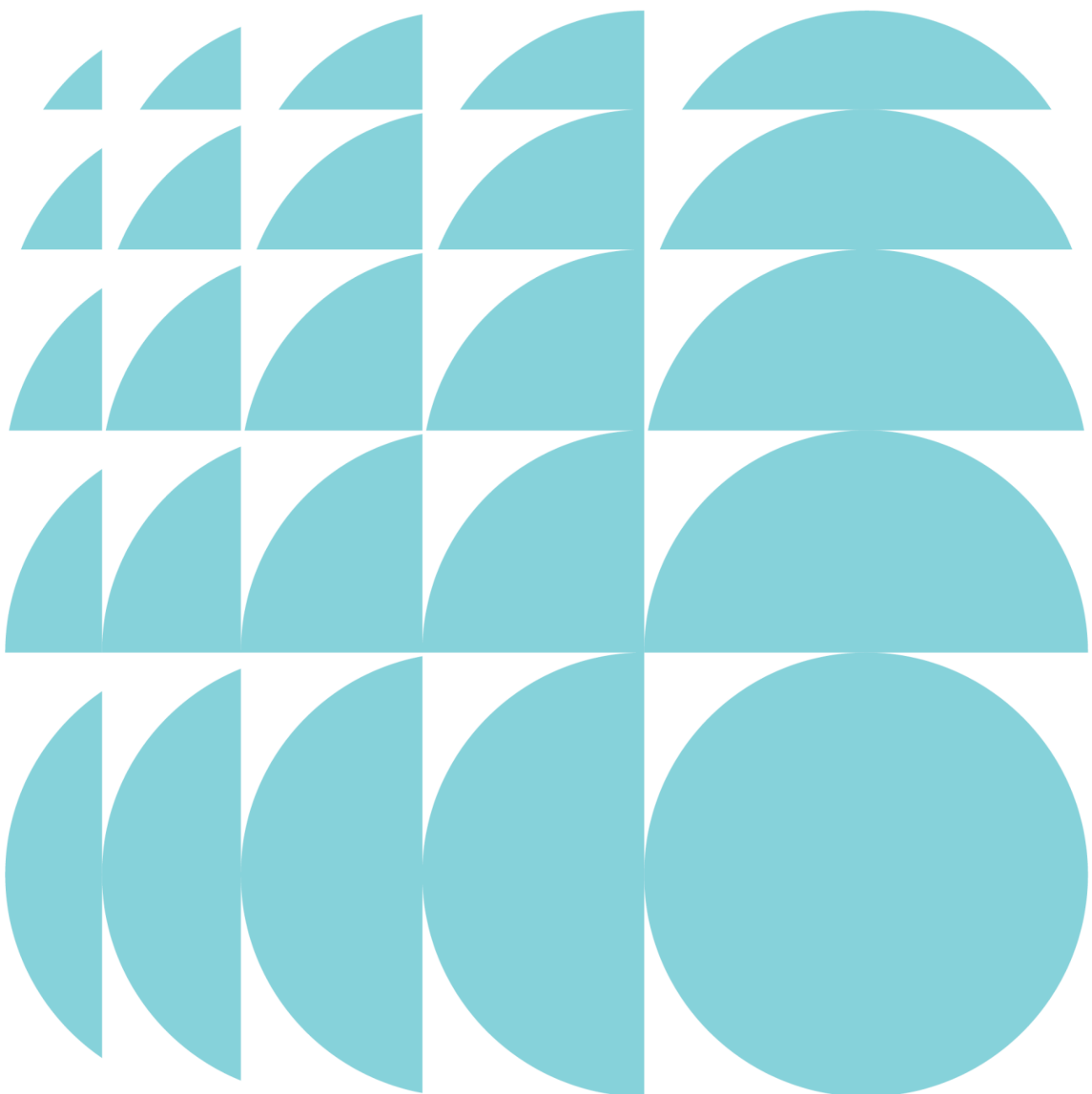


Visual and View Impact Analysis

Harbourside Shopping Centre
Harbourside Shopping Centre Redevelopment

Submitted to Department of Planning, Industry
and Environment
On behalf of Mirvac Projects Pty Ltd

26 February 2020 | 14657



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A Updated Public Domain Views

Virtual Ideas

B Updated Private Views (Photomontages and 2D/3D)

Virtual Ideas

1.0 Introduction

This report provides an updated Visual and View Impact Analysis to support the Amended Concept Proposal in relation to the State Significant Development (SSD) Development Application (DA) submitted by Mirvac Projects Pty Ltd (Mircac) for the redevelopment of the Harbourside Shopping Centre (Harbourside) (SSD 7874).

Harbourside remains one of the last remaining key foreshore sites in Darling Harbour that is in desperate need of renewal. The opening and clear success of the adjoining ICC Sydney heightens the need for this out-dated and less than appealing development to be transformed and carry forward the momentum that the ICC Sydney as a piece of step change infrastructure will bring to Sydney and more broadly NSW and Australia.

Harbourside over the years has served an important function and role within Darling Harbour, providing for the day to day retail, convenience and entertainment needs of visitors and tourists to the area. Mirvac's planned redevelopment of Harbourside will carry forward this essential offering (bringing it up to modern day standards) whilst supporting a slim residential tower that responds to the site's Central Sydney location along with significant improvements to the public domain and pedestrian connections.

This report primarily provides an updated Visual and View Impact Analysis to respond to the amendments that have been made to SSDA 7874 in response to submissions made during the public and agency comment period of the project. For consistency and comparison purposes, the same public domain and private views that were submitted previously have been reproduced, as well as additional public domain views from the western side of Cockle Bay.

The Secretary's Environmental Assessment Requirements (SEARs) dated 30 August 2016 for the Harbourside redevelopment project require that the following be addressed with respect to views and visual impacts:

- *"Relevant statutory provisions.... Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005; and Darling Harbour Development Plan No1...*
- *Relevant planning provisions, goals and strategic planning objectives... Infrastructure NSW SICEEP Urban Design and Public Realm Guidelines; Sydney Development Control Plan 2012;*
- *Consider the impact of the proposal when viewed from the public domain and key vantage points surrounding the site, including Pyrmont, Darling Harbour, Pyrmont Bridge and adjacent buildings;*
- *Address view loss and view sharing.... including neighbouring properties and the public domain;*
- *Include visual and view impact analysis and photomontages"*

This report considers the visual and view impacts in relation to the amended Harbourside Redevelopment Concept Proposal. It is based on an assessment of the proposed maximum building envelope, with regard provided to the indicative building form that has been presented for information purposes only. The detailed design of the final building within the proposed maximum envelope will be the subject of a separate planning approval and competitive design process. Any future detailed Stage 2 SSDA will also be accompanied by a subsequent Visual and View Impact Analysis that considers impacts associated with the actual final form of the development.

The VIA has been prepared with reference to the following:

- Updated Public Domain Photomontage Views (Virtual Ideas, dated January 2020), submitted as **Appendix A**; and
- Updated Private Photomontage Views (Virtual Ideas, dated January 2020), submitted as **Appendix B**.
- Updated Private 2D/3D Views (Virtual Ideas, dated January 2020), also included in **Appendix B**.

In reading this revised Visual and View Impact Analysis, regard should be had to the analysis undertaken in October 2016 for the original Concept Proposal, especially in understanding the changes in impacts between the original and amended Concept Proposal.

1.1 The Site

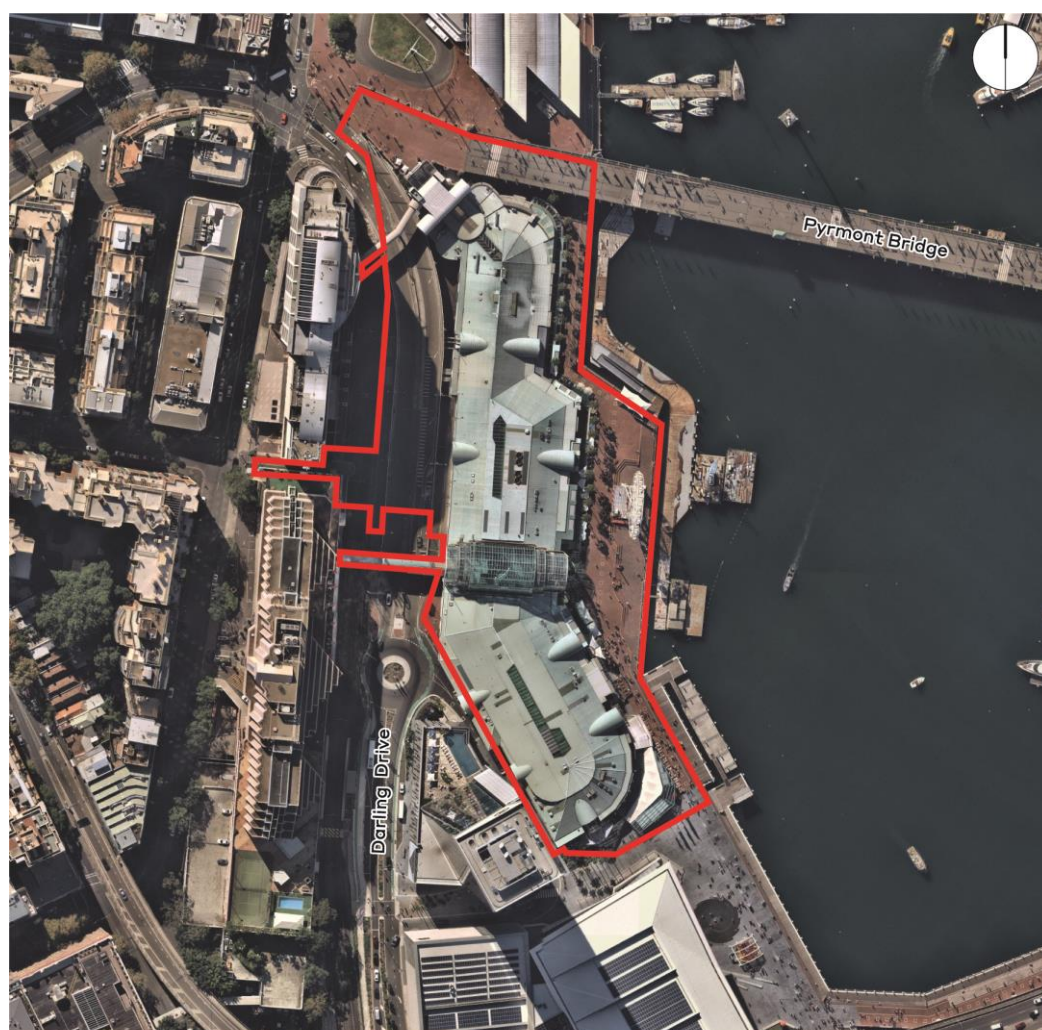
The Harbourside Site is located within the Darling Harbour Precinct in the City of Sydney Local Government Area (LGA). Darling Harbour is a 60 hectare waterfront precinct on the south-western edge of the Sydney CBD, and to the east of the Pyrmont Peninsula.

The Darling Harbour precinct is unique in terms of its function, location, land ownership and physical characteristics, and accommodates a wide range of land uses. These land uses predominantly relate to recreation, tourism, entertainment, retail, residential apartments and business.

The Darling Harbour precinct has and is undergoing significant redevelopment as part of the Sydney Internal Convention Exhibition and Entertainment Precinct/SICEEP (ICC Sydney), Darling Square, IMAX renewal, and Cockle Bay projects. These projects support the realisation of the NSW State Government's vision for an expanded 'cultural ribbon' spanning from Barangaroo, around to Darling Harbour and Pyrmont.

The Site is in a highly urbanised Global CBD environment and represents a major waterfront urban renewal site.

The Site more specially occupies an area of approximately 2.05 hectares within the north western portion of the Darling Harbour precinct. The Site is generally bound by Pyrmont Bridge (heritage listed) to the north, the SICEEP site to the south, Darling Drive and the alignment of the light rail to the west and Cockle Bay to the east. The location of the Harbourside Site is shown in **Figure 1** below.



Indicative Site Boundary

Figure 1 Aerial View of the subject site

Source: Nearmap and Ethos Urban

1.2 Overview of the Amended Concept Proposal

The proposal relates to a staged SSDA and seeks to establish amended concept proposal details for the renewal and re-imagining of the Harbourside Shopping Centre. The amended Concept Proposal establishes the vision, planning and development framework which will be the basis for the consent authority to assess future detailed development proposals.

The amended Concept Proposal seeks approval for the following key components and development parameters:

- Demolition of existing site improvements, including the Harbourside Shopping Centre, pedestrian bridge link across Darling Drive, obsolete monorail infrastructure, and associated tree removal;
- A network of open space areas and links generally as shown within the Public Domain Concept Proposal, to facilitate re-integration of the site into the wider urban context;
- Building envelopes;
- Land uses across the site, non-residential and residential uses;
- A maximum total Gross Floor Area (GFA) across the Harbourside site of 87,000sqm for mixed use development (49,000sqm non-residential and 38,000sqm residential development);
- Basement car parking;
- Car parking rates to be utilised in subsequent detailed (Stage 2 Development Applications);
- Urban Design and Public Realm Guidelines to guide future development and the public domain; and
- Strategies for utilities and services provision, drainage and flooding, and ecological sustainable development.

The amended Concept Proposal includes substantial amendments made by Mirvac pursuant to Clause 55 of the *Environmental Planning & Assessment Regulation*, in the main to address matters raised in the agency and public submissions and deliver an overall significantly improved outcome on the site and for the broader Darling Harbour precinct. Fundamentally, one of the key drivers for amending the Concept Proposal has been in response to submissions made with respect to view impacts to 50 Murray Street. Through a number of workshops with the Department of Planning, Industry and Environment and balancing the needs and requirements of the various components of the mixed-use development, Mirvac have been able to develop an amended Concept Proposal that substantially reduces view impacts to 50 Murray Street and promotes greater view sharing for surrounding residential and non-residential buildings.



Figure 2 Illustrative render of an indicative design for the Amended Concept Proposal

Source: Virtual Ideas

The key amendments that have been made to the proposal are further described below:

Relocation of the Tower

The tower element of the Concept Proposal has been relocated from the north of the site to the centre of the site (the widest part of the site) to allow for an increased setback from the heritage listed Pyrmont Bridge, improved relationship to the waterfront and ICC Hotel, to minimise view impacts from 50 Murray Street, together with reducing overshadowing impacts on the public domain and improved solar amenity to the northern end of the retail centre.

Reduction in Height of the Tower

The height of the tower has also been reduced from RL 166.35 to RL 153.75. The reduction in the height will minimise overshadowing impacts to the public domain as well better relate to the height of the ICC Hotel.

Reduction in Height of the Podium

A portion of the podium height at its northern extent has been partly reduced from 30.5 RL to RL 25. The reduction in height provides for improved view sharing from 50 Murray Street.

Removal of Tower 'Tail' element

As part of the relocation of the tower and refinement of the podium, the stepped form of the lower tower element has now been removed. This design move has been made in order to again improve views from adjacent buildings from the west, in particular 50 Murray Street.

Building Footprint of the Tower

A minor increase in the width of the building footprint of the tower has occurred, to accommodate the floorspace from the reduction in height of the tower and removal of the 'tail'.

Gross Floor Area / Land Use Mix

The amended proposal retains the same overall 87,000sqm of GFA, however there is a minor adjustment in the split between non-residential and residential:

- Non-residential uses floor space – 49,000sqm; and
- Residential uses floor space – 38,000sqm

In response to market demand and the focus of local and regional strategic planning policies, it is proposed for the podium to include both retail and commercial land uses. The podium enables large campus sized commercial floor plates that are favoured by large multinational tech, finance and professional services companies.

Apartment numbers

As a result of a review of the mix and sizing of apartments, there is a minor reduction in the indicative number of apartments, from 364 to 357. Note, this yield is on the 'Indicative Design' only and will be subject to future design development and a Stage 2 DA. This Stage 1 DA only seeks approval for land uses and the building envelope comprising a total of 87,000sqm GFA.

Car Parking Spaces

The extent of the basement will remain the same, but there has been an increase of 11 car parking spaces from 295 spaces to 306 spaces. As above, this is based on the 'Indicative Design' only.

Landscaped Open Space and Public Domain

All of the key concepts and public benefits as originally proposed are retained under the amended Concept Proposal, with the addition of further landscaping opportunities on the northern rooftop extent of the retail/commercial podium, further enhancing views and outlook from 50 Murray Street.

A more detailed and comprehensive description of the amended proposal is contained in the Response to Submissions and Amended Concept Proposal prepared by Ethos Urban.

Figures 3 and 4 below provide an elevational view from the east side of Cockle Bay comparing the originally submitted proposal to the Amended Concept Proposal for which development consent is now sought.

