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architectus™

301 and 305 Kent Street, and 35-39 Erskine Street, Sydney

Visual Impact Assessment

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Executive summary

Redevelopment of the site provides a unique opportunity to deliver a new hotel building in central Sydney that is commensurate with Sydney's global status and responds to the significant need for additional tourist accommodation in central Sydney.

The project

This Visual Impact Assessment (VIA) has been prepared by Architectus to assess the potential visual impact of the proposed development envelope located at 301 and 305 Kent Street, and 35-39 Erskine Street, Sydney.

The methodology for this assessment has been developed by Architectus based on the relevant Planning Principles for view assessment established by the NSW Land and Environment Court (LEC), and experience in preparing VIAs for a variety of projects across Sydney.

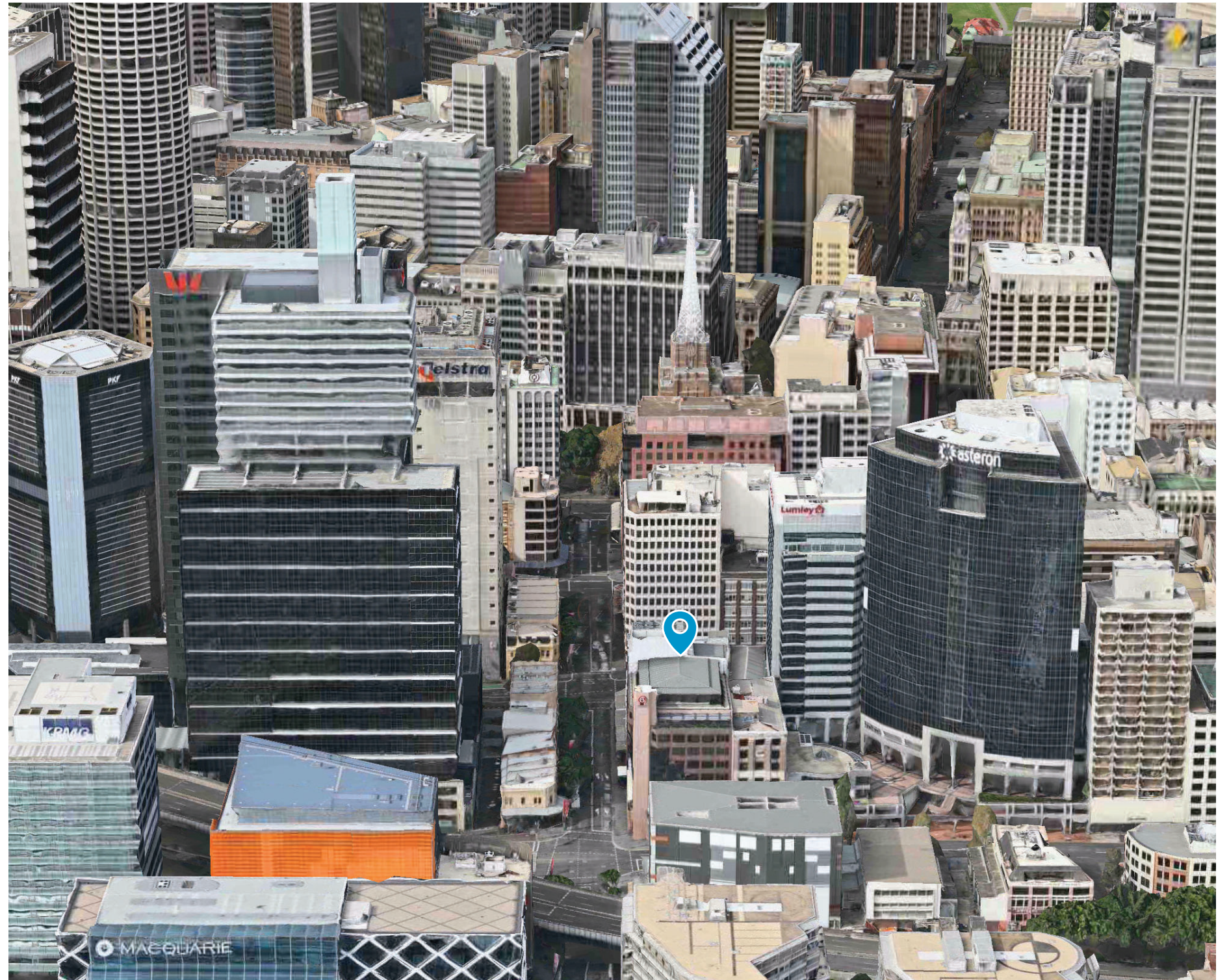


Figure 1: 3D context of the site - view from the west looking east
Source: DBI Design

Site and context

The site is located within central Sydney, in the City of Sydney Local Government Area (LGA). Existing development on the site includes a five storey brick building at 301 Kent Street which provides visitor accommodation, a four storey warehouse style brick building at 305 Kent Street which is used as a gym, and commercial shopfronts at 35-39 Erskine Street.

The site is immediately surrounded by:

- Kent Street to the east, with commercial office buildings and heritage listed warehouses beyond;
- Erskine Street to the north, with heritage listed terrace buildings beyond;
- A commercial office tower adjacent to the site to the south (307-329 Kent Street); and
- A commercial office building adjacent to the site to the west (25-33 Erskine Street, Street).

The proposal

The proposal is for a hotel development at 301 and 305 Kent Street, and 35-39 Erskine Street, Sydney. The development is proposed to comprise a ground floor hotel lobby, podium uses including hotel facilities and terraces, 29 storeys of hotel rooms (comprising a total of 360 rooms), an outdoor landscaped rooftop terrace and basement parking.

This VIA has been prepared to accompany a Concept SSDA seeking consent for a building envelope with height up to 80 metres at the Kent Street frontage of the site. The Concept SSDA will be submitted to the Department of Planning and Environment (DPE) for determination.

It is noted that development of a building on the site will be subject of a future Stage 2 SSDA. The future development will be subject to a competitive design process (in accordance with the City of Sydney Council's *Competitive Design Policy 2013*) which will seek to achieve a bonus 10% building height by demonstrating design excellence.

Key considerations and approach to assessment

Key considerations relevant to this project that have been assessed in this report include the following:

- The site's strategic context, including the *Eastern City District Plan, 2018*.
- The current planning controls applicable to the site under the following plans and policies:
 - *Draft Environment State Environmental Planning Policy (SEPP)*;
 - *Sydney Local Environmental Plan (SLEP) 2012*; and
 - *Sydney Development Control Plan (SDCP) 2012*.
- NSW Land and Environment Court (LEC) 'Planning Principles' regarding the assessment of visual impact ('Tenacity' and 'Rose Bay Marina').
- The previous approval for the site, which is relevant to this VIA in considering what has previously been considered appropriate for the site. Refer to a summary of the previous approval at Section 2.5 of this report.
- The *draft Central Sydney Planning Strategy 2016* (CSPS), which identifies 'key views' towards the site.
- NSW LEC standards for photography and photomontages.

Architectus' methodology and criteria for assessment respond to the above.

This assessment has been undertaken using detailed photomontage assessment based on key views selected in accordance with the above.

Summary of view change

The proposal will have a negligible, low or low-moderate impact on public domain views. The most impacted and important view is from the eastern most point in Martin Place, adjacent to Macquarie Street (View M1). In that location, the view change is considered low-moderate and the importance of the view is considered high. The proposal changes the existing view, however the proposed development envelope largely fits within the context of the surrounding development in central Sydney and will not obstruct important elements within the view.

Regarding views from Pyrmont and Balmain, the proposal is considered to fit in well with the context of the surrounding buildings and will make

a positive contribution to the city skyline. The proposal does not affect the appreciation of existing important elements within the view including water views to Darling Harbour and views of the city skyline.

The CSPS identifies a 'key view' corridor from Martin Place. The proposed development envelope is visible from only one of the two locations identified by the CSPS, being View M1.

Assessment and conclusion

In assessing the visual impact of the proposed development envelope at 301 and 305 Kent Street, and 35-39 Erskine Street, Sydney, the following points provide a response to key considerations against relevant standards and guidelines:

- The proposal has been demonstrated to be a negligible, low or low-moderate change in all views assessed.
- Where the proposal does affect views, it does not obstruct elements of high significance or iconic importance (primarily, views of the water, views of the GPO clock tower, or locations of specifically documented importance) that are noted in the NSW LEC Planning Principles and CSPS.
- The visual impacts of the proposed development envelope are generally consistent with that of a compliant development with the applicable development controls. The proposed non-compliance with the height control does not cause significant concern with regard to the 'Rose Bay Marina' Planning Principles.
- The proposal generally sits comfortably within the existing pattern of development in central Sydney, and it is considered that the development will not detract from the appreciation of views towards the city skyline.

Based on the above it is considered that the overall visual impact of the development envelope proposed under this Concept SSDA is both reasonable and acceptable.

It is noted that a future Stage 2 SSDA will be lodged for demolition and excavation works and the construction of the hotel building following the undertaking of a competitive design process (in accordance with the City of Sydney Council's *Competitive Design Policy 2013*). It is recommended that the design excellence process considers both views from Martin Place and from Darling Harbour to ensure the preferred design provides a high quality response to these important views.



01 Introduction



Introduction

1.1 Introduction

Purpose of this report

This Visual Impact Assessment (VIA) has been prepared by Architectus on behalf of Romanous Developments Pty Ltd for the proposed development envelope located at 301 and 305 Kent Street, and 35-39 Erskine Street, Sydney.

This report describes the visual impact of the proposed development envelope on the site.

The assessment pathway

This VIA has been prepared to accompany a Concept SSDA seeking consent for a building envelope with height up to 80 metres at the Kent Street frontage of the site. The Concept DA will be submitted to the Department of Planning and Environment (DPE) for determination.

The development of a building on the site will be subject of a future Stage 2 SSDA. The future development will be subject to a competitive design process (in accordance with the City of Sydney Council's *Competitive Design Policy 2013*) which will seek to achieve a bonus 10% building height by demonstrating design excellence.

Approach to assessment

This VIA is based on best practice and Architectus' experience in the field of visual impact. Key considerations for assessment are set out in Chapter 2 of this document.

This assessment has been undertaken using detailed photomontage assessment based on key views selected based on preliminary assessment including a desktop assessment and photographs.

Introduction

1.2 The site and its context

The site

The site is located within central Sydney, in the City of Sydney Local Government Area (LGA). The site address is 301 and 305 Kent Street, and 35-39 Erskine Street, Sydney.

The site has a frontage of approximately 24.7m to Kent Street (east) and 13.3m to Erskine Street (north), and is currently used as visitor accommodation and retail premises.

The site is an irregular shape that is comprised of six (6) individual lots, including:

- Lot 1 DP443974;
- Lot 2 DP443974;
- Lot 3 DP443974;
- Lot 1 DP76374;
- Lot 1 DP 980369; and
- Lot 305 DP669166.

The total site area is approximately 1,028m².

Site context

An aerial photograph of the site and its immediate context is shown at Figure 2 adjacent.

The site is located towards the western side of central Sydney. To the west of the site is Barangaroo, and to the east of the site is Wynyard.

Refer to photos of the site context at Figures 3-4.



