



15 December 2017
Our Ref: 0112A.1JM

Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Director - Key Sites Assessment Team

By Email: chris.king@planning.nsw.gov.au

Dear Mr King,

**Objection to Proposed State Significant Development No. SSD 7684
Amended Concept Proposal for Redevelopment of Cockle Bay Wharf
Nos. 241 - 249 Wheat Road, Cockle Bay | Applicant: DPT and DPPT Operator Pty Limited**

State Planning Services Pty Limited (**SPS**) has been commissioned by the Owners Corporation, Strata Plan 53413, No. 222 Sussex Street, Sydney (**our clients**) to provide an independent town planning assessment of proposed State Significant Development No. SSD 7684 (**SSD 7684**).

In summary, SPS contends that SSD 7684 should be refused for the reasons outlined herein.

Subject Site

SSD 7684 involves an amended concept proposal for redevelopment of Cockle Bay Wharf (**the proposal**) at Nos. 241 -249 Wheat Road, Cockle Bay, Darling Harbour (**the subject site**).

The subject site is located to the northwest and west of No. 222 Sussex Street, Sydney and although the Darling Park tower development stands between our client's property and the subject site, the immense height and scale of the proposal will significantly impact the residential development at No. 222 Sussex Street, which contains 114 residential apartments within a building known as Astoria Tower.

The Proposal

SSD 7684 proposes to demolish the existing low-rise development and construct a new shopping centre with office tower above to a height of 195m. The proposal will dwarf adjoining buildings and have an overbearing effect on the foreshore promenade.

Evaluation

An assessment having regard to the relevant matters for consideration under Section 79C (**S.79C**) of the *Environmental Planning and Assessment Act 1979* (**the Act**) indicates that the proposal will create significant adverse environmental impacts that in our view, preclude the Minister for Planning from recommending approval of the proposal.

1. Excessive Bulk and Scale / Foreshore, Character and Streetscape Impacts

The amended proposal involves a relocated tower 40m southward of the original location which significantly increases the bulk and scale impacts on Astoria Tower at No. 222 Sussex Street (Figures 1 and 2).

Before



Figure 1 Existing Pre-Development view of Cockle Bay Wharf (from applicant's 'Visual and View Impact Analysis')

After



Figure 2 Proposed Post-Development impact on Cockle Bay Wharf (from applicant's 'Visual and View Impact Analysis')

The height of the existing Darling Park towers opposite No. 222 Sussex Street combine up to 32 floors and 126m in height and are well under the proposed 195m height associated with the proposal. Consequently, the proposal will create an overbearing impact on the foreshore of Cockle Bay and surrounding development.

The relocation of the proposed tower further restricts the view and light corridors between the two Darling Park towers located at No. 201 Sussex Street. In addition, Darling Harbour is a popular destination for both Sydneysiders and tourists due to its vibrant foreshore promenade which at present has a human scale and this feature will be lost as the proposed development with office tower will create an incongruous feature on the Darling Harbour foreshore in this location.

The view impact analysis relied upon by the applicant indicates a narrow view of the site and it is noted that a broader panoramic view indicates greater context of the site (**Figure 3**).

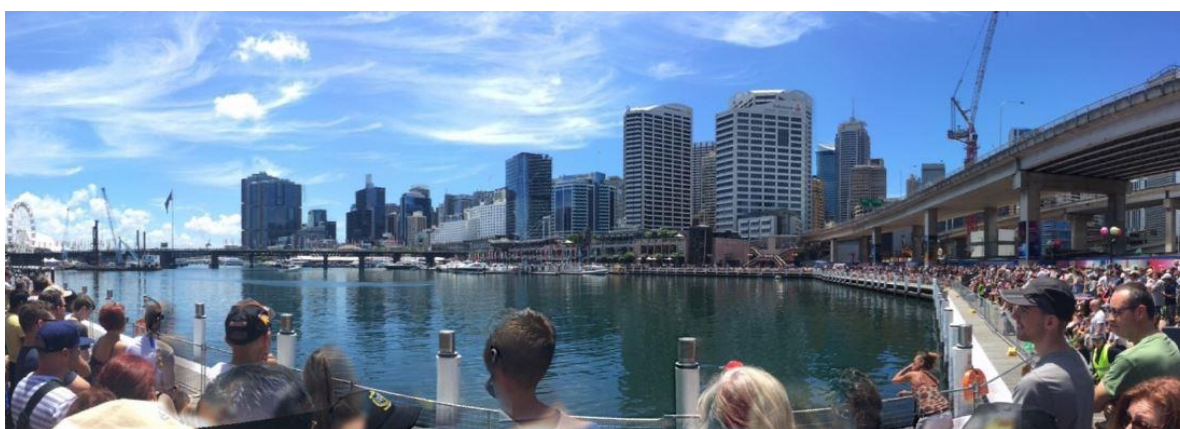


Figure 3 Panoramic view of the subject site and surrounding development

The excessive bulk and scale of the proposal will dominate the foreshore and reduce amenity by overshadowing areas that are currently enjoyed by thousands of people on a daily basis.

In addition, the adverse impacts will extend to the streetscape of the surrounding road network and adversely change the character of the Cockle Bay wharf.

2. Significant Loss of Views and Adverse Visual Impacts

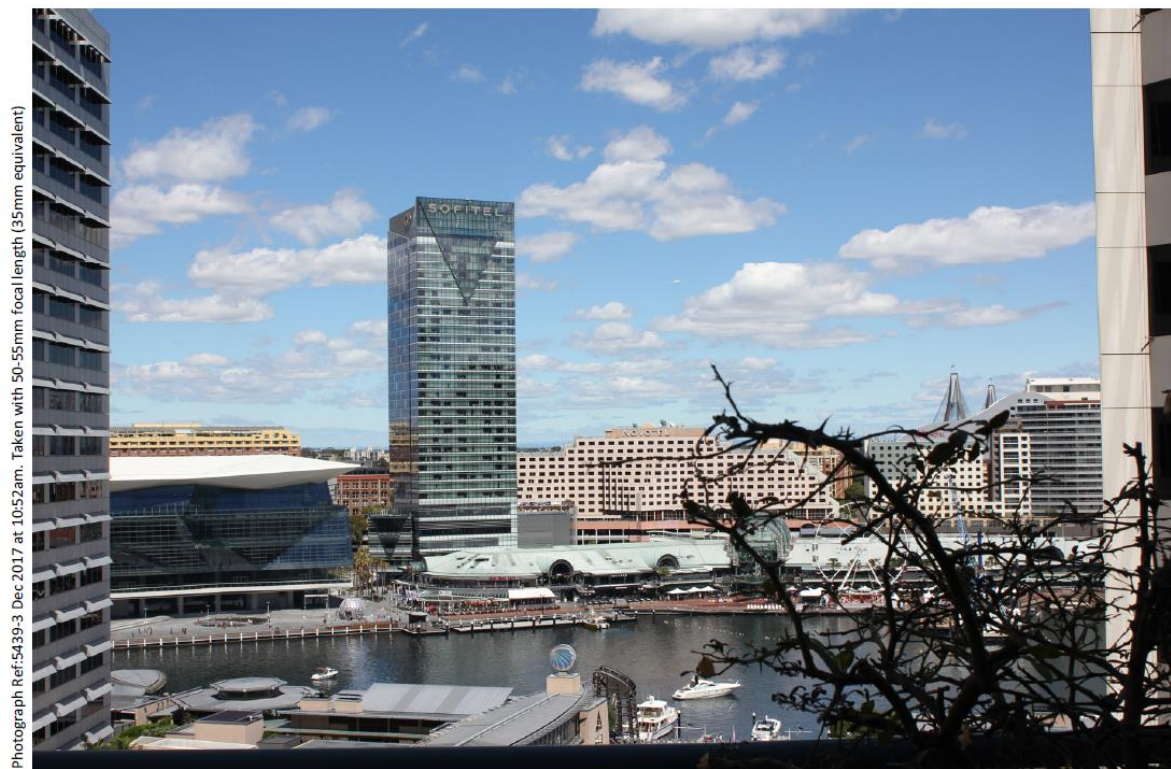
The proposal will result in unacceptable view loss and does not promote 'view sharing' of valuable land/water interface views that are currently enjoyed from Astoria Tower at No. 222 Sussex Street. The view loss associated with this proposal is severe to devastating for most residents within the existing residential flat building at No. 222 Sussex Street.

