parade, Deane Street and Marmaduke Street.

The new proposal is seen, almost in its entirety for its southern elevation, the lower levels and podium being obstructed by neighbouring buildings and trees. The tower rises above the neighbouring residential buildings, but aligns with the overall future growth pattern of Burwood, by defining the central CBD with the highest point in the skyline. View loss is to the north and a number of high-rise residential towers and above these, to the sky view only above the site perimeter.

LEC Judgement: Rose Bay Marina v Woollahra Council (2013) Assessment Criteria:
Value of view: Low-to-Medium
View location: Public footpath
Extent of impact: Moderate (in context of future, approved developments)

Reasonableness of proposal: Within the context of the permissible development envelope of the site and the desired future growth of the town, the proposal is acceptable in terms of its local and distant visual impact.

VIEWPOINT 12

Existing site photo - Burwood Road.

From standing height on the western public pavement of Burwood Roadd, at the intersection with Belmore Street, facing east towards the subject site.

RL + 32.11m

Distance to boundary 165.65m

Photomontage of proposal

Visual Impact in cyan with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 15%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 0% : 100%*
- *Existing Visual Assessment Scale no: 4 /15 & Visual Impact Assessment Scale no: 4 /15*

This is a static and dynamic, public view from the southwester corner pavement at the intersection of Burwood Road, with Belmore Street. The view looks northeast towards Commonwealth Bank at 212 Burwood Road, at the centre of the view. Beyond and above this, to the northeast, several residential high-rise towers are seen, along Burwood Road, Burleigh Road and Railway Parade. The view to the east is along Belmore Street and includes lo and mid-level commerici-cial buildings, fronted by a row of semi-mature, street trees.

The new proposal is observed, only at its upper levels, rising above the tallest of the residential towers, in the middle distance, on Burleigh Street. The visual impact is not significant, since the new tower reads as a continuation of the existing built forms, although it does redefine the highest point of the skyline in the CBD. The view loss is restricted to sky view only, above the subject site.

LEC Judgement: Rose Bay Marina v Woollahra Council (2013) Assessment Criteria:
Value of view: Low
View location: Public footpath
Extent of impact: Negligible-to-Minor

Reasonableness of proposal: Within the context of the permissible development envelope of the site and the desired future growth of the town, the proposal is acceptable in terms of its local and distant visual impact.

VIEWPOINT 13

Existing site photo - Railway Parade

From standing height on the northern pavement of Railway Parade, facing east towards the subject site.
RL + 26.51m
Distance to boundary 35.75m

Photomontage of proposal

Visual Impact in cyan with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 57%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 47% : 53%*
- *Existing Visual Assessment Scale no: 7 /15 & Visual Impact Assessment Scale no: 10 /15*

This is a static and dynamic, public view from the northern pavement of Railway Parade, due west of the subject site at a distance of approximately 35 metres. The view looks east, down Railway Parade to the northern elevation of the Church of Saint Nectarios to the south and the buildings of Burwood Railway Station to the north. As the view continues east along Railway Parade, there are a number of single-storey buildings in front of the subject site and the high-rise tower of no.14 and other tall buildings in the background, with the tree lined pavement on the southern side of the road. The northern side of Railway Parade has the retaining walls for the railway lines and a row of regularly-spaces palm trees running east.

The proposed new development is partially obscured at its lower levels by existing trees, buildings and the Saint. Nectarios Church. Above these, the tower is observed up to its mid levels and impacts upon the carious apartment buildings to the east. The additional view loss is to sky view only and the proposal's scale is acceptable, when observed within the future context of Burwood CBD, with the many approved towers to the west of this viewpoint.

LEC Judgement: Rose Bay Marina v Woollahra Council (2013) Assessment Criteria:
Value of view: Medium
View location: Public footpath
Extent of impact: Moderate-to-Severe

Reasonableness of proposal: Within the context of the permissible development envelope of the site and the desired future growth of the town, the proposal is acceptable in terms of its local and distant visual impact.

VIEWPOINT 14

Existing site photo - Railway Parade

From standing height on the northern pavement of Railway Parade opposite no,12 facing west towards the subject site.

RL + 27.59m

Distance to boundary 51.99m

Photomontage of proposal with approved DA Burwood Place in transparent grey

Visual Impact in cyan with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 39%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 22% : 78%*
- *Existing Visual Assessment Scale no: 5 /15 & Visual Impact Assessment Scale no: 9 /15*

This is a static and dynamic, public view from the northern pavement of Railway Parade, positioned approximately 50m due east of the subject site. From this location, the view looks due west, towards the intersection of Railway Parade and Burleigh Street, with the immediate foreground showing the lower section of the high-rise tower, at no.14 Railway Parade and the subject site, with neighbouring two storey multi residence dwelling in the mid-ground. Further west, beyond the site is the Church of Saint Nectarios and the further continuation of Railway Parade, with a streetscape of low-rise commercial and retail buildings. Several large residential flat buildings can be seen in the far distance, to the east-south east, on Belmore Street and to the east, on the northern side of Railway Parade.

The new proposal is largely obscured by the tower in the foreground of the view and also, at its lower levels, by the two-storey residential building to the site's eastern boundary. The proposed tower impacts upon the neighbouring church, on the western side of Burleigh Street and to the residential apartment towers beyond the site, to the east-southeast. The height of the proposed tower relates to the future, approved towers of Burwood Place, along Railway Parade. The view loss, apart from the residential towers, relates to sky view. The visual impact as a result of the new development, would be considered as Moderate.

LEC Judgement: Rose Bay Marina v Woollahra Council (2013) Assessment Criteria:
Value of view: Low
View location: Public footpath
Extent of impact: Moderate (in context of future, approved developments)

Reasonableness of proposal: Within the context of the permissible development envelope of the site and the desired future growth of the town, the proposal is acceptable in terms of its local and distant visual impact.