Figure 2: Local context map
Site outlined in red
Source: NearMaps October 2018

Introduction

Existing development on the site

Development on the site currently comprises:

- 301 Kent Street: a five storey brick building at 301 Kent Street which provides visitor accommodation;
- 305 Kent Street: a four storey warehouse style brick building which is used as a gym; and
- 35-39 Erskine Street: commercial shopfronts.



Figure 3: Image of the subject site taken from the corner of Kent Street and Erskine Street (8 January 2019)
Source: Architectus

Introduction

Existing development surrounding the site

The site is immediately surrounded by:

- Kent Street to the east, with commercial office buildings and heritage listed warehouses beyond;
- Erskine Street to the north, with heritage listed terrace buildings beyond;
- A commercial office tower adjacent to the site to the south (307-329 Kent Street); and
- A commercial office building adjacent to the site to the west (25-33 Erskine Street, Street).



- 01 60-66A Erskine Street - view from the corner of Kent Street and Erskine Street (Architectus)
- 02 72 Erskine Street - view from the corner of Kent Street and Erskine Street (Architectus)
- 03 117-121 Clarence Street - view from the corner of Kent Street and Erskine Street (Architectus)
- 04 307 Kent Street - view from Kent Street (Architectus)
- 05 View along Kent Street including the new development at 137-151 Clarence Street (Architectus)
- 06 View along Kent Street including the new development at 302-304 Kent Street (Architectus)
- 07 View along Erskine Street from Wynyard Park / York Street (Architectus)
- 08 View along Kent Street from the corner of King Street looking north (Architectus)
- 09 View towards the site and city skyline from Pymont Bridge looking east (Architectus)



Figure 4: Site context photos
Source: Architectus

Introduction

1.3 The proposal

Proposed development envelope

The proposal is for a hotel development comprising:

- Hotel entrance lobby from Kent Street at Upper Ground Level;
- Hotel facilities and outdoor terraces at Level 2;
- Twenty nine (29) storeys of hotel (comprising a total of 360 rooms);
- Rooftop bar and outdoor landscaped terrace; and
- One level of plant services, hotel back of house and loading dock at Lower Ground Level, and five (5) basement levels including 81 car parking spaces with vehicle access from Erskine Street.

The building envelope is proposed to achieve a height of 80 metres at the Kent Street frontage, in accordance with the *Sydney Local Environmental Plan (SLEP) 2012* maximum building height control. However, as the site slopes towards Darling Harbour, the western side of the site is approximately 4 metres lower than the eastern side of the site. Given that a flat top is proposed to the building envelope, the western side of the building envelope is non-compliant with the SLEP 2012 building height control by approximately 4 metres. A variation to the maximum building height development standard is proposed to be sought under Clause 4.6 of the SLEP 2012. Refer also to Section 2.3.2 below.

The development is proposed to be subject to a future competitive design process (in accordance with the City of Sydney Council's *Competitive Design Policy 2013*) which will seek to achieve bonus building height of 10% by demonstrating design excellence. The additional 10% of building height (or 8 metres), is indicated in the envelope massing diagram adjacent and in the photomontaged visual impact assessment images in Chapter 3.

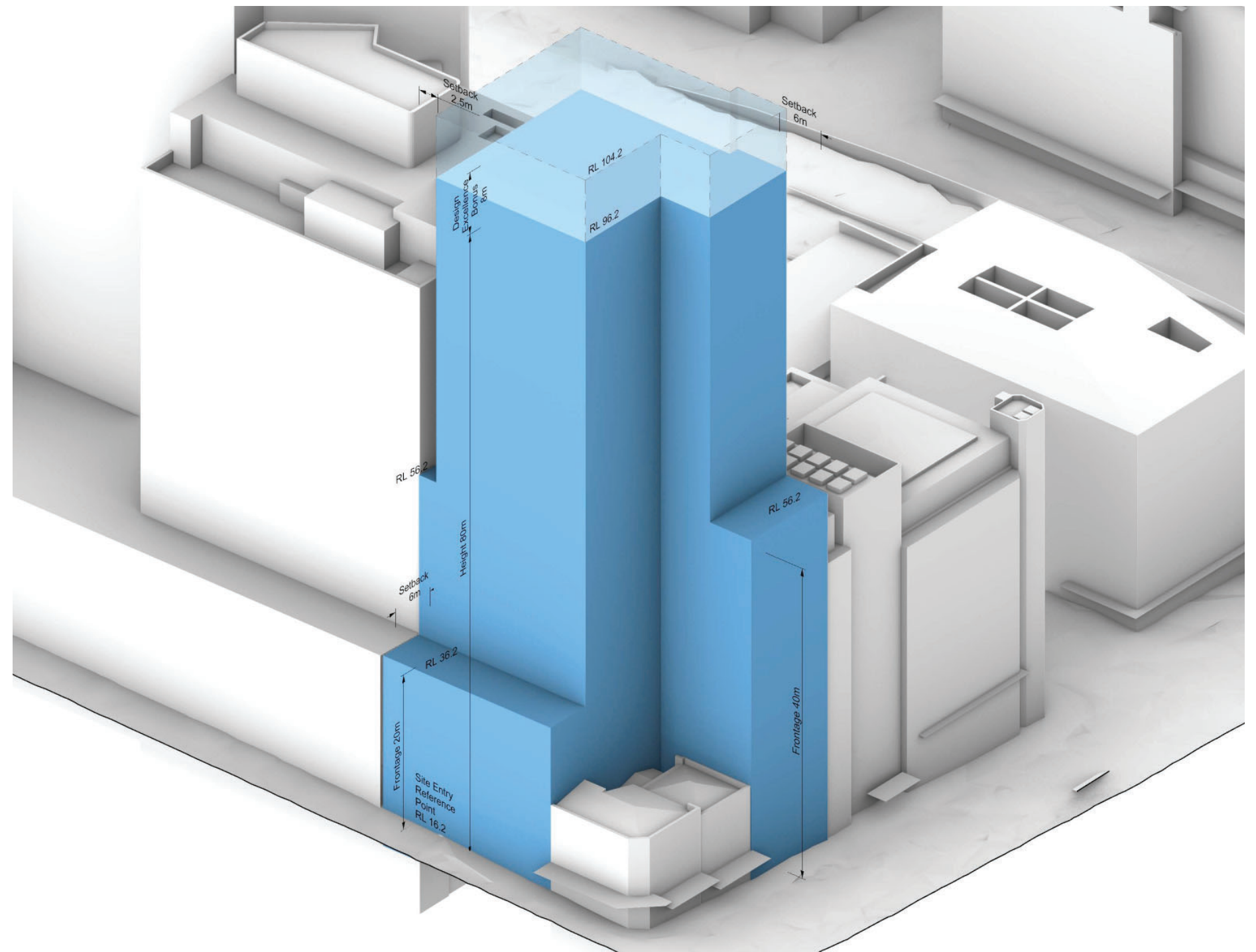


Figure 5: Envelope Massing Diagram
Source: DBI Architects, March 2019

Introduction



Figure 6: Ground Level plan
Source: DBI Architects

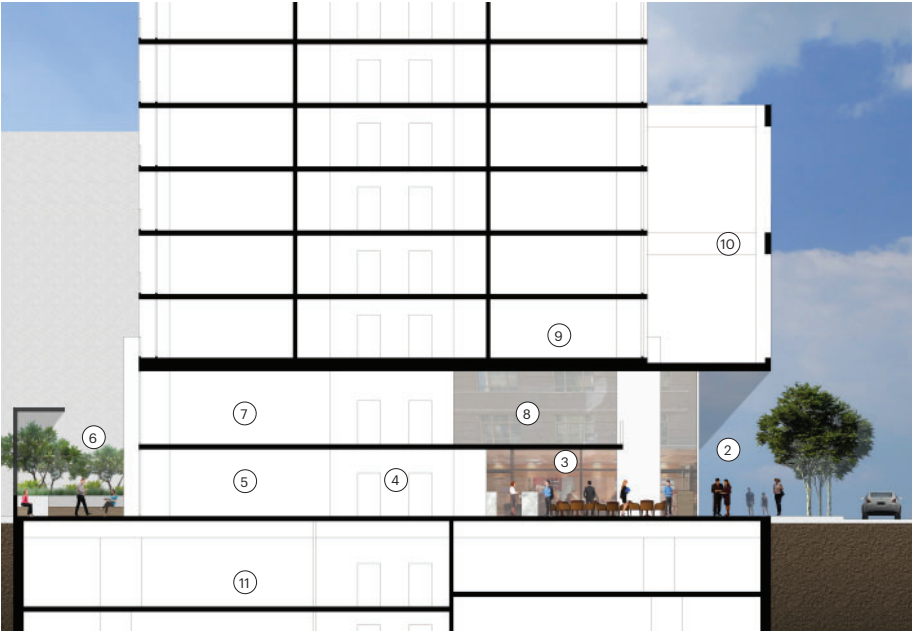


Figure 7: Podium section
Source: DBI Architects





02 Key considerations for assessment

Key considerations for assessment

2.1 Approach to assessment

The methodology used in this assessment has been developed by Architectus based on experience in preparing Visual Impact Assessments for a variety of projects.

A general overview of Architectus' process for the assessment of visual impact is described in the diagram adjacent.

Key considerations in the Visual Impact Assessment of this project are set out in this chapter as below.

Section 2.2 to 2.4 planning framework

A summary of the Environmental Planning Instruments, policies and guidelines that apply to the site and have specific reference to views and visual impact, as summarised below:

- Strategic context including the *Eastern City District Plan, 2018*;
- The current planning controls applicable to the site under:
 - *Draft Environment State Environmental Planning Policy (SEPP)*;
 - *Sydney Local Environmental Plan (SLEP) 2012*;
 - *Sydney Development Control Plan (SDCP) 2012*; and
 - *Draft Central Sydney Planning Strategy 2016*.
- NSW LEC 'Planning Principles' regarding the assessment of visual impact ('Tenacity' and 'Rose Bay Marina').