Likewise, the confronting nature of the substantial development will create significant adverse visual impacts when viewed from No. 222 Sussex Street.

Due to the Darling Park development 'framing' the views from Astoria Tower, it is estimated that in excess of 50% of the important land/water interface view will be lost due to the proposal being sited in its current inappropriate location.

Figures 4 to 7 indicate both pre and post development scenarios with respect to the view loss impacts and adverse visual impacts on our client's site at No. 222 Sussex Street.

Before

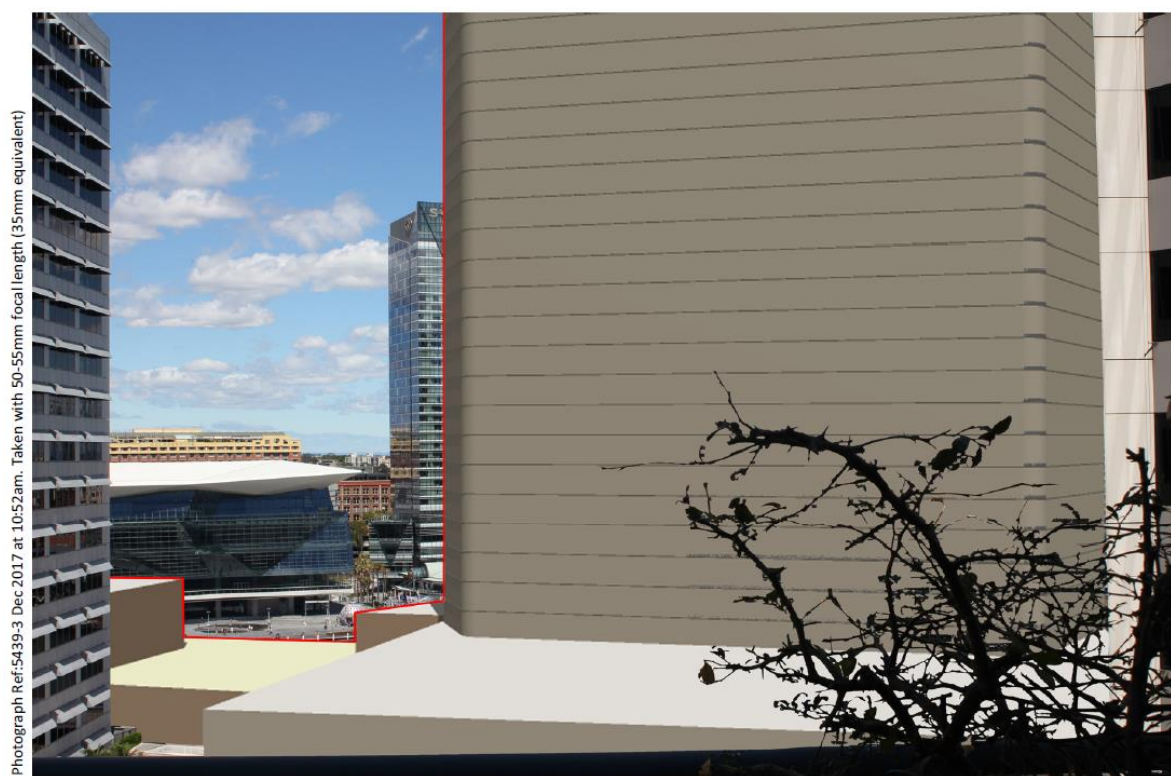


Photomontage by Pam Walls
Based on Rygate & Co. Survey Ref:77631_77101B-7/09/2017
fjmt studio Stage 1 Amended Concept Proposal

Photograph of existing view
View from Unit 52, Level 15, 222 Sussex St main balcony
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Figure 4 Existing Pre-Development View from Unit 52, Level 15 No. 222 Sussex Street

After



Photomontage by Pam Walls
Based on Rygate & Co. Survey Ref:77631_77101B-7/09/2017
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3D solid block computer model of proposed
View from Unit 52, Level 15, 222 Sussex St main balcony
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Figure 5 Proposed Post-Development View from Unit 52, Level 15 No. 222 Sussex Street

Before



Photograph Ref:5429-3 Dec 2017 at 10:42am. Taken with 29mm focal length (35mm equivalent)

Photomontage by Pam Walls
Based on Rygate & Co. Survey Ref:77631_77101B-7/09/2017
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Photograph of existing view
View from Unit 45, Level 14, 222 Sussex St main balcony
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Figure 6 Existing Pre Development View from Unit 45, Level 14 No. 222 Sussex Street

After



Photograph Ref:5429-3 Dec 2017 at 10:42am. Taken with 29mm focal length (35mm equivalent)

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Figure 7 Proposed Post Development View from Unit 45, Level 14, No. 222 Sussex Street

Astoria Tower at No. 222 Sussex Street was completed in 1996, well before the three towers of the Darling Park development were completed in 2005.

During the planning phase for the siting of the Darling Park towers, the issue of views and 'view sharing' was taken into consideration with a corridor between Towers 1 and 2 included as a concession to retain some views of Darling Harbour and to permit solar access to reduce the considerable impact that the development would have had on surrounding development, including, but not limited to, Astoria Tower.

The current proposal significantly encroaches on the remaining corridor and will have an unacceptable impact on the residential amenity of dwellings within Astoria Tower.

The issue of views and 'view sharing' has been assessed by the NSW Land and Environment Court (**the Court**) in a number of cases. However, in the case of *Tenacity Consulting v Warringah Council* (2004) NSWLEC 140 (**Tenacity**) Senior Commissioner Roseth established a four step assessment process for determining view sharing.

Tenacity is now adopted as a planning principle for cases involving potential view loss and is considered below.

- **The first step is the assessment of views to be affected.**

The Court attributes different values to the types of views. In particular,

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

In this case, the residents of Astoria Tower would have initially enjoyed extensive views of Darling Harbour with the land/water interface from the majority of the mid to upper level units before the Darling Park development occurred.

Darling Harbour could arguably be described as an 'iconic view', certainly in the applicant's letter to the Department of Planning and Environment for Secretary's Environmental Assessment Requirements for their development it is claimed that:-

'The Cockle Bay Wharf centre was constructed in 1998 and has been a hub for bars and restaurants ever since. The Site is located within the 'Cultural Ribbon', as identified within A Plan For Growing Sydney (DP&E, 2014). Venues within the Cultural Ribbon are identified as being important to Sydney's tourism and entertainment industries, contributing to the CBD being Australia's pre-eminent tourist destination.'