VIEWPOINT 15

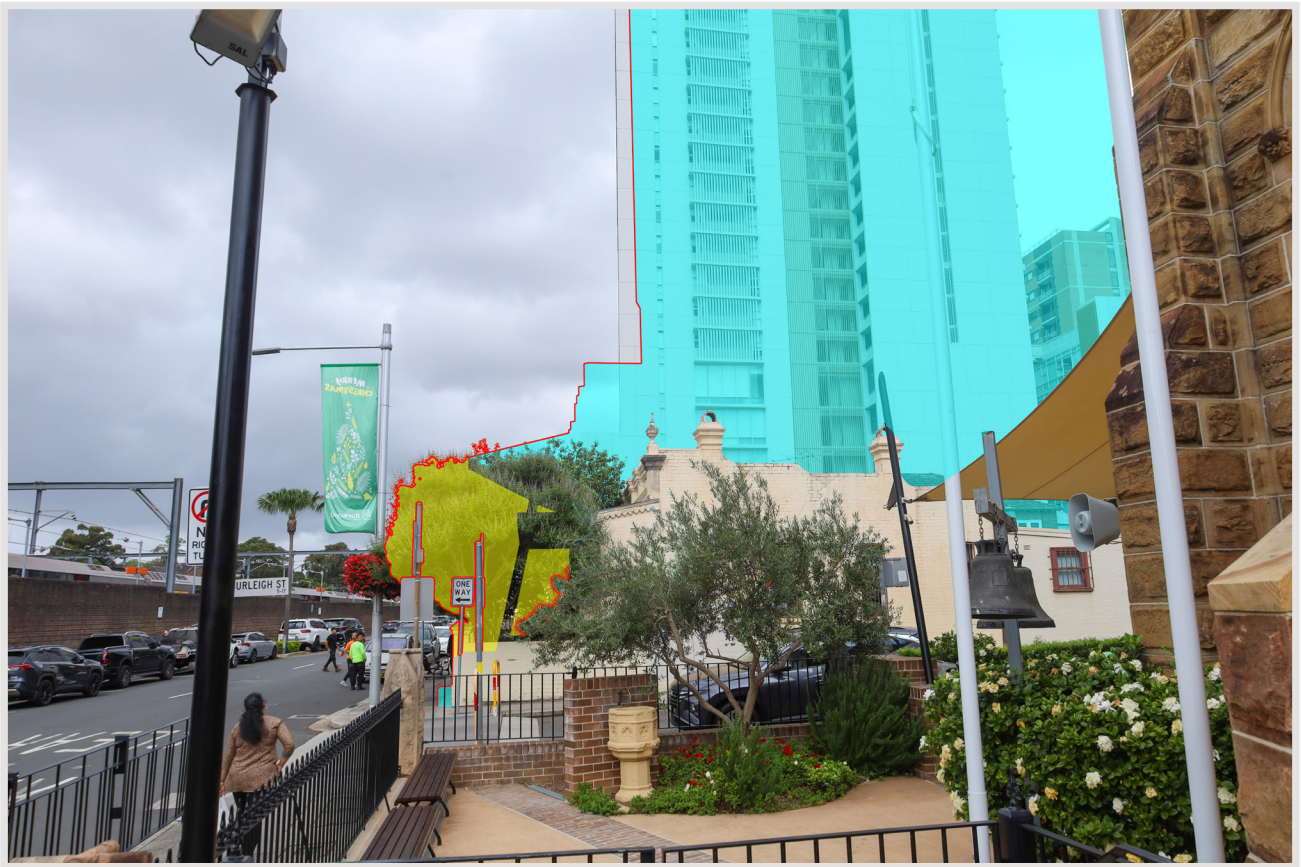
Existing site photo -St Nectarios Church, Burleigh Street

From standing height on the steps of St Nectarios Church Burleigh Street, facing east towards the subject site.

RL + 27.59m

Distance to boundary 20,90m

Photomontage of proposal



Visual Impact in cyan with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 19%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 83% : 17%*
- *Existing Visual Assessment Scale no: 5 /15 & Visual Impact Assessment Scale no: 9 /15*

This is a static and dynamic, public view from the front steps to the entrance of the Church of Saint Nectarios, which is to the west of the subject site. The buildings and retaining walls of Burwood Railway Station are seen to the north. As the view continues east along Railway Parade, there are a number of single-storey buildings in front of the subject site and the high-rise tower of no.14 and other tall buildings in the background, with the tree lined pavement on the southern side of the road. The northern side of Railway Parade has the retaining walls for the railway lines and a row of regularly-spaces palm trees running east.

The proposed new development is partially obscured at its podium and lower levels by existing trees and low-level commercial buildings. Above these, the tower is observed up to its mid levels and impacts upon the various apartment buildings to the east-southeast. The additional view loss is to sky view only and the proposal's scale is acceptable, when observed within the future context of Burwood CBD, with the many approved towers to the west of this viewpoint.

LEC Judgement: Rose Bay Marina v Woollahra Council (2013) Assessment Criteria:
Value of view: Low
View location: Steps of church
Extent of impact: Moderate (in context of future, approved developments)

Reasonableness of proposal: Within the context of the permissible development envelope of the site and the desired future growth of the town, the proposal is acceptable in terms of its local and distant visual impact.

VIEWPOINT 16

Existing site photo - Marmaduke St

From standing height on the eastern pavement of Marmaduke St, facing south towards the subject site
RL + 25.09m
Distance to boundary 107.79m

Photomontage of proposal with approved DA Burwood Place in transparent grey

Visual Impact in cyan with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 47%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 9% : 81%*
- *Existing Visual Assessment Scale no: 6 /15 & Visual Impact Assessment Scale no: 7 /15*

This is a static and dynamic, public view from the eastern pavement of Marmaduke St near the corner of its junction with Waimea Street, and looking across to Deane St to the south. From this view location the view looks south along Marmaduke Street towards the railway embankment in the foreground surrounded by large, mature trees with wide canopies. In the midground, beyond the railway lines, the rooftops of the buildings along Railway Street are seen, with the high-rise tower of no.16, Railway Parade directly south and no.7 Burleigh Street to the west.

The new proposal is obscured by the railway platforms and walls at its podium level and, above this, partially obscured- to its mid-levels by the large tree on the northern side of the railway lines, at the centre of the view. The visual impact as a result of the new development, relates to the residential buildings to the south of the subject site. The height of the proposal relates, in scale, to the new, approved towers along Railway Parade, to the southwest, just visible within this view. The overall visual impact would be considered

LEC Judgement: Rose Bay Marina v Woollahra Council (2013) Assessment Criteria:
Value of view: Medium
View location: Public footpath
Extent of impact: Moderate (in context of future, approved developments)

Reasonableness of proposal: Within the context of the permissible development envelope of the site and the desired future growth of the town, the proposal is acceptable in terms of its local and distant visual impact.

VIEWPOINT 17

Existing site photo - Burwood Station

From standing height on the public platform of Burwood Station, facing southeast.
RL + 28.53m
Distance to boundary 47.68m

Photomontage of proposal

Visual Impact in cyan with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 62%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 10% : 90%*
- *Existing Visual Assessment Scale no: 4 /15 & Visual Impact Assessment Scale no: 7 /15*

This is a static and dynamic, public view from the northernmost railway platform of Burwood Station facing south east towards the subject site. The foreground of the view contains the railway lines, power gantries and platform structures of the railway station. Beyond these, the low level buildings and associated landscaping aloong Railway Parade are seen. Further to the east, the two high-rise towers at nos.16 and 6, Railway Parade rise higher than the intermediate mid-level commercial buildings. No.65, Shaftesbury Road is seen beyond these, at the corner junction with Railway Parade, with trees terminating this view to the east beyond.

The new proposal is seen from its upper podium level, up the mid-tower levels. The neighbouring brick building, to the east, together wit the commercial building on Belmore Street, are both partially obstructed, with the remaining view loss being confined to the sky behind the subject site.

The visual impact as a result of the new development, would be considered as

LEC Judgement: Rose Bay Marina v Woollahra Council (2013) Assessment Criteria:
Value of view: Low
View location: Train station platform
Extent of impact: Moderate (in context of future, approved developments)

Reasonableness of proposal: Within the context of the permissible development envelope of the site and the desired future growth of the town, the proposal is acceptable in terms of its local and distant visual impact.

VIEWPOINT 18

Existing site photo - 4 Clarence St

From standing height on the pavement in front of 4 Clarence St, facing north-northwest towards the subject site

RL + 38.08m

Distance to boundary 273.83m

Photomontage of proposal

Visual Impact in cyan with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 41%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 7% : 93%*
- *Existing Visual Assessment Scale no: 5 /15 & Visual Impact Assessment Scale no: 6 /15*

This is a static and dynamic, public view from the southern pavement of Clarence Street, looking north, through the gap between the mid-rise residential flat buildings at nos.5 and 9, Clarence Street. The subject site is located approx 300 metres to the north of this position. The individual house at No.7 is partly obscured by a mature street tree, which also aligns with the location of the site. In the background of the view, the buildings the high-rise towers along Railway and Deane Street block a more distant view.