Section 2.5 Previous approval for the site

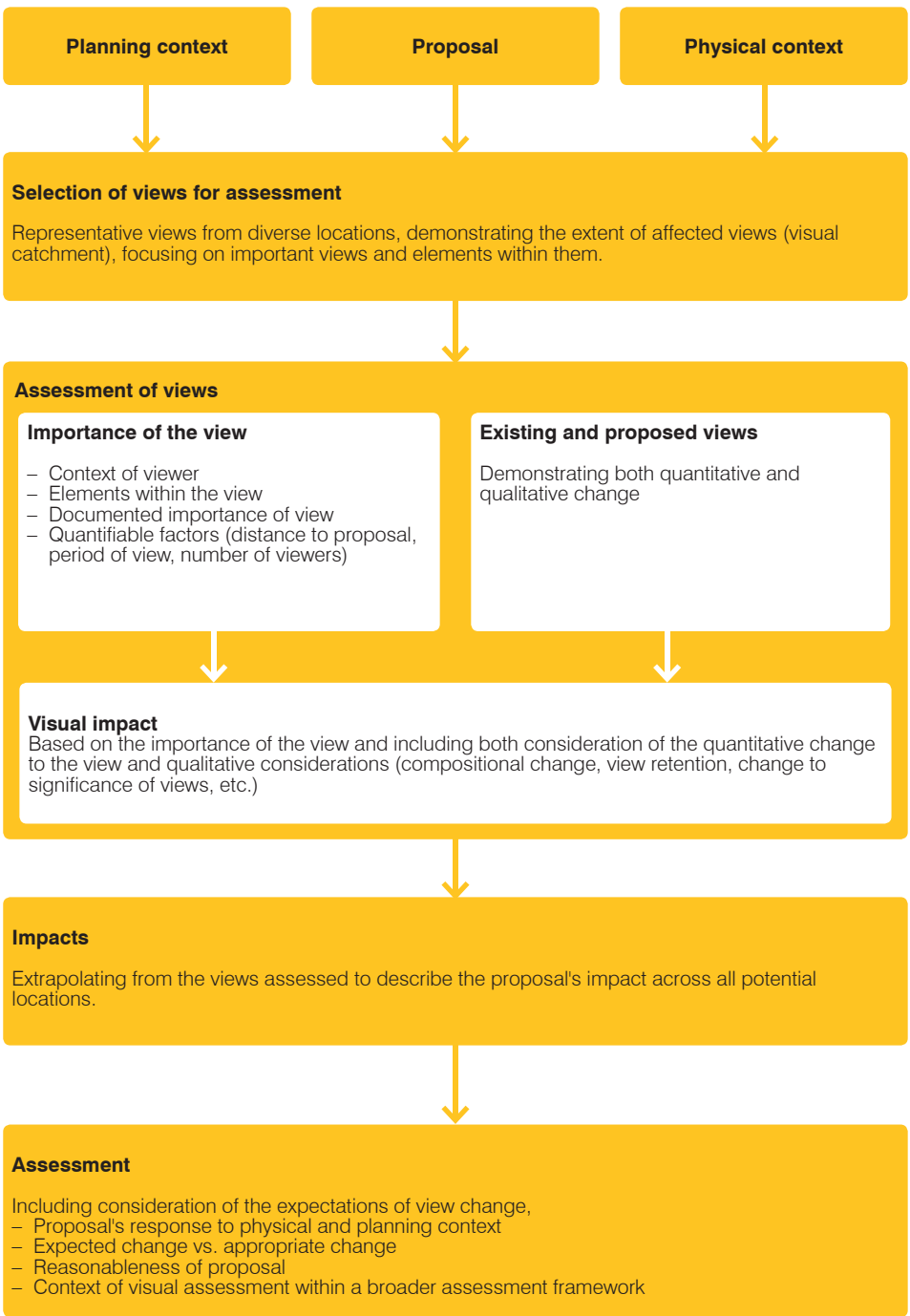
A summary of the previous approval for the site.

Section 2.6 Standards for photography and photomontages

Relevant standards for photography and photomontage processes and how they have been applied in this document.

Section 2.7 Criteria for assessment

Architectus' criteria for assessment of visual impacts, based on the Planning Principles, which is applied to the assessments included in later Chapters.



Key considerations for assessment

2.2 Strategic Planning Framework

Eastern City District Plan, 2018

The site is identified within the 'Eastern District' under the Greater Sydney Commission's *Greater Sydney Region Plan 2018* and is subject to the *Eastern City District Plan 2018*.

In terms of consideration of views, the Plan provides a key emphasis on landscape views/vistas through *Sustainability Priority E16: Protecting and enhancing scenic and cultural landscapes*.

This Plan places particular emphasis on harbour and city skyline views, highlighting many of the iconic elements of Sydney (including the Sydney Opera House, Sydney Harbour Bridge, and the Rocks). It states that "the planning and design of neighbourhoods across the District, particularly areas experiencing renewal, will need to consider ways to protect and enhance important cultural landscapes".

Relevant Actions in the Plan include:

- *"Action 63: Identify and protect scenic and cultural landscapes; and*
- *Action 64: Enhance and protect views of scenic and cultural landscapes from the public realm".*

It is noted that the identified landmarks and heritage items in the vicinity of the site are of sufficient distance away so that the proposed development is unlikely to cause adverse view/visual impacts on these items.

2.3 Applicable planning controls

The relevant planning controls for view and visual impacts under the statutory planning framework are addressed below.

2.3.1 Draft State Environmental Planning Policy (SEPP) Environment

A Draft Environment SEPP has been on public exhibition and is awaiting gazettal. It is a statutory consideration for the development. This SEPP seeks to incorporate the provisions of the SREP 2005. There are no changes to the SEPP proposed that will impact the development.

2.3.2 Sydney Local Environmental Plan (SLEP) 2012

Zone

The site is located in the *B8 Metropolitan Centre* zone.

The B8 zone includes the objective 'to recognise and provide for the pre-eminent role of business, office, retail, entertainment and tourist premises' and 'to provide opportunities for an intensity of land uses commensurate with Sydney's global status'. There are no specific references to views or visual impact.

Building height

The maximum building height applying to the site under the SLEP 2012 is 80 metres. The building envelope is proposed to achieve a height of 80 metres at the Kent Street frontage, however given the slope of the site to the west and that a flat top is proposed to the building envelope, the western side of the building envelope is proposed to exceed the SLEP 2012 building height control by approximately 4 metres. A variation to the maximum building height development standard is proposed to be sought under Clause 4.6 of the SLEP 2012.

Additional building height of up to 10% will be sought through a design excellence process under Clause 6.21 of the SLEP 2012, thereby providing for a possible maximum building height of 88 metres. Refer to the architectural reference design at Figure 5 above.

The building height control includes the objective 'to promote the sharing of views' (Clause 4.3(1)(c)).

Floor space ratio

The maximum floor space ratio applicable to the site is a factor of the provisions detailed below:

- Clause 4.4 Floor space ratio (base): 8:1
- Clause 6.4 Accommodation floor space: The site is located within 'Area 3' on the SLEP 2012 FSR map and is therefore eligible for additional FSR of 3:1 (in addition to the base FSR of 8:1) for land uses including hotel or motel accommodation.

The applicable maximum FSR is therefore 11:1.

The floor space ratio control includes the objective 'to provide sufficient floor space to meet anticipated development needs for the foreseeable future'. There are no objectives specifically relating to views or visual impact.

Heritage

The subject site is not identified as a heritage item or located adjacent to any heritage items, and is not located in a conservation area.

2.3.3 Sydney Development Control Plan (SDCP) 2012

Public views

Sections of the SDCP 2012 relating to views are provided below.

Section 3.2 of the SDCP 2012 (*Defining the Public Domain*) requires new development to protect high quality views to the built and landscape features, with the objective to:

- Enhance the public domain by ensuring adequate sun access to publicly accessible spaces and protecting significant views from public places.*

The following provisions are provided relating to public views:

Provisions

- Buildings are not to impede views from the public domain to highly utilized public places, parks, Sydney Harbour, Alexandra Canal, heritage buildings and monuments including public statues, sculptures and art.*
- Development is to improve public views to parks, Sydney Harbour, Alexandra Canal, heritage buildings and monuments by using buildings to frame views. Low level views of the sky along streets and from locations in parks are to be maintained.*

Key considerations for assessment

The proposed development will not obscure elements of significance, such as views to Sydney Harbour from the public domain.

Section 5.1 Central Sydney of the SDCP 2012 relates to development in 'Central Sydney' and applies to the subject site. Relevant objectives that relate to public views include Section 5.1.6 Building Exteriors:

Objectives

- a) Positively contribute to the streetscape with high quality architecture.
- b) Provide richness of detail and architectural interest particularly in prominent parts of buildings.
- f) Contribute to a visually distinct skyline.

Provisions

- 2) Building exteriors are to be designed so that:
 - a) the predominant masonry character and articulation of Central Sydney is reinforced, particularly at the lower levels of buildings; and
 - b) the materials used, including glass, are predominantly light in colour to reflect better quality light into the streets and respond to characteristic light colours of Central Sydney.

Refer to the recommendations relating to the proposed building facade at Section 4.2 of this report.

Street frontage heights

Provisions

- 1) The street frontage height of a new building must be between 20m and 45m above the site ground level with the specific height set with regard to:
 - a) the predominant street frontage height of adjacent buildings and buildings in the vicinity;
 - b) the location of the site in the street block, for example, corner sites can include special design emphasis, such as increased street frontage height of one or two storeys; and
 - c) the size of the site, for example small sites, less than 1,000sqm may attain a street frontage height of 45m regardless of the above criteria.

The street frontage height of the proposed development is proposed to be 40m to the Erskine Street frontage and 20m to the Kent Street frontage and therefore complies with this requirement. The proposed street frontage heights align with the heights of the existing adjacent buildings.

Front setbacks

Provisions

- 1) Buildings must be set back a minimum weighted average of 8m above the required street frontage height. This setback may be reduced in part by up to 2m provided that the weighted average setback from the street frontage alignment is 8m as shown in Figures 5.4 to 5.6. No part of the building is to be setback less than 6m.

The front setback of the proposed development above the Kent Street frontage is proposed to be 6m. This setback is considered to be appropriate in order to align with the existing setback of the neighbouring building (307-329 Kent Street) and provide a consistent street character.

The front setback of the proposed development above the Erskine Street frontage is proposed to be 6m. The reduced setback above the 40m street wall height is considered appropriate given there is no defined street frontage height or setback character. The proposed 6m setback allows for additional amenity for north-facing hotel rooms with negligible impact on the street. No part of the building is proposed to be setback less than 6m.

Side and rear setbacks

Provisions

- 2) Separate principal windows and balconies of residential buildings and serviced apartments from windows or balconies of commercial buildings by at least 9m. This separation is to be achieved by a setback from the side property boundary of at least:
 - a) 6m for residential buildings, serviced apartments or hotels; and
 - b) 3m for a commercial building.

The proposed development will provide a zero metre setback to the building to the south up to 20m, above which a varying setback up to 2.5m will be provided to the adjoining commercial building to the south. It is noted there is an irregularly-shaped undeveloped portion of land between the subject site and the building to the south that is not included in the site. The adjoining building is built to the site boundary.

The development will not include windows or balconies to the southern boundary and as such will present as a solid boundary wall. The proposed building separation of up to 2.5m to the adjacent commercial building is therefore considered acceptable.

The proposed development will provide a 6m setback to the western site boundary above Level 2 and is therefore compliant with this requirement.

2.3.4 Draft Central Sydney Planning Strategy (CSPS) 2016

The CSPS was released by the City of Sydney Council in 2016 and is Council's 20-year growth strategy that revises previous planning controls in the City of Sydney LGA. The CSPS is a draft and, at the time of writing, has not been adopted. Nonetheless, the Strategy includes a number of key views within Central Sydney which relate to the subject site and are considered in this VIA.

Relevant extracts from the CSPS regarding public views that relate to the site are provided below:

3.5 Private and public views

There are a number of key views within Central Sydney, to and through parks and other well-used public spaces, that help define Sydney.

Example significant views include:

- Views along Martin Place: important due to its significance as a gathering place.

New development must be designed to make a positive contribution to the characteristics and composition of designated public views.

These public views should be preserved and have priority over private views. The following Figures C_48 to C_71 identify key significant views to be maintained, as well as a methodology for identifying the extent of the angle of view protection.

The objectives relating to views in Central Sydney are:

- To identify and preserve significant views from public places.

Potential provisions that could be included in the planning framework are:

- c) View and silhouette of Sydney GPO clock tower looking from Martin Place

Extracts of figures that identify 'key views' that relate to the site are provided on the following page.

