

# Visual Impact Statement

*JBA*

## Visual Impact Analysis



### 241-249 Wheat Road, Cockle Bay (Darling Harbour) Redevelopment of Cockle Bay Wharf

Submitted to NSW Department of Planning and Environment  
On Behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd

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- A** Visual Impact Assessment – Cockle Bay – Stage 1 Development Application  
*Virtual Ideas*

## 1.0 Introduction

This report provides a Visual and View Impact Analysis (VVIA), prepared on behalf of DPT Operator Pty Ltd (DPT), for the staged redevelopment of the Cockle Bay Wharf site within Darling Harbour (SSD 7375).

The Cockle Bay Wharf redevelopment complements the significant investment already made by the NSW State Government in both the redevelopment of Darling Harbour as a global entertainment and tourist destination; and the development of Barangaroo as a world class urban renewal project. The revitalisation of Darling Harbour and the western edge of the Sydney CBD as international business and leisure destinations will be further enhanced by the redevelopment of the Cockle Bay Wharf site – confirming that “NSW is open for business” and reinforcing Sydney’s role as Australia’s gateway to the world.

The Visual and View Impact Analysis is submitted to the Minister for Planning and Environment to accompany a State Significant Development Applications (SSDA) made pursuant to Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The SSDA relates to a Stage 1 Concept Proposal development application (made in accordance with Section 83B of the EP&A Act) and seeks to establish the planning and development framework for the redevelopment of Cockle Bay Wharf and the surrounding area. The Concept Proposal will be the basis for the consent authority to assess future detailed development proposals and seeks approval for:

- up to 12,000m<sup>2</sup> of publicly accessible open space;
- new retail outlets, including new food and beverage destinations;
- new cultural and entertainment destinations; and
- a new commercial office tower.

The Secretary’s Environmental Assessment Requirements (SEARs) dated 23 June 2016 for the project requires that the Environmental Impact Statement addresses the following with regard to views and visual impacts:

- *“Provide a detailed visual impact analysis, which considers the impact of the proposal when viewed from the public domain and key vantage points surrounding the site, including the Sydney CBD, Pyrmont, Darling Harbour and Pyrmont Bridge, including an assessment of any view loss impacts;*
- *Examine and address...view loss...to the surrounding area;*
- *Identify and address the impacts...on the heritage significance of the site and adjacent area, including any built and landscape heritage items, conservation areas, views or settings, and in particular Pyrmont Bridge; and*
- *Include visual and view impact analysis and photomontages.”*

This report considers the visual and view impacts in relation to the Cockle Bay Wharf redevelopment project. It is based on an assessment of the proposed maximum building envelope, and with regard provided to the tower massing options that have been provided for information purposes only. The detailed design of the final buildings within the proposed maximum envelopes will be the subject of a separate planning approval. Any future detailed Stage 2 SSDA will be accompanied by a subsequent Visual and View Impact Analysis that considers impacts associated the actual final form of the development.

The VIA has been prepared with reference to the following:

- Visual Impact Assessment, Cockle Bay – Stage 1 Development Application (Virtual Ideas). Submitted as **Appendix A**;

- Cockle Bay Stage 1 DA – Architectural Design Report & Drawings (FJMT). Submitted under separate cover; and
- Heritage Impact Statement – Cockle Bay Wharf Redevelopment (Weir Phillips Heritage). Submitted under separate cover.
- Environmental Impact Statement – Cockle Bay Wharf Redevelopment Stage 1 DA

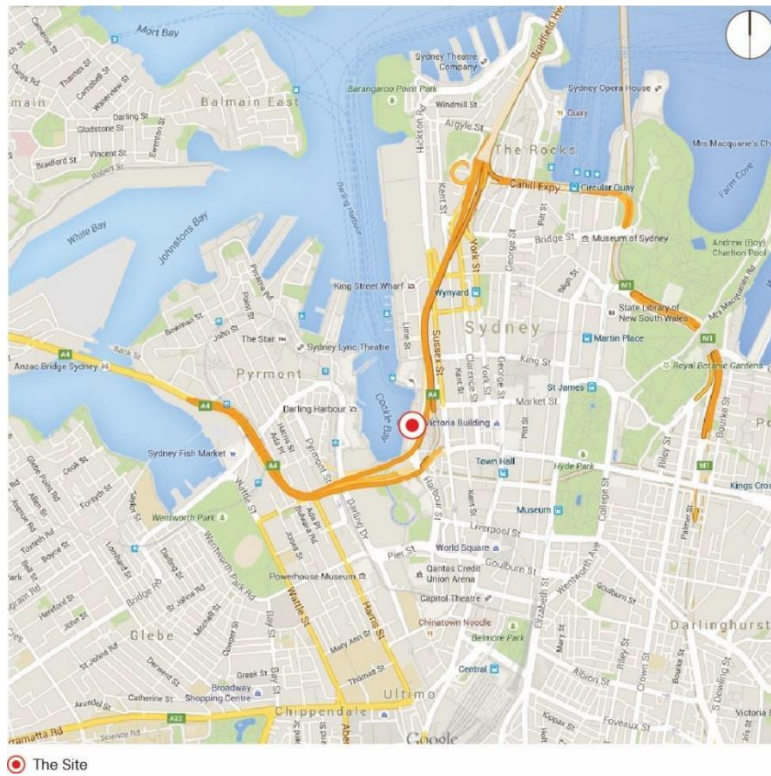
## 1.1 The Site and its Context

The site is located at 241 – 249 Wheat Road, to the immediate south of Pymont Bridge, on the eastern edge of the Darling Harbour Precinct in the City of Sydney Local Government Area (LGA). The site encompasses the Cockle Bay Wharf development, parts of the Western Distributor and Wheat Road, Darling Park and Pymont Bridge.

Darling Harbour is a 60 hectare waterfront precinct on the south-western edge of the Sydney CBD, and to the east of the Pymont Peninsula. Darling Harbour is unique in terms of its function, location, land ownership and physical characteristics, and accommodates a wide range of land uses. These predominantly relate to recreation, tourism, entertainment and business.

Historically, Cockle Bay has been subject to a significant amount of land reclamation and infilling in order to create an artificial valley and shoreline for Darling Harbour. The central valley is open and flat, and runs in a north-south direction from the Cockle Bay Shoreline towards Haymarket. The topography gently rises to the east and west from the valley floor towards ridgelines located in the vicinity of Harris Street to the west and Hyde Park to the east.

As stated above, Darling Harbour is undergoing significant redevelopment including the construction of the Sydney International Convention Exhibition and Entertainment Precinct (SICEEP), Darling Square, and the IMAX and Harbourside renewal projects. The redevelopment of the site will contribute to the realisation of the NSW State Government's vision for an expanded 'cultural ribbon' spanning from Barangaroo, around to Darling Harbour and Pymont. The character of Darling Harbour has been continuously evolving since the 1980s and the built form and urban realm will continue to change as these developments are progressively completed. The site's locational context is shown at **Figure 1** and a site aerial is provided as **Figure 2**.



**Figure 1 – Site Location Plan**  
Source: JBA



Indicative Site Area

**Figure 2 – Indicative Site Area**  
Source: JBA

## 1.2 The Concept Proposal

The purpose of the Concept Proposal is to establish the vision, planning and development framework which will become the basis for the consent authority to assess future development proposals within the site. The Concept Proposal is informed by the Design Report and Architectural Drawings prepared by Francis-Jones Morehen Thorpe (FJMT) Architects and other supporting information submitted with the EIS.

The Concept Proposal includes:

- up to 12,000m<sup>2</sup> of publicly accessible open space;
- new retail outlets, including new food and beverage destinations;
- new cultural and entertainment destinations; and
- a new commercial office tower.

More specifically the Concept Proposal seeks approval for the following:

- Demolition of existing site improvements, including the existing Cockle Bay Wharf, pedestrian bridge links across the Western Distributor, and obsolete monorail infrastructure;
- Building envelopes;
- Land uses across the Site;
- A maximum total Gross Floor Area (GFA) across the Cockle Bay Wharf of 85,000m<sup>2</sup> for commercial development and 25,000m<sup>2</sup> for retail (including food and beverage) development;
- Car parking rates to be utilised in subsequent detailed (Stage 2) Development Applications); and
- Built Form, Urban Design and Public Realm Guidelines to guide future development and the public domain.

### 1.2.1 The Proposed Building Envelope

The proposed building envelope is the critical element for the purpose of the visual impact assessment. FJMT has derived the proposed building envelope by meeting key urban design considerations including:

- the design quality of the building including massing, building articulation, material and finishes.
- the height, bulk and scale of the new building particularly within its local context being in a major entertainment and cultural precinct on the edge of the CBD.
- the building's interface with the public domain and public domain treatments.
- facade treatments, building articulation and materials and finishes.
- relationship to adjacent precincts within Darling Harbour.
- visual impact including assessment of view impacts from nearby residential buildings and the impact on views and vistas to and from the Darling Harbour precinct.
- physical and visual connections between the city and Darling Harbour and treatment of the motorway.

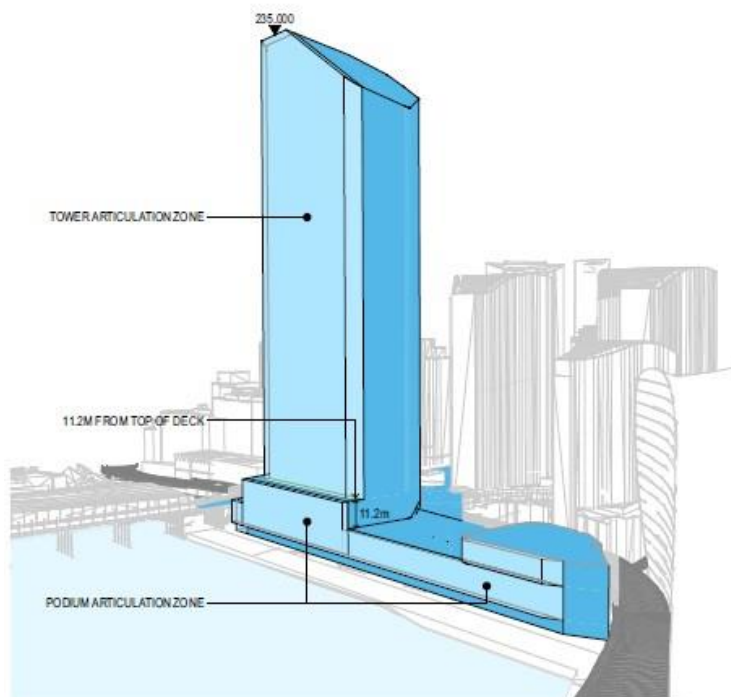
These considerations have derived a maximum building envelope. A maximum building envelope is proposed to provide flexibility to support a range of potential



tower forms as part of any future Stage 2 SSDA. FJMT has established a series of Design Guidelines that will apply to any future detailed design, namely:

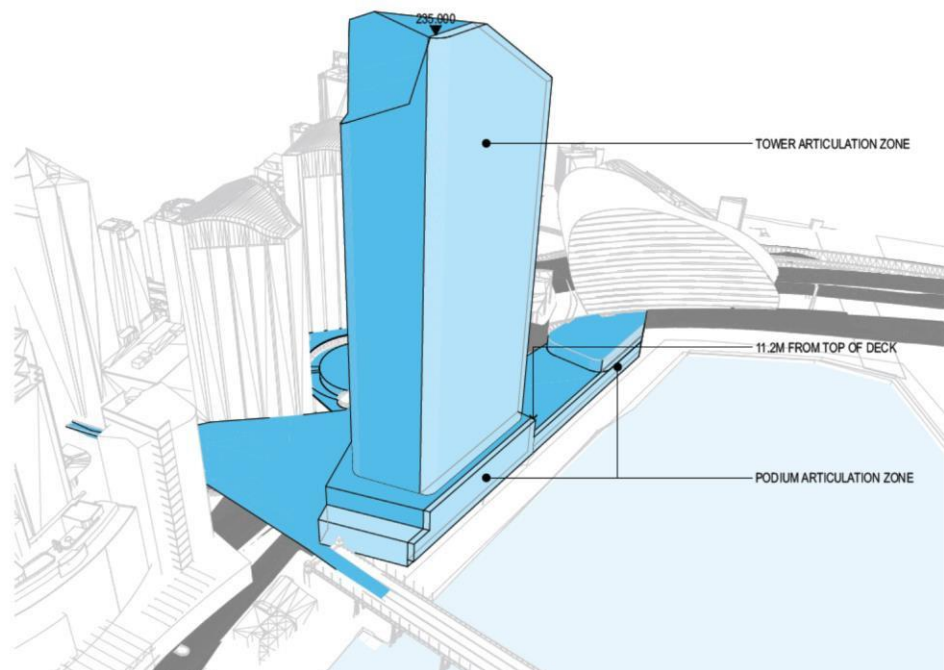
- Built-form to remain within the existing building footprint at ground level;
- Between level 1 and the top of the deck level a podium articulation zone of 3m allows for a variable encroachment into the air space above the promenade. A maximum of 40% of the podium articulation zone on any one level is permitted to be utilised by a future development in order to provide articulation and ensure that a single wall of development does not front the foreshore.
- An accessible deck level will provide open space and visual connections between Market Street and Darling Harbour. The pedestrian pathway should cascade down to Cockle Bay waterfront, creating a through-site-link between the CBD and the Harbour.
- Built-from above the deck level will be focussed to the north of the Site in order to minimise overshadowing of publicly accessible open space to the south.
- A single slender tower form should be developed within a maximum depth of 65m, a maximum of 60% of the proposed envelope should be used to minimise visual/view impacts to the CBD.
- The future tower should be set back from the maximum edge of the podium by 6m (3m from the existing lease boundary). An average setback of 8m should be provided to visually separate the tower from the podium and deck levels.
- Development at the south of the Site will be limited to a single storey above the deck level. A roof feature is permitted up a maximum height of RL 38m to reflect the height of the Exhibition Centre, which is currently under construction on the opposite side of Cockle Bay.

The maximum building envelope is illustrated in **Figure 3** and **Figure 4**. FJMT have provided three Stage 2 tower massing options (refer to **Figure 5** – **Figure 13**). The massing options have been included in the VVIA to demonstrate how a slender tower form with a maximum depth of 65m and utilising only 60% would sit within the maximum building envelope.



