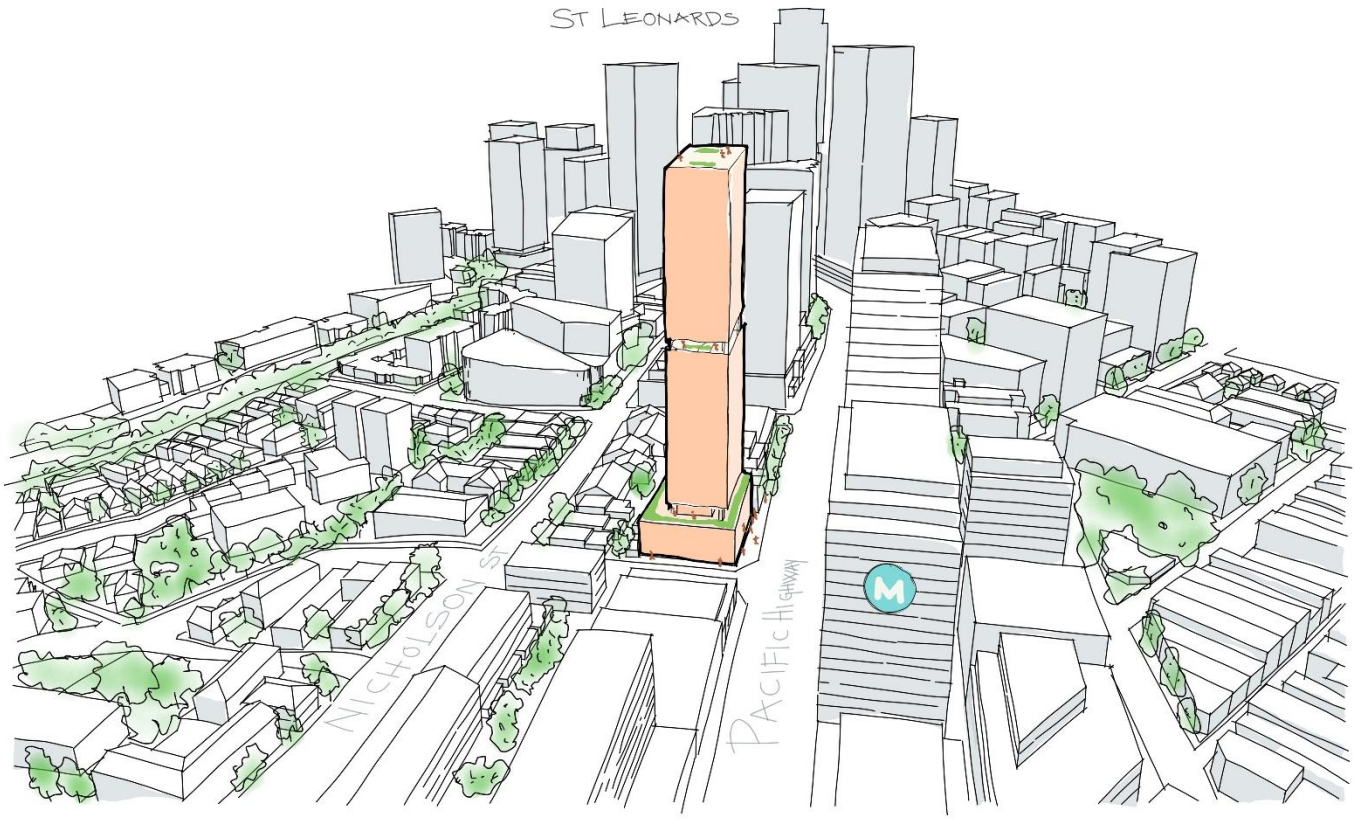
Visual Impact and View Loss Assessment

378 - 398 Pacific Highway, Crows Nest
SSD 79240223



Prepared for Free City Group
Submitted to the Department of Planning, Housing and Infrastructure

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Cover image: the site (Source: COX Architecture)

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Executive Summary

This Visual Impact Assessment (VIA) and View Loss Assessment (VLA) has been prepared by *Keylan Consulting* to accompany a detailed State Significant Development Application (SSDA) for the mixed-use development at 378-398 Pacific Highway, Crows Nest.

The site is consists of seven lots. The legal description of the site is outlined in Table 1.

Property Address	Title Description
378 Pacific Highway	Lot 1/DP577047
382 Pacific Highway	Lot 5/32/DP4320 Lot 1/DP573543
388 Pacific Highway	Lot 4/DP663560
390 Pacific Highway	Lot 1/DP177051 Lot 1/DP724930
398 Pacific Highway	Lot 1/DP1258791
Total site area	**1,980m^2**

Table 1: Legal description

This report has been prepared to address the Secretary's Environmental Assessment Requirements (SEARs) issued for the project (SSD- 79240223).

Overall, our analysis of the visual and view loss impacts concludes the proposal will result in an acceptable outcome. Our assessment concludes that the proposal results in an acceptable visual impact on both existing and future surrounding context and will not result in substantial view loss impacts.

The findings of this report demonstrates that the proposal will have an impact on views from some public spaces and from adjoining residential properties. However, the potential impact is deemed reasonable on the balance of considerations when factoring:

- the substantial changes to the surrounding context and built form, as envisioned by the Crows Nest Transport Oriented Development precinct controls;
- the proposed high-quality design and improvements to the existing visual character and built form within the area
- compliance with the built form controls

This report concludes that the proposed development is suitable and warrants approval subject to the implementation of the following mitigation measures.

- implement a high-quality building design including articulation (as per the proposed architectural plans)
- implement a selection of high-quality materials and finishes (as per the proposed architectural plans)
- planting of trees where practicable (as per the proposed landscape plans)

1 Introduction

This VIA & VLA has been prepared by Keylan Consulting on behalf of Free City Group. This report is submitted to the *Department of Planning, Housing and Infrastructure* (DPHI) in support of a State Significant Development Application (SSDA) for a 40-storey mixed use development plus one level of plant at 378-398 Pacific Highway, Crows Nest.

This report has been prepared to describe, analyse, and assess the visual and view loss impacts associated with the proposal to and from key viewpoints for significant locations surrounding the site. The relevant legislation and planning instruments are addressed in detail within the Environmental Impact Statement (EIS) to accompany the SSDA and have been informed by the findings of this VIA and VLA.

1.1 Report Structure

This report has been prepared in accordance with the following document structure:

Section	Overview
1 Introduction	Introduction to the VIA and the proposed development, including an overview of the relevant Secretary's Environmental Assessment Requirement
2 Site context	A description of the site, the context and an assessment of the opportunities and constraints presented by the site.
3 Proposal	A detailed description of the proposed development application
4 Methodology	A description of the methodology undertaken including any limitations encountered during the assessment.
5 Visual impact analysis	An in-depth visual impact analysis of the existing environment, proposal and potential impacts on the surrounding area.
6 Visual impact assessment	A calculated visual impact assessment based on the findings of the above analysis
7 View Loss Assessment	A detailed view loss analysis based on the planning principles established in Tenacity Consulting v Warringah Council.
8 Conclusion	A concluding statement taking into account the assessment of the proposal.

Table 2: Report Structure

1.2 Secretary's Environmental Assessment Requirements

This report has been prepared in response to the requirements contained within the Secretary's Environmental Assessment Requirements (SEARs) dated 15 January 2025 and issued for the SSDA (SSD-79240223). Specifically, this report has been prepared to respond to the SEARs requirement issued below.

Issue and Assessment Requirements	Report Reference
7. Environmental Amenity	
• *Assess amenity impacts on the surrounding locality, including solar access, visual privacy, view loss and view sharing, as well as wind, lighting and reflectivity impacts. A high level of environmental amenity for any surrounding residential or other sensitive land uses must be demonstrated.*	Section 7

Issue and Assessment Requirements	Report Reference
8. Visual Impact	Section 5 and 6
• *Provide a visual analysis of the development from key viewpoints, including photomontages or perspectives showing the proposed and likely future development.*	
• *If the proposal would result in significant visual impact not anticipated by the planning controls, provide a visual impact assessment that addresses the visual impacts of the development on the existing catchment.*	

Table 3: SEARS requirements

This report has been prepared in accordance with correspondence (request for further information) from DPHI, as follows:

> *Update the Visual Impact Assessment to include an assessment of any potential view loss impacts as a result of the proposed development to existing views from 545 Pacific Highway, St Leonards and 521 Pacific Highway, St Leonards (Crows Nest OSD Site A). The view loss assessment should take into account the planning principles established in Tenacity Consulting v Warringah Council.*

2 The site

2.1 Site description

The site is located at 378-398 Pacific Highway, Crows Nest, within the North Sydney local government area (LGA). The site is made up of the following lots:

Lot	Address	Site Area
Lot 1/DP577047	378 Pacific Highway	335.93m^2
Lot 5/32/DP4320	382 Pacific Highway	331.13m^2
Lot 1/DP573543	-	81.65m^2
Lot 4/DP663560	388 Pacific Highway	250.37m^2
Lot 1/DP177051	390 Pacific Highway	310.77m^2
Lot 1/DP724930	-	4.77m^2
Lot 1/DP1258791	398 Pacific Highway	660.72m^2

Table 4: Site description

The site has a frontage of approximately 57m to Pacific Highway and approximately 32m to Hume Street. The site has a total area of 1,980m$^{2.}$

The site is located immediately opposite (to the west of) the Crows Nest Metro Station. The immediate urban context surrounding the site is characterised by a mix of commercial, retail, residential and recreational land uses. The area is undergoing transition in response to the finalised Crows Nest TOD rezoning proposal which permits tall, high-density mixed-use development along Pacific Highway.

The site is currently occupied by four 2 and 3-storey commercial and retail buildings at 378-390 Pacific Highway which will be demolished, and a recently constructed 5-storey shop top housing development at 398 Pacific Highway which will be retained.

The site is zoned MU1 Mixed Use, under the *North Sydney Local Environmental Plan 2013* (NSLEP 2013).

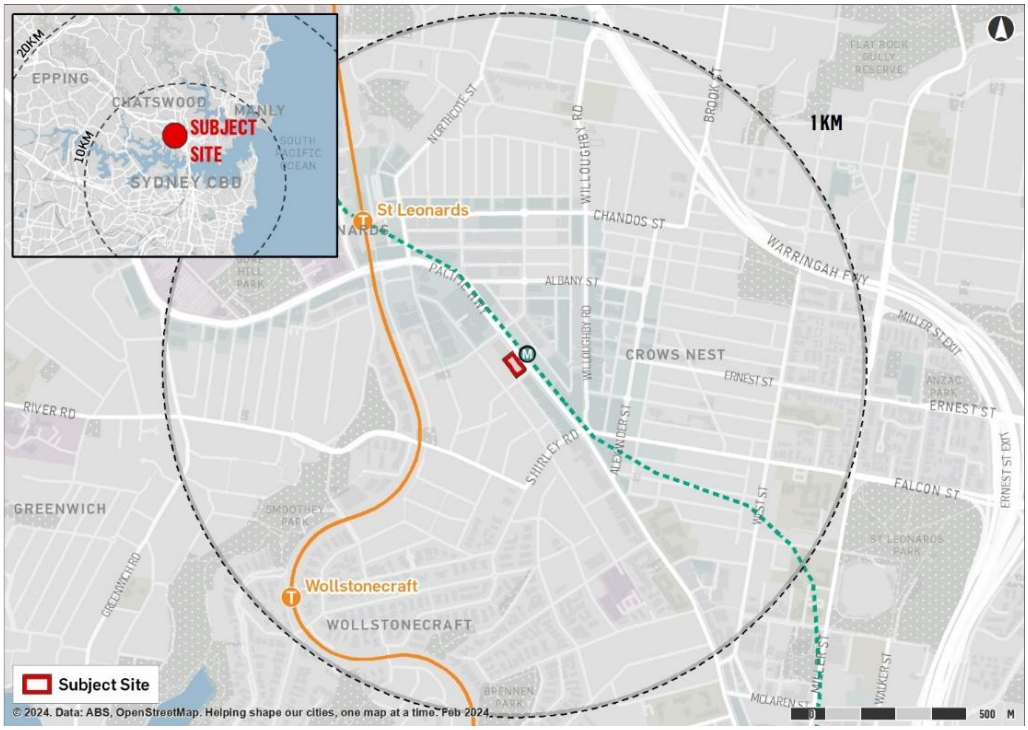

Figure 1: Site location plan (Source: Urbis)

Figure 2: Aerial of site (Source: Urbis)

Figure 3: Existing site, viewed from Hume Street (east) (Source: Keylan)

Figure 4: Existing site, viewed from Hume Street and Pacific Hwy (east) (Source: Keylan)

Figure 5: Existing site, viewed from Hume St and Nicholson St (south-east) (Source: Keylan)


Figure 6: Existing site, viewed from Pacific Hwy Metro Site (north-east) (Source: Google Maps)

2.2 Surrounding visual context

The site is strategically located within a growing commercial and residential precinct, surrounded by development of varying scale and height, ranging from Crows Nest town centre, which is established as a low scale retail strip along Willoughby Road, the low and medium rise residential dwellings of Wollstonecraft, to the high density commercial and mixed-use centre at St Leonards.

Figure 7: Surrounding context (Source: Nearmap)

North

Immediately north (east) of the site, is the Crows Nest Metro site - currently under construction. This site comprises an integrated, over-station development in the form of three buildings ranging from 9 – 21 storeys in height.

Further north-west, beyond the Metro site, is the St Leonards Town Centre, which is identified as a major commercial, retail and public transport centre. The visual context of St Leonards centre is characterised by a cluster of high-rise development centered around the St Leonards railway station and extending south to Oxley Street and south-east along Pacific Highway.

The Crows Nest TOD concentrates building heights between the St Leonards trains Station and the Crows Nest Metro sites, with heights then transitioning down towards neighbouring sites and the Crows Nest village. This will mean that in time and subject to future development, the visual character and context of development around the site, and particularly to the north, will be subject to further transform to reflect the densities identified under the Crows Nest TOD.

Further to the north is the Royal North Shore Hospital and North Shore Private Hospital. This area is characterised by similar uses related to the health care industry around these hospitals, including the North Shore Health Hub.

Figure 8: Impression of Crows Nest Metro OSD (Source: Sydney Metro)

Figure 9: St Leonards centre – facing northwest (Source: Keylan)

Figure 10: St Leonards centre and under construction Metro OSD (Source: Keylan)

East

To the north (east) of the site, beyond the Crows Nest Metro is Willoughby Road. Willoughby Road is identified as the centre of the Crows Nest village and runs in a north south alignment. Willoughby Road is characterised by small scale commercial and retail shops, activated with high pedestrian activity and movement.

Figure 11: Willoughby Road (Source: Keylan)

South

To the south-east of the site and on the southern side of Hume Street is a number of locally listed heritage buildings, known as the Higgins Buildings, at 366 – 376 Pacific Highway. These buildings are characterised by two storey shop top housing. Currently, the ground floor of these buildings are commercial tenancies.

Further, south-east, is the Five Ways intersection. This connects five major road corridors comprising Falcon Street, Shirley Road, Willoughby Road and two Pacific Highway exits (north and south). Smaller scale retail and commercial premises flow on from this.

An SSDA at 391-423 Pacific Hwy, 3-15 Falcon St and 8 Alexander St, also known as the 'Five Ways Triangle' was recently approved for a 22-storey shop-top housing development, including in-fill affordable housing.

Figure 12: Higgins Buildings, fronting Pacific Highway (Source: Keylan)

Figure 13: Five Ways Intersection (Source: Keylan)


Figure 14: Approved SSDA - Five Ways site (Source: Deicorp Projects)

West

The western/rear boundary of the site interfaces with the R3 Medium Density Residential zone. These sites currently comprise single storey residential dwelling houses and two storey townhouses. The dwellings have frontage to Nicholson Street.

Nicholson Street substantially slopes towards the north. The topography through this area is undulating and can be quite steep in some areas, particularly along Hume Street.

The area to the west of the site and Pacific Highway, is characterised by low density residential dwellings, wide streets with significant tree canopies. The area also contains a number of older high rise apartment buildings setback from the street with significant grassed areas and landscaping, contributing to the visual character of the area.

Figure 15: Nicholson St and Hume Street intersection (Source: Free City)

Figure 16: Nicholson Street, facing south-east (Source: Keylan)

Figure 17: River Road and Carlyle Street intersection (Source: Keylan)

Figure 18:Lithgow Street (Source: Keylan)

2.3 Future visual context

The area has seen significant change in recent years, and it's continued development will support new jobs and dwellings in close proximity to public transport and high amenity areas, whilst being connected to nearby centres at Chatswood, North Sydney, Macquarie Park, and the Sydney CBD.

Crows Nest TOD Precinct

On 27 November 2024, the NSW Government finalised the Transport Oriented Development (TOD) accelerated precincts to create more well-located homes close to transport, jobs and services. Crows Nest is identified as one of the eight TOD precincts for state-led accelerated rezoning to deliver up to 47,800 new, well-located, high and mid-rise homes over the next 15 years.

The TOD planning control changes include amendments to land use zones, height of buildings, FSR and non-residential FSR controls for sites within the Precinct.

The Crows Nest Urban Design Report 'masterplan testing' identified sites for additional uplift, to accommodate more housing and improve the height transition between the Pacific Highway and the residential to the south-west. The site and neighbouring properties were identified within this Report for its potential to provide increased height.

The Urban Design Report and Guide inform the TOD built form controls. The site is identified within these reports as being within the 'high density core' and is noted in the Precinct Design Guide as a 'tall marker building'. A summary of the controls applying to the site are outlined below:

- 12:1 maximum FSR
- 1.5:1 non-residential FSR
- 135m maximum building height (approximately 40 storeys)

The proposed development is largely consistent with these proposed controls and objectives and is considered acceptable in the context of the TOD rezoning proposal.