2.3.5 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

It is noted that the site is not identified within the 'Foreshores and Waterways Area Boundary', and therefore the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SREP 2005) and associated Sydney Harbour Foreshores and Waterways Area Development Control Plan 2005 does not apply to the site.

Key considerations for assessment

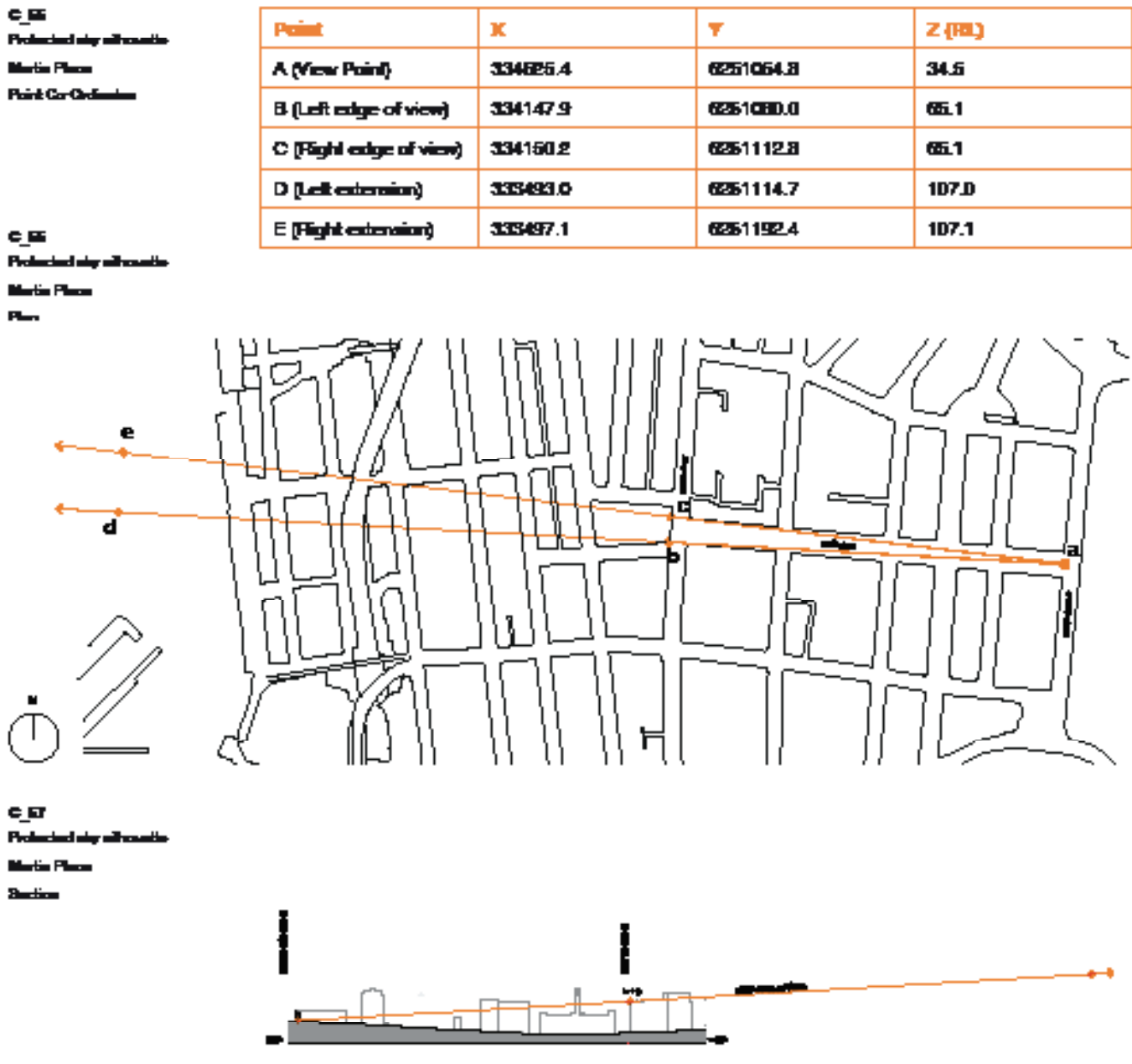


Figure 8: Extract from CSPS 2016 - 'Protected sky silhouette', Martin Place
Source: Central Sydney Planning Strategy 2016, Section 3.5, Figures C_55 to C_57

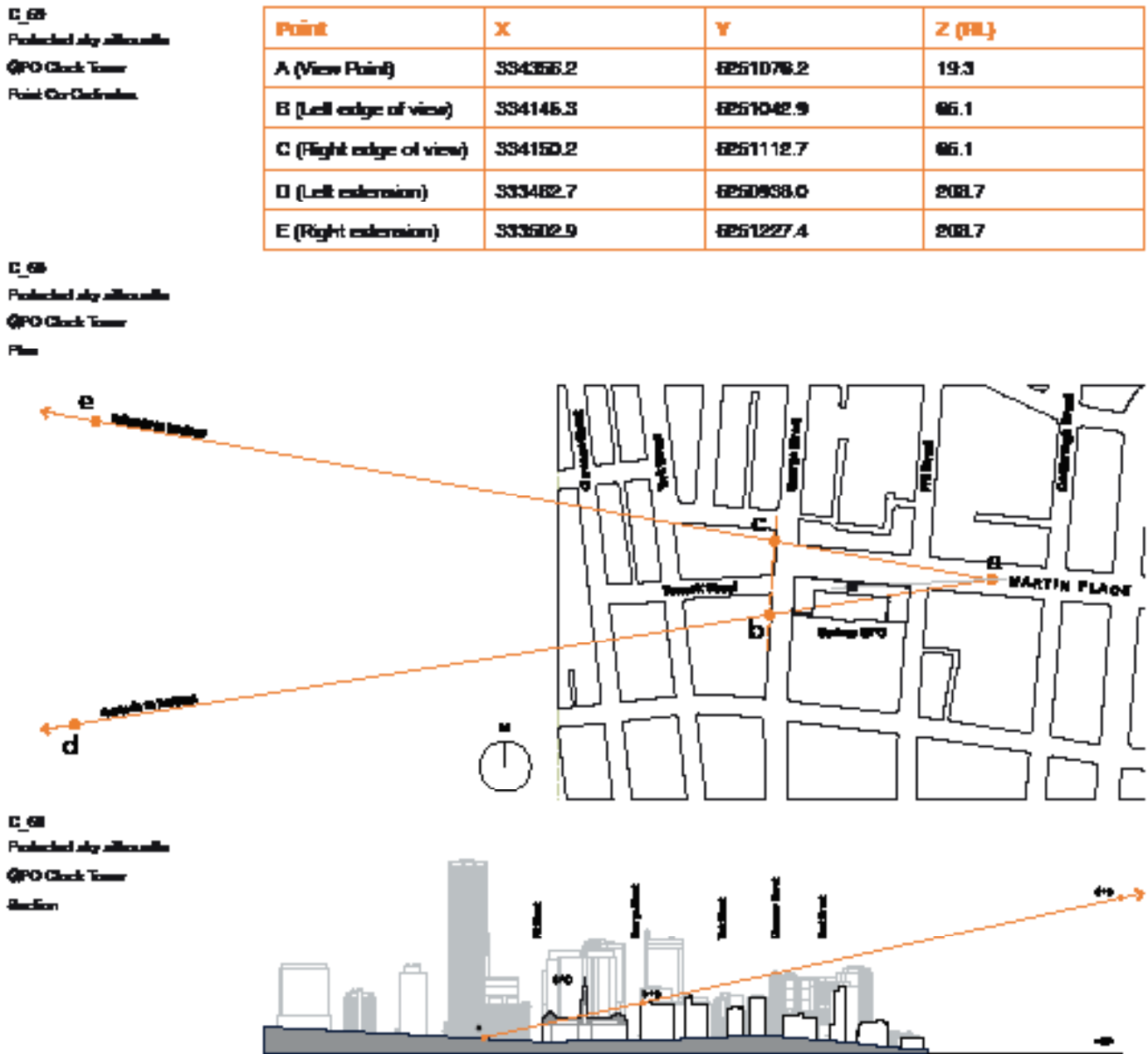


Figure 9: Extract from CSPS 2016 - 'Protected sky silhouette', Martin Place
Source: Central Sydney Planning Strategy 2016, Section 3.5, Figures C_59 to C_61

Key considerations for assessment

2.4 Planning Principles regarding views

The NSW LEC has established Planning Principles for the assessment of development on views, both from public and private realms.

The Planning Principles assist when making a planning decision, including:

- Where there is a void in policy;
- Where policies expressed in qualitative terms allow for more than one interpretation; and
- Where policies lack clarity.

Accordingly, the Planning Principles apply where there are no adequate controls under the planning framework pertaining to view impact.

The assessment of the impact of view loss on public views is established by *Rose Bay Marina Pty Limited v Woollahra Municipal Council and anor [2013] NSWLEC 1046* at 39-49.

The principles for view sharing in respect of private views are established in *Tenacity Consulting v Warringah Council [2004] NSWLEC 140* at 25-29.

Given that the existing development surrounding the subject site is commercial development, and the site is unlikely to be overlooked by nearby residential accommodation, only public views have been considered as part of this VIA. However, given that the NSW LEC notes that the ‘Tenacity’ case should be considered as ‘general principles’ relating to views, the Planning Principles established by this case have been provided below for completeness.

Public views - *Rose Bay Marina Pty Limited v Woollahra Municipal Council and anor [2013] NSWLEC 1046*

A consideration of the likely impacts on public views in relation to the NSW LEC Planning Principles set out in *Rose Bay Marina Pty Limited v Woollahra Municipal Council and anor [2013] NSW LEC 1046* is provided below.

In this case, Senior Commissioner Moore set out a number of steps for the consideration of public domain view impacts, which are identified below.

The established Planning Principle process is as follows:

1. Identify the scope of the existing views from the public domain (44). This should consider:
 - the nature and extent of any existing obstruction of the view;
 - compositional elements of the view;

- what might not be in the view - such as the absence of human structures in the outlook across a natural area;
- is the change permanent or temporary; or
- what might be the curtilages of important elements within the view.

2. Identify the locations in the public domain from which the potentially interrupted view is enjoyed (45);
3. Identify the extent of the obstruction at each relevant location (46);
4. Identify the intensity of public use of those locations and where the enjoyment of the view will be obscured (47);
5. Review any document that identifies the importance of the view to be assessed (48).

The methodology proposed to be utilised in this Visual Impact Assessment will be in accordance with the five-step process established by *Rose Bay Marina Pty Limited v Woollahra Municipal Council [2013] NSW LEC 1046*.

Private Views – *Tenacity Consulting v Warringah Council [2004] NSWLEC 140*

In this case, Senior Commissioner Roseth set out a number of principles for the consideration of private view impacts, which are discussed individually below.

It is noted that the existing development surrounding the subject site is commercial development, and the site is unlikely to be overlooked by nearby residential accommodation. However, given that the NSW LEC note that *Tenacity Consulting v Warringah Council [2004] NSWLEC 140* should be considered as ‘general principles’ relating to views, the Planning Principles established by this case have been provided below for completeness.

1. Assessment of views to be affected:

At Item 26: “water views are valued more highly than land views. Iconic (e.g. the Opera House, the Harbour Bridge or North Head) are valued more highly than partial views, e.g. a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.”

