

Visual Impact Assessment

Waterloo Mixed Use Development

881-885 Bourke Street, Waterloo

Submitted to NSW Department of Planning, Housing and
Infrastructure

on behalf of Waterloo Property Pty Ltd as trustee for Waterloo
Property Unit Trust



Prepared by Ethos Urban, a Colliers
Company.

29 September 2025 | 2240721



'Gura Bulga'

Liz Belanjee Cameron

'Gura Bulga' – translates to Warm Green Country. 'Dagura Buumarri' – translates to Cold Brown Country. Representing New South Wales.



'Dagura Buumarri'

Liz Belanjee Cameron

'Dagura Buumarri' – translates to Cold Brown Country. Representing Victoria.



'Gadalung Djarri'

Liz Belanjee Cameron

'Gadalung Djarri' – translates to Hot Red Country. Representing Queensland.

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

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

In supporting the Uluru Statement from the Heart, we walk with Aboriginal and Torres Strait Islander people in a movement of the Australian people for a better future.

In March 2025, Ethos Urban took a major step toward future growth by partnering with leading professional services firm, Colliers. While our name evolves, our commitment to delivering high-quality solutions remains unchanged—now strengthened by broader access to property and advisory services and expertise.

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Executive summary

Waterloo Property Pty Ltd as trustee for Waterloo Property Unit Trust (**Waterloo Property**) has submitted a State significant development application (SSDA) (SSD-80441462) and concurrent rezoning proposal (**the rezoning**) (together referred to as **the application**) to the NSW Department of Planning, Housing and Infrastructure (the Department) to enable renewal of land located at 881-885 Bourke Street, Waterloo, NSW (**the site**) for the purposes of mixed use development known as the 'Waterloo Mixed Use Development' (**the proposal**).

Ethos Urban in collaboration with Virtual Ideas and CMS Surveyors has prepared this visual impact assessment (**VIA**) to support this SSDA. The purpose of this VIA is to determine whether the proposal has an acceptable visual impact through address of relevant secretary's environmental assessment requirements (SEARs) and concurrent rezoning proposal requirements issued by the Department on 5 March 2025 (refer table below). An acceptable visual impact is where:

- the proposal does not have the potential for significant visual impact, or
- where the proposal does have the potential for significant visual impact, it is consistent with relevant parts of planning framework (including broader, relevant environmental planning grounds) or can be appropriately mitigated to achieve consistency with relevant parts of the applicable planning framework.

The site and its context

The site is large 2.15ha (approx.) and strategically located 3km (approx.) south of the Sydney CBD adjoining Bourke Street near the northern gateway to the Green Square Urban Renewal Area (Green Square) and within the Eastern Economic Corridor. It is well served by mass transit, being 850m (approx.) to the east of Waterloo (metro) Station, and 1km north of Green Square Station. Adjoining and surrounding land has either or is in the process of being predominantly renewed for larger scale, medium and higher rise, high density residential focussed mixed-use development.

Planning framework

As a SSDA and concurrent rezoning, the proposal is to demonstrate strategic merit and site-specific merit considered against the planning framework, including key government planning priorities, the strategic planning framework, and relevant environmental planning instruments.

Key VIA issues

Based on the planning framework, the key issues to be considered by the VIA are:

- **Context and urban form:** responsiveness to context, and compatibility with urban form
- **Character:** responsiveness to existing valued visual characteristics including scenic and cultural landscapes, and consistency with desired future visual character
- **View corridors:** impact on important public view corridors
- **Scale:** height and bulk of buildings, including proportions, and the location of towers
- **Amenity:** impact on visual amenity, in particular public domain visual amenity
- **Design:** demonstration of design excellence.

Method

The VIA has been undertaken generally in accordance with the principles of the 'Guidelines for Landscape and Visual Impact Assessment – Third Edition' (GLVIA3) (Landscape Institute; I.E.M.A., 2013), as adjusted to better align with the NSW planning system under the Environmental Planning and Assessment Act 1979 (EP&A Act). To inform the VIA, photos showing the existing visual environment and survey aligned photomontages showing the likely future visual environment prepared in accordance with the Land and Environment Court of NSW 'Use of Photomontages and Visualisation Tools' (17 May 2024) were prepared for 6 key viewpoints representing key aspects of the pattern of viewing in the surrounding primary visual catchment.

Visual analysis

The primary visual catchment includes parts of the adjoining suburbs of Waterloo and Redfern, and in particular adjoining streets such as Bourke Street, and Young Street.

The general pattern of viewing in the primary visual catchment can be considered to be travelers on roads, in particular Bourke Street, in the close range, residents in the close range to the east, and residents in the medium range to the north, south, east and west.

Visual impact assessment

Under the GLVIA3, a key step is to determine whether the proposal has the potential for significant visual impact informed by judgements about the sensitivity of the primary visual catchment to the nature of change proposed, and the magnitude of the nature of change proposed.

Mainly due to an appreciation of the nature of Green Square as a major planned growth areas and the visibility of existing larger scale and taller buildings, the overall sensitivity of the primary visual catchment to the nature of change proposed is low – moderate.

Due to the site currently being vacant and the inherent nature of larger scale and taller buildings, the overall magnitude of the nature of change proposed is high. However, this is variable based on the characteristics of viewpoints.

The significance of visual impact has been qualitatively assessed as:

- **Viewpoint 1 – Corner of Young and Danks Street:** moderate to high significance of visual impact
- **Viewpoint 2 – Bourke Street:** low to moderate significance of visual impact
- **Viewpoint 3 – Wellington Street:** moderate significance of visual impact
- **Viewpoint 4 – Corner of Zamia and Kepos Street:** low to moderate significance of visual impact
- **Viewpoint 5 – Crown Park:** low significance of visual impact
- **Viewpoint 6 – Corner of Bourke and Danks Street:** low to moderate significance of visual impact.

As the threshold is a single finding of high significance, the proposal has the potential for significant visual impact. However, the potential for a significant visual impact is not determinative of an unacceptable visual impact. Rather, this is determined by having regard to the planning framework and mitigation measures.

Assessment against the planning framework

Assessment against the planning framework has shown that in terms of broader planning ground, the proposal

- furthers the objects of the EP&A Act 1979, including promoting ecologically sustainable development in particular through promoting intergenerational equity as it relates to access to housing
- is consistent with the National Housing Accord and current government planning priorities, it delivers a greater amount and choice of new homes, including more affordable homes in a BTR arrangement
- is consistent with the strategic planning framework and section 9.1 directions, it is consistent with locating new homes in well located parts of the exiting urban area, in this instance the Green Square Urban Renewal Area
- is consistent with section 4.15 of the EP&A Act, the site is highly suited to the proposal due to its large size which enables impacts to be better managed without unacceptable adverse impact on other land, and strategic location accessible to multiple mass transit stations, adjacent to a trunk bus routes, and potentially served in the future by light rail
- is consistent with section 3.33 of the EP&A Act and the supporting Guidelines, it responds to the evolving local planning context throughout Greater Sydney.

Assessment in relation to the key issues to be considered by the VIA shows:

Context and urban form

- is responsive to its strategic context, including being consistent with Greater Sydney's prevailing centres urban form, and strengthens the polycentric urban form of this part of the Eastern Economic Corridor, and Green Square
- is responsive to its local context, including locating greatest height away from HCAs and adjoining Bourke Street as a key road and public transport

Character

- is consistent with the existing and emerging prevailing visual character of this part of Green Square dominated by larger scale, higher rise, residential focussed mixed use buildings, and finer grain visual elements such as being built to adjoining street alignments

View corridors

- does not impact designated important public view corridors, will demarcate the important Bourke Street and Danks Street corner as part of the northern gateway visual sequence into Green Square, and will enhance the termination of the Potter Street visual axis

Scale

- has a height and bulk compatible with nearby and other buildings in Green Square, with the taller tower having a height aligned with that emerging in Sydney's growth areas in response to the housing crisis and a well-proportioned, vertically emphasised, slender form

Amenity

- enhances the amenity of the area generally, and specifically the public domain through measures such as a permeable network of public spaces, deep soil plantings, active and high quality street frontages, street walls that mediate the visual impact of taller buildings, well separated buildings, and an overall distinct, varied but visually cohesive composition

Design

- exhibits design excellence, including through tangible reference to the site and areas former industrial character through materiality and colour.

Mitigation measures

The VIA has found that primary design measures related to siting, scale, form and massing, and design adequately mitigate the visual impact of the proposal. As such, additional fundamental or large-scale mitigation measures are not considered necessary. Secondary mitigation measures such as specifying materiality or colours may be appropriate where they form part of relevant and reasonable conditions of development consent.

Conclusion

While acknowledging that the proposal will have a visual impact, overall on the balance of relevant considerations this impact is considered acceptable. As such, it is the conclusion of the VIA that the proposal can be supported on visual impact grounds.

Glossary

Table 1 Glossary

Abbreviation or term	Meaning
Active frontage	Street frontages where there is an active visual engagement between those in the street and those on the ground floors of buildings. Frequent building entries that face and open towards the street, transparent street frontages, quality materials and refined details, and mixed land uses will make streets more diverse and attractive for pedestrians and increase the perception of safety and encourage higher levels of pedestrian activity (Sydney Development Control Plan 2012)
ADG	Apartment Design Guide
Application	State significant development application (SSD-80441462) and concurrent rezoning proposal
Architectural character	Includes massing, articulation, composition of building elements, material use and details including building entrances, fenestration, balconies and balustrades, awnings, planters, pergolas, boundary walls, fences etc (Sydney Development Control Plan 2012)
Character	Is what makes one neighbourhood distinctive from another. It is the way a place 'looks and feels'. It is created by the way built and natural elements in both the public realm and private domain interrelate with one another, including the interplay between buildings, architectural style, subdivision patterns, activity, topography and vegetation (Planning Circular PS 21-026, NSW Government, 2021)
Contributory buildings	Buildings that make an important and significant contribution to the character of a heritage conservation area of heritage streetscape and have a reasonable to high degree of integrity and date from a key development period of significance. Contributory buildings are defined as buildings which are from a significant historical period layer, highly or substantially intact or significant historical period layer, altered yet recognisable and reversible (Sydney Development Control Plan 2012)
Council	City of Sydney Council
Department	NSW Department of Planning, Housing and Infrastructure
EIS	Environmental impact statement
Elements	Individual parts which make up the landscape, such as, for example, trees, hedges and buildings (GLVIA3, Landscape Institute and IEMA, 2013)
Feature	Particularly prominent or eye-catching elements in the landscape, such as tree clumps, church towers or wooded skylines (GLVIA3, Landscape Institute and IEMA, 2013)
FSR	Floor space ratio
GANSW	Government Architect NSW
GFA	Gross floor area
Green Square	Green Square Urban Renewal Area

Abbreviation or term	Meaning
GSC	Greater Sydney Commission (former)
Guideline	Local Environmental Plan Making Guideline
HDA	NSW Housing Delivery Authority
Highly visible site	Are located at the termination of a vista or on the corners of prominent intersections and are to accommodate landmarks such as features or objects on a building and high quality landscaping. Landmarks can be features or objects on a building that will act as points of reference (Sydney Development Control Plan 2012)
Housing SEPP	State Environmental Planning Policy (Housing) 2021
Key characteristics	Those combinations of elements which are particularly important to the current character of the landscape and help to give an area its particularly distinctive sense of place (GLVIA3, Landscape Institute and IEMA, 2013)
Landmarks	Prominent visual features (including buildings, elements of buildings or other attractions) that will act as points of reference and as a navigating tool for pedestrians, cyclists and vehicles. Landmarks must be recognisable from street level and from a distance to facilitate pedestrian orientation and should provide contrast from adjoining built form, whether the contrast is created through building height, building materials and colour or architectural style (Sydney Development Control Plan 2012)
Landscape	An area, as perceived by people, the character of which is the result of the action and interaction of natural and/or human factors (GLVIA3, Landscape Institute and IEMA, 2013)
LEC	Land and Environment Court of NSW
LGA	Local government area
LSPS	City Plan 2036: Local strategic planning statement
Magnitude	A term that combines judgements about the size and scale of the effect, the extent of the area over which it occurs, whether it is reversible or irreversible and whether it is short or long term in duration (GLVIA3, Landscape Institute and IEMA, 2013)
Planning Systems SEPP	State Environmental Planning Policy (Planning Systems) 2021
Proposal	Development for the purposes of mixed use development known as the 'Waterloo Mixed Use Development'
SDCP 2012	Sydney Development Control Plan 2012
SDRP	NSW State Design Review Panel
SEARS	Secretary's environmental assessment requirements
Sensitivity	A term applied to specific receptors, combining judgements of the susceptibility of the receptor to the specific type of change or development proposed and the value related to that receptor (GLVIA3, Landscape Institute and IEMA, 2013)

Abbreviation or term	Meaning
Significance	A measure of the importance or gravity of the environmental effect, defined by significance criteria specific to the environmental topic (GLVIA3, Landscape Institute and IEMA, 2013)
Site	881-885 Bourke Street, Waterloo, NSW
SLEP 2012	Sydney Local Environmental Plan 2012
SSD	State significant development
SSDA	State significant development application
Tall buildings and towers	Buildings greater than 35m in height (Sydney Development Control Plan 2012)
Townscape	The character and composition of the built environment including the buildings and the relationships between them, the different types of urban open space, including green spaces, and the relationship between buildings and open spaces (GLVIA3, Landscape Institute and IEMA, 2013)
VIA	Visual impact assessment
Visual amenity	The overall pleasantness of the views people enjoy of their surroundings, which provides an attractive visual setting or backdrop for the enjoyment of activities of the people living, working, recreating, visiting or travelling through an area (GLVIA3, Landscape Institute and IEMA, 2013)
Waterloo Property	Waterloo Property Pty Ltd as trustee for Waterloo Property Unit Trust

1.0 Introduction

Waterloo Property Pty Ltd as trustee for Waterloo Property Unit Trust (**Waterloo Property**) has submitted a State significant development application (**SSDA**) (SSD-80441462) and concurrent rezoning proposal (**the rezoning**) (together referred to as **the application**) to the NSW Department of Planning, Housing and Infrastructure (**the Department**) to enable renewal of land located at 881-885 Bourke Street, Waterloo, NSW (**the site**) for the purposes of mixed use development known as the 'Waterloo Mixed Use Development' (**the proposal**). Ethos Urban in collaboration with Virtual Ideas and CMS Surveyors has prepared this visual impact assessment (**VIA**) to support this SSDA.

1.1 Purpose of this VIA

The purpose of this VIA is to determine whether the proposal has an acceptable visual impact through address of relevant secretary's environmental assessment requirements (**SEARs**) and concurrent rezoning proposal requirements issued by the Department on 5 March 2025 (refer **table** below). An acceptable visual impact is where:

- the proposal does not have the potential for significant visual impact, or
- where the proposal does have the potential for significant visual impact, it is consistent with relevant parts of planning framework (including broader, relevant environmental planning grounds) or can be appropriately mitigated to achieve consistency with relevant parts of the applicable planning framework.