It is noted the TOD rezoning will result in significant built form uplift to the immediate surrounding context, which will largely reshape the Pacific Highway corridor, as well as the surrounding local streets. Of particular note, heights to the south of the site will increase to 12 to 16 storeys, while to the west of the site on Nicholas Street heights will increase from 4 to 12 storeys (refer to below figures).

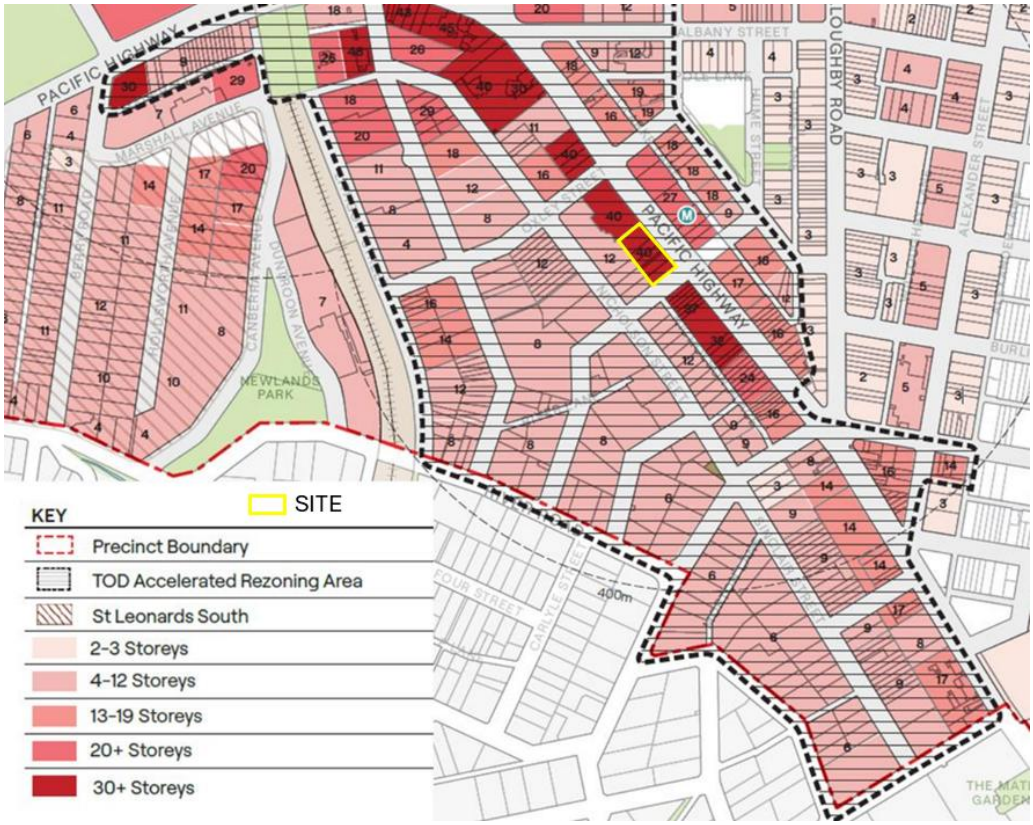

Figure 19: Height of building map (Source: Crows Nest Urban Design Report)

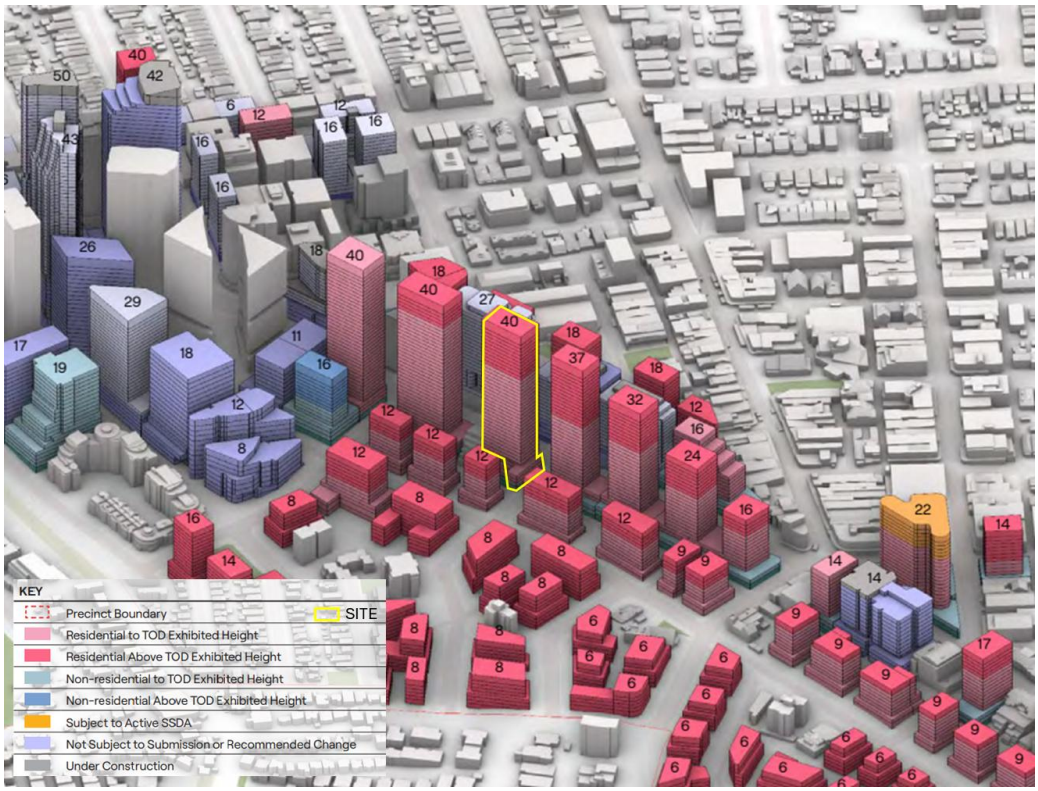

Figure 20: Indicative TOD built form (Source: DPHI Urban Design Report)

Planning Proposal (PP-2021-5353)

A portion of the site, at 378 – 390 Pacific Highway was the subject of a Planning Proposal (PP-2021-5353), which was gazetted on 15 September 2023 and permits:

- a maximum building height of RL 176m
- an FSR of 7.2:1, inclusive of a non-residential FSR of 2:1

3 Proposed development

The application seeks development consent for a mixed use development comprising 40-storeys plus one level of plant at 378-398 Pacific Highway, Crows Nest. Specifically, the SSDA seeks development consent for:

- Demolition of the existing structures on the portion of the site at 378-390 Pacific Highway.
- Construction of a mixed use development comprising 40-storeys plus one level of plant on the site at 378-390 Pacific Highway, comprising:
  - A 3-storey commercial / retail podium with residential apartments in a tower form above.
  - Communal open space and amenities on Level 20.
  - 8 basement levels for car parking, bicycle parking and end-of-trip facilities.
- Affordable housing contribution equivalent to 10% of new residential GFA proposed on the site.
- Stratum subdivision of the airspace above the existing development at 398 Pacific Highway.
- Vehicular access from Hume Street.
- Associated landscaping and public domain works.

The purpose of the project is to facilitate the delivery of high-quality housing at a strategically located site and deliver a built form outcome that is consistent with the desired future character of Crows Nest, as established by the finalised Crows Nest Transit Oriented Development (TOD) rezoning controls.

A detailed overview of the proposed development is included within the EIS.

4 Methodology

4.1 Visual impact methodology

There is no required VIA methodology adopted in NSW to assess the visual impacts of built forms in urban environments. As such, this VIA has been informed by the experience gained by Keylan Consulting, specialising in VIA and relevant best practice guidance; including:

- Land & Environment Court Planning Principles relating to visual impacts
- Transport for NSW's *Guideline for Landscape Character and Visual Impact Assessment, Environmental Impact Assessment Practice Note EIA-N04*

The VIA identifies the visual catchment of the proposal as well as the existing, emerging, and desired future character of the area. This information is used to determine the sensitive receivers, and ultimately the viewpoints. Importantly, several viewpoints within the visual catchment are selected to represent the potential sensitive receivers, noting the viewpoints are taken from the public domain.

Sensitive receivers are determined based on the visibility of the proposal (i.e topography and proximity to the site), residential use, heritage value and environmental significance. A detailed analysis based on the magnitude of impact (scale, contrast, quality, distance) and the sensitivity of each viewpoint is provided in the VIA to determine the overall visual impact.

The range of views assessed includes close, medium and long-distance views so that a variety of views likely to be experienced by the public are evaluated. The modelling and assessment undertaken accounts for the existing view (the built form approved under the Consent) and proposed view (the built form approved under the Consent, plus the built form proposed under this SSDA).

Each viewpoint has been assessed in accordance with the following criteria which provide the foundation of the VIA.

1. Establish the existing visual character and likely extent of change to locality and surrounds.
2. Identify the visual sensitivity, based on existing visual character, key views and other significant visual features.
3. Consider visual exposure of site under current situation and following development of the site and surrounding area
4. Consider the likely visibility of proposed development.
5. Determine level of impact (low, moderate or high).
6. Identify potential mitigation strategies (if appropriate).

The descriptions in the table below have been used as a guide to make subjective judgements in relation to the effects and impacts of the proposed development on each modelled view.

Rating	Visual Sensitivity	Visual Compatibility	Magnitude of Impact
Low	Not a sensitive receiver	Highly compatible	Little or minor change to existing views
Moderate	Moderately sensitive receiver	Moderately compatible	Partially impacted
High	Highly sensitive receivers	Not compatible	Highly / totally impacted

Table 5: VIA methodology

4.2 View loss methodology

The NSW Land & Environment Court has a well-established planning principle in respect of the assessment of impacts of development on views which are set out in *Tenacity Consulting v Warringah Council* (2004) NSWLEC 140 (Tenacity).

Tenacity provides a useful framework for identifying and assessing the impacts of a development on views. The four steps are as follows:

Step 1: What are the views that would be affected?

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

Step 2: Where are the views obtained from?

The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic.

Step 3: What is the extent of the impact?

The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.

Step 4: How reasonable is the proposal causing the views to be lost?

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

The above assessment has been adopted to determine the potential view loss impacts. Model massing has been prepared to provide an indication of the views.

4.3 Limitations

The VLA and VIA assessment is accompanied by montages to support the assessment. The montage provides an indicative view of existing surrounding development, the proposal and other sites approved for increased height and density.

The following limitations have been encountered while preparing this VIA:

- **all montages are indicative only for illustrative purposes**
- the montages are based on a 50mm focal length to best attempt to replicate the human experience, notwithstanding montages cannot replicate the experience of viewing the proposal with the human eye
- viewpoints are not modelled from private property and therefore this VIA cannot provide an exact analysis of impacts to private property
- the VLA has been undertaken from indicative RLs of the proposed Crows Nest Metro Station SSDA, as this building has not yet been constructed.

5 Visual impact analysis

This visual impact analysis has been undertaken to assess the impact of the proposed development from the key viewpoints, as outlined in the table and figure below:

Viewpoint reference	Viewpoint location
View 1	Nicholson Street and Oxley Street
View 2	Lithgow Street
View 3	River Road and Carlyle Street
View 4	Nicholson Street - heritage items
View 5	Pacific Hwy and Falcon Street – five ways intersection
View 6	Ernest Place - heritage item
View 7	Pacific Highway and Albany Street
View 8	Pacific Highway
View 9	Nicholson Street and Hume Street

Table 6: Viewpoint locations

Figure 21: Viewpoint location map (Source: Nearmap)

Montages have been prepared to demonstrate the indicative cumulative views from each dot point. SSDA's and PP's under assessment, or recently approved are displayed in a light orange shade and the proposed SSDA is displayed in dark orange.

5.1 Viewpoint 1: Nicholson Street and Oxley Street

Figure 22: Viewpoint 1 Map (Source: Nearmap)


Figure 23: Viewpoint 1 - existing view (Source: Keylan)

Figure 24: Viewpoint 1 - indicative view (Source: Premier 3D)

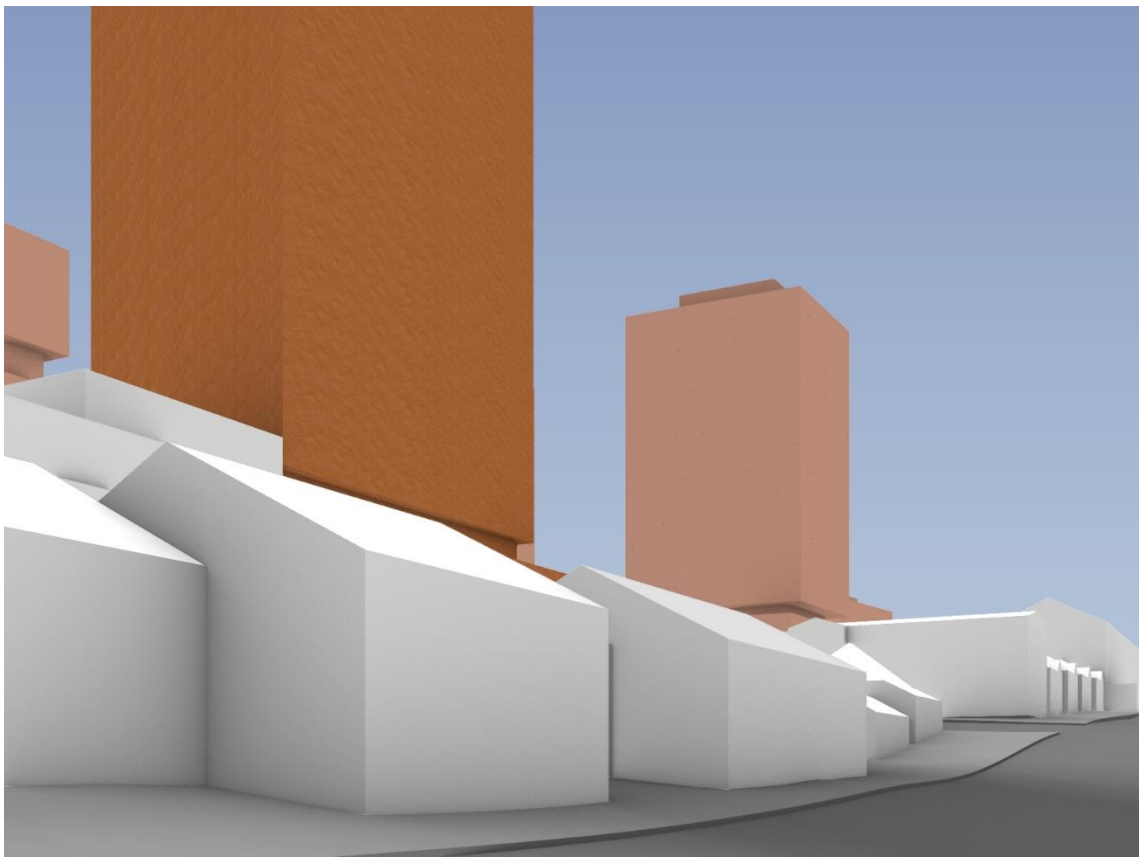

Figure 25: Viewpoint 1 - indicative cumulative sketch view (Source: Cox Architecture)

5.1.1 Analysis

Viewpoint 1 represents the indicative view towards the proposed development from the western end of Nicholson Street, interfacing with Oxley Street. This close viewpoint is approximately 80m from the site.

From this viewpoint, the proposal will be largely unscreened by existing buildings and generally a key focal point. Due to the number of residential receivers within close proximity of this viewpoint, the sensitivity of the viewpoint to change is considered to be high.

It is important to consider, that given the nature of this viewpoint (topography, orientation, distance) any redevelopment of the site will be highly visible from this location. In this context, our assessment concludes the proposal results in acceptable amenity and visual impacts to residential uses to the west for the following key reasons:

- high-quality architectural design
- best practice materials and finishes
- articulation of facades, notably the stepped podium form

The photomontages and indicative massing demonstrate there will also be a number of future development visible in the background, consistent with the recently finalised Crows Nest TOD precinct. The photomontage indicates the future built form (including the site) will become the dominant visual elements from this viewpoint, transforming the character of the area. In this context, the proposal will not be observed as an individual anomaly, rather it will be perceived as a consistent, integrated part of the Pacific Highway built form.

Sites fronting Pacific Highway (including the subject site) are identified for higher density under the TOD provisions. The adjoining sites to the rear, fronting Nicholson Street (as shown in the figures) are also identified for significant uplift for these low-density dwellings immediately adjoining the site. The controls applying to these sites are outlined below:

- rezoning from R3 Medium Density Residential to R4 High Density residential zone
- increased maximum building height from 8.5m to 43m (approximately 12 storeys)
- implementing an FSR of 3.5:1

Given the significant changes to the built form controls under the TOD precinct, it is acknowledged that the visual context of this area will undergo further transformation. The proposal will be consistent with the surrounding locality, as envisioned by the TOD controls. In this context, the visual impacts of the proposal will be low.

Furthermore, Nicholson Street slopes down to the north, with an approximate 2m decline from 29 Nicholson Street to 33 Nicholson Street. Whilst the residential dwellings on the southern (lower) side of Nicholson Street (Nos. 6-24) are oriented north-east to south-west (towards the proposal), these buildings are located below the street and foot path level and their primary living and open spaces are to the south (Figure 23). Consequently, views from the primary living and open spaces will not be towards the site, reducing potential view impacts from these properties.