2. Consideration from what part of the property the views are obtained:

At Item 27: “For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic.”

3. Assessment of the extent of impact:

At Item 28: “this should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating”.

4. Assessment of the reasonableness of the proposal that is causing the impact:

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

Key considerations for assessment

2.5 Previous approval for the site

Table 1 adjacent provides a summary of the previous development approval relating to the site.

The Stage 1 application was for demolition of the existing buildings on the site (including 41-45 Erskine Street) and construction of a mixed use building comprising commercial/retail podium, a residential tower and basement parking. The proposed development was compliant with building height and FSR controls.

Table 1 Previous approval for the site

Source: City of Sydney Council

Application No.	D/2008/1948
Address	35-39 Erskine Street, 41-45 Erskine Street, 301 and 305 Kent Street Sydney NSW 2000
Decision	Approved with Conditions
Date approved	12 March 2009
Proposal	Stage 1 application for demolition of existing buildings and proposed building envelope for a mixed use development with a floor space ratio of 10.37:1, maximum building height of 78m and comprising a commercial/ retail podium with residential tower above and 64 car parking spaces.

The proposed development was never constructed and the development approval lapsed in March 2014.

It is noted that the proposal included redevelopment of the corner site (45 Erskine Street), which is not proposed to be included in the current development.



Figure 10: Proposed building envelope, view from the corner of Erskine and Kent Streets
Source: Extract from the Statement of Environmental Effects prepared by JBA Planning (now Ethos Urban), dated November 2008

Key considerations for assessment

2.6 Standards for photography and photomontages

Photography and human eye focal lengths

An understanding of the field of view of photographs and photomontages is important in understanding impacts represented on a page.

A standard typically adopted in NSW is the use of a 35mm FX format camera at 50mm focal length (or equivalent) to represent a view on a page similar to how it would be perceived by the human eye at the location.

This standard is adopted within this report. In order to provide a clear understanding of the breadth of the view, a wider-angle (24mm focal length) view has also been used and is noted within the view description. As such, two focal lengths are shown for each view in the detailed photomontage assessment (Chapter 3 of this report):

- A broader view is shown (24mm focal length) to describe the context of the viewer; and
- A 'cropped' portion of the broader view is shown (50mm focal length) to provide a comparable view to the common standard.



Figure 11: Comparison of field of views with different focal lengths - 24mm focal length photo shown with the 50mm focal length equivalent indicated by the white frame.
Source: Architectus

Key considerations for assessment

Photomontages and survey data

For each of the photomontages prepared, the following process has been undertaken, consistent with the approach set out in the NSW LEC standards for photomontages:

- Step 1 - Digital photographs were taken from each of the selected viewpoints in the direction of the proposed development. Each view location was surveyed by a registered surveyor.
- Step 2 - A camera has been located in the digital model using the same focal length. The direction of the camera has been ascertained through comparing points in the photograph against further surveyed locations.
- Step 3 - A computer generated 3D model of the proposed building was prepared and located accurately within the 3D model view.
- Step 4 - A rendered image was produced from the 3D model and a 'mask' created within the photograph to produce the final photomontage.



Step 1 - Photograph taken and location surveyed.



Step 2 - Camera located in 3D model at surveyed location with matched camera attributes (film/sensor format and focal length) and rotated to match other surveyed points within the view.



Step 3 - Computer generated 3D model of the proposed building located accurately within the 3D model view identified from Step 2.



Step 4 - Rendered image produced from 3D model and 'masked' into photograph to produce final photomontage.

Figure 12: Development of photomontages
Source: Architectus

Key considerations for assessment

2.7 Criteria for assessment

Architectus’ criteria for assessment of visual impact are shown below. These criteria are based on the Planning Framework and Planning Principles described in the previous chapter and Architectus’ experience in the Assessment of Visual Impact.

The assessment criteria are divided into two broad categories:

- Importance of the view; and
- View change (proposed view).

These criteria are described in the adjacent paragraphs.

It is noted that no private views have been identified in the selection of views for detailed analysis. This is because the site is situated in a location surrounded by commercial buildings and there are no nearby residences facing the site that would be significantly impacted. As such, the ‘importance of the view’ is defined for public domain views.

Importance of the view

The importance of the view includes consideration of the following factors:

- The importance of the view location, including;
 - Any document that identifies the importance of the view to be assessed;
 - The number of viewers;
 - The likely period of view;
 - The distance to the proposal; and
 - The context of the viewer (whether the view is static or dynamic, obtained from sitting or standing positions, etc.)
- Elements within the view, including:
 - whether iconic elements or water views are present; and
 - the existing composition of the view, and any existing obstructions to the view.

The above features are described for each view and a final categorisation of view importance has been produced as a summary. It is noted that weighting is applied which is consistent with the NSW LEC Planning Principles.

The following diagram presents examples of how these categorisations are used:

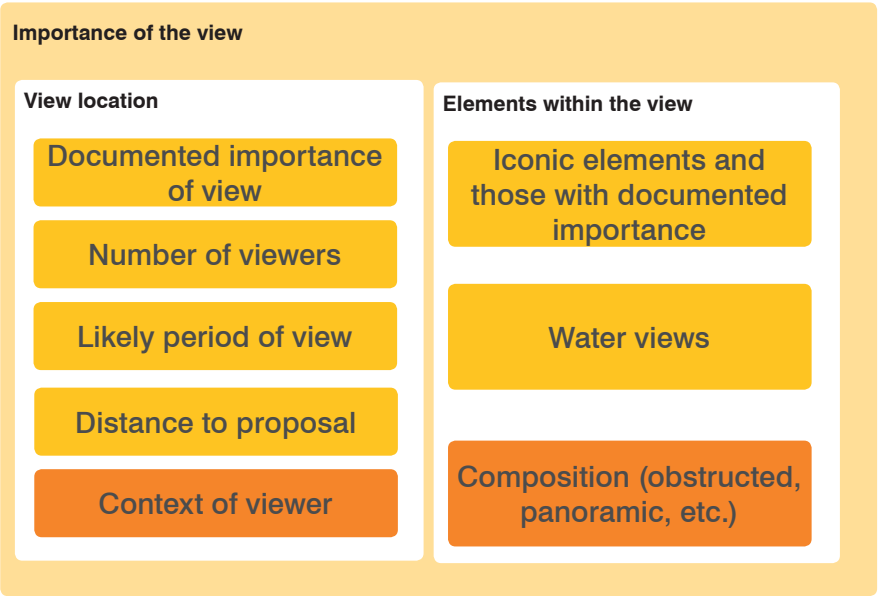


Figure 13: View importance
Source: Architectus

Table 2: Importance of public domain views

	Definition
High	Unobstructed views of highly valuable or iconic elements and/or views from locations specifically documented as important.
Moderate-High	Generally unobstructed views including important visual elements from well-used locations. The view attracts regular use of this location by the public.
Moderate	Views including elements of moderate importance with little obstruction which are obtained from moderately-well used locations. The view may assist in attracting the public to this location.
Low-Moderate	Views with some important elements which may be partially obstructed or from a less well-used location. The view may be a feature of the location however is unlikely to attract the public to it.
Low	Views from spaces or streets with little pedestrian use or obstructed views or views with few important elements. Obtaining views is not a focus of using the space.

Some elements which form part of the consideration of view importance can be quantitatively estimated. The table below shows the criteria used in evaluating the relative number of viewers and period of view.

Table 3: Relative number of viewers (estimation)

	Definition
High	> 500 people per day
Moderate	20-500 people per day
Low	< 20 people per day

Table 4: Period of view (estimate)

	Definition
High (long-term)	> 5 minutes
Moderate	1-5 minutes
Low (short-term)	< 1 minute

Key considerations for assessment

View change

The view change is a qualitative assessment of the change of the view. It includes consideration of:

- the quantitative extent to which the view will be obstructed or have new elements inserted into it by the proposed development;
- whether any existing view remains to be appreciated (and whether this is possible) or whether the proposal will make the existing view more or less desirable, or locations more or less attractive to the public;
- any significance attached to the existing view by a specific organisation; and
- any change to whether the view is static or dynamic.

A description of the visual impact rating for each view has been provided, with a final categorised assessment of the extent of visual impact provided under the following categories:

Table 5: Overall extent of view change

	Definition
High	The proposal obscures iconic elements or elements identified as highly significant within the existing view.
Moderate-High	The proposal is prominent within the view, changing the quality of the existing view or obscuring elements of significance within the view.
Moderate	The proposal obscures some elements of importance within the existing view or is highly prominent within the view. The proposal may be highly prominent if it does not reduce the quality or importance of the existing view.
Low-Moderate	The proposal is prominent within the view and/or obscures minor elements within the view.
Low	The proposal is visible within the view however does not impact on any elements of significance within the view.
None/ Negligible	The proposal will not be noticeable within the view without scrutiny.

The approach taken is generally conservative in its consideration of these views for the purpose of highlighting maximum potential impacts for consideration in terms of acceptability. A high extent of view change is not necessarily unacceptable. This may be the case when a proposal contributes to the desired future character of an area that may be different to the existing character.

2.8 Selection of views for analysis

The process for selecting each view for detailed photomontage assessment is provided below.

1. Selection of views

A preliminary desktop site analysis was undertaken, which considered the site context, important locations identified in relevant planning policy, prominent views in the area and possible locations of visual impact.

2. Selection of views for detailed (photomontage) assessment

Six (6) public domain views were selected for detailed consideration of visual impact. This selection process for views included:

- A focus on view locations of documented importance;
- View locations both near and far from the site; and
- Views from both the east and west of the site that represent the character of the area.

The diagrams at Section 3.1 provides a summary of the views selected.

Each of the six (6) views selected for detailed asserssment were professionally photographed and surveyed.

Views selected include two ‘key views’ identified by the CSPS (View M1 and View M3). Exact coordinates nominated by the Strategy have been used to produce the surveyed photographs used for the photomontages of View M1 and View M3 in Chapter 3.

It is noted that one of the six views selected for detailed assessment (View M1) was somewhat obstructed by temporary structures located in Martin Place on the day the photographs were taken. As such, both the location specified by the coordinates nominated by the CSPS (view M1) and a ‘supplementary view’, which provides an unobstructed view from a location nearby, have been provided. Refer to Section 3.2 and 3.3).

Wider visual catchment

The proposal’s potential visual catchment includes a wide area of Sydney Harbour, including Pyrmont Bay and Jones Bay, and waterfront areas including Pyrmont, Darling Harbour and areas of the inner west such as Balmain. However it is considered that the development’s visibility and impact on these locations is likely to be minimal.

This work focusses on the local visual catchment which is most likely to be affected by any view change.





03 Photomontage assessment

Photomontage assessment

3.1 Introduction and format of assessment

Introduction

This chapter includes a detailed assessment of selected photomontaged views.

In total, six (6) public domain views have been selected for detailed analysis, as described below. The location of each of the views has been accurately surveyed. Views selected for detailed photomontage analysis include:

- Three (3) views from Martin Place: as noted above, views selected include two 'key views' identified by the *draft Central Sydney Planning Strategy 2016* (View M1 and View M3) and a third view in the centre of Martin Place (View M2). Exact coordinates nominated by the Strategy have been used to produce the surveyed photographs used for the photomontages of Views M1 and M3.
- Two (2) views from Pyrmont (Pyrmont Bridge and Pyrmont Bay Park): each view looks east towards the site and is representative of views with significant public visitation on the western side of Darling Harbour.
- One (1) view from Balmain (Ewenton Park): the view from this location looks back towards the city skyline from the north-west and is representative of views from the western part of the city and from the private residences nearby.

