

Visual Impact Assessment

St Leonards Telstra Exchange Redevelopment

Submitted to Department of Planning and Environment
on behalf of Home Apartments



'Gura Bulga'

Liz Belanjee Cameron



'Gura Bulga' – translates to Warm Green Country. Representing New South Wales.

By using the green and blue colours to represent NSW, this painting unites the contrasting landscapes. The use of green symbolises tranquillity and health. The colour cyan, a greenish-blue, sparks feelings of calmness and reminds us of the importance of nature, while various shades of blue hues denote emotions of new beginnings and growth. The use of emerald green in this image speaks of place as a fluid moving topography of rhythmical connection, echoed by densely layered patterning and symbolic shapes which project the hypnotic vibrations of the earth, waterways and skies.

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

We acknowledge the Gadigal people, of the Eora Nation, the Traditional Custodians of the land where this document was prepared, and all peoples and nations from lands affected.

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

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1.0 Introduction

1.1 Purpose

This Visual Impact Assessment (VIA) has been prepared to accompany the following:

1. A State-led rezoning to enact The St Leonards and Crows Nest 2036 Plan (**2036 Plan**) for 524-542 Pacific Highway, St Leonards (**the site**). The proposal includes an increase to height. As part of this process, studies are required to justify the proposed planning changes.
2. A State Significant Development application (**SSDA**) for a mixed-use development at the site, under the State Environmental Planning Policy (State and Regional Development) 2011 (**SRD SEPP**). The proposal includes a Build to Rent (**BTR**) residential development and non-residential floorspace.

1.2 Scope

This VIA will provide a combined assessment of visual impact for the rezoning envelope (purpose 1) and the SSDA (purpose 2). The assessment will consider views currently obtained from nearby permanent residential properties.

The assessment of impact will be in accordance with the established planning principle Tenacity Consulting v Warringah [2004] NSWLEC 140.

This report must be read together with the planning reports and accompanying architectural documentation, which set out details of the State-led rezoning and proposed building for the site.

Rezoning study requirements

On March 22, 2022, the NSW Department of Planning and Environment (DPE) issued the Study Requirements to inform the proposed rezoning process and to demonstrate consistency with the planning framework in the 2036 Plan for the site. **Table 1** below outlines the study requirements addressed in this VIA.

Table 1 Study requirements

Deliverable	Study requirements
4.1.3 Prepare a Design Guide to include appropriate development controls for the site	Includes a detailed site and context analysis that identifies strategic context, opportunities, constraints and key issues to be considered; <ul style="list-style-type: none">• identifies the... views and vistas