- **The second step is to consider from what part of the property the views are obtained.**

The Court acknowledges that side boundary views are more difficult to protect than front or rear boundaries. The Court also distinguishes between sitting and standing views, acknowledging that sitting views are harder to protect.

In this case, approximately half of the building's units face Sussex Street and the Darling Harbour view, with living rooms and in many cases both living rooms and bedrooms having

balconies facing the harbour views. Both sitting and standing views would be significantly affected by the amended proposal.

- **The third step is to assess the extent of the impact.**

The Court considers that impact on views from living areas is most significant and that the qualitative loss can be more significant in some cases than quantitative loss. Five levels of impact were suggested:- negligible, minor, moderate, severe or devastating.

Considering the views from Astoria Tower were already impacted by the Darling Park development the significant effect on the remaining views could be considered severe to devastating.

- **The fourth step is to assess the reasonableness of the proposal that is causing the impact.**

The Court considers that a development that complies with all planning controls would be considered more reasonable than one that breaches them. It is noted that *Sydney Local Environmental Plan 2012 (SLEP)* does not apply to the site, with the principle planning instrument being the *Darling Harbour Development Plan No. 1 (1996)*.

Darling Harbour Development Plan No. 1 (1996) does not contain any planning controls in the form of height or floor space ratio requirements and does not contain any design guidelines for development.

Notwithstanding, the cumulative environmental impacts of view loss, and visual impact on Sydney Harbour has not been taken into consideration in the design of the proposal. The unique visual qualities of the Cockle Bay Wharf area and promenade having a low rise 'human scale' will neither be 'maintained', 'protected' nor 'enhanced' by the proposal which is an incongruous, overdevelopment of the site.

As the development site does not have strict 'development standards' such as height and floorspace ratios which it could be compared to, the principles and 'matters for consideration' for the site are the development controls or guidelines to assess if the development is 'reasonable' and it is our view that the development is not 'reasonable', therefore, the impact on views under the Court Planning Principle is more significant.

In conclusion, under the four step view assessment outlined by the Court planning principle:-

- 1) The views are high value land/water interface views from most of the west facing units, (Darling Harbour could be regarded as qualifying as an 'iconic view');
- 2) The parts of the residential properties affected are the important living/dining rooms areas and bedrooms;
- 3) The extent of the impact is severe to devastating for the residents depending on the location of the unit in the building;
- 4) The development is 'unreasonable' due to its excessive height and bulk (particularly with respect to the tower component) in this sensitive location on the waterfront of Sydney Harbour, as it is not consistent with the planning principles or matters for consideration of the SREP (Sydney Harbour Catchment 2005). The Court holds that where an impact on views arises from a non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable, which is clearly the case with this application.

The applicant has considered the visual impact that the proposal will have on No. 222 Sussex Street in a 'Visual and View Impact Analysis' dated Oct 2017, with a section of the report devoted to a discussion on the impact and stating:-

'Proposed Views

*The amended Concept Proposal building envelope will have an impact on existing views from a number of the Astoria Tower apartments. As can be seen from the 3D view impact analysis included at **Appendix B**, the impact varies based on the building level and depending on the angle of view.'*

The report attempts to justify the visual impact of the development on Astoria Tower as being reasonable as the community will benefit from the proposed 1.5ha of additional open space that the development will provide.

'Discussion

Although there is an impact on private views from apartments at the high, mid and upper low rise levels within the Astoria Tower, it is considered that these impacts are reasonable on balance given the significant contribution the amended Concept Proposal will make to the improvement of the urban realm. Of particular importance, the Cockle Bay Park redevelopment will create up to 15,000m² of publicly accessible open space.....

The impacts associated with the amended Concept Proposal are considered to continue to provide for a reasonable outlook from the Astoria Tower. In this regard, the outlook from the majority of the affected apartments will still capture daylight, partial views of the water, buildings and the sky.'

On closer examination of the basis for the report's comments, specifically the computer generated imagery in *Appendix B* of the EIS, it is noted that the images indicate significant view loss, not supporting the assertion that the outlook from Astoria Tower will be 'reasonable'.

In summary, the view loss that will be experienced by many of the residents of Astoria Tower is considered unacceptable, having regard to the planning principles of the Court and on this basis, the proposal should be refused.

3. Potential for Overshadowing and Reduced Residential Amenity

The applicant has addressed potential overshadowing impacts within Section 7.7.2 of the amended EIS as follows:-

"7.7.2 Overshadowing of Residential Uses

FJMT has assessed the impact of the proposed building envelopes on the solar access received by the neighbouring residential development, particularly those located at 222-228 Sussex Street and 230 – 234 Sussex Street, Sydney.

The assessment determined that the proposed building envelope would have no impact on the solar access currently received by these building at any time on June 21."

No specific shadow diagrams have been included to support this claim and whilst this statement may be correct for 21 June, (as the afternoon sun is to the north, northwest, casting

a shadow to the south east of the tower) towards the equinox, when the afternoon sun is more to the northwest, shadowing will encroach further eastward.

Between the equinox and solstice the afternoon sun sets in a more westerly direction and as the tower proposed is to the west of No. 222 Sussex Street, any direct sunlight that is received through the corridor between the Darling Park towers will be impacted significantly. The EIS has taken a very simplistic approach to a complex issue concerning overshadowing in a high rise building environment. Overshadowing can be significant at other times of the year other than just for the one day during the winter solstice.

It is common practice for architects to provide shadow diagrams for the spring/autumn equinox and for a development of this significance, shadow diagrams for a number of times throughout the year at various times of the day (between 9am and 3pm) should also be provided.

The lack of comprehensive shadow diagrams submitted with the proposal precludes a thorough and detailed assessment from being undertaken. It can not be assumed that as the proposed building envelope does not impact on the two residential developments to the south east (No. 222 and No. 230 Sussex Street) for only one day of the year, impacts would not occur at other times. Any decrease in solar access to No. 222 Sussex Street would be significant due to the existing constraints caused by the Darling Park Tower No. 1.

The proposed tower component, at a proposed height of 195m, is excessive in both bulk and scale to the Cockle Bay Wharf waterfront and surrounding properties and is located to the west of our client's property at No. 222 Sussex Street with the potential to create overshadowing and reduce residential amenity.

The amended proposal will significantly overshadow public spaces along the foreshore of Cockle Bay and although the full extent of the impact is uncertain due to insufficient information that has been submitted with SSD 7684.

The proposal is certainly not commensurate with the Cockle Bay Wharf waterfront of Darling Harbour where it will dwarf adjoining buildings and destroy the 'human scale' of the existing waterside promenade.

At present, the adjacent Darling Park Tower 1 to the northwest, restricts afternoon sun to the Astoria Tower building. However, a corridor between Tower 1 and the adjoining Tower 2 permits some outlook and afternoon light/sun to the Sussex Street façade of our client's building.

The afternoon shadows cast by the proposed 195m tower (which is considerably taller than the Darling Park towers), would potentially exacerbate the overshadowing already experienced by our client's building, but will also affect other surrounding development such as the open space associated with the Darling Park development at No. 201 Sussex Street.

4. Inconsistency with Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

Zoning

The subject site is not 'zoned' under *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SREP)*, however, the adjacent harbour is zoned 'W8 –Scenic Waters Passive Use', an objective (e) of that zone is:-

‘(e) to ensure that the scale and size of development are appropriate to the locality and protect and improve the natural assets and natural and cultural scenic quality of the surrounding area, particularly when viewed from waters in this zone or areas of public access.’