The new proposal is observed from its mid-levels and above, behind the street tree at no.7, Clarence Street. The lower levels are significantly screened by this tree. Above the tree, the tower rises significantly higher than its neighbours, although this scale does relate to other, approved towers to the west. The view loss relates to sky view beyond the subject site and proposed tower.

LEC Judgement: Rose Bay Marina v Woollahra Council (2013) Assessment Criteria:
Value of view: Low
View location: Public footpath
Extent of impact: Minor-to-Moderate

Reasonableness of proposal: Within the context of the permissible development envelope of the site and the desired future growth of the town, the proposal is acceptable in terms of its local and distant visual impact.

VIEWPOINT 19

Existing site photo - Woodstock Community centre, Church Street

From standing height at the entrance of Woodstock Community centre facing north towards the subject site
RL + 44.16m
Distance to boundary 406.11m

Photomontage of proposal

Visual Impact in cyan with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 11%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 2% : 98%*
- *Existing Visual Assessment Scale no: 10 /15 & Visual Impact Assessment Scale no: 2 /15*

This is a static, public view from Woodstock Park, at the front of Woodstock Community centre on Church St, located due south of the subject site. The view looks due north across the park to the boundary of large mature trees. Through these, there are glimpses of the houses and the rooftops along the northern side of Church Street and the high-rise towers of the Burwood CBD in the background. Distant views to the northeast and northwest are terminated by large, mature trees.

Small glimpses of the new proposal are attained through the canopies of the boundary trees. The upper plant room is the only portion of the tower that is clearly seen.

LEC Judgement: Rose Bay Marina v Woollahra Council (2013) Assessment Criteria:
Value of view: High
View location: Public park
Extent of impact: Negligible

Reasonableness of proposal: Within the context of the permissible development envelope of the site and the desired future growth of the town, the proposal is acceptable in terms of its local and distant visual impact..

VIEWPOINT 20

Existing site photo - Ground level of Norwood St.

From standing height on the western public pavement of Wentworth Road, near its intersection with Norwood Street facing east towards the subject site

RL + 21.46m

Distance to boundary 732.49m

Photomontage of proposal with approved DA Burwood Place in transparent grey

Visual Impact in cyan with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 21%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 0% : 100%*
- *Existing Visual Assessment Scale no: 4 /15 & Visual Impact Assessment Scale no: 5 /15*

This is a static and dynamic, public view from the western pavement of Wentworth Road, at the intersection with Jersey Road facing east-northeast towards the subject site. From this location the view looks across the road to the single-storey dwellings at nos.128 and 130, Wentworth Road. A mid-rise residential flat building is seen to the northeast of this view, terminating the view in this direction, Beyond these, in the far distance, the high-rise residential towers of Burwood CBD are observed, mostly located along Belmore Street and running from west to east.

The new proposal would be visible in the centre of the view, with its mid and upper levels rising above the apartment buildings in the foreground of the subject site. The height of the tower is in keeping with the Approved towers of Burwood Place to the west of the subject site. View loss is experienced to the sky view behind the site only.

LEC Judgement: Rose Bay Marina v Woollahra Council (2013) Assessment Criteria:
Value of view: Low
View location: Public footpath
Extent of impact: Negligible (in context of future, approved developments)

Reasonableness of proposal: Within the context of the permissible development envelope of the site and the desired future growth of the town, the proposal is acceptable in terms of its local and distant visual impact..

VIEWPOINT 21

Existing site photo - Burwood Park

From standing height the south-eastern corner of Burwood Park, near the junction of Park Avenue and Burwood Rd, facing southeast towards the subject site.

RL + 15.97m

Distance to boundary 438.34m

Photomontage of proposal with approved DA Burwood Place in transparent grey

Visual Impact in cyan with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 60%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 5% : 95%*
- *Existing Visual Assessment Scale no: 8 /15 & Visual Impact Assessment Scale no: 4 /15*

This is a static and dynamic, public view from the south eastern corner of Burwood Park on the corner of Park Avenue and Burwood Rd, located approximately 440 meters from the subject site.

The view from this location looks south east through the landscaped perimeter of the tree lined park. In the midground the the east Westfield Burwood mall and of restaurant other commercial businesses along Park Avenue. In the back-ground the towers of the north eastern corner of Burwood CBD rise above the rooftops of the commercial centre. The visual impact as a result of the new development, would be considered as Negligible-to-Minor

LEC Judgement: Rose Bay Marina v Woollahra Council (2013) Assessment Criteria:
Value of view:Medium-to-High
View location: Public park
Extent of impact: Negligible-to-Minor

Reasonableness of proposal: Within the context of the permissible development envelope of the site and the desired future growth of the town, the proposal is acceptable in terms of its local and distant visual impact..

4. SUMMARY ASSESSMENT

This Visual Impact Assessment from Urbaine Design seeks to provide an objective approach to the likely visual impact on the surrounding areas from the development proposal at 2-4 Burleigh Street & 20-24 Railway Parade, Burwood

This Visual Impact Assessment has undertaken a review of the proposal, within its future setting and concludes that, although there are locations within the neighbouring public viewing locations, the amount of visual impact and views loss is acceptable. This relates to the nature of the viewpoints, many being dynamic road junctions, or parks, where static views are not so critical.

Clause 4.3A of the BLEP provides exceptions to the height of buildings standard under Clause 4.3 for this site. The proposal has been designed to comply with the applicable building height plane prescribed within Clause 4.3A(3), as shown within the Architectural Plans prepared by PTI Architecture. Additionally, the development is permitted a 30% height bonus under Clause 16 of the Housing SEPP. Since the proposal complies with the applicable building height plane under the BLEP, the bonus height is not being sought.

Within the context of the BLEP and other, recently approved developments within the area, the assessment of visual impact varies from Negligible to Moderate-to-Severe. The higher values relate to views where the tower is observed in silhouette against the sky, although this will reduce over time, as further developments are approved within the CBD.

Since the proposal is largely compliant, according to the permitted FSR uplift, it satisfies the Council's guildelines for view sharing and visual impact, experienced between neighbouring properties and also from public spaces, as described within the commentary in this report.

Based on our 3D analysis, photography, and site visit it would be my recommendation that the Development Application be approved on the grounds of an acceptable amount of visual impact and view loss, when assessed against the permissible building envelope for the site and the proposed future growth of Burwood CBD.

John Aspinall, Director,

urbaine design group pty ltd

5. APPENDICES

5.1. APPENDIX A: Assessment Images - panoramic

APPENDIX B: Aspinall CV

LEC Guidelines for Photomontages

Visual Impact Assessment Methodology

APPENDIX C: Survey and position data

APPENDIX D: Wireframe/alignment images

APPENDIX B:

Aspinall CV and Expert Witness experience.

Methodology article – Planning Australia, by Urbaine Architecture

JOHN ASPINALL. director: urbaine design group

UK Qualifed Architect RIBA BA(Hons) BArch(Hons) Liverpool University, UK.