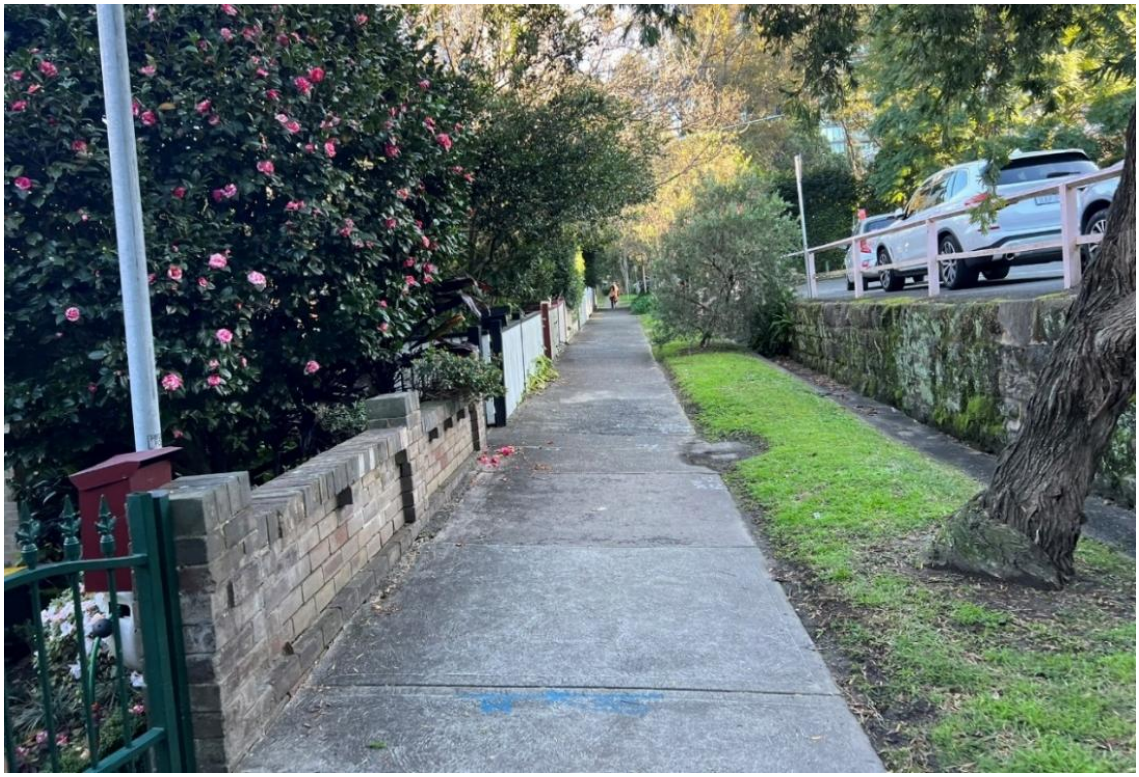

Figure 26: Lower Nicholson St, outside No. 10 facing west (Source: Keylan)

Figure 27: Lower Nicholson St, outside No. 20 facing east (Source: Keylan)

A three – four storey residential flat building adjoins these properties, at 20 Hume Street, Wollstonecraft. It is noted that two of the units have balconies oriented towards the proposal. However, the remaining balconies and private open spaces are oriented north-south, away from the site. As noted above, the proposed development will not be observed individually from this viewpoint, rather, it will become an integrated feature in the Pacific Highway corridor and broader CBDs built form. For this reason, view impacts will become less prominent and obtrusive.

Mature landscaping and trees line the frontage of these dwellings, in addition to sporadic street trees, will provide partial screening of views towards the site and development along the Pacific Highway corridor (Figure 24).

Further, from this viewpoint, there is no visual access above or beyond the site to scenic features or heritage items.

The overall magnitude of change from this viewpoint is considered to be low. The proposed built form and design solutions, paired with the transforming CBD skyline as envisaged by the TOD, are considered to reduce the overall visual impact and ensure an acceptable outcome.

Our findings

Our assessment concludes that the visual impact from Viewpoint 1: Nicholson Street and Oxley Street is **low.**

5.2 Viewpoint 2: Lithgow Street, Wollstonecraft

Figure 28: Viewpoint 2 Map (Source: Nearmap)


Figure 29: Viewpoint 2 - existing view (Source: Keylan)

Figure 30: Viewpoint 2 - indicative view (Source: Premier 3D)

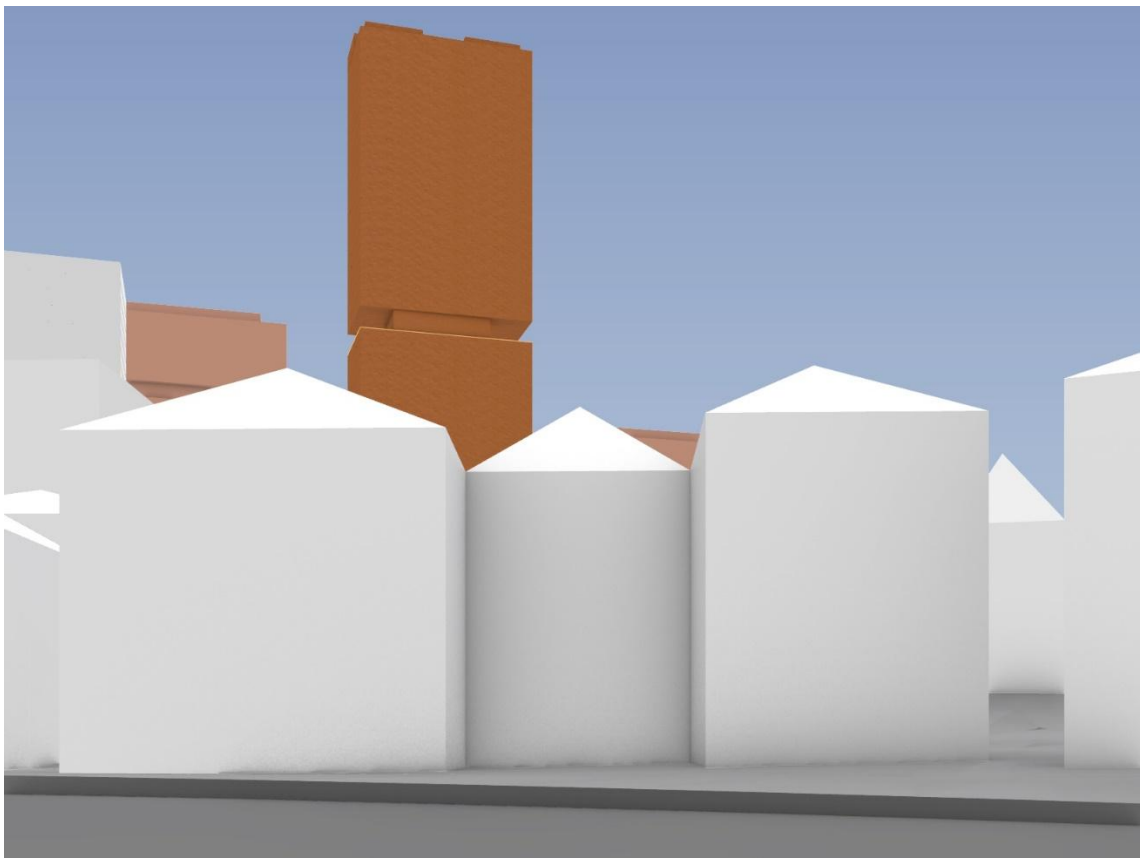

Figure 31: Viewpoint 2 - indicative cumulative sketch view (Source: Cox Architecture)

5.2.1 Analysis

Viewpoint 2 represents the indicative view towards the site, from the pedestrians and motorists along Lithgow Street, Wollstonecraft. While this viewpoint is taken from the public domain, the montages provide an indication of the proposed view from the residential properties fronting River Road.

This medium range view is approximately 200m from the site. There are no residential properties on the lower side of Lithgow Street. The North Shore railway line is located further south, which is considerably lower than street level. Given this, the sensitivity of the view to a change of context is considered to be low - moderate.

The proposal is introduced into the background of this view, with the existing residential dwellings on Lithgow Street being the focal point. The photomontages indicate these residential dwellings partially obscure views towards the proposal, with an upper portion of the proposed building being visible.

The terrain of this locality is undulating. Lithgow Street slopes to the south-west towards the North Shore rail line. Whilst the proposal will be prominent from this viewpoint due to its heightened location on the ridgeline, it is unlikely to form a focal point of the image due to the topography and separation distance of the viewpoint.

As indicated, the future visual context will undergo significant transformation, in accordance with the TOD precinct controls and the proposed development will conform with the future envisaged Pacific Highway corridor.

As noted, pursuant to the TOD, the sites within this viewpoint are identified for much greater height and density controls. In addition to the significant uplift to the sites along the Pacific Highway corridor, the sites fronting Lithgow Street (as shown in the figures) are also identified, with building heights increased from 8.5m to 30-55m, as well as FSR controls from 2:1 to 3.2:1.

These significant changes to the built form controls pursuant to the TOD will largely change the future visual context, transforming the background of this viewpoint and ultimately minimising the perceived visual impact of the proposal.

Importantly, from this viewpoint, the proposal would not impede or block a significant view currently obtained from the viewpoint.

The distance and topography of this viewpoint, paired with the anticipated, future built form significantly reduces the overall visual impact, resulting in a low visual impact.

Our findings

Our assessment concludes that the visual impact from Viewpoint 2: Lithgow Street, Wollstonecraft is **low - moderate.**

5.3 Viewpoint 3: River Road and Carlyle Street

Figure 32: Viewpoint 3 Map (Source: Nearmap)


Figure 33: Viewpoint 3 - existing view (Source: Keylan)

Figure 34: Viewpoint 3 - indicative view (Source: Premier 3D)

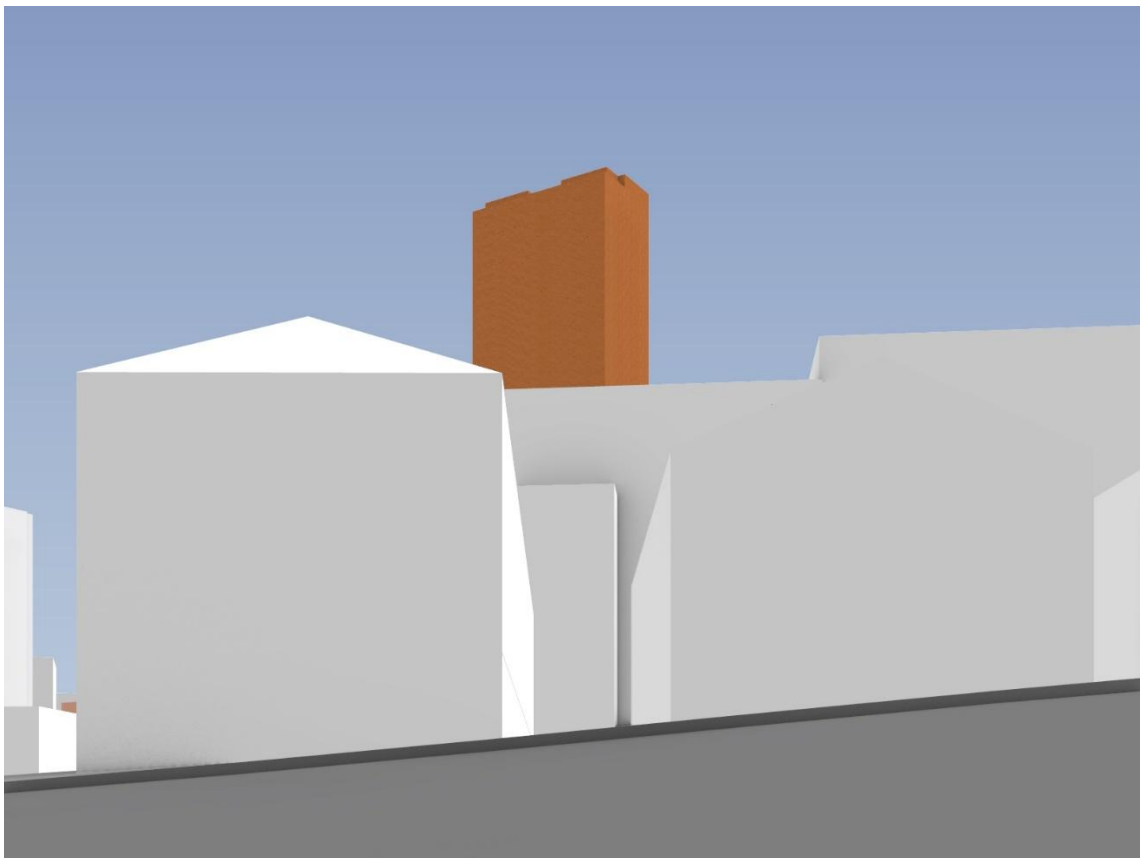

Figure 35: Viewpoint 3 - indicative cumulative sketch view (Source: Cox Architecture)

5.3.1 Analysis

Viewpoint 3 represents the indicative view towards the site, from the pedestrians and motorists travelling along River Road and Carlyle Street, Wollstonecraft. This medium range view is approximately 200m to the south of the site. While this viewpoint is taken from the public domain, the montages provide an indication of the proposed view from the residential properties fronting River Road.

The terrain is undulating in this locality. River Road slopes to the south-west and Carlyle Street further slopes to the west. River Road is a classified regional road, connecting Pacific Highway at Crows Nest to Lane Cove West. Given the nature of the road corridor, most people would be travelling through, and the viewing period is considered to be minimal for pedestrian and motorists. Given this, the sensitivity of the view to change is considered to be low to moderate.

This distant viewpoint incorporates the residential dwellings fronting River Road, which dominate the foreground. Given the distance of this viewpoint from the site, the overall visual impact is reduced. The only substantial features of the proposal which are discernible from this viewpoint are the upper floors. As can be seen from the existing view (Figure 30), a number of existing tall buildings on Pacific Highway are visible from this viewpoint. In this context, the photomontages portray that the proposed development will align with the emerging built form along the Pacific Highway corridor.

This viewpoint represents views from the periphery of the Crows Nest TOD boundary, as shown in the figure below. The sites from this viewpoint are identified for higher density pursuant to the TOD precinct controls.

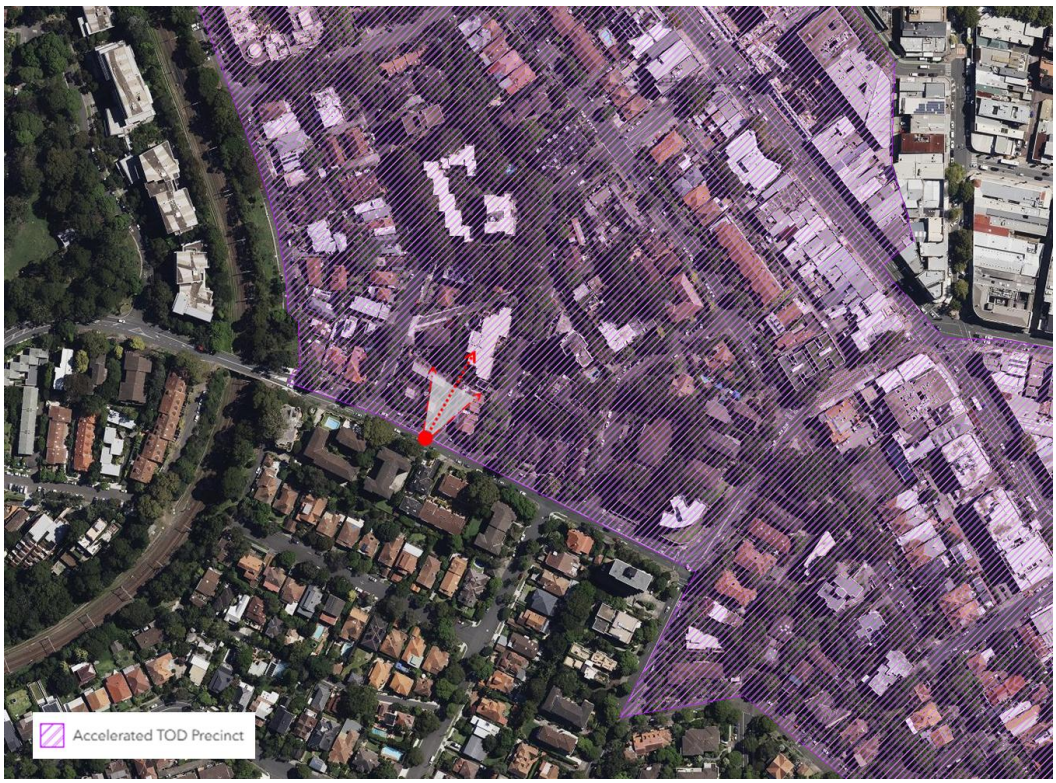

Figure 36: TOD boundary (Source: E Spatial Viewer)

In this context, the immediate visual streetscape is set to change and undergo significant transformation. The controls applying to these sites fronting River Road are outlined below:

- change of land use zoning from R3 medium density residential to R4 high density residential
- increased maximum building height from 8.5m to 30m
- increasing the FSR to 2.5:1

As noted, significant changes to the built form pursuant to the TOD are underway, as a result the future visual context will substantially change. These changes are expected to transform the background of this viewpoint and ultimately minimise the perceived visual impact of the proposal.