Refer to Figure 14 adjacent and Figure 50 further below, which demonstrates the approximate visual catchment in the area (including topography).

Note on additional photomontage

One (1) additional view location was selected for photomontage production. This view is located approximately 25 metres to the west of View M1 and is included as a supplementary image because at the time of photographing the locations View M1 was obstructed by temporary structures in Martin Place. It is noted that the additional view does not comply with the surveyed location specified by the CSPS and as such is provided for context and as supplementary information only. Refer to the supplementary view at Section 3.3 below.



Figure 14: View locations selected
Source: NearMap base with Architectus overlay

— Site boundary



Photomontage assessment

Views shown for each location

The format of the analysis in this chapter is generally a side-by-side comparison of existing and proposed future views. Views are shown for each location, as follows:

Broad view (24mm focal length) and cropped view (50mm focal length)

As the entirety of a view is generally not easily understood from a 50mm focal length photograph/photomontage, a broader view has been provided at 24mm focal length to show greater context. A 50mm equivalent 'cropped' version of this view is provided alongside for each view.

Existing and proposed development

For each of the above (broad 24mm focal length and 50mm focal length view) the following images are shown:

- Existing: the existing photograph.
- Proposed: a photomontage of the proposed development envelope.

Delination of bonus height

As noted above, the future development of a building on the site will be subject to a competitive design process (in accordance with the City of Sydney Council's *Competitive Design Policy 2013*) which will seek to achieve design excellence to be eligible for bonus 10% building height under Clause 6.21 of the SLEP 2012. Given that the maximum building height under the SLEP 2012 is 80 metres, the 10% bonus height would provide for an additional 8 metres resulting in an 88 metre building. This additional 8 metres of height is identified in the photomontage renders in the Sections below and is shown as a pale grey colour above the darker grey 80 metre building.

Format of analysis

The assessment of each view is based on the criteria set out in Section 2.7 of this report, and is set out as follows for each view:

- A summary of key quantitative factors regarding the importance of view including the number of viewers, distance to proposal and likely period of view.
- A qualitative assessment set out under the following headings:
 - Importance of the view; and
 - View change.
- A summary of impacts is provided for each view, drawing on the above assessment.

3.2 View M1: Martin Place (Macquarie Street), Sydney

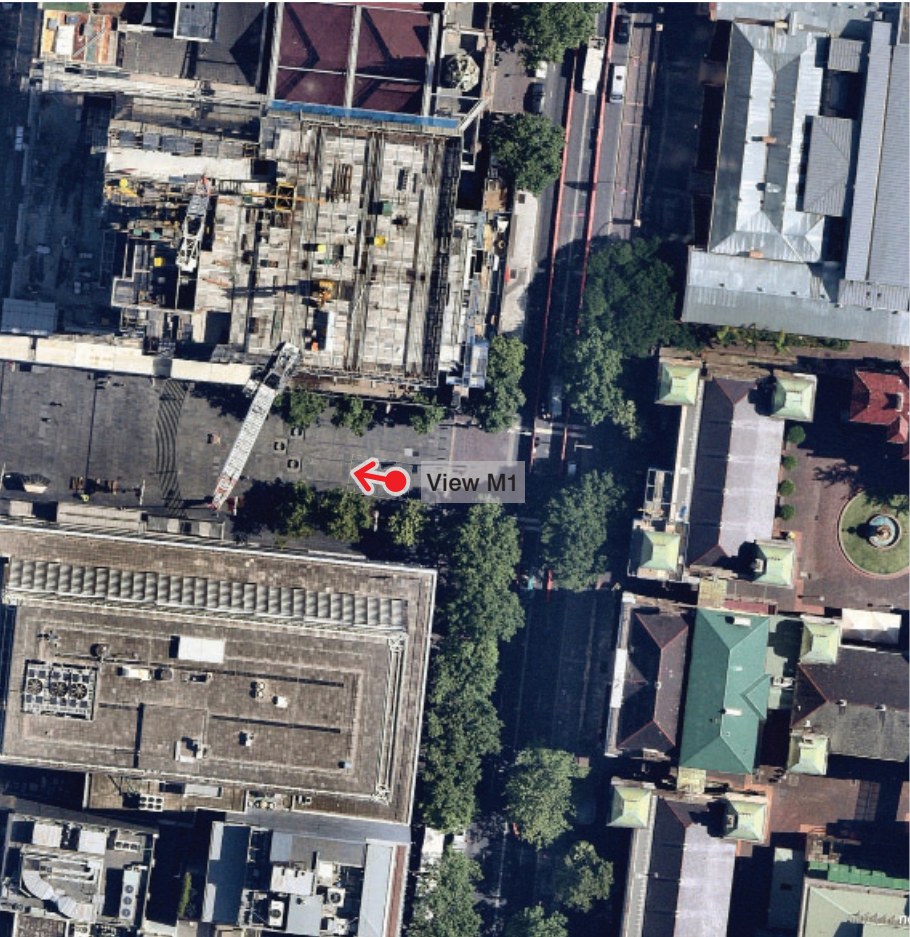


Figure 15: View M1: Martin Place (Macquarie Street), Sydney
Source: NearMaps base (map dated 27 December 2018) with Architectus overlay

Summary against criteria:

Importance of the view:	High
View change (proposed):	Low-Moderate

Importance of the view:

Documented importance	From the eastern side of Martin Place, adjacent to Macquarie Street (public place) <i>View location in accordance with the survey points provided by the CSPS: X - 334625.4; Y - 6251054.8; and Z(RL) 34.5.</i>
Distance to proposal	Approximately 730 metres (to front of the site)
Likely period of view	Moderate (1-5 minutes typical)
Viewers	High (<500 viewers per day)

The view is taken from the eastern side of Martin Place, adjacent to Macquarie Street. Martin Place is a highly accessible location in Sydney and is used as a gathering place and plaza by the public because it is closed to traffic and centrally located within Sydney’s business district. The location of this view is the high point of Martin Place adjacent to Macquarie Street, with land sloping down to the west in the direction of the view.

The view is of Martin Place, surrounding buildings, the GPO clock tower, the sandstone buildings at the end of Martin Place (on the western side of George Street) and sky view. It is noted that the top of the recently completed development at 151 Clarence Street is visible in the view. This view may be seen when walking through Martin Place or along Macquarie Street. The view may also be seen from select rooms of the Sydney Eye Hospital which is located on the eastern side of Macquarie Street.

The view is identified as significant by the CSPS due to the significance of Martin Place as a gathering place. It is noted that the location of the photomontaged view is in accordance with the survey points provided by the CSPS.

Given the significance of Martin Place as a public square, the large number of viewers, and the view’s identification as a ‘key view’ by the CSPS, the importance of this view is considered to be high.

View change:

The proposed development will be partly visible within this view but is not considered to be a prominent part of the view. The proposal will obscure a small portion of visible sky above the existing sandstone buildings at the end of Martin Place, however no buildings or iconic elements within the view will be obscured.

The scale of the proposal in this view is considered to be equivalent to the existing development at 151 Clarence Street, which is visible on the left side of the view. Given the proposed development is visible on the right side of the view, it is considered that the development provides balance to the view without affecting the appreciation of existing important elements within the view.

It is considered that the proposed development will not change the quality of the existing view or obscure elements of significance within the view.

The view change of the proposed development can be summarised as low-moderate.

Photomontage assessment



Figure 16: Existing view
Broad view - 24mm focal length



Figure 17: Proposed development
Broad view - 24mm focal length, 10% design excellence bonus height shown in pale grey



Figure 18: Existing view
Cropped view - 50mm focal length



Figure 19: Proposed development
Cropped view - 50mm focal length, 10% design excellence bonus height shown in pale grey

3.3 View M1 (Supplementary): Martin Place (Macquarie Street), Sydney

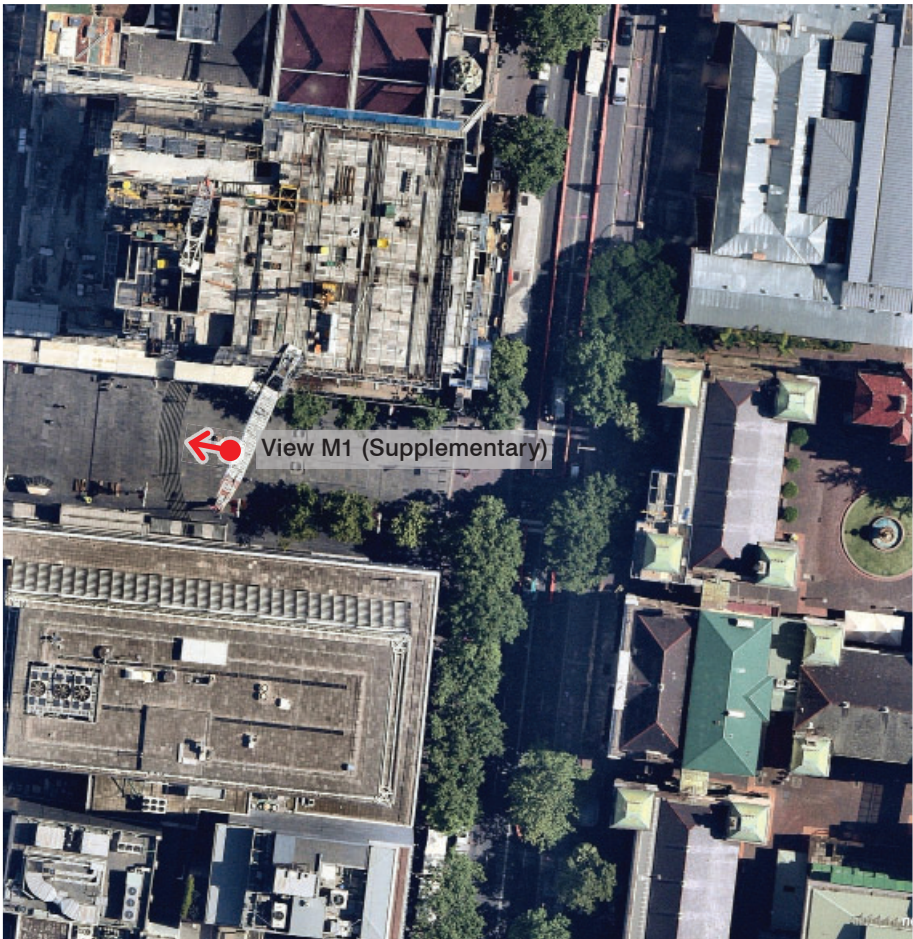


Figure 20: View M1 (Supplementary): Martin Place (Macquarie Street), Sydney
Source: NearMaps base (map dated 27 December 2018) with Architectus overlay

The view on the adjacent page is provided as a supplement to View M1.

As provided above, View M1 is situated in accordance with the surveyed location specified by the CSPS, however at the time of photographing the view, the view was somewhat obstructed by temporary structures in Martin Place. Given that the location of View M1 is considered to be high, this additional view has been provided to demonstrate an unobstructed view from close to the specified survey location (approximately 25m to the west of View M1), and is provided for context and as supplementary information only. As such, detailed view analysis is not provided for this view.