24 years' architectural experience in London and Sydney.
Halpin Stow Partnership, London, SW1
John Andrews International, Sydney
Cox and Partners, Sydney
Seidler and associates
NBRS Architects, Milsons Point
Urbaine Pty Ltd (current)

Design Competitions:

UK 1990 – Final 6. RIBA 'housing in a hostile environment'. Exhibited at the Royal Academy, London
UK Design Council – innovation development scheme finalist – various products, 1990.
Winner: International Design Competition: Sydney Town Hall, 2000
Finalist: Boy Charlton Swimming pool Competition, Sydney, 2001
Finalist: Coney Island Redevelopment Competition, NY 2003

Design Tutor: UTS, Sydney, 1997 – 2002

This role involved tutoring students within years 1 to 3 of the BA Architecture course. Specifically, I developed programs and tasks to break down the conventional problem-solving thinking, instilled through the secondary education system. Weekly briefs would seek to challenge their preconceived ideas and encourage a return to design thinking, based on First Principles.

Design Tutor: UNSW, Sydney 2002 – 2005

This role involved tutoring students within years 4 to 6 of the BArch course. Major design projects would be undertaken during this time, lasting between 6 and 8 weeks. I was focused on encouraging rationality of design decision-making, rather than post-rationalisation, which is an ongoing difficulty in design justification.

Current Position: URBAINE GROUP Pty Ltd

Currently, Principal Architect of Urbaine - architectural design development and visualisation consultancy: 24 staff, with offices in: Sydney, Shanghai, Doha and Sarajevo.

Urbaine specialises in design development via interactive 3d modelling.

Urbaine's scale of work varies from city master planning to furniture and product design, while our client base consists of architects, Government bodies, developers, interior designers, planners, advertising agencies and video producers.

URBAINE encourages all clients to bring the 3D visualisaton facility into the design process sufficiently early to allow far more effective design development in a short time frame. This process is utilised extensively by many local and international companies, including Lend Lease, Multiplex, Hassell, PTW, Foster and Partners, City of Sydney, Landcom and several other Governmental bodies. URBAINE involves all members of the design team in assessing the impact of design decisions from the earliest stages of concept design. Because much of URBAINE's work is International, the 3D CAD model projects are rotated between the various offices, effectively allowing a 24hr cycle of operation during the design development process, for clients in any location.

An ever-increasing proportion of URBAINE"S work is related to public consultation visualisations and assessments. As a result, there has also been an increase in the Land And Environment Court representations. Extensive experience in creating and validating photomontaged views of building and environmental proposals. Experience with 3D photmonages began in 1990 and has included work for many of the world's leading architectural practices and legal firms.

Co-Founder Quicksmart Homes Pty Ltd. , 2007 - 2009

Responsible for the design and construction of 360 student accommodation building at ANU Canberra, utilising standard shipping containers as the base modules.

Design Principal and co-owner of Excalibur Modular Systems Pty Ltd: 2009 to present.

High specification prefabricated building solutions, designed in Sydney and being produced in China.

Excalibur has developed a number of modular designs for instant delivery and deployment around the world. Currently working with the Cameroon Government providing social infrastructure for this rapidly developing country.

The modular accommodation represents a very low carbon footprint solution

Expert Legal Witness, 2005 to present

In Australia and the UK, for the Land and Environment Court. Expert witness for visual impact studies of new developments.

Currently consulting with many NSW Councils and large developers and planners, including City of Sydney, Lend Lease, Mirvac, Foster + Partners, Linklaters.

Author of several articles in ‘Planning Australia’ and ‘Architecture Australia’ relating to design development and to the assessment of visual impacts, specifically related to the accuracy of photomontaging.

Currently preparing a set of revised recommendations for the Land and Environment Court relating to the preparation and verification of photomontaged views for the purposes of assessing visual impact

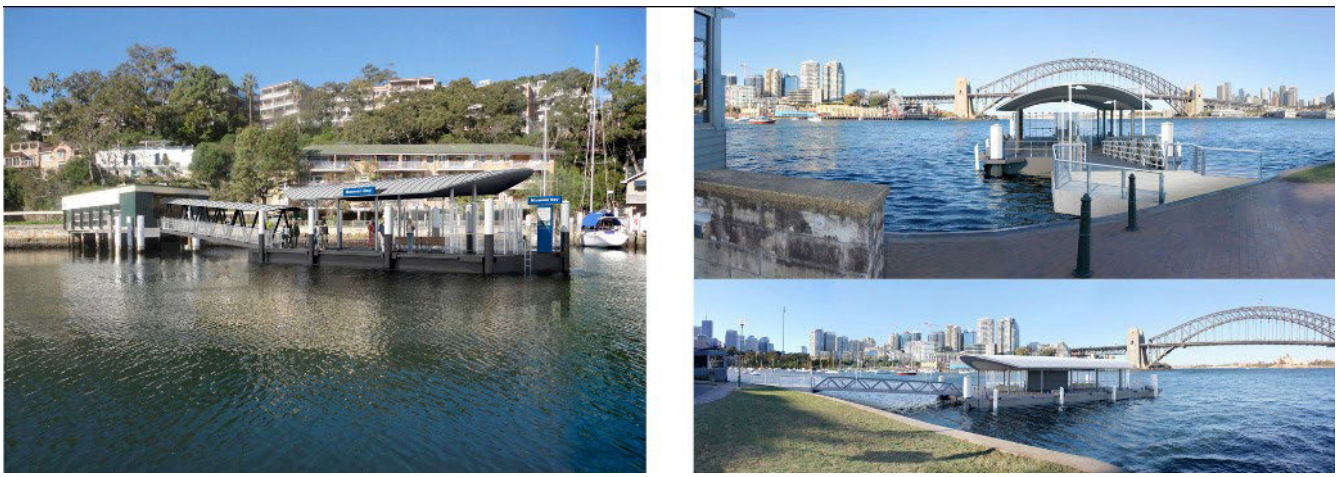
VISUAL IMPACT ASSESSMENTS: A REALITY CHECK.
BY JOHN ASPINALL.

Photomontaged views of new apartment building at Pyrmont: Urbaine

Australia's rapid construction growth over the past 10 years has coincided with significant advances in the technology behind the delivery of built projects. In particular, BIM (Building Information Modelling). Virtual Reality and ever-faster methods of preparing CAD construction documentation.

Alongside these advances, sits a number of potential problems that need to be considered by all of those involved in the process of building procurement. Specifically, the ease with which CAD software creates the appearance of very credible drawn information, often without the thoroughness and deliberation afforded by architects, and others, in years past.

Nowhere is this more apparent than in the area of visual impact assessments, where a very accurate representation of a building project in context is the starting point for discussion on a project's suitability for a site. The consequences of any inaccuracies in this imagery are significant and far- reaching, with little opportunity to redress any errors once a development is approved.



Photomontaged views of new Sydney Harbour wharves: Urbaine

Urbaine Architecture has been involved in the preparation of visual impact studies over a 20 year period, in Australia and Internationally. Urbaine's Director, John Aspinall, has been at the forefront of developing methods of verifying the accuracy of visualisations, particularly in his role as an expert witness in Land and Environment Court cases.

In Urbaine's experience, a significant majority of visualisation material presented to court is inaccurate to the point of being invalid for any legal planning decisions. Equally concerning is the amount of time spent, by other consultants, analysing and responding to this base material, which again can be redundant in light of the frequent inaccuracies. The cost of planning consultant reports and legal advice far exceeds that of generating the imagery around which all the decisions are being made.

Over the last 10 years, advances in 3d modelling and digital photography have allowed many practitioners to claim levels of expertise that are based more on the performance of software than on a rigorous understanding of geometry, architecture and visual perspective. From a traditional architect'straining, prior to the introduction of CAD and 3d

modelling, a good understanding of the principles of perspective, light, shadow and building articulation, were taught throughout the training of architects.