Our findings
Our assessment concludes that the visual impact from Viewpoint 3: River Road and Carlyle Street is **low.**

5.4 Viewpoint 4: Nicholson Street, Wollstonecraft

Figure 37: Viewpoint 4 Map (Source: Nearmap)


Figure 38: Viewpoint 4 - existing view (Source: Keylan)

Figure 39: Viewpoint 4 - indicative view (Source: Premier 3D)

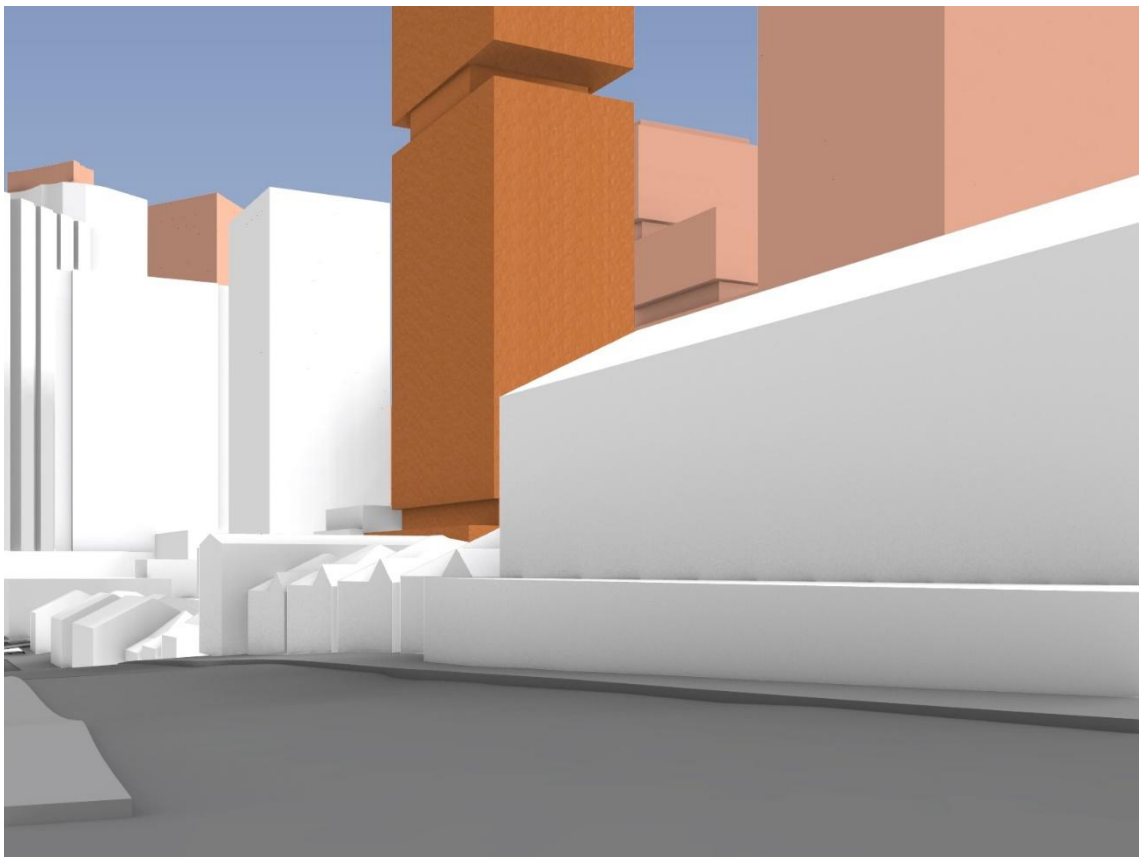
Figure 40: Viewpoint 4 - indicative cumulative sketch view (Source: Cox Architecture)

5.4.1 Analysis

Viewpoint 4 represents the indicative view towards the site, from the northern boundary of the Crows Nest Uniting Church, located towards the corner of Nicholson Street and Shirley Road. This medium range view is approximately 230m south of the site.

The Crows Nest Uniting Church is a locally listed heritage item under the NSLEP 2013. The Church is oriented towards the east, to Shirley Road. Given the heritage significance of the Church, this viewpoint is considered moderate to highly sensitive.

Further details of the heritage item and assessment of the proposed impacts on this are detailed within the Heritage Impact Assessment prepared by NBRS.

Due to the ridgeline, the visual catchment and vantage from this viewpoint is expansive, with clear sightlines towards the St Leonards CBD. As indicated, the future visual context will undergo significant transformation, in accordance with the TOD precinct controls. In this context, the visual streetscape is set to change and undergo significant transformation. An overview of the key controls applying to the sites within this viewpoint are outlined below:

- change of land use zoning from R3 medium density residential to R4 high density residential
- increased maximum building height from 8.5m to 30m
- increasing the FSR to 2.5:1

These changes will have a significant impact on the future visual context of the immediate and surrounding locality. From this viewpoint, the proposed development will become an integrated feature in the Pacific Highway corridor and broader CBDs built form. The proposal will not impede or block any significant views currently obtained from the viewpoint.

The proposal will have the effect of addressing unacceptable and unreasonable visual impact of the taller developments to the north, by providing a more appropriate height transition to developments in the foreground of the viewpoint. Importantly, the buildings in the foreground will remain prominent, with the proposal and broader St Leonards CBD noticeable in the background.

Additional architectural and design solutions, such as the façade articulation and the stepped podium to the west/rear, further improve the architectural appearance of the proposal and visual impacts from this viewpoint.

The overall magnitude of change from this viewpoint is considered to be moderate, given the distance of this viewpoint from the site and the transforming CBD skyline.

Our findings

Our assessment concludes that the visual impact from Viewpoint 4: Nicholson Street, Wollstonecraft is **low -moderate.**

5.5 Viewpoint 5: Pacific Hwy and Falcon Street – five ways intersection

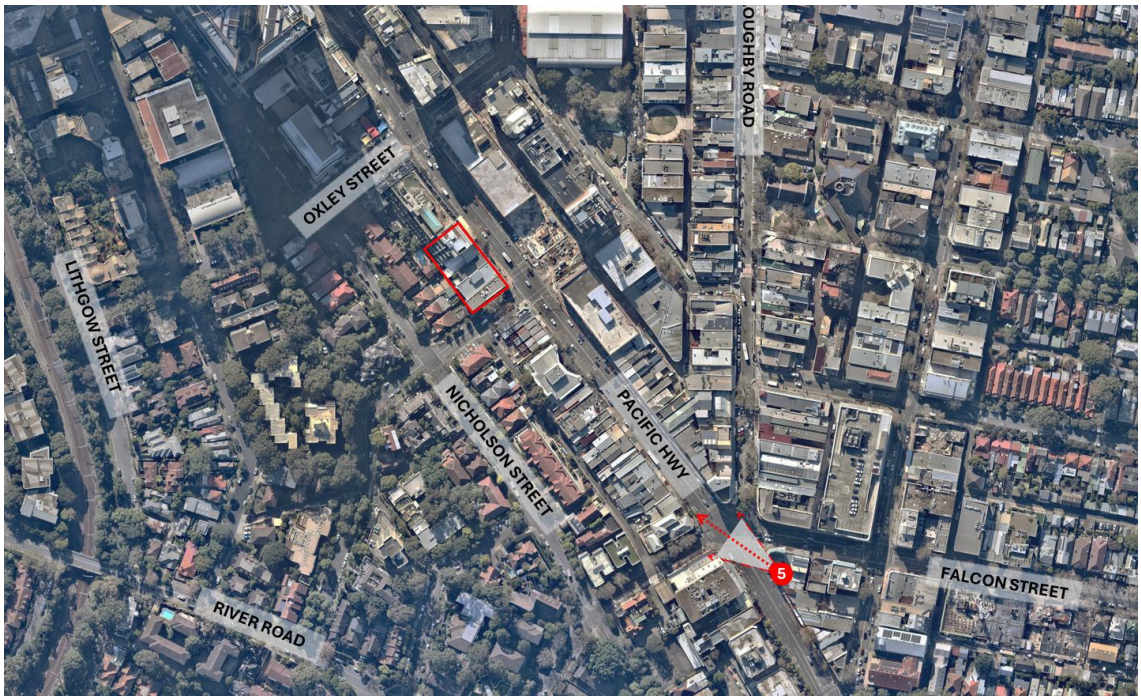

Figure 41: Viewpoint 5 Map (Source: Nearmap)


Figure 42: Viewpoint 5 - existing view (Source: Keylan)

Figure 43: Viewpoint 5 - indicative view (Source: Premier 3D)

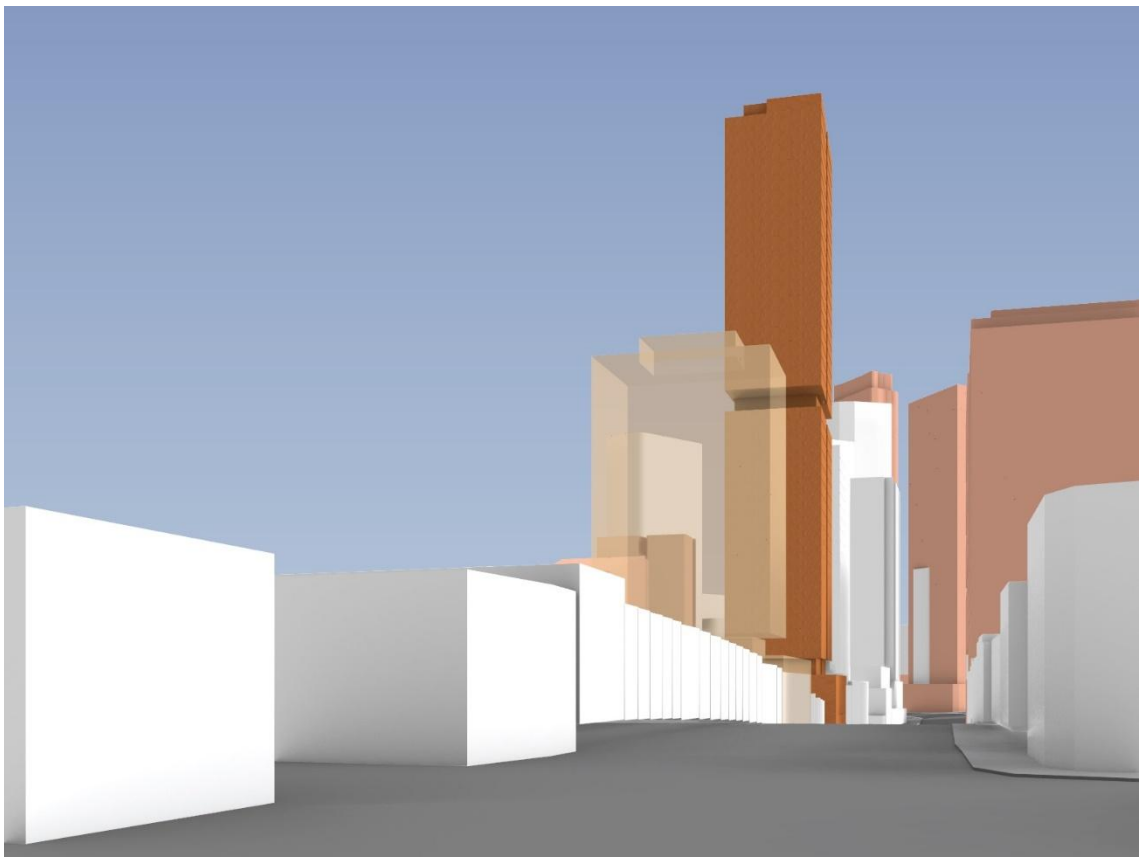

Figure 44: Viewpoint 5 - indicative cumulative sketch view (Source: COX Architecture)

5.5.1 Analysis

Viewpoint 5 represents the indicative view of the development, that would be experienced by pedestrians and motorists, travelling north towards the site, from the Five Ways intersection. This medium to long range view is approximately 280m to the south of the site.

The ground level retail shopfronts along the Pacific Highway are currently the key focal point in the foreground and midground of the viewpoint. Whilst the proposal will not obstruct the view to these shopfronts, the scale and height of the proposal will create a new focal point in the background. Accordingly, the visual environment is considered to have a moderate to high sensitivity to change.

As noted, there is a number of development applications and approvals in the vicinity of the site. The photomontage indicates views to the site will be partially obstructed by these proposed buildings and views towards the site remain notable. The magnitude of change to views from this location that would result from the proposal is considered to be moderate.

The visual streetscape is set to change and transform pursuant to the TOD precinct controls. The entire precinct will be subject to increased building heights ranging between 126m – 135m and increased FSR controls to 12:1 – 16.7:1 for sites fronting the Pacific Highway. When assessed in this context the impact of change of the proposed development from this viewpoint is considered to be low. The proposed development will be consistent with the emerging and future St Leonards CBD skyline.

The photomontages indicate the overall design including façade articulation and stepped podium assist in breaking up the built form, which contributes to softening the bulk and scale.

Further, the proposal will not obscure or block any significant views to landscape or heritage items from this location.

The overall magnitude of change from this viewpoint is considered to be low - moderate. The proposed built form and distance of view, paired with the transforming CBD skyline, are considered to reduce the overall visual impact and ensure an acceptable outcome.

Our findings

Our assessment concludes that the visual impact from Viewpoint 5: Pacific Hwy and Falcon Street – five ways intersection is **low.**

5.6 Viewpoint 6: Ernest Place, Crows Nest

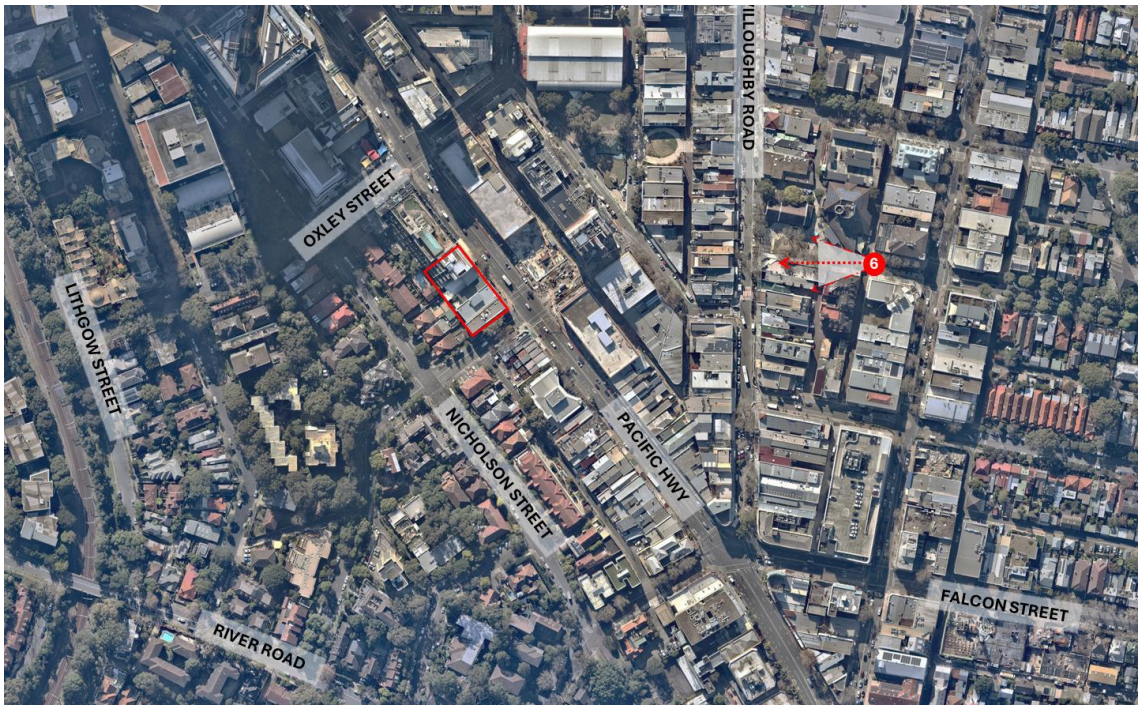

Figure 45: Viewpoint 6 Map (Source: Nearmap)


Figure 46: Viewpoint 6 - existing view (Source: Keylan)

Figure 47: Viewpoint 6 - indicative view (Source: Premier 3D)

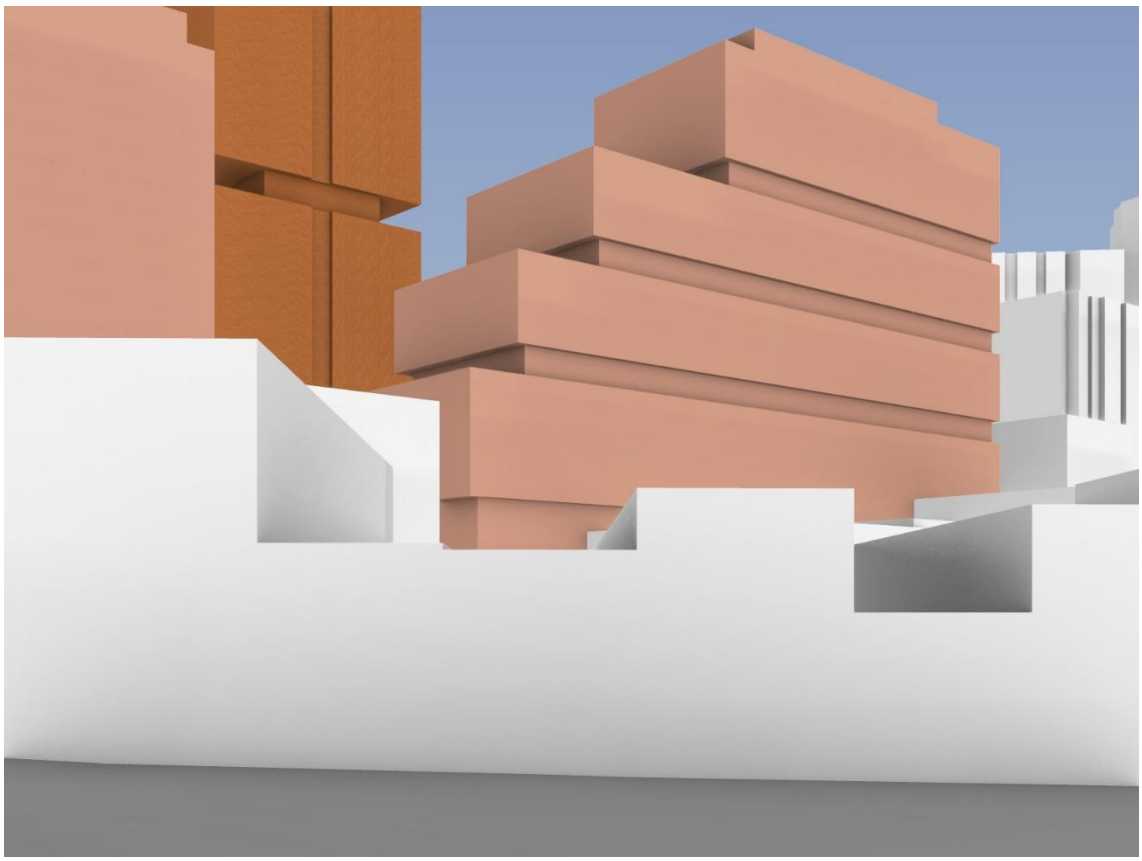
Figure 48: Viewpoint 6 - indicative cumulative sketch view (Source: COX Architecture)

5.6.1 Analysis

Viewpoint 6 represents the indicative view towards the proposal from Ernest Place. Ernest Place is a public plaza, adjoining Willoughby Road, with public seating, cafes and retail shopfronts. This medium range viewpoint is approximately 215m from the subject site. Given the nature of the plaza, the duration of viewing periods from this space are considerably longer, as visitors are encouraged to stay for prolonged periods of time.