Table 2 SEARs relevant to VIA

Issue	Assessment Requirements	Documentation
7. Environmental Amenity	• Assess amenity impacts on the surrounding locality, including...view loss and view sharing. • A high level of environmental amenity for any surrounding residential or other sensitive land uses must be demonstrated.	• <u>If required:</u> • View Impact Analysis
6. Visual Impact	• Provide a visual analysis of the development from key viewpoints, including photomontages or perspectives showing the proposed and likely future development. • Where the visual analysis has identified potential for significant visual impact, provide a visual impact assessment that addresses the impacts of the development on the existing catchment.	• Visual Analysis • <u>If required:</u> • Visual Impact Assessment

Source: The Department

1.2 Structure of this VIA

The structure of this VIA is as follows:

- **Part 1 Introduction:** Identifies the purpose and structure of this VIA
- **Part 2 The site and its context:** Describes the site, adjoining and surrounding land, and its broader context
- **Part 3 Proposal:** Outlines the proposal
- **Part 4 Planning history:** Provides an overview of the site's planning history
- **Part 5 Planning framework:** Identifies the relevant parts of the planning framework to the application

- **Part 6 Key issues:** Identifies the key issues to be considered by the VIA
- **Part 7 Method:** Outlines the method used by this VIA
- **Part 8 Visual analysis:** Provides a visual analysis, including identification of the visual catchment, the primary visual catchment, pattern of viewing, and viewpoints for more detailed assessment
- **Part 9 Visual impact assessment:** Undertakes VIA of the proposal, including whether the proposal has the potential for significant visual impact informed by judgements about sensitivity and magnitude, and supported by photos and survey aligned photomontages
- **Part 10 Assessment against the planning framework:** Assesses the proposal and its visual impact against the relevant parts of the planning framework to the application
- **Part 11 Mitigation measures:** Identifies whether any appropriate primary and / or secondary mitigation measures are required / recommended to address visual impact
- **Part 12 Conclusion:** Identifies whether the proposal can be supported on visual impact grounds
- **Appendix A:** Provides a copy of the evidence base of photos and photomontages upon which this VIA relies.

As it forms part of the larger application, the VIA does not repeat matters more appropriately covered in other documents. In particular, it defers to and relies on statements in:

- planning documents addressing matters such as land zoning and permissibility
- design documents addressing matters such as design intent, strategies and measures.

As such, it should be read together with these other documents.

Artist impressions of the proposal are provided throughout the VIA. These supplement the survey aligned photomontages, and are particularly helpful in better understanding more detailed design aspects such as architectural character. This includes the ground plane relationship between built form and the adjoining public domain, materiality and colour, and landscaping.

2.0 The site and its context

This part describes the site, adjoining and surrounding land, and its broader context.

Note: The separate EIS outlines the site and its context in greater detail. This VIA defers to statements in the EIS to the extent there is an inconsistency in describing the site and its context.

2.1 The site

The site is located at 881-885 Bourke Street, Waterloo, NSW and is legally described as Lot 1 DP1308636 and Lot 2 DP1308636 (refer **figure** below).

It has a large area (2.15ha approx.) and is bound to the north by Danks Street and properties having frontage to Danks Street, to the south by 903-921 Bourke Street and 895 Bourke Street, to the east by Bourke Street, and to the west by Young Street.

It has an irregular shape, with its long axis aligned east-west.

Formerly used for light industrial and commercial buildings, the site is currently vacant (refer **figure** below). As has been recognised by the City of Sydney in its planning proposal for the Danks Street South Precinct, the site forms parts of the 'few remaining large areas that has not been redeveloped in Green Square'.



Figure 1 Aerial photograph of the site

Source: Nearmap and Ethos Urban

2.1.1 Visual character

The visual character of sites is established by the interplay of a number of natural and human factors which also impact views from the public domain. These factors are:

Natural factors

Natural factors are:

- topography
- waterways and waterbodies
- trees and vegetation.

Topography

The site is level.

Waterways and waterbodies

The site does not support formed, surface level waterways or waterbodies.

Trees and vegetation

The site does not support significant trees and other vegetation.

Human factors

Natural factors are:

- public domain
- buildings and structures.

Public domain

The site does not support public or publicly accessible areas such as streets or parks.

Buildings and structures

Formerly used for light industrial and commercial buildings, the site is currently vacant and does not support buildings or structures.

2.1.2 Impact on views

Due to these factors, views can currently be obtained across the entirety of the site from most locations within the site as is shown in the below figure.



Figure 2 The site seen from its Bourke Street end

Source: Ethos Urban

2.2 The site context

2.2.1 Adjoining and surrounding land

The locality

Under the Sydney Development Control Plan 2012 the site is located in the 'Danks Street' locality. This locality is bound by Phillip and Crescent Streets to the north, South Dowling Street to the east, Lachlan Street to the south and Young Street to the west.

The locality statement is as follows:

- 'Danks Street, Waterloo, is one of Sydney's most interesting and vibrant villages, with art galleries, cafes and restaurants located to the west of Bourke Street. Danks Street, both to the east and west of Bourke Street is identified as a Local Village and is increasingly becoming a thriving retail precinct for residents and workers. The Danks Street Neighbourhood includes the Crown Square development to the east of Bourke Street. This development extends between Crescent Street in

the north and Lachlan Street in the south, and is a recently constructed residential area. It is not considered to provide a good model for development due to its lack of variety in scale and architectural design, its sense of visual enclosure and poor definition of the public domain'.



Figure 3 Crown Square

Source: Helium Property

Adjoining land to the north

Adjoining land to the north is focussed around Danks Street, and is largely occupied by a mix of light industrial, commercial and mixed-use residential development (active frontages at the ground, street facing storey with apartments above) generally ranging from 2 to 6 storeys in height and built to their street alignments. Notable buildings include 20A Danks Street which includes an ALDI supermarket, and the 'Casba' complex at 18 Danks Street (refer **figure** below).

Surrounding land to the north

The Danks Street locality is bound to the north by Phillip Street. Phillip Street, together with Crescent Street to the east, forms the northern boundary between the Green Square Urban Renewal Area and Redfern. Under the Sydney Development Control Plan 2012, land to the north of this part of Phillip Street is located in the Baptist Street locality. This locality is located in a heritage conservation area, and predominantly comprises low rise, contiguous terrace housing forms dating from the 19th century. The large scale, visually prominent Moore Park Gardens complex is located to the north-west of the site (refer **figure** below).



Figure 4 'Moore Park Gardens

Source: AJC Architects

Adjoining land to the south

Adjoining land to the south is located within the future 'Danks Street District'. While currently largely vacant, it includes the local heritage items of 'Pumping Station' and 'Valve House' has been planned for renewal to deliver a new community including a centrally located, public open space and buildings up to 20 storeys in height (refer **figure** below).

Surrounding land to the south

South of McEvoy Street land is included in the Waterloo Park Precinct, and south of Lachlan Street land is included in the Lachlan Precinct. These areas have largely been renewed for larger scale, high density residential development.



Figure 5 Danks Street District

Source: DASCO



Figure 6 Danks Street District

Source: DASCO

Adjoining land to the east

The site is bound by Bourke Street to the east. Under the Roads Act 1993, Bourke Street is classified as a regional road, and large parts of it are also classified as a major road by the City of Sydney. Together with other connecting roads, it forms a key north-south connection between the Sydney CBD and locations to the south, including Sydney Airport. It also supports key bus routes that connect Green Square to the CBD.

Adjoining land to the east opposite Bourke Street forms the western edge of the Crown Square part of the Danks Street locality. It is largely occupied by 'Tiara building', which is mixed use residential development (active frontages at the ground, street facing storey with apartments above), 9 storeys in height and built to its street alignments (refer **figure** below). The lower rise but large scale Sydney City Toyota and Lexus building is located to the south between Potter Street and Lachlan Street.

Surrounding land to the east

Land further to the east across South Dowling Street and the Eastern Distributor is occupied by the Moore Park Golf Course.



Figure 7 Tiara Building

Source: REA Group

Adjoining land to the west

Adjoining land to the west is largely occupied by light industrial and commercial buildings generally 2 storeys in height and having large, at grade carparks. The Hillsong City Waterloo Campus located on the corner of Danks Street and Young Street is a notable building.

Surrounding land to the west

Land located to the west of Young Street is included in the Redfern Park South locality. As with the Baptist Street locality to the north, this area is located in a heritage conservation area, and predominantly comprises low rise, contiguous terrace housing forms dating from the 19th century. Some newer low and mid-rise apartment buildings are interspersed amongst these terrace housing forms.

Under the Sydney Development Control Plan 2012 this area is included in the Young Street locality. The locality statement for this locality shows that its planning intent is for renewal as a transition area:

- 'Redevelopment of this locality will provide an appropriate transition between the existing low scale residential development in the Waterloo Conservation area, and the higher density development in Green Square'.

Of note visually, supporting principle (f) seeks to 'Ensure a high-quality design to the landmark site at the intersection of Young and McEvoy Streets'.

2.2.2 Broader context

Sydney's inner southern suburbs

The site is located in Sydney's inner southern suburbs 4km (approx.) south of the Sydney CBD and within the Sydney Local Government Area (LGA).

The broader context is well served by mass transit, with the site being 850m (approx.) to the east of Waterloo (metro) Station, and 1km north of Green Square Station.

Green Square Urban Renewal Area

The site is located near the northern gateway to the Green Square Urban Renewal Area (Green Square). As one of Australia's largest urban renewal precincts (City of Sydney, 2025), Green Square comprises 278 hectares (approx.) of largely former light industrial land. When completed, it will accommodate 63,000 people living in 33,000 new homes and provide around 21,000 permanent jobs. Visually, renewal is characterised by larger scale, medium and higher rise, high density residential focussed mixed-use development. Development has progressed incrementally and is often focussed around centres. The adjoining Crown Square to the east of the site anchored by a full range supermarket was one of the first areas to be developed. Anchored by Green Square Station on the T8 Airport & South Line, the Green Square Town Centre is the main centre and is located 850m (approx.) to the south of the site. As shown in the below figures, it features both the current tallest building (Ovo, 96.2m and 28 storeys) and the most visually striking building in Green Square (Infinity, 64.8 m and 20 storeys). First established a number of years ago, some existing planning controls have recently been subject to adjustment. For example, in 2023 the City of Sydney supported an increase in the maximum height of buildings for 118-130 Epsom Road and 905 South Dowling Street, Zetland 'in the eastern periphery of the urban renewal area' (City of Sydney, 2023) from 45 metres to 90 metres, subject to site-specific provision covering outcomes such as non-residential floor space. Recently, in recognition of residential development, a commitment has been made to repurpose part of the nearby Moore Park Golf Course for public open space.



Figure 8 Green Square

Source: SMH



Figure 9 Ovo
Source: SkyscraperCity



Figure 10 Infinity

Source: 360 Degrees Landscape Architecture

Eastern Economic Corridor

The site is included in the Eastern Economic Corridor which stretches from Macquarie Park through the Harbour CBD (comprising the Sydney CBD and North Sydney CBD) to Sydney Airport and Port Botany is NSW's greatest economic asset, contributing two-thirds of NSW's economic growth in the 2015-16 financial year (former Greater Sydney Commission (GSC), 2018). In addition to Green Square, the corridor has also seen significant renewal of land for larger scale, medium and higher rise, high density residential focussed mixed-use development. This includes Moore Park Gardens to the north-east of the site, Waterloo Metro Quarter 950m (approx.) to the west of the site, and Mascot 3km (approx.) to the south of the site. The area is planned for significant further renewal through the broader Central to Eveleigh Precinct, notably Waterloo South and the now more residentially focussed Central Precinct which has been replanned to respond to the current housing crisis.

Key points

- The site is large 2.15ha (approx.) and strategically located 3km (approx.) south of the Sydney CBD adjoining Bourke Street near the northern gateway to the Green Square Urban Renewal Area (Green Square) and within the Eastern Economic Corridor.
- It is well served by mass transit, being 850m (approx.) to the east of Waterloo (metro) Station, and 1km north of Green Square Station.
- Adjoining and surrounding land has either or is in the process of being predominantly renewed for larger scale, medium and higher rise, high density residential focussed mixed-use development.

3.0 The proposal

This part outlines the proposal.

Note: The separate EIS outlines the proposal in greater detail. This VIA defers to statements in the EIS to the extent of any inconsistencies.

As has been noted, the application comprises a SSDA (SSD-80441462) and concurrent rezoning to enable renewal of the site for the purposes of mixed-use development known as the 'Waterloo Mixed Use Development'.

3.1 Objectives

The objectives of the proposal are to:

- provide much-needed housing in the City of Sydney and contribute to NSW's housing targets under the National Housing Accord 2022 and NSW Housing Targets 2023
- deliver diverse, build-to-rent residential apartments with excellent amenity leveraging the site's strategic location
- revitalise an underutilised land parcel near Waterloo Metro Station and Green Square Train Station, supporting community and commercial needs
- design the building envelope to ensure appropriate solar access, wind comfort, and daylight in adjoining public areas
- create a visually interesting podium and tower design, ensuring unique massing and height that integrates well with the surrounding urban context
- incorporate a publicly accessible east-west road and through-site link, enhancing pedestrian connectivity and site permeability, linking to Waterloo Metro Station and Green Square Train Station
- ensure a high-quality design guided by the State Design Review Panel (SDRP), incorporating recommendations for sustainability and public space integration
- develop a high-performance building with strong sustainability features, targeting a high Green Star rating and energy-efficient design
- contribute to housing diversity in Waterloo with build-to-rent and affordable housing, along with necessary social infrastructure and communal facilities.

3.2 Development parcels

As recognised by the SDRP, the proposal has a public domain layout that is consistent with the Sydney Development Control Plan 2012 (SDCP 2012). This creates the northern part of the main Danks Street South Precinct park, the western extension of Potter Street (noting it may be renamed), and a laneway connecting Potter Street with Danks Street. This divides the site into 4 development parcels:

- **Parcel 1:** located on the northern corner of Potter Street and Young Street, and having a more detailed design by SJB
- **Parcel 2:** located on the northern corner of Potter Street and Bourke Street, and having a more detailed design by Bates Smart
- **Parcel 3:** located on the southern corner of Potter Street and Bourke Street, and having a more detailed design by Bates Smart and Chenchow Little
- **Parcel 4:** located on the southern corner of Potter Street and Young Street, and having a more detailed design by Curious Practice.

3.3 The SSDA

This SSDA seeks development consent for the following Main Works for the future development:

- site establishment and enabling works (that were not included in the preceding Early Works SSDA)
- construction of residential and mixed-use buildings across four development parcels, inclusive of:
 - build to rent apartments and associated amenities
 - affordable apartments
 - non-residential floor space including commercial premises and creative industry
- construction of a consolidated basement with below-ground links between development parcels, comprising car parking, plant and storage area
- landscaping and publicly accessible open space
- works to site frontages
- extension and augmentation of infrastructure and services (that were not included in the preceding early Works SSDA) as required.