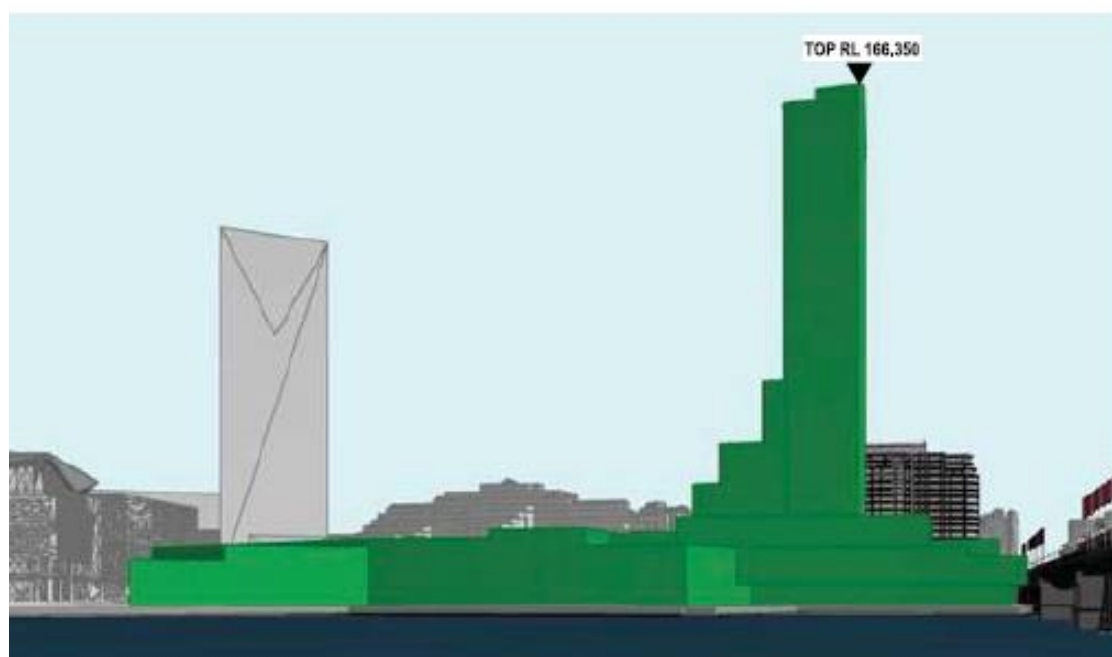


Figure 3 Original submitted Concept Proposal

Source: fjmt

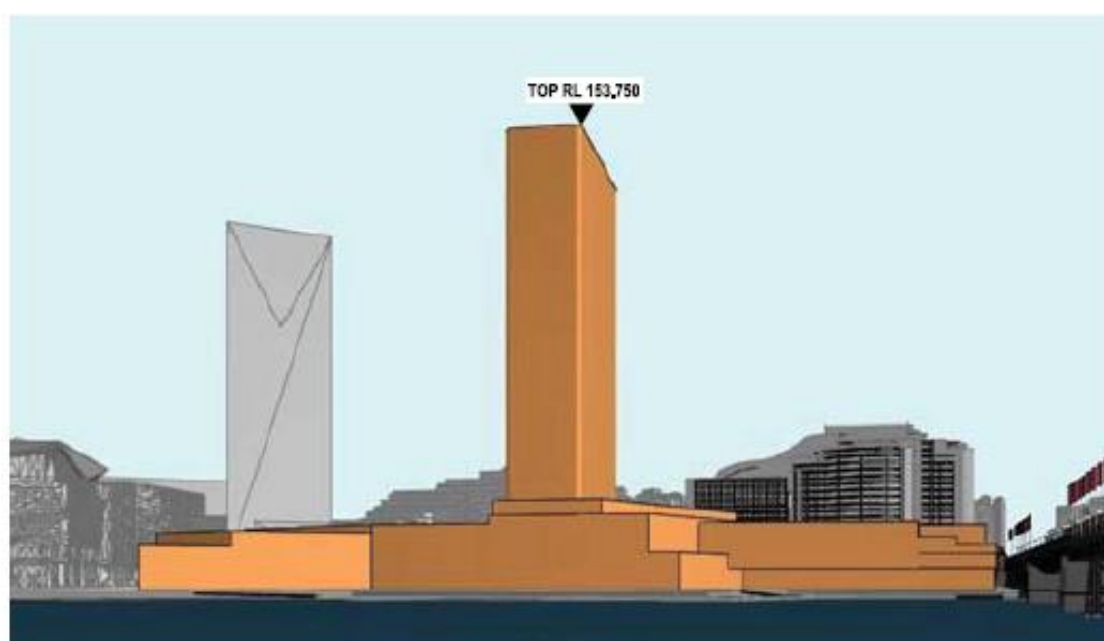


Figure 4 Amended Concept Proposal

Source: fjmt

1.3 Report Structure

This report is structured as follows:

Section 2 provides an overview of the methodology adopted for this visual and view impact analysis.

Section 3 identifies the various relevant and pre-existing planning principles with respect to views, view sharing and outlook including those contained within the Sydney Regional Environmental Plan 2005; the Infrastructure NSW SICEEP Urban Design and Public Realm Guidelines; and the City of Sydney Council Development Control Plan 2012.

Section 4 provides a visual impact analysis for the amended Concept Proposal maximum envelope in relation to the public views, view corridors and vantage points in and around the site.

Section 5 provides a view impact analysis for the amended Concept Proposal in relation to the private views for key neighbouring buildings in the vicinity of the Site

Section 6 provides a conclusion.

2.0 Methodology

2.1 Visual Analysis

The public domain views analysed in the updated Visual and View Impact Analysis are a reproduction of the 15 views prepared in the October 2016 Visual and View Impact Analysis prepared in support of the originally submitted Concept Proposal. To support the visual analysis key public domain views, view corridors and public vantage points within and surrounding the site have been identified. These specific locations were determined in consultation with the Department of Planning and Environment.

The selection of vantage points has also had regard to the location of existing heritage items within and in the vicinity of the site that are visible from the public domain including Darling Harbour Rail Corridor, Darling Harbour Water Feature, and Pyrmont Bridge.

Photomontages have been prepared for a total of 18 public domain views and vantage points, which includes 3 additional views along the western edge of Cockle Bay as requested by the Department of Planning, Industry and Environment. The locations of the photomontage images and direction of view are shown on **Figure 5**, with **Appendix A** including all images.

The photomontage images for each of the identified public domain views have been taken at ground level (pedestrian eye level) to indicate what a pedestrian will see when travelling through or within the general vicinity of the Harbourside Site. The photomontage images have been produced using both a 24mm and 50mm lens size. Each photo position has been surveyed by a registered surveyor (Rygate).

To provide future context where relevant, the photomontages include the buildings (envelopes) that are approved or proposed, including:

- IMAX Redevelopment (The Ribbon);
- Darling Square; and
- Cockle Bay Wharf Redevelopment.

Also, given the date of the original image taken, the photomontages also include buildings that have been approved and since been built, such as ICC Sydney and Sofitel Hotel (ICC Sydney Hotel).

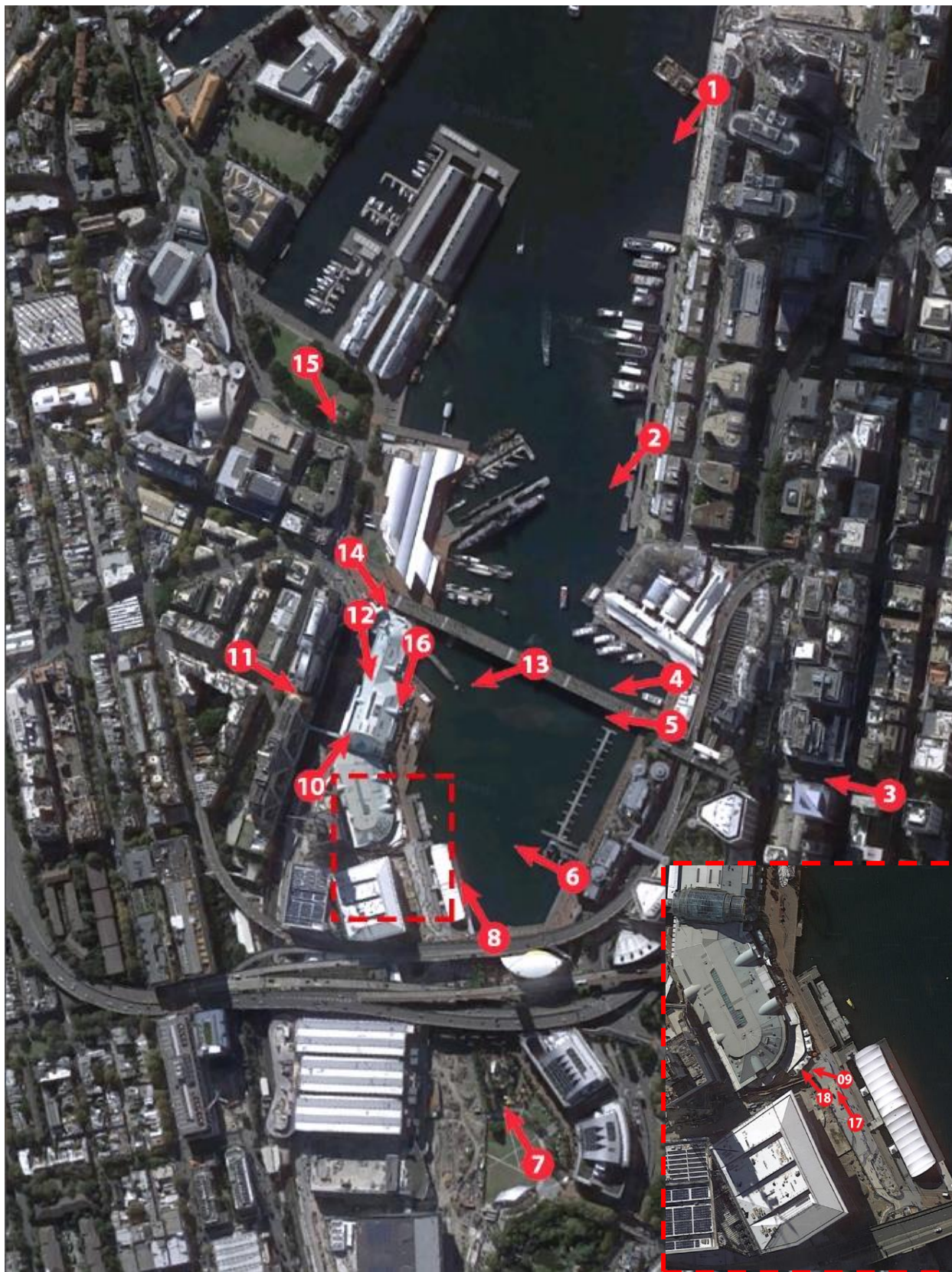


Figure 5 Visual Analysis (Public Domain Views, View Corridors and Vantage Points)

Source: Virtual Ideas

2.2 View Analysis

11 key buildings in the vicinity of the Harbourside Site were identified within the original Visual and View Impact Analysis as being impacted or potentially impacted on by the Harbourside Project in terms of private views. These buildings were broadly grouped into primary and secondary buildings:

Primary Buildings

- Novotel Sydney Darling Harbour
- Oaks Goldsbrough Apartments
- Ibis Hotel Darling Harbour
- One Darling Harbour (50 Murray Street)
- Gateway Apartments (1 Murray Street)
- ICC Sydney Hotel (Sofitel)

Secondary Buildings

- Renaissance Apartments (73 Union Street)
- Arena Apartments (32-34 Bunn Street)
- The Phoenix Apartments (117 – 129 Murray Street)
- Harbour's Edge Apartments (1 – 5 Harwood Street)
- 16 – 30 Bunn Street (apartments)

The key buildings (highlighted on **Figure 6** below) were selected based on the sensitivity of land use (i.e hotel and / or residential and serviced apartments were selected rather than commercial premises), and on the basis of both proximity to the Site and the extent to which existing views, vistas and outlook are likely to be affected by the Harbourside Project.

A number of these originally selected buildings (in particular One Darling Harbour) made submissions to the original Concept Proposal. A review of these selected buildings by aerial imagery and site inspection confirm that the amended Concept Proposal will continue to impact or potentially impact on private views experienced from these buildings (albeit substantially improved view impacts, especially for One Darling Harbour/50 Murray Street).

The analytical process in originally selecting the key buildings took into account the height and orientation of the existing buildings, their location and available view corridors down streets and/or across the top of other foreground development towards the Sydney CBD, Darling Harbour or Sydney Harbour.

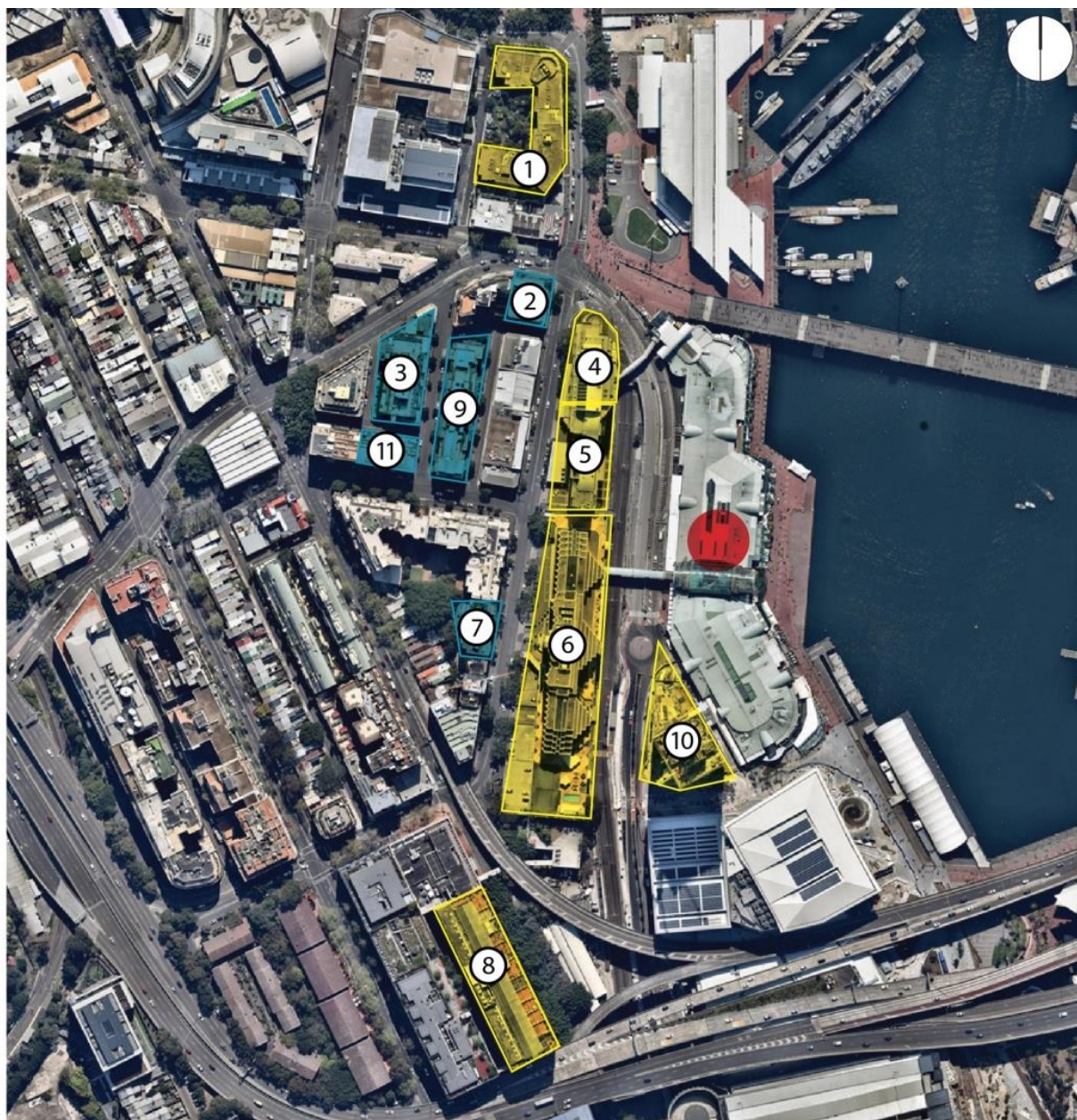
The selected locations were also determined in consultation with the Department of Planning and Environment.

Detailed 3D modelling was used to determine the angles of available views and the levels within each identified building that was identified as likely to enjoy existing views, vistas and outlook that may be impacted upon. From this exercise selected view locations were then identified.

A combination of both 3D model images and photomontage images have been prepared for the key buildings at selected levels. Depending on the height of the particular building and whether existing views are available at lower and upper levels, images have been prepared accordingly.

The 3D model and photograph views from the key buildings use a camera with a 24mm lens, with a 50mm lens frame added to the images in order to allow for a narrower field of view analysis.

Access was provided to most individual buildings that were requested to be visited in order to take photographs. Photographs were taken from representative apartments/ rooms in order to prepare photomontage images of the proposed buildings/envelopes imposed (via photomontages) with before and after comparisons on views.



- The Site
- Key Primary Building
- Secondary Building

1. Gateway Apartments, 1 Murray St, Pyrmont
2. Renaissance Apartments, 73 Union St, Pyrmont
3. Harbour's Edge Apartments, 1-5 Harwood St, Pyrmont
4. One Darling Harbour, 50 Murray St, Pyrmont
5. Ibis Hotel
6. Novotel Sydney Darling Harbour
7. The Phoenix, 117-129 Murray St.
8. Oaks Goldsbrough Apartments
9. Arena Apartments, 32-34 Bunn Street
10. ICC Hotel
11. Apartments, 16 - 30 Bunn Street

Figure 6 Key Buildings (Private Views)

Source: Nearmap and Ethos Urban

3.0 Planning Context and Relevant Planning Instruments

The environmental planning instruments (EPIs), policies or guidelines of particular relevance to the consideration of visual and view impacts are Infrastructure NSW SICEEP Urban Design and Public Realm Guidelines, Darling Harbour Development Plan No.1; Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 – now a deemed SEPP, and its accompanying DCP; the Sydney Development Control Plan 2012, the draft Central Sydney Planning Strategy and the Darling Harbour Strategic Framework. These documents are addressed in detail below.

With respect to potential impact on views and vistas to existing heritage items, all relevant heritage listings including those contained within the Darling Harbour Development Plan and the Sydney LEP 2012 have been considered.

3.1 Darling Harbour Development Plan No.1

The Darling Harbour Development Plan No.1 is the environmental planning instrument which provides land use controls for land within the Darling Harbour precinct, including the entirety of the Harbourside Site.

The Development Plan does not set any maximum height controls or building envelope controls or provisions, and does not contain any specific provisions with respect to the consideration of visual or view impacts.

A key objective of the Development Plan is to encourage the development of a variety of tourist, educational, recreational, entertainment, cultural and commercial facilities within the land to which it applies. Residential development is also nominated under the Development Plan as a permitted and expected form of development, as evidenced by existing buildings (e.g. Goldsbrough, The Peak Apartments, 50 Murray Street, Harbour Garden Towers) and more recently completed and under construction residential apartment buildings at Darling Square.

3.2 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Sydney Harbour REP) adopts the following principles for the purpose of achieving its aims for the Foreshores and Waterways Area:

- “(a) Sydney Harbour is to be recognised as a public resource, owned by the public, to be protected for the public good,
- (b) The public good has precedence over the private good whenever and whatever change is proposed for Sydney Harbour or its foreshores,**
- (c) Protection of the natural assets of Sydney Harbour has precedence over all other interests.” (our emphasis)

The Harbourside Site sits within the Foreshores and Waterways Area as identified in Sydney Harbour REP. The specific clauses relevant to consideration of visual analysis or view impacts follow:

Clause 2(2)(b) – Aims of plan – the principle of precedence of public good over private good.

With respect to views, the Sydney Harbour REP articulates that the public good has precedence over the private good whenever and whatever change is proposed for Sydney Harbour or its foreshores. This provision supports the principle that, in the context of the proposed development, the improvements to the public domain, including public views, should be given precedence over private view loss.