From this viewpoint, it is noted the ground retail shops fronting Willoughby Road are currently one of the key focal points. Whilst the proposal will not impede the view to these shopfronts, the scale of the proposal will create a new focal point in the background. The existing quality of these views are relatively low, being composed of streetscape and the existing buildings fronting Willoughby Road. The overall sensitivity of these viewpoints to change is considered to be moderate.

The photomontage indicates the future visual character and context of the area is undergoing significant transformation, and when assessed in this context the impact of change of the proposed development from this viewpoint is considered to be low. The proposal itself will not dominate the skyline, rather, will become another integrated element to the future visual context, with future building heights ranging from 120 – 180m.

The overall magnitude of change from this viewpoint is considered to be low - moderate. The nature of this viewpoint and visual dominance of the proposed metro station are considered to reduce the overall visual impact and ensure an acceptable outcome.

Our findings

Our assessment concludes that the visual impact from Viewpoint 6: Ernest Place, Crows Nest is **low**.

5.7 Viewpoint 7: Pacific Highway and Albany Street

Figure 49: Viewpoint 7 Map (Source: Nearmap)

Figure 50: Viewpoint 7 - existing view (Source: Keylan)

Figure 51: Viewpoint 7 - indicative view (Source: Premier 3D)

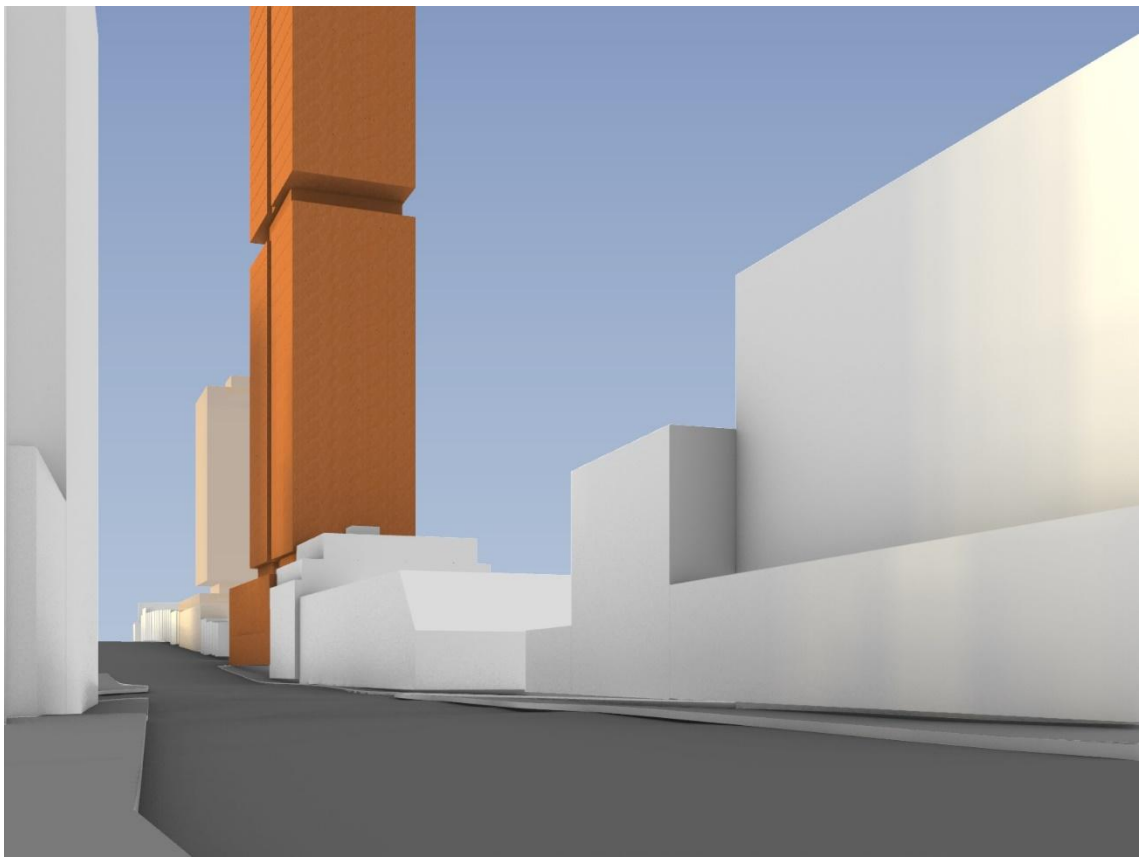
Figure 52: Viewpoint 7 - indicative cumulative sketch view (Source: COX Architecture)

5.7.1 Analysis

Viewpoint 7 represents the indicative view of the development, which will be experienced by pedestrians and motorists, travelling south-east towards the site towards the site from the corner of Albany Street and Pacific Highway, St Leonards. This medium distance view is approximately 200m from the site.

The proposal will be primarily unscreened by existing buildings and will be generally a key focal point in the midground.

This view is taken from within the road reserve (footpath) and most people will be travelling in proximity to the viewpoint would be pedestrians, cyclists or in vehicles. Any development of the site will be highly visible from this location and, given the high traffic movement in the area, there will be a large number of viewers. The sensitivity of the viewpoint to change is considered to be high.

The proposed development will be consistent with the emerging and future St Leonards CBD skyline. The visual streetscape is set to significantly change, with the building heights ranging between 126m – 135m and FSR's between 12:1 – 16.7:1 for sites fronting the Pacific Highway. When assessed in this context the impact of change of the proposed development from this viewpoint is considered to be low.

The photomontages indicate the overall design including façade articulation and stepped podium assist in breaking up the built form, which contributes to softening the bulk and scale.

As noted, the site its current form does not present as high quality development and does not provide the desired built form or architectural quality for this highly visible location along the Pacific Highway.

The proposal will have the effect of reducing the visual impact of other existing developments to the south, by providing a more appropriate height transition to developments in the background of the viewpoint.

Additional architectural and design solutions, such as the façade articulation and the stepped podium level, further improve the architectural appearance of the proposal and minimise impacts from this viewpoint. The quality of the proposed built form, in particular the selected building materials and finishes of the building's facades are imperative to ensuring a positive built form outcome for the corridor.

Our findings

Based on the above, the overall magnitude of change from this viewpoint is considered to be **low.**.

5.8 Viewpoint 8: Pacific Highway

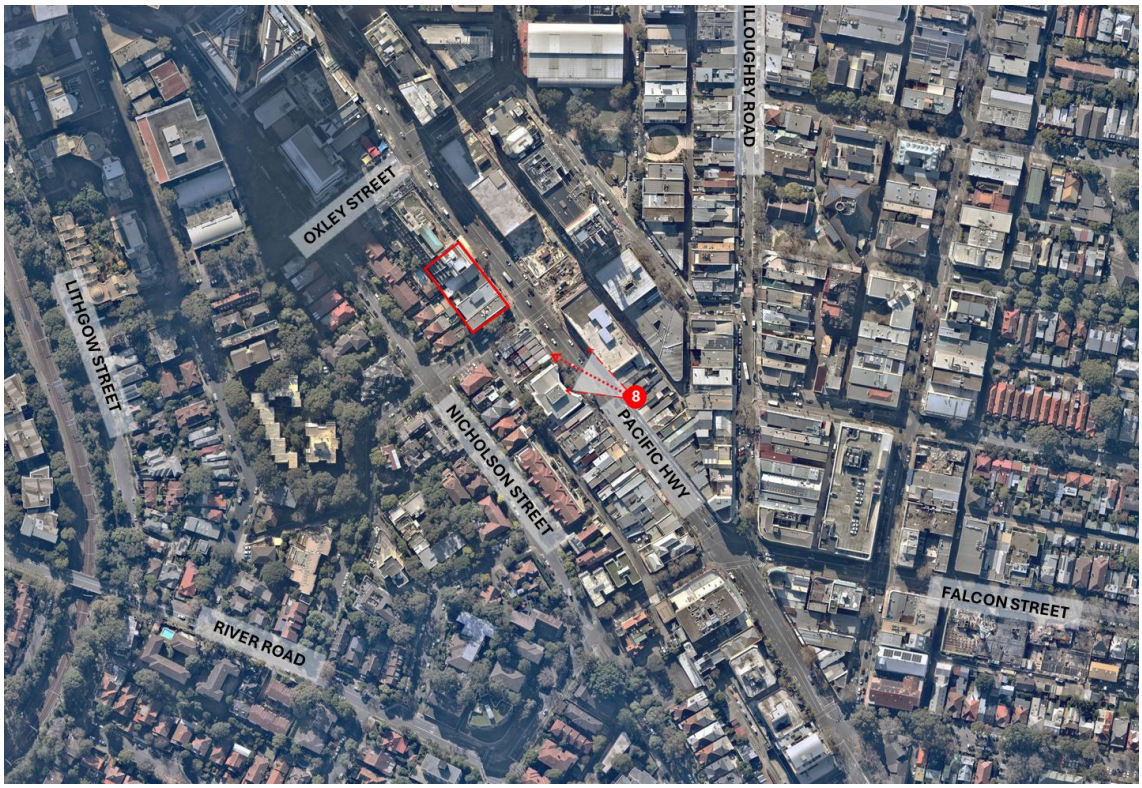

Figure 53: Viewpoint 8 Map (Source: Nearmap)


Figure 54: Viewpoint 8 - existing view (Source: Keylan)

Figure 55: Viewpoint 8- indicative view (Source: Premier 3D)

Figure 56: Viewpoint 8- indicative cumulative sketch view (Source: COX Architecture)

5.8.1 Analysis

Viewpoint 8 represents the indicative view of the development, which will be experienced by pedestrians, cyclists and motorists, travelling north-west towards the site towards the site from Pacific Highway. This close range view is approximately 100m from the site.

The proposal will be predominantly unscreened by existing buildings and will be highly visible from this viewpoint.

This view is taken from within the road reserve (footpath) and most people travelling in proximity to the viewpoint would be pedestrians, cyclists or in vehicles. Any development of the site will be highly visible from this location and, given the high traffic movement in the area, there will be a large number of viewers. The sensitivity of the viewpoint to change is considered to be high.

The photomontage indicates the future visual character and context of the area is undergoing significant transformation, and when assessed in this context the impact of change of the proposed development from this viewpoint is considered acceptable. The proposal itself will not dominate the skyline, rather, will become seamlessly integrated with the impending Crows Nest and St Leonards visual character and built form.

The sites visible from this viewpoint are identified for higher density pursuant to the TOD precinct controls. The controls applying to the sites are outlined below:

- increased maximum building height ranging between 126m – 135m for sites fronting the Pacific Highway
- increasing the FSR to 12:1 – 16.7:1 for sites fronting the Pacific Highway

When assessed in this context the impact of change of the proposed development from this viewpoint is considered to be low. The proposed development will be consistent with the emerging and future St Leonards CBD skyline.

The photomontages indicate the overall design including façade articulation and stepped podium assist in breaking up the built form, which provides visual relief.

Additional architectural and design solutions, such as the façade articulation and the stepped podium level to the rear/west, break up the visual appearance of the proposed building, further minisming the visual bulk and impacts from this viewpoint. In addition to this, the proposals high quality design, in particular the materials and finishes are considered fundamental to ensuring a positive visual and built form outcome and ultimately minimising adverse visual impacts.

Our findings

Overall, the magnitude of change from this viewpoint is considered to be **low**. The proposed built form and articulation, paired with the transforming CBD skyline, are considered to reduce the overall visual impact and ensure an acceptable outcome.

5.9 Viewpoint 9: Nicholson Street and Hume Street

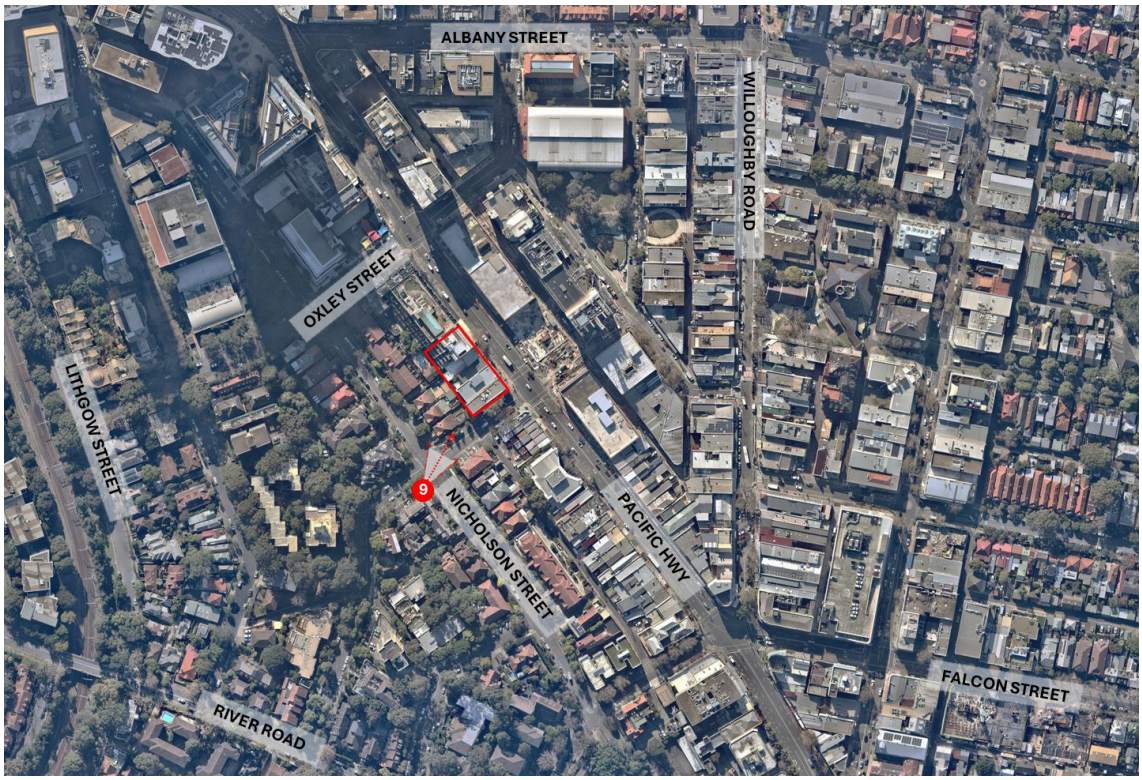

Figure 57: Viewpoint 9 Map (Source: Nearmap)


Figure 58: Viewpoint 9 - existing view (Source: Keylan)

Figure 59: Viewpoint 9- indicative view (Source: Premier 3D)

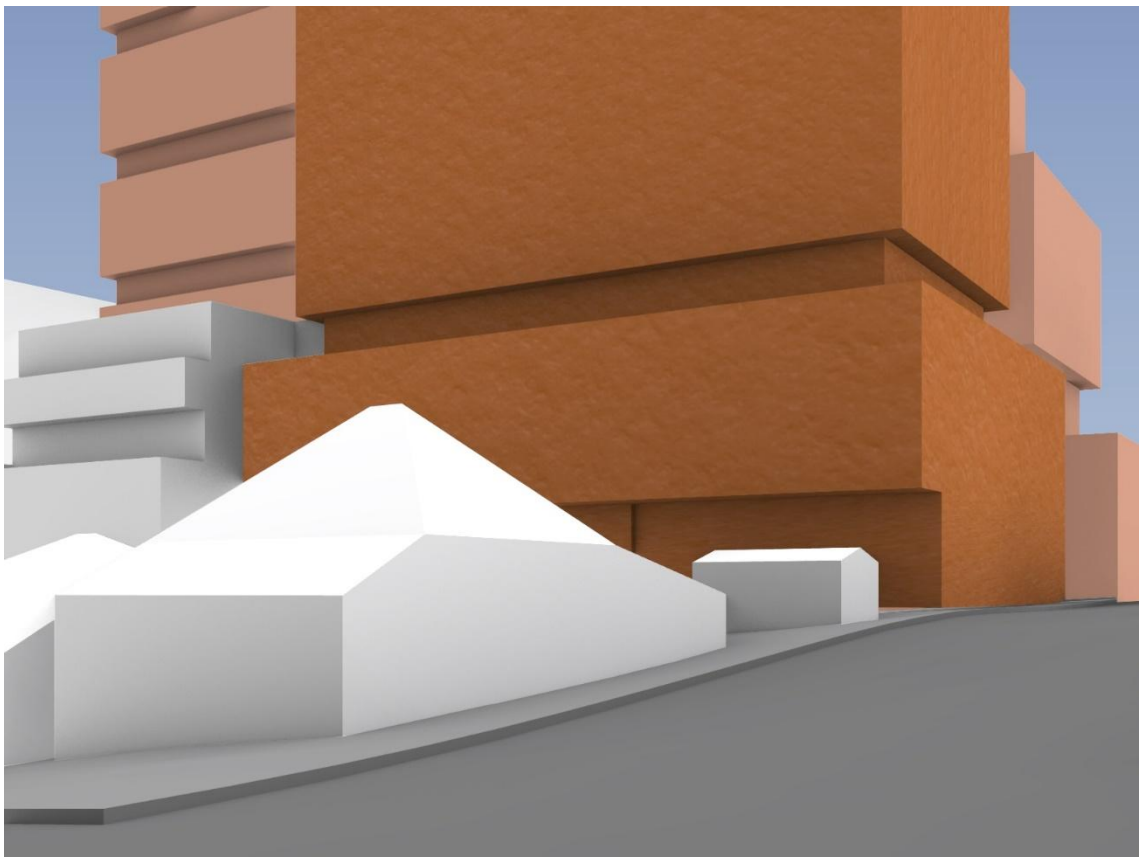

Figure 60: Viewpoint 9- indicative cumulative sketch view (Source: COX Architecture)

5.9.1 Analysis

Viewpoint 9 represents the indicative view of the development, which would be experienced by pedestrians and motorists and residents from the Hume Street and Nicholson Street intersection. This close range view is approximately 50m from the site.