3.4 The rezoning

The rezoning seeks approval to amend the Sydney Local Environmental Plan 2012 (SLEP 2012) to:

- amend the Height of Buildings Map under Clause 4.3 to increase the building height from 3m – 29m to 3m – 36m
- amend the Floor Space Ratio Map under Clause 4.4 to increase the maximum FSR from 2.15:1 to 2.4:1
- amend the site-specific Clause 6.43 – Danks Street South Precinct as its provisions are no longer applicable to the SSDA
- insert a site-specific provision within Part 6 of the SLEP 2012 to facilitate the exclusion of the site from the following clauses:
 - Clause 6.14(4) – Community infrastructure floor space at Green Square
 - Clause 6.21D – Competitive design process
 - Clause 7.13 – Contribution for purpose of affordable housing
 - Clause 7.20(2)(b) – Development requiring or authorising preparation of a development control plan.



Figure 11 Artist impression of the proposal seen from above

Source: Bates Smart, SJB, Chenchow Little and Curious Practice



Figure 12 Artist impression of the proposal seen from the ground plane

Source: Bates Smart, SJB, Chenchow Little and Curious Practice



Figure 13 Artist impression of the eastern part of the proposal
Source: Bates Smart, SJB, Chenchow Little and Curious Practice



Figure 14 Artist impression of the proposed new street
Source: Bates Smart, SJB, Chenchow Little and Curious Practice



Figure 15 Artist impression of the proposed new public park

Source: Bates Smart, SJB, Chenchow Little and Curious Practice

Key points

- The objectives of the proposal include to provide much-needed housing in the City of Sydney and contribute to NSW's housing targets under the National Housing Accord 2022 and NSW Housing Targets 2023.
- As recognised by the State Design Review Panel, the proposal has a public domain layout that is consistent with the SDCP 2012. As a consequence, the site comprises 4 development parcels with each having a more detailed design by 4 of Sydney's leading design practices.
- This SSDA seeks development consent for the Main Works for the future development, including build to rent apartments and associated amenities, affordable apartments, and non-residential floor space including commercial premises and creative industry.
- The rezoning seeks approval to amend the Sydney Local Environmental Plan 2012 (SLEP 2012) to enable the SSDA, including changes to maximum building height and maximum FSR.

4.0 Planning history

This part provides an overview of the site's planning history.

4.1 Danks Street South planning proposal

First prepared in November 2016, on 6 December 2018 the City of Sydney approved the Danks Street planning proposal. This resulted in the current planning framework, including building heights and FSR in the SLEP 2012, and the Danks Street Precinct contained in the SDCP 2012.

4.2 Concept approval

Development consent was granted by the City of Sydney on 23 August 2021 to concept DA D/2020/45. This enables demolition, remediation and subdivision to create four new development parcels and transfer lands, and embellishment works including the delivery of a road subject to dedication under a planning agreement.

4.3 Early works SSDA

SSDA (SSD-80911502) (the 'Early Works SSDA') has been submitted to the Department seeking development consent for the early works associated with this application. This includes site establishment, construction of pulled shoring wall and capping beam, bulk excavation, anchoring of shoring wall, and ancillary works. The Early Works SSDA is currently in the Response to Submissions stage. It is anticipated that it will be determined prior to the determination of this application.

4.4 HDA nomination and acceptance

On 8 January 2025 a formal expression of interest was made to the NSW Housing Delivery Authority (HDA) for the proposal to be considered State significant development.

Following consideration of criteria such as strategic merit, the HDA recommended to the Minister for Planning and Public Spaces (Paul Scully) that the project be declared State significant development (SSD) under s4.36(3) of the EP&A Act 1979.

Subsequently on 17 February 2025 the NSW Minister for Planning and Public Spaces (Paul Scully) made a State Significant Development Declaration Order making the proposal SSD.

Key points

- The City of Sydney established the current planning framework for the site in 2018.
- Development consent was granted by the City of Sydney for creation of Potter Street and the four development parcels in 2021.
- An 'Early Works SSDA' for the site seeking development consent for matters such as bulk excavation is currently under assessment.
- Following a recommendation by the HDA based on satisfaction of merit criteria, in 2025 the NSW Minister for Planning and Public Spaces made the proposal SSD.

5.0 Planning framework

This part identifies the relevant parts of the planning framework to the application.

The planning framework comprises a series of acts, regulations, planning instruments and other documents that together establish the criteria against which acceptability of visual impact is determined.

The Environmental Planning and Assessment Act 1979 (EP&A Act 1979) is the main legislation relating to the planning framework. It establishes the system of environmental planning and assessment in NSW. Part 3 'Planning instruments' establishes / identifies the various planning instruments that comprise a large parts of the planning framework. In general and for the purposes of this VIA, they can be considered to comprise:

- the strategic planning framework, including region plans, district plan, and local strategic planning statements
- the statutory planning framework, including State environmental planning policies, local environmental plans development control plans

As it involves a concurrent rezoning, the application is to be merit assessed. In this regard, considerable weight is placed on the strategic planning framework. Less weight is to be given to controls (ie, numeric development standards) contained in the statutory planning framework.

As with all planning decisions, consideration and weighing of a large number and range of relevant environmental planning matters in addition to visual impact is required. In this regard, particular reference is made to the separate, supporting Environmental Impact Statement (EIS).

5.1 Concurrent rezoning

Section 3.33 'Planning proposal authority to prepare explanation of and justification for proposed instrument – the planning proposal' of the EP&A Act establishes the matters that the Department is to take into consideration for the concurrent rezoning.

Under the 'Local Environmental Plan Making Guideline' (the Guideline) (the Department, August 2023) prepared to support implementation of section 3.33, planning proposals are to demonstrate strategic merit and site-specific merit.

5.1.1 Strategic merit

Strategic merit is determined by alignment with government priorities and the strategic planning framework (including supporting documents)

Government priorities

Responding to the National Housing Accord, a key current government priority is delivery of housing:

- 'The NSW Government is addressing the current housing shortage by prioritising the building of more diverse homes in well-located areas near transport, open spaces, schools, hospitals and community facilities' (the Department, 2025).

Strategic planning framework

The strategic planning framework includes:

- the 'Greater Sydney Region Plan – A Metropolis of Three Cities' (the Region Plan) (former Greater Sydney Commission, 2018)
- 'Eastern City District Plan' (the District Plan) (former Greater Sydney Commission, 2018)
- City Plan 2036: Local strategic planning statement (the LSPS) (City of Sydney, 2020)

- State environmental planning policies (note: while these are not categorised as part of the strategic planning framework under the EP&A Act 1979, they are regarded as such by the Guideline)
- section 9.1 directions.

Where not fully aligning with the strategic planning framework, the Guideline enables consideration of 'a change in circumstances that has not been recognised by the existing planning framework'. Factors that lead to responding to a change in circumstances may include:

- 'Key infrastructure investment or opportunity to plan for future infrastructure unanticipated by the existing strategic planning framework
- Response to key Government priorities – Premier's Priorities, climate change, or a shift in government policy (e.g. NSW Government's Net Zero Plan)
- Changes to population and demographic trends and associated needs such as housing or jobs'.

Most of the strategic planning framework was prepared and took effect prior to NSW Government's prioritisation of housing in response to the National Housing Accord in 2022, and consequent planning policy reforms such as setting revised minimum housing targets for each LGA, amendment to State Environmental Planning Policy (Housing) 2021 (the Housing SEPP) including to facilitate BTR development, and the inclusion of the site as 'State Significant Development Site' under section 20 of State Environmental Planning Policy (Planning Systems) 2021 (the Planning Systems SEPP).

Given the misalignment of the context in which the current strategic planning framework was established and the current NSW Government prioritisation of housing, the proposal is considered to represent a response to a change in circumstances. While detailed in the planning documentation, this is important context and a frame through which to consider the acceptability of visual impact.

5.1.2 Site specific merit

Site specific merit includes a range of factors, and will include consideration of the proposal's visual impact.

5.2 SSDA

Section 4.15 'Evaluation' of the Environmental Planning and Assessment Act 1979 (EP&A Act) establishes the matters that the Department is to take into consideration for this SSDA.

- (a)(i) environmental planning instrument(s)
- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality
- (c) the suitability of the site for the development
- (e) the public interest.

The most relevant environmental planning instruments (EPIs) to VIA is the Sydney Local Environmental Plan 2012 (SLEP 2012)

While a range of State planning policy also applies to the application, they are most highly relevant to VIA.

5.2.1 Environmental Planning and Assessment Act 1979

The EP&A Act has a number and range of objects (section 1.3 'Objectives of Act'). In broad terms, a key focus of this is ecologically sustainable development through economic, environmental and social considerations:

- '(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment'.

Ecologically sustainable development brings in considerations such as intergenerational equity.

The most relevant object to VIA is related to good design and amenity:

- '(g) To promote good design and amenity of the built environment'.

5.2.2 The strategic planning framework

Responding to the EP&A Act, the strategic planning framework comprises an integrated suite of planning policy related to economic, environmental and social considerations.

Key policy includes enabling a greater amount (eg, the Region Plan, Objective 10 'Greater housing supply') and choice of new homes, including affordable homes (eg, the Region Plan, Objective 11 'Housing is more diverse and affordable').

Spatially, to deliver on the concept of a 30 minute city where 'most residents live within 30 minutes of their jobs, education and health facilities, services and great places' (the Region Plan), the framework directs much of this new housing to well-located parts of the existing urban area such as planned Urban Renewal Areas (eg, the District Plan, Planning Priority E5 'Providing housing supply, choice and affordability, with access to jobs, services and public transport').

Green Square is specifically identified in these plans as a planned Urban Renewal Areas key District Plan.

Greater Sydney Region Plan – A Metropolis of Three Cities

In terms of visual impact matters, the Region Plan focusses on scenic and cultural landscapes. The most relevant parts of the Region Plan to VIA are:

- Objective 28: 'Scenic and cultural landscapes are protected'
- Strategy 28.1: 'Identify and protect scenic and cultural landscapes'
- Strategy 28.2: 'Enhance and protect views of scenic and cultural landscapes from the public realm'.

The Eastern City District Plan

The District Plan aligns with and does not provide substantial planning policy different on visual impact matters to the Region Plan. The most relevant parts of the District Plan to VIA are:

- Planning Priority E16: 'Protecting and enhancing scenic and cultural landscapes'
- Strategy 28.1: 'Identify and protect scenic and cultural landscapes'
- Action 63: 'Identify and protect scenic and cultural landscapes'
- Action 64: 'Enhance and protect views of scenic and cultural landscapes from the public realm'.

City Plan 2036: Local strategic planning statement (the LSPS) (City of Sydney, 2020)

The City Plan 2036 does not include policy that is directly relevant to VIA.

Section 9.1 directions

The most relevant section 9.1 direction is direction 1.1 'Implementation of Regional Plans'

In broad terms, direction 1.1 Implementation of Regional Plans requires that rezoning proposals be consistent with the Regional Plan.

5.2.3 Sydney Local Environmental Plan 2012

Under the SLEP 2012 the site is subject to the key planning provisions shown in the below table.

Table 3 Key planning provisions under the SLEP 2012

Section	Provision
Section 2.3 'Zone objectives and Land Use Table'	The western part of the site is zoned E1 'Local Centre' and the eastern part of the site is zoned MU1 'Mixed Use'
Section 4.3 'Height of buildings'	3m – 29m (max.)
Section 4.4 'Floor space ratio'	2.15:1 (max.)

Source: City of Sydney

The most relevant parts of the SLEP 2012 to VIA are:

- section 1.2 'Aims of Plan'
- section 2.3 'Zone objectives and Land Use Table'
- section 4.3 'Height of buildings'
- section 4.4 'Floor space ratio'
- section 6.21C 'Design excellence'.

Section 1.2 Aims of Plan

The most relevant aims to VIA are related to amenity, urban form, design excellence, and desired future character as follows:

- (h) to enhance the amenity and quality of life of local communities
- (j) to achieve a high-quality urban form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of particular localities

Section 2.3 Zone objectives and Land Use Table

The objectives for the E1 'Local Centre' zone and the MU1 'Mixed Use' zone are not directly relevant to VIA.

Section 4.3 Height of buildings

All objectives are relevant to VIA. They address context, height transitions, sharing of views, restricting taller buildings, and definition of the public domain. They are:

- (a) to ensure the height of development is appropriate to the condition of the site and its context
- (b) to ensure appropriate height transitions between new development and heritage items and buildings in heritage conservation areas or special character areas
- (c) to promote the sharing of views outside Central Sydney
- (d) to ensure appropriate height transitions from Central Sydney and Green Square Town Centre to adjoining areas
- (e) in respect of Green Square:
 - (i) to ensure the amenity of the public domain by restricting taller buildings to only part of a site
 - (ii) to ensure the built form contributes to the physical definition of the street network and public spaces.

Section 4.4 Floor space ratio

The most relevant objective to VIA is related to desired future character and amenity as follows:

- (d) to ensure that new development reflects the desired character of the locality in which it is located and minimises adverse impacts on the amenity of that locality.

Section 6.21C Design excellence

While many of these matters for consideration by the consent authority under this division are relevant to VIA, most are more appropriately addressed in the planning and design documentation. However, the following matters related to view corridors, and the location of towers are also highly relevant to VIA:

- (c) whether the proposed development detrimentally impacts on view corridors
- (d) how the proposed development addresses the following matters:
 - (iv) the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers, existing or proposed, on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form.

5.2.4 Sydney Development Control Plan 2012

While under section 2.10 of the State Environmental Planning Policy (Planning Systems) 2021 (the Planning Systems SEPP) development control plans do not apply to SSDAs, consideration as appropriate has also been given in this VIA to the provisions of the SDCP 2012. The most relevant parts of the SDCP 2012 to VIA are:

- section 4.2.5.1 'Tall buildings'
- section 5.2 'Green Square'
- section 2.5.3 'Danks Street'
- section 5.9 'Danks Street South'.

Section 4.2.5.1 Tall buildings

The most relevant objectives to VIA are related to high quality design, urban structure, proportions, and bulk as follows:

- (a) Ensure that tall buildings exhibit high quality design
- (b) Ensure the location of tall buildings reinforce the urban structure and street hierarchy
- (d) Ensure that tall buildings are vertically proportioned with a slender form
- (e) Limit the size and dimension of floor plates for tall buildings to minimise building bulk.

Section 5.2 Green Square

The most relevant objective to VIA is related to desired future character and responsiveness to existing attributes follows:

- (g) Ensure that development complements the desired future character of the neighbourhoods and responds to the topography, natural features, orientation, street pattern, street width, existing development, heritage buildings, street block size, land use and protects important public view corridors

Section 2.5.3 Danks Street

The most relevant part of the locality statement for the Danks Street locality overall to VIA is related to diverse built form, distinctiveness and the northern gateway to Green Square as follows:

- Future development for this neighbourhood is to have a mix of uses and encourage a diverse built form that creates a distinctive, busy and attractive precinct and northern gateway to Green Square.