Whilst the genesis of this principle is largely rooted in ensuring continuous and unobstructed foreshore access to the public, the principle of view corridors tied to access to the foreshore is primary as compared to the secondary issues of private views. Impacts on private views (being those that may not or do not align with existing or proposed public view corridors over streets) will require further consideration when detailed building designs are resolved.

Clause 14(d) – Foreshores and Waterways Area.

This sub-clause seeks to ensure *“development along the foreshore and waterways should maintain, protect and emphasise the unique visual qualities of Sydney Harbour and its islands and foreshores”*.

The amended Concept Proposal will allow future development that will allow for greater enjoyment of the Darling Harbour Waterfront. Refer to the accompanying Response to Submissions and Amended Proposal for further details regarding the significant benefits to be delivered through the Amended Proposal with respect to foreshore access improvements, public domain improvements and overall improvements to the visual quality and backdrop of Darling Harbour.

Division 2 – Matters for Consideration for development - Clause 25 – Foreshores and waterways scenic quality

This clause states:

“The matters to be taken into consideration in relation to the maintenance, protection and enhancement of the scenic quality of foreshores and waterways are as follows:

- (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,*
- (b) development should maintain, protect and enhance the unique visual qualities of Sydney Harbour and its islands, foreshores and tributaries...”*

The impact of the proposal on the scenic qualities of the Harbour and its foreshores must be seen in the balanced context of the site’s CBD location, and the recent and planned development in Darling Harbour and Barangaroo which is having a transformative impact on the locality.

Division 2 – Matters for Consideration for development - Clause 26 – Maintenance, protection and enhancement of views

This clause states:

“The matters to be taken into consideration in relation to the maintenance, protection and enhancement of views are as follows:

- (a) development should maintain, protect and enhance views (including night views) to and from Sydney Harbour,*
- (b) development should minimise any adverse impacts on views and vistas to and from public places, landmarks and heritage items,*
- (c) the cumulative impact of development on views should be minimised.”*

Each of these matters have been considered and are addressed in this report.

Clause 59 – Development in vicinity of heritage items

Clause 59 states:

- (1) Before granting development consent to development in the vicinity of a heritage item, the consent authority must assess the impact of the proposed development on the heritage significance of the heritage item.*
- (2) This clause extends to development:*
 - (a) that may have an impact on the setting of a heritage item, for example, by affecting a significant view to or from the item or by overshadowing, or*
 - (b) that may undermine or otherwise cause physical damage to a heritage item, or*
 - (c) that will otherwise have any adverse impact on the heritage significance of a heritage item.*
- (3) The consent authority may refuse to grant development consent unless it has considered a heritage impact statement that will help it assess the impact of the proposed development on the heritage significance, visual curtilage and setting of the heritage item.*

- (4) *The heritage impact statement should include details of the size, shape and scale of, setbacks for, and the materials to be used in, any proposed buildings or works and details of any modification that would reduce the impact of the proposed development on the heritage significance of the heritage item.*

Having regard to the context of existing planning controls and requirements, a fundamental approach in relation to the amended Concept Proposal has been to protect, retain and enhance significant public domain views and view corridors.

3.3 Infrastructure NSW SICEEP Urban Design and Public Realm Guidelines

While not specifically applicable to the Harbourside Site, the Infrastructure NSW SICEEP Urban Design and Public Realm Guidelines outline Infrastructure NSW's aspirations and expectations for the redevelopment of Darling Harbour. In that regard, they are helpful to understand the development context of the broader Darling Harbour development area. The key provisions of the Infrastructure NSW SICEEP Urban Design and Public Realm Guidelines that are of relevance to the consideration of visual and view impacts are set out below.

Project Vision

The urban design of the Sydney International Convention, Exhibition and Entertainment Precinct (SICEEP) must achieve the project vision to:

- *Reaffirm Darling Harbour as Australia's premier gathering place by creating an exciting, connected, active and vibrant precinct that brings delight to visitors and Sydney-siders alike.*
- *Context and design excellence*
- *Design facilities and the public realm in a manner that integrates with and enriches the local urban context by:*
 - *Preserving significant view corridors;*
 - *Protecting and reinforcing views of significant heritage buildings and structures within the public realm;*
 - *Preventing loss of privacy by overlooking of adjacent properties.*

Place making

Create a place that:

- *Enriches the existing public realm, recognising existing landscape, topography, open space networks, movement patterns and heritage of the CBD, Chinatown, Pyrmont, Darling Harbour and the Educational Precinct of UTS and Ultimo TAFE.*

Public Realm

The design of the public realm should:

- *Minimise visual, acoustic and amenity impacts on adjacent public spaces;*
- *Ensure that important views (to public buildings, along major streets and to the Harbour) are not obscured; and*
- *Maintain lines of movement and sight.*

Urban Design Objectives

- *Re-launch the Precinct and redefine its place in the City of Sydney and in the international convention, exhibition and entertainment markets.*
- *Create a new 'place to be' in Sydney defined by its own unique character.*
- *A Precinct outcome that delivers a balanced solution for the city.*
- *Multi-functionality of the Precinct amenities; with a focus on flexibility and adaptability.*
- *Bring a new vibe and spirit to this quarter of the city.*
- *Provide a seamless transition between the facilities, the Precinct and the greater urban fabric.*

- *A quality design that provides a unique experience for the global visitor and is embraced and integrated into the lives of the people in Sydney.*
- *Provide the visitor with an opportunity to experience a variety of places within the Precinct with a richness in texture and activities.*

The Infrastructure NSW SICEEP Urban Design and Public Realm Guidelines do not apply to the site. Nonetheless, future development in line with the amended Concept Proposal is unlikely to undermine the achievement of these objectives and can in fact contribute to their achievement.

3.4 Darling Harbour Strategic Framework

To assist Place Management NSW in deciding whether to grant Land Owner's Consent (LOC) for development applications in Darling Harbour (within the context of its legislative responsibility under the Place Management Act) it developed a strategic framework in January 2018. The Framework details 4 principles and a set of criteria under each principle that a development proposal would be assessed against in order to determine whether LOC would be granted.

Whilst not a formal matter for consideration, the principles and criteria do provide the most current policy position for the NSW Government in the context of balancing the need to protect and enhance the natural, cultural heritage and recreational offerings of Darling Harbour, including the landscape and public domain, while enabling orderly and economic development of the land within the precinct.

There is considered to be high level alignment between the aspirations of the Framework and the Sydney Harbour REP.

The key principles and criteria of the framework that are of relevance to the consideration of visual and view impacts are set out below.

Natural + Cultural Heritage

Protect, enhance and interpret darling harbour's natural and cultural heritage.

1. *identify, protect and enhance european and aboriginal heritage including the working harbour, past industrial land use and aboriginal heritage*
2. *safely enhance and improve harbour interaction and leverage the unique setting on cockle bay*
3. *protect the generous and open character of the foreshore and public spaces in and around darling harbour*
4. *promote a coordinated foreshore experience to darling harbour and beyond*

Orderly + Economic Development

Unlock opportunities to intensify activity and renew ageing infrastructure and underutilised sites with a balanced approach that protects the legacy of darling harbour for future generations

1. *renew ageing assets and develop land to its potential, while expanding and enhancing the public domain and publicly accessible space*
2. *balance the scale of development with the benefits it brings to the people of new south wales*
3. *provide facilities to service and support the international convention and exhibition centre and darling harbour's international competitiveness as a preferred destination for conferences and events*
4. *create a comfortable, distinctive urban precinct with engaging edges, interfaces and places to dwell and occupy*
5. *increase pedestrian and visual permeability through the precinct*
6. *create improved access and visibility to the precinct to draw attraction from surrounding districts and the cbd*
7. *promote high quality design for buildings, infrastructure and the public domain*
8. *promote sustainable building design and placemaking outcomes*

Public Domain + Urban Structure

Create a compelling, comfortable and distinctive public realm that is integrated with the surrounding urban areas and maximises the function, attractiveness and utilisation of the waterfront and public space in the precinct.

1. *create a spectacular and inviting place for leisure and celebration*
2. *provide a secure, smart, safe and universally accessible place*
3. *increase the amount of green, publicly accessible public domain*
4. *provide contemporary, high quality public domain, and an improved waters edge experience*
5. *provide a diversity of public domain experiences including sanctuary spaces, that encourage people to linger and dwell*
6. *provide a green, shady experience that offers respite from summer heat*
7. *improve the quality, capacity and convenience of public domain connections to the surrounding urban areas, and reduce the isolating effect of infrastructure around darling harbour*

The Concept Proposal has been determined by Place Management to overall be consistent with the strategic framework for Darling Harbour, with LOC issued, subject to detailed design related conditions.

3.5 Sydney Development Control Plan 2012

Sydney Development Control Plan 2012 does not apply to the Harbourside site. Similar to the SICEPP Urban Design and Public Realm Guidelines above, the DCP nonetheless provides a planning context with respect to the consideration of views and the visual impact of proposed development within the broader City of Sydney. It applies to all of the land surrounding the site, and to the buildings and public domain spaces in the vicinity of the site that are or are potentially impacted upon by the proposed development.

It has been a long standing strategic position of the City of Sydney Council that views, and view sharing, is a matter of specific and particular importance with respect to the potential impact of development on key views and vistas that are available at the street level and generally from or within the public domain rather than private views.

Section 3.2.1.2 of the Sydney Development Control Plan 2012 (DCP 2012) acknowledges that:

- *Buildings are not to impede views from the public domain to highly utilised 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 considered.*

The DCP objectives and provisions identify significant views in the Sydney CBD that are to be protected from encroachment and / or enhanced by building design. The provisions of the DCP also encourage the siting and design of new buildings that maintain and open up significant views from the public domain to Sydney Harbour, parklands and significant objects as well as protecting silhouettes of the tops of major heritage buildings as seen against the sky. The current planning objectives, strategies, principles and development controls for the Sydney CBD have also long recognised that 'outlook', as distinct from 'views' is the appropriate measure of residential amenity within a global CBD context.

Section 4.2.3.10 of DCP 2012 clearly articulates the following with respect to outlook and views in relation to the impact of development on existing and future residential amenity:

"(1) Provide a pleasant outlook, as distinct from views from all apartments. (2) Views and outlooks from existing residential development should be considered in the design of the form of the new development"

Note: Outlook is a short range prospect, such as building to building, while views are more extensive or long range to particular objects or geographical features."

3.6 Draft Central Sydney Planning Strategy and Associated Consequential Proposed Draft Amendments to Sydney LEP 2012 and Sydney DCP 2012

The emphasis on protecting public domain views and removing the relevance/ importance of private views from within Central Sydney and surrounds is also reflected in the proposed amendments to Sydney LEP 2012 and Sydney DCP 2012 released with the Draft Central Sydney Planning Strategy.

Refer to relevant extracts below:

“Central Sydney contains private and public lands. The majority of public lands consist of streets, squares and parks, without being substantially built upon. Some public lands are occupied by public buildings.

The majority of private land is occupied by buildings that almost fill their sites, though some includes open spaces including gardens, courtyards and setback areas.

The combination of built and unbuilt land allows for views from private and public buildings across private and public open spaces. Due to the varying heights of buildings and their setbacks, views are also available across and around buildings.

As old buildings are replaced with new ones, views are subject to change. Given the constantly changing built environment of Central Sydney, regulating for maintenance of private views is overly restrictive and complex. Maintaining existing private views inhibits change and would render Central Sydney uncharacteristically static.

Central Sydney has a privileged position on a peninsula in a harbour surrounded by water and parklands, containing a large number of highly significant structures and buildings of a height that vastly exceeds its surroundings. This means that the large majority of available views are considered “iconic”.

This sets Central Sydney apart from other places; standard principles around views and the sharing of them are not applicable.

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 City of Sydney have aspirations to expand the Central Sydney boundary to incorporate Darling Harbour (refer **Figure 7** below). In this regard, the concept that within Central Sydney, ‘new development must be designed to make a positive contribution to the characteristics and composition of designated public views’ and ‘the standard principles around views and the sharing of them are not applicable’ is a valid consideration for the following assessment at Sections 4.0 and 5.0.

Proposed Amendments to Sydney LEP 2012

Proposed amendment to Clause 4.3:

“(c) To promote the sharing of views (outside of Central Sydney).

New Clause to be added:

“Protection of public views

The objectives of this new clause are to ensure:

- (a) preservation of significant views from public places;*
- (b) development does not encroach above public view protection planes: and*
- (c) views from Observatory Hill to Sydney harbour*

As shown in **Figure 8** the location of the amended Concept Proposal will not have any impact on any of the proposed public view corridors identified within the Draft LEP.

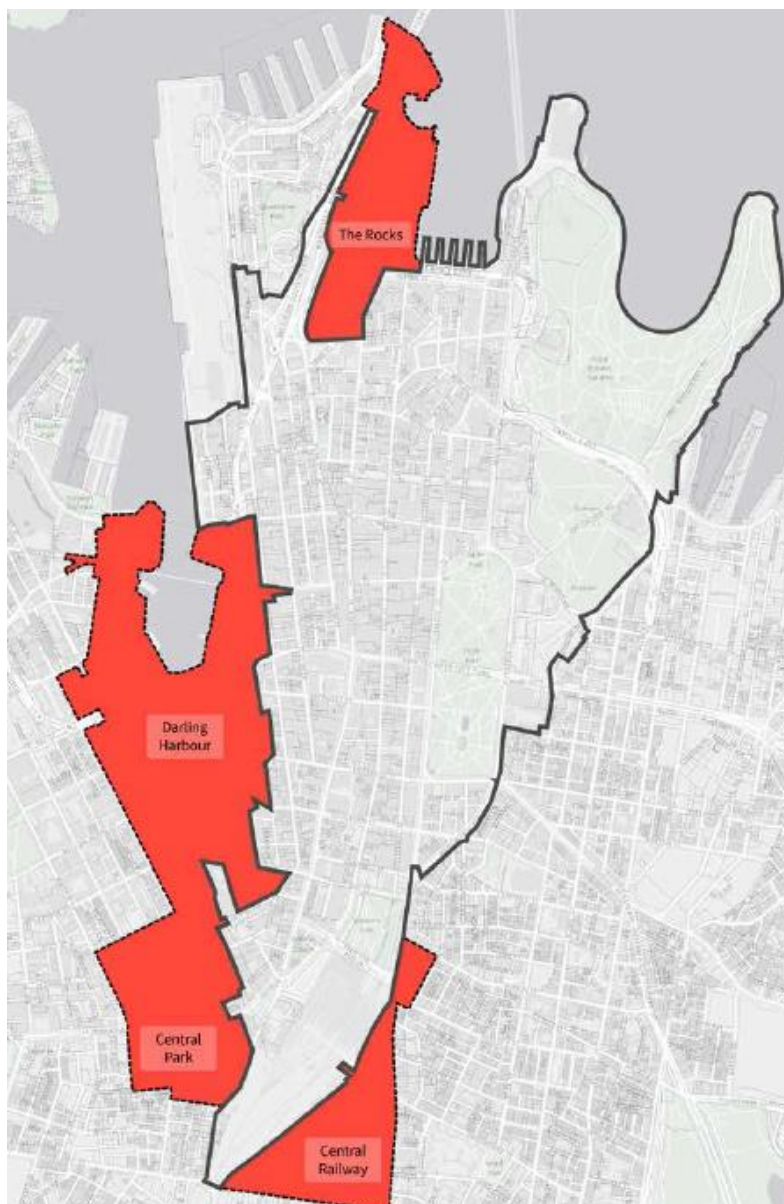


Figure 7 Council aspirations to expand the Central Sydney boundary

Source: City of Sydney Council

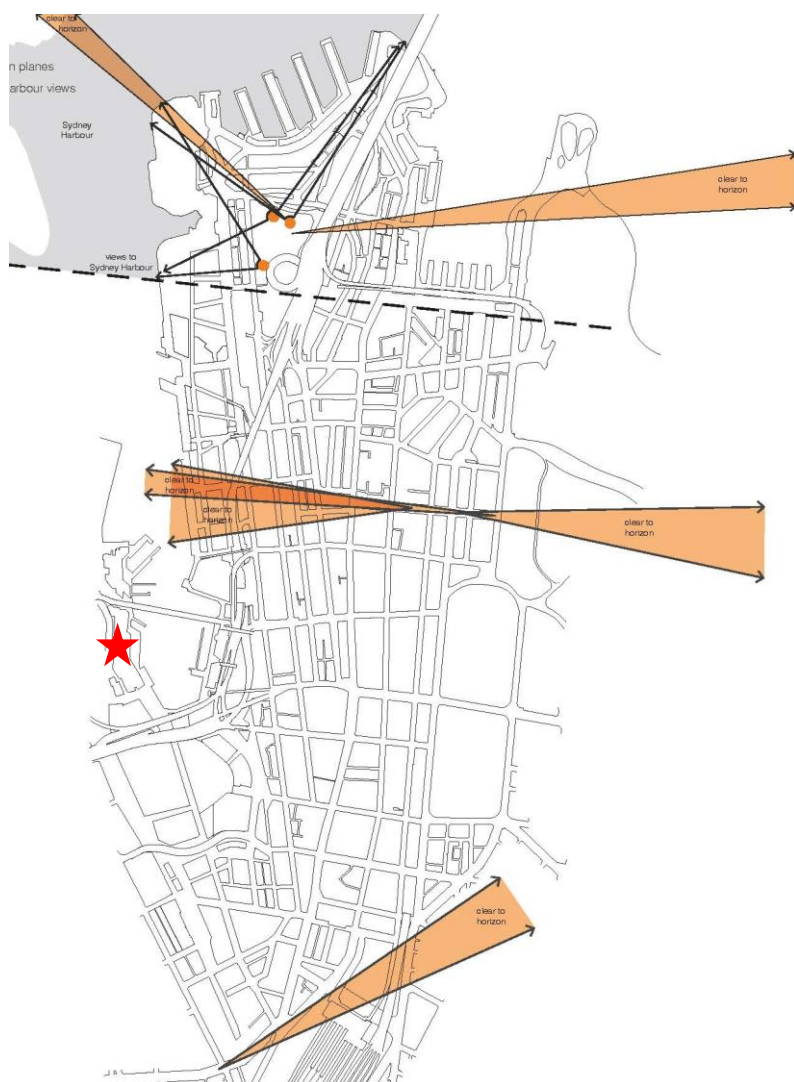


Figure 8 Proposed Sydney LEP 2012 new public domain view protection corridors (site marked with a star)

Source: City of Sydney Council

Proposed Amendments to Sydney DCP 2012

New Clause to be added:

"5.1.2 Development outlook and demonstrating amenity compliance

Value Statement

Sydney LEP 2012 and Sydney DCP 2012 purposefully seek to protect and enhance public amenity such as daylight and sunlight to Public Places and public views that are of benefit to the whole community.