Statutory Authorities, and in particular the Land and Environment Court, have attempted to introduce a degree of compliance, but, as yet, this is more quantitative, than qualitative and is resulting in an outward appearance of accuracy verification, without any actual explanation being requested behind the creation of the work.

Currently, the Land and Environment Court specifies that any photomontages, relied on as part of expert evidence in Class 1 appeals, must show the existing surveyed elements, corresponding with the same elements in the photograph. Often, any surveyed elements can form such a small portion of a photograph that, even by overlaying the surveyed elements as a 3d model, any degree of accuracy is almost impossible to verify. For sites where there are no existing structures, which is frequent, this presents a far more challenging exercise. Below is one such example, highlighted in the Sydney Morning Herald, as an example of extreme inaccuracy of a visual impact assessment. Urbaine was engaged to assess the degree to which the images were incorrect – determined to be by a factor of almost 75%.

Domain The Sydney Morning Herald

Inaccurate images anger residents

February 21

Kelsey Munro

Picture imperfect ... the original interpretation of how the Lewisham Estates development will look.

CAN residents affected by big development proposals rely on developers' photo montages?

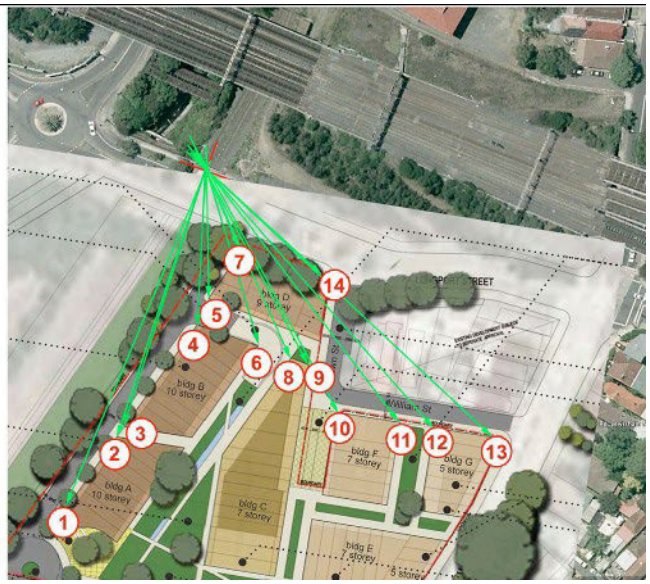
One inner west group thinks not, after inaccuracies were found in a series of digital photo montages which made the proposed Lewisham Estates development appear much smaller than it would if built.

The developer was sent back to the drawing board by the Department of Planning to redo the images that were publicly exhibited for the project after questions were raised over their accuracy.

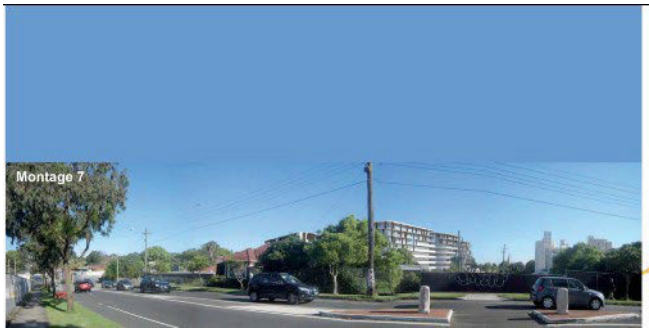
The corrected interpretation of how the Lewisham Estates development will look.

The No Lewisham Towers residents' action group claims the original images were so misleading that the corrected ones should go on public exhibition before the Planning Assessment Commission makes its determination next week.

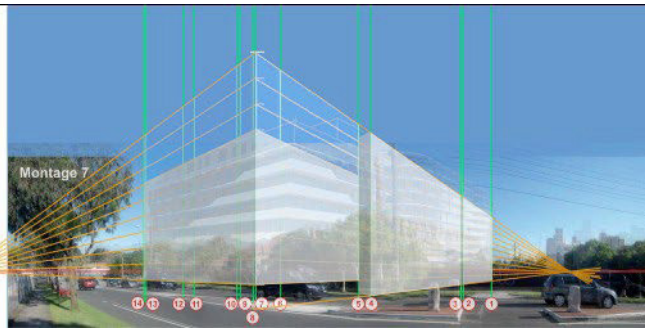
SMH article re inaccurate visualisations



Key visual location points on site: Urbaine



Photomontage submitted by developer



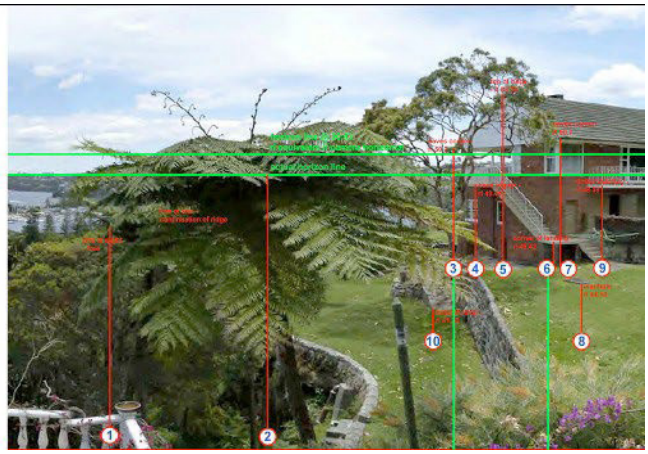
Assessment of inaccuracy by Urbaine

Urbaine has developed a number of methods for adding verification data to the 3d model of proposed buildings and hence to the final photomontages. These include the use of physical site poles, located at known positions and heights around a site, together with drones for accurate height and location verification and the use of landscaped elements within the 3d model to further add known points of references. Elements observed in a photograph can be used to align with the corresponding elements of the new building in plan. If 4 or more known positions can be aligned, as a minimum, there is a good opportunity to create a verifiable alignment.

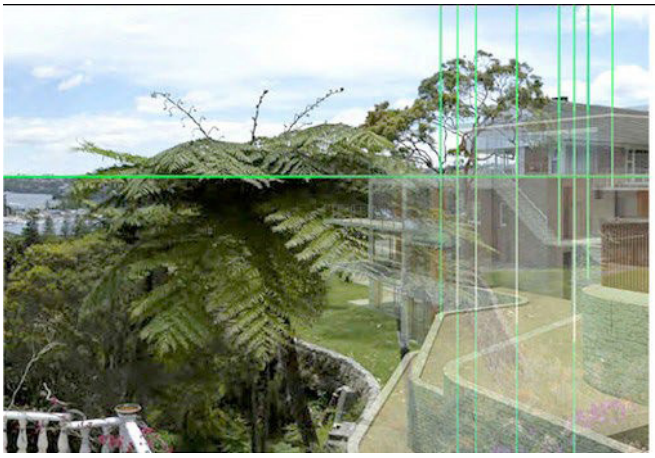
Every site presents different opportunities for verification and, often, Urbaine is required to assess montages from photographs taken by a third party. In these cases, a combination of assessing aerial photography, alongside a survey will allow reference points to be placed into the relevant 3d model prior to overlaying onto the photos for checking.