The most relevant supporting principle to VIA is related to variety of building types and scales and taller buildings as follows:

- (b) Provide a variety of building types and scales, and define appropriate locations for taller buildings and their orientation

Section 5.9 Danks Street South

The most relevant objective to VIA is related to local character and variety of building heights and forms as follows:

- (b) Ensure development is of the highest quality, and responds to the existing surrounding local character and its history, particularly its former industrial uses
- (e) Provide a variety of building heights and forms which respond to the hierarchy of streets and open spaces, residential amenity and solar access.

Key points

- The relevant planning framework comprises the EP&A Act 1979 and a number of strategic plans and statutory plans.
- This includes government planning priorities, the Region Plan, and the SLEP 2012.
- While DCPs don't apply to SSDA, the SDCP 2012 provides more detailed guidance that may help implement the SLEP 2012.
- As it involves a concurrent rezoning, the application is to be merit assessed. In this regard, considerable weight is placed on the strategic planning framework.
- As with all planning decisions, consideration and weighing of a large number and range of relevant environmental planning matters in addition to visual impact is required.

6.0 Key issues

This part identifies the key issues to be considered by the VIA.

The following table shows the key VIA issues identified in the planning framework.

Table 4 Key VIA issues

Part of the planning framework	Part	Matter / issue
Environmental Planning and Assessment Act 1979	1.3 Objects of Act	Good design, amenity
Government priorities and strategic planning framework	The Region Plan	Scenic and cultural landscapes
	The District Plan	Scenic and cultural landscapes
	The LSPS	Not highly relevant
	State environmental planning policies	Not highly relevant
	Section 9.1 directions	Not highly relevant
Sydney Local Environmental Plan 2012	Section 1.2 'Aims of Plan'	Amenity, urban form, design excellence, and desired future character
	Section 2.3 'Zone objectives and Land Use Table'	Not highly relevant
	Section 4.3 'Height of buildings'	Context, height transitions, sharing of views, restricting taller buildings, and definition of the public domain
	Section 4.4 'Floor space ratio'	Desired future character, amenity
	Section 6.21C 'Design excellence'	View corridors, the location of towers
Sydney Development Control Plan 2012	Section 4.2.5.1 'Tall buildings'	High quality design, urban structure, proportions, bulk
	Section 5.2 'Green Square'	Desired future character, responsiveness to existing attributes
	Section 2.5.3 'Danks Street'	Diverse built form, distinctiveness, northern gateway to Green Square
	Section 5.9 'Danks Street South'	Local character. variety of building heights and forms

Based on this, the key general issues to be considered by the VIA are:

- **Context and urban form:** responsiveness to context, and compatibility with urban form
- **Character:** responsiveness to existing valued visual characteristics including scenic and cultural landscapes, and consistency with desired future visual character

- **View corridors:** impact on important public view corridors
- **Scale:** height and bulk of buildings, including proportions, and the location of towers
- **Amenity:** impact on visual amenity, in particular public domain visual amenity
- **Design:** demonstration of design excellence.

As the proposal is generally consistent with the approved layout for the Danks Street South Precinct shown in the SDCP 2012 and the general acceptance of taller buildings on the site, it is likely that a particular area of interest is the acceptability of additional height. Specifically, this relates to the greatest departure from existing height controls under the SLEP 2012, being the parcel 3 tower.

It is noted that there is a level of overlap between these issues. It is also noted that many are also highly relevant to planning and design considerations. As such, reference is to be made to the separate, supporting planning and design documentation.

Key points

- The key issues identified in the planning framework to be considered by the VIA are context and urban form, character, view corridors, scale, amenity, and design
- As the proposal is generally consistent with the approved layout for the Danks Street South shown in the SDCP 2012 and the general acceptance of taller buildings on the site, it is likely that a particular area of interest is the acceptability of additional height and in particular the parcel 3 tower.

7.0 Method

This part outlines the method used by this VIA.

VIA is a highly complex area that involves qualitative and professional value judgements. While there is a wealth of guidance documents, there is currently no universally agreed, national level guideline for VVIA in Australia (AILA, 2019). As noted by the Land and Environment Court of New South Wales in *Rose Bay Marina Pty Limited v Woollahra Municipal Council and anor* [2013] NSWLEC 1046 (Rose Bay), the key to addressing this challenge is to adopt a rigorous methodology.

To ensure appropriate rigour, the methodology adopted by this VIA comprises three key stages:

- **Stage 1 – Visual analysis:** analysis of the site, its context and the relevant parts of the planning framework
- **Stage 2 – Preparation of the evidence base:** preparing an evidence base of images to help inform assessment
- **Stage 3 – Visual impact assessment:** assessment of view and visual impact.

7.1 Stage 1 – Visual analysis

The main purpose of this stage is to identify a visual baseline against which assessment of visual impact can be considered.

This stage involves the following key steps:

- identify the visual catchment, which is the area in which the proposal may ordinarily be seen in totality or part
- identify the primary visual catchment, which is the area in which the proposal may ordinarily be most visible
- assess the sensitivity of the primary visual catchment to the nature of change proposed by considering the following people and place factors:
- people factors:
 - **number of people:** the general number of people within the primary visual catchment who will ordinarily see the proposal
 - **type of people:** the prevailing type of people within the primary visual catchment who will ordinarily see the proposal
- place factors:
 - **social and cultural value:** the social and cultural value of the primary visual catchment
 - **visual characteristics:** the visual characteristics of the primary visual catchment, having regard to natural attributes such as topography, and human attributes such as built form
- identify the pattern of viewing in the primary visual catchment
- identify viewpoints that may be used to represent the pattern of viewing and for which the evidence base will be prepared.

7.2 Stage 2 – Preparation of the evidence base

The main purpose of this stage is to prepare an evidence base of images to help inform assessment of visual impact.

In accordance with the LEC 'Use of Photomontages and Visualisation Tools Policy' (the photomontage policy) (May 2024), photos and photomontages prepared were prepared for the viewpoints that may be used to represent the pattern of viewing.

The photomontages show three future views:

1. The future view showing approved development on the adjoining site
2. The future view showing the proposal
3. The future view showing the proposal relative to the approved concept envelope.

Appendix A provides detail on this stage of the methodology.

7.3 Stage 3 – Visual impact assessment

This stage involves the following key steps:

- assessment of the significance of the proposal's visual impact generally in accordance with the principles of the Guidelines for Landscape and Visual Impact Assessment – Third Edition (GLVIA3) as informed by the planning principle established by Moore SC and Adam SC of the LEC in their judgement in *Rose Bay Marina Pty Limited v Woollahra Municipal Council and anor* [2013] NSWLEC1046 (Rose Bay)
- assessment of consistency with relevant parts of planning framework
- consideration of mitigation measures.

The GLVIA3 is widely referenced in VVIA in Australia (AILA, 2019) and is more versatile for a range of contexts in particular those of an urban nature compared to other commonly referenced but more highly specialised guidance such as that prepared by the US Forestry Service. Where appropriate, the VVIA also has regard to other VVIA guidance including 'Topic Paper 6 – Techniques and criteria for judging capacity and sensitivity' (the Countryside Agency and Scottish Natural Heritage, 2014). While primarily guiding matters of planning and design matters, where appropriate for a VVIA consideration has also been given to the planning principles established by the LEC in *Project Venture Developments v Pittwater Council* [2005] NSWLEC 191 (Project Venture) *Veloshin v Randwick Council* [2007] NSWLEC 428 (Veloshin).

7.3.1 Significance of the proposal's visual impact

Under the GLVIA3 significance is defined as:

- 'a measure of the importance or gravity of the environmental effect, defined by significance criteria specific to the environmental topic'.

The significance criteria adopted are:

- sensitivity of the view to the nature of change proposed
- the magnitude of the nature of change proposed.

These criteria contain a number of 'factors' which are considered in informing judgements (refer to the following table).

Sensitivity of the view to the nature of change proposed

Under the GLVIA3, sensitivity is defined as:

- 'a term applied to specific receptors, combining judgements of the susceptibility of the receptor to the specific type of change or development proposed and the value related to that receptor.'

The term receptor can cause confusion. As such, in this VIA sensitivity is related to both the view itself and people who will see the view.

Judgements about sensitivity are based on 4 people and place factors:

- People factors:
 - **number of people:** the general number of people within the primary visual catchment who will ordinarily see the proposal
 - **type of people:** the prevailing type of people within the primary visual catchment who will ordinarily see the proposal, including residents, workers, travelers and visitors

- Place factors:
 - **social and cultural value:** the social and cultural value of the primary visual catchment recognised in planning instruments, including significant landscapes, significant views, heritage items or heritage conservation areas, through the presence of other indicators such as representation in art and literature, or provision of facilities intended to enable appreciation of views
 - **visual characteristics:** the presence of elements and features and the way they come together in composition

Sensitivity is not absolute. Rather, it is relative taking context into consideration. For example, a visual setting that already has particular elements within it will be less sensitive to the nature of change proposed where that change involves the insertion of a similar type to these existing elements.

The ability for a visual setting to accommodate change without unacceptably diminishing or changing valued existing character is also relevant to sensitivity. In general, complex visual settings comprising a range of different elements (eg, type, size and scale, style and the like) have greater capacity to accommodate change than those that have fewer elements.

Magnitude of the nature of change proposed

Under the GLVIA3, magnitude is defined as:

- 'A term that combines judgements about the size and scale of the effect, the extent of the area over which it occurs, whether it is reversible or irreversible and whether it is short or long term in duration.'

Judgements about magnitude are based on 3 factors:

- **size and scale:** the size of the proposal and its scale relative to other elements and features in the view, the amount of change (eg, addition, loss) of elements and features in the view, the level of contrast or compatibility with existing visual character, and the potential for the visual catchment to absorb the proposal with unacceptable erosion of less of its valued characteristics / character
- **geographic extent:** the extent of the view occupied by the proposal
- **reversibility and duration:** whether the site can reasonably be restored to its condition that existed prior to the development occurring, and the length of the time the development is expected to exist (ie, short or long term).

Interpreting significance

Matrix tables

It is noted that significance is not absolute but rather relative based on how the proposal may ordinarily be perceived by people on a five-point qualitative scale:

- negligible significance of impact
- low significance of impact
- moderate significance of impact
- high significance of impact
- major significance of impact.

There is no pre-determined definition of what the difference between each of these findings. Rather, as has been noted, it is inherently subjective and varied according to the nature of each view. In this regard the GLVIA3 makes the following observation:

- 'There are no hard and fast rules about what makes a significant effect, and there cannot be a standard approach since circumstances vary with the location and context and with the type of proposal'.

The GLVIA3 further advises that 'in making a judgement about the significance of visual effects the following points should be noted:

- Effects on people who are particularly sensitive to changes in views and visual amenity are more likely to be significant
- Effects on people at recognised and important viewpoints or from recognised scenic routes are more likely to be significant
- Large-scale changes which introduce new, non-characteristic or discordant or intrusive elements into the view are more likely to be significant than small changes or changes involving features already present within the view'.

7.3.2 Consistency with the planning framework

Determination of significance does not automatically equate to unacceptability. Rather, acceptability is determined by consistency with relevant parts of the applicable planning framework. The planning framework is the appropriate reference for this judgement as it represents the policy position of the NSW Government, and in the case of local planning instruments that of council on relevant matters.

7.4 Mitigation measures

Mitigation measures are used to ensure acceptable visual impact. They comprise primary mitigation measures such as siting, scale, form and massing which are integral to the proposal, and secondary measures such as materiality and colour which may form part of relevant and reasonable conditions of development consent.

7.5 Assumptions, limitations and exclusions

In addition to any others expressed in the relevant part of this VIA, the following key assumptions, limitations and exclusions apply to this VIA:

Assumptions

- it is assumed that all inputs from other parties are accurate

Limitations

- as with all VIA, there is considerable interplay between planning, design and visual impact matters. As such, while the VIA touches on matters such as character, size and scale and amenity, due regard should be given to other relevant documents for full address of these matters
- the evidence base of images provides an indication of visual impact informed by visual analysis that is considered to be reasonable and proportion to the likely impacts of the proposal. It does not purport to represent every possible viewing condition within the visual catchment
- while photomontages provide an indication of likely future visual environment, they can only provide an approximation of the rich visual experience enabled by the human eye. As they are based on photographs, the same limitations that apply to photography, including optical distortion, also apply (refer to **Appendix A** for further detail)

Exclusions

- consideration of the following matters is excluded as it is not within the scope of VIA:
 - view impact on private property
 - heritage, in particular impact on values and significance
 - Aboriginal cultural heritage values and connecting with Country
 - night-time impact, including lighting
 - outlook
 - visual privacy.

Key points

- The VIA has been undertaken generally in accordance with the principles of the 'Guidelines for Landscape and Visual Impact Assessment – Third Edition' (GLVIA3) (Landscape Institute; I.E.M.A., 2013), as adjusted to better align with the NSW planning system under the Environmental Planning and Assessment Act 1979 (EP&A Act)
- To inform the VIA, photos showing the existing visual environment and survey aligned photomontages showing the likely future visual environment prepared in accordance with the Land and Environment Court of NSW 'Use of Photomontages and Visualisation Tools' (17 May 2024) were prepared for 6 key viewpoints representing key aspects of the pattern of viewing in the surrounding primary visual catchment.

8.0 Visual analysis

This part provides a visual analysis, including identification of the visual catchment, the primary visual catchment, pattern of viewing, and viewpoints for more detailed assessment.

8.1 The visual catchment

The visual catchment is that part of the public domain from which a proposal may ordinarily be seen by people.

It is mainly shaped by a combination of natural factors such as topography, waterways and vegetation, human factors such as public domain, buildings and structures, and the nature and scale of the proposal.

The visual catchment includes three viewing ranges, being close range, medium range, and long range. The nature and extent of visibility changes with these ranges. As a consequence, what is important to VIA also changes.

Due to the typically greater impact of proposals, the close range and medium range visual catchment is of most interest to and is the focus of this VIA. For the purposes of this VIA, this is referred to as the 'primary visual catchment'.

8.1.1 Longer range

The longer range includes any areas beyond the adjoining suburbs of Waterloo and Redfern, and in particular the Eastern City District. Mainly due to topography and its height, the outer extent of the proposal's visual catchment is likely to extend over the longer range to the east. In general, it may be visible from some topographically elevated locations in the public domain stretching to the crest of the predominant eastern beaches ridgeline. This is evidenced by the visibility of existing nearby taller buildings in Green Square such as Chevron (811 South Dowling Street). For example, a large part of Chevron may be seen as far away as Darley Road, Waverley (4km approx. to the east). However and similarly due to topography, the outer extent of the proposal's visual catchment is likely to be considerably closer in locations to the north, south and west. Of particular note, the combination of the Elizabeth Street ridgeline 300m (approx.) to the west and the basin of the Alexandria Canal will largely block or reduce visibility from locations to the west.

8.1.2 Medium range

The medium range includes the adjoining suburbs of Waterloo and Redfern.