In Central Sydney's dynamic and dense development environment certainty for the protection of private amenities such as sunlight and views cannot be guaranteed. The maintenance of sunlight access and private views to existing development should not unduly restrict the economic performance and economic growth of Central Sydney....

Development outlook: All developments should provide for adequate setbacks within their developments sites so as to guarantee their own minimum outlook, as opposed to a view."

The proposed amendments to the DCP clearly articulate that the maintenance of private views should not unduly restrict the economic performance and growth of Central Sydney. This is a valid consideration for the assessment at Section 5.0.

4.0 Visual Analysis

The location of the photomontage images for each of the 18 identified key ground level public domain views, view corridors and vantage points that are considered to be of relevance to the proposal are shown on **Figure 2**.

For the purpose of the October 2016 Visual Impact Analysis and this updated report the public domain views have been identified, in consultation with the Department as follows:

- Barangaroo Foreshore (view 1);
- King Street Wharf (view 2);
- Market Street (view 3);
- Pyrmont Bridge (view 5, 13 and 14);
- Cockle Bay (view 4, 6, 8, 9, 16, 17 and 18);
- Tumbalong Park (view 7);
- Darling Drive (view 10 and 12);
- Bunn Street (view 11); and
- Pyrmont Bay Park (view 15).

This updated Visual and View Impact Analysis revisits the 15 identified public domain photomontage images (refer to Appendix B), along with the addition of 3 views. The written assessment in the following section is based on both the original October 2016 images, and the updated images included at **Appendix B**. The following analysis has been undertaken with regard to the principles established by the Court in *Rose Bay Marina Pty Limited v Woollahra Municipal Council and anor* [2013] NSWLEC 1046.

4.1 Barangaroo Foreshore

A photomontage image of the Amended Harbourside Concept Proposal viewed from Barangaroo foreshore is included at **Appendix B** (view point 1).

Existing public domain views from the Barangaroo foreshore toward Darling Harbour look over the Harbour and frame a semi-circle of existing built form around the foreshore (including Sydney Wharf to the west, Maritime Museum and 50 Murray Street to the south-west, and ICC Sydney and ICC Hotel to the south) and beyond through to the southern CBD skyline terminated by Darling Square and the UTS tower/Central Park. Pyrmont Bridge is not readily visible from this location given the maritime related structures and vessels located in the water.

The existing public domain views are expansive. The rejuvenation of Barangaroo completes a highly urbanised precinct surrounding Darling Harbour/Cockle Bay and is highly utilised by pedestrians. It is characterised by predominately low scale development interspersed with taller buildings/towers in the foreground (such as the ICC Hotel, and the Imax Redevelopment under construction) with taller development including UTS Tower, Darling Square, and The Peak Apartments forming a CBD skyline backdrop behind.

Views to and across the water are available along the entire length of the Barangaroo waterfront, with low scale built form set back to form a wide pedestrian promenade.

Views are also partially obstructed by maritime related structures and moored watercraft, including obstructing views of Pyrmont Bridge. The existing southern CBD skyline established by Darling Square, UTS Tower, and The Peak Apartments together with the taller foreground buildings of the ICC Hotel and the future Imax Redevelopment do not encroach into any of the significant elements of existing public domain views – the existing buildings do not encroach into views to or from the water, or across the Darling Harbour public domain and its adjoining street network. They do, however, form part of the highly urbanised context of Darling Harbour which is framed by significant built form elements to the east, west and south.

The Harbourside Concept Proposal will permanently change the scale and height of the south western backdrop urban form of the Darling Harbour precinct. Most notably, the proposed tower element of the proposal will be seen in front of the ICC Hotel.

The Darling Harbour precinct is undergoing significant urban renewal and change both as part of the SICEEP Project, and in the context of other recent and proposed developments such as the Imax theatre redevelopment, Darling Quarter, Four Points Sheraton, and Cockle Bay Wharf redevelopment.

The existing low scale, low rise buildings on the fringe of the city are progressively being replaced with taller, denser and more dramatic new building forms on the water's edge. As part of this process the existing low scale 'valley' form of Darling Harbour has been fundamentally changed in both character, density and urban form. A similar transformation is occurring elsewhere on waterfront land in the vicinity where the existing low scale transition of development down from the western fringe of the CBD to the harbour is being transformed by projects such as Barangaroo.

The proposed development, when considered in the context of ICC Sydney and Hotel, the existing western CBD edge, the redevelopment of the Imax Theatre site and Barangaroo will continue to draw Darling Harbour into the wider CBD.

The proposed tower element will be a highly visible and distinct building that will frame and enclose the Darling Harbour waterway setting in a way similar to the ICC Hotel. It aligns with an emerging new character and condition on the harbour's edge and broader Pyrmont and Haymarket locale. It will define and activate the western foreshore edge of Darling Harbour and deliver a building of scale and form in keeping with the principle of transforming the western fringe of the CBD.

It will provide a clear point of reference in the Darling Harbour precinct for pedestrians, reinforcing a northern focal point of towers for the transformed SICEEP Precinct and identifying a northern gateway for the re-designed and re-invigorated waterfront precinct.

The form of the tower seeks to respect the existing city skyline and its design has been carefully considered from a range of vantage points. The tower is consistent in height with the urban topography of the CBD and that of a growing number of towers within the western fringe of the CBD. Whilst its height and form create a focal point in the northern entrance to the precinct, it does not dominate the skyline.

Table 1 Barangaroo Foreshore visual assessment

Element	Category	Comment	Level of Effect
Category of View	Public, foreshore	N/A	N/A
View composition type	Unrestricted	Proposal is fully visible by virtue of its location adjacent the southern end of Cockle Bay.	High
Relative view level (from site ground level)	Level with the site	The elevation of the viewpoint is approximately level with the site	Low
Viewing period	High (> 5 minutes)	Pedestrians walking along the expansive and long foreshore.	High
Viewing distance (to centre of site)	Medium range	The view point is located over 800m from the site.	Medium
Intensity of View	High (>5,000 people)	A highly utilised pedestrian area used by tourists, visitors, local residents and workers.	High
View loss or blocking	Nil	Nil	Low
Overall			Low – Medium

4.2 King Street Wharf

A photomontage image of the Amended Concept Proposal viewed King Street Wharf is included at **Appendix B** (view point 2).

Existing public domain views from the King Street Wharf precinct toward Darling Harbour look out across the harbour towards Maritime Museum and Pyrmont Bridge, with 50 Murray Street, Ibis Hotel, Novotel, ICC Sydney and ICC Hotel key dominant features in the skyline.

Again, the existing views from this location as for the Barangaroo foreshore are expansive and the location is highly utilised by pedestrians.

Views to and across the water are available along the entire length of the Harbour waterfront on both sides of the harbour, with low scale built form set back to form a wide pedestrian promenade.

The Concept Proposal will not interfere with or restrict views towards Pyrmont Bridge. A substantial distance and space between the proposed tower and ICC Sydney Hotel and 50 Murray Street is clearly apparent – ensuring a wall of towers adjacent to the foreshore is avoided. This is achieved through the design response for the majority of the site forming a low scale 4-5 storey podium building.

The illustrated view is not entirely representative of the actual view in that it does not provide the immediate context of the site to the Sydney CBD.

The tower form and height in relation to the ICC Sydney supports a gradual stepping/increase and accords with the similar premise at Barangaroo in terms of taller towers increasing in height northwards.

From this vantage point, and as detailed in Section 4.1, the proposed tower element of the Concept Proposal will be highly visible, and will continue the transformation occurring on the western side of Darling Harbour by bringing significant new building height close to the water's edge.

The proposed development will not interrupt or encroach into any existing views of the water and will have a positive visual impact in terms of its visual relationship to the public domain and foreshore. The podium form creates a human scale to the public domain and the siting of the proposed tower element provides appropriate distance separation to the ICC Sydney Hotel and 50 Murray Street allowing for clear sightlines through and across the public domain. The proposed tower form is also located within the centre of the site, which is the widest portion of the site and enables the greatest setback of the tower to the water (over 30m).

Consistent with the planning context and applicable planning instruments that are of relevance to the consideration of visual and view impacts, the proposed development will maintain and protect public views to and from the harbour, and will not impact on any significant views and vistas to and from public places, landmarks and heritage items when viewed from King Street Wharf.

Table 2 King Street Wharf visual assessment

Element	Category	Comment	Level of Effect
Category of View	Public, foreshore	N/A	N/A
View composition type	Majority Unrestricted	Proposal is except for low levels of the podium visible by virtue of its location adjacent the southern end of Cockle Bay.	High
Relative view level (from site ground level)	Level with the site	The elevation of the viewpoint is approximately level with the site	Low
Viewing period	High (> 5 minutes)	Pedestrians walking along the expansive and long foreshore.	High
Viewing distance (to centre of site)	Medium range	The view point is located over 500m from the site.	Medium
Intensity of View	High (>5,000 people)	A highly utilised pedestrian area used by tourists, visitors, local residents and workers.	High
View loss or blocking	Nil	Nil	Low
Overall			Low-Medium

4.3 Market Street

A photomontage image of the Amended Concept Proposal viewed from Market Street looking west towards Darling Harbour is included at **Appendix B** (view 3).

The existing view along Market Street (framed by CBD towers north and south) towards the site is interrupted by street trees and the existing pedestrian road bridge linking to Pyrmont Bridge. The view is towards the tops of low and medium scale buildings (Novotel, Ibis, and 50 Murray Street) in Pyrmont. Water views are not available from this location.

The tower element of the Concept Proposal will be partially visible as a new slender tower structure in the western skyline (refer to detailed discussion at Section 4.1 above). It does not however interrupt any significant views or vistas along Market Street, and does not result in any loss of visual quality to Darling Harbour when viewed from this approach. The addition of the tower provides for a natural and logical connection and relationship between the Sydney CBD and the western fringe of Pyrmont, continuing the line of tall towers on the southern side of Market Street.

Market Street has significant footfall given its CBD context, and is a main thoroughfare for workers travelling to and from Pyrmont from the CBD (e.g. catching the train to/from Town Hall Station) and for visitors/tourists accessing Darling Harbour and surrounds from Pyrmont Bridge.

When walking west along Market street, the tower element will form a slender landmark building that provides a visual focal /reference point in the otherwise existing low and medium scale backdrop of the western side of Darling Harbour.

Figures 9 and 10 provide a comparison from this view location between the originally submitted and amended proposal and emphasise the significant shift in the tower location south and within the centre of the site.



Figure 9 View from Market Street of original concept proposal

Source: Virtual Ideas



Figure 10 View from Market Street of amended concept proposal

Source: Virtual Ideas

Table 3 Market Street visual assessment

Element	Category	Comment	Level of Effect
Category of View	Public, footpath	N/A	N/A
View composition type	Restricted	Podium is not visible due to foreground and tower form is only half visible due to existing building form.	Low - Medium
Relative view level (from site ground level)	Above the site	The elevation of the viewpoint is higher than the site	Low
Viewing period	Low (< 1 minute)	Only visible for a short section of Market Street given the proposal's location on the southern edge of the street alignment.	Low
Viewing distance (to centre of site)	Medium range	The view point is located over 640m from the site.	Medium
Intensity of View	High (>5,000 people)	A highly utilised pedestrian thoroughfare used by tourists, visitors, local residents and workers.	High
View loss or blocking	Nil	Nil	Low
Overall			Low

4.4 Pyrmont Bridge

Photomontage images of the Amended Concept Proposal viewed from the elevated and heritage listed Pyrmont Bridge are included at Appendix B (viewpoints 5, 13 and 14). These images capture views from the ends and middle of the Bridge.

Existing public domain views from the eastern end of Pyrmont Bridge look down the length of the bridge and offer a 'busy' corridor with high levels of pedestrian movements and punctuations with bunting/flags, street furniture, lighting etc. In the background to the Bridge itself is the ICC Sydney Convention Centre and ICC Hotel, with the existing Harbourside Shopping Centre, Novotel, Ibis and 50 Murray Street buildings framing the western edge of Darling Harbour. No water views are available from this location. Existing buildings are, with the exception of the ICC Sydney Hotel, of a low-medium scale form.

The Amended Concept Proposal will change the scale and height of the development along the western side of the Darling Harbour waterfront creating a visually interesting built form. The tower element at this view angle is its most slender, which not only assists with supporting view sharing from adjacent private developments, but also improves its relationship with and appreciation of Pyrmont Bridge.

The podium element provides for a human scale and responds to the predominantly low-medium scale surrounding development fronting Cockle Bay, whilst the tower element is located at a substantial distance away from Pyrmont Bridge (135m+) and also supports a considerable separation to the ICC Sydney Hotel. This relationship enables a less dominating skyline.

The existing view of the site from the centre of Pyrmont Bridge looking west reveals a highly urbanised foreshore with built form that gradually steps up from the water's edge. Water views of Cockle Bay are available. The backdrop view to Cockle Bay, excluding ICC Sydney and ICC Hotel, is of generally tired looking and relatively uninspiring built form – with Harbourside Shopping Centre itself representing one of the main detractors.

The skyline adjacent and beyond Cockle Bay to the south-west, south and south-east is undergoing significant transformation, led by the SICEEP project and the Imax redevelopment. The Concept Proposal will effectively complete the renewal of the ring of foreshore land fronting Cockle Bay. A clear appreciation of low scale massing adjacent to the foreshore is available as a result of the Concept Proposal, with the tower element adding visual interest and complementing the ICC Hotel. Expansive western sky views from Pyrmont Bridge also remain.

The view from the western end of Pyrmont Bridge includes the long ramped pedestrian approach to the Bridge with low scale buildings and structures (Harbourside Shopping Centre, Monorail Station, pedestrian bridge over Darling Drive) in the foreground and adjoining Pyrmont Bridge to the south and the Sydney CBD beyond in the background.

The Amended Concept Proposal podium element has an improved built form relationship to Pyrmont Bridge compared to the existing development. The tower element, whilst visible, is setback such a significant distance away (135m) that it has a limited association and relationship with the eastern end of the bridge. Pedestrians approaching Pyrmont Bridge from the west currently have a clear sense of arrival into the CBD. The positioning and height/scale of both the podium and the tower will reinforce this feeling.

Overall, in the context of the existing easterly view corridor of Pyrmont Bridge being within the backdrop of large CBD towers, and the placement of a new tower a significant distance away from the bridge's western approach will not detract from the actual reading of the bridge in its harbour setting when viewed from key public spaces in and around the harbour. There are also improvements that will be delivered as part of the proposal in terms of the appreciation of Pyrmont Bridge, with the podium element being setback further from Pyrmont Bridge than the existing arrangement (10m compared to 4.6m).

Figures 11 and 12 provide a comparison from this view location (View 5) between the originally submitted and amended proposal and emphasise the significant shift in the tower location south and within the centre of the site, and in doing so significantly increasing the towers location away from Pyrmont Bridge, greatly improving its relationship and impact on the setting and appreciation of the bridge.

Table 4 Pyrmont Bridge visual assessment

Element	Category	Comment	Level of Effect
Category of View	Public, bridge	N/A	N/A
View composition type	Generally unrestricted	Proposal is largely visible given the elevated view from the Bridge and the site's location beyond the waterfront.	High
Relative view level (from site ground level)	Above the site	The elevation of the viewpoint is higher than the site	Low
Viewing period	Medium (1 – 5 minutes)	Dependant on the purpose of the pedestrian accessing the bridge (i.e. as a tourist admiring the bridge and Darling Harbour or a worker using the bridge).	Medium
Viewing distance (to centre of site)	Medium range	The view points are located between 180m to 340m from the site.	Medium
Intensity of View	High (>5,000 people)	A highly utilised pedestrian thoroughfare used by tourists, visitors, local residents and workers.	High
View loss or blocking	Nil	Nil	Low
Overall			Low - Medium



Figure 11 View from Pyrmont Bridge (eastern end) of original concept proposal

Source: Virtual Ideas



Figure 12 View from Pyrmont Bridge (eastern end) of amended concept proposal

Source: Virtual Ideas

4.5 Cockle Bay

The site is arguably most visible from the foreshore surrounding Cockle Bay. A series of photomontage images of the Amended Concept Proposal viewed from a range of vantage points around Cockle Bay have accordingly been prepared and included at Appendix B (viewpoints 4, 6, 8, 9, 16, 17, and 18).

Existing public domain views from Cockle Bay looking west towards the site are to a mix of new and older buildings, along with Pyrmont Bridge and watercraft/floating structures dominating the views. The older built form fabric of this highly urban precinct is that of the Novotel Hotel, Ibis, Harbourside Shopping Centre itself, 50 Murray Street, and Maritime Museum – with the overall character being of low-medium scale.

A new wave of modern buildings and a rejuvenated public domain and foreshore to Cockle Bay has been completed or is underway to the south of the site, as evident in the photomontages. These buildings and spaces have been delivered as part of the SICEEP Project and have transformed the Darling Harbour Precinct into a world class tourist and entertainment destination – befitting Sydney's status as Australia's only Global city. These new buildings are considerably larger in scale than the historic building stock in the area (e.g. ICC Hotel).

Views to and across the water are available along the entire length of the Cockle Bay waterfront on both sides of the harbour, with built form set back to form a wide pedestrian promenade to accommodate the large crowds that come to the precinct day to day and during the large special events held at Cockle Bay (e.g. fireworks, Australia Day celebrations, Vivid, Dragon Boat Races etc).

The Concept Proposal will change the scale and height of the development along the western side of the Cockle Bay waterfront creating a responsive and visually interesting built form. The tower element is at this view angle it's most slender, which not only assists with supporting view sharing from adjacent private developments but also in terms of preserving skyviews and creating a positive symmetry with the ICC Hotel.

The podium element is marginally larger than the existing Shopping Centre building but continues to provide for a human scale and responds to the predominant low-medium scale surrounding development. The location of the tower over 135m away from Pyrmont Bridge and a considerable distance (over 77m) from the ICC Hotel supports a positive urban form outcome. The proposal ensures that views from the western side of Cockle Bay towards Pyrmont Bridge remain generally unaffected.