The following example clearly demonstrates this – a house montaged into a view, by others, using very few points of reference for verification. By analysing the existing photo alongside the survey, the existing site was able to be recreated with a series of reference elements built into the model. A fully rendered version of all the elements was then placed over the photo and the final model applied to this. As can be seen, the original montage and the final verified version are dramatically different and, in this case, to the disadvantage of the complainant.

Photomontage submitted by developer



Key visual location points on site: Urbaine



Key points and 3d model overlaid onto existing photo

Final accurate photomontage: Urbaine

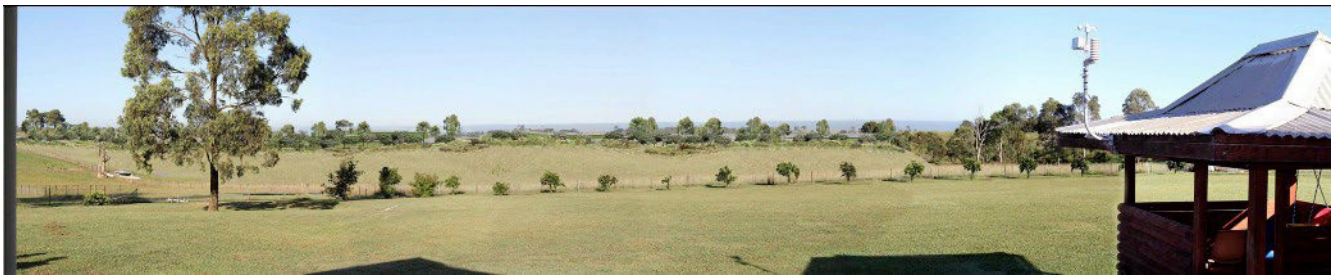
Often, Urbaine's work is on very open sites, where contentious proposals for development will be relying on minimising the visual impact through mounding and landscaping. In these cases, accuracy is critical, particularly in relation to the heights above existing ground levels. In the following example, a business park was proposed on very large open site, adjoining several residential properties, with views through to the Blue Mountains, to the West of Sydney. Urbaine spent a day preparing the site, by placing a number of site poles, all of 3m in height. These were located on junctions of the various land lots, as observed in the survey information. These 3d poles were then replicated in the 3d CAD model in the same height and position as on the actual site. This permitted the buildings and the landscaping to be very accurately positioned into the photographs and, subsequently, for accurate sections to be taken through the 3d model to assess the actual percentage view loss of close and distant views.

Physical 3000mm site poles placed at lot corners

3d poles located in the 3d model and positioned on photo

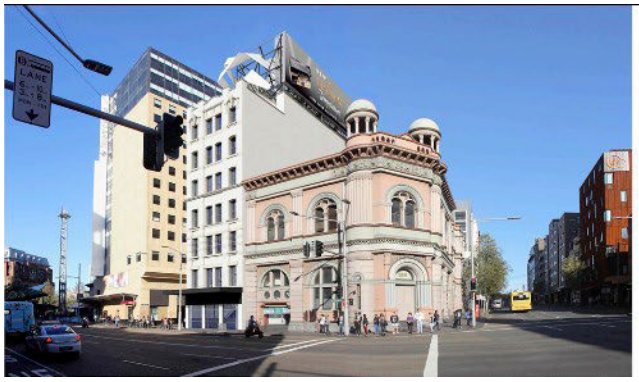
Proposed buildings and landscape mounding applied

Proposed landscape applied – shown as semi-mature

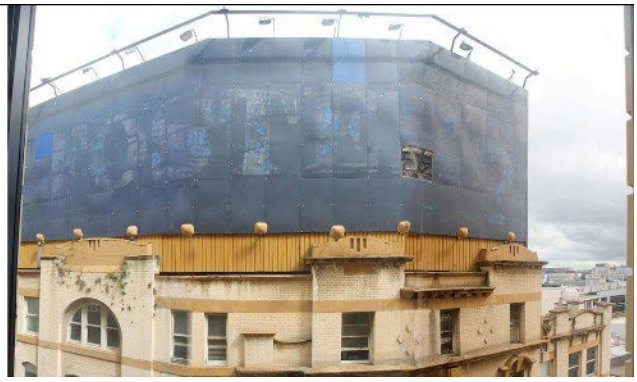


Final verified photomontage by Urbaine

Further examples, below, show similar methods being used to give an actual percentage figure to view loss, shown in red, in these images. This was for a digital advertising hoarding, adjoining a hotel. As can be seen, the view loss is far outweighed by the view gain, in addition to being based around a far more visually engaging sculpture. In terms of being used as a factual tool for legal representation and negotiation, these images are proving to be very useful and are accompanied by a series of diagrams explaining the methodology of their compilation and, hence verifying their accuracy.

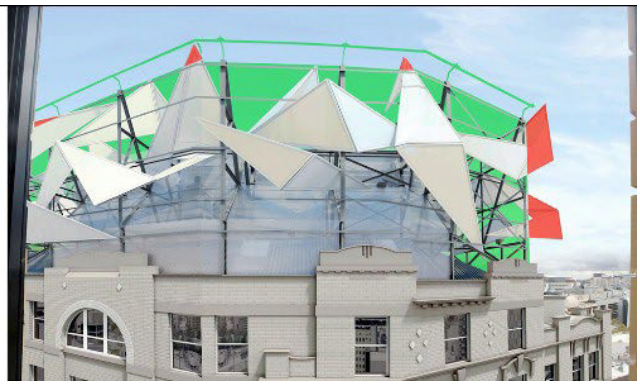


Photomontage of proposed building for digital billboard



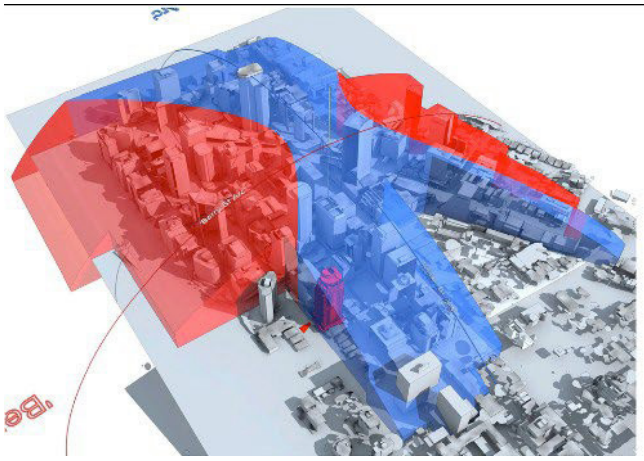
Existing situation – view from adjoining hot

Photomontage of view from hotel

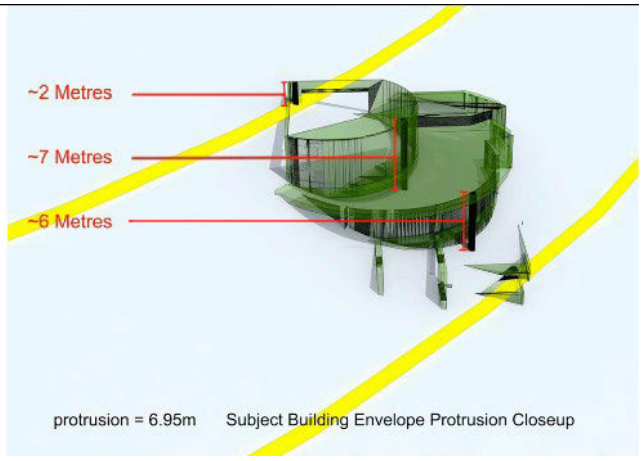


View loss – green = view gain / red = view loss

There are also several areas of assessment that can be used to resolve potential planning approval issues in the early stages of design. In the case below, the permissible building envelope in North Sydney CBD was modelled in 3d to determine if a building proposal would exceed the permitted height limit. Information relating to the amount of encroachment beyond the envelope allowed the architect to re-design the plant room profiles accordingly to avoid any breach.