**Figure 3** – Proposed Maximum Building Envelope looking north-east  
Source: FJMT



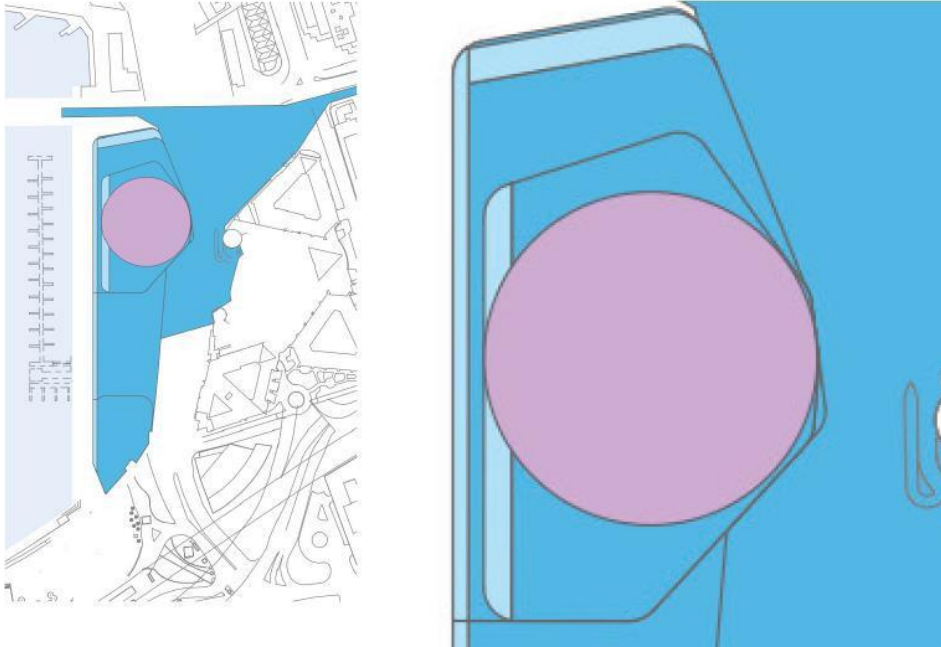


**Figure 4** – Proposed Maximum Building Envelope looking south-east  
*Source: FJMT*

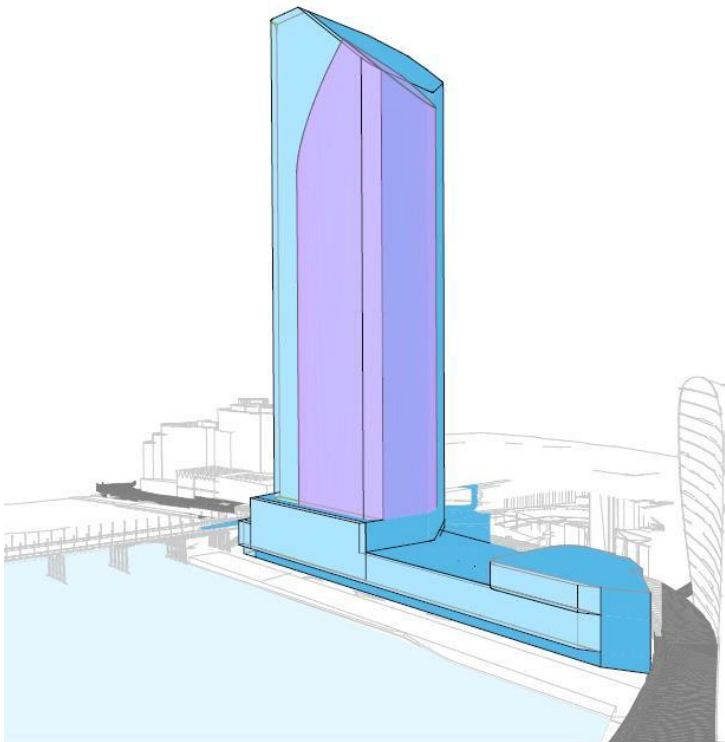


## Circle Massing Option

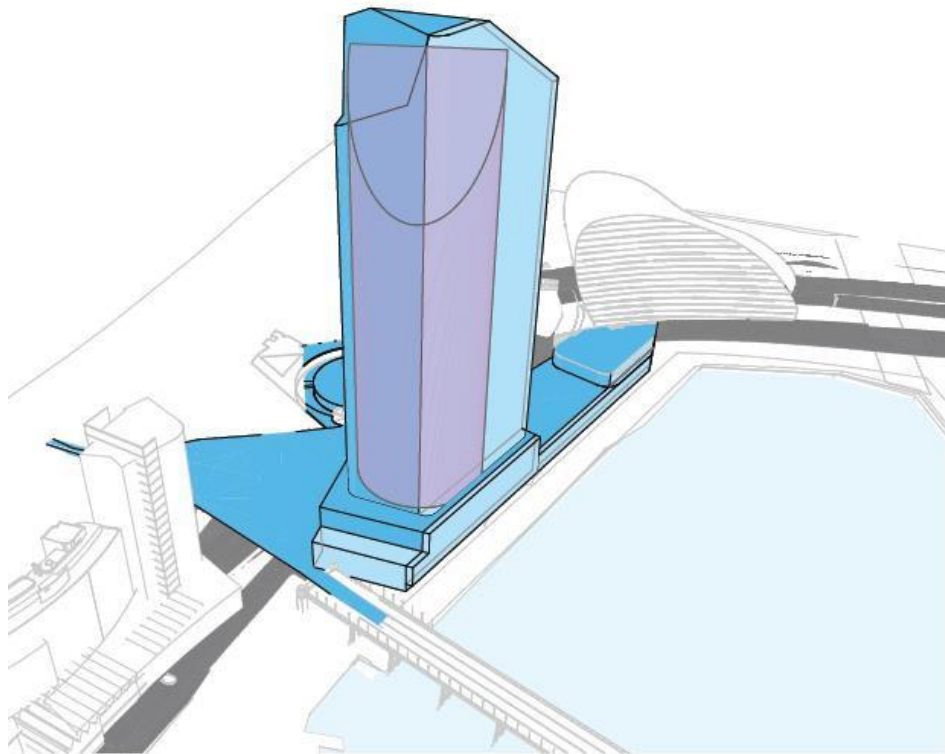
The following figures illustrate the how the circle tower is proposed to sit within the maximum envelope. In the images below the future built form is shown in pink and the maximum building envelope is shown in blue.



**Figure 5** – Circle massing footprint  
Source: FJMT



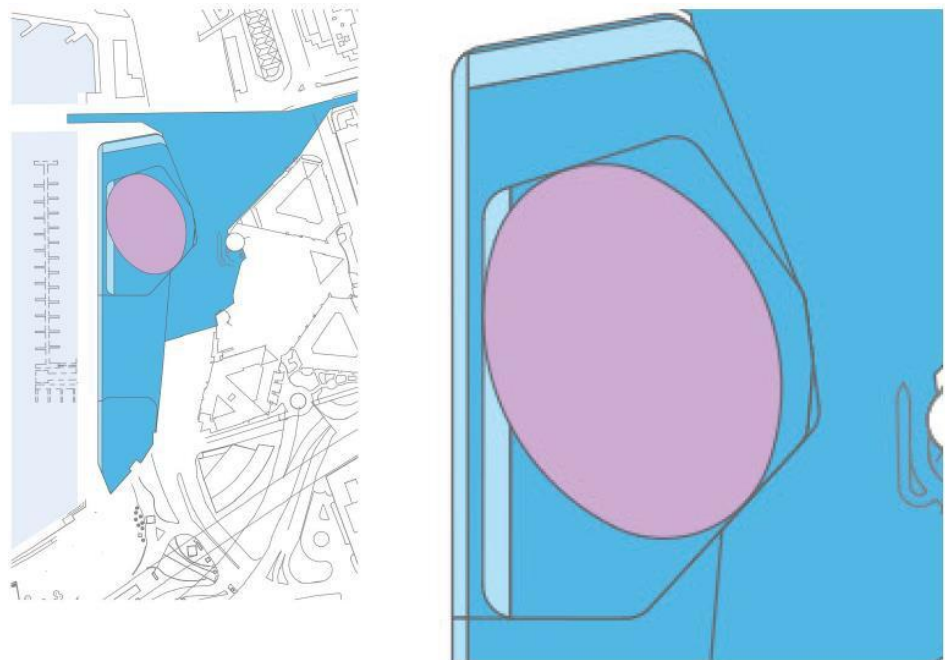
**Figure 6** – Circle massing looking north-east  
Source: FJMT



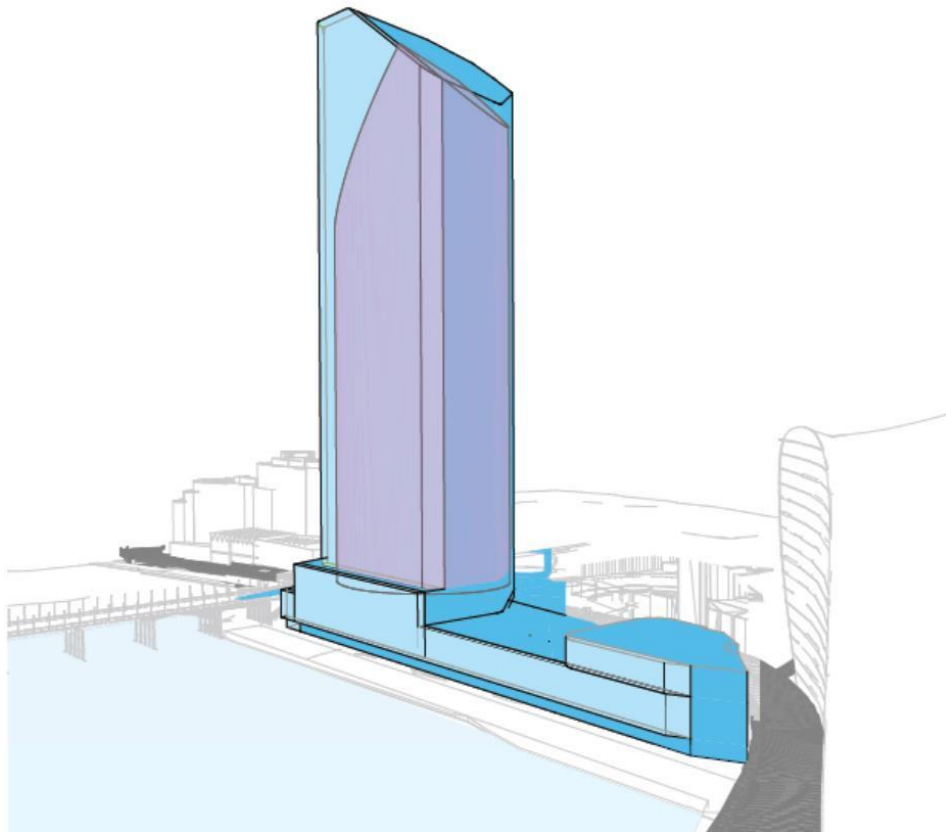
**Figure 7** – Circle massing looking south east  
*Source: FJMT*

### Ellipse Massing

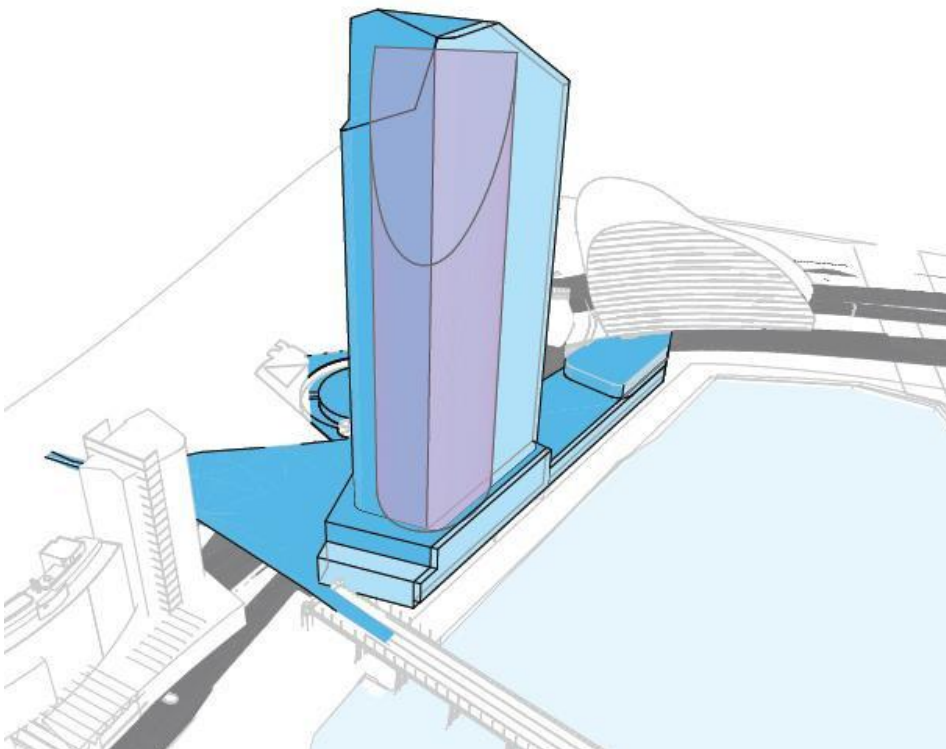
The following figures illustrate the how the ellipse tower is proposed to sit within the maximum envelope.