With the demolition of the existing Harbourside Shopping Centre, the Concept Proposal provides new opportunities to view key public domain features such as Cockle Bay, Pyrmont Bridge, Centrepont Tower, the Sydney CBD skyline etc.

The expansive public domain to be delivered and increased setback of the proposed future building envelope will improve visual connectivity to the north and east-west, whilst enabling for a greater capacity of visitors to enter and move around this world class tourist and entertainment precinct. As illustrated in **Figure 13**, the Concept Proposal supports over 470sqm of additional public domain area along the Cockle Bay foreshore, providing a significant public good with improved accessibility and ability to appreciate the foreshore and harbour consistent with the aims of the Sydney Harbour REP.

As noted in Section 3.1, the proposed tower element will be a highly visible and distinct building that will frame and enclose the Cockle Bay waterway setting, in a way similar to the ICC Sydney Hotel. It aligns with an emerging new character and condition on the harbour's edge and broader Pyrmont and Haymarket locale. It will define and activate the western foreshore edge of Darling Harbour and deliver a building of scale and form in keeping with the principle of transforming the western fringe of the CBD.

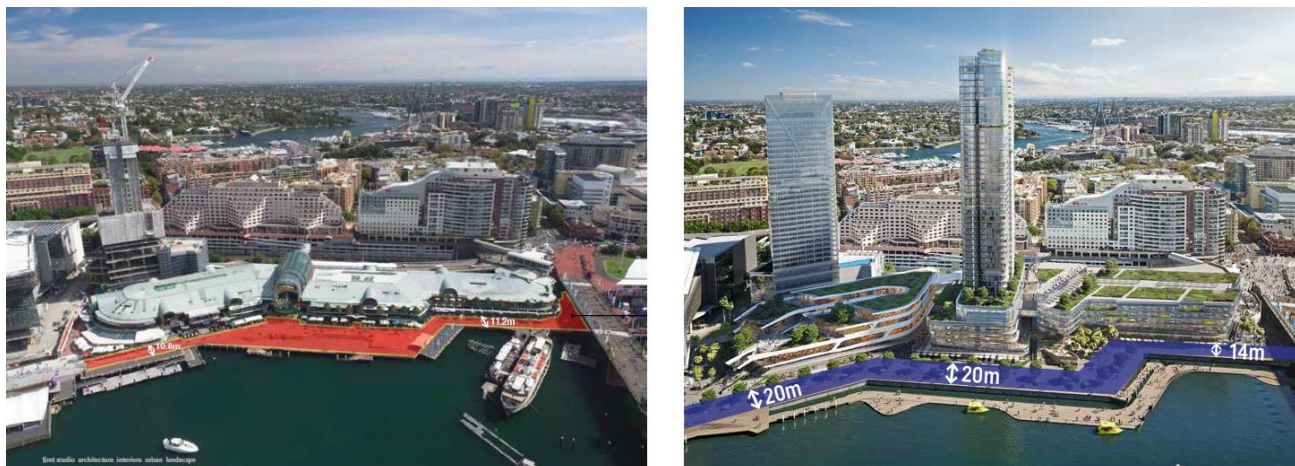


Figure 13 Cockle Bay foreshore comparison between existing situation and proposed

Source: Aspect & Virtual Ideas

Table 5 Cockle Bay visual assessment

Element	Category		Comment	Level of Effect
Category of View	Public, foreshore	N/A	N/A	
View composition type	Generally unrestricted	Proposal is largely visible given the view locations are from a position on the foreshore.	High	
Relative view level (from site ground level)	Level with the site	The elevation of the viewpoint is level with the site	Low	
Viewing period	High (> 5 minutes)	Cockle Bay is a large and expansive area which enables pedestrians long experiences to view the site.	High	
Viewing distance (to centre of site)	Medium range	The view points are located between 120m to 320m from the site.	Medium	
Intensity of View	High (>5,000 people)	A highly utilised pedestrian thoroughfare used by tourists, visitors, local residents and workers.	High	
View loss or blocking	Nil	Nil	Low-Medium	
Overall			Medium - High	

4.6 Tumbalong Park

A photomontage image of the Harbourside Concept Proposal viewed from Tumbalong Park is included at **Appendix B** (viewpoint 7).

Due to its central location and circular configuration existing public domain views are available in a 360 degree cone from Tumbalong Park to the north, east, west and south. The key view from Tumbalong Park provided in the photomontage is looking north, north-west. Views are available from both a standing and a seated position in all directions providing for a high degree of visual connectivity across the Darling Harbour Precinct. Tumbalong Park is a public domain space that is intensely used for both passive recreation and in terms of pedestrian movement from the western edge of the CBD through the Darling Harbour Precinct.

As a key area of public open space sitting within a broader public domain area, the nature and extent of views available from Tumbalong Park are both expansive and open in character, with the space framed by landscaping and existing relatively low scale development that provides a sense of enclosure. The existing eastern CBD and emerging southern CBD skyline (Darling Square) surrounding the park is a dominant feature. The skyline to the north is encroached into by Darling Quarter, Western Distributor, the Cross City Tunnel Stack, and ICC Sydney (Exhibition Halls, Convention Centre) and ICC Hotel.

Within this context the proposed Concept Proposal will read as a slender new built form element in the northern backdrop to Tumbalong Park. It will represent the fourth tall feature within this northern view from Tumbalong Park, noting that expansive sky views are maintained through the large separation distance achieved between the towers (and avoids an overbearing northern wall to the park). It is well separated from the park by the large expanse of public domain, and the intervening freeway structures. The dominant public domain character of an expansive open space framed by development and landscaping, with a high degree of openness to the sky will be retained by the proposed visible tower element. The proposed development will not encroach upon the public domain views through or to the park and will not significantly detract from the important elements in the view or reduce the visual connectivity across the Darling Harbour Precinct established by the parkway.

It is noted that existing public domain views and vistas to the Chinese Garden of Friendship on Day and Pier Streets and to Pumping Station No.1, both of which are identified heritage items are not affected by the proposed development.

Consistent with the planning context and relevant planning instruments that are of relevance to the consideration of visual and view impacts, the proposed development will not impact on any significant views and vistas to and from Tumbalong Park.

Table 6 Tumbalong Park visual assessment

Element	Category	Comment	Level of Effect
Category of View	Public, park	N/A	N/A
View composition type	Partially restricted	Only the upper portion of the tower element is visible, with lower level structures and vegetation in the foreground blocking views.	Medium
Relative view level (from site ground level)	Level with the site	The elevation of the viewpoint is level with the site	Low
Viewing period	High (> 5 minutes)	As experienced from someone sitting and enjoying the park.	High
Viewing distance (to centre of site)	Medium range	The view point is located 540m from the site.	Medium
Intensity of View	High (>5,000 people)	Based on expected maximum intensity associated with a large festival or event.	High
View loss or blocking	Nil	Nil	Low
Overall			Low-Medium

4.7 Darling Drive

Two (2) photomontage images of the Amended Concept Proposal viewed from key vantage points along Darling Drive are included at Appendix B (viewpoints 10 and 12). These include vantage points at ground level.

Darling Drive is not a key pedestrian thoroughfare. It has relatively low pedestrian use. Vehicles travelling along Darling Drive are predominantly using the street to access the rear of development at Darling Harbour. The existing views and vistas along Darling Drive are not significant in terms of aesthetics or quality. They are characterised by relatively low scale development. The vistas along the streets do not provide views to buildings or public domain spaces that are of interest or visual importance, and the elements of the existing vista do not contribute in any material way to the overall quality or aesthetics of the wider Darling Harbour public domain.

The existing public domain views along and within the vicinity of Darling Drive are predominantly to the rear of the existing Harbourside Shopping Centre, car parking, the light rail corridor and the ICC Sydney and ICC Hotel. Comprising predominantly back of house facilities, the public domain views are unattractive and visual connectivity is generally poor. In places the CBD skyline including Centrepont tower is visible beyond the Harbourside Shopping Centre when looking to the east.

The new built form proposed by the Concept Proposal, integrating with the ICC Sydney and ICC Hotel buildings, present a much improved urban form and architectural design in terms of presentation to Darling Drive. Given its height and configuration, the proposal will alter the views to the distant CBD skyline in places.

The proposed enhanced pedestrian bridge over Darling Drive (Bunn Street) is at a higher RL above the roadway than the existing bridge and therefore provides for improves sightlines and connectivity whilst travelling along Darling Drive.

The predominant experience of a driver and pedestrian travelling along Darling Drive will remain of a low-medium scale built form character, interspersed with tall towers.

Table 7 Darling Drive visual assessment

Element	Category		Comment	Level of Effect
Category of View	Public, footpath/roadway	N/A	N/A	
View composition type	Unrestricted	As Darling Drive is located along the western boundary of the site, the proposal is fully visible.	High	
Relative view level (from site ground level)	Level with the site	The elevation of the viewpoint is level with the site	Low	
Viewing period	Low (< 1 minute)	As experienced from driving or walking past the site.	Low	
Viewing distance (to centre of site)	Low/close range	The view points are located between 80m – 160m from the site.	Low	
Intensity of View	Medium (1,000 - 5,000 people)	Based on function of Darling Drive.	Medium	
View loss or blocking	Nil	Nil	Low	
Overall			Low	

4.8 Bunn Street

A photomontage image of the Concept Proposal viewed from Bunn Street is included at Appendix B (viewpoint 11).

Bunn Street is an east-west view that terminates into north-south running Murray Street. By virtue of the break in buildings (Ibis and Novotel) and the low scale form of the existing Harbourside Shopping Centre, a narrow but clear view corridor is available beyond to the western edge of the Sydney CBD. No water views are available. East-west pedestrian connections between Pyrmont and Sydney CBD have historically been poor, with a key feature of the SICEEP project to improve these connections and open up new and improved public view corridor and vantage points.

The Harbourside Concept Proposal retains an existing low scale built form outcome at central and southern end of the site, a key premise in terms of ensuring an appropriate scale to the foreshore and providing an opportunity for improved visual and physical connections through the site. This is principally achieved through the proposed concept for a new Bunn Street pedestrian bridge, which will draw people into the site and broader precinct.

It has the effect of bringing the CBD closer to Pyrmont and providing greater opportunities and a marker for pedestrians to enter the precinct.

Table 8 Bunn Street visual assessment

Element	Category	Comment	Level of Effect
Category of View	Public, footpath	N/A	N/A
View composition type	Generally unrestricted	The gap between the Ibis and Novotel Hotels enables generally unrestrictive views of the tower, with no views of the podium.	Medium
Relative view level (from site ground level)	Located above the site	The elevation of the viewpoint is above the site.	Low
Viewing period	Low (< 1 minute)	As experienced from driving or walking along Bunn Street.	Low
Viewing distance (to centre of site)	Medium range	The view point is located over 170m from the site.	Low
Intensity of View	High (>5,000 people)	Based on projected future use of the Bunn Street bridge that will provide greater accessibility towards Darling Darling and the CBD beyond.	High
View loss or blocking	Nil	Nil	Low
Overall			Low

4.9 Pyrmont Bay Park

A photomontage image of the Harbourside Concept Proposal viewed from Pyrmont Bay Park is included at **Appendix B** (viewpoint 15).

The Park is heavily planted with trees along most of its boundary, except along its interface with the Harbour. The key and most valued views from this public open space that is again intensively used for both passive recreation and temporary events (such as markets) is towards the Sydney CBD to the east and north-east, Sydney Harbour Bridge to the north and water views across to North Sydney (lower north shore). Existing views of surrounding development from the Park is predominately characterised as being low scale, although it is noted the Star casino has plans that could change the scale of development.

The view from Pyrmont Bay Park provided in the photomontage is looking south-east towards Darling Harbour, with the rear of the Maritime Museum visible above the treetops and the western edge of the Sydney CBD (including Centrepont Tower and the planned Cockle Bay Wharf redevelopment) visible beyond in the background.

Within this context the Concept Proposal will read as a tall slender new built form element in the southern backdrop to Pyrmont Bay Park. It is well separated from the park by the large expanse of public domain, and the intervening freeway structures. The dominant public domain character of an expansive open space framed by development and landscaping, with a high degree of openness to the sky will be retained by the proposed development. The proposed development will not encroach upon the public domain views through or to the park and will not significantly detract from the important elements in the view or reduce the visual connectivity across to the Sydney CBD and harbour established by the park.

This new view is not inconsistent with the existing character and experience of users to the park of tall towers being seen in the backdrop of the green open space.

Consistent with the planning context and relevant planning instruments that are of relevance to the consideration of visual and view impacts, the proposed development will not impact on any significant views and vistas to and from Pyrmont Bay Park.

Table 9 Pyrmont Bay Park visual assessment

Element	Category	Comment	Level of Effect
Category of View	Public, park	N/A	N/A
View composition type	Restricted	Only the upper portion of the tower element is visible, with lower and mid level structures and vegetation in the foreground blocking views.	Low
Relative view level (from site ground level)	Level with the site	The elevation of the viewpoint is level with the site	Low
Viewing period	High (> 5 minutes)	As experienced from someone sitting and enjoying the park.	High
Viewing distance (to centre of site)	Medium range	The view point is located 430m from the site.	Medium
Intensity of View	High (>5,000 people)	Based on expected maximum intensity associated with a large festival, event, markets etc.	High
View loss or blocking	Nil	Nil	Low
Overall			Low-Medium

5.0 View Impact Assessment

The locations of the key buildings that are impacted or potentially impacted by the amended Concept Proposal in terms of private views are shown on **Figure 6** and include:

Primary Buildings

- Novotel Sydney Darling Harbour
- Oaks Goldsbrough Apartments
- Ibis Hotel Darling Harbour
- One Darling Harbour (50 Murray Street)
- Gateway Apartments (1 Murray Street)
- ICC Sydney Hotel (Sofitel)

With this selection of Primary buildings, it is noted that there is a difference between buildings, with some relating to permanent residential buildings and others relating to more transient tourist and visitor accommodation (hotels) buildings.

Secondary Buildings

- Renaissance Apartments (73 Union Street)
- Arena Apartments (32-34 Bunn Street)
- The Phoenix Apartments (117 – 129 Murray Street)
- Harbour's Edge Apartments (1 – 5 Harwood Street)
- 16 – 30 Bunn Street (apartments)

Primary buildings represent those key buildings located with elevations that have a direct line of sight with the Harbourside redevelopment site, and therefore are more likely to have a greater level of impact and require a greater level of analysis.

Secondary buildings are those that are located further away from the site and therefore are only likely to be potentially impacted at upper/rooftop levels.

The following section provides a view impact analysis from the key buildings in relation to the proposed amended Concept Proposal for Harbourside. The following analysis has been undertaken with regard to the view sharing principles established by the NSW Land and Environment Court in *Tenacity v Warringah Council* [2004] NSWLEC 140. In terms of Tenacity being relevant and applicable, reference is made to the then Planning Assessment Commission's assessment of the IMAX redevelopment (SSD 5397):

'...However, the Commission notes that the Tenacity view loss planning principle is not readily applicable to the IMAX site and the CBD context. It is not always possible to preserve all existing views to the water from residential units located in the CBD, some distance from the water. Further, it is difficult to test the 'reasonableness' of the proposed building given the absence of height and other built form controls. The Commission also notes that while the proposed building would result in the loss of some existing views to the water, it is broadly consistent with the notion of view sharing in that not all existing views to the water available from the affected residential towers would be lost.'

In summary, whilst to some degree different in terms of context given the proposal's closer relationship to residential units located closer to the water, it is equally relevant in terms of the difficulty in applying the 'reasonableness' test of Tenacity in the absence of height and built form controls. The same conclusion is also able to be reached in terms of 'view sharing' for the Amended Concept Proposal, where whilst the amended concept proposal will result in loss of some existing views to water (as well in this instance to the CBD skyline, Pyrmont Bridge, and Centre Point Tower) not all existing views to the water (and other features) available from affected buildings would be lost.

The more recent decision of the Independent Planning Commission (IPC) with respect to the Cockle Bay Wharf redevelopment (SSD 7684) also reaffirms the balancing of impacts that needs to be undertaken for development within Darling Harbour:

'the commission notes that the applicant acknowledges the application will impact on existing views from apartments at high, mid and upper low rise levels within the Astoria Tower. In paragraphs 77 and 78, the applicant has justified the loss of these views based on the Application's improvements to the areas urban realm and public domain, consistent with the SREP....the commission finds that view loss...on the Astoria Tower is reasonable and acceptable....'

5.1 Primary Buildings

5.1.1 Novotel Sydney Darling Harbour

The Novotel Sydney Darling Harbour (Novotel) is located immediately to the west of the Harbourside Shopping Centre on the western side of Darling Drive (some 40m away at its closest point). It adjoins the northern end of the SICEEP site and is in close proximity to the ICC Sydney Hotel. Refer to **Figure 6**.

The 2D and 3D modelling views and photomontage images showing existing and future views from the Novotel in relation to the proposed Harbourside Concept Proposal are included at **Appendix B**.

Existing views from the Novotel can be generally categorised as those occurring at the low rise levels of the building (generally RL 28.0 and below), midrise levels (RL 28.00 to RL 40.00) and high rise levels (generally RL 40.00 and above).

A total of six (6) key view locations have been identified and analysed. This consists of:

- 2 x 3D model images at mid-rise and high-rise levels at the southern end of the building; and
- 2 x photomontage images at low rise level from Hotel reception deck and pool deck;
- 1 x photomontage image from mid-rise hotel room 633 (centre of building); and
- 1 x photomontage image from high-rise hotel room 915 (northern end of building).

The location of the selected photomontage views and camera positions are shown on the plan prepared by Rygate included at **Appendix B**.

Existing Views

Existing views from the Novotel are generally across the Darling Harbour waterway to the western edge of the Sydney CBD skyline including Centrepont tower, and north towards Sydney Harbour. Given the zigurat configuration of the building the angle of view to the water and CBD changes depending on the level of the building and the key direction of outlook from the windows. As the individual hotel rooms do not have balcony or outdoor deck spaces, existing views are constrained to the orientation of the window.

Given the low scale nature of the existing Harbourside Shopping Centre located to the immediate east of the Novotel between it and the Darling Harbour waterway, existing views and outlook from the Novotel to the east (north of ICC Sydney and ICC Sydney Hotel) are largely unobstructed.

The ICC Sydney and ICC Hotel reduce direct easterly views from lower and upper levels at the southern end of the building. This said, north, and north-easterly views are available.