In our view, the proposed development of a 195m multi-level tower is not appropriate in scale and size for this location and creates adverse impacts on the Cockle Bay waterfront promenade (which is part of the reason why this part of Darling Harbour is such a tourist and cultural destination).

Part 2 – Planning Principles

Planning principles for land within the Sydney Harbour Catchment and Foreshores and Waterways Area include:

- *‘decisions with respect to the development of land are to take account of the cumulative environmental impact of development within the catchment,*
- *development that is visible from the waterways or foreshores is to maintain, protect and enhance the unique visual qualities of Sydney Harbour,*
- *development along the foreshore and waterways should maintain, protect and enhance the unique visual qualities of Sydney Harbour and its islands and foreshores,’*

In addition to these planning principles, the following matters for consideration apply:

Part 3 Foreshores & Waterways Area –Division 2 - Matters for Consideration

Clause 25 Foreshore and waterways scenic quality’ states that (our emphasis in **bold**):

- (a) *the **scale, form, design and siting of any building** should be based on an analysis of:*
- (i) the land on which it is to be erected, and*
 - (ii) the adjoining land, and*
 - (iii) the likely future character of the locality,*

The proposal has not adequately demonstrated that is able to address the above objectives, planning principles or matters for consideration prescribed by SREP and on this basis, should be refused.

5. Insufficient and Incomplete Information

Pursuant to Clause 50 and Schedule 1 of the *Environmental Planning and Assessment Regulation 2000 (the Regulation)* the proposal is unsatisfactory having regard to the inadequate information submitted with the proposal.

In particular, the lack of adequate shadow diagrams for a development of such height (and given the complex nature of adjoining development) is a significant deficiency and the application should be deferred until these are provided and renotified to give adjoining landowners and occupiers the chance to properly assess the impact.

Consequently, in taking into consideration this submission under S.79C(1)(d) of the Act, the amended proposal for redevelopment of Cockle Bay Wharf should be refused on the basis that it relies upon incomplete information that precludes a detailed, thorough and informed assessment from being undertaken in support of the proposal.

6. Not in the Public Interest

The amended proposal for redevelopment of Cockle Bay Wharf (SSD 7684) proposes to demolish the existing low rise, development and construct a new shopping centre with office tower above to a height of 195m. The proposal will dwarf adjoining buildings and have an overbearing effect on the foreshore promenade.

Darling Harbour is a popular destination for both Sydneysiders and tourists due to its vibrant foreshore promenade which at present has a human scale and this feature will be lost as the proposed development with office tower will create an incongruous feature on the Darling Harbour foreshore in this location.

In return for the excessive proposal, the applicant has included 1.5ha of open space as part of the design and it is not considered that this minor concession justifies the impact of the proposal.

The large scale intensification of retail and office development on the site including the proposed 195m tower (and token 1.5ha of podium landscaping and parks, much of which is above the eastern distributor) cannot be supported as being in the public interest while surrounding development (including our client's property at No. 222 Sussex Street) incurs significant unreasonable amenity impacts in the form of excessive visual bulk, significant loss of views, reduced amenity and potential loss of solar access.

Pursuant to S.79C(1)(e) of the Act, the proposal cannot be supported as being in the public interest and therefore, should be refused.

Conclusion

On behalf of the Owners Corporation, Strata Plan 53413, No. 222 Sussex Street, Sydney, SPS recommends refusal of State Significant Development Application 7684 for the amended concept proposal redevelopment of Nos. 241 – 249 Wheat Road, Cockle Bay, Darling Harbour.

The proposal is unsatisfactory having regard to the relevant matters for consideration under S.79C of the Act for the following reasons:

- 1) Excessive bulk and scale.
- 2) Significant visual impact.
- 3) Severe and devastating loss of significant/iconic views of Darling Harbour and its foreshores.
- 4) Insufficient information (in the form of lack of comprehensive shadow diagrams) has been submitted to accurately assess the extent of the overshadowing impacts.
- 5) The significant impacts associated with the proposal including the overbearing and incongruous appearance of the development on the Cockle Bay foreshores indicate that the site is unsuitable for the proposed development.
- 6) On balance, the benefits of the proposal do not outweigh the disadvantages and therefore, the proposal cannot be supported as being in the public interest.

SPS recommends that a site inspection of all affected properties be completed prior to determination of this development, so that the Minister and the Department's Key Sites Assessment Team can gain an appreciation of the significant adverse impacts associated with the proposal as demonstrated in this submission.

In the event that amendments to the proposal are accepted by the Department of Planning and Environment, we hereby request that the proposal be renotified in order to allow our clients to undertake a subsequent review of any amended plans and additional information.

However, given the significant nature of changes that would be necessary to address the current proposal, any amendments deemed necessary to allow a consent authority to grant development consent subject to conditions is likely to warrant submission of a new (not amended) application as the scale of any changes is likely to be extensive.

On behalf of our clients, we wish to thank the Department of Planning and Environment for considering the above matters and we look forward to the Minister informing our office of progress associated with the assessment of SSD 7684, so that our clients can make further representation if required.

Should you require clarification of any matter, please do not hesitate to contact our office.