**Figure 8** – Ellipse massing footprint  
*Source: FJMT*



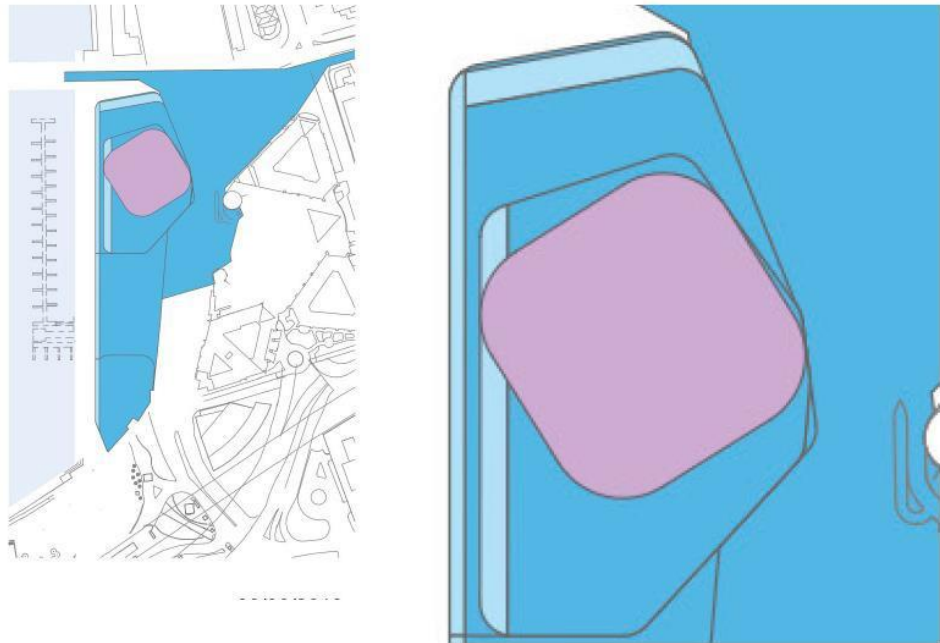
**Figure 9** – Ellipse massing looking north-east  
*Source: FJMT*



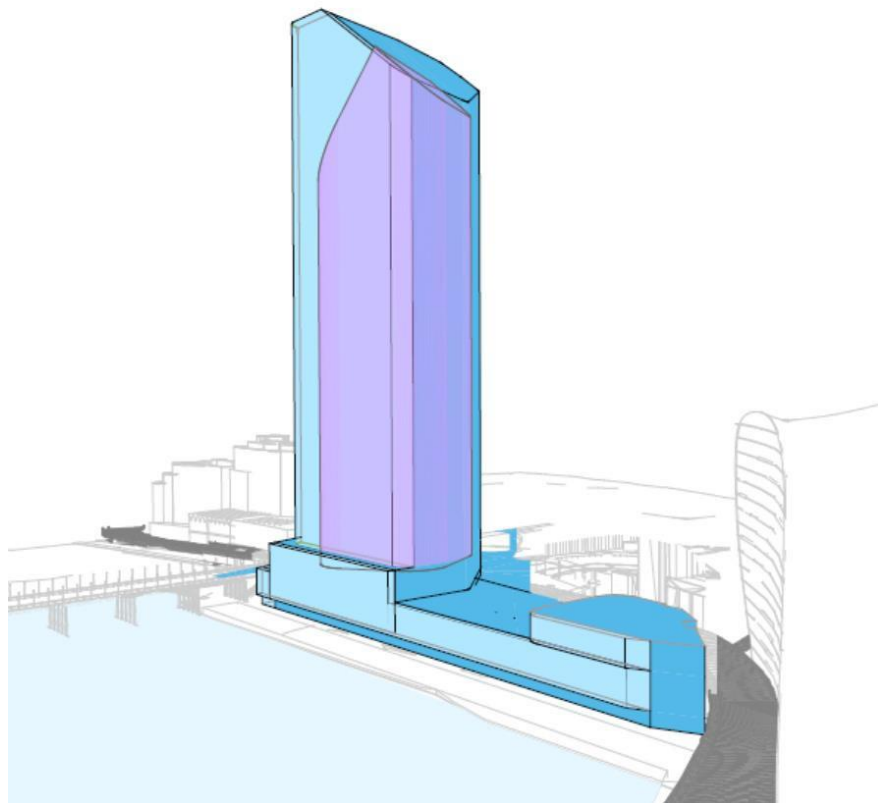
**Figure 10** – Ellipse massing looking south-east  
*Source: FJMT*

## Square Massing

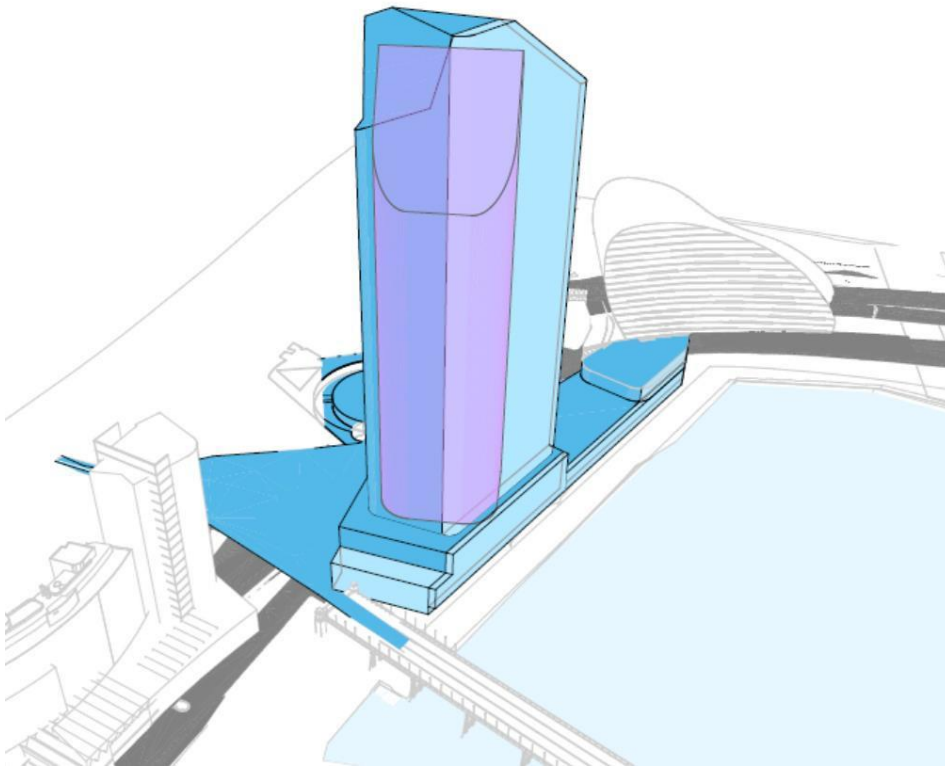
The following figures illustrate the how the square tower is proposed to sit within the maximum envelope.



**Figure 11** – Square massing footprint  
*Source: FJMT*



**Figure 12** – Square massing looking north-east  
*Source: FJMT*



**Figure 13** – Square massing looking south-east

Source: FJMT

The tower massing options prepared by FJMT demonstrate that a tower form utilising a maximum of 60% of the proposed envelope, and with a maximum building depth of 65m, occupies significantly less mass than the proposed maximum envelope. It is believed that the maximum GFA sought can be achieved within this volume.

## 1.3 Methodology

### 1.3.1 Visual Analysis

To support the visual analysis key public domain views, view corridors and public vantage points within and surrounding the site have been identified. The selection of vantage points has also had regard to the location of existing heritage items within the vicinity of the site that are visible from the public domain including Pyrmont Bridge, the Corn Exchange Building, the Shelbourne Hotel, and the former 'Foley Bros', 'Central Agency' and 'Archway Terrace' warehouses.

Building envelope photomontages have been prepared for a total of 16 public domain views and vantage points. The locations of the photomontage images and direction of view are shown on **Figure 14**.

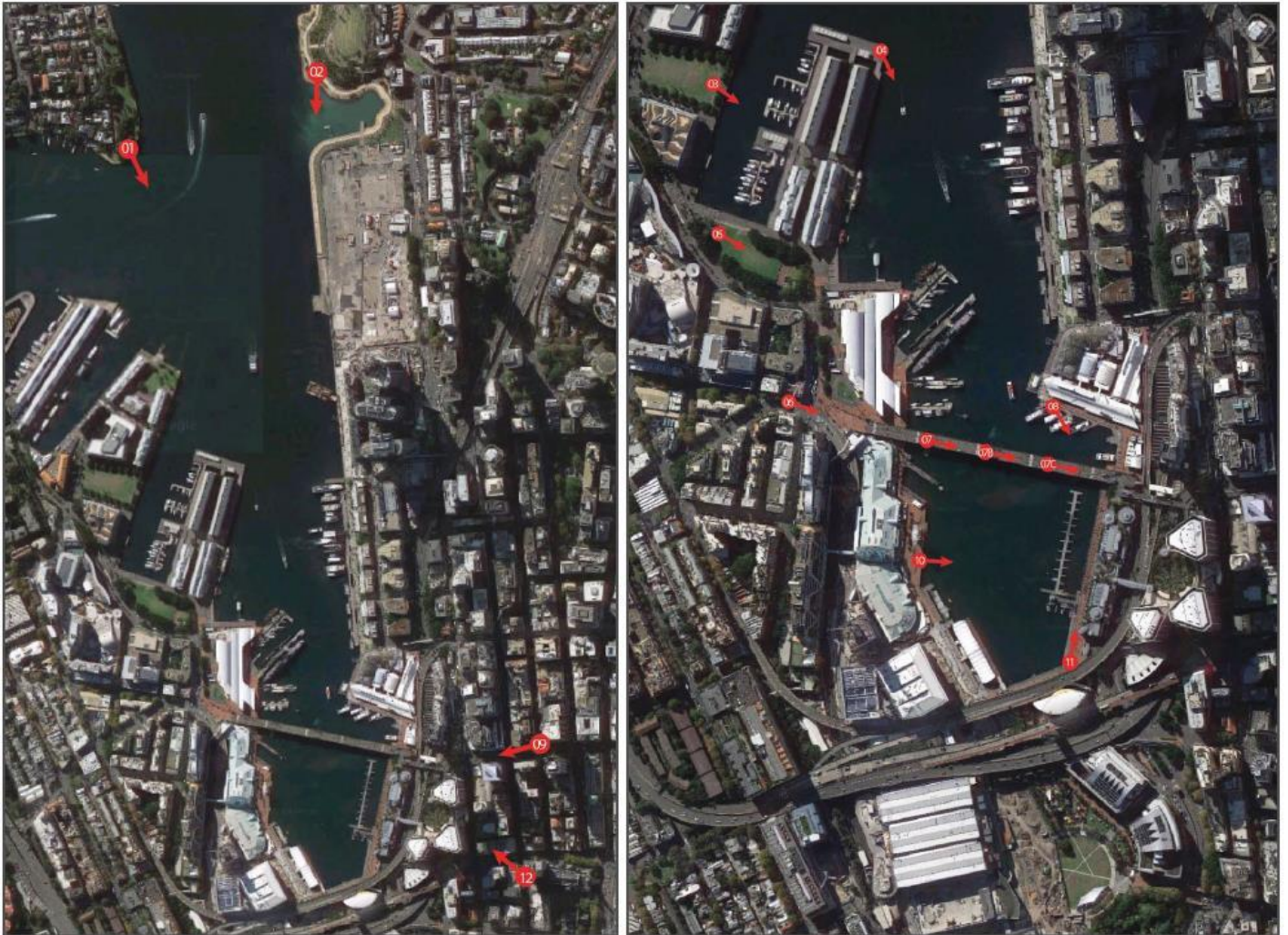
The photomontage images for each of the identified public domain views have been taken at ground level (pedestrian eye level) to indicate what a pedestrian will see when travelling through or within the general vicinity of the site and its surrounds.

The photomontage images have been produced using a variety of camera lens sizes and have been prepared in respect of Land and Environment Court (LEC) proceeding no. 10884/14 in accordance with the LEC's practice directions. The photo positions have been surveyed by a registered surveyor (C.M.S Surveyors).



To provide future context where relevant, the photomontages include the following buildings that are approved or proposed:

- 115 Bathurst Street (Greenland Centre);
- 505 George Street;
- Crown Casino and Hotel, Barangaroo;
- Residential Towers, Barangaroo,
- IMAX Redevelopment (The Ribbon), Darling Harbour; and
- ICC Sydney Hotel, Darling Harbour.



**Figure 14** – Visual Analysis Camera Locations (public domain views, view corridors and vantage points)

Source: *Virtual Ideas*

### 1.3.2 Residential View Analysis

Investigations have identified the residential building at 222-228 Sussex Street, Sydney as being the only residential building in the immediate vicinity that may be subject to private view loss as a result of the proposed development. An assessment of the view loss impact from this address is included as Section 4.0. Private view loss from 222-228 Sussex Street is limited by the location of the tower element of the Concept Proposal in relation to the existing Darling Park buildings. The maximum building envelope has been designed to minimise impact on the existing view corridor to Darling Harbour between Darling Park Tower 1 and

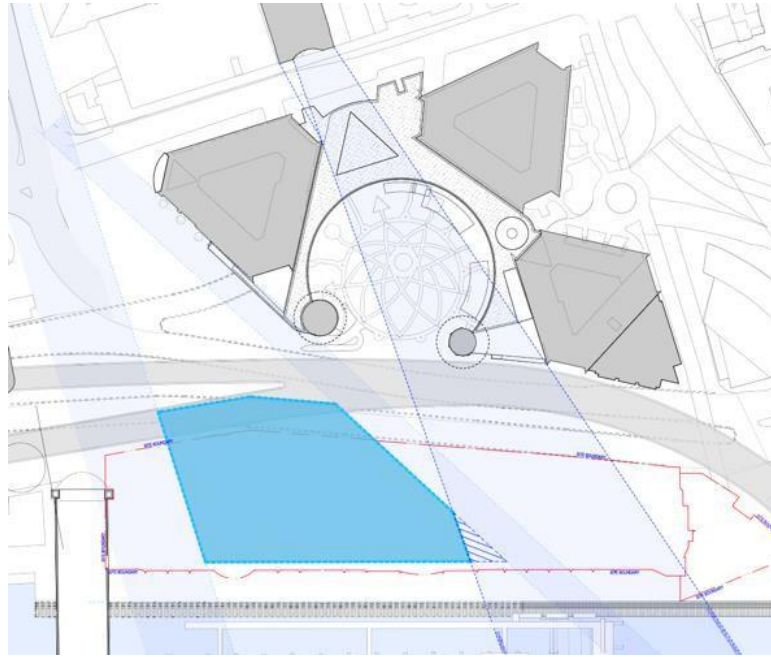
2 (refer to **Figure 15** and **Figure 16**). There a number of other buildings (hotels, residential and serviced apartments) on the western edge of Darling Harbour and Pyrmont that have private views east to the CBD skyline, namely:

- 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)
- 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 ICC Sydney Hotel (under construction) is the closest of this group of buildings to the development site being approximately 340 metres away. In this regard, the proposed development is considered to be sufficiently separated from the buildings to be interpreted as part of the CBD skyline and will not result in any adverse impact on their outlook or result in an unacceptable loss of views. This is consistent with the approach to view sharing outlined by the City of Sydney in the recently published draft Central Sydney Planning Strategy (refer to Section 2.3). Therefore, the detailed modelling of the available views from the buildings listed above was not undertaken as part of this VVIA.