In general terms all rooms of the hotel enjoy a combination of existing water and/or CBD skyline views that would be available from both standing and sitting positions within the building. Those facing east, and north east have the most expansive existing water views, including in a northerly direction to Cockle Bay Wharf and the North Sydney CBD skyline in the distance.

Those at the southern end facing east and south east have views of the ICC Sydney and ICC Hotel.

There is an existing outdoor deck area located on the eastern and southern elevation of the Novotel building at the low rise level (Murray Street ground level). This deck on the east serves the reception level (with associated coffee shop) with the south deck serving the pool and outdoor gym. Views are available from this deck space to the east, north and south.

Proposed Views

The proposed Concept Proposal will encroach into the existing Darling Harbour water views and CBD skyline views from hotel rooms and outdoor deck spaces analysed. This change in view results from the replacement of the existing Harbourside Shopping Centre with a new and marginally taller podium building envelope and new tower envelope. The Amended Concept Proposal by virtue of the shifting of the tower element to the centre of the site (and therefore closer to the Novotel building) results in additional view impacts to the Novotel beyond that originally proposed. The relocation of the tower element as noted previously was undertaken to address a significant number of submissions made during the public exhibition of the Concept Proposal, where the views from residents (especially those within 50 Murray Street) was that it was more appropriate to locate the tower in front of a commercial building (such as the Novotel Hotel).

Notwithstanding this, the positioning of the proposed tower element at the central portion of the site still allows a large gap/separation distance between it and ICC Hotel (over 70m – refer to **Figure 14**). This separation supports view sharing within for the Novotel Hotel. Expansive north-eastern views towards Sydney Harbour, Barangaroo and North Sydney will also be retained.



Figure 14 Illustrative high-level view of the amended concept proposal

Source: fjmt

The impact of the proposal on the views and outlook from the Novotel overall is not considered to be significant, especially in the context that the building is of a commercial nature where the views are of a transitory and short-term nature compared to those of a permanent community (as noted within the submissions made by the Department of Planning and Environment and on behalf of 50 Murray Street). Expansive Darling Harbour and Sydney Harbour water views, and views across to the CBD skyline will be retained.

The change in view from the pool deck is not significant, as the existing ICC Sydney already restricts north easterly, easterly and south-easterly views from this position. Other CBD towers that are presently visible to the north-east will be replaced with the proposed new tower element.

The reception deck views will have a moderate change in view (reduced extent of the CBD skyline being visible and partial views of Centrepont Tower). Easterly and north-easterly views of the CBD skyline will be preserved.

The replacement of the existing 30 year old+ Harbourside shopping centre, which is largely an unattractive building with large expanses of roof visible, with a high quality centre that will be of design excellence and include a more appealing roofscape in the form of planting/greenery is considered to be a positive visual impact. The redevelopment will also provide improved amenities and access to the waterfront for hotel guests.

The impact of the development on the views and outlook from the Novotel is not considered to be significant, especially given the classification of the building as a place for commercial short-term accommodation. Expansive north, north-easterly and easterly views from the Novotel will remain, including of valued features such as the harbour, Centrepont Tower, Pyrmont Bridge and the CBD Skyline.

Table 10 Novotel summary view assessment

Element	Category	Comment
Land use classification	Hotel	Short-term stay
Nature of views to be affected	Views towards CBD Skyline (including Centrepont Tower), Pyrmont Bridge, water views of Cockle Bay/Darling Harbour and Sydney Harbour, long range views to North Sydney	Combination of restricted, partially restricted and unrestricted depending on location and relationship to foreground buildings such as existing shopping centre, ICC Hotel and ICC Sydney.
Visual impact	Moderate	Low rise – moderate/severe Mid rise - moderate High rise - minor

5.1.2 Oaks Goldsbrough Apartments

The Oaks Goldsbrough Apartments are located on Pyrmont Street to the west of the freeway ramps and the new ICC Sydney.

The building is used as a combination of serviced apartments and residential apartments. The apartments are located nearby (some 180m away at the closest point) to the Harbourside Concept Proposal site. Refer to **Figure 6**.

The 2D and 3D modelling views and photomontage images showing existing and future views from the Oaks Goldsbrough in relation to the proposed Harbourside Concept Proposal are included at **Appendix B**.

Existing views from the Oaks Goldsbrough Apartments are available from the eastern elevation of the building and can be generally categorised as those occurring at the low rise levels of the building (generally RL 30 and below), mid-rise levels (RL 30 to RL 50) and high rise levels (generally RL 50 and above).

Four (4) key view locations have been identified and analysed. These consist of:

- 2 x 3D model images at low and mid-rise levels at the northern end of the building; and
- 2 x photomontage images at low rise (apartment 608) and mid-rise (apartment 1009) levels from the southern end of the building.

The location of the selected photomontage views and camera positions are shown on the plan prepared by Rygate included at **Appendix B**.

Existing Views

Existing views looking north-east and east from the low and mid-rise levels from the northern portion of the Oaks Goldsbrough Apartments building on the eastern elevation are of the Novotel and ICC Sydney and ICC Sydney Hotel in the foreground, with the northern and central CBD skyline including Centrepont Tower in the background. No/limited foreground water views of Cockle Bay are currently available.

Existing views looking north-east and east from the southern end of the Oaks Goldsbrough Apartments building on the eastern elevation are across existing street trees on Pymont Street at lower levels, Western Distributor on-ramps beyond, with the ICC Sydney and ICC Sydney Hotel further beyond with the central and northern CBD skyline (including Centrepont Tower) and North Sydney in the background. Again, water views are not available given the height of existing building on the western foreshore to Darling Harbour.

The Oaks Goldsbrough Apartments do not have external balcony or terrace spaces and therefore existing views and outlook from each apartment are constrained by the size and orientation of the window. Whilst views are available from a combination of sitting and standing positions in the apartments, views are more expansive when standing. It is also noted that the apartments are generally two storey, with living spaces at one level and bedroom spaces at another. As such, each apartment enjoys more than one view aspect – more expansive views are available at the upper floor of each apartment.

Proposed Views

The proposed Harbourside Concept Proposal will have a negligible impact on existing views from the eastern elevation of the Oaks Goldsbrough Apartments. The change in view in the main relates to swapping existing distant CBD skyline/tower views with the proposed tower element now closer in the foreground. There is no change in terms of views to valued features such as the harbour or Centrepont Tower.

The relocation of the tower element within the centre as part of the amended concept proposal of the site reduces the gap with the ICC Hotel, however not to any material degree – with the viewing outcome remaining essentially the same.

The resulting change in views for the Oaks Goldsbrough Apartments is consistent with the level of impact approved as part of the ICC Hotel.

Table 11 Oaks Goldsbrough Apartments summary view assessment

Element	Category	Comment
Land use classification	Mixed residential and serviced apartments	Short-term and permeant stay
Nature of views to be affected	Mixed foreground views of vegetation, Western Distributor, Novotel, ICC Sydney, ICC Hotel and background views of the CBD Skyline (including Centrepont Tower).	Generally restricted views.
Visual impact	Negligible	Low rise - negligible Mid rise - negligible

5.1.3 Ibis Hotel Darling Harbour

The Ibis Hotel is located immediately to the west of the Harbourside Shopping Centre on the western side of Darling Drive (some 40m away at the closest point). It is physically connected to One Darling Harbour (50 Murray Street) at lower and upper levels. Refer to **Figure 6**.

The 2D and 3D modelling views and photomontage images showing existing and future views from the Ibis Hotel in relation to the proposed Harbourside Concept Proposal are included at **Appendix B**.

Existing views from the Ibis Hotel are available from the eastern elevation of the building and can be generally categorised as those occurring at the lower rise levels of the building (generally RL 30 and below), upper-rise levels (above RL 30).

Seven (7) key view locations have been identified analysed. These consist of:

- 2 x 3D model images and 1 x photomontage image at upper levels of the building (north and south ends of the building; and
- 2 x photomontage images and 2 x 3D model images at low rise levels (north and south ends and central).

The location of the selected photomontage views and camera positions are shown on the plan prepared by Rygate included at **Appendix B**.

Existing Views

Existing views from hotel rooms at upper levels on the eastern elevation are almost uninterrupted in a 180 degree field of view.

Existing views at these levels are of the CBD Skyline (north, central and southern CBD), Centrepont Tower, Pyrmont Bridge, and Sydney/Darling Harbour.

The low rise eastern elevation hotel rooms have less expansive water views of Darling Harbour due to existing foreground buildings (namely the existing Harbourside Shopping Centre), with expansive views beyond of the CBD skyline, Centrepont Tower Pyrmont Bridge etc.

The Ibis Hotel does not have external balcony or terrace spaces and therefore existing views and outlook from each room are constrained by the size and orientation of the window. Whilst views are available from a combination of sitting and standing positions in the apartments, views are more expansive when standing.

Proposed Views

The proposed Harbourside Concept Proposal will encroach into the existing Darling Harbour water views, CBD skyline views (including Centrepont Tower) and Pyrmont Bridge views from the analysed hotel rooms and outdoor deck space. This change in view results from the replacement of the existing Harbourside Shopping Centre with a new and taller building envelope (podium and tower). The impacts overall are considered to be negligible-moderate.

The lower levels in particular will have reduced views of valued features compared with upper levels. The re-positioning of the tower element further south and within the centre of the site as part of the amended concept proposal does result in improved view impacts for the Ibis Hotel.

The replacement of the existing Harbourside shopping centre, which is largely an unattractive building with large expanses of roof visible, with a high quality centre that will be of design excellence and include a more appealing roofscape in the form of planting/greenery is considered to be a positive visual impact.

The positioning of the proposed tower element in the central portion of the site allows for retention of easterly and north-easterly water, CBD Skyline (including Centrepont Tower), and Pyrmont Bridge views, especially for upper rise hotel rooms.

Table 12 Ibis Hotel summary view assessment

Element	Category	Comment
Land use classification	Hotel	Short-term
Nature of views to be affected	Views towards CBD Skyline (including Centrepont Tower), Pyrmont Bridge, water views of Cockle Bay/Darling Harbour and Sydney Harbour.	Generally unrestricted.
Visual impact	Negligible-Moderate	Low rise – moderate Upper rise – negligible

5.1.4 One Darling Harbour (50 Murray Street)

One Darling Harbour is located immediately to the west of the Harbourside Shopping Centre on the western side of Darling Drive (some 25m away at its closest northern point and increasing to over 40m away at its southern end). It adjoins the Ibis Hotel to the north and is in close proximity to the western end of Pyrmont Bridge. Refer to **Figure 3**.

Constructed in the early 1990's, the building has been a prominent feature on the western edge of Darling Harbour for some time, although its prominence is reducing given the broader transformation of Darling Harbour and surrounds.

The building is designed with a central north-south corridor (no access to natural light) that provides access to some 14 apartments on a typical level. The building accommodates some 213 two and three bedroom apartments in total.

The 2D and 3D modelling views and photomontage images showing existing and future views from One Darling Harbour in relation to the proposed Harbourside Concept Proposal are included at **Appendix B**.

Existing views from One Darling Harbour are available from the eastern, western and northern elevations of the building and can be generally categorised as those occurring at the low rise levels of the building (generally RL 30 and below), mid-rise levels (RL 30 to RL 50) and high rise levels (generally RL 50 and above).

A total of nine (9) key view locations have been identified and analysed. This consists of:

- 3 x photomontage images (northern end, centre and southern end) at low rise level from apartments 201, 204 and 212;
- 2 x 3D model images and 1 x photomontage image (apartment 504) at mid-rise levels (northern end, centre and southern end); and
- 1 x 3D model image and 2 x photomontage images (apartments 1302 and 1509) at mid-rise levels (northern end, centre and southern end).

In general the images have been taken from the balconies/terraces of the relevant apartments and therefore illustrate the maximum extent of the available view.

Input into the view selection for the original DA submission was provided by One Darling Harbour. Given the building has the closest relationship to the subject site, an iterative and consultative design process was undertaken with residents and representatives of One Darling Harbour in preparing and formulating the Concept Proposal as was originally submitted. This process included shifting the tower element further south (from 25m to 50m away from Pyrmont Bridge) and changing the land use of the tower (from commercial to residential), in part to provide for a slimmer tower.

During exhibition of the Concept Proposal, a significant number of submissions were made by residents of (and on behalf of) 50 Murray Street. Overwhelming, residents (and their engaged consultants) considered (and despite the significant changes Mirvac undertook pre-lodgement) that the Concept Proposal as submitted would result in significant view impacts to a number of apartments within the building.

In light of these submissions, and amongst other factors, Mirvac have revised its Concept Proposal, most significantly relocating the tower element further south and within the centre of the site together with reducing the height of the podium. These key design changes have the express effect of significantly reducing impacts on views experienced by those apartments on the eastern elevation of 50 Murray Street (refer to **Figures 15 and 16**). Any remaining very impacts to 50 Murray Street are considered to be negligible-moderate.

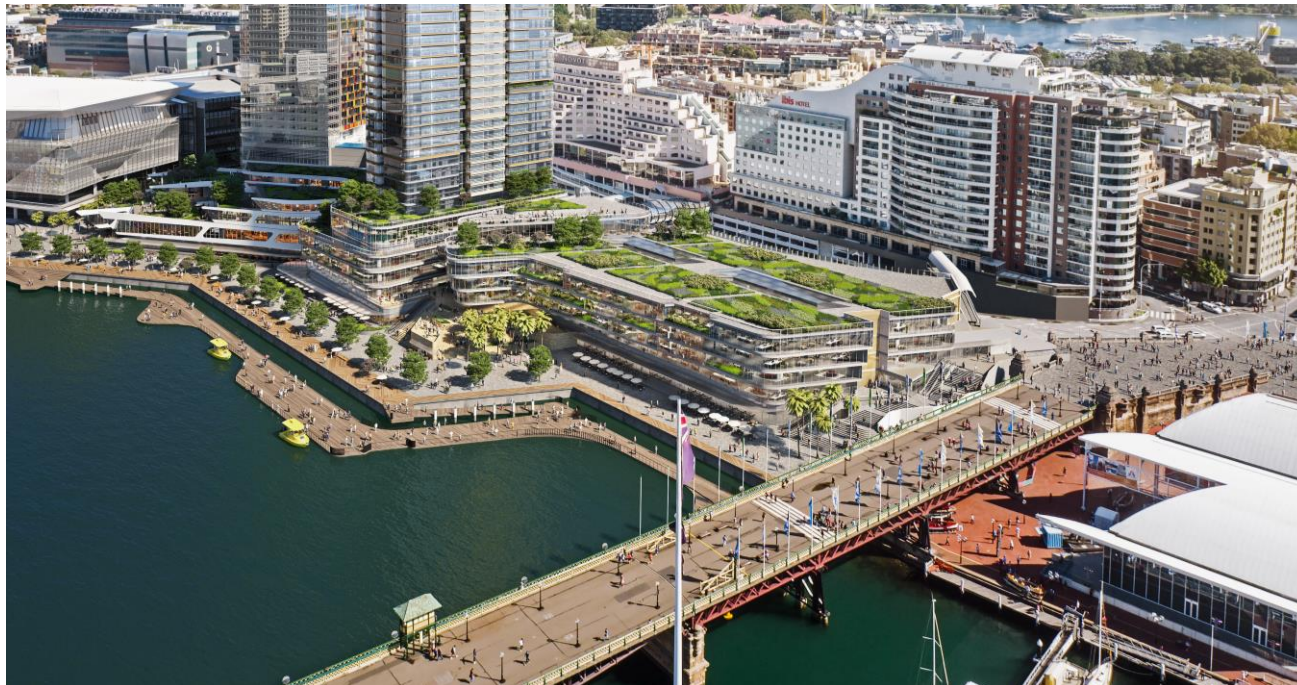


Figure 15 Illustrative high level view of the concept proposal and its relationship to 50 Murray Street

Source: fjmt

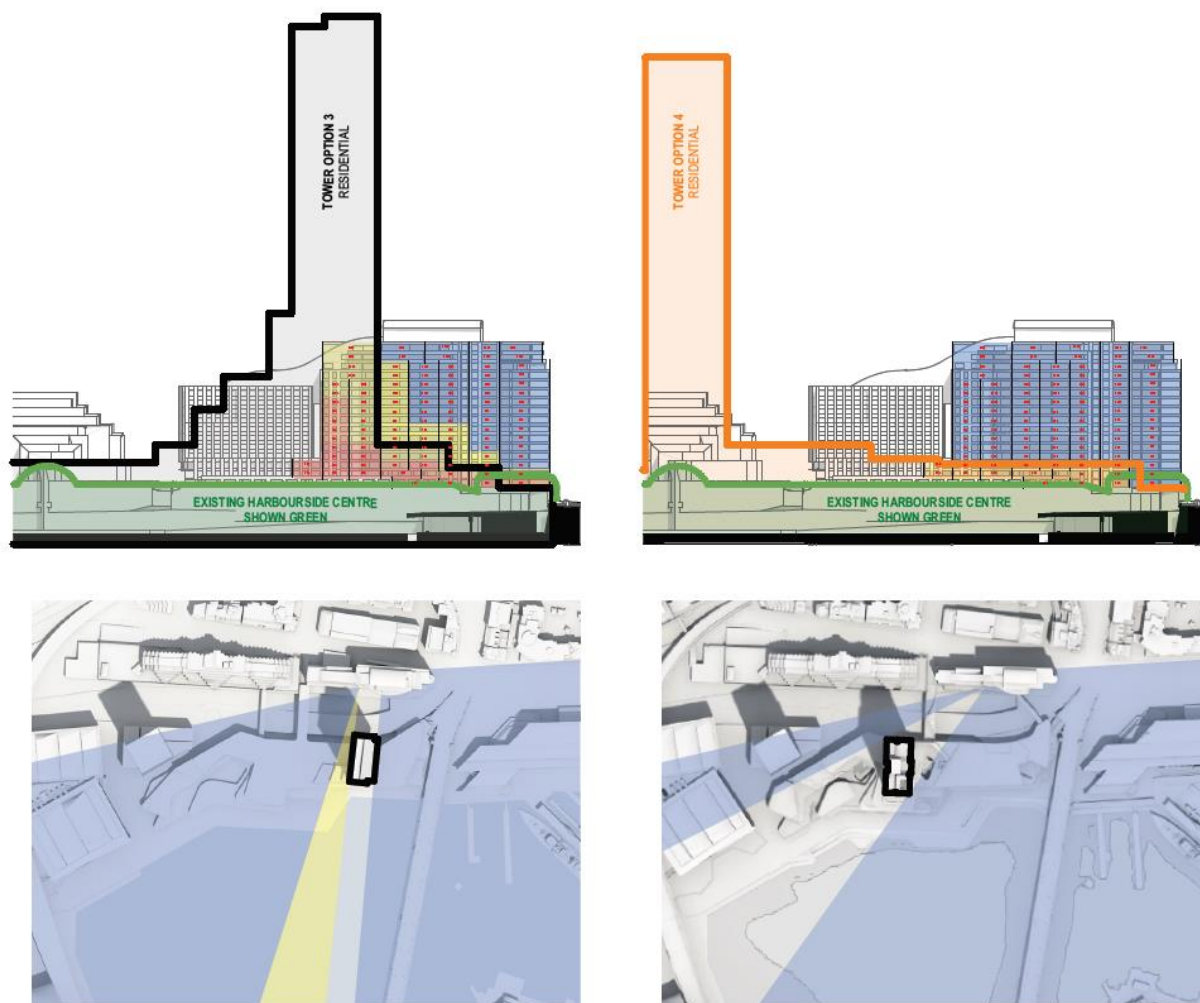


Figure 16 View sharing comparison between original (left) and amended concept proposal (right)

Source: fjmt

Existing Views

Existing views from apartments on the eastern elevation (refer to Figure 7) looking from the mid and high rise levels of One Darling Harbour are almost uninterrupted in a 180 degree field of view.