Yours sincerely,

STATE PLANNING SERVICES PTY LIMITED

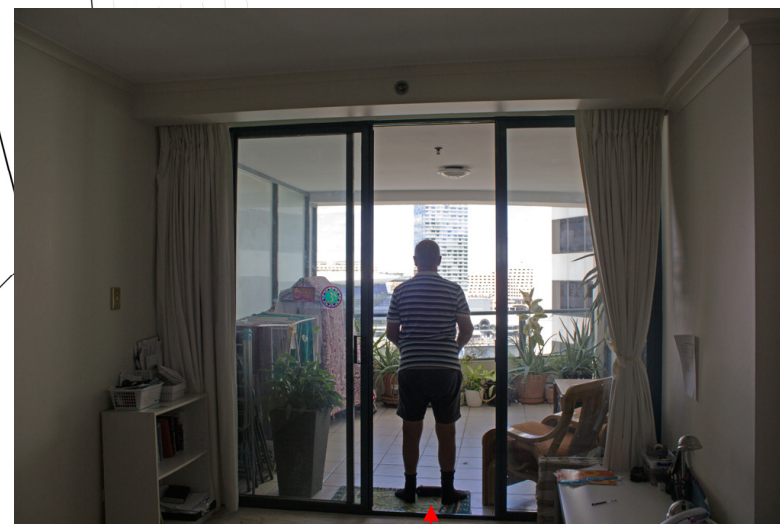
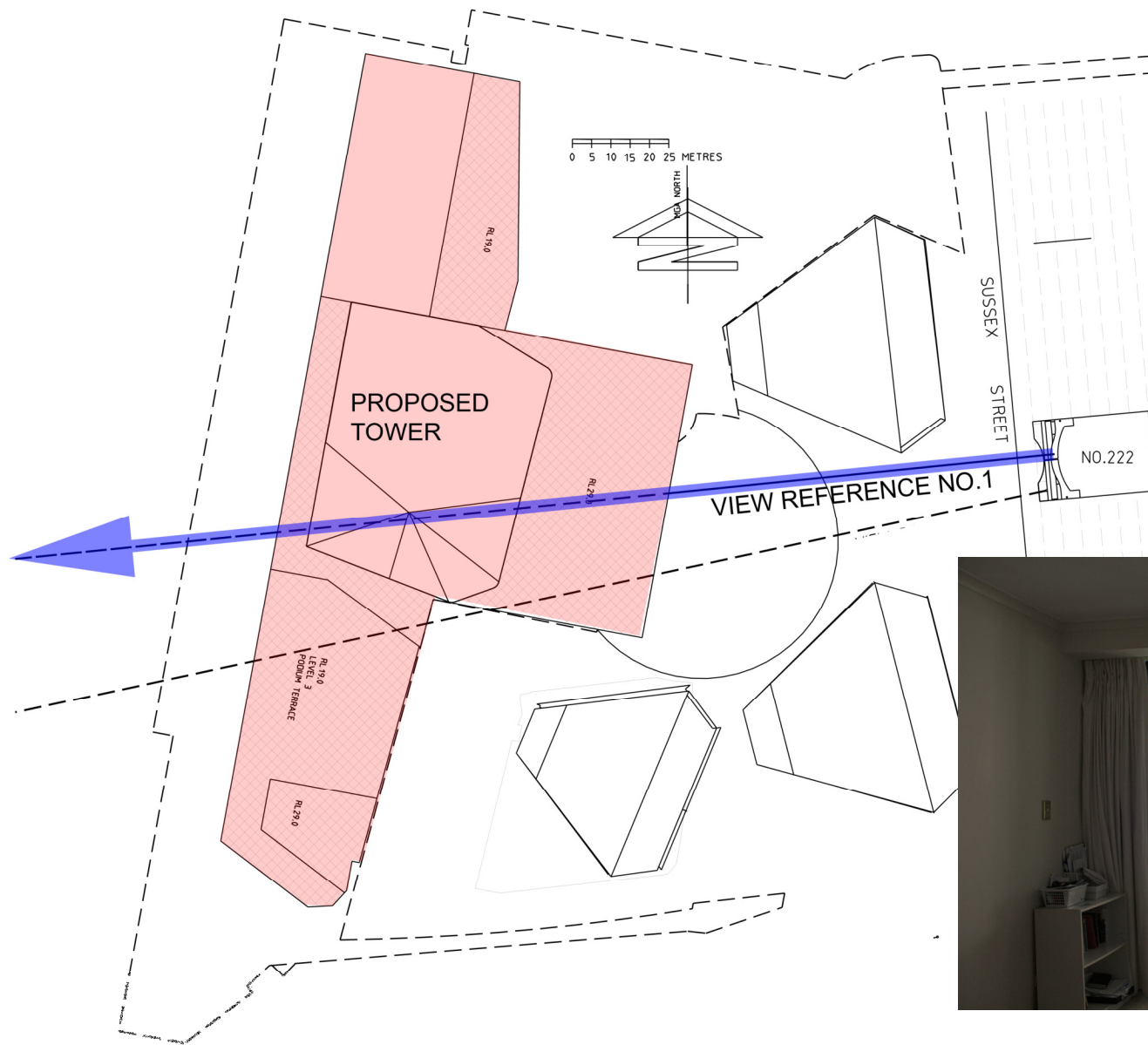


JOHN MCFADDEN
MANAGING DIRECTOR

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Attachment 1 – Photomontages prepared by R.A. Walls Constructions

Attachment 1



Photograph taken from this location

Photomontage by Pam Walls
Based on Rygate & Co. Survey Ref:77631_77101B-7/09/2017
fjmt studio Stage 1 Amended Concept Proposal

View Reference Plan
View from Unit 45, Level 14, 222 Sussex St main balcony
Objection to Cockle Bay Park Development-(SSD)DA No:7684

Photograph Ref:5429-3 Dec 2017 at 10:42am. Taken with 29mm focal length (35mm equivalent)



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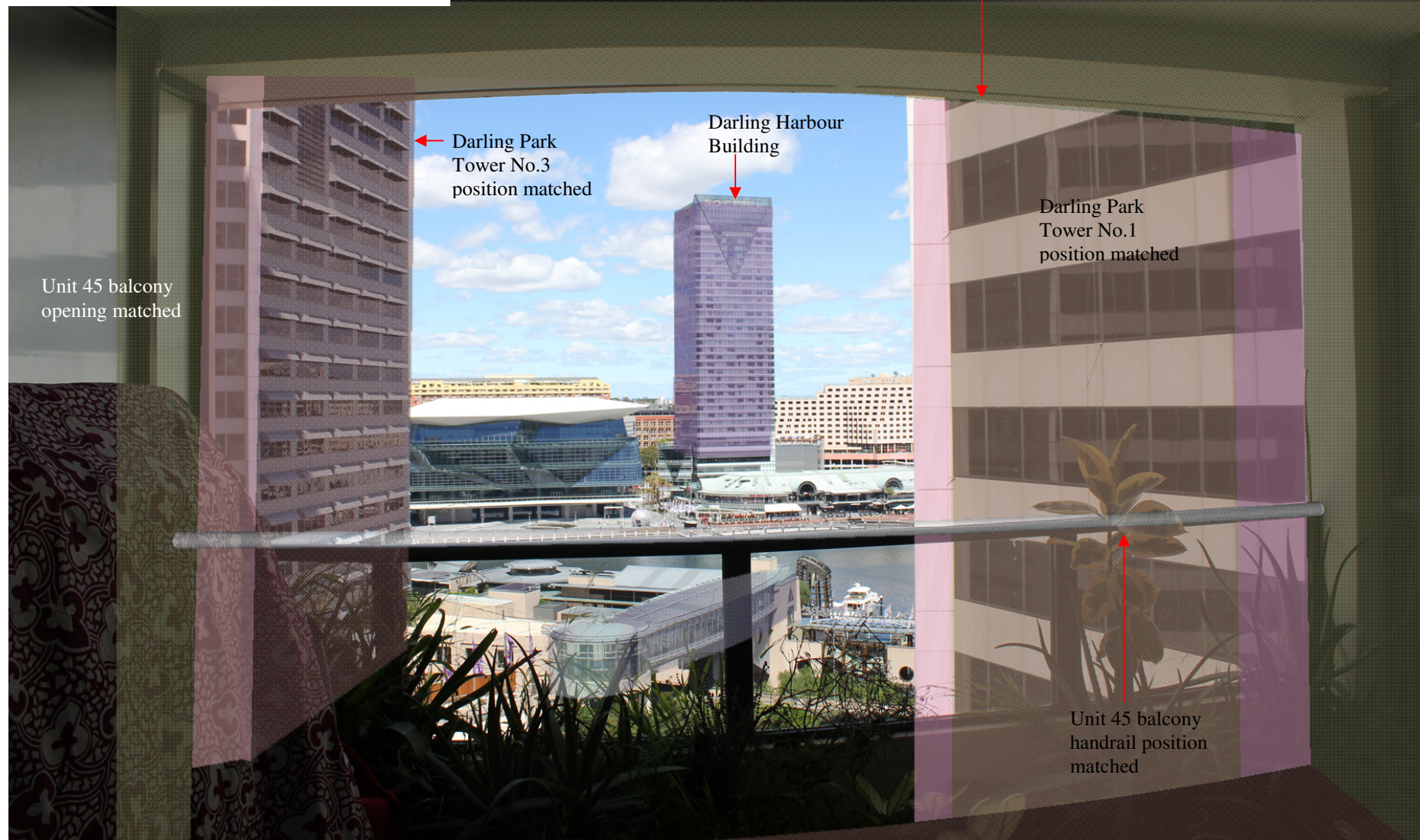