**Figure 15** – 222-228 Sussex Street – private view corridor  
Source: FJMT



**Figure 16** – 222-228 Sussex Street – private view corridor  
Source: FJMT

## 1.4 Report Structure

This report is structured as follows:

Section 2 identifies the various relevant and pre-existing planning principles with respect to views, view sharing and outlook including those contained within the City of Sydney Council Development Control Plan 2012; Sydney Regional Environmental Plan 2005 and the Infrastructure NSW SICEEP Urban Design and Public Realm Guidelines.

Section 3 provides a visual impact analysis for the Cockle Bay Wharf Stage 1 maximum envelope in relation to the public views, view corridors and vantage points around the site.

Section 4 provides a View Loss Assessment from the identified residential building at 222-228 Sussex Street.

Section 5 provides a conclusion.



## 2.0 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 and the draft Central Sydney Planning Strategy. 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 Central Sydney LEP 2012 have been considered.

### 2.1 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 SICEEP 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.

### 2.2 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 Cockle Bay Wharf 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 amongst other things, the public good (such as public views) will have precedence over private good (private views) where change is proposed on the Harbour or within its foreshores.

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 Concept Proposal will allow future development that will allow for greater enjoyment of the Cockle Bay Waterfront.

#### 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 Concept Proposal has been to protect, retain and enhance significant public domain views and view corridors.

## 2.3 Infrastructure NSW SICEEP Urban Design and Public Realm Guidelines

The Infrastructure NSW SICEEP Urban Design and Public Realm Guidelines Infrastructure NSW's aspirations and expectations for the redevelopment of Darling Harbour. The key provisions of the Infrastructure NSW SICEEP Urban Design and Public Realm Guidelines that are of specific 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:

- *Deliver world-class core functions of convention, exhibition and entertainment facilities that exceed the expectations of domestic and international visitors:*  
*and*
- *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.
- 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 Concept Proposal is unlikely to undermine the achievement of these objectives. Further assessment against these objectives can be undertaken during the Stage 2 development application.

## 2.4 Sydney Development Control Plan 2012

Sydney Development Control Plan 2012 does not apply to the Cockle Bay Wharf 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.”*

## 2.5 Draft Central Sydney Planning Strategy

The Draft Central Sydney Planning Strategy does not apply to the Cockle Bay Wharf site as it is outside the area to which the Sydney LEP 2012 currently applies.

The Draft Strategy places emphasis on protecting public domain views and reduces the importance of private views from within Central Sydney and surrounds. This is reflected in the proposed amendments to Sydney LEP 2012 and Sydney DCP 2012, which were released with the 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.”*

## Proposed Amendments to Sydney LEP 2012

Proposed amendment to Clause 4.3:

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

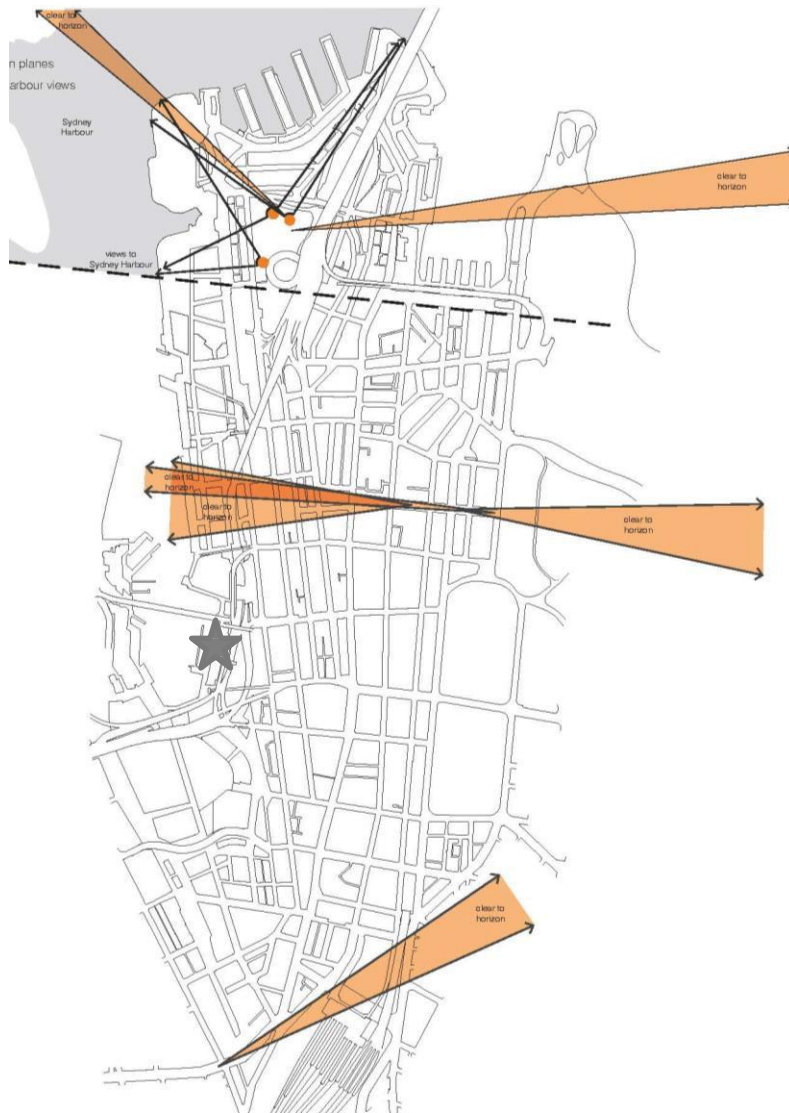
New Clause to be added:

*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 are protected.”*





**Figure 17** – Proposed Sydney LEP 2012 new public domain view protection controls (site marked with a star)

Source: City of Sydney Council

As shown in **Figure 17** the Concept Proposal will not have any impact on any of the public view corridors identified within the Draft DCP.

## 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.”*



## 3.0 Visual Analysis

The location of the photomontage images for each of the 16 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 this report the public domain views have been identified as follows:

- Peacock Point, Balmain East (view 1);
- Barangaroo Headland Park (view 2);
- Metcalfe Park, Pyrmont (view 3);
- Wharf 7, Pyrmont (view 4);
- Pyrmont Bay Park (view 5);
- Corner of Murray Street and Union Street, Pyrmont (view 6);
- Pyrmont Bridge (view 7A, 7B and 7C);
- Darling Harbour Pier 26 (view 8);
- Market Street (view 9);
- Harbourside and Cockle Bay (views 10 and 11);
- Corner of Kent Street and Druitt Street (view 12); and
- Tumbalong Park (view 13A and 13B).

The following section provides a visual and view analysis in relation to each of these key areas in relation to the development proposed.

### 3.1 Peacock Point, Balmain East

A photomontage image of the Cockle Bay Wharf Concept Proposal viewed from Peacock Point is included at **Appendix B** (view 1).

Peacock Point is located approximately 1.36 km north west of Cockle Bay Wharf. It is a significant public vantage point on the Balmain peninsula and provides expansive, uninterrupted, panoramic views east across the Harbour, capturing the Sydney CBD skyline, the Harbour Bridge and Luna Park. Existing public domain views towards Cockle Bay Wharf look south east over the Harbour towards Barangaroo and King Street Wharf and beyond to Darling Park and Pyrmont Bridge. The Jones Bay Wharf, Darling Island Wharf and Pyrmont Bay Wharf are in the middle ground to the immediate south of Peacock Point. The broad view is characterised by relatively low scale development at the Harbour foreshore with the taller Barangaroo South towers forming a prominent landmark to the east. The CBD skyline forms a backdrop with the open sky punctuated by CitiGroup and World Square towers to the south east and the Peak Apartments tower to the south. The ICC Sydney Hotel (under construction) punctuates the lower scale western skyline. Distant views to Pyrmont Bridge are partially obstructed by King Street Wharf to the east and Pyrmont Wharf to the west.

The existing Cockle Bay Wharf development is set behind Pyrmont Bridge and is not visible from Peacock Point. The Cockle Bay Wharf Concept Proposal will change the urban form when viewed from Peacock Point and will be a highly visible and distinct addition to the CBD skyline that will frame the western CBD skyline providing an appropriate counterpoint to the commercial towers and future casino further north at Barangaroo. The photomontage illustrates that the tower element will sit comfortably within a collection of towers that includes the

Greenland Centre at 115 Bathurst Street and the proposed residential development at 505 George Street.

The Cockle Bay Concept Proposal significantly increases the scale and massing adjacent to Pyrmont Bridge when viewed from Peacock Point. While it is distant, Pyrmont Bridge is considered to have sufficient visual strength in the landscape to maintain its horizontal presence when viewed from Peacock Point.

Notwithstanding the above, the Cockle Bay Wharf Concept Proposal will permanently change the scale and height of the south eastern urban form of the Darling Harbour precinct. Most notably, the proposed tower element of the proposal will be seen adjoining and in the foreground of the Sydney CBD skyline.

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, Star Casino redevelopment, and Harbourside 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 will be 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 striking and highly visible and distinct building that will frame and enclose the Darling Harbour waterway setting in a way that responds to the Crown casino and hotel and will complement the ICC Sydney Hotel and the future Harbourside redevelopment. It aligns with an emerging new character and condition on the Harbour's edge and the broader Pyrmont and Haymarket locale. It will define and activate the eastern 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, identifying an eastern gateway for the re-designed and re-invigorated waterfront precinct.

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. Its height and form create a focal point in the eastern entrance to the precinct, and it has been designed to become a landmark tower within the broader Sydney CBD context.

### 3.2 Barangaroo Headland Park

A photomontage image of the Cockle Bay Wharf Concept Proposal viewed from Barangaroo Headland Park is included at **Appendix B** (view 2).

The Barangaroo Headland Park is a significant new public open space at the northern edge of the Barangaroo precinct. It is located approximately 1.5km north of Cockle Bay Wharf. The existing views from the Headland Park are extensive, panoramic and uninterrupted across the water to the north, south-west and west. The key views from Headland Park capture Luna Park, Blues Point, and Goat Island to the north and north west; and Balmain East, Johnstons Bay to White

Bay, Jones Bay Wharf, Darling Island Wharf and Pyrmont Wharf to the west and south-west.

The existing view south towards Cockle Bay Wharf is immediately obscured by the commercial towers at Barangaroo South. The photomontage demonstrates that the Concept Proposal will not be visible from the Headland Park public domain and will have no visual impact on the public domain in this location.

### 3.3 Metcalfe Park, Pyrmont

A photomontage image of the Cockle Bay Wharf Concept Proposal viewed from Metcalfe Park is included at **Appendix B** (view 3).

Metcalfe Park is a public domain area located approximately 800m north-west of Cockle Bay Wharf. The Park is generally bound by views to the adjacent 5 – 6 storey commercial buildings to the north, south and west, although the planned 215m Star casino tower to the south will change the scale of development in the immediate vicinity.

The existing public domain view from Metcalfe Park east towards the CBD looks across Pyrmont Bay to Pyrmont Wharf in the foreground then to the CBD skyline beyond. The view is open and expansive and the CBD skyline is relatively distant and forms the backdrop to the water and the wharf which are the predominant elements of the view.

The existing Cockle Bay Wharf development is not visible from the Park. The view from Metcalfe Park in the photomontage is looking south east towards Cockle Bay Wharf. In this context the Cockle Bay Wharf Concept Proposal will read as a tall but relatively slender tower within the maximum tower envelope. It is separated from the Park by approximately 800m including the water and the wharf which reduces its visual impact. 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 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 Metcalfe Park.

### 3.4 Wharf 7, Pyrmont

A photomontage image of the Cockle Bay Wharf Concept Proposal viewed from Wharf 7, Pyrmont is included at **Appendix B** (view 4).

Wharf 7 (Pyrmont Bay Wharf) is located north-west of Cockle Bay Wharf and accommodates a wide public boardwalk approximately 270m in length. The Cockle Bay Wharf is approximately 510m from the southernmost point on Wharf 7. Open and expansive public domain views across Darling Harbour to its eastern foreshore and the CBD skyline are available along the entire length of Wharf 7. The existing view across the water south-east towards Cockle Bay Wharf captures the King Street Wharf, the Sydney Zoo and Aquarium on the foreshore with the CBD skyline as a backdrop. Pyrmont Bridge is visible in the landscape; however, it

is obscured by the watercraft moored at the Maritime Museum and the eastern foreshore tourist attractions.

The SICEEP development is visible to the west of Pyrmont Bridge and is delivering a new wave of modern buildings and a rejuvenated public domain and foreshore. The ICC Sydney Hotel is a notable punctuation in the skyline. These buildings and spaces are transforming 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.

The existing Cockle Bay Wharf development sits behind Pyrmont Bridge and is not clearly visible from Wharf 7. The Cockle Bay Wharf Concept Proposal will change the scale and height of the development on the eastern side of the Cockle Bay waterfront by raising the podium above Pyrmont Bridge and the tower introduces significantly more height and mass to the eastern edge of Darling Harbour. The podium has been scaled to relate to the existing foreshore development north of Pyrmont Bridge and the tower will accommodate a slender and elegant form that will provide additional interest to the vista and skyline. The proposed tower height and form creates a focal point that clearly marks the gateway to the CBD and will sit comfortably with 115 Bathurst Street and 505 George Street in the CBD skyline.

The existing views to Pyrmont Bridge are unimpeded by the Cockle Bay Wharf proposal. The vertical tower form does not reduce the Bridge’s strong horizontal visual presence when viewed from Wharf 7.

### 3.5 Pyrmont Bay Park

A photomontage image of the Cockle Bay Wharf Concept Proposal viewed from Pyrmont Bay Park is included at **Appendix B** (view 5).

The Park is located approximately 580m north-west of Cockle Bay and 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 the planned 215m Star casino tower will 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) visible beyond in the background. The existing Cockle Bay Wharf development is not visible from the Park.

Within this context the top half of the proposed Concept Envelope will read as a highly visible and significant new built form element in the southern backdrop to Pyrmont Bay Park. 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 not be significantly reduced by the proposal. 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 Pymont Bay Park.

### 3.6 Corner of Murray Street and Union Street, Pymont

A photomontage image of the Cockle Bay Wharf Concept Proposal viewed from the corner of Murray Street and Union Street is included at **Appendix B** (view 6).

The corner of Murray Street and Union Street in Pymont is a highly trafficked pedestrian intersection approximately 440m west of Cockle Bay Wharf. The intersection is a key east-west pedestrian connection from Pymont and Glebe into the CBD over the Pymont Bridge.