Similarly to View M1 above, the supplementary view demonstrates that the proposed development will be partly visible within this view but is not considered to be a prominent part of the view. The scale of the proposal in this view is considered to be equivalent to the existing development at 151 Clarence Street.

Photomontage assessment



Figure 21: Existing view
Broad view - 24mm focal length



Figure 22: Proposed development
Broad view - 24mm focal length, 10% design excellence bonus height shown in pale grey



Figure 23: Existing view
Cropped view - 50mm focal length



Figure 24: Proposed development
Cropped view - 50mm focal length, 10% design excellence bonus height shown in pale grey

3.4 View M2: Martin Place (Elizabeth Street / Phillip Street), Sydney



Figure 25: View M2: Martin Place (ElizabethStreet/Phillip Street), Sydney
Source: NearMaps base (map dated 27 December 2018) with Architectus overlay

Summary against criteria:

Importance of the view:	Moderate-high
View change (proposed):	Low-moderate

Importance of the view:

Documented importance	From the middle of Martin Place, between Elizabeth Street and Phillip Street (public place)
Distance to proposal	Approximately 560 metres (to front of property)
Likely period of view	Moderate (1-5 minutes typical)
Viewers	High (<500 viewers per day)

The view is taken from the middle of Martin Place, between Elizabeth Street and Phillip Street. Martin Place is a highly accessible location in Sydney and is used as a gathering place and plaza by the public because it is closed to traffic and centrally located within Sydney’s business district. The location of this view point is just behind the main entrance/exit to Martin Place train station, which generates high volumes of pedestrian movements. The land slopes down to the west in the direction of the view.

The view is of Martin Place, surrounding buildings, the GPO clock tower, the sandstone buildings at the end of Martin Place (on the western side of George Street) and sky view. It is noted that the top of the recently completed development at 151 Clarence Street is just visible in the view, although somewhat obscured by vegetation. This view may be seen when walking through Martin Place. A comparable view may be seen when exiting Martin Place train station.

It is noted that this view is not identified as a ‘key view’ by the CSPS (only Views M1 and M3 are identified as key views).

Given the significance of Martin Place as a public square, and the large number of viewers, the importance of this view is considered to be moderate-high.

View change:

Similarly to View M1, the proposed development will be partly visible within this view but is not considered to be a prominent part of the view. The proposal will obscure a small portion of visible sky above the existing sandstone buildings at the end of Martin Place, however no buildings or iconic elements within the view will be obscured.

The proposed development will not affect the appreciation of existing important elements within the view or obscure elements of significance.

The view change of the proposed development can be summarised as low-moderate.

Photomontage assessment



Figure 26: Existing view
Broad view - 24mm focal length



Figure 27: Proposed development
Broad view - 24mm focal length, 10% design excellence bonus height shown in pale grey



Figure 28: Existing view
Cropped view - 50mm focal length



Figure 29: Proposed development
Cropped view - 50mm focal length, 10% design excellence bonus height shown in pale grey

3.5 View M3: Martin Place (Pitt Street / Castlereagh Street), Sydney



Figure 30: View M3: Martin Place (Pitt Street / Castlereagh Street), Sydney
Source: NearMaps base (map dated 27 December 2018) with Architectus overlay

Summary against criteria:

Importance of the view:	High
View change (proposed):	Negligible

Importance of the view:

Documented importance	From the middle of Martin Place, between Pitt Street and Castlereagh Street (public place) <i>View location in accordance with the survey points provided by the CSPS: X - 334356.2; Y - 6251076.2; and Z(RL) 19.3.</i>
Distance to proposal	Approximately 450 metres (to front of property)
Likely period of view	Moderate (1-5 minutes typical)
Viewers	High (<500 viewers per day)

The view is taken from the middle of Martin Place, between Pitt Street and Castlereagh Street. Martin Place is a highly accessible location in Sydney and is used as a gathering place and plaza by the public because it is closed to traffic and centrally located within Sydney’s business district. The location of this view point is in the centre of Martin Place and near an entrance/exit to Martin Place train station and next to the MLC Centre food court, both of which generate high volumes of pedestrian movements. The land slopes down to the west in the direction of the view.

The view is of Martin Place, surrounding buildings, the GPO clock tower, the sandstone buildings at the end of Martin Place (on the western side of George Street) and sky view.

The view is identified as significant by the CSPS due to the significance of Martin Place as a gathering place. It is noted that the location of the photomontaged view is in accordance with the survey points provided by the CSPS.

Given the significance of Martin Place as a public square, the large number of viewers, and the view’s identification as a ‘key view’ by the CSPS, the importance of this view is considered to be high.

View change:

The proposed development envelope will not be visible in this view. As such, the view change of the proposed development envelope can be summarised as no change / negligible.

Photomontage assessment



Figure 31: Existing view
Broad view - 24mm focal length



Figure 32: Proposed development
Broad view - 24mm focal length, 10% design excellence bonus height shown in pale grey



Figure 33: Existing view
Cropped view - 50mm focal length



Figure 34: Proposed development
Cropped view - 50mm focal length, 10% design excellence bonus height shown in pale grey

3.6 View P1: Pyrmont Bridge, Pyrmont

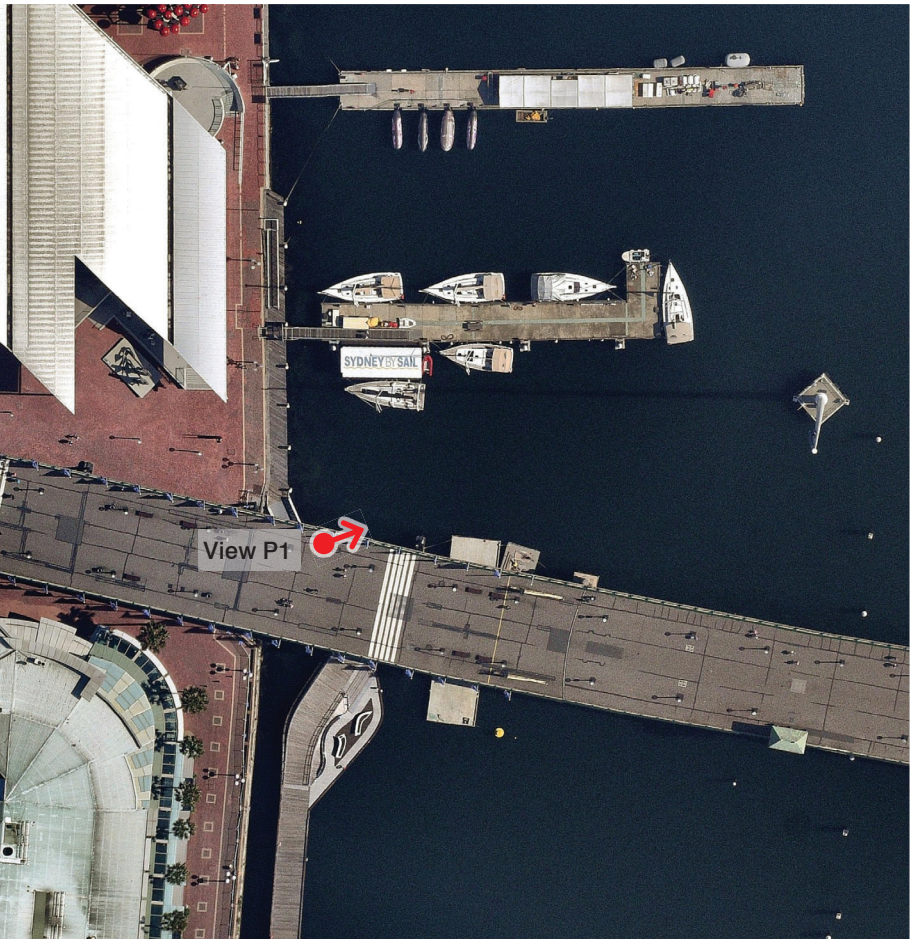


Figure 35: View P1: Pyrmont Bridge, Pyrmont
Source: NearMaps base (map dated 27 December 2018) with Architectus overlay

Importance of the view:

Documented importance	From harbour and public place
Distance to proposal	Approximately 540 metres (to front of property)
Likely period of view	Moderate (1-5 minutes typical)
Viewers	High (<500 viewers per day)

The view is taken from the western side of Pyrmont Bridge. The bridge is a pedestrianised walkway that links the CBD (adjacent to the Sydney Aquarium in Darling Harbour) to Pyrmont (adjacent to the Australian National Maritime Museum). Pyrmont Bridge is a highly accessible location in Sydney and is used for commuters (walking and cycling) and visitors to Darling Harbour.

The view includes waterviews to Darling Harbour including moored boats, the foreshore walk at King Street Wharf, and the city skyline beyond.

Pyrmont Bridge attracts high numbers of pedestrians and provides a unique view of the city skyline and water views. As such, the importance of this view is considered to be high.

View change:

The proposed development envelope will be visible within this view however the scale of the proposal in this view will appear consistent with the existing surrounding buildings.

The proposal is prominent in the view, however it does not affect the appreciation of existing important elements within the view. The building will form only part of the wider panoramic view which focuses on the important elements of the harbour and the city skyline. The proposed development envelope will obscure a small portion of sky that is currently visible between buildings, but will not project above the height of existing surrounding buildings.

The view change of the proposed development can be summarised as low.

Summary against criteria:

Importance of the view:	High
View change (proposed):	Low

Photomontage assessment



Figure 36: Existing view
Broad view - 24mm focal length



Figure 37: Proposed development
Broad view - 24mm focal length, 10% design excellence bonus height shown in pale grey



Figure 38: Existing view
Cropped view - 50mm focal length



Figure 39: Proposed development
Cropped view - 50mm focal length, 10% design excellence bonus height shown in pale grey

3.7 View P2: Pyrmont Bay Park, Pyrmont



Figure 40: View P2: Pyrmont Bay Park, Pyrmont
Source: NearMaps base (map dated 27 December 2018) with Architectus overlay

Importance of the view:

Documented importance	From public place
Distance to proposal	Approximately 550 metres (to front of property)
Likely period of view	High (<5 minutes typical)
Viewers	High (<500 viewers per day)

The view is taken from Pyrmont Bay Park, adjacent to Pyrmont Bay.

Pyrmont Bay Park is situated adjacent to the Australian National Maritime Museum (south), the Sydney Maritime Heritage Centre at Wharf 7 (north), The Star (west) and Pyrmont Bay (east) including the Pyrmont Bay ferry wharf. The park is a well used public open space.

The view includes waterviews to Darling Harbour and the city skyline beyond. The recently constructed 'International Towers' at Barangaroo form a prominent part of the view. It is noted that the views to the city are only visible from the front of Pyrmont Bay Park (waterfront), as the view is largely obscured by trees from other locations in the park.

Pyrmont Bay Park provides a unique view of the city skyline and attracts visitors that would typically use the park as a destination point and spend more than 5 minutes there. As such, the importance of this view is considered to be moderate-high.

View change:

The proposed development envelope will be visible within this view. The scale of the proposal in this view will appear consistent with the existing surrounding buildings.