The sensitivity of the viewpoint to change is considered to be medium to high. Notwithstanding, the existing view emphasises the current medium and higher density development in the background, which forms the periphery of the Pacific Highway. For these reasons, the sensitivity impact of change is considered lower.

The existing development at the site does not present as high quality development and does not provide a built form or high quality design reflective of its highly visible location.

The proposed building will be primarily unscreened by existing residential dwellings and will be generally a key focal point from this viewpoint. Given the nature of this viewpoint (topography, orientation, distance), is important to consider that any redevelopment of the site will be highly visible from this location given the close proximity.

The proposal's high quality design, particularly the stepped podium form to the rear/west and tower setback to these western dwellings are considered fundamental to ensuring a positive visual and built form outcome and ultimately minimising adverse visual impacts.

Furthermore, the implementation of street trees will partially screen and soften the visual impacts of the new building from this viewpoint.

In addition to the existing higher density development observed, the photomontages demonstrate there will also be a number of surrounding developments and approvals visible in the background. The sites within this viewpoint are subject to the following controls:

- change of land use zoning from R3 medium density residential to R4 high density residential
- increased maximum building height from 8.5m to 30m (approx. 12 storeys)
- increasing the FSR to 2.5:1

The photomontage indicates the future built form (comprising the site) will become the dominant visual elements from this viewpoint, transforming the character of the area. This area is identified in the Crows Nest Urban Design Report as the 'knuckle' of the TOD, where the building envelopes are the greatest. The built form controls adjoining the site and on the northern side of Pacific Highway are as follows:

- maximum building heights ranging from 27 to 40 storeys
- maximum FSR controls ranging from 12:1 – 16.7:1

In this context, the proposal will not be observed as an individual anomaly, rather it will be perceived as a consistent, integrated part of the Pacific Highway built form.

Our findings

The overall magnitude of change from this viewpoint is considered to be **moderate - high**. The proposed built form and design and landscape solutions, paired with the transforming CBD skyline, are considered to reduce the overall visual impact and ensure an acceptable outcome.

6 Visual impact assessment

Keylan Consulting have applied the relevant assessment criteria, as outlined in Section 5, to determine the overall level and significance of visual impacts.

The assessment criteria have been considered in relation to the visual effects and to determine a final impact rating. The weighting factors include distance of view, sensitivity, and compatibility with the cumulative built form as indicated in Section 4.

Rating	Visual Sensitivity	Visual Compatibility	Magnitude of Impact
Low	Not a sensitive receiver	Highly compatible	Little or minor change to existing views
Moderate	Moderately sensitive receiver	Moderately compatible	Partially impacted
High	Highly sensitive receivers	Not compatible	Highly / totally impacted

Table 7: Assessment Matrix

Ref.	Viewpoint Location	Visual Sensitivity	Visual Compatibility	Magnitude of Impact	Overall Rating
1	Nicholson St / Oxley St	Moderate	Low	Low	Low
2	Lithgow St	Low	Moderate	Low	Low
3	River Rd / Carlyle St	Low	Low	Low	Low
4	Nicholson St	Low - Moderate	Low	Moderate	Low - Moderate
5	Pacific Hwy/ Falcon St	Low	Low	Moderate	Low
6	Ernest Place	Moderate	Low	Low	Low
7	Pacific Hwy / Albany St	Low	Low	Low - Moderate	Low - Moderate
8	Pacific Hwy	Low	Low	Low	Low
9	Nicholson St / Hume St	Moderate - High	Moderate - High	Moderate	Moderate - High

Table 8: Visual impact assessment summary

6.1 Mitigation measures

Overall, our analysis of the visual impacts concludes that on balance the proposal will result in a low-moderate visual impact on the locality.

The findings of this analysis demonstrates that while the proposal will have an impact on views from some public spaces and from adjoining residential properties, the potential impact is deemed reasonable on the balance of considerations, such as:

- the high-quality design
- vast improvements on the existing visual character and built form and
- substantial changes to the surrounding visual context and built form, as identified in the Crows Nest TOD precinct

Cumulatively, these factors will have the effect of mitigating unacceptable and unreasonable visual impacts of the proposal.

Notwithstanding, the following mitigation measures should be considered and implemented to improve the outcome of the site from a visual impact assessment perspective:

- implement a high quality building design including articulation (as per the proposed architectural plans)
- implement a selection of high quality materials and finishes (as per the proposed architectural plans)

7 View Loss Assessment

This section undertakes a detailed view loss assessment from key private residential properties that experience view loss impacts at:

- 497-521 Pacific Highway, Crows Nest (Crows Nest OSD Site A), and
- 545 - 553 Pacific Highway, St Leonards

These sites have been assessed in accordance with correspondence (request for further information) from DPHI, as follows:

> *Update the Visual Impact Assessment to include an assessment of any potential view loss impacts as a result of the proposed development to existing views from 545 Pacific Highway, St Leonards and 521 Pacific Highway, St Leonards (Crows Nest OSD Site A). The view loss assessment should take into account the planning principles established in Tenacity Consulting v Warringah Council.*

Figure 61: Overview of sites subject to view loss assessment (Source: Nearmap)

Montages have been prepared to demonstrate the indicative cumulative views from each dot point. SSDA's and PP's under assessment, or recently approved are displayed in a light orange shade and the proposed SSDA is displayed in dark orange.

7.1 497-521 Pacific Highway, Crows Nest

497-521 Pacific Highway, Crows Nest also known as the Crows Nest Over Station Development (OSD) is located to the north-east of the site, opposing the Pacific Highway.

On the 23 December 2020, the Minister for Planning approved Concept SSDA (SSD 9579) for a mixed-use development over the approved Crows Nest Metro Station, including 3 building envelopes. A maximum building envelope height for Building A is RL175.6m to 180m.

On the 18 October 2024, DPHI issued SEARs for the detailed SSDA (SSD-75662958). The proposed development includes 3 towers, including 2 build-to-rent towers located above the existing Crows Nest Metro Station. An additional tower for affordable housing is situated at the corner of Hume Street and Pacific Highway. The proposed architectural plans are shown in the figures below.

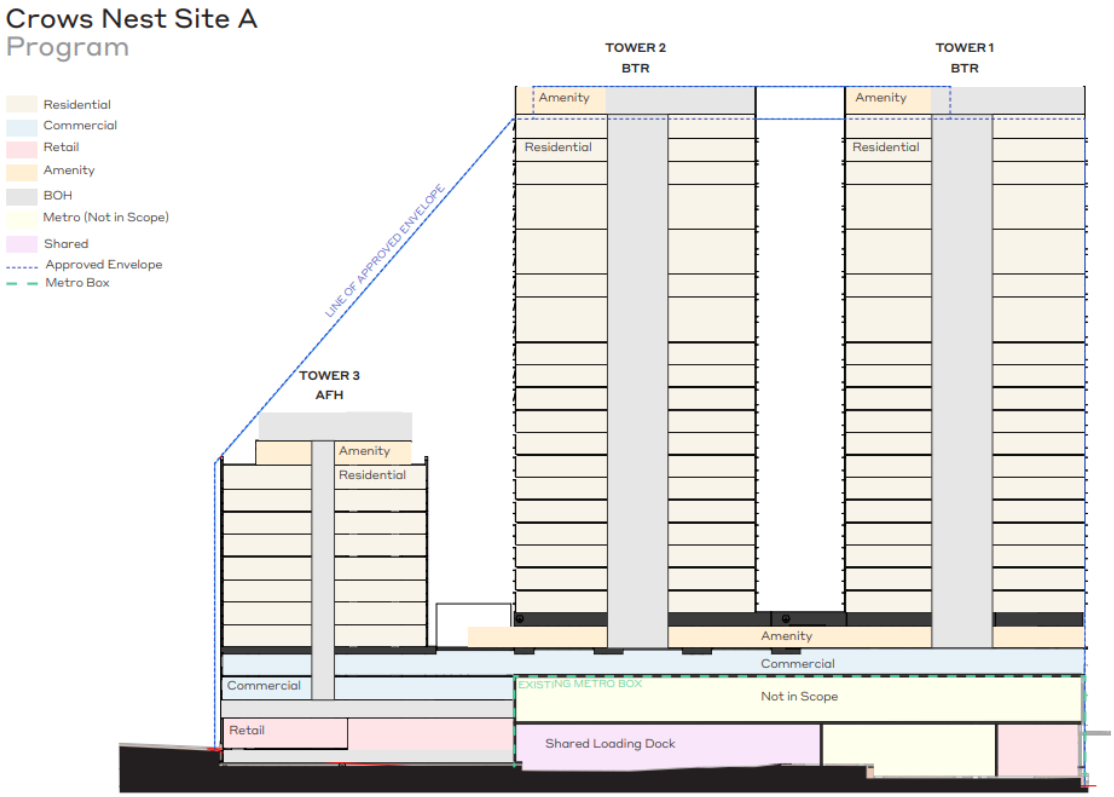

Figure 62: Crows Nest OSD Site A (Source: Woods Bagot, Major Projects Portal)

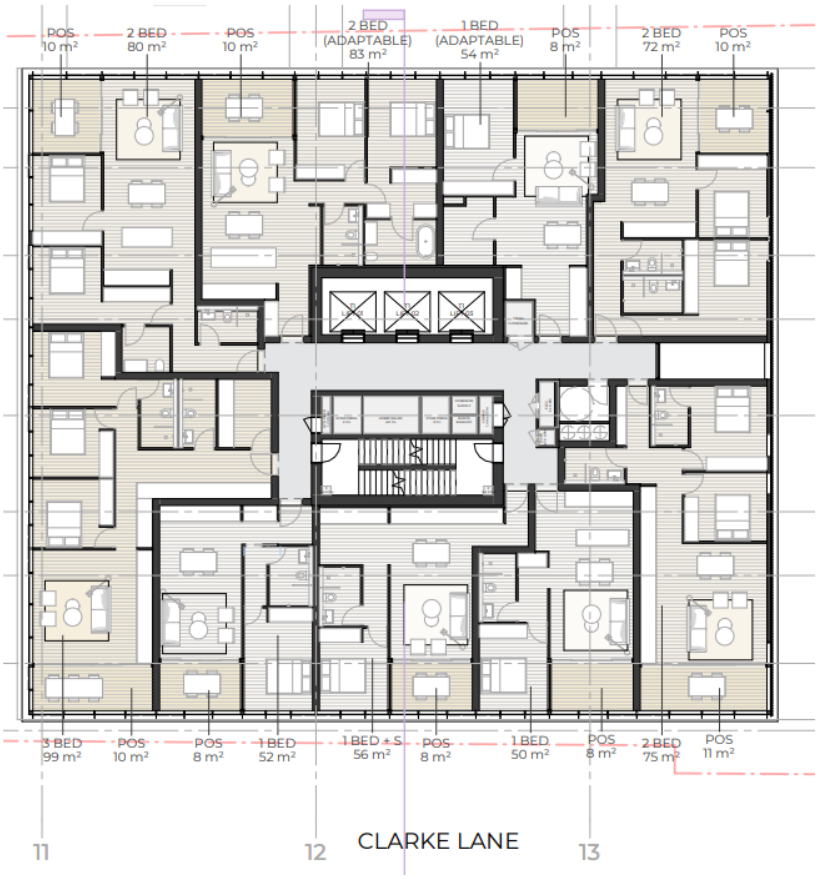

Figure 63: Indicative Floor Plate (Source: Woods Bagot, Major Projects Portal)

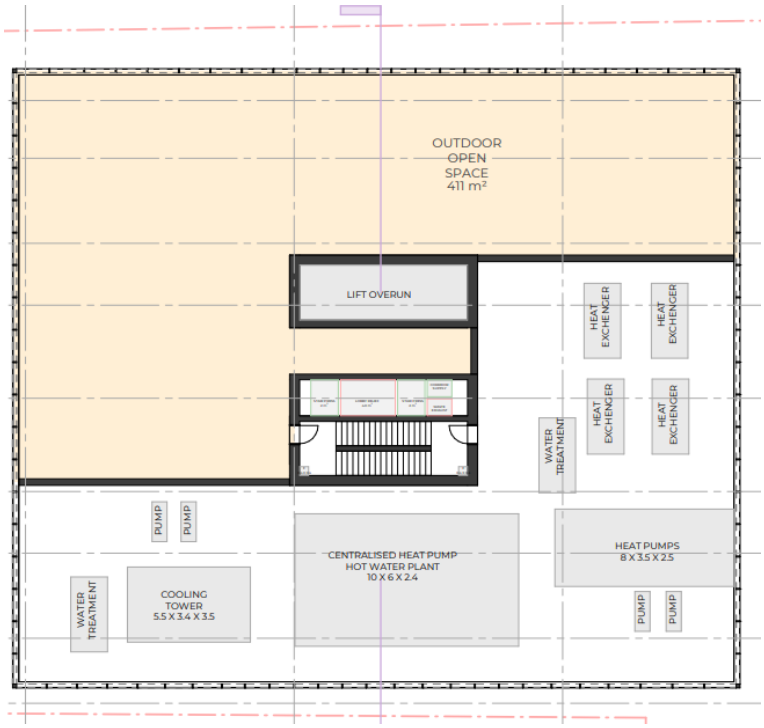

Figure 64: Indicative roof top plan BTR towers (Source: Woods Bagot, Major Projects Portal)

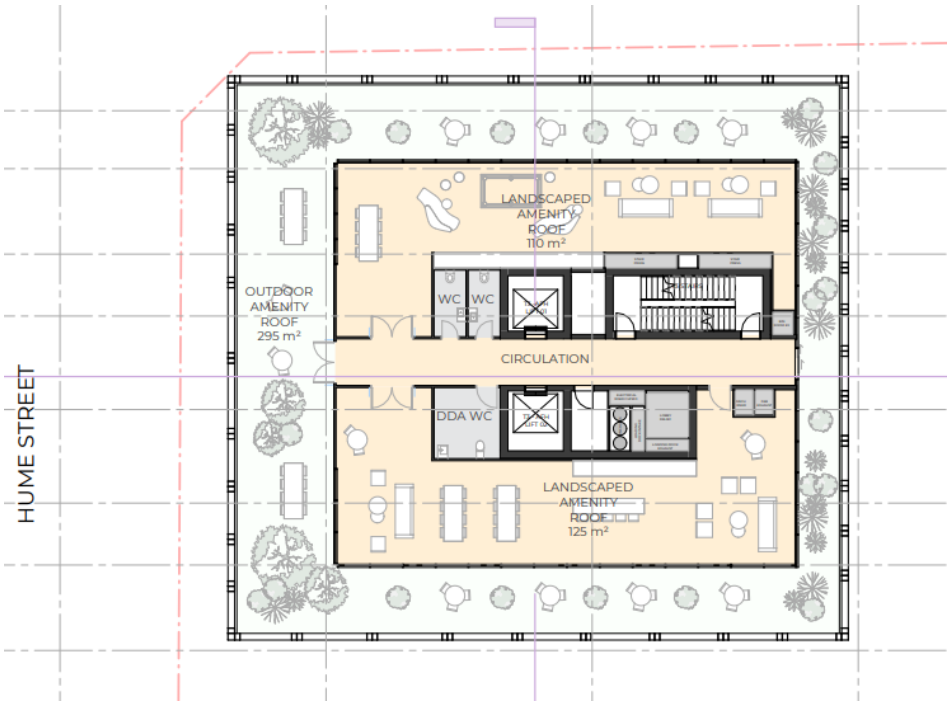

Figure 65: Indicative roof top plan AH towers (Source: Woods Bagot, Major Projects Portal)

To determine the view loss impacts from 497-521 Pacific Highway, Crows Nest, indicative massing has been prepared from to identify the views from various levels in the proposed building. These viewpoints are based from Level 20 and Level 26, at both the southeastern corner of the site and the south-western corner, as shown in Figure 66..