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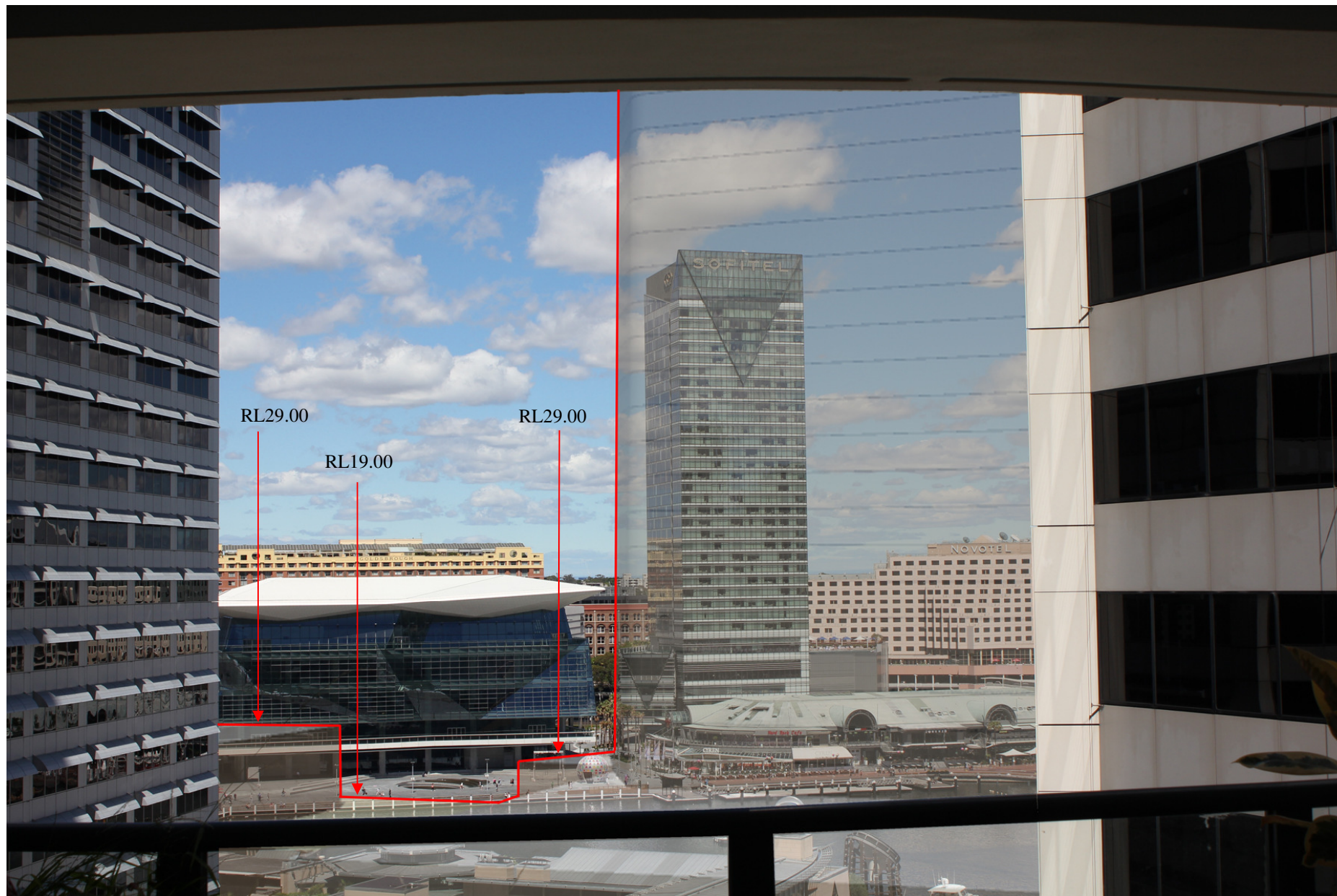
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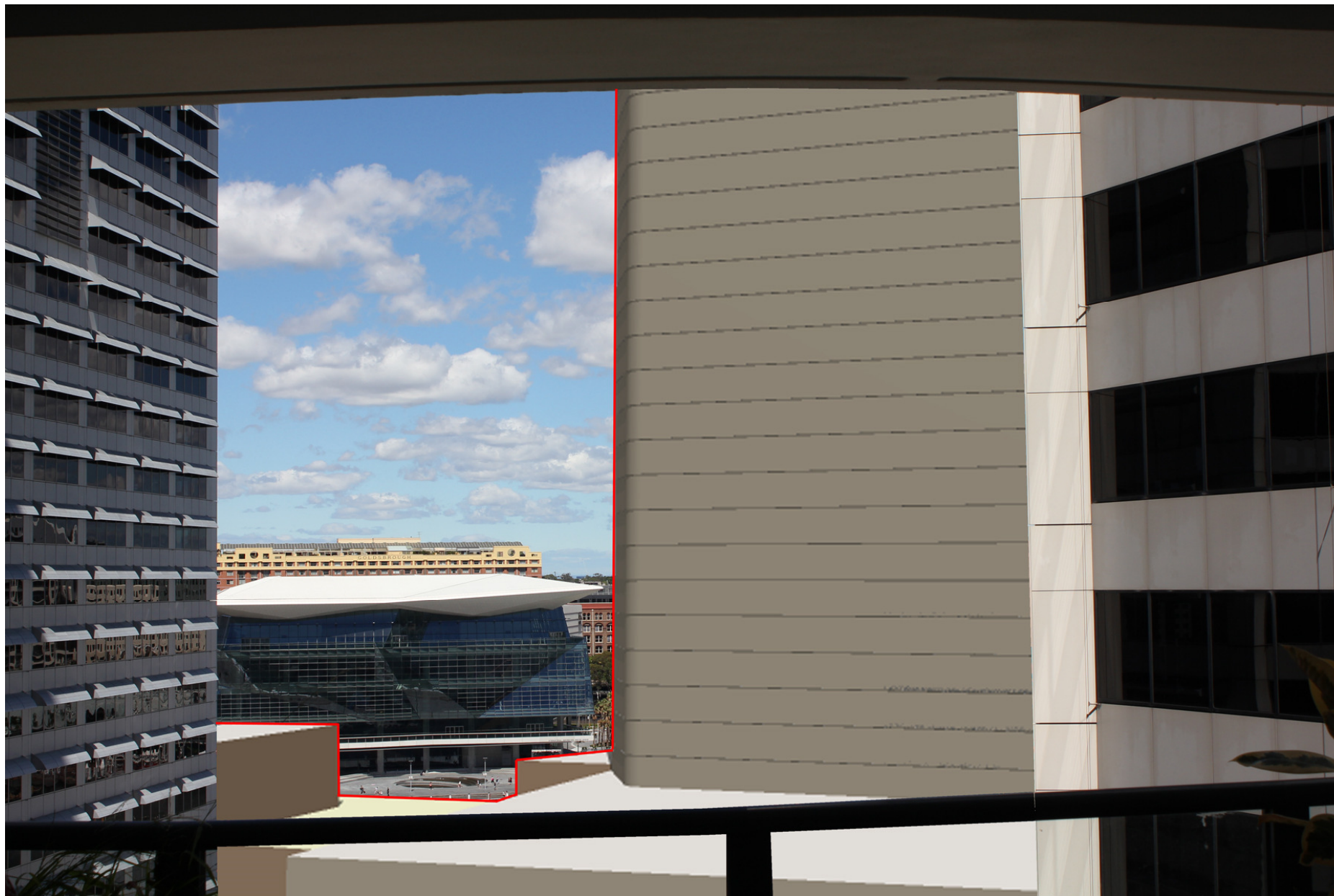
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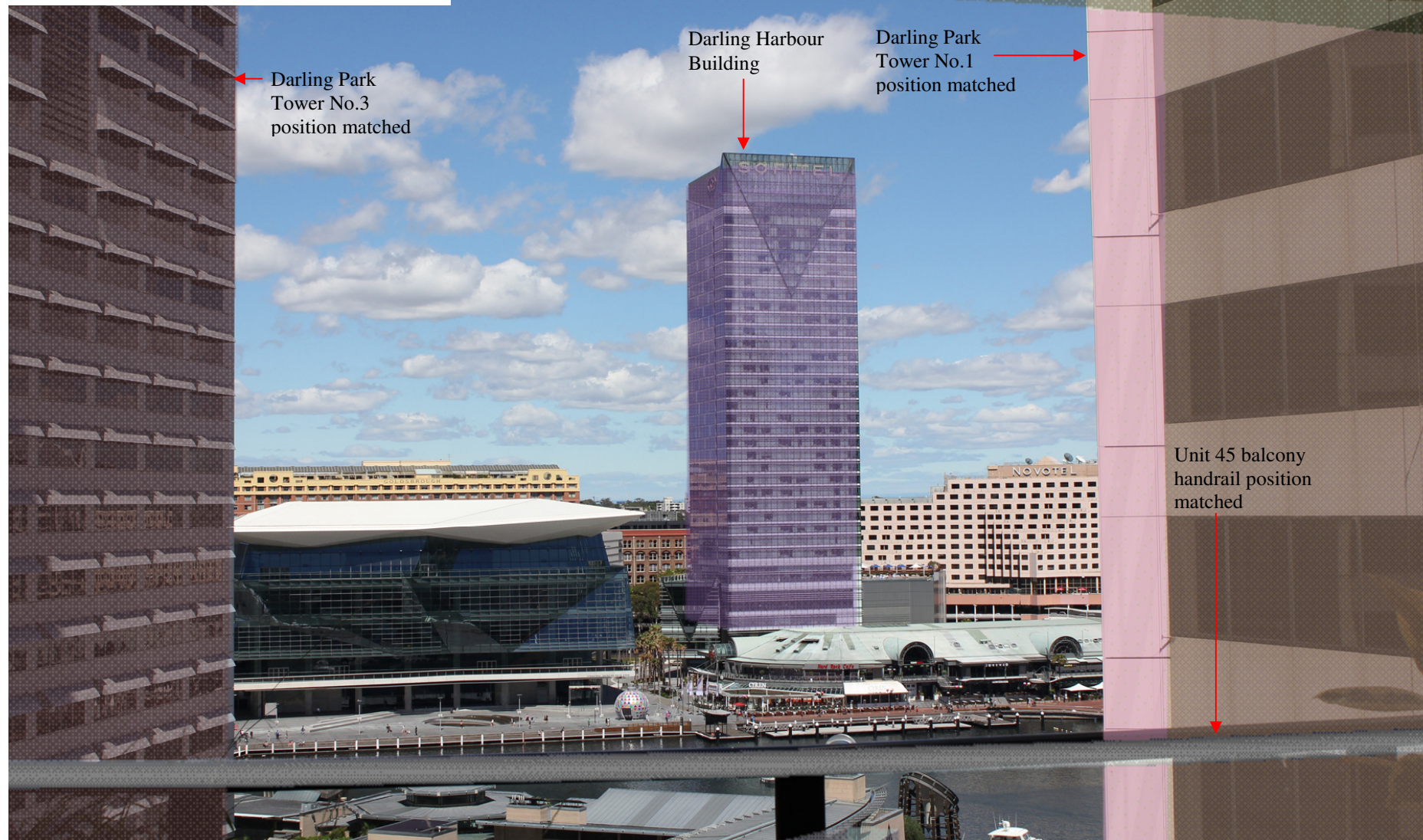