Due to a broader range of factors and in particular public domain, buildings and vegetation, the proposal is likely to be blocked, screened or filtered in many views in the medium range. While noting vegetation is regarded as more ephemeral, the urban canopy in certain areas such as the Baptist Street locality in the mid-range to the north effectively enclose views (refer figure below). While noting its lower height, a good point of reference for visibility in this range is the adjacent upper part of 1 Crystal Street. Where elements align to enable its visibility, its upper part is typically seen above and behind other elements in the landscape. As such, the site is unlikely to be visually prominent from most locations in the public domain. Where it is visible, as with 1 Crystal Street it will likely appear in the background above and behind other elements in the foreground, midground, and background.



Figure 16 Street trees in the Baptist Street locality

Source: City of Sydney

8.1.3 Close range

The close range comprises adjoining parts of the public domain. In this regard, the site is most visually exposed to Bourke Street and Young Street. It will also be noticeable from other surrounding streets such as Danks Street, Wellington Street, and Potter Street.

8.2 Sensitivity of the primary visual catchment to the nature of change proposed

8.2.1 Number of people in the primary visual catchment

Due to the primary visual catchment corresponding with a highly developed urban area, a high number of people may ordinarily be exposed to views of the proposal. However, this is variable. For example, the highest number of people will be aligned with major roads such as Bourke Street, and centres such as Crown Square Shopping Plaza. A lower number of people will be aligned with local streets in residential areas such as Zamia Street in Redfern, and certain types of public or publicly accessible open space such as the Moore Park Gold Club.

8.2.2 Type of people in the primary visual catchment

The prevailing type of people within the primary visual catchment who may ordinarily be exposed to views of the proposal comprises:

- residents, in particular Redfern and Waterloo
- workers in shops, cafes and similar uses in centres such as Danks Street, and Crown Square Shopping Plaza

- travellers on main road and in particular Bourke Street
- people engaged in active and passive outdoor recreation in locations such as Crown Park.

8.2.3 Social and cultural value of the primary visual catchment

The social and cultural value of the primary visual catchment is variable. It is highest where aligned with heritage items, and HCAs.

The site is located close to a number of locally significant heritage items and heritage conservation areas. In particular, this includes the locally significant former 'Sydney Water pumping station & valve house' on the adjoining site to the south at 903-921 Bourke Street, and 'Grosvenor Terrace' located to the west at 62-116 Morehead Street.

HCAs include C53 Baptist Street to the north of the site, C36 Moore Park to the east of the site, and C70 Waterloo to the west of the site.

Other parts of the primary visual catchment that have elevated social and cultural value include:

- Danks Street due to its role as a local community centre and gathering place
- nearby public open spaces such as Crown Park due to their recreation and community interaction role.
- Bourke Street due to its being a key and well known Sydney road.

More broadly, the locality's former industrial heritage has value.

There are no significant views identified by the planning framework in the primary visual catchment. There is no evidence of the presence of representation in art and literature, or provision of facilities, that indicate social and cultural value of nearby views.

8.2.4 Visual characteristics of the primary visual catchment

As with sites, the visual character of the primary visual catchment is established by the interplay of the same natural and human factors.

Natural factors

Topography

Adjoining and surrounding land is largely level. The main exception is the Young Street locality to the west, where land slopes relatively steeply upwards and away from the site to the Elizabeth Street ridgeline. The broader context is also generally level, of gently undulating. The most notable local high point is the hill to the west of the site upon which Waterloo Park is located.

Waterways and waterbodies

Adjoining and surrounding land does not support formed, surface level waterways or waterbodies. While the broader context contains some waterways that drain into the Alexandria Canal, they are not visually notable features of the landscape.

Trees and vegetation

Adjoining and surrounding land generally includes extensive street trees plantings. Streets in the Baptist Street locality to the north of the site feature extensive, well-established urban tree canopy (refer below figure). Trees and vegetation are more variable in the broader context.

Human factors

Public domain

The adjoining and surrounding road network largely comprises a grid pattern of streets, often supported by rear access lanes (eg, the Baptist Street locality) intersected by a smaller number of

main roads. Bourke Street is the most notable street in the area, and runs in a general south-west to north-east direction generally diagonal to the site and the prevailing local street alignment. Potter Street to the east is the only street that is visually terminated by the site.

With the exception of Moore Park Golf Course to the east, adjoining and surrounding land contains a number of smaller, local parks such as Crown Square Park and pocket parks such as Elizabeth McCrae Playground.

Buildings and structures

As has been noted, adjoining and surrounding land comprises a mix of areas either renewed, undergoing of planned for comprehensive renewal to support larger scale, medium and higher rise, high density, residential focussed mixed-use development, or heritage conservation areas predominantly occupied by single and double storey terrace rows.

8.3 Pattern of viewing in the primary visual catchment

Based on this, the general pattern of viewing in the primary visual catchment can be considered to be:

- travellers on roads, in particular Bourke Street, in the close range
- residents in the close range to the east
- residents in the medium range to the north, south, east and west.

8.4 Viewpoints in the primary visual catchment

The following 6 viewpoints in the primary visual catchment's public domain respond to this visual analysis (including representing the general pattern of viewing) and are of particular relevance to VIA:

4. Viewpoint 1 – Corner of Young and Danks Street
5. Viewpoint 2 – Bourke Street
6. Viewpoint 3 – Wellington Street
7. Viewpoint 4 – Corner of Zamia and Kepos Street
8. Viewpoint 5 – Crown Park
9. Viewpoint 6 – Corner of Bourke and Danks Street.

Their location is shown in the following figure. As such, an evidence base of photos showing the existing visual environment and survey aligned photomontages showing the likely future visual environment prepared in accordance with the Land and Environment Court of NSW 'Use of Photomontages and Visualisation Tools' (17 May 2024) have been prepared for these viewpoints.

Reasonable inferences can be drawn from assessment of these viewpoints and applied more broadly to the primary visual catchment.

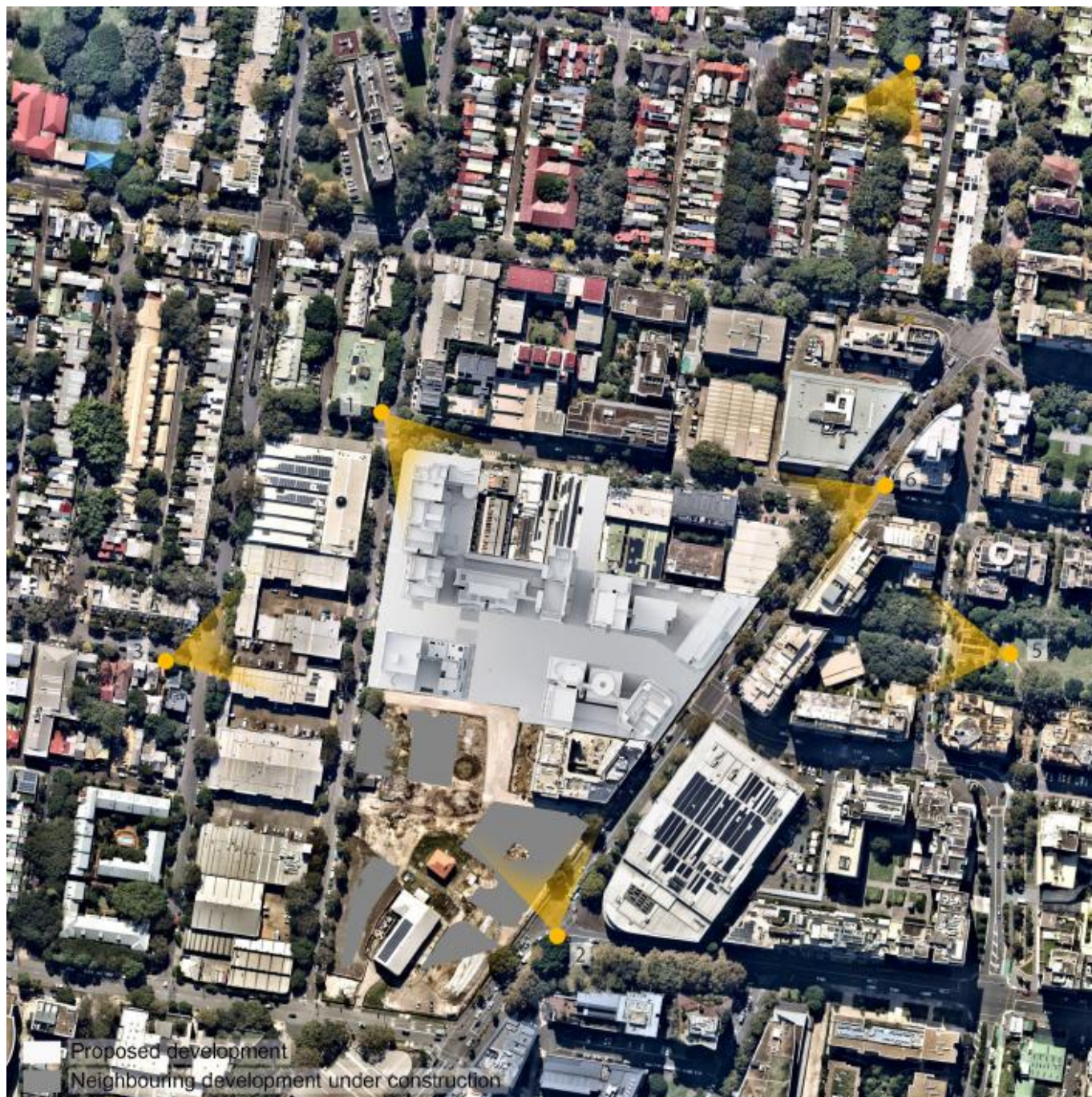


Figure 17 Location of viewpoints

Source: Virtual Ideas

Key points

- The outer extent of the proposal's visual catchment is likely to extend over the longer range to the east.
- However, due to proximity the medium range and close-range parts of the visual catchment – called the primary visual catchment – are of most interest to the VIA.
- The medium range part of the primary visual catchment includes parts of the adjoining suburbs of Waterloo and Redfern. The close-range part of the primary visual catchment includes adjoining streets, including Bourke Street, and Young Street.
- Due to the visual catchment corresponding with a highly developed urban area, a high number of people may ordinarily be exposed to views of the proposal.
- The prevailing type of people within the visual catchment who may ordinarily be exposed to views of the proposal comprises residents, workers, travelers, and people engaged in outdoor recreation.
- The social and cultural value of the primary visual catchment is variable. It is highest for the nearby Baptist Street HCA and Waterloo HCA.
- There are no significant views identified by the planning framework in the primary visual catchment.
- Notable aspects of the primary visual catchment include areas in the close range undergoing a process of renewal to support larger scale, medium and higher rise, high density, residential focussed mixed-use development.
- The general pattern of viewing in the primary visual catchment can be considered to be travelers on roads, in particular Bourke Street, in the close range, residents in the close range to the east, and residents in the medium range to the north, south, east and west.
- 6 viewpoints in the primary visual catchment's public domain responding to this visual analysis (including representing the general pattern of viewing) and of particular relevance to VIA have been selected as the basis for more detailed VIA.

9.0 Visual impact assessment

This part undertakes VIA of the proposal, including whether the proposal has the potential for significant visual impact informed by judgements about sensitivity and magnitude, and supported by photos and survey aligned photomontages.

Note: Appendix 1 provides full page copies of the photos and photomontages presented in this part. It is recommended that regard be given to these images as they are designed for viewing and reproduction at A3 size and landscape orientation.

9.1 Viewpoint 1: Danks Street and Young Street

The following table identifies this view’s key parameters.

Table 5 Viewpoint 1: Danks Street and Young Street – Key parameters

Parameter	Description
View target	Parcel 1
Direction of view	To the south-east
Distance to target	Adjacent
Angle relative to target	Oblique
Elevation relative to target	Same or similar

9.1.1 Existing view



Figure 18 Viewpoint 1: Danks Street and Young Street – existing view

Source: Virtual Ideas

9.1.2 Proposed future views



Figure 19 Viewpoint 1: Danks Street and Young Street – future view showing approved development on the adjoining site

Source: Virtual Ideas



Figure 20 Viewpoint 1: Danks Street and Young Street – proposed view

Source: Virtual Ideas



Figure 21 Viewpoint 1: Danks Street and Young Street – proposed view also showing approved envelope

Source: Virtual Ideas

9.1.3 Sensitivity of the viewpoint to the nature of change proposed

The following table assesses the sensitivity of the viewpoint to the nature of change proposed. The viewpoint is considered to have a low to medium sensitivity of the viewpoint to the nature of change proposed.

Table 6 Viewpoint 1: Danks Street and Young Street – Sensitivity of the viewpoint to the nature of change proposed

Factor	Level
Place factors	
Visual characteristics	Low to medium. The well-established eucalypts in Young Street provide visual amenity, and are of visual value. While a visually prominent corner, taller buildings are already visible in the broader visual context.
Cultural and social value	Low to medium. While the site is seen from Danks Street, it is removed from its key activity area, and is separated from HCAs. The view is not explicitly recognised as being important in relevant parts of the planning framework.
People factors	
Type of people	Low to medium. The view will likely most ordinarily be seen by local residents travelling on Danks Street and / or Young Street, and visitors to Danks Street.

Factor	Level
Number of people	Moderate. While Danks Street is an activity area, this location does not ordinarily feature a high number of people.

9.1.4 Magnitude of the nature of change proposed

The following table assesses the magnitude of the nature of change proposed. The proposal is considered to represent a major change over wide area that is ongoing and irreversible. As such the proposal is considered to have a dominant magnitude of change. It is noted that any change from the site's current status to support the type and nature of development prevailing in this part of Green Square and planned for this part of the Danks Street Precinct will inherently represent a major change over a wide area and as such have a dominant magnitude of visual impact.

Table 7 Viewpoint 1: Danks Street and Young Street – Magnitude of the nature of change proposed

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

9.1.5 Significance of the nature of change proposed

The following table assesses the significance of the nature of change proposed. Overall, the proposal is considered to have a moderate to high significance of visual impact.

Table 8 Viewpoint 1: Danks Street and Young Street – Significance of the nature of change proposed

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

9.2 Viewpoint 2: Bourke Street

The following table identifies this view’s key parameters.