The existing view looking east is open and captures the Maritime Museum and looks across the Pymont Bridge towards the CBD with Ibis Hotel Darling Harbour framing the view. The CBD is obscured by the Maritime Museum, the Darling Drive pedestrian bridge and the disused monorail station. The vista still captures the CBD skyline with Centrepont, Australia Square and World Square towers punctuating the open and expansive sky views. Smaller elements including flagpoles, traffic lights, masts and street lighting and signage clutter the foreground and middle ground views towards the CBD. No water views are available.

The Cockle Bay Wharf maximum tower envelope introduces a prominent new element to this vista and will be a highly visible gateway marking the transition from Darling Harbour into the CBD. The tower envelope will not interrupt any significant views or vistas across Pymont Bridge towards the CBD. The eventual slender tower building form will respond to the height and scale of the 115 Bathurst Street and 505 George Street towers which will also be captured by this vista.

### 3.7 Pymont Bridge

Photomontage images of the Cockle Bay Wharf Concept Proposal viewed from Pymont Bridge is included at **Appendix B** (view 7A, 7B and 7C). These images capture views from the ends and middle of the Bridge.

Cockle Bay Wharf is adjacent to the eastern end of the Bridge. Existing public domain views from the western end of Pymont Bridge look down the length of the bridge and offer a 'busy' corridor with high levels of pedestrian and bicycle movements and punctuations with bunting/flags, street furniture, lighting etc. In the background to the Bridge itself is the CBD which forms a strong visual backdrop. The existing low scale at Cockle Bay Wharf is visible from this location across the water.

The Cockle Bay Wharf Concept Proposal will improve the visual catchment of the bridge through removal of the existing defunct monorail infrastructure. It will also change the scale and height of the development along the eastern side of the Darling Harbour waterfront introducing a visually prominent built form.

The proposal does not obscure any significant views or vistas. The proposal's proximity to Pymont Bridge makes it highly visible from the public domain. The

concept envelope provides a podium and podium articulation zone which is designed to facilitate a future building that will terrace away from the Bridge and will provide a human scale at the pedestrian level. The tower envelope is setback further from the Bridge to reduce its visual impact with the eventual tower form to only occupy a maximum 60% of the envelope, and having a maximum depth of 65m, resulting in slender building. Articulation of the eventual tower façade (subject to a subsequent Stage 2 SSDA) will break down the apparent bulk and massing of the envelope when experienced from the Bridge.

The existing view of the site from the centre of Pyrmont Bridge looking east becomes more enclosed as proximity to the CBD increases. The existing Cockle Bay Wharf development becomes more visible and the repetition of flagpoles and street lamps frame the vista east along Pyrmont Bridge. As expected, the visibility and presence of the proposed envelope on the southern side of the Bridge increases as it becomes closer. The impact of any building within the envelope would be managed with fenestration, articulation and detailed design at the Stage 2 DA stage. There is no impact on the open and expansive water and sky views to the north and south from the centre of Pyrmont Bridge and the pedestrian view corridor along the Bridge to the CBD is maintained.

The view from the eastern end of the Bridge overlooks the existing low scale Cockle Bay Wharf development with the Darling Park commercial development immediately beyond. At this point the environment transitions from the Darling Harbour precinct into the highly urbanised core CBD. The views become enclosed as the built form density increases. At this point the proposed envelope is at its most prominent. Again, the envelope is not obscuring any significant views and vistas from the Bridge and pedestrians will still have high quality views to the north and south. The visual connection to the new urban open space will increase as the Bridge ramps up into the CBD.

The Sydney Harbour waterfront skyline and the CBD skyline more generally is undergoing significant transformation. Led by the SICEEP project, the Imax and Harbourside redevelopment in the immediate vicinity and Barangaroo nearby, 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 providing a striking gateway statement befitting Sydney international status.

Overall, in the context of the existing easterly view corridor of Pyrmont Bridge being within the backdrop of large CBD towers, the placement of a new tower at the Bridge's eastern 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.

### 3.8 Darling Harbour Pier 26

A photomontage image of the Cockle Bay Wharf Concept Proposal viewed from Darling Harbour Pier is included at **Appendix B** (view 8).

Pier 26 is located on the Darling Harbour foreshore immediately north of Pyrmont Bridge. This precinct accommodates the Sydney Zoo and Aquarium and is a highly trafficked and very busy tourist precinct. Pier 26 has good open views west across Darling Harbour to the Maritime Museum and associated watercraft and south to Pyrmont Bridge.

The existing view south towards Cockle Bay captures watercraft at the pier and the elevated Pyrmont Bridge with the Darling Park towers being prominent immediately beyond the Bridge. The disused monorail station is visible at the



eastern end of the Bridge. The view illustrates the transition in built form from the lower scale foreshore to the high density CBD towers.

The proposed development will obscure the view towards Darling Park and significantly increase the scale and massing of the built form when viewed from Pier 26. The Bridge provides a visual barrier to the proposal and the proposed envelope is designed to terrace away from the Bridge at the podium level with the tower envelope set further back. Therefore, the visual impact of the envelope is managed in the environment and will be reduced further at the Stage 2 SSDA as the eventual tower will take a more slender form only occupying 60% of the maximum envelope illustrated in the photomontages, and having a maximum building depth of 65m.

The view towards Pyrmont Bridge remains uninterrupted and the Bridge's strong horizontal presence is maintained.

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 providing a gateway to the CBD.

The prominence of the future building's location demands an outcome that exhibits design excellence to ensure that that views are not adversely affected by the presence of a new building.

The Concept Proposal aligns with an emerging new character and condition on the harbour's edge and will define and activate the eastern 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.

### 3.9 Market Street

A photomontage image of the Cockle Bay Wharf Concept Proposal viewed from Market Street is included at **Appendix B** (view 9).

The existing view west along Market Street (framed by CBD towers north and south) looks across Pyrmont Bridge and terminates at the Ibis Hotel on the western edge of Darling Harbour. One of the Anzac Bridge pylons is visible in the distance. The view 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 Concept Proposal maximum tower envelope will be visible as a new tall tower structure on the southern side of the view corridor. 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.

### 3.10 Harbourside and Cockle Bay

Photomontage image of the Cockle Bay Wharf Concept Proposal viewed from the foreshore is included at **Appendix B** (view 10 and 11).

The site is arguably most visible from the foreshore surrounding Cockle Bay. Existing public domain views looking east and north capture Cockle Bay, Pyrmont Bridge, Barangaroo and the existing low scale Cockle Bay Wharf development. The CBD skyline forms a backdrop.

Views to and across the water towards the CBD are available at Harbourside with the 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 Cockle Bay Wharf Concept Proposal will change the scale and height of the development along the eastern side of the Cockle Bay waterfront by making a significant and striking architectural statement that signifies its Harbour foreshore location at the gateway to the CBD.

The podium element is larger than the existing Cockle Bay Wharf development but will continue to provide for a human scale and respond to the predominant low-medium scale foreshore development. While the width of the tower envelope at this view is significant, only 60% of the building envelope is required to accommodate a building. Additionally, the envelope is setback from Pyrmont Bridge and designed to preserve views from private dwellings on Sussex Street towards Cockle Bay to support a positive urban form outcome.

The prominence of the future building's location demands an outcome that exhibits design excellence to ensure that that views are not adversely affected by the presence of a new building. The future open space and accompanying retail and restaurant outlets that will be created by the Concept Proposal will further improve the visual impact on areas surrounding the site.

### 3.11 Corner of Kent Street and Druitt Street

A photomontage image of the Cockle Bay Wharf Concept Proposal viewed from the corner of Kent Street and Druitt Street is included at **Appendix B** (view 12).

The existing view towards the site is a highly urbanised series of CBD tower buildings with breaks to the sky. The existing Cockle Bay Wharf development is not visible from this location. The proposal will introduce an additional tower form to this vista without obscuring any views of significance.

### 3.12 Tumbalong Park

Photomontage images of the Cockle Bay Wharf Concept Proposal viewed from Tumbalong Park is included at **Appendix B** (view 13A and 13B).

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-east. 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 future 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, the IMAX redevelopment and the soon to be completed ICC Sydney (Exhibition Halls, Convention Centre, and Hotel).

Within this context the proposed Cockle Bay Wharf Concept Proposal will read as a tall but relatively slender new built form element in the northern backdrop to Tumbalong Park beyond the Ribbon (Imax redevelopment). It will read as a



solitary and striking tower element punctuating the skyline within this northern view from Tumbalong Park. It is well separated from the park by the large expanse of public domain, and the intervening built form. 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.

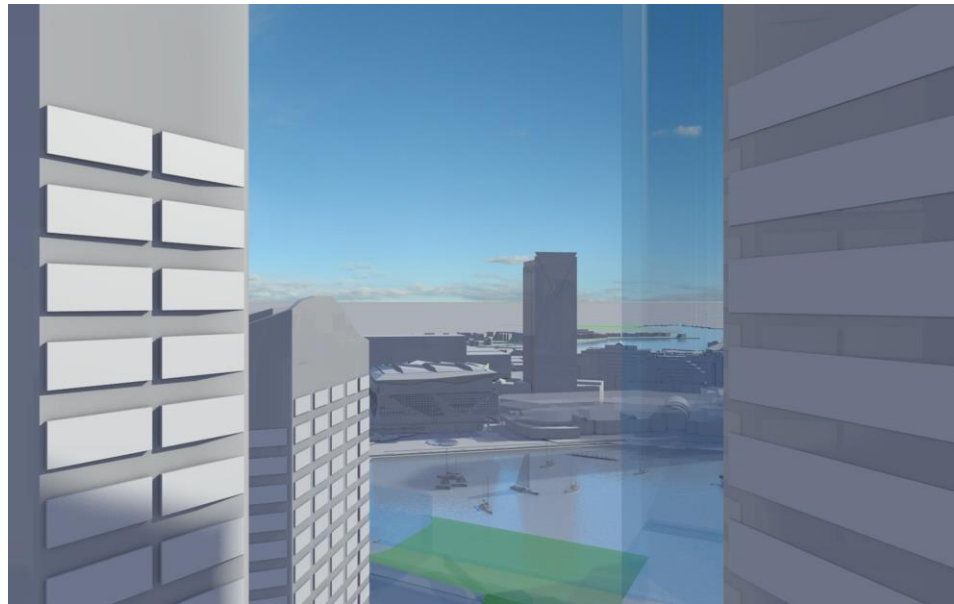
Consistent with the planning context and relevant planning instruments that are of relevance to the consideration of visual and view impacts, the proposed development will not impact on any significant views and vistas to and from Tumbalong Park. As any development within the proposed Concept envelope will exhibit design excellence, it will present as an elegant and complementary addition to the CBD skyline and therefore have a positive cumulative impact.

## 4.0 Residential View Impact Assessment

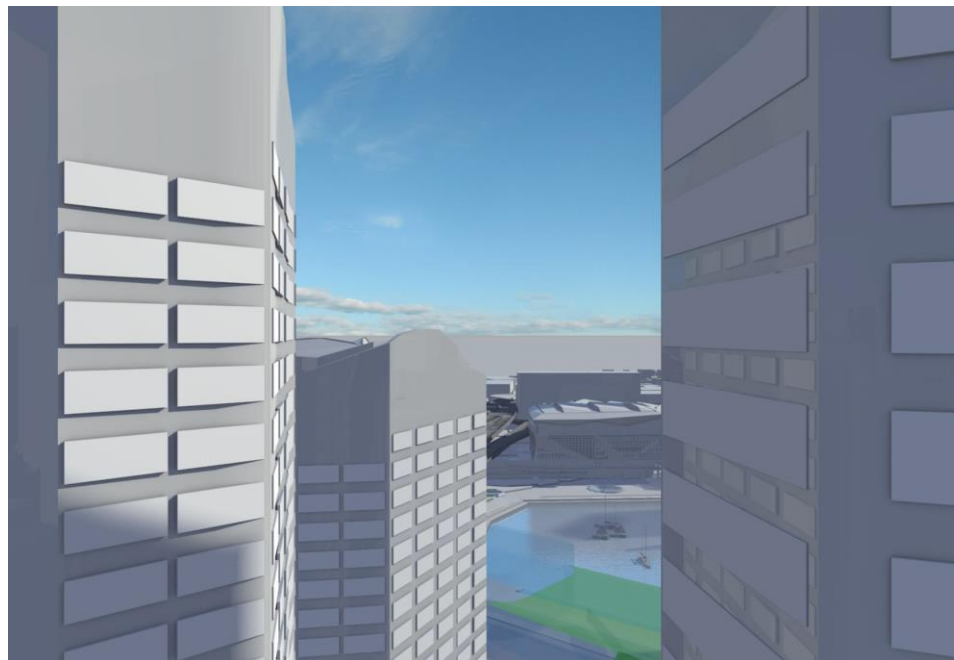
Investigations have identified the residential building at 222-228 Sussex Street, Sydney as being the only residential building in the immediate vicinity that may be subject to private view loss as a result of the proposed development.

As outlined in Section 1.3.2, the location of the residential building at 222 – 118 Sussex Street in relation to the tower form proposed within the Concept Proposal means that the majority of the tower form would not be visible from this address.

Perspective shots have been provided below to demonstrate the view of the Concept envelope available from the top floor at the northern and southern end of the residential building.



**Figure 18** – View from southern-most extent of residential building



**Figure 19** – View from northern-most extent of residential building

As shown above in **Figure 19**, the Concept Proposal envelope is not visible from the northern end of the residential building. **Figure 18** demonstrates that from the southern end of the building the Concept Proposal envelope is partially visible.

As shown above in **Figure 15**, only a small section of the Concept Proposal envelope is visible from this location. Given the size and irregular shape of this small area, and the limitation on the maximum proportion of the envelope that can be utilised within a Stage 2 DA, it is considered unlikely that the views from 222 – 228 will be significantly impacted by the future development.

The Concept Proposal Envelope is visible from this location (as shown in **Figure 18**) however, the impact of this is considered to be insignificant due to the fact that:

- views to Darling Harbour are not significantly diminished by the Concept Envelope; and
- views over the new publicly accessible open space will be provided, which will present an improvement when compared to the existing situation.

In summary, the view loss impact of the Concept Proposal from residential properties is considered to be insignificant. Further, given that any future Stage 2 DA is unlikely to fully utilise the area of the Concept Proposal that is visible from the residence, it is possible that a future Stage 2 DA will not be at all visible from this address.