Figure 66: View analysis points (Source: Near Maps)

Indicative massing is provided below:

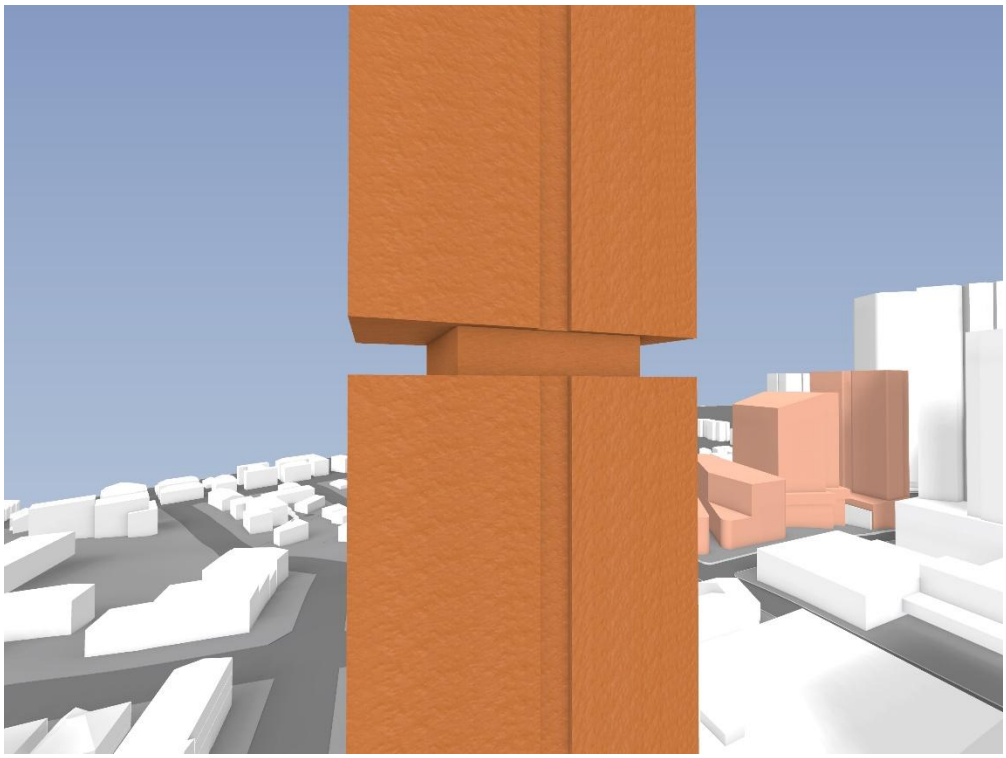

Figure 67: Indicative view from proposed OSD Site A - Level 20 (RL 160.600) (Source: COX Architecture)

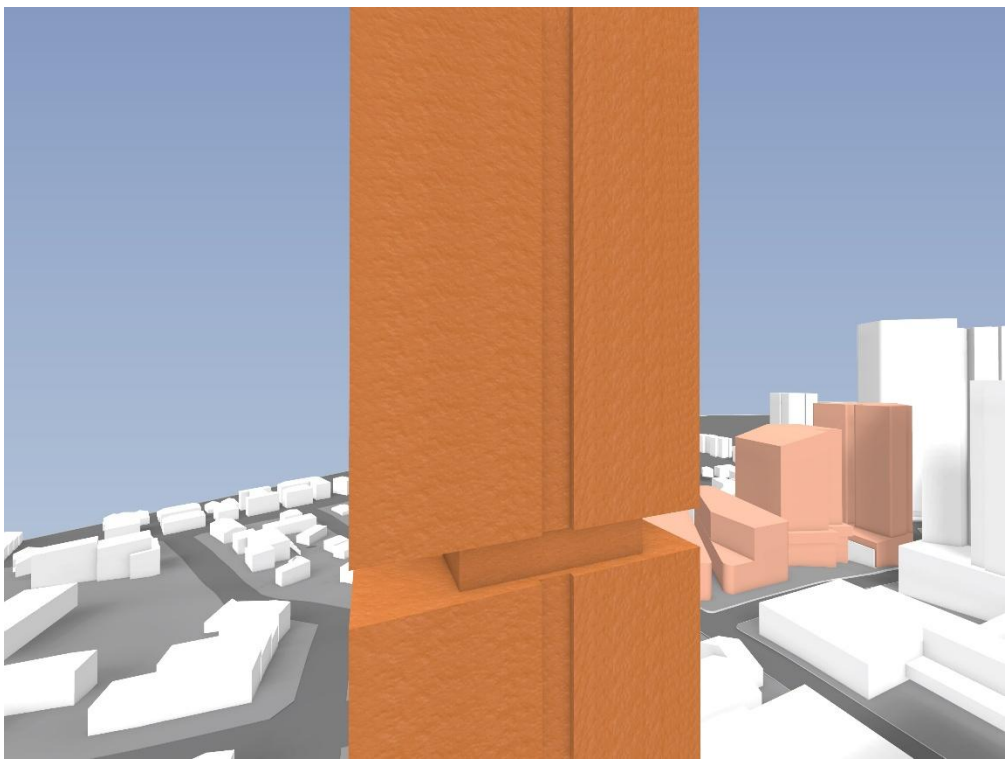

Figure 68: Indicative view from proposed OSD Site A - Level 26 (RL 179.800) (Source: COX Architecture)

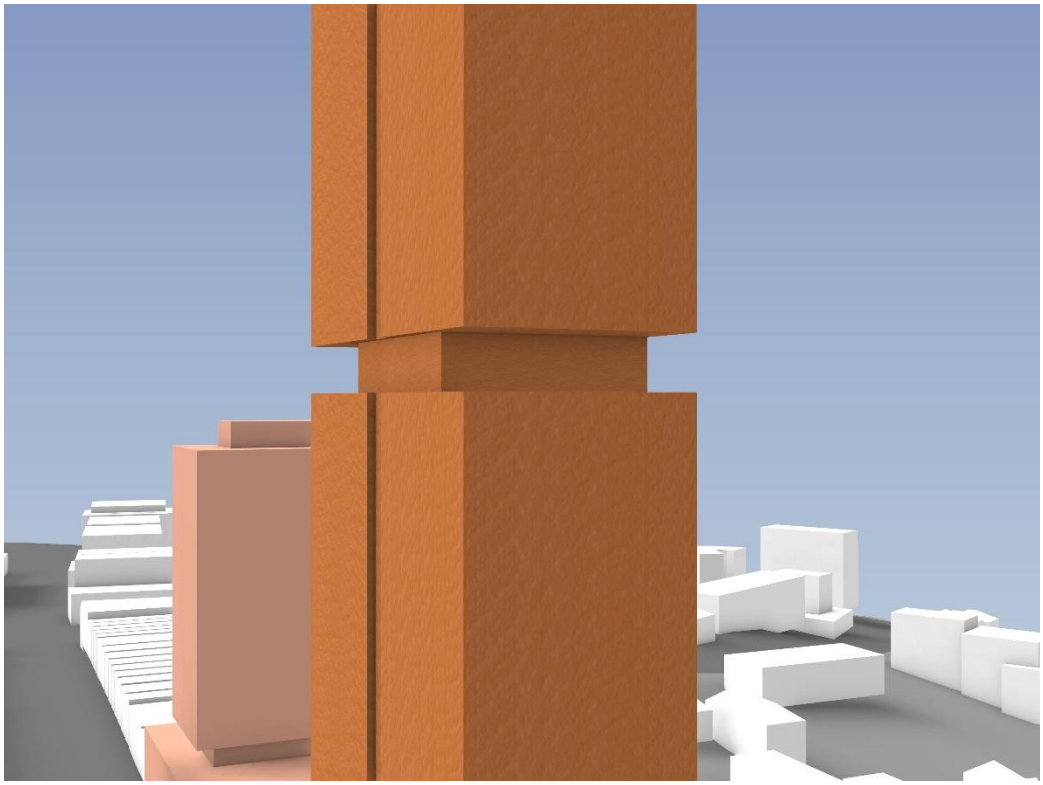

Figure 69: Indicative view from proposed OSD Site A - Level 20 (RL 160.600) (Source: COX Architecture)

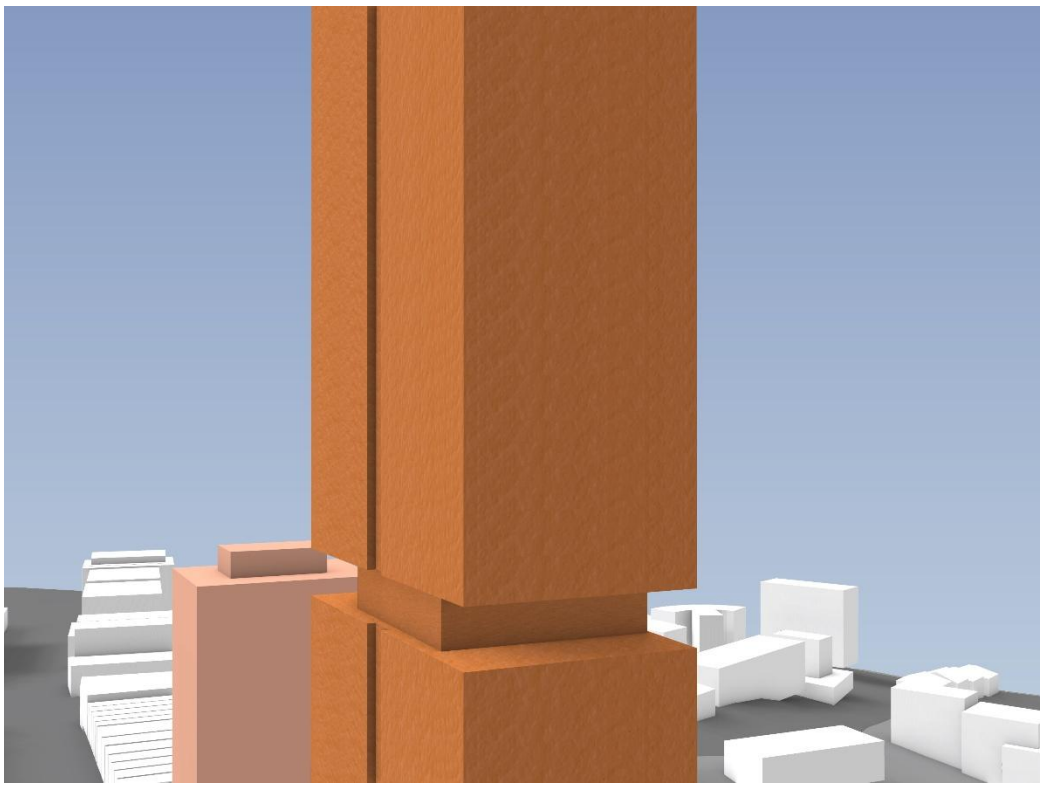

Figure 70: Indicative view from proposed OSD Site A - Level 26 (RL 179.800) (Source: COX Architecture)

An assessment against the four-step assessment from the above future residential properties is provided below.

Tenacity Assessment	Comment
Step 1 Assessment of the views to be affected	• The viewing distance expands greater than 2km in length. This is due to the site's location on the Pacific Highway ridgeline and topography of the surrounding area, which significantly falls to the south, towards the Harbour and Lane Cove River. • Views from this site are to the observed to the south, and southeast towards the Sydney Harbour and Lane Cove River. Views of the Sydney Harbour and CBD skyline are likely to be observed from this site.
Step 2 Consider from what part of the property views are obtained	• The views from Level 20 were selected as it represents a similar height that the proposed building at 378 – 398 Pacific Highway steps in for articulation (mezzanine level). • The views from Level 26 were selected as it represents the views from the highest habitable level at the Metro site, which comprises both residential units and a communal area. • These views are to the south (east and west), fronting the Pacific Highway. • These views are likely to be observed by future residents whilst sitting and standing.
Step 3 Assessment of the extent of the impact.	• As indicated in the massing models, the proposed SSD will be largely visible from these viewpoints. As shown in Figures 62 – 65, these views are from the residential unit's private open space, bedrooms and living rooms. These views are considered highly valuable due to the time residents typically spend in these areas. • It is acknowledged that the montages portray views from the south-eastern units, nearing Hume Street (Figures 67 and 68) towards the site (south-west) and to the suburbs of Wollstonecraft and Greenwich. Views from these units are likely to comprise the Lane Cove River and surrounding residential dwellings, which are not considered a highly significant view. • When oriented to the south-east, residents of these units should have views towards the Sydney CBD skyline and Harbour, these views are considered highly significant. • These iconic views are not likely to be interrupted as a result of the proposal. This is due to the proposed site, being located further to the south-west. • Views from the south-western units (Figures 69 and 70) towards the site are oriented to the south-east. Beyond the site, views are likely to comprise the North Sydney CBD, Sydney CBD skyline and the Sydney Harbour. • Given the proximity of the proposed building from these viewpoints, view loss impacts are likely to occur. • The montages demonstrate that views to the east, along Pacific Highway will be retained. • Significant views to the south-east of the proposed building will also be retained. These views are likely to be towards the Sydney CBD skyline and further to the south will be the Harbour.

Tenacity Assessment	Comment
	• Views towards the Lane Cove River and suburbs of Wollstonecraft and Greenwich from these units will not be impeded or blocked by the proposed building.
Step 4 Assessment of the reasonableness of the proposal that is causing the impact	• As noted, the surrounding area is subject to the recent TOD accelerated precinct controls. In this context, the visual streetscape is set to change and undergo significant transformation, of which, the proposed SSDA will be consistent with. Over time, the potential views from the proposed Crows Nest OSD building will significantly alter. • The proposed SSD is largely consistent with the relevant planning controls within the LEP and the *Crows Nest Transport Oriented Development Precinct Design Guide*. By complying with these controls, the proposed building will result in a good built form outcome, having a reasonable impact on view loss in this regard. • It is important to consider, that given the nature of this viewpoint (topography, orientation and separation distance) any redevelopment of the subject site will be highly visible from this location. • The proposal's articulation and stepped form (Level 20) are considered fundamental to ensuring a positive visual and built form outcome providing a visual relief and ultimately minimising adverse amenity and view loss impacts to the metro site. • Due to the expansive viewing distance from the metro building, the proposal is not expected to entirely impede or obscure a significant view currently obtained from the viewpoint.

Table 9: View loss assessment - Crows Nest OSD

Our assessment concludes that given the proximity of the proposed development at 378-398 Pacific Highway from these viewpoints, view loss from the future residential units at 497-521 Pacific Highway, Crows Nest is likely to occur.

Notwithstanding, these impacts are minimised by the design and articulation of the proposal and are considered acceptable in the future context of the area (pursuant to the Crows Nest TOD). Therefore, the view loss is categorised as moderate.

7.2 545 - 553 Pacific Highway, St Leonards

To determine the view loss impacts from 545 - 553 Pacific Highway, St Leonards indicative massing has been prepared to identify the views from the northern and eastern elevation at Level 16. Indicative massing is provided below:

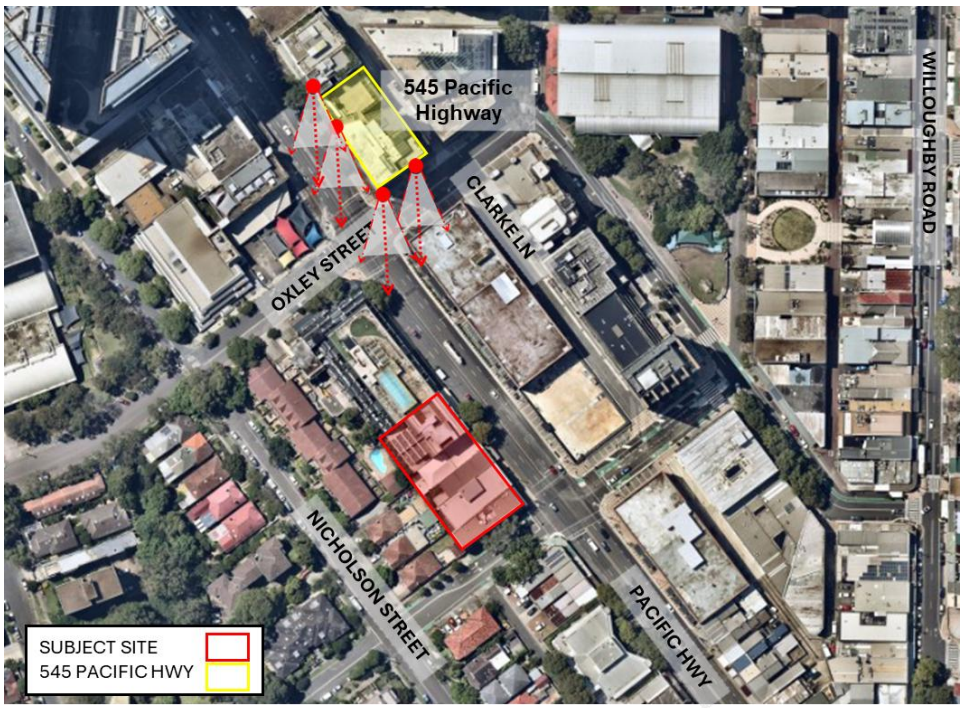

Figure 71: View analysis points (Source: Near Maps)

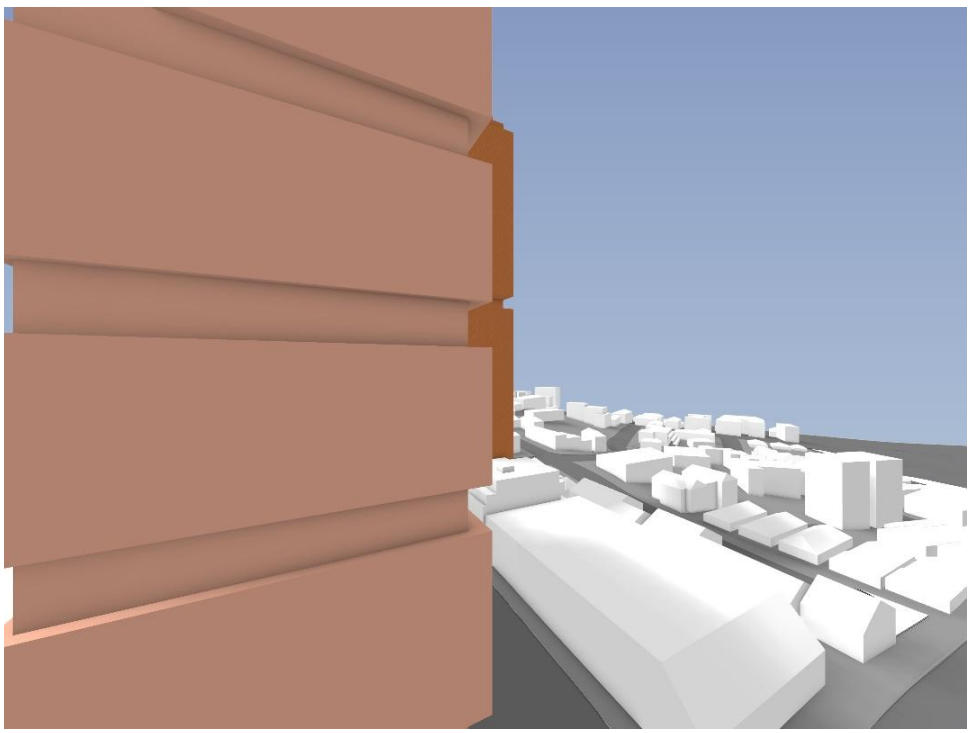

Figure 72: Eastern elevation, fronting Oxley Street - Level 16 (Source: COX Architecture)