Table 9 Viewpoint 2: Bourke Street – Key parameters

Parameter	Description
View target	Parcel 3
Direction of view	To the north-west
Distance to target	Adjacent
Angle relative to target	Oblique
Elevation relative to target	Same or similar

9.2.1 Existing view



Figure 22 Viewpoint 2: Bourke Street – existing view

Source: Virtual Ideas

9.2.2 Proposed future view

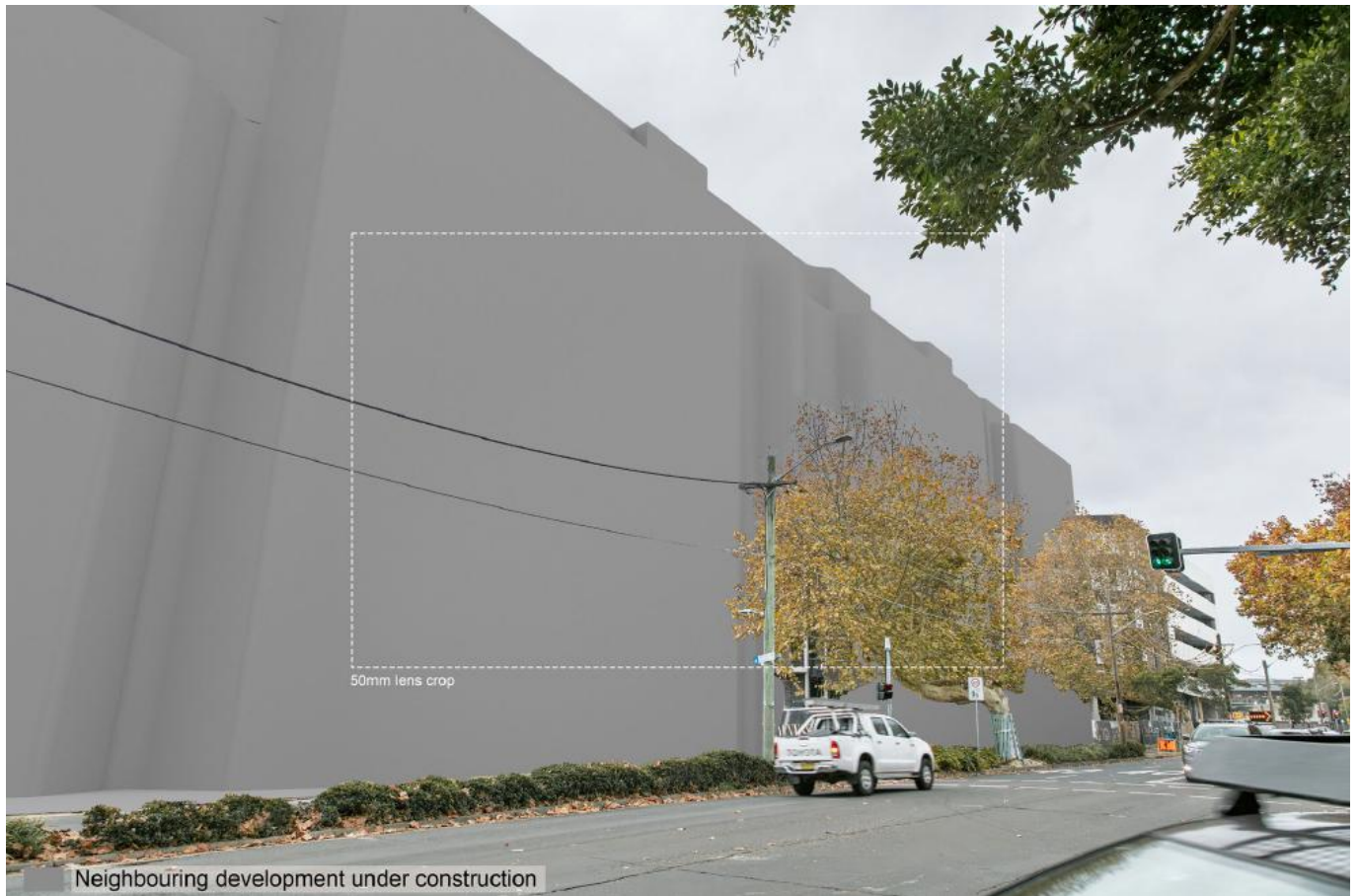


Figure 23 Viewpoint 2: Bourke Street – future view showing approved development on the adjoining site
Source: Virtual Ideas

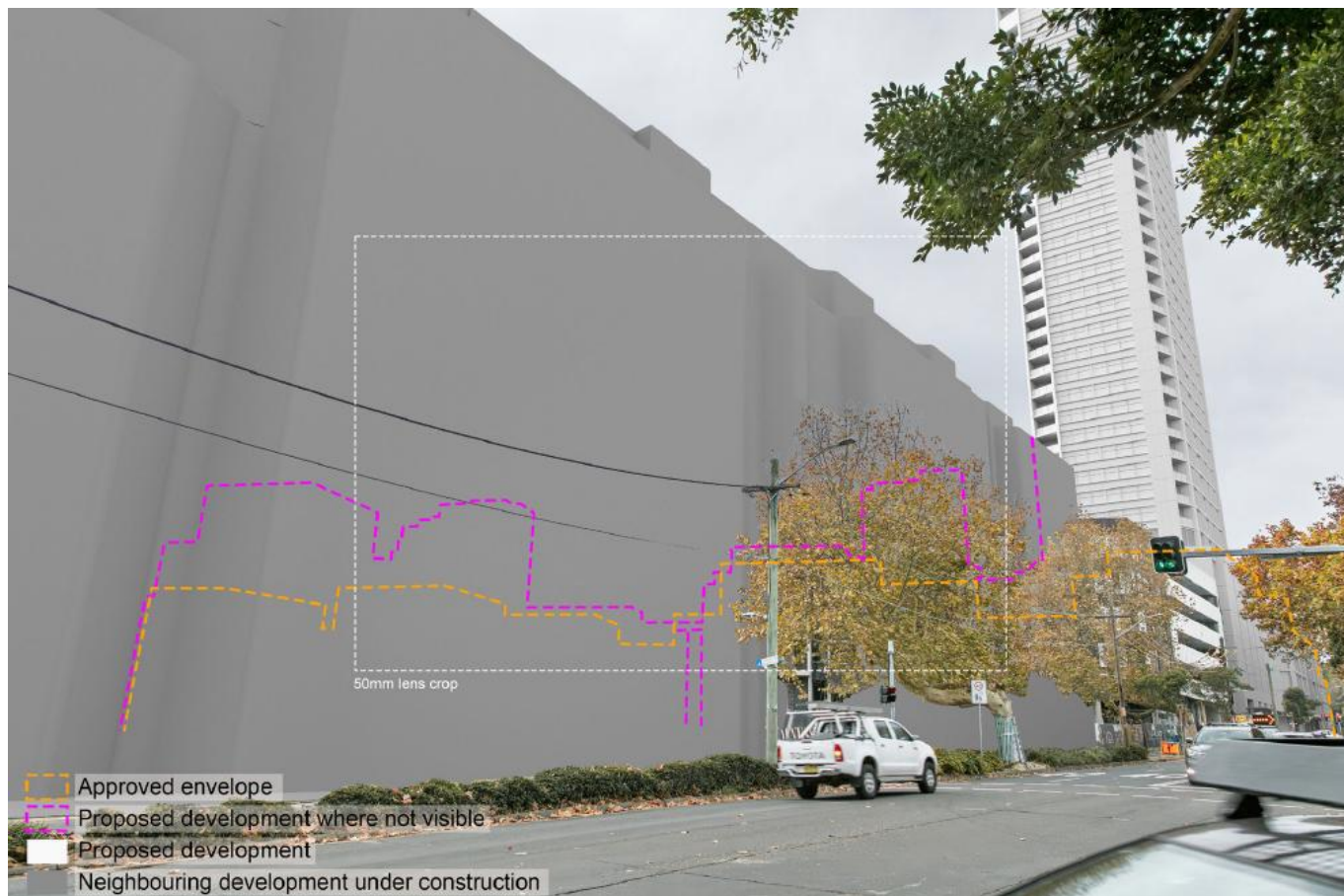


Figure 24 Viewpoint 2: Bourke Street – proposed view

Source: Virtual Ideas

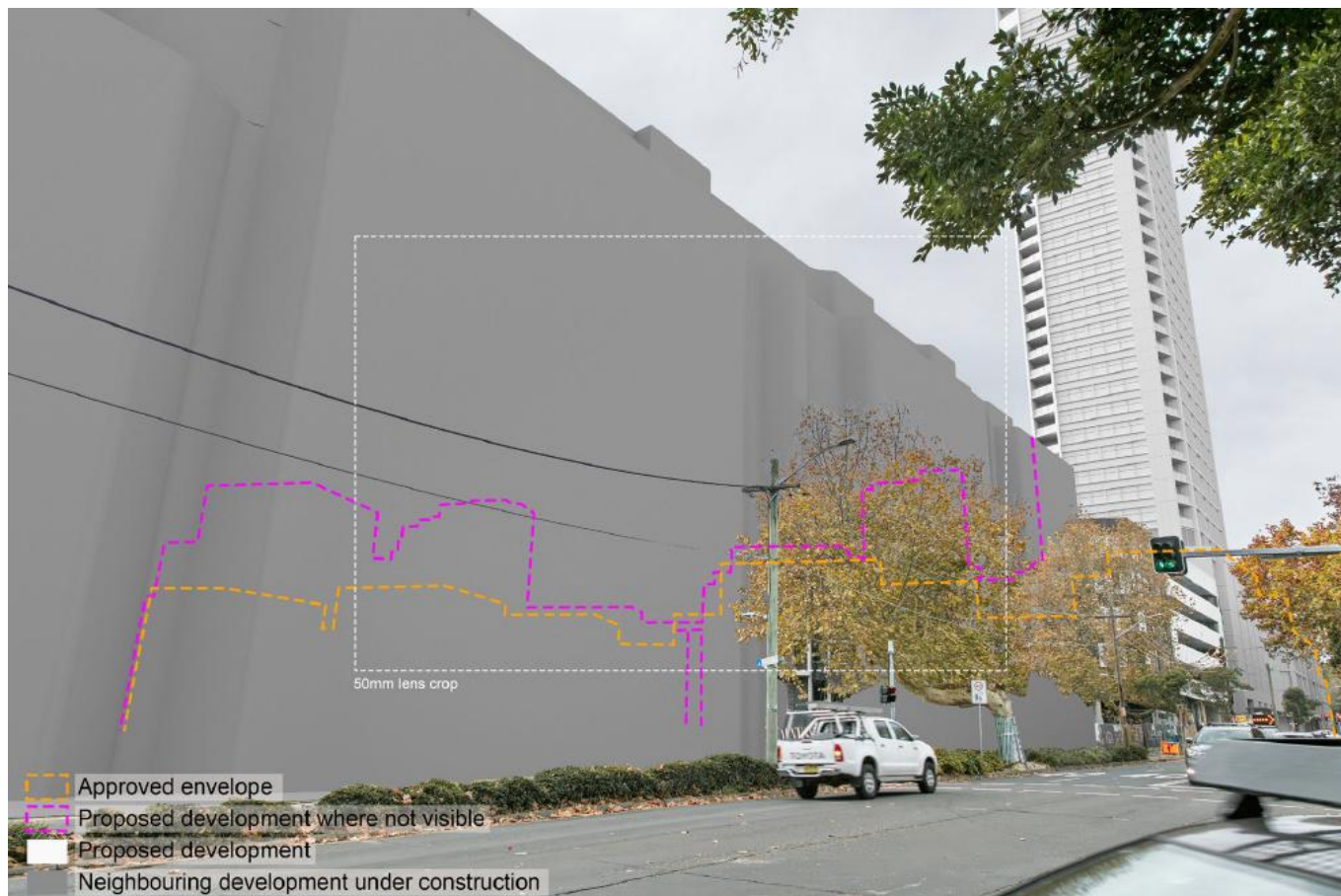


Figure 25 Viewpoint 2: Bourke Street – proposed view also showing approved envelope

Source: Virtual Ideas

9.2.3 Sensitivity of the viewpoint to the nature of change proposed

The following table assesses the sensitivity of the viewpoint to the nature of change proposed. The viewpoint is considered to have a low to medium sensitivity of the viewpoint to the nature of change proposed.

Table 10 Viewpoint 2: Bourke Street – Sensitivity of the viewpoint to the nature of change proposed

Factor	Level
Place factors	
Visual characteristics	Low. This part of Bourke Street has low visual amenity. Taller buildings are already visible in the broader visual context, and are planned along Bourke Street.
Cultural and social value	Low. While the site is seen from Bourke Street, it is separated from HCAs. The view is not explicitly recognised as being important in relevant parts of the planning framework.
People factors	
Type of people	Low. The view will likely most ordinarily be seen by members of the broader public travelling on Bourke Street.
Number of people	High.

Factor	Level
	Bourke Street has regional status in the NSW Government road hierarchy, is regarded as a major road by the City of Sydney, and supports high volumes of traffic and trunk bus routes.

9.2.4 Magnitude of the nature of change proposed

The following table assesses the magnitude of the nature of change proposed. The proposal is considered to represent a major change over a restricted area that is ongoing and irreversible. As such the proposal is considered to have a considerable magnitude of change.

Table 11 Viewpoint 2: Bourke Street – Magnitude of the nature of change proposed

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

9.2.5 Significance of the nature of change proposed

The following table assesses the significance of the nature of change proposed. Overall, the proposal is considered to have a low significance of visual impact. While the height of the taller tower on parcel 3 is visible, this rating is primarily due to its lower sensitivity to the nature of change proposed, most of the proposal being blocked by planned development in the midground on Bourke Street, and the slender profile of the tower covering a geographically restricted part of the view.

Table 12 Viewpoint 2: Bourke Street – Significance of the nature of change proposed

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

9.3 Viewpoint 3: Wellington Street

The following table identifies this view’s key parameters.

Table 13 Viewpoint 3: Wellington Street – Key parameters

Parameter	Description
View target	Centre of the site
Direction of view	To the north-east
Distance to target	90m (approx.)
Angle relative to target	Flush
Elevation relative to target	Above

9.3.1 Existing view



Figure 26 Viewpoint 3: Wellington Street – existing view

Source: Virtual Ideas

9.3.2 Proposed future view



Figure 27 Viewpoint 3: Wellington Street – future view showing approved development on the adjoining site
Source: Virtual Ideas



Figure 28 Viewpoint 3: Wellington Street – proposed view

Source: Virtual Ideas



Figure 29 Viewpoint 3: Wellington Street – proposed view also showing approved envelope

Source: Virtual Ideas

9.3.3 Sensitivity of the viewpoint to the nature of change proposed

The following table assesses the sensitivity of the viewpoint to the nature of change proposed. The viewpoint is considered to have a medium sensitivity of the viewpoint to the nature of change proposed.

Table 14 Viewpoint 3: Wellington Street – Sensitivity of the viewpoint to the nature of change proposed

Factor	Level
Place factors	
Visual characteristics	Medium. The combination of low rise, Victorian terrace forms and well treed streets in this part of the Waterloo HCA provide visual amenity and are of visual value. While a visually prominent corner, taller buildings are already visible in the broader visual context. Light industrial development fronting the eastern side is visually detracting from the HCA.
Cultural and social value	Medium to high. The view is seen from a residential HCA. However, it is noted that the view is not explicitly recognised as being important in relevant parts of the planning framework.
People factors	
Type of people	Medium.

Factor	Level
	The view will likely most ordinarily be seen by local residents and members of the broader public travelling on Wellington Street.
Number of people	Low to medium. This part of Wellington Street mainly provides access to the local residential area.

9.3.4 Magnitude of the nature of change proposed

The following table assesses the magnitude of the nature of change proposed. The proposal is considered to represent a moderate change over wide area that is ongoing and irreversible. As such the proposal is considered to have a considerable magnitude of change.