Existing views at these levels are of the CBD Skyline (north, central and southern CBD), Centrepont Tower, Pyrmont Bridge, and Sydney/Darling Harbour. The lowest level/s of the eastern elevation apartments have more very limited/restricted water views of Darling Harbour due to existing foreground buildings (namely the existing Harbourside Shopping Centre), with expansive views beyond of the CBD skyline, Centrepont Tower, Pyrmont Bridge etc.

All apartments within One Darling Harbour have external balcony or terrace spaces. Whilst internal and external views are available from a combination of sitting and standing positions in the apartments, views are more expansive when standing.



Figure 17 Eastern elevation plan of 50 Murray Street

Source: SHFA

Proposed Views

The Amended Concept Proposal, with one of its main design moves driven to reduce view impacts on 50 Murray Street, means that only a small number of apartments at the lower half of the building (low-mid rise) on the eastern elevation will have existing views impacted in any material way. This is clearly evident in the view impact analysis drawings included at **Appendix B**. On a typical low-rise and mid-rise floor, the change in view impacts effect 7 out of the 14 apartments (i.e. only those apartments with easterly views) – refer to **Figure 18**.

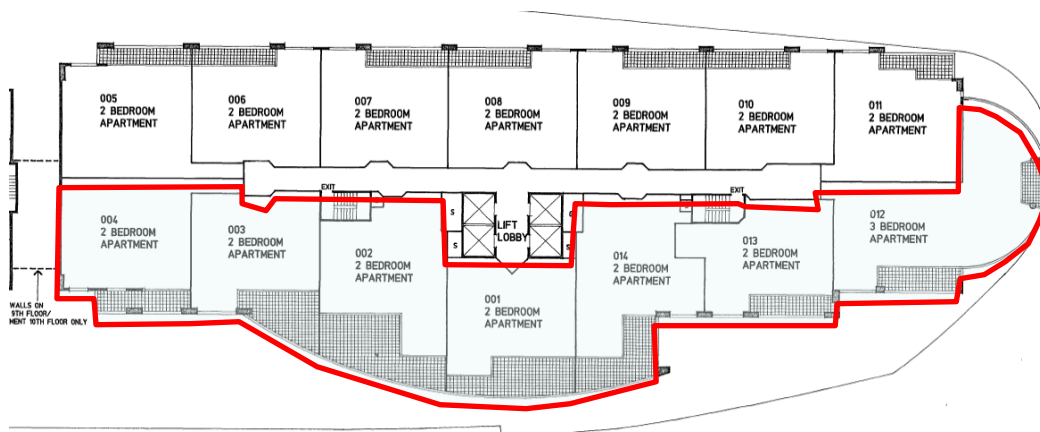


Figure 18 Typical 50 Murray Street tower level apartments that will have an identified change in view impact

Source: SHFA

Northern portion of the building

Apartments at the northern end of One Darling Harbour are unique in that they are all dual aspect, with existing views available both due north and due east. North and north-easterly views (by virtue of the tower element being positioned to the south of these apartments) will be unaffected as a result of the Harbourside Concept Proposal.

Easterly and south-easterly views will change, however the degree of overall impact to mid-rise and upper levels is considered to be minor-moderate. In this regard there will be a reduction in the extent of water views and a replacement of part of the existing southern CBD skyline with the proposed tower element. However, existing views available of the northern, central and majority of the southern CBD skyline, Centrepont Tower and Pyrmont Bridge will be unaffected.

At low rise levels there will be a change in view to the east and south-east associated with primarily the podium element of the proposal (being higher than the existing shopping centre). Views of the CBD Skyline, including Centrepont Tower, will remain (albeit the extent is reduced). The overall view impact to low-rise apartments with a single easterly aspect is considered to be minor. The removal of the redundant monorail structures on the site is expected to provide some limited view benefits to low rise apartments, this is apart from the visual improvements associated with the removal of this existing clutter.

Central portion of the building

Easterly and south-easterly views will change, with the overall impact to mid-rise and upper levels in this location considered to be minor-moderate. There will be a reduction in the extent of water views, a reduction of views to Pyrmont Bridge, and the partial replacement of southern CBD skyline views with the proposed new tower element.

The skilful placement of (in terms of its location within the centre of the site, being south of 50 Murray Street and within the widest part of the site) and slenderness of the proposed tower element significantly assists with minimising view impacts to mid-rise and upper-rise apartments and promotes view sharing.

At low rise levels there will be a change in view to the east and south-east associated with primarily the podium element of the proposal (being higher than the existing shopping centre), with very limited/restricted water views and views of Pyrmont Bridge being impacted. Views of the CBD Skyline, including Centrepont Tower, will remain (albeit the extent is reduced). The overall view impact to low-rise apartments is considered to be moderate-severe. This impact needs to be considered in context however, especially that any reasonable redevelopment proposal of the subject site (noting there are no planning controls that apply in terms of built form) would have a comparable level of impact to that proposed. The impact is also considered reasonable given Mirvac's key objective to rejuvenate a tiered and outdated retail centre with a modern offering that continues the transformation of Darling Harbour and significantly contributes towards the tourist and visitor economy.

Most notably for the central portion of 50 Murray Street, as evident from the below comparison easterly view images from low and high rise (refer **Figures 19** and **20**), the amended proposal results in a significant improvement to views.

Original Concept Proposal



Amended Concept Proposal



Figure 19 Easterly view comparison from 50 Murray Street Apartment Number 201

Source: Virtual Ideas

Original Concept Proposal



Amended Concept Proposal



Figure 20 Easterly view comparison from 50 Murray Street Apartment Number 1302

Source: Virtual Ideas

Southern portion of the building

As above, in relation to the central portion of the building at mid-rise and high-rise levels in the southern end of the building, north-easterly, easterly and south-easterly views will change, with the overall impact considered to be minor-moderate. There will be a reduction in the extent of water views, a partial reduction of views to Pyrmont Bridge, and the partial replacement of the southern CBD skyline views with the proposed tower element. Expansive water, Central (including Centrepont Tower) and north CBD skyline and Pyrmont Bridge views will be retained

The skilful placement of (in terms of its location within the centre of the site, being south of 50 Murray Street and within the widest part of the site) and slenderness of the proposed tower element significantly assists with minimising view impacts to mid-rise and upper-rise apartments and promotes view sharing.

As above for the central portion, low rise levels will experience a change in view to the north-east, east and south-east associated with primarily the podium element of the proposal (being higher than the existing shopping centre), with very limited/restricted water views and views of Pyrmont Bridge being impacted. Views of the CBD Skyline, including Centrepont Tower, will remain (albeit the extent is reduced). The overall view impact to low-rise apartments is considered to be moderate-severe. As noted, this impact needs to be considered in context however, especially that any reasonable redevelopment proposal of the subject site (noting there are no planning controls that apply in terms of built form) would have a comparable level of impact to that proposed. The impact is also considered reasonable given Mirvac's key objective to rejuvenate a tiered and outdated retail centre with a modern offering that continues the transformation of Darling Harbour and significantly contributes towards the tourist and visitor economy.

As evident from the below comparison easterly view images from low and high rise for the southern portion of the building, (refer **Figures 21 and 22**), the amended proposal results in a significant improvement to views.

Original Concept Proposal



Amended Concept Proposal

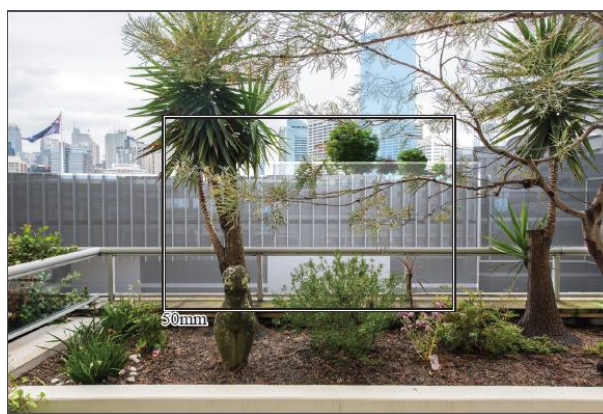


Figure 21 Easterly view comparison from 50 Murray Street Apartment Number 204

Source: Virtual Ideas

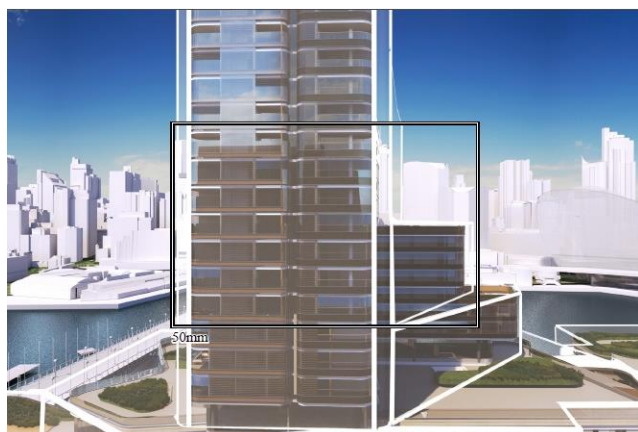
Original Concept Proposal**Amended Concept Proposal**

Figure 22 Easterly view comparison from 50 Murray Street Apartment Number 1303

Source: Virtual Ideas

Summary

The Amended Concept Proposal delivers significant improvements for affected apartments at 50 Murray Street, and is considered to provide reasonable view. Given the highly urbanised location, the existing site constraints, and the functional and commercial requirements that are required to be met in relation to the design of the podium and tower, it is reasonable for the Project to result in some interruption and reduction in some existing water, CBD skyline, and Pyrmont Bridge views to the north-east, east and south-east of adjoining development.

The impacts associated with the development, especially those lower-rise apartments, still provide for reasonable outlook that may nonetheless have a change in 'view', consistent with current planning objectives, strategies, principles and development controls for the CBD which recognise that outlook, as distinct from views, is the appropriate measure of residential amenity within a global CBD context.

Where partial water and CBD skyline views are reduced or removed by the building, it is important to acknowledge that this reduction in view is not simply a result of the height or bulk of the proposed building in itself. Given the position of the Site in relation to the One Sydney Harbour building, other redevelopment options would have a similar impact on views or would increase impacts on other buildings in the vicinity of the Site.

The Amended Proposal has been through an evolution of skilful design and extensive consultation, where the landed concept is considered to balance the reasonable preservation of views and outlook whilst also accommodating the redevelopment of the site for an appropriate and economic mixed-use retail, tourist/entertainment and residential scheme.

In this context, although a view impact to the apartments at One Darling Harbour will arise, the impact is considered to be acceptable and appropriate for its context. View sharing principles are upheld, in so far as the One Darling Harbour development will nonetheless maintain CBD skyline outlook and a balanced retention of views across the One Darling Harbour development is provided.

Further, whilst some apartments at One Darling Harbour will have a change of view on the eastern elevation, expansive almost 360 degree views will remain available for all residents (including those that do not presently benefit from any valued views, i.e. those apartments on the western elevation) from the large communal rooftop terrace (refer to **Figure 23**).



Figure 23 Existing and unaffected communal rooftop view to the north and east

Source: Ethos Urban

Table 13 50 Murray Street summary view assessment

Element	Category	Comment
Land use classification	Residential	Permeant and long-term residents
Nature of views to be affected	Views towards CBD Skyline (including Centrepont Tower), Pyrmont Bridge, water views of Cockle Bay/Darling Harbour and Sydney Harbour.	Generally unrestricted.
Visual impact	Moderate	Low rise: moderate – severe Mid-rise: minor-moderate High-rise: minor-moderate

5.1.5 Gateway Apartments (1 Murray Street)

The Gateway Apartments are located to the north-west of the Harbourside Shopping Centre on the western side of Murray Street (some 100m away). Refer to **Figure 6**. The Gateway Apartments are a 'U' shaped building with a north, east and south predominate orientation. The south-east corner of the Gateway Apartments is the only part of the building with direct views oriented towards the subject site.

A single 2D modelled view showing existing and future Gateway Apartments views from the top floor apartment in relation to the proposed Amended Concept Proposal is included at **Appendix B**. Access to take photomontage images was requested, however access was denied.

Existing Views

Existing views available are of the western entry to Pyrmont Bridge, Maritime Museum, 50 Murray Street, and the existing Harbourside Shopping Centre in the foreground, with the southern CBD skyline and Haymarket Skyline visible in the background. Partial water views are available.

Proposed Views

The proposed Amended Concept Proposal will have a negligible impact on existing views from those apartments on the south-eastern corner of the Gateway Apartments. The change in view in the main relates to swapping existing distant CBD skyline/tower views with the proposed tower element now in the foreground. There is no change in view in terms of views to valued features such as Pyrmont Bridge, with a minor reduction in partial water views.

Table 14 Gateway Apartments summary view assessment

Element	Category	Comment
Land use classification	Residential	Permeant and long-term residents
Nature of views to be affected	Views towards southern CBD Skyline, Pyrmont Bridge, and partial water views of Cockle Bay.	Generally unrestricted.
Visual impact	Negligible	Negligible

5.1.6 ICC Sydney Hotel (Sofitel)

The ICC Sydney Hotel is located fronting Darling Drive adjacent the site to the south. The Hotel was completed in Q2 2017. Refer to **Figure 6**. The building comprises of a podium element (encompassing function/ballroom space, meeting centre, restaurant and bar, gym, and pool and pool deck) and tower (hotel rooms).

3D modelling views showing existing and future views from the ICC Sydney Hotel in relation to the proposed Amended Concept Proposal are provided. (**Appendix B**).

Existing views from the ICC Sydney Hotel of the site are available from the north/north-east eastern elevation of the building and can be generally categorised as those occurring at the low rise levels of the building (generally RL 30 and below), mid-rise levels (RL 30 to RL 80RL) and high rise levels (generally RL 80 and above).

Four (4) key view locations have been identified and analysed. These consist of:

- 2 x 3D model images at low levels at the north-eastern corner of the building;
- 1 x 3D model images at mid-rise levels at the north-eastern corner of the building; and
- 1 x 3D model images at high-rise levels at the north-eastern corner of the building.

Existing Views

Given the buildings height (and relationship to surrounding lower scale built form), location and orientation, expansive views are generally available from the top of the podium to high-rise levels on all sides. Being located to the south of the site, only those existing views north/north east have been analysed. Sydney/Darling Harbour water, Pyrmont Bridge, Central and northern CBD Skyline, and North Sydney/lower north shore views are available.

Proposed Views

The proposed Amended Concept Proposal will have a low to moderate impact on existing views from the ICC Sydney Hotel at podium (pool deck) and above levels.

The change in view in the main relates to a partial reduction in northern Sydney Harbour water views, partial reduction in distant views of North Sydney/lower north shore, a partial reduction in the view of Pyrmont Bridge, and a partial reduction in views towards the northern CBD Skyline.

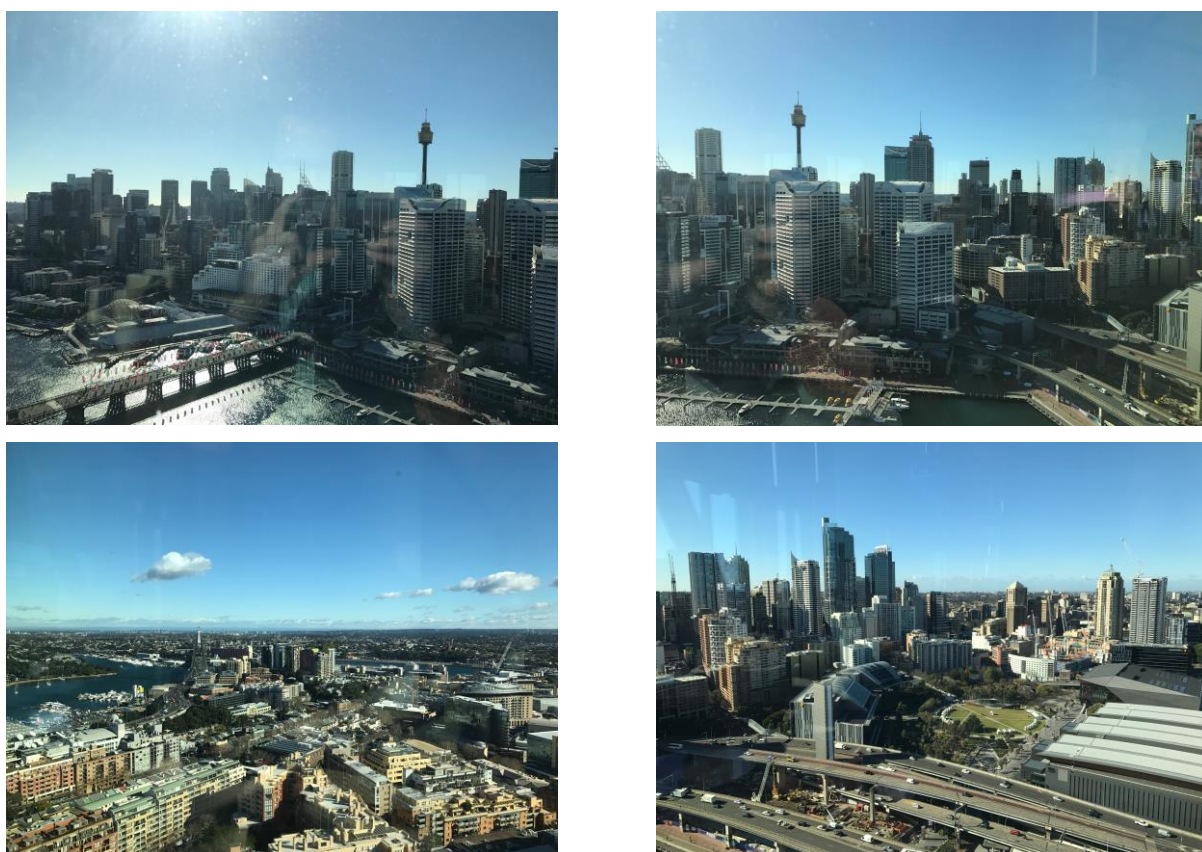
Within the podium levels of the ICC Sydney Hotel, views will more substantially change in light of the increased height of the centre/podium element. Existing partial water, Pyrmont Bridge and northern CBD skyline views will be changed to views of the proposed podium element.