## 5.0 Conclusion

In the planning for the renewal of Cockle Bay Wharf, 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 prominence of the future building's location demands an outcome that exhibits design excellence to ensure that that views are not adversely affected by the presence of a new building.

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 Cockle Bay Wharf 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 character of Darling Harbour, providing an iconic building form that marks the site's location at the confluence of Darling Harbour and the wider CBD by redefining the density and height of development on the eastern 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 expansive landscape deck designed to maximise public view opportunities, with the tower carefully positioned having regard to a range of constraints and opportunities;
- 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; and
- The proposed public open space will establish new sightlines, visual permeability and views and vistas.

The proposal will not detract from the overall visual connectivity for pedestrians in the public domain nor result in any significant adverse impact and will be designed to the highest standards of architectural excellence. 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, Pyrmont 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.

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 an appropriate outlook from existing adjoining private development to the greatest extent practicable in a highly urbanised inner city environment.
- Any impact on future residential developments can be assessed as part of a Stage 2 Development Application.
- The proposal has evolved following extensive options testing, with the chosen form of a low scale podium and single tower positioned within the central northern part of the site allowing for view sharing with surrounding buildings.
- The impacts associated with the proposal (podium and tower elements) are considered to continue to provide for a reasonable 'outlook' from apartments 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. Outlook is retained from all affected apartments with an appropriate distance separation and with space / daylight provided.

It is considered that the proposed Cockle Bay Wharf Concept Proposal achieves a reasonable balance between the protection of private views and the protection of public domain views in the delivery of a significant and high quality public domain, new world class commercial and retail centre catering for local and tourist markets and a new iconic 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.





# Visual Impact Assessment

## Cockle Bay - Stage 1 Development Application

20th of October, 2016

### BACKGROUND

This document was prepared by Virtual Ideas to describe the processes used to create the visual impact photomontages and illustrate the accuracy of the results.

Virtual Ideas is a highly experienced architectural visualisation company, that regularly prepares 3D visualisation media for use in visual impact assessments and planning and development applications. Our approach to creating view and visual impact media follows the prescribed methodology as established by relevant government planning authorities and is focused on most accurately communicating the proposed design and visual impact of a development. Our methodologies and results have been inspected by various court appointed experts in a variety of cases and have always been found to be accurate and acceptable.

### OVERVIEW

The general process of creating accurate photomontage renderings begins with the creation of an accurate, real-world scale digital 3D model. Site photographs of the relevant view locations are then captured and these camera positions are then surveyed by a surveyor to determine the MGA coordinates. These coordinates are then matched in our 3D model and a virtual camera is set up to align with the real-world camera positions.

By matching the real-world camera lens properties to the camera properties in 3D software and rotating the camera so that surveyed points in the 3D space align with the corresponding points on the photograph, we can create a rendering that is correct in terms of position, scale, rotation, and perspective. The rendering can then be superimposed into the real photo to generate an image that represents accurate form and visual impact.

The following photomontages have been prepared in respect of Land and Environment Court proceeding no. 10884/14 in accordance with the Land and Environment Court’s practice directions.

## METHODOLOGY

### Site Photography

Site photography was taken from predetermined positions as instructed by JBA Urban. All photographs were taken using a NIKON D810 digital camera, using a 24mm lens. The positions of the photographs were surveyed (Appendix A) and then added into the existing site survey.

### 3D model

Using the imported surveyed data into our 3D software (3DS Max), we then imported a supplied 3D model of the proposed building.

### Alignment

The positions of the real world photography were located in the 3D scene. Cameras were then created in the 3D model to match the locations and height of where the photographs were taken from. These are then aligned in rotation so that the points of the 3D model align with their corresponding objects that are visible in the photograph.

Renderings of the building with realistic textures and lighting were then created from the aligned 3D cameras and montaged into the existing photography at the same location. This produces an accurate representation of the scale and position of the new design relative to the existing built form.

In conclusion, it is my opinion as an experienced, professional 3D architectural and landscape renderer that the images provided accurately portray the level of visibility and impact of the built form.

Opinions expressed in this verification report are made with regard to Division 2 of Part 31 of the Uniform Civil Procedure Rules and the Expert Witness Codes of Conduct in Schedule 7 of the Uniform Civil Procedure Rules, which I have read and agree to be bound by.

Yours sincerely  
Grant Kolln



CV OF GRANT KOLLN, DIRECTOR OF VIRTUAL IDEAS

Personal Details

Name: Grant Kolln  
DOB: 07/09/1974  
Company Address: Studio 71, 61 Marlborough St, Surry Hills, NSW, 2010  
Phone Number: (02) 8399 0222

Relevant Experience

- 2003 - 2016

Director of 3D visualisation studio Virtual Ideas. During this time I have worked on many visual impact studies for legal proceedings in various different types of industries including architectural, industrial, mining, landscaping, and several large public works projects. This experience has enables us to create highly accurate methodologies for the creation of our visual impact media and report creation.
- 1999 - 2001

Project manager for global SAP infrastructure implementation - Ericsson, Sweden
- 1999 - 1999

IT consultant - Sci-Fi Channel, London
- 1994 - 1999

Architectural Technician, Thomson Adsett Architect, Brisbane QLD.

Relevant Education / Qualifications

- 1997

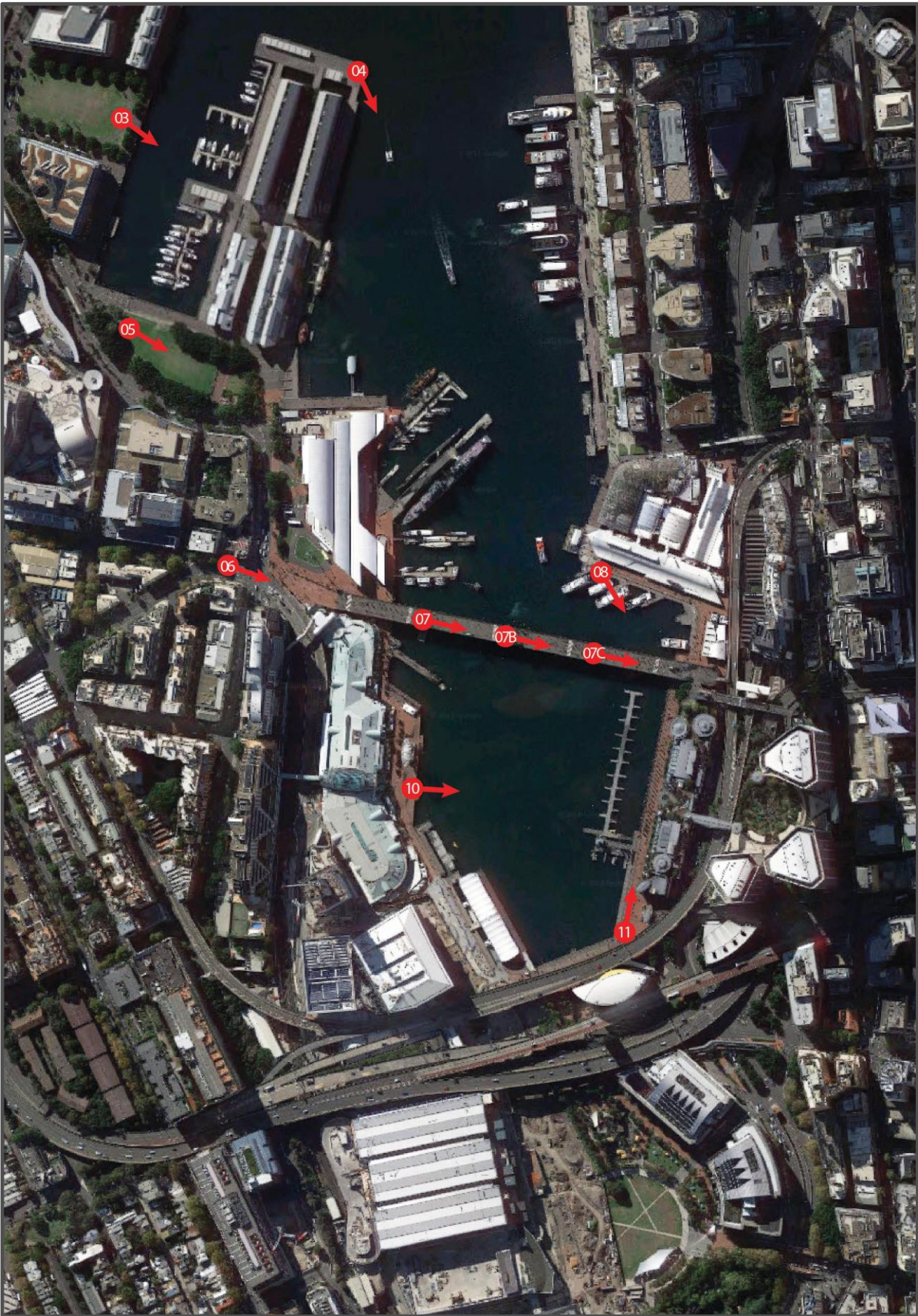
Advanced Diploma in Architectural Technology, Southbank TAFE, Brisbane, QLD

DESCRIPTION OF COLLECTED DATA

To create the 3D model and establish accurate reference points for alignment to the photography, a variety of information was collected. This includes the following:

- 1) Architectural 3D model of proposed envelope and surrounding context buildings
  - Created by: Francis-Jones Morehen Thorp (FJMT)  
Level 5/70 King St, Sydney NSW 2000
  - Format: Din3D model
- 2) 3D models of Barangaroo and Darling Harbour context buildings
  - Created by: Francis-Jones Morehen Thorp (FJMT)  
Level 5/70 King St, Sydney NSW 2000
  - Format: Din3D model
- 3) Surveyed data (Appendix A)
  - Created by: CMS Surveyor Pty. Ltd.  
PO Box 463 Dee Why, NSW 2099  
1/32 Campbell Ave, Dee Why NSW 2099
  - Format: DWG and PDF files
- 3) Site photography
  - Created by: Virtual Ideas Pty Ltd  
Studio 71, 61 Marlborough St, Surry Hills, NSW 2010
  - Format: JPEG file





- 1 - Peacock Point, Balmain East
- 2 - Barangaroo Headland Park
- 3 - Metcalfe Park, Pyrmont
- 4 - Wharf 7, Pyrmont Bay
- 5 - Pyrmont Bay Park
- 6 - Murray St & Union St cnr, Pyrmont
- 7A - Pyrmont Bridge (West)
- 7B - Pyrmont Bridge (Mid)
- 7C - Pyrmont Bridge (East)
- 8 - Darling Harbour Pier 26
- 9 - Market Street
- 10 - Harbourside Promenade
- 11 - Cockle Bay Promenade
- 12 - Kent St & Druitt St cnr
- 13A - Tumbalong Park (South)
- 13B - Tumbalong Park (Centre)





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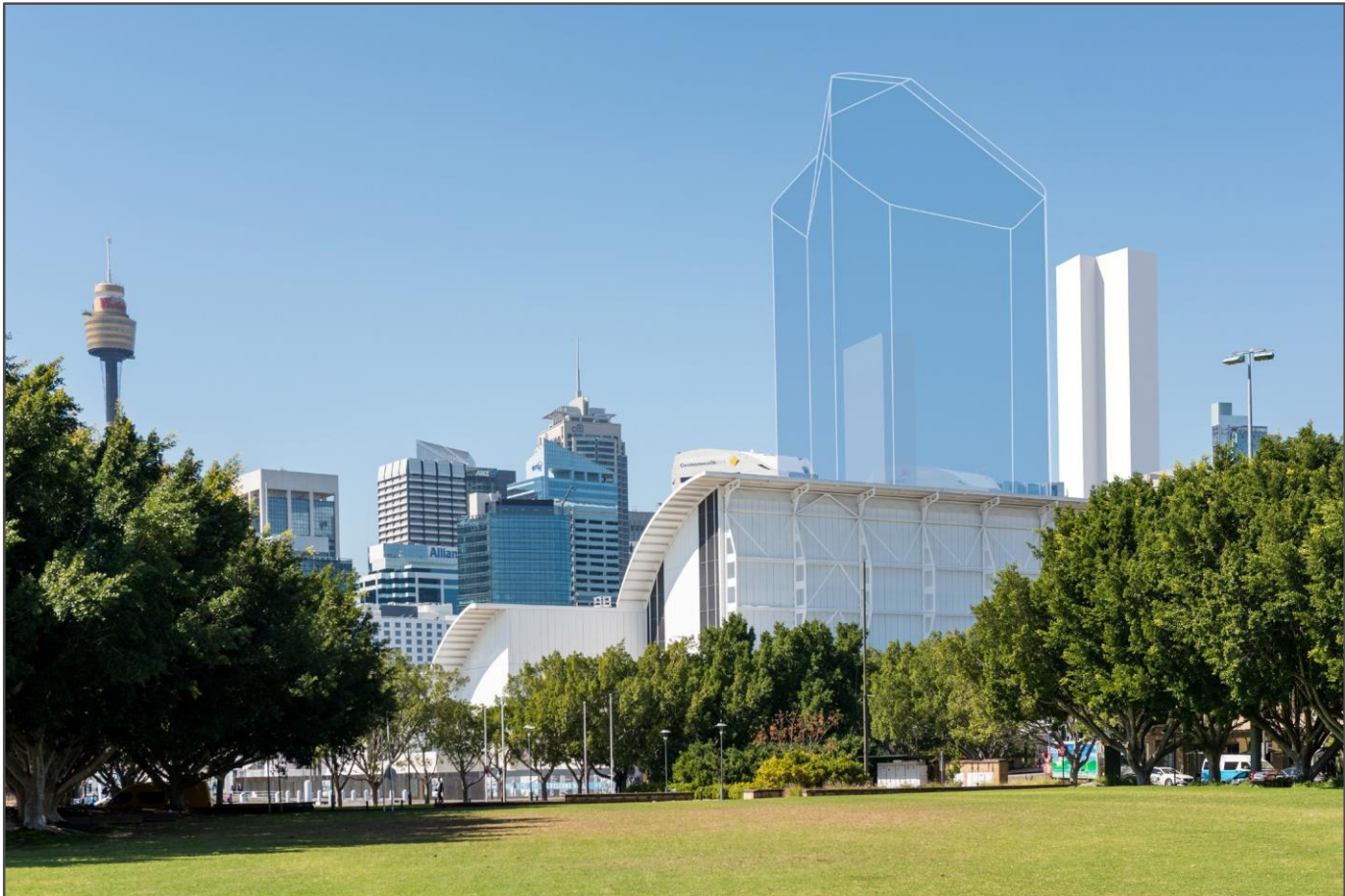