Table 15 Viewpoint 3: Wellington Street – Magnitude of the nature of change proposed

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

9.3.5 Significance of the nature of change proposed

The following table assesses the significance of the nature of change proposed. Overall, the proposal is considered to have a moderate significance of visual impact.

Table 16 Viewpoint 3: Wellington Street – Significance of the nature of change proposed

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

9.4 Viewpoint 4: Corner of Zamia Street and Kepos Street

The following table identifies this view’s key parameters.

Table 17 Viewpoint 4: Corner of Zamia Street and Kepos Street – Key parameters

Parameter	Description
View target	Centre of the site
Direction of view	To the south
Distance to target	320m (approx.)
Angle relative to target	Flush
Elevation relative to target	Same or similar

9.4.1 Existing view



Figure 30 Viewpoint 4: Corner of Zamia Street and Kepos Street – existing view
Source: Virtual Ideas

9.4.2 Proposed future view



Figure 31 Viewpoint 4: Corner of Zamia Street and Kepos Street – future view showing approved development on the adjoining site

Source: Virtual Ideas



Figure 32 Viewpoint 4: Corner of Zamia Street and Kepos Street – proposed view

Source: Virtual Ideas



Figure 33 Viewpoint 4: Corner of Zamia Street and Kepos Street – proposed view also showing approved envelope

Source: Virtual Ideas

9.4.3 Sensitivity of the viewpoint to the nature of change proposed

The following table assesses the sensitivity of the viewpoint to the nature of change proposed. The viewpoint is considered to have a medium sensitivity of the viewpoint to the nature of change proposed.

Table 18 Viewpoint 4: Corner of Zamia Street and Kepos Street – Sensitivity of the viewpoint to the nature of change proposed

Factor	Level
Place factors	
Visual characteristics	Medium to high. The combination of low rise, Victorian terrace forms, well treed streets and Elizabeth McCrae Playground in this part of the Baptist HCA provide visual amenity and are of visual value. Unlike the preceding viewpoint 3, light industrial development is not present.
Cultural and social value	Medium to high. The view is seen from a residential HCA. However, it is noted that the view is not explicitly recognised as being important in relevant parts of the planning framework.
People factors	
Type of people	High.

Factor	Level
	The view will likely most ordinarily be seen by local residents travelling on Zamia Street and Kepos Street, and local residents accessing the Elizabeth McCrae Playground.
Number of people	Low to medium. This part of Zamia Street and Kepos Street mainly provides access to the local residential area.

9.4.4 Magnitude of the nature of change proposed

The following table assesses the magnitude of the nature of change proposed. As seen in this view the proposal is considered to represent a minor change over a restricted area that is ongoing and irreversible. As such the proposal is considered to have a perceptible magnitude of change.

However, it is acknowledged that there may be a smaller number of other locations in the more eastern part of the HCA where blocking elements in the foreground and midground are not present to the same extent they are in this view (eg, Bourke Lane). From such locations, this the tallest tower in parcel 3 would be more visible, and would be considered to represent a moderate change over a restricted area that is ongoing and irreversible. As such it would be considered to have a considerable magnitude of change. On this basis, the proposal has both a perceptible and considerable magnitude of visual impact.

Table 19 Viewpoint 4: Corner of Zamia Street and Kepos Street – Magnitude of the nature of change proposed

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

9.4.5 Significance of the nature of change proposed

The following table assesses the significance of the nature of change proposed. Overall, the proposal is considered to have a low to moderate significance of visual impact.

Table 20 Viewpoint 4: Corner of Zamia Street and Kepos Street – Significance of the nature of change proposed

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

		Magnitude				
		Dominant	Considerable	Noticeable	Perceptible	Imperceptible
	Negligible	Low	Low	Negligible	Negligible	Negligible

9.5 Viewpoint 5: Crown Park

The following table identifies this view’s key parameters.

Table 21 Viewpoint 5: Crown Park – Key parameters

Parameter	Description
View target	Centre of the site
Direction of view	To the west
Distance to target	150m (approx.)
Angle relative to target	Flush
Elevation relative to target	Same or similar

9.5.1 Existing view



Figure 34 Viewpoint 5: Crown Park – existing view

Source: Virtual Ideas

9.5.2 Proposed future view



Figure 35 Viewpoint 5: Crown Park – future view showing approved development on the adjoining site
Source: Virtual Ideas



Figure 36 Viewpoint 5: Crown Park – proposed view also showing approved envelope

Source: Virtual Ideas



Figure 37 Viewpoint 5: Crown Park – proposed view

Source: Virtual Ideas

9.5.3 Sensitivity of the viewpoint to the nature of change proposed

The following table assesses the sensitivity of the viewpoint to the nature of change proposed. The viewpoint is considered to have a medium sensitivity of the viewpoint to the nature of change proposed.

Table 22 Viewpoint 5: Crown Park – Sensitivity of the viewpoint to the nature of change proposed

Factor	Level
Place factors	
Visual characteristics	Medium. The dominance of high quality, well-maintained green space in this view provides visual amenity and is of visual value. Taller buildings are already visible in the broader visual context.
Cultural and social value	Medium to high. Crown Park is the main park for Crown Square. However, it is noted that the view is not explicitly recognised as being important in relevant parts of the planning framework.
People factors	
Type of people	Medium. The view will likely most ordinarily be seen by local residents engaged in active and passive outdoor recreation.

Factor	Level
Number of people	Medium to high. Crown Park is ordinarily well used.

9.5.4 Magnitude of the nature of change proposed

The following table assesses the magnitude of the nature of change proposed. The proposal is considered to represent a minor change over a restricted area that is ongoing and irreversible. As such the proposal is considered to have a perceptible magnitude of change.

Table 23 Viewpoint 5: Crown Park – Magnitude of the nature of change proposed

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

9.5.5 Significance of the nature of change proposed

The following table assesses the significance of the nature of change proposed. Overall, the proposal is considered to have a low significance of visual impact.

Table 24 Viewpoint 5: Crown Park – Significance of the nature of change proposed

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

9.6 Viewpoint 6: Corner of Bourke Street and Danks Street

The following table identifies this view's key parameters.

Table 25 Viewpoint 6: Corner of Bourke Street and Danks Street – Key parameters

Parameter	Description
View target	Parcel 2 and 3

Parameter	Description
Direction of view	To the south-west
Distance to target	90m (approx.)
Angle relative to target	Oblique
Elevation relative to target	Same or similar

9.6.1 Existing view



Figure 38 Viewpoint 6: Corner of Bourke Street and Danks Street – existing view

Source: Virtual Ideas

9.6.2 Proposed future view



Figure 39 Viewpoint 6: Corner of Bourke Street and Danks Street – future view showing approved development on the adjoining site

Source: Virtual Ideas



Figure 40 Viewpoint 6: Corner of Bourke Street and Danks Street – proposed view

Source: Virtual Ideas



Figure 41 Viewpoint 6: Corner of Bourke Street and Danks Street – proposed view also showing approved envelope

Source: Virtual Ideas

9.6.3 Sensitivity of the viewpoint to the nature of change proposed

The following table assesses the sensitivity of the viewpoint to the nature of change proposed. The viewpoint is considered to have a low to medium sensitivity of the viewpoint to the nature of change proposed.

Table 26 Viewpoint 6: Corner of Bourke Street and Danks Street – Sensitivity of the viewpoint to the nature of change proposed

Factor	Level
Place factors	
Visual characteristics	Low to medium. This part of Bourke Street has low to medium visual amenity. Taller buildings are already visible in the broader visual context, and are planned along Bourke Street.
Cultural and social value	Low to medium. While seen from the Bourke Street and Danks Street intersection, it is separated from HCAs. The view is not explicitly recognised as being important in relevant parts of the planning framework.
People factors	
Type of people	Low to medium.

Factor	Level
	The view will likely most ordinarily be seen by local residents and members of the broader public travelling on Bourke Street and Danks Street
Number of people	High. Bourke Street has regional status in the NSW Government road hierarchy, is regarded as a major road by the City of Sydney, and supports high volumes of traffic and trunk bus routes.

9.6.4 Magnitude of the nature of change proposed

The following table assesses the magnitude of the nature of change proposed. The proposal is considered to represent a major change over a restricted area that is ongoing and irreversible. As such the proposal is considered to have a considerable magnitude of change.

Table 27 Viewpoint 6: Corner of Bourke Street and Danks Street – Magnitude of the nature of change proposed

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

9.6.5 Significance of the nature of change proposed

The following table assesses the significance of the nature of change proposed. Overall, the proposal is considered to have a low to moderate significance of visual impact.

Table 28 Viewpoint 6: Corner of Bourke Street and Danks Street – Significance of the nature of change proposed

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

9.7 Key findings

Mainly due to an appreciation of the nature of Green Square as a major planned growth areas and the visibility of existing larger scale and taller buildings, the overall sensitivity of the primary visual catchment to the nature of change proposed is low – moderate.

Due to the site currently being vacant and the inherent nature of larger scale and taller buildings, the overall magnitude of the nature of change proposed is high. However, this is variable based on the characteristics of viewpoints.

The significance of visual impact has been qualitatively assessed as:

- **Viewpoint 1 – Corner of Young and Danks Street:** moderate to high significance of visual impact
- **Viewpoint 2 – Bourke Street:** low to moderate significance of visual impact
- **Viewpoint 3 – Wellington Street:** moderate significance of visual impact
- **Viewpoint 4 – Corner of Zamia and Kepos Street:** low to moderate significance of visual impact
- **Viewpoint 5 – Crown Park:** low significance of visual impact
- **Viewpoint 6 – Corner of Bourke and Danks Street:** low to moderate significance of visual impact.

As the threshold is a single finding of high significance, the proposal has the potential for significant visual impact. However, the potential for a significant visual impact is not determinative of an unacceptable visual impact. Rather, this is determined by having regard to the planning framework and mitigation measures.

Key points

- The overall sensitivity of the primary visual catchment to the nature of change proposed is low – moderate.
- While variable, the overall magnitude of the nature of change proposed is high.
- The significance of visual impact ranges from low, to moderate to high.
- As such, the proposal has the potential for significant visual impact.

10.0 Assessment against the planning framework

This part assesses the proposal and its visual impact against the relevant parts of the planning framework to the application.

10.1 Context and urban form

Under this issue, the planning framework requires consideration of responsiveness to context, and compatibility with urban form.

10.1.1 Responsiveness to context

Context has two dimensions relevant to VIA:

- strategic planning context
- local planning context.

Strategic planning context

Consistent with the National Housing Accord, the proposal delivers a greater amount and choice of new homes, including affordable homes.

Consistent with the strategic planning framework including the Region Plan, District Plan and LSPS, this housing is provided in a well located area within existing urban areas that is in particular well served by public transport.

However, much of strategic planning framework was prepared prior to the National Housing Accord, with the Region Plan, District Plan now being 7 years old and the LSPS being 5 years old. As a consequence, to ensure continued responsiveness to housing need the NSW Government has invested in a range of more local planning measures such as the Transport Oriented Development Program (TOD Program).

This complements other, council led initiatives in the southern and south-eastern parts of the Eastern City District, including more locally the recalibration of building heights in the Zetland part of Green Square, and Botany Road Corridor, as well as nearby in places such as Kensington and Kingsford, and Eastgardens.

While maintaining Sydney's characteristic urban form of clusters of taller buildings in higher rise centres surrounded by lower rise development, these measures are also recalibrating expectations around the physical extent of taller buildings and acceptable building height.

Further to this and enabled by the change of circumstances criteria under the Local Environmental Plan Making Guideline (the Department, 2023), it is appropriate to reconsider the capacity of larger sites within growth areas such as Green Square to efficiently greater housing choice and affordability.

In particular, to minimise visual amenity impact arising from contrast in scale, sites not directly adjoining established low density residential areas are more well suited to support taller buildings.

Local planning context

In terms of local planning context, the site is highly suited has many attributes that support development of greater scale and visual impact. Key attributes such as accessibility to public transport have been acknowledged by the City of Sydney in their planning proposal for the Danks Street South Precinct planning proposal. These include its:

- large area of 2.15ha (approx.)

- it adjoins the 903-921 Bourke Street site to the south, forming the Danks Street South Precinct which is one of the last remaining key sites in the northern part of Green Square planned for renewal which can deliver a range of tangible community benefits including a new public park
- it is located at the northern Gateway to Green Square
- it is adjacent to the Danks Street local centre
- it is well served by mass transit, being 850m (approx.) to the east of Waterloo (metro) Station, and 1km north of Green Square Station
- noting the resolution of the City of Sydney Council at its meeting on 29 July 2024, the site will be highly accessible to any future extension of Sydney's light rail network to Green Square down Phillip Street
- it is surrounded on all sides by public roads, including the regionally significant Bourke Street which supports an existing high capacity bus route
- it is not subject to common high impact constraints to renewal, including an absence of heritage items or adjacency to heritage conservation areas
- the closest established, low density residential area (Morehead Street) is located 80m (approx.) to the west of the site and is separated from the site by the Young Street Precinct which is planned for future renewal as a transition precinct to mitigate scale differences
- the next nearest established, low density residential area (north of Phillip Street) is located 115m (approx.) to the north of the site and is separated and a largely visually screened from the site by larger scale development on the northern side of Danks Street which mediates difference in scale
- other adjoining and surrounding land has been renewed for larger scale, medium and higher rise, high density residential focussed mixed-use development
- it is proximate to the new public parkland that will be created through the reconfiguration of the Moore Park Golf Course..

10.1.2 Compatibility with urban form

While the public domain and lot layout is consistent with that for the Danks Street South locality under the SDCP 2012, it is acknowledged that the proposal represents a variation from the planned building heights.

However, the proposal is consistent with Sydney's well-established urban form pattern characterised by clusters of taller buildings in higher rise nodes surrounded by lower rise development.

More locally, it also strengthens the polycentric visual character of the south Sydney part of the Eastern Economic Corridor where tall buildings first appear north of the site in Redfern and continue in well-planned clusters to Mascot to the south.

Green Square is comprised of a series of neighbourhoods. Parts of neighbourhoods at its eastern side such as Waterloo, Zetland and Rosebery have greater capacity to accommodate development of scale. While due to a number of reasons, this includes reduced visual impact arising from greater separation from large areas of established, more sensitive low density areas that are often designed as heritage conservation areas under the SLEP 2012. While noting its visibility from Kensington, the City of Sydney's decision in 2023 to support taller buildings than originally planned on the large, strategically located Suttons site in Zetland supports this. As the stock of large, strategically located sited zoned for renewal are depleted, it also signifies the appropriateness of reconsidering the capability of remaining such sites to deliver on the overall outcomes sought for Green Square. This includes housing delivery and provision of new, high quality public spaces. Reconsidering heights for specific, targeted sites can contribute to strengthening the polycentric visual character of Green Square, delivering more visually distinct and legible neighbourhoods that together create a more varied, visually interesting overall skyline for Green Square while still retaining a coherent urban form immediately recognisable as 'Green Square'. Specifically, greater height on the site can help delineate a northern cluster of taller buildings in the Danks Street locality as Green Square's northern gateway that balances and complements the Green Square Town Centre. While not a decision for this

application, a similar target approach to greater height on specific sites in the eastern part (eg, Zetland) and the southern part (eg, Rosebery) of Green Square can complement this approach.