Similar to View P1 above, the proposal is prominent in the view, however it does not affect the appreciation of existing important elements within the view. The building will form only part of the wider panoramic view which focuses on the important elements of the harbour and the city skyline. The proposed development envelope will obscure a small portion of sky that is currently visible between buildings, but will not project above the height of existing surrounding buildings.

The view change of the proposed development can be summarised as low-moderate.

Summary against criteria:

Importance of the view:	Moderate-high
View change (proposed):	Low-moderate

Photomontage assessment



Figure 41: Existing view
Broad view - 24mm focal length



Figure 42: Proposed development
Broad view - 24mm focal length, 10% design excellence bonus height shown in pale grey



Figure 43: Existing view
Cropped view - 50mm focal length



Figure 44: Proposed development
Cropped view - 50mm focal length, 10% design excellence bonus height shown in pale grey

3.8 View B1: Ewenton Park, Balmain



Figure 45: View B1: Ewenton Park, Balmain
Source: NearMaps base (map dated 27 December 2018) with Architectus overlay

Summary against criteria:

Importance of the view: Moderate-high
View change (proposed): Low

Importance of the view:

Documented importance	From public place
Distance to proposal	Approximately 1,520 metres (to front of property)
Likely period of view	High (<5 minutes typical)
Viewers	Moderate (20 - 500 viewers per day)

The view is taken from Ewenton Park, Balmain, adjacent to Johnstons Bay.

Ewenton Park is situated adjacent to a residential area in Balmain and is close to Darling Street (to the north) and White Bay Cruise Terminal (to the south). The park is a well used public open space.

The view includes waterviews to Johnstons Bay / Darling Harbour and the city skyline beyond. The recently constructed 'International Towers' at Barangaroo form a prominent part of the view.

Ewenton Park provides a unique view of the city skyline and attracts visitors that would typically use the park as a destination point and spend more than 5 minutes there. As such, the importance of this view is considered to be moderate-high.

View change:

The proposed development envelope will be visible within this view. The scale of the proposal will appear consistent with the existing surrounding buildings and will form part of the city skyline without projecting above the height of the existing surrounding buildings. As such, the development will not affect the appreciation of existing important elements within the view. The building will form only part of the wider panoramic view which focuses on the important elements of the harbour and the city skyline.

The view change of the proposed development can be summarised as low.

Photomontage assessment



Figure 46: Existing view
Broad view - 24mm focal length



Figure 47: Proposed development
Broad view - 24mm focal length, 10% design excellence bonus height shown in pale grey



Figure 48: Existing view
Cropped view - 50mm focal length



Figure 49: Proposed development
Cropped view - 50mm focal length, 10% design excellence bonus height shown in pale grey



04 Summary and conclusion



Summary and conclusion

4.1 Overview of assessment

This VIA has been prepared to assess the visual impact of the proposal at 301 and 305 Kent Street, and 35-39 Erskine Street, Sydney. It is noted that this VIA has been prepared to accompany a Concept SSDA for the proposed development envelope only. Development of a building on the site will be subject of a future Stage 2 SSDA.

The methodology for this assessment has been developed by Architectus based on the relevant Planning Principles for view assessment established by the NSW LEC and experience in preparing VIAs for a variety of projects.

Key considerations for this assessment include:

- The planning framework which includes the strategic context of the *Eastern City District Plan 2018*, and applicable planning controls including, *Draft Environment SEPP, Sydney LEP 2012* and *Sydney DCP 2012*.
- The NSW Land and Environment Court Planning Principles regarding views, including one generally relating to public domain views (*Rose Bay Marina Pty Limited v Woollahra Municipal Council and anor [2013] NSWLEC 1046*). This case provides guidance for the assessment of visual impacts relating to public domain views, particularly where this is not described in detail by local controls.
- The previous approval for the site is instructive in understanding what has been considered appropriate for the project in previous considerations.
- Relevant standards and best practice for photography and photomontages have been used.

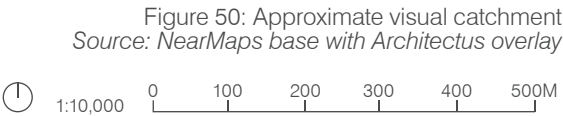
Architectus criteria for assessment utilised within this report are based on a best-practice application of the above framework and considerations to the assessment of visual impact.

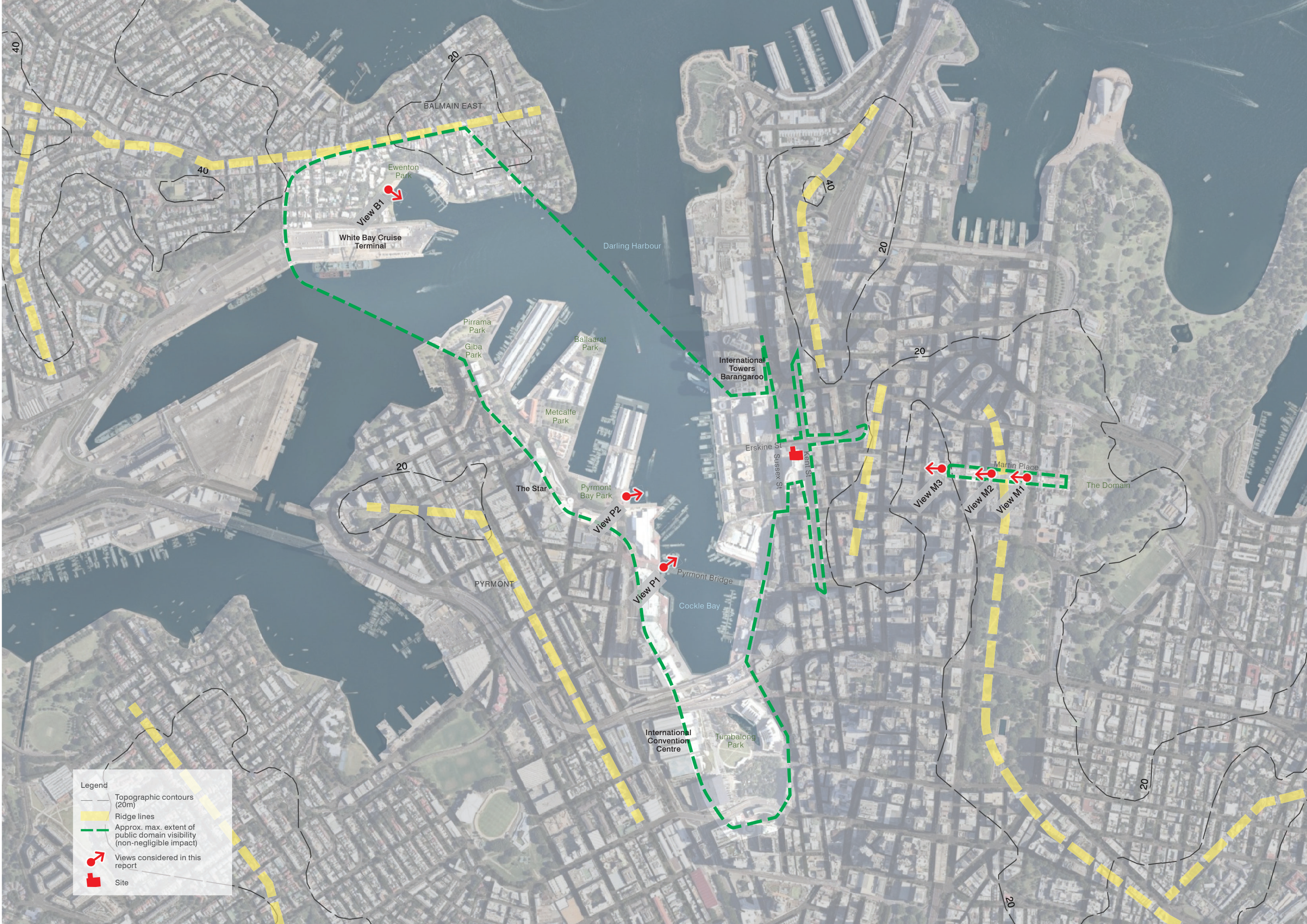
This assessment has been undertaken using detailed photomontage assessment based on key views selected based on preliminary assessment including photographs.

The views considered in this report are identified on the map adjacent. The map also identifies the approximate visual catchment of the proposed development as a result of existing built form and the topography of the area (including contours).

Table 6 Summary of detailed photomontage assessment (public domain views)

View	Importance of view	View change - proposed
M1 - Martin Place (Macquarie Street)	High	Low-Moderate
M2 - Martin Place (Elizabeth Street / Phillip Street)	Moderate-High	Low-Moderate
M3 - Martin Place (Pitt Street / Castlereagh Street)	High	Negligible
P1 - Pyrmont Bridge	High	Low
P2 - Pyrmont Bay Park	Moderate-High	Low-Moderate
B1 - Ewenton Park, Balmain	Moderate-High	Low





Legend

- Topographic contours (20m)
- Ridge lines
- Approx. max. extent of public domain visibility (non-negligible impact)
- Views considered in this report
- Site

Summary and conclusion

4.2 Summary of view change

The proposal will have a low-moderate, low or negligible impact on public domain views. The most impacted and important view is from the eastern most point of Martin Place, adjacent to Macquarie Street (View M1). In that location, the view change is considered low-moderate and the importance of the view is considered high. The proposal changes the existing view, however the proposed development largely fits within the context of the surrounding development in central Sydney and will not obstruct important elements within the view.

Regarding views from Pyrmont and Balmain, the proposal is considered to fit in well with the context of the surrounding buildings within central Sydney and will make a positive contribution to the city skyline. The proposal does not affect the appreciation of existing important elements within the view including water views to Darling Harbour.

The CSPS identifies a view corridor from Martin Place and it is noted that the proposed development envelope would only be visible from one of the two identified locations, being View M1, as discussed in the Chapter above.

4.3 Assessment and conclusion

In assessing the visual impact of the proposed development at 301 and 305 Kent Street, and 35-39 Erskine Street, Sydney, the following points provide a response to key considerations against relevant standards and guidelines:

- The proposal has been demonstrated to result in a negligible, low or low-moderate change in all views assessed.
- Where the proposal does affect views, it does not obstruct elements of high significance or iconic importance (primarily, views of the water, views of the GPO clock tower or locations of specifically documented importance) that are noted in the NSW LEC Planning Principles and CSPS.
- The visual impacts of the proposed development envelope are consistent with that of a development that is compliant with the applicable development controls. The proposed minor non-compliance with the building height control does not cause significant concern with regard to the 'Rose Bay Marina' Planning Principles. The bonus height that may be achieved through a design excellence process is indicated in the photomontage renders through this report. The height is considered acceptable from a visual impact perspective and would not cause elements of high significance to be obscured from public domain views.
- The proposal generally sits comfortably within the existing pattern of development in central Sydney, and it is considered that the development will not detract from appreciation of views towards the city skyline.

Based on the above it is considered that the overall visual impact of the development envelope proposed under this Concept SSDA is both reasonable and acceptable.

It is noted that a future Stage 2 SSDA will be lodged for demolition and excavation works and the construction of the hotel building following the undertaking of a competitive design process (in accordance with the City of Sydney Council's *Competitive Design Policy 2013*). It is recommended that the design excellence process considers both views from Martin Place and from Darling Harbour to ensure the preferred design provides a high quality response to these important views.



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