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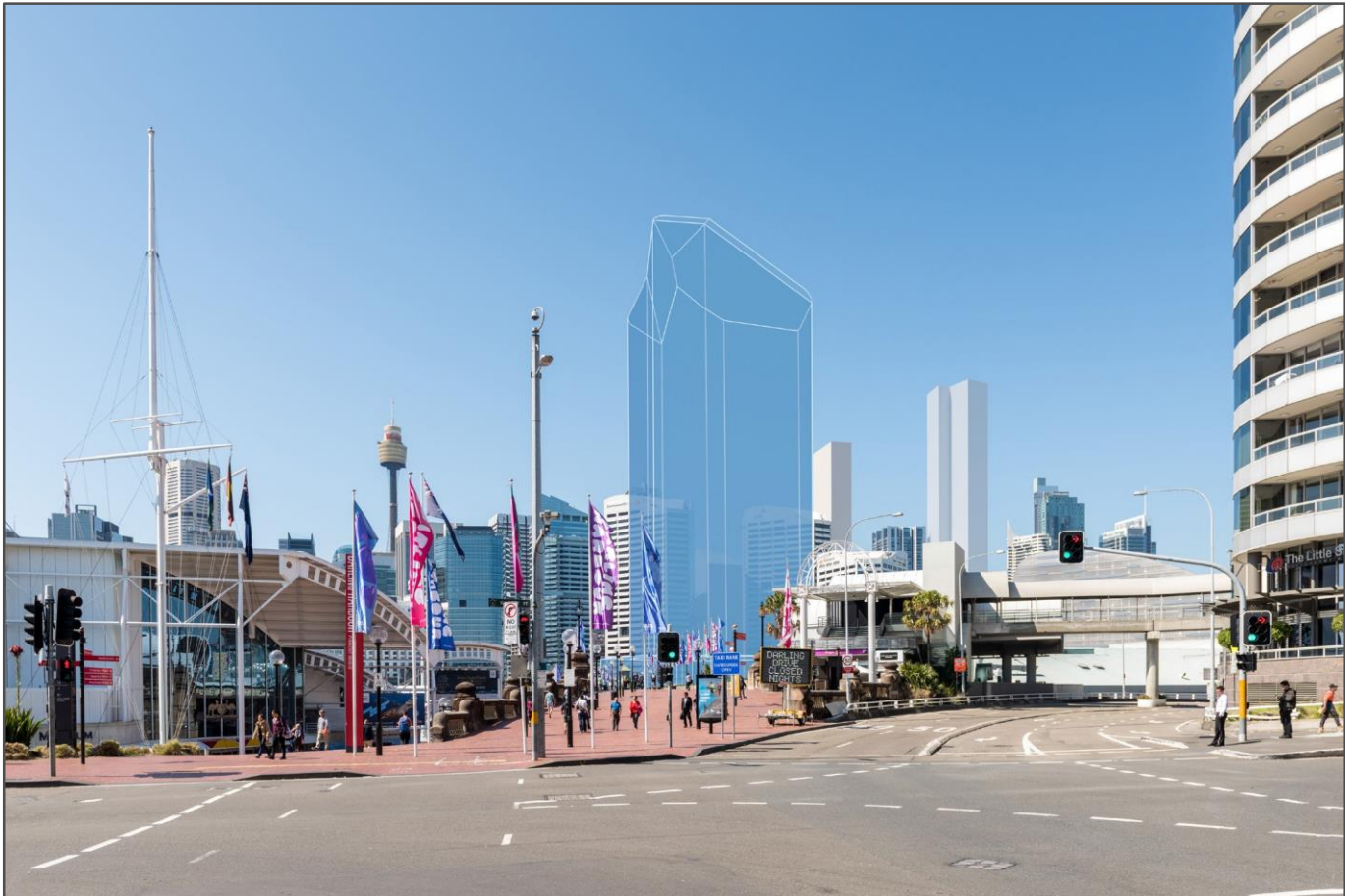


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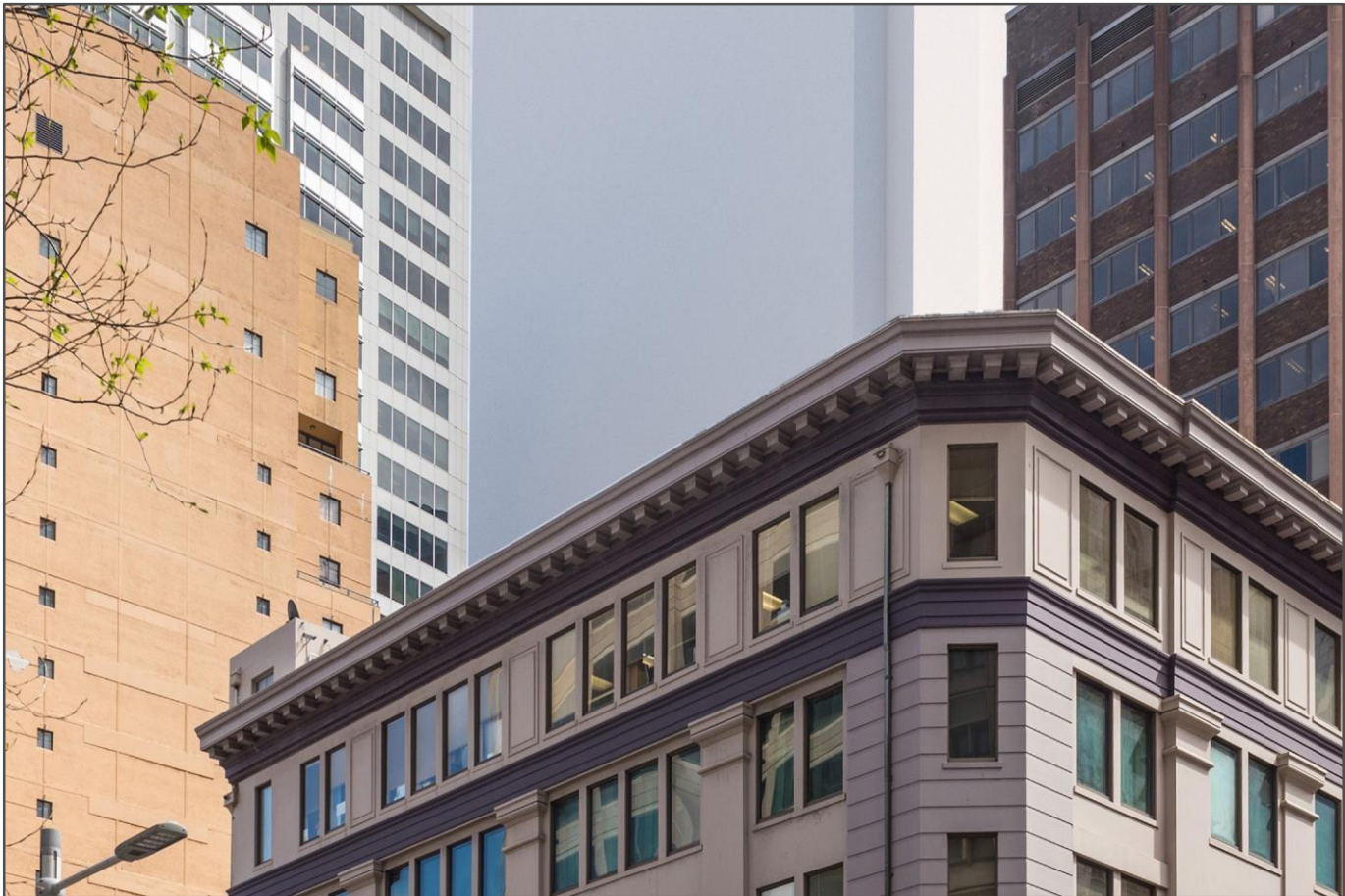




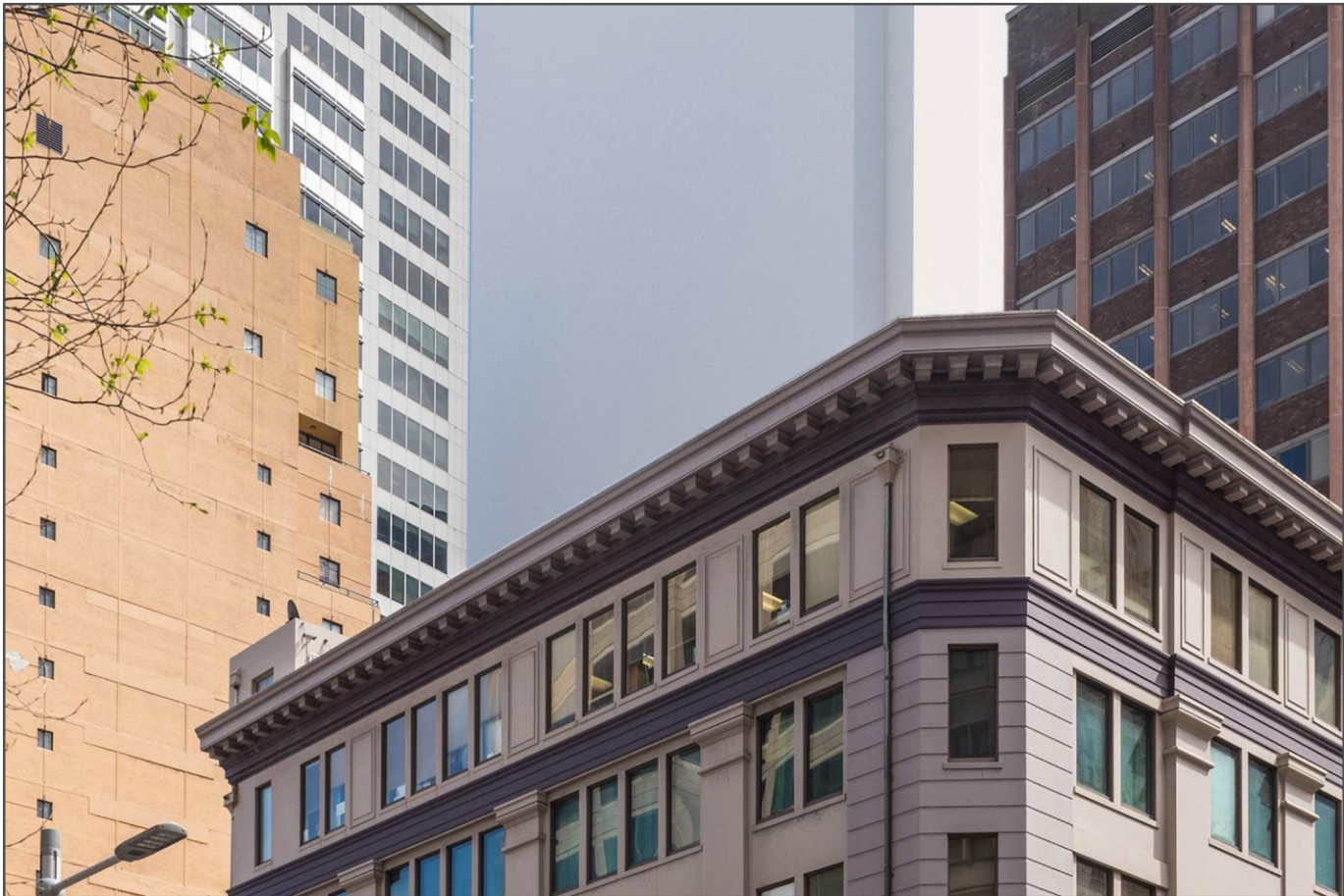
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NOTE: THESE IMAGES ARE FOR INFORMATION ONLY.  
They have been prepared for view analysis purposes only.

Significant Development Applications are shown for  
information and broader contextual and illustrative purposes  
only.