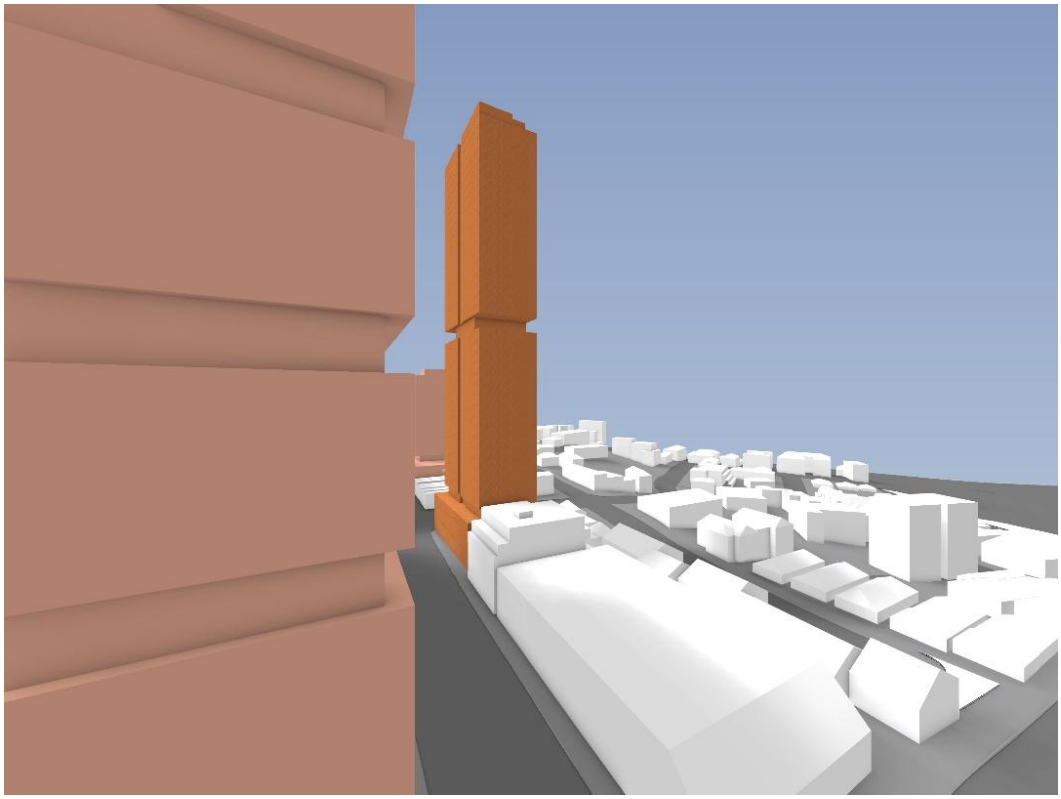

Figure 73: Eastern elevation, fronting Oxley Street - Level 16 (Source: COX Architecture)

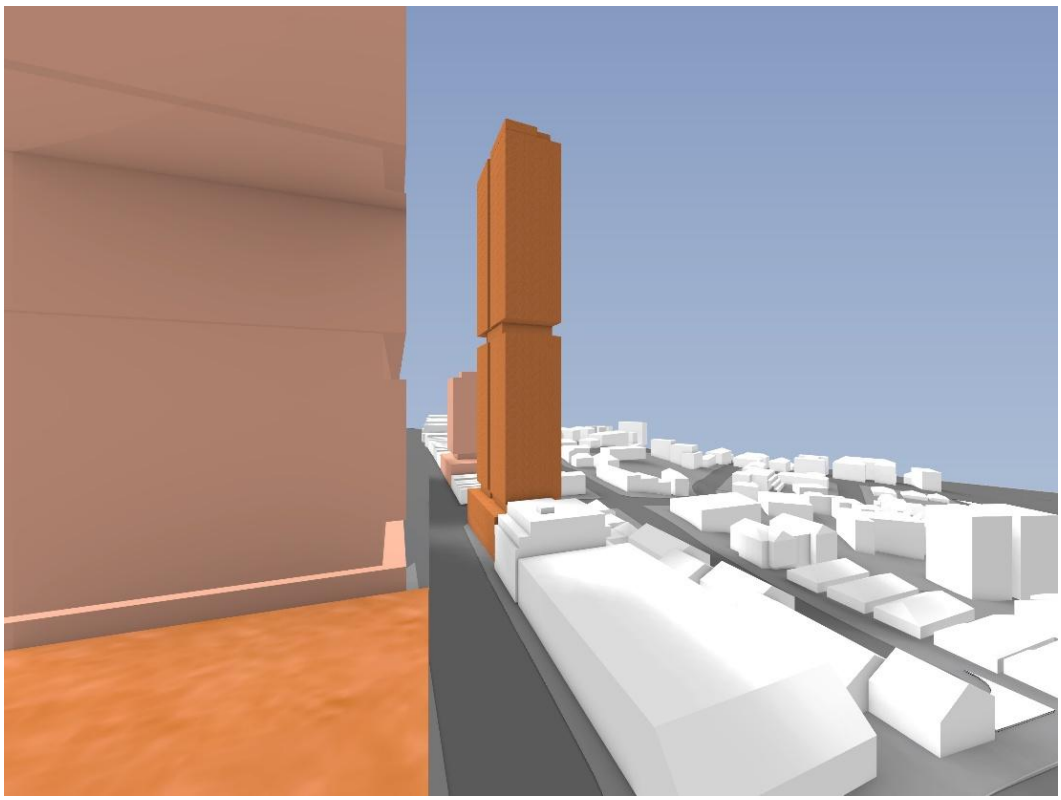

Figure 74: Southern elevation, fronting Pacific Highway - Level 16 (Source: COX Architecture)

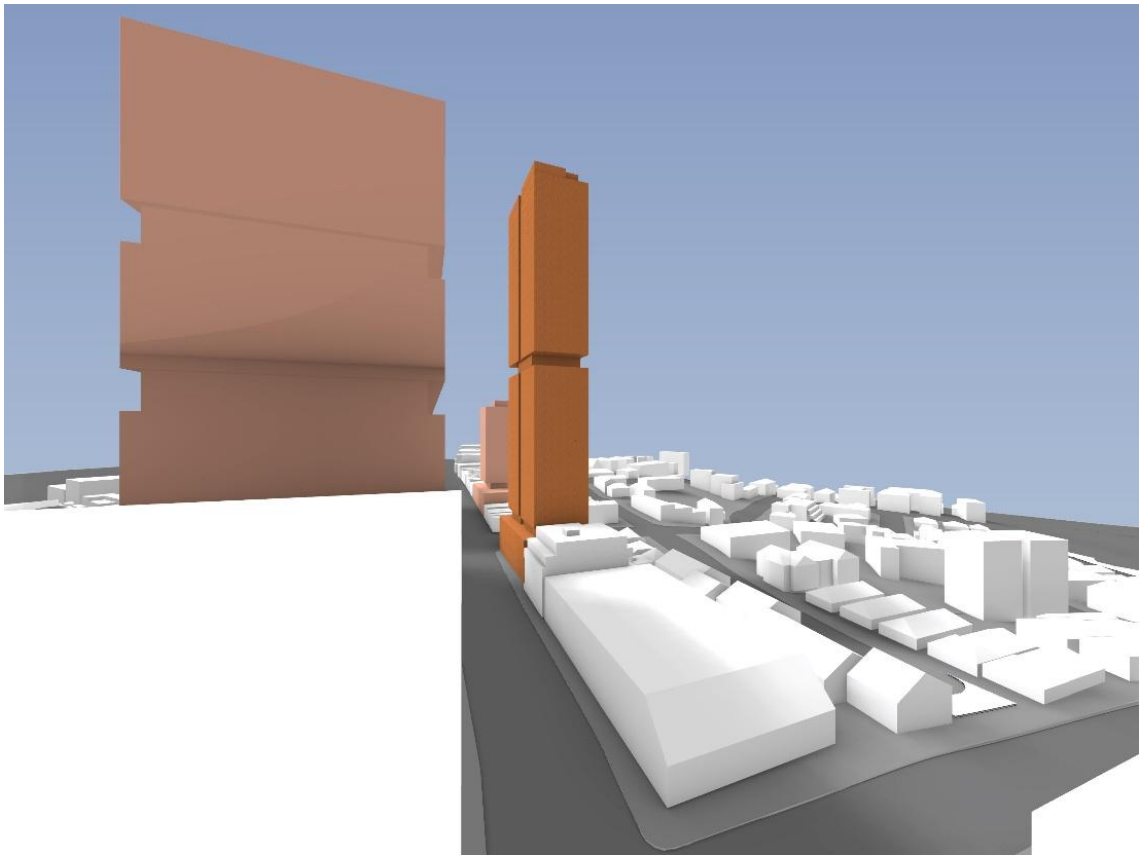

Figure 75: Southern elevation, fronting Pacific Highway - Level 16 (Source: COX Architecture)

An assessment against the four-step assessment from the above residential properties is provided below.

Tenacity Assessment	Comment
Step 1 Assessment of the views to be affected	• The viewing distance expands greater than 2km in length. This is due to the sites location on the Pacific Highway ridgeline and topography of the surrounding area, which significantly falls to the south, towards the Harbour and Lane Cove River. • Views from this site are to the observed to the south, and southeast towards the Sydney Harbour and southwest towards the Lane Cove River. • Views of the Sydney Harbour and CBD skyline are likely to be observed from this site.
Step 2 Consider from what part of the property views are obtained	• The viewpoints from this site were selected to represent the views from the residential units on the top floor (Level 16) from units fronting Oxley Street (facing south-east) and units fronting Pacific Hwy. • These views are likely to be observed by residents whilst sitting and standing.
Step 3 Assessment of the extent of the impact.	• As indicated in the massing models, the proposed SSD will be largely visible from majority of the viewpoints. As shown in Figures 72 – 75, these views are from the residential unit's private open space and habitable rooms.

Tenacity Assessment	Comment
	• These views are considered highly valuable due to the time residents typically spend in these areas. • As shown in Figure 72, the proposed Crows Nest Metro OSD (Site A) considerably obscures views from the residential units facing east on Oxley Street. Views from this residential unit to the south and south-west remain visible and are not blocked by the proposal. Therefore, from this viewpoint, the proposal has negligible impact. • Figures 73 and 74 represent the views from the units nearing the corner of Oxley Street and Pacific Highway. When oriented to the south-east, residents of these units should have views towards the Sydney CBD skyline and Harbour, which are not likely to be entirely interrupted as a result of the proposal. • Views from the south-western units (Figures 69 and 70) towards the site are oriented to the south-east. Beyond the site, views are likely to comprise the North Sydney CBD, Sydney CBD skyline and the Sydney Harbour. • The montages (Figures 74 and 75) demonstrate that views to the east, along Pacific Highway will be retained. • It can be seen that the adjoining, proposed Crows Nest Metro OSD largely obscures a significant portion of the view lines. • Views towards the Lane Cove River and suburbs of Wollstonecraft and Greenwich from these units will not be impeded or blocked as a result of the proposal.
Step 4 Assessment of the reasonableness of the proposal that is causing the impact	• The proposed SSD is largely consistent with the relevant planning controls within the LEP and the *Crows Nest Transport Oriented Development Precinct Design Guide.* By complying with these controls, the proposed building will result in a good built form outcome, having a reasonable impact on view loss in this regard. • As noted, the surrounding area is subject to the recent TOD accelerated precinct controls. In this context, the visual streetscape is set to change and undergo significant transformation, of which, the proposed SSDA will be consistent with. Over time, the potential views from the proposed Crows Nest OSD building will significantly alter. • It is important to consider, that given the nature of this viewpoint (topography, orientation, distance) any compliant redevelopment of the site will be highly visible from this location. • Given this, the proposal's design particularly, the articulation of the building's facades and notably the stepped form (Level 20) are considered fundamental to ensuring visual relief and built form outcome and ultimately minimising adverse amenity and view loss impacts to the metro site. • As noted, views towards the Lane Cove River and suburbs of Wollstonecraft and Greenwich from these units will not be impeded as a result of the proposal, ensuring the reasonable retention of these views.

Table 10: View loss assessment - 545 - 553 Pacific Highway, St Leonards

Our assessment concludes that the proposed development at 378- 398 Pacific Highway will likely result in minor view loss for some residential units at 545 - 553 Pacific Highway, St Leonards.

Notwithstanding, these impacts are minimised due to the adjoining (proposed) Crows Nest OSD, which considerable obscures views, as well as the proposed design and articulation of the proposal. As such, the view loss impacts are considered acceptable in the future context of the area (pursuant to the Crows Nest TOD) and is categorised as moderate.

8 Conclusion

The proposed mixed-use development at 378-398 Pacific Highway, Crows Nest will result in a low - moderate visual impacts on both existing and future surrounding context and moderate view loss impacts from neighbouring residential properties.

Following a detailed analysis of the proposal, our analysis in this VIA and VLA has determined the following:

- the immediate visual character and built form is undergoing significant transition to high-density mixed-use development, in this context, the proposed development is consistent with and complements the emerging visual character
- the proposed development implements a high-quality design, including considerate materials, finishes and articulation to minimise impact on the visual quality of the surrounding area
- the proposed development is consistent with the Crows Nest TOD rezoning proposal and will become an integrated part of the broader St Leonards and Crows Nest CBD

This report concludes that the proposed mixed-use development is suitable and warrants approval subject to the implementation of the following mitigation measures.

- implement a high-quality building design including articulation (as per the proposed architectural plans)
- implement a selection of high-quality materials and finishes (as per the proposed architectural plans)
- planting of trees where practicable (as per the proposed landscape plans)

Appendix 1: Surrounding relevant approvals

Application Number	Proposal	Address	Zone	Height	FSR	Status
Planning Proposals						
PP-2023-92	Increase the maximum building height and maximum floor space ratio to facilitate a high density mixed-use development on the site	601 Pacific Highway, St Leonards	E2 Commercial Centre	Previous: 49m Approved: Approx. 171.5m	Previous: N/A Approved: 20:1.	Gateway decision – Approved (02/04/2024)
PP-2021-7169	Increase maximum building height, introduce a maximum Floor Space Ratio (FSR) control	360 Pacific Highway, Crows Nest	MU1 Mixed Use	Previous: 10m Approved: Approx. 163.8	Previous: 0.5:1 Approved: 5.5:1	Approved (01/03/2023)
PP-2021-7451	Increase the maximum height of buildings, introduce an FSR control of and increase the minimum non-residential FSR	391-423 Pacific Hwy, 3-15 Falcon St and 8 Alexander St, Crows Nest (Five Ways Triangle)	MU1 Mixed Use	Previous: 16m Approved: 62.5m	Previous: 0.5 Approved: 2.5:1	Approved (03/03/2023)
PP-2021-6564	Increase the maximum Height of Buildings and impose a maximum FSR for future redevelopment as a 13-storey commercial office building.	270-272 Pacific Highway, Crows Nest	MU1 Mixed Use	Previous: 16m Approved: 54m	Previous: N/A Approved: 5.6:1	Approved (17/06/2022)
PP-2020-229	Increase the building height and introduce a maximum overall floor space ratio control	545 - 553 Pacific Highway, St Leonard's	MU1 Mixed Use	Previous: 26m Approved: 50m	Previous: N/A Approved: 6.6:1	Approved (14/11/2022)

Application Number	Proposal	Address	Zone	Height	FSR	Status
State Significant Development Applications						
SSD 9579	A concept State Significant Development Application for over station development at the approved Crows Nest Station, Crows Nest, comprising three buildings of 21 storeys (Building A), 17 storeys (Building B) and 9 storeys (Building C).	477-521 Pacific Highway and 14 Clarke Street, Crows Nest	MU1 Mixed Use	Previous: 10-20m Approved: 132-188m	N/A	Approved – 23 December 2020
SSD-13852803	Design and construction of a nine storey commercial building at Crows Nest OSD Site C.	14 Clarke Street, Crows Nest	MU1 Mixed Use	Previous: RL127 Approved: RL127	Previous: 6:1 Proposed: 5.1:1	Approved (17/12/2021)
SSD-66826207	Construction of 22 storey shop-top housing building, including in-fill affordable housing and seven basement levels for parking.	Five Ways, Crows Nest	MU1 Mixed Use	Existing: 16m Proposed: 54m	Existing: N/A Proposed: 5.6:1	Under assessment-
SSD-61400212	Proposed over station mixed use and residential development comprising of 131 residential units and ground floor retail and commercial spaces at Crows Nest OSD Site B.	477 Pacific Highway, 479 Pacific Highway, 491-495 Pacific Highway, Crows Nest	MU1 Mixed Use	Existing: 10m Proposed: RL155	Existing: N/A Proposed: 8:1	Under preparation
Development Applications						
DA 193/23	Construction of a 13-storey commercial building with basement parking for 182 vehicles and 21 motorcycles	270 – 272 Pacific Highway, Crows Nest	MU1 Mixed Use	Existing: 16m Proposed: 54m	Existing: 5.6:1 Proposed: 6.02:1	Deemed Refusal (11/09/2023) – Appeal Lodged

Application Number	Proposal	Address	Zone	Height	FSR	Status
DA 294/22	Construction of a 13-storey mixed-use building comprising ground floor and level 1 commercial tenancies and residential accommodation above comprising a total of 61 units	286-294 Pacific Highway, Crows Nest	MU1 Mixed Use	Existing: 16m Proposed: 53.77m	Existing: N/A Proposed: 4.24:1	Rejected by DRP (10/10/2022)
DA 79/2022 (Lane Cove)	Construction of 3 residential flat buildings ranging between 12 storeys to 19 storeys, including: - 232 residential dwellings (211 apartments and 21 townhouses) and the construction of four basement levels with 309 car spaces	4-8 Marshall Avenue, 1-5 Canberra Avenue, and 2-8 Holdsworth Avenue, St Leonards	R4 High Density Residential	Existing: 44-65m Approved: 44-65m	Existing: 3.55:1 – 3.85:1 Approved: 3.37:1 – 3.85:1	Approved (09/10/2023)