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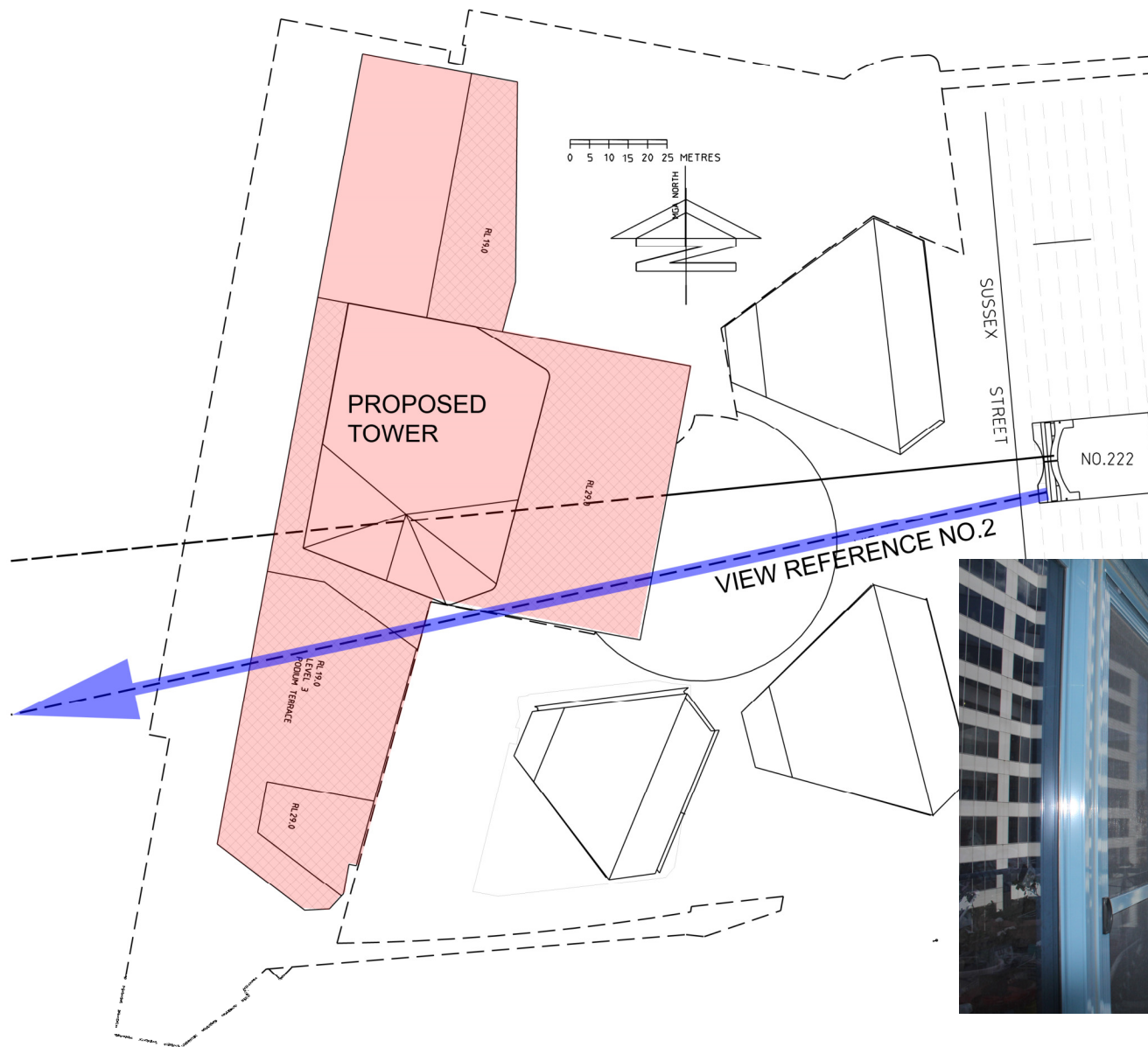
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Photomontage by Pam Walls
Based on Rygate & Co. Survey Ref:77631_77101B-7/09/2017
fjmt studio Stage 1 Amended Concept Proposal