3d model of planning height zones



Extent of protrusion of proposed design prior to re- design

Urbaine's experience in this field has place the company in a strong position to advise on the verification of imagery and also to assist in developing more robust methods of analysis of such imagery. As a minimum, Urbaine would suggest that anyone engaging the services of

visualisation companies should request the following information, as a minimum requirement:

1. Height and plan location of camera to be verified and clearly shown on an aerial photo, along with the sun position at time of photography.
2. A minimum of 4 surveyed points identified in plan, at ground level relating to elements on the photograph and hence to the location of the superimposed building.
3. A minimum of 4 surveyed height points to locate the imposed building in the vertical plane.
4. A series of images to be prepared to explain each photomontaged view, in line with the above stages.

This is an absolute minimum from which a client can determine the verifiability of a photomontaged image. From this point the images can be assessed by other consultants and used to prepare a legal case for planning approval.

Land and Environment Court guidelines for photomontages:

Use of photomontages

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

Requirements for photomontages

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

Existing Photograph.

a) A photograph showing the current, unchanged view of the location depicted in the photomontage from the same viewing point as that of the photomontage (the existing photograph);

b) A copy of the existing photograph with the wire frame lines depicted so as to demonstrate the data from which the photomontage has been constructed. The wire frame overlay represents the existing surveyed elements which correspond with the same elements in the existing photograph; and

c) A 2D plan showing the location of the camera and target point that corresponds to the same location the existing photograph was taken.

Survey data.

d) Confirmation that accurate 2D/3D survey data has been used to prepare the Photomontages. This is to include confirmation that survey data was used:

i. for depiction of existing buildings or existing elements as shown in the wire frame; and

ii. to establish an accurate camera location and RL of the camera.

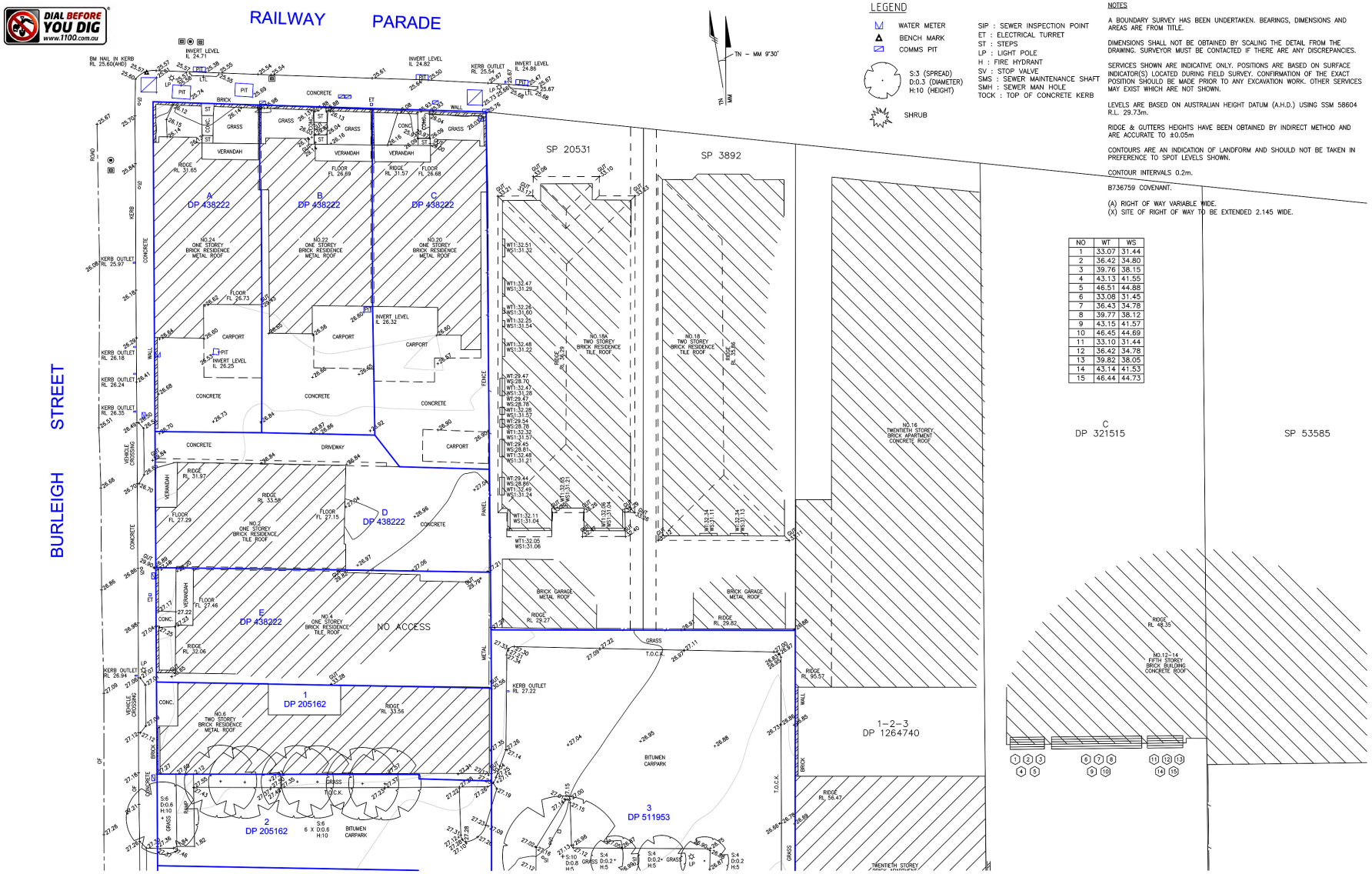
2. Any expert statement or other document demonstrating an expert opinion that proposes to rely on a photomontage is to include details of:

a) The name and qualifications of the surveyor who prepared the survey information from which the underlying data for the wire frame from which the photomontage was derived was obtained; and

b) The camera type and field of view of the lens used for the purpose of the photograph in (1)(a) from which the photomontage has been derived.