Overall, impacts on views to the ICC Sydney Hotel are considered acceptable. The lower level/podium impacts are greatest however need to be considered in the context of reasonableness, especially a site on the fringe of a global City and having regard to the broader transformation of Darling Harbour.

The degree of impact also needs to consider the land use of the building, being a hotel and used by transient guests and visitors. Further, notwithstanding impacts to some rooms at varying levels across the building, by virtue of the building's height, orientation and location set amongst predominately low-medium scale buildings, there are significant views that remain unaffected by the Amended Concept Proposal (refer to **Figure 24**).

Table 15 ICC Hotel (Sofitel) summary view assessment

Element	Category	Comment
Land use classification	Hotel	Short term
Nature of views to be affected	Views towards northern and central CBD Skyline, Pyrmont Bridge, water views of Cockle Bay and Sydney Harbour, and lower north shore.	Unrestricted
Visual impact	Moderate	Low rise: moderate – severe Mid-rise: low- moderate High-rise: low - moderate

**Figure 24** Extent of typical views available from ICC Hotel

5.2 Secondary Buildings

5.2.1 Renaissance Apartments (73 Union Street)

The Renaissance Apartments are located to the north-west of the Harbourside Shopping Centre on the south-wester corner of Murray Street and Union Street (some 70m away). Refer to **Figure 6**. As a corner building, the Renaissance Apartments have a north, east and south orientation. The east elevation of Renaissance Apartments is the only part of the building with direct views oriented towards the subject site.

A single 2D modelled view showing existing and future Renaissance Apartments views from the upper levels in relation to the proposed Harbourside Concept Proposal is included at **Appendix B**.

Existing Views

Existing views are restricted by virtue of One Darling Harbour Apartments, blocking views of the water and southern CBD skyline. Those views that are available look down along Pyrmont Bridge and harbour, with Central CD skyline (including Centrepont Tower).

Proposed Views

The proposed Amended Concept Proposal will have a negligible impact on existing views from those apartments on the eastern elevation of the Renaissance Apartments. Only partial views of the site (northern end) are available given the position of One Darling Harbour. The change in view in the main relates to swapping foreground views of the existing shopping centre and redundant monorail infrastructure with the proposed new shopping centre podium. The improved relationship of the proposal to Pyrmont Bridge is also clearly visible from this view with a large gap clearly visible between the podium building (illustrative scheme) and Pyrmont Bridge. There is no change in view in terms of views to valued features such as Pyrmont Bridge, water views and central CBD skyline views.

Existing



Amended Concept Proposal

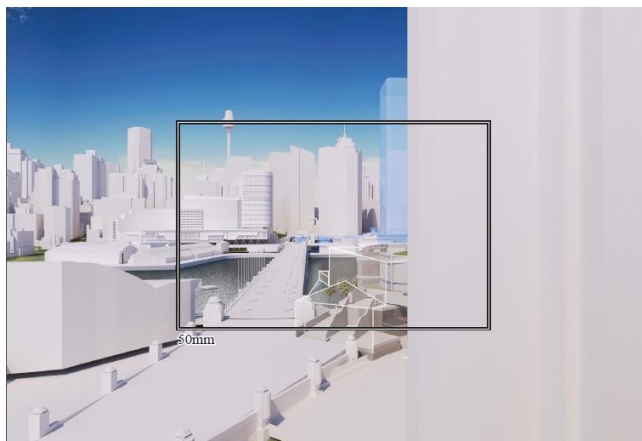


Figure 25 Easterly view from Renaissance Apartments highlighting improved relationship to Pyrmont Bridge

Source: Virtual Ideas

5.2.2 Arena Apartments (32-34 Bunn Street)

The Arena Apartments are located beyond the site to the west on the block bound of Bunn Street, Harwood Street and Harwood Lane (some 120m away). Refer to **Figure 6**. The east elevation and upper level roof terraces of Arena Apartments is the only part of the building with direct views oriented towards the subject site.

A single 2D modelled view showing existing and future Arena Apartments views from the upper levels in relation to the proposed Harbourside Concept Proposal is included at **Appendix B**.

Existing Views

Existing views are restricted by virtue of One Darling Harbour Apartments, blocking views of the water and CBD skyline. Only peripheral views of the northern CBD skyline are available.

Proposed Views

The proposed Amended Concept Proposal will have a negligible impact on existing views from those apartments on the eastern elevation of the Arena Apartments. The change in view relates to the tower element being partially visible above the Ibis Hotel building, partially reducing sky views.

5.2.3 The Phoenix Apartments (117 – 129 Murray Street)

The Phoenix Apartments are located beyond the site to the south-west on the western side of Murray Street. Refer to **Figure 6**. The east elevation of the Phoenix Apartments is the only part of the building with direct views oriented towards the subject site.

A photomontage view showing existing and future Phoenix Apartments views from the roof terrace of Apartment 803 in relation to the proposed Harbourside Concept Proposal is included at **Appendix B**.

Existing Views

Existing views are restricted due to foreground buildings, such as the Novotel and Ibis Hotels, blocking views completely of the water and CBD skyline.

Proposed Views

The proposed Amended Concept Proposal will have a negligible impact on existing views from the upper level apartments/rooftop on the eastern elevation of the Phoenix Apartments. With the relocation of the tower element south and within the centre of the site, it is only partially visible from this view angle. In view angles where the tower will be more readily visible, the change in view relates to a partial reduction in sky views.

5.2.4 Harbour's Edge Apartments (1 – 5 Harwood Street)

The Harbour's Edge Apartments are located beyond the site to the west on the block bound of Harwood Street, Pyrmont Bridge Road, Edward Lane and Little Edward Street. Refer to **Figure 6**. The east elevation of the Harbour's Edge Apartments along with upper level roof terraces is the only part of the building with direct views oriented towards the subject site.

A photomontage view showing existing and future Harbour's Edge views from the communal rooftop space in relation to the Amended Concept Proposal is included at **Appendix B**.

Existing Views

Existing views are restricted due to foreground buildings, such as One Darling Harbour and the Ibis Hotel, blocking views of the water and CBD skyline. Only peripheral views of the northern CBD skyline are available.

Proposed Views

The proposed Amended Concept Proposal will have a negligible impact on existing views from the communal rooftop and those upper level apartments on the eastern elevation of the Harbour's Edge Apartments. The change in view relates to the tower element being visible above the Ibis building, partially reducing sky views.

5.2.5 16 – 30 Bunn Street (Apartments)

The apartment building at 16-30 Bunn Street is located beyond the site to the west on the block bound of Bunn Street, Harwood Street, Edward Lane and Pyrmont Street. Refer to **Figure 6**. The east elevation and private rooftop terraces of the building are the only part of the building with direct views oriented towards the subject site.

A photomontage view showing existing and future views from one of the rooftop terraces at the eastern end of the building in relation to the proposed Harbourside Concept Proposal is included at **Appendix B**.

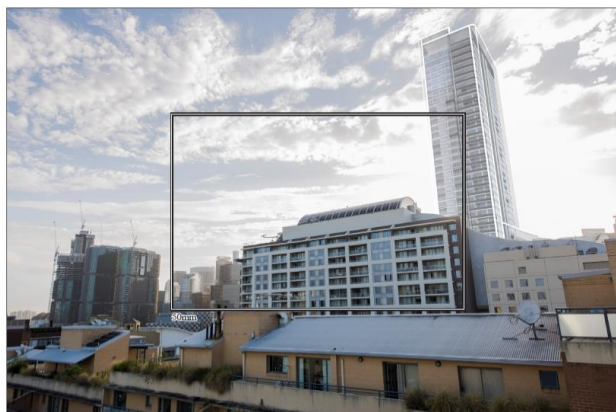
Existing Views

Existing views are restricted due to foreground buildings, such as One Darling Harbour and the Ibis Hotel, blocking views of the water and CBD skyline. Only peripheral views of the northern CBD skyline are available. The top of Centrepont Tower does protrude above The Ibis Hotel.

Proposed Views

The proposed Amended Concept Proposal will have a negligible impact on existing views from the private rooftop terraces and those upper level apartments on the eastern elevation of 16-30 Bunn Street. With the relocation of the tower element south and within the centre of the site, it is no longer visible from this view angle. Its re-positioning also ensures the retention of views towards Centrepont Tower. In view angles where the tower will be visible, the change in view relates to a partial reduction in sky views.

Original Concept Proposal



Amended Concept Proposal

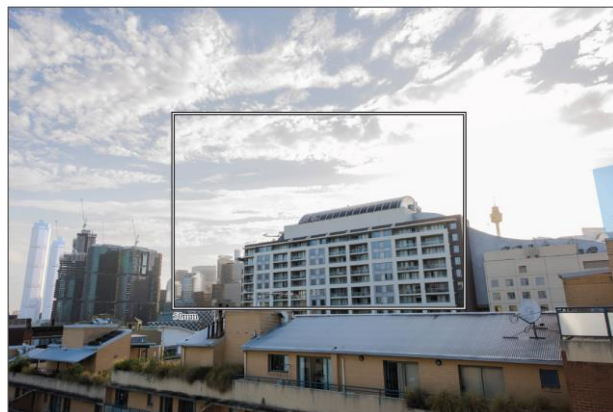


Figure 26 Easterly View from the rooftop of 16 – 30 Bunn Street

Source: *Virtual Ideas*

6.0 Summary and Conclusion

In the planning for the renewal of Harbourside, design emphasis has been placed on the retention and protection of key views and vistas at the street level and generally from or within the public domain from encroachment by the new building forms, and also to the siting and design of the new building in terms of maintaining and opening up views from the public domain to Sydney Harbour. Consideration has also been given to views and outlook available from existing private residences and other adjoining private development and to ensuring view sharing principles are met.

The Amended Concept Proposal includes a range of changes that have resulted in significant improvements to visual and view impacts on both the public domain and from surrounding development.

With respect to the street level public domain:

- Existing important views from the public domain at street level to the most significant and highly utilised public domain spaces within and in close proximity to Harbourside are retained;
- Existing public domain views to key heritage buildings and places are retained, including Pyrmont Bridge; visual connectivity to other heritage items in the vicinity is not significantly affected by the proposed new built form;
- The proposed new tower element continues with the evolution and change to the low scale character of the western edge of Darling Harbour, providing a new iconic building form that seeks to draw Darling Harbour into the wider CBD by redefining the density and height of development on the western side of Darling Harbour;
- Continuous and unobstructed sightlines to the foreshore are maintained to the public, and views to, through and over the site are retained such that the public / pedestrians will continue to enjoy the visual qualities of the harbour and its foreshores;
- The key design principles adopted for the tower will create a strong identifiable form when viewed within the city skyline and at the local pedestrian level;
- The majority of the proposed development footprint is of a low scale form, with the tower carefully positioned within the centre of the site having regard to a range of constraints and opportunities;
- The final resolved land use and floor plate size and tower orientation and positioning provides for a new urban dialogue to be achieved on the western side of Darling Harbour that recognises the site's proximity to the Sydney CBD, and ensures an appropriate relationship and dialogue with the ICC Hotel;
- The positioning of the tower within the centre and widest part of the site, and some 135m away from Pyrmont Bridge ensures that the setting and appreciation of this important heritage item is preserved;
- The tower positioning and form avoids a wall of towers fronting Sydney Harbour, and supports ample sky views and a retained sense of openness on this western CBD fringe;
- The continuation of existing streets into site (e.g. Bunn Street connection) and its connection to an open and inviting rooftop space will establish new sightlines, visual permeability and views and vistas; and
- The creation of the planned accessible rooftop spaces will provide significant new vantage points for people to enjoy views across Darling Harbour and the CBD beyond.

The proposal will not detract from the overall visual connectivity for pedestrians in the public domain nor result in any significant adverse impact. Generally, the affected vantage points are not key places for pedestrians to stop and view the CBD or its skyline, and the wide range of different viewing points available within the Darling Harbour precinct and its approaches will continue to provide for variety and interest in the different views, vistas and sightlines available to pedestrians approaching and moving through the precinct from the north, south, east and west.

Low, medium and high-level views of the sky along streets and from public domain places (parks etc) are retained in a variety of contexts.

A summary of the visual impacts resulting from the Amended Concept Proposal on public domain views is provided within **Table 16**.

Table 16 Summary of Public Domain Visual Impacts from Amended Concept Proposal

Location	Visual Impact/Level of Affect
Barangaroo Foreshore (view 1)	Low-medium
King Street Wharf (view 2)	Low-medium
Market Street (view 3)	Low
Pymont Bridge (view 5, 13 and 14)	Low-Medium
Cockle Bay (view 4, 6, 8, 9, 16, 17 and 18)	Medium – High
Tumbalong Park (view 7)	Low-Medium
Darling Drive (view 10 and 12)	Low
Bunn Street (view 11)	Low
Pymont Bay Park (view 15)	Low-Medium

With respect to private views:

- The siting and design of the proposal (in particular the tower element) has specifically sought to respond to view sharing principles and to provide for the protection of views and outlook from adjoining private development to the greatest extent practicable in a highly urbanised inner city environment.
- The amended proposal has evolved and specifically responds to significant stakeholder feedback, including from 50 Murray Street, with the chosen form of a low scale podium and single tower positioned within the central (and widest part of the site) allowing for view sharing with surrounding buildings.
- The protection and preservation of views has been prioritised for residential buildings, over more transient short-term accommodation buildings.
- For those lower level apartments with the greatest degree of impacts, the proposal (podium and tower elements) is considered to continue to provide for a reasonable 'outlook' – despite there being a change in 'view', consistent with current planning objectives, strategies, principles and development controls for the CBD which recognise that outlook, as distinct from views, is the appropriate measure of residential amenity within a global CBD context. Outlook is retained from all affected apartments with an appropriate distance separation and with space / daylight provided.
- Whilst the proposed development will result in a reduction in, or loss of, some available private views, appropriate view sharing to existing residents of identified primary and secondary buildings is nonetheless achieved.
- Since the submission of the initial concept for the redevelopment of the site, and following community consultation, significant design evolution for the envelope (podium and tower) has occurred. This skilful design evolution has adopted urban design and architectural principles that have resulted in significant improvements in view impacts to adjoining development. The positioning of the tower element within the centre of the site (noting the tower can't go any further south given legal rights offered to the ICC Hotel) and away from being directly in the foreground of views from 50 Murray Street is one such skilful design move.
- The reduction in private views and change in outlook is considered reasonable given the Site's highly urbanised location, the close proximity of the developments to each other, existing Site constraints, and the functional requirements that are required to be met in relation to the design of the new building (particularly a podium design that aligns with expected modern retail offerings).
- There will be a reduction in views available from, in particular, the lower to mid-rise levels of One Darling Drive, the Ibis Hotel and the ICC Sydney Hotel (lower podium levels only) in certain locations and aspects. This results from the creation of a transformed new retail and residential precinct where there is only currently a low rise building in existence. The interruption of existing private views that are currently unimpeded by any development is inevitable in the context of an urban renewal project and is not unreasonable having regard to the highly urbanised global CBD environment of Sydney within which the land is situated. Notwithstanding, the proposed development has accommodated view sharing between and above buildings, and has sought to retain a combination of water, horizon and CBD skyline views by the positioning of the building footprints and configuration of the public domain connections through the site.

- The reduction in private views resulting from the proposal also needs to be balanced by the new/improved public and semi-public viewing areas within the Site that will provide a benefit to the broader population of Sydney and NSW. The new pedestrian bridge, observation deck and waterfront event stair spaces have been designed to enable visitors to the Site to view out from the Site towards the Sydney CBD and Darling Harbour. The enlarged pedestrian foreshore space also provides substantial benefits in terms of views and pedestrian flows around the harbour.
- In terms of view sharing principles the establishment of new facilities that provide for the broader public community to enjoy the waterfront location of Darling Harbour need to be balanced against the retention of views from the private domain. This is consistent with the aims of the Sydney Harbour REP which articulates that the public good (public views) take precedence over private good (private views) where change is proposed on the harbour or within its foreshores.

A summary of the view impacts resulting from the Amended Concept Proposal on surrounding private buildings is provided within **Table 17**.

Table 17 Summary of Private View Impacts from Amended Concept Proposal

Location	View Impact
Primary Buildings	
Novotel Sydney Darling Harbour	Moderate
Oaks Goldsbrough Apartments	Negligible
Ibis Hotel Darling Harbour	Negligible-Moderate
One Darling Harbour (50 Murray Street)	Moderate
Gateway Apartments	Negligible
ICC Sydney Hotel (Sofitel)	Moderate
Secondary Buildings	
Renaissance Apartments (73 Union Street)	Negligible
Arena Apartments (32-34 Bunn Street)	Negligible
The Phoenix Apartments (117 – 129 Murray Street)	Negligible
Harbour's Edge Apartments (1 – 5 Harwood Street)	Negligible
16 – 30 Bunn Street (apartments)	Negligible

It is considered that the Amended Concept Proposal for the redevelopment of Harbourside achieves an appropriate balance between the protection of private views and the protection of public domain views in the delivery of a new world class high quality retail, dining and commercial centre catering for local and tourist markets and new iconic residential tower on the foreshore of Darling Harbour.

Taking into consideration the project in its totality, the development proposed is acceptable in terms of visual and view impacts.