This in turn reinforces the urban form legibility of the Eastern Economic Corridor and Green Square as important parts of Greater Sydney.

Related to this, it is noted that the arrangement of highly visible taller buildings adjoining South Dowling Street as a main entrance to inner Sydney from the south in Zetland and Waterloo shows that scale of buildings where it achieves urban legibility reasons is acceptable in Green Square.



Figure 42 Taller buildings at the highly visible South Dowling boundary of Green Square

Source: Meriton

Maximum building height is compatible with emerging heights in major renewal centres outside the metropolitan city centres of the Harbour CBD and Parramatta and those emerging in this part of the Eastern Economic Corridor, including those in the Waterloo Metro Quarter and Waterloo South.

The intentional placement of the tallest tower reinforces urban structure and street hierarchy, and delineates the key Bourke Street and Potter Street intersection.

10.2 Character

Under this issue, the planning framework requires consideration of responsiveness to existing valued visual characteristics, including scenic and cultural landscapes, and consistency with desired future visual character

10.2.1 Responsiveness to existing valued visual characteristics, including scenic and cultural landscapes

While the site is not close to a widely recognised scenic landscape such as Sydney Harbour, it is close to heritage items and HCAs. New built form is physically separated from the HCAs. In addition and is demonstrated in the photomontages for Viewpoint 3 and Viewpoint 4, it will not be unduly prominent from these HCAs.

As is outlined in the 'Vision' part of the design documentation:

- 'Built forms are carefully attuned to their immediate context—responding to Bourke Street's acoustic conditions, the warehouse and pedestrian character of Danks Street, the tree-lined edges of Young Street, and the green buffer of the central community park' (SJB, Bates Smart, Chenchow Little, Curious Practice 2025).

Of note, retention of the well-established eucalypts within Young Street will filter views to new built form, reducing their visual impact.

In addition, the material strategy 'grounds the proposal in place' through 'a unifying masonry base' that 'reference the site's industrial heritage' (SJB, Bates Smart, Chenchow Little, Curious Practice 2025).

10.2.2 Consistency with desired future visual character

The proposal is consistent with the site and area's desired future visual character dominated by larger scale, medium and higher rise, high density residential focussed mixed-use development. This includes the taller tower approved for the adjoining site to the south. Together, the proposal and these buildings can form a cluster of taller development demarcating the northern end of Green Square anchored by the Danks Street centre.

In addition, it is also consistent with more fine grain aspects of this desired future visual character such as a positive relationship between the public and private domains through measures such as lower rise street walls, and active frontages in key locations.

10.3 View corridors

Under this issue, the planning framework requires consideration of impact on important public view corridors.

The planning framework does not designate important public view corridors in the area. As such, the proposal will not impact such corridors.

The corner of Bourke Street, Phillip Street, and Crescent Street represents the main northern gateway into Green Square. The next intersection, being Bourke Street with Danks Street, represents the intersection of the two main activity streets in the local area. As is evidenced by the photomontages for Viewpoint 2 and Viewpoint 6, the proposal will demarcate the importance of this corner through the placement of the tallest tower as an 'urban marker'.

Prior to the demolition of buildings on the site, the western visual axis of Potter Street was formerly terminated by light industrial buildings. By extending Potter Street into the site, it provides a longer, and more visually attractive vista, terminating at new, high quality public domain and built form. While the tallest tower will be located at the south-west corner of this intersection, direct visibility of the entirety of the building will be blocked by the large scale Sydney City Toyota and Lexus building at its south-east corner.

10.4 Scale

Under this issue, the planning framework requires consideration of the height and bulk of buildings, including proportions, and the location of towers.

In the absence of a Greater Sydney policy, the London Plan's 'Tall building' policy (GLA, 2021) is helpful in helping frame what is important about scale when seen from different ranges in the visual catchment. In this regard, the London Plan notes that:

- in the long range, attention should be paid to urban form and skyline impact, with particular attention given to the upper part of buildings.
- in the medium range, 'attention should be paid to the form and proportions of the building', and 'it should make a positive contribution to the local townscape in terms of legibility, proportions and materiality'
- in the close range, 'attention should be paid to the base of the building', and it 'should have a direct relationship with the street, maintaining the pedestrian scale, character and vitality of the street'.

It is acknowledged the height of buildings is greater than the current planning controls under the SLEP 2012.

As has been argued above, the proposed height is considered to appropriately respond to strategic and local context.

Taller buildings are separated from heritage items and HCAs, and are not visually prominent from the Baptist Street HCA or the Waterloo HCA. The Young Street locality is planned for redevelopment in the future under the SLEP 2012 as a transition area to mediate difference in scale between the site and the Danks Street South Precinct and the Waterloo HCA. Development between Danks Street and Phillip Street results in the site not being visually prominent from the Baptist Street HCA. The suitability of the site to accommodate a taller buildings at its Bourke Street and Potter Street intersection has been recognised by the City of Sydney in its planning proposal for the Danks Street South Precinct.

Consistent with the SLEP 2012, the proposal ensures the amenity of the public domain by only including one taller tower. This building adopts a number of measures that reduce its visual impact, including:

- contributes to the physical definition of the street network, being Bourke Street and Potter Street
- has a tower and podium form on one part of has a podium height that responds to that of Bourke Street
- is vertically proportioned, with a slender form in large part due to its narrow floorplate

In addition, it is considered to contribute to the site's overall varied but cohesive urban form. Of note, it is considered to visually break up the existing Bourke Street wall formed by the Tiara building in Crown Square to the east.

The concurrent rezoning part of the application seeks to increase the allowable maximum FSR from 2.15:1 to 2.4:1. This is not considered a significant increase, and is comparable with that being achieved in other major renewal areas of Sydney. Crown Square to the immediate east of the site has site FSRs of up to 4:1 (including the Tiara building), and the Victoria Park locality also has block FSRs of 4:1.

10.5 Amenity

Under this issue, the planning framework requires consideration of impact on visual amenity, in particular public domain visual amenity.

The proposal represents a considerable improvement to the visual amenity of the public domain under its current visual condition as a vacant site and its previous visual condition as light industrial and commercial premises.

Overall, the proposal creates a coherent yet varied composition of well separated, taller buildings that contributes to a visually interesting, 'dynamic' skyline, and allows individual buildings to be seen 'in the round'.

By locating the tallest tower at the south-eastern edge of the site, the proposal minimises impact on the existing visual amenity of the more sensitive nearby lower density residential areas.

This is a key contributor to the tower appearing in the background of views above and behind elements in the foreground, midground and background from these areas which reduces perception of scale.

10.5.1 View Loss/Sharing

Views across and over the site may be obtained from some more elevated locations in the nearby private domain, in particular from locations to the south and east. This will likely includes higher value views to part of the Sydney CBD skyline in the background. Due to the location of the site and its context in an evolving, major growth area in the form of Green Square, it is reasonable to expect a relatively high level of change to existing views. This includes the full or partial obstruction of elements and features, in particular when they are seen over a distance such as the Sydney CBD

skyline. The proposal is considered to demonstrate skilful design as is understood by Tenacity by through intentional layout and design measures. These include retaining the approved location of the public park, distribution of taller buildings to the edges of the site, placement of the taller tower adjacent to the non-residential Sydney City Toyota and Lexus building, and the slender proportions of the taller tower enabling views to be more readily obtained around the building compared to a more bulky form. In particular, this will likely retain a line of sight to part of the Sydney CBD skyline from the approved tower on the adjoining site to the south, retain aspects of existing views from the upper parts of building further to the south in the Lachlan Precinct.

While other amenity considerations are not directly relevant to VIA, they do inform considerations about the acceptability of the scale of development. In this regard it is understood the proposal performs well relative to controls for solar access to public open space, wide safety and comfort, and Apartment Design Guide (ADG) requirements for internal amenity.

10.6 Design

Under this issue, the planning framework requires demonstration of design excellence.

As is shown in the planning and design documentation, the proposal represents the outcome of a considered design process. This has included comprehensive and detailed site and context analysis, designing with Country informed by work undertaken by Bangawarra, and three leading design practices working together across the various parcels that comprises the site.

Of particular relevance to VIA is the 'Density framework' included in the design documentation. This shows that the intentional redistribution of height within the site to achieve acceptable sunlight to the new public park 'without compromising the amenity of existing and future residents' (SJB, Bates Smart, Chenchow Little, Curious Practice 2025).

The 'Precinct strategy' also articulated in the design documentation is also relevant to VIA, and in particular height. It shows:

- a variety of building typologies, including podium and tower forms, and side core slender forms
- street walls ranging between 4 – 8 storeys,
- taller buildings intentionally positioned to the edges of the site, and being well separated from the approved tower on the adjoining site to the south
- a single taller tower.

This strategy is carried over into the individual parcels. For example, a design principle for Parcel 1 is a 'Sculpted skyline' of street walls and towers:

- Street walls establish a consistent datum fronting the ground plane, giving opportunity for towers to create unique forms above. Where buildings step to manage height transitions and minimise impact on neighbours, a dynamic skyline is formed (SJB, 2025).

Consistent with the Alternative Design Excellence Strategy endorsed by GANSW for the site on 5 May 2025, the proposal has been subject to two State Design Review Panel (SDRP) sessions (14 May 2025, and 2 July 2025). The advice and recommendations letters received in response to these sessions supported much of the proposal, including:

- the guiding design principles
- urban structure including streets and open spaces
- general urban form of defined street walls respecting adjoining built form
- extent, location and level of activation proposed along the ground plane.

Notably for VIA, the approach of providing additional height above the street walls through slender tower forms was also supported.

As is shown in the 'Ground plane' part of the design documentation, the layout and design of the public domain provides for high levels of visual amenity for pedestrians, provides for visual interest

through the variety of different public spaces (eg, park, retail courtyards) and through enabling deep soil and median planting will filter visibility of surrounding built form.

The relationship between the public and private domain is enhanced by lower rise street walls and podiums providing a more human scale definition and enclosure of streets such as Bourke Street, and high quality street facing ground floor levels that provide high levels of visual amenity for the adjoining public domain (eg, laneway food and beverage, and retail courtyards).

The scale of the taller tower will be reduced through measures including a podium and tower form, and a slender, vertically emphasised form achieved through narrow floor plates.

Buildings include a range of finer grain measures, including chamfered corners and sculpted turrets on some buildings.



Figure 43 Artist impression of new public domain

Source: SJB, Bates Smart, Chenchow Little, Curious Practice

Key points

- The proposal furthers the objects of the EP&A Act 1979 , is consistent with current government planning priorities, is consistent with the strategic planning framework and section 9.1 directions through delivering a greater amount and choice of well-located, well-designed homes, including more affordable homes.
- In terms of context and urban form, the proposal is responsive to its strategic and local context, including strengthening the polycentric urban form of Green Square, and locating greatest height away from HCAs and adjoining Bourke Street as a key road and public transport corridor.
- In terms of character, the proposal is consistent with the existing and emerging prevailing visual character of this part of Green Square dominated by larger scale, higher rise, residential focussed mixed-use buildings.
- In terms of view corridors, the proposal does not impact designated important public view corridors.
- In terms of scale, the proposal has a height and bulk compatible with nearby and other buildings in Green Square, with the taller tower having a height aligned with that emerging in Sydney's growth areas in response to the housing crisis and a well-proportioned, vertically emphasised, slender form.
- In terms of amenity, the proposal enhances the visual amenity of the area generally, and specifically the public domain.
- In terms of design, the proposal demonstrates design excellence through measures such as referencing to the site and area's former industrial character.

11.0 Mitigation measures

This part identifies whether any appropriate primary and / or secondary mitigation measures are required / recommended to address visual impact.

The VIA has found that primary design measures related to siting, scale, form and massing, and design adequately mitigate the visual impact of the proposal. As such, additional fundamental or large-scale mitigation measures are not considered necessary. Secondary mitigation measures such as specifying materiality or colours may be appropriate where they form part of relevant and reasonable conditions of development consent.

Key points

- Primary design measures adequately mitigate the visual impact of the proposal.
- As such, additional fundamental or large-scale mitigation measures are not considered necessary.
- Secondary mitigation measures may be appropriate where they form part of relevant and reasonable conditions of development consent.

12.0 Conclusion

This part identifies whether the proposal can be supported on visual impact grounds.

It is acknowledged that the proposal will have a visual impact, in particular through introducing a greater scale of built form. However, overall and on the balance of relevant considerations the proposal has been assessed as having an acceptable visual impact on the following grounds:

Broader planning grounds

The proposal:

- furthers the objects of the EP&A Act 1979, including promoting ecologically sustainable development in particular through promoting intergenerational equity as it relates to access to housing
- is consistent with the National Housing Accord and current government planning priorities, it delivers a greater amount and choice of new homes, including more affordable homes in a BTR arrangement
- is consistent with the strategic planning framework and section 9.1 directions, it is consistent with locating new homes in well located parts of the existing urban area, in this instance the Green Square Urban Renewal Area
- is consistent with section 4.15 of the EP&A Act, the site is highly suited to the proposal due to its large size which enables impacts to be better managed without unacceptable adverse impact on other land, and strategic location accessible to multiple mass transit stations, adjacent to a trunk bus routes, and potentially served in the future by light rail
- is consistent with section 3.33 of the EP&A Act and the supporting Guidelines, it responds to the evolving local planning context throughout Greater Sydney.

Specific visual impact grounds

The proposal:

- is responsive to its strategic context, including being consistent with Greater Sydney's prevailing centres urban form, and strengthens the polycentric urban form of this part of the Eastern Economic Corridor, and Green Square

- is responsive to its local context, including locating greatest height away from HCAs and adjoining Bourke Street as a key road and public transport
- is consistent with the existing and emerging prevailing visual character of this part of Green Square dominated by larger scale, higher rise, residential focussed mixed use buildings, and finer grain visual elements such as being built to adjoining street alignments
- does not impact designated important public view corridors, will demarcate the important Bourke Street and Danks Street corner as part of the northern gateway visual sequence into Green Square, and will enhance the termination of the Potter Street visual axis
- has a height and bulk compatible with nearby and other buildings in Green Square, with the taller tower having a height aligned with that emerging in Sydney's growth areas in response to the housing crisis and a well-proportioned, vertically emphasised, slender form
- enhanced the amenity of the area generally, and specifically the public domain through measures such as a permeable network of public spaces, deep soil plantings, active and high quality street frontages, street walls that mediate the visual impact of taller buildings, well separated buildings, and an overall distinct, varied but visually cohesive composition
- exhibits design excellence, including through tangible reference to the site and areas former industrial character through materiality and colour.

As such, it is the conclusion of this VIA that the proposal and can be supported on visual impact grounds.

Appendix A: Visual impact evidence

Virtual Ideas and CMS Surveyors