APPENDIX C:

Survey and position data



NO	WT	WS
1	33.07	31.44
2	36.42	34.80
3	39.76	38.15
4	43.13	41.55
5	46.51	44.88
6	33.08	31.45
7	36.43	34.78
8	39.77	38.12
9	43.15	41.57
10	46.45	44.69
11	33.10	31.44
12	36.42	34.78
13	39.82	38.05
14	43.14	41.53
15	46.44	44.73

B	22.11.24		SURVEY UPDATED
A	08.06.22		INITIAL ISSUE

RGM property surveys
ABN 37 145 495 825

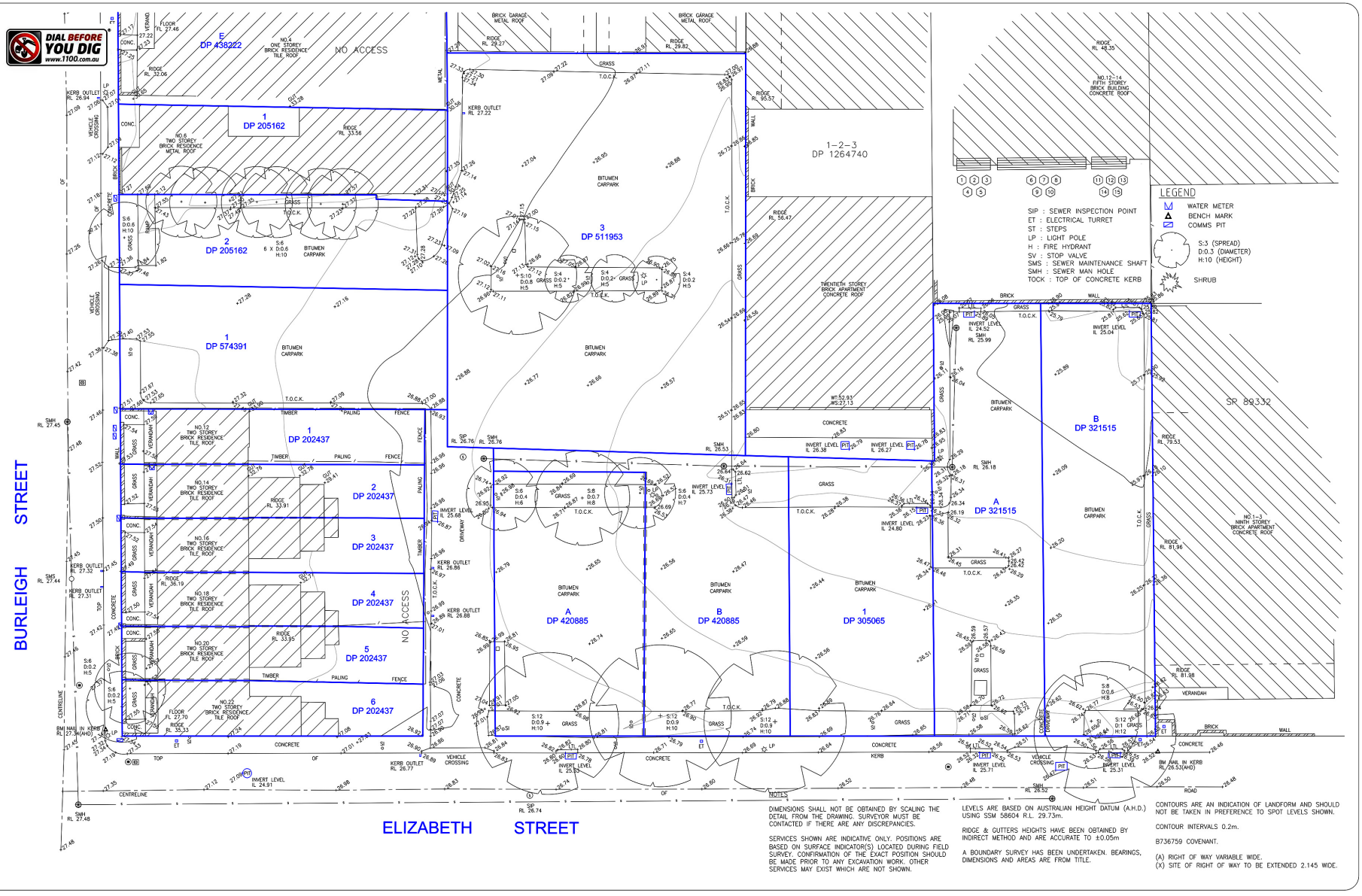
SCALE	1 : 150 @ A1	SURVEY	J.A.
		DRAWN	N.N.
LOCAL GOV'T AREA	BURWOOD	LEVEL BK	
		DESIGNED	
		DATE OF SURVEY	07.06.22
		CHECKED	A.E.
HUY THAI – REGISTERED SURVEYOR		HEIGHT ORIGIN	AHD
		APPROVED	H.T.

CLIENT: BUILTCOM CONSTRUCTIONS

PROJECT TITLE: 20–24 RAILWAY PARADE & 2–4 BURLEIGH STREET, BURWOOD

DRAWING TITLE: PLAN SHOWING LEVELS & DETAIL OVER DP 438222 & DP 205162 & DP 202437 & DP 420885 & LOT 1 IN DP 574391 & LOT 3 IN DP 511953 & LOT 1 IN DP 305065 & LOT A–B IN DP 321515

CAD REF: C:\220801.dwg
DRAWING NO: 220801/001
SHEET 1 OF 6
JOB NAME: RAILWAY
REV: B



A	15.11.24		INITIAL ISSUE

RGM property surveys
ABN 37 145 495 825

SCALE	1 : 150 @ A1	SURVEY	J.A.
LOCAL GOV'T AREA	BURWOOD	LEVEL BK	
		DATE OF SURVEY	15.11.24
		HEIGHT ORIGIN	AHD
HUY THAI – REGISTERED SURVEYOR		DRAWN	N.N.
		DESIGNED	
		CHECKED	A.E.
		APPROVED	H.T.

CLIENT: BUILTCOM CONSTRUCTIONS

PROJECT TITLE: 20-24 RAILWAY PARADE & 2-4 BURLEIGH STREET, BURWOOD

DRAWING TITLE: PLAN SHOWING LEVELS & DETAIL OVER DP 438222 & DP 205162 & DP 202437 & DP 420885 & LOT 1 IN DP 574391 & LOT 3 IN DP 511953 & LOT 1 IN DP 305065 & LOT A–B IN DP 321515

CAD REF	C:\220801.dwg
DRAWING NO	220801/001B
SHEET	2 OF 6
JOB NAME	RAILWAY
REV	A

Client : NSW Housing Corporation

Project : 2-4 Burleigh St & 20-24 Railway Pde, Burwood

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CAMERA POSITIONS - GDA 2020 AT STANDING HEIGHT (1.6M)

Viewpoint	Easting	Northing	Elevation
1	324415.01	6250350.82	23.46
2	323788.36	6250982.85	22.08
3	324520.44	6250811.86	26.41
4	325647.07	6250059.25	23.21
5	326138.63	6250028.64	12.68
6	324949.61	6249896.71	27.20
7	324918.32	6249796.35	29.45
8	324903.68	6249591.09	30.51
9	324821.73	6249611.06	29.00
10	324775.73	6249679.50	36.93
11	324690.14	6249644.09	28.30
12	324582.40	6249647.81	29.89
13	324686.07	6249813.34	24.43
14	324800.85	6249791.14	25.79
15	324699.45	6249797.60	26.05
16	324813.77	6249873.56	23.68
17	324788.44	6249470.23	36.26
18	324688.79	6249340.66	41.13
19	323983.84	6249621.35	19.54
20	324606.82	6250221.62	13.79

NOTE:

BUILDING POSITIONS ARE INDICATIVE FOR PRESENTATION PURPOSES.
DATA WAS CAPTURED USING GNSSS RTK ROVER

CAMERA POSITIONS ARE FROM GNSS WITH NTRIP CORRECTIONS OBSERVATIONS WITHIN +/- 0.01M.
LEVELS ARE BASED ON AUSTRALIAN HEIGHT DATUM (AHD)

SKETCH PLAN SHOWING
INDICATIVE CAMERA POSITIONS FOR -
20-24 Railway Parade & 2-4 Burleigh Street, Burwood

JOB NO: 602 PLG_Railway	LGA: Burwood Council
DATE: 19.11.2024	DATUM: AHD
DRAWN: DK	SCALE: N/A

urbaine DESIGN GROUP