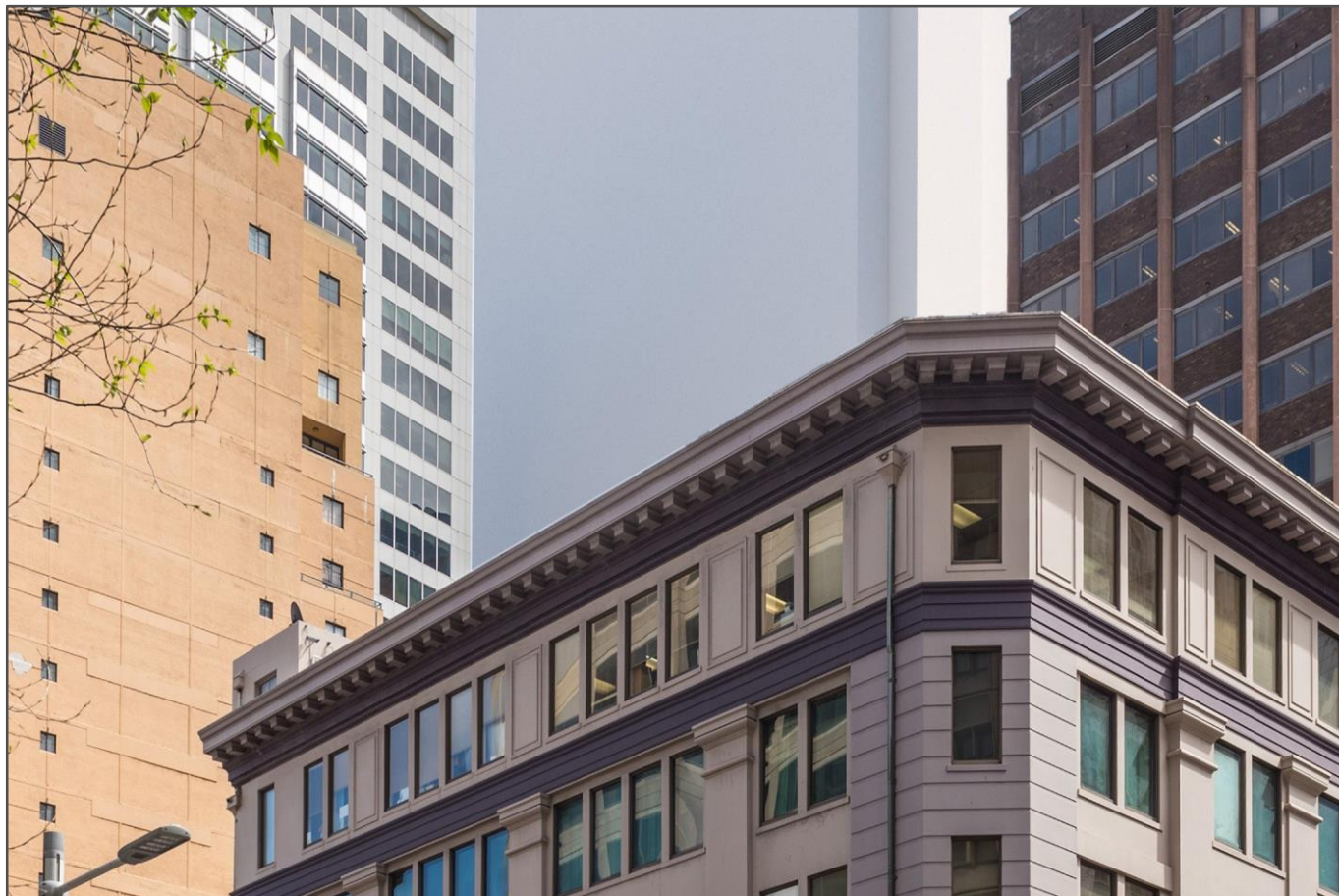




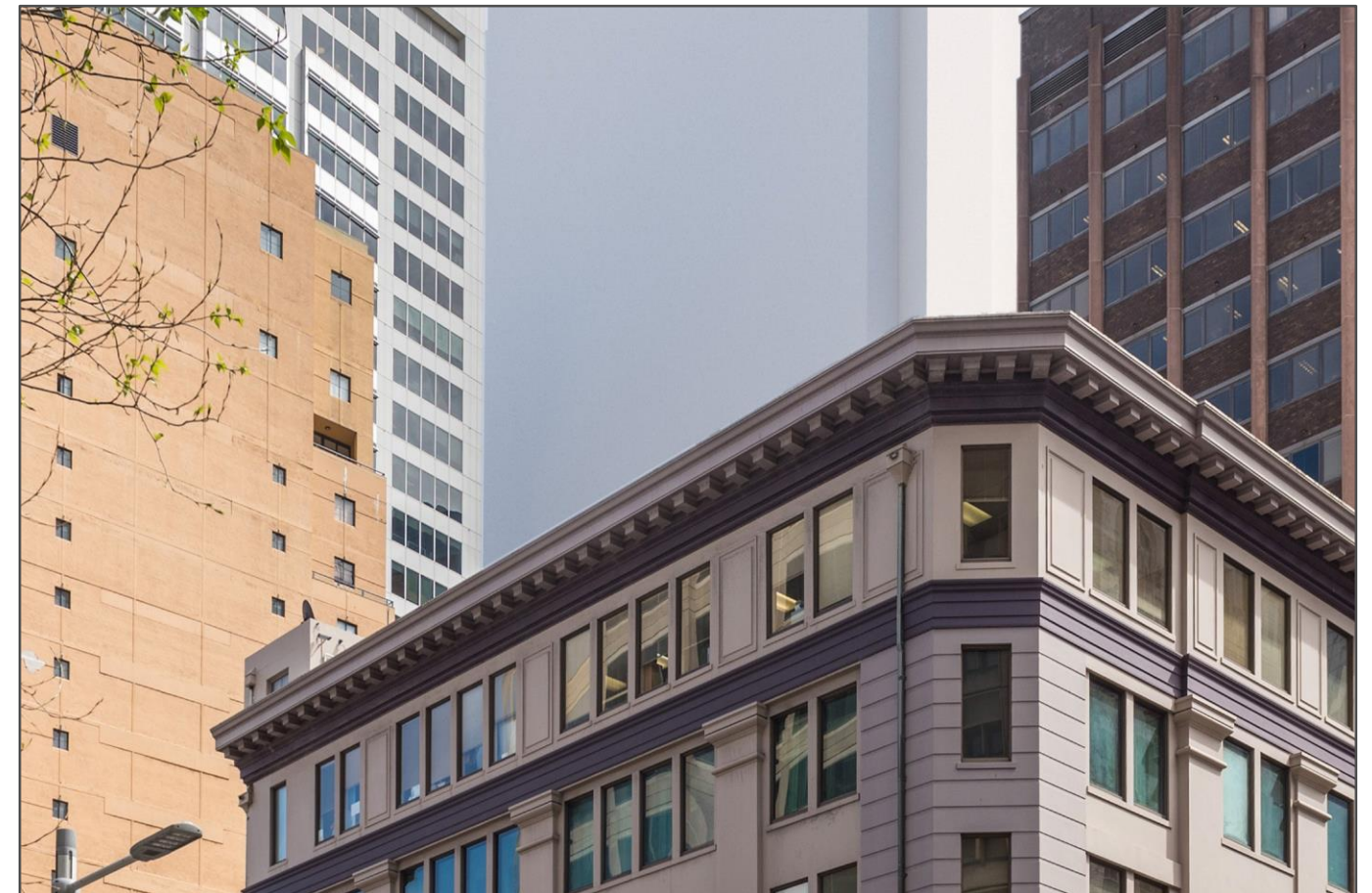
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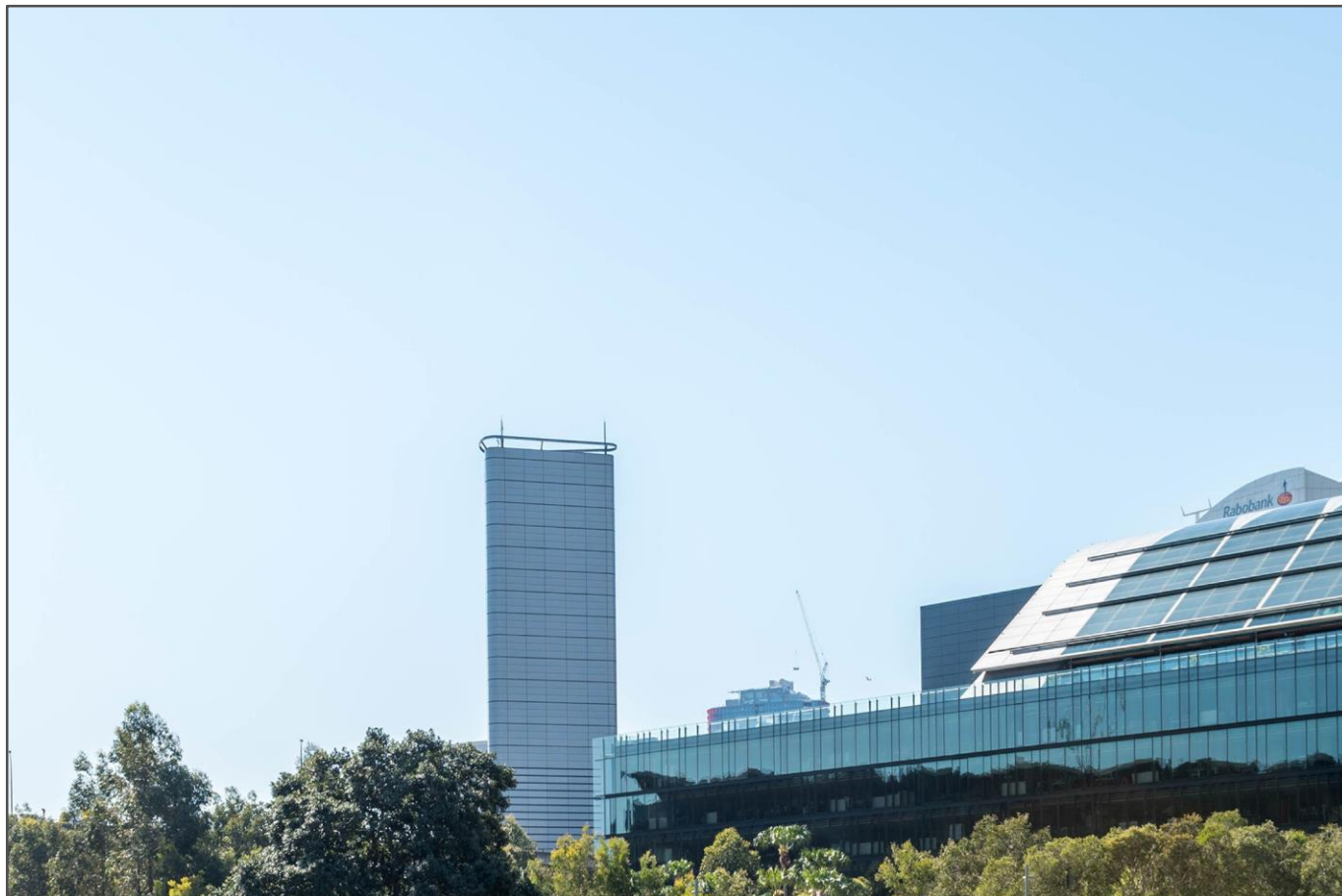




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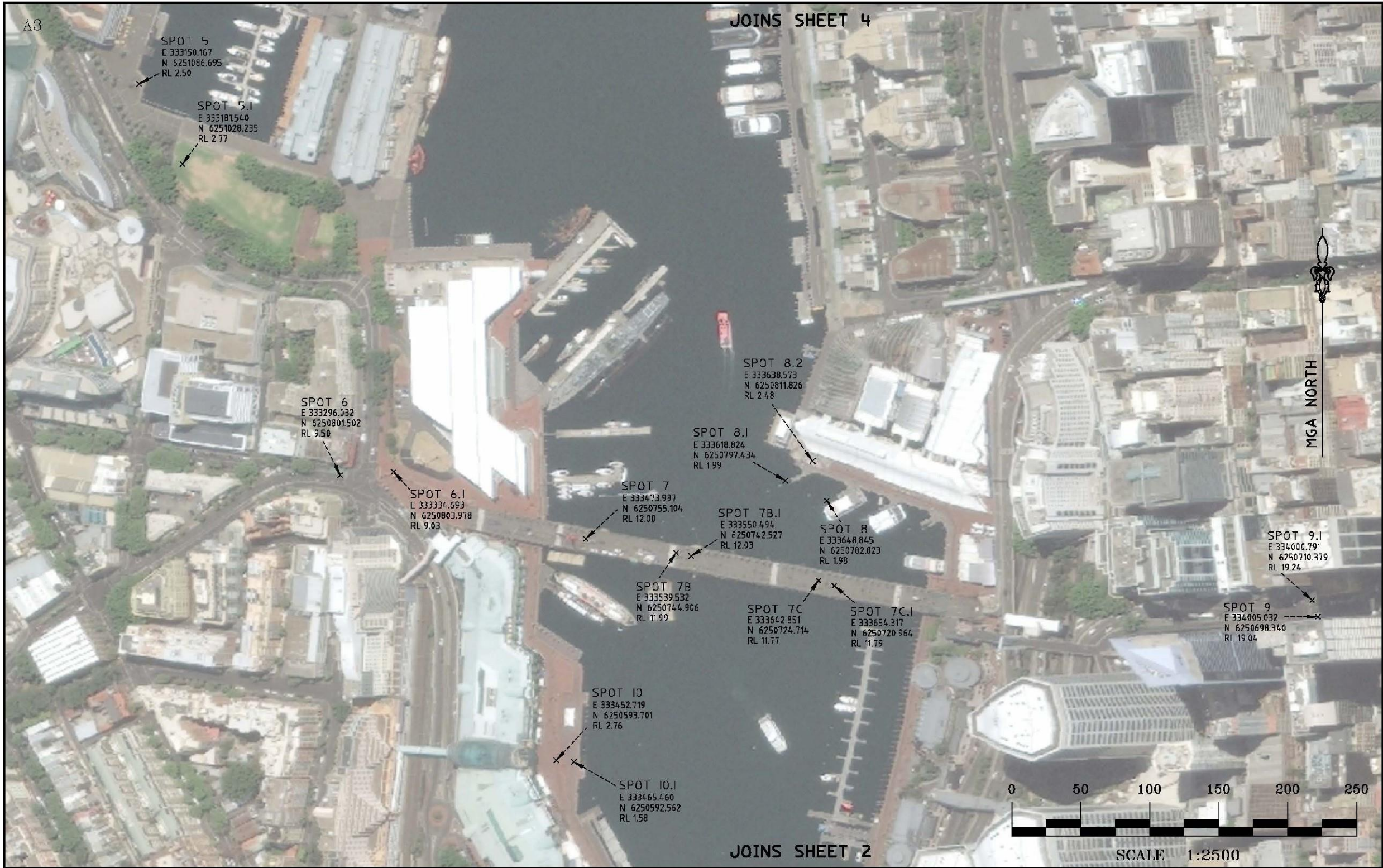
FIRST ISSUE	9/09/16

PLAN SHOWING  
MGA COORDINATES OF PHOTO POINTS  
AT SYDNEY CBD

**C.M.S. Surveyors Pty. Ltd.**  
A.C.N 096 240 201  
PO Box 4613 Dee Why NSW 209  
1/12 Campbell Avenue, Dee Why NSW 2099  
Phone: (02) 9971 4802 Fax: (02) 9971 4822  
Email: info@cmsurveys.com.au cmsurveys.com.au

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SURVEY INSTRUCTION 15683	SCALE 1:2500	DATE OF SURVEY 6/09/16	
DRAWING NAME 15683detail			SHEET 2 OF 5
CAB FILE 15683detail.dwg			ISSUE 1





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		<b>PLAN SHOWING</b> <b>MGA COORDINATES OF PHOTO POINTS</b> <b>AT SYDNEY CBD</b>	 <b>C.M.S. Surveyors Pty. Ltd.</b> A.C.N 096 240 201 PO Box 4613 Dee Why NSW 209 1/12 Campbell Avenue, Dee Why NSW 2099 Phone: (02) 9971 4802 Fax: (02) 9971 4822 E-mail: info@cmssurveys.com.au	<div>SURVEYED PB</div>	<div>DRAWN CUG</div>	<div>CHECKED PB</div>	<div>APPROVED DR</div>
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<div>FIRST ISSUE</div>	<div>9/09/16</div>						





		<b>PLAN SHOWING</b> <b>MGA COORDINATES OF PHOTO POINTS</b> <b>AT SYDNEY CBD</b>	 <b>C.M.S. Surveyors Pty. Ltd.</b> A.C.N 096 240 201 PO Box 4613 Dee Why NSW 209 1/12 Campbell Avenue, Dee Why NSW 2099 Phone: (02) 9971 4802 Fax: (02) 9971 4822 E-mail: info@cmssurveys.com.au	SURVEYED PB	DRAWN CCE	CHECKED PB	APPROVED DR
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