3D solid block computer model of proposed as 60% transparency
View from Unit 52, Level 15, 222 Sussex St main balcony
Objection to Cockle Bay Park Development-(SSD)DA No:7684

Photograph Ref:5439-3 Dec 2017 at 10:52am. Taken with 50-55mm focal length (35mm equivalent)



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3D solid block computer model of proposed
View from Unit 52, Level 15, 222 Sussex St main balcony
Objection to Cockle Bay Park Development-(SSD)DA No:7684

Verification Photomontage:
3D computer model of existing buildings overlaid photograph as transparency to verify positioning and aspect. Matched surveyed elements indicated. The proposed is then simply switched on.

Photograph Ref:5439.-3 Dec 2017 at 10:52am. Taken with 50-55mm focal length (35mm equivalent)



Verification Photomontage by Pam Walls
Based on Rygate & Co. Survey Ref:77631_77101B-7/09/2017
fjmt studio Stage 1 Amended Concept Proposal

3D solid block computer model of existing overlaid as 50% transparency
View from Unit 52, Level 15, 222 Sussex St main balcony
Objection to Cockle Bay Park Development-(SSD)DA No:7684



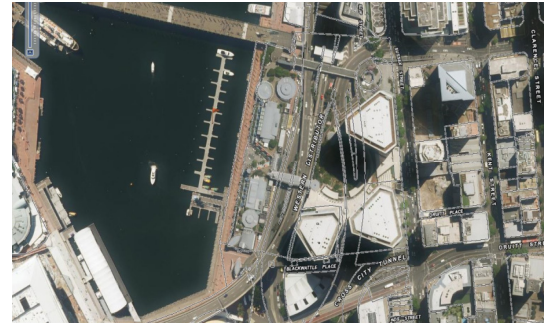
R.A.WALLS CONSTRUCTIONS

Builders Lic.No:211785C

Qualified Supervisor & Clerk of Works

December 14, 2017

Owners Corporation SP53413
222 Sussex St
Sydney. NSW 2000
C/- Mr Sukender Jain



ATT: John McFadden/State Planning Services

**RE: Objection to Proposed State Significant Development Application No. 7684 (SSD 7684)
Nos. 241-249 Wheat Road, Cockle Bay:**

Dear John,

Please find attached the following view corridor photomontages:

Photomontage View Point 1:

View from Unit 45, Level 14, 222 Sussex St (Astoria Tower) from main balcony:

1. View reference plan of where photograph was taken.
2. Photograph of existing development.
 - a. Photograph of existing development Ref: 5429 taken 3rd Dec 2017 at 10:42am. Camera at RL46.95
 - b. Photograph taken with 29mm focal length (35mm equivalent). Includes peripheral view.
3. Photograph with proposed Cockle Bay Park Development as a red outline.
4. Photograph with proposed Cockle Bay Park Development overlaid as a 60% transparency.
5. Photograph with proposed Cockle Bay Park Development overlaid as 3D solid block computer model.
6. Verification Photomontage - Photograph with 3D computer model of existing buildings overlaid as a 50% transparency. Building footprints, positions and heights estimated only.
7. Photograph of existing development.
 - a. Photograph of existing development Ref: 5430 taken 3rd Dec 2017 at 10:42am.
 - b. Photograph taken with 50-55mm focal length (35mm equivalent).

Photomontage View Point 2:

View from Unit 52, Level 15, 222 Sussex St (Astoria Tower) from main balcony:

1. View reference plan of where photograph was taken.
2. Photograph of existing development.
 - a. Photograph of existing development Ref: 5439 taken 3rd Dec 2017 at 10:52am. Camera at RL49.65
 - b. Photograph taken with 50-55mm focal length (35mm equivalent).
50-55mm focal length (35mm equivalent) is accepted as "what the eye sees".
3. Photograph with proposed Cockle Bay Park Development as a red outline.
4. Photograph with proposed Cockle Bay Park Development overlaid as a 60% transparency.
5. Photograph with proposed Cockle Bay Park Development overlaid as 3D solid block computer model.
6. Verification Photomontage - Photograph with 3D computer model of existing buildings overlaid as a 50% transparency. Building footprints, positions and heights estimated only.

Cont/d....2

Shadow Diagrams * Photomontages * View Corridor Analysis * 3D Building Envelopes * Drafting
Land & Environment Court Appeals * Council D.A.'s * Objections * Structural Steel Working Drawings

www.photomontages.com.au * 8a Corang Road, Westleigh, NSW 2120 * www.rawalls.com

Tel/Fax: 9945-0882 Mobile: 0410-638131 Email: pam@rawalls.com



R.A.WALLS CONSTRUCTIONS

Builders Lic.No:211785C

Qualified Supervisor & Clerk of Works

-2-

Photomontage Authentication
Objection to Concept Bay Park Development – (SSD) DA No:7684

December 14, 2017

Information and equipment used to create 3D computer model:

1. 3D computer model of existing was based on:-
 - a. Rygate & Co. Pty.Ltd Survey Ref:77631_77101B, dated 7/09/207
 - b. Fjmt studio Stage 1 Amended Concept Proposal plans
 - c. Lands Dept Spatial Information
2. 3D computer model of 222 Sussex St, Sydney was based on:-
 - a. Meriton Apartments Pty Ltd Plans Ref:531, Issue F, dated 16/2/1995
3. Camera equipment used - Canon 550D Digital SLR camera with 55mm Canon lens.
4. Leica Disto Laser Distance Meter and Leica Disto D5 and Nicholson measuring wheel.

Software Package: Caddsmen Architect V4.5 Licensed to: R A Walls Constructions
Additional add-ons: BHP Sections and Merchant Bar (Structural Steel) and AS.1163 Hollow Sections

The Caddsmen 3D engineering software package was written for the ADF in Adelaide in the early 1980's which has since developed to include architecture. We have been using this Australian 3D software package successfully for LEC and Councils since 1987, providing accurate 3D models for the purpose of providing detailed shadow diagrams, perspectives and photomontages.

The method we use in the construction of a photomontage is unique to this company. A 3D computer model of existing buildings and elements is drawn up per digital survey information and then overlaid onto the photograph. The position and aspect of the 3D model is then checked with the same elements in the photograph. These surveyed elements consist of Ridge/parapet RL's, Gutter RL's, building footprints, boundary fences, surveyed power poles and sign posts. These items become the test points for "proof of positioning". The proposed development is then simply switched on.

The attached photomontages are a reasonable indication of the proposed concept development as seen from the various locations indicated. We further state herewith, that there has been no distortion through digital manipulation in **any** form.

Yours sincerely,

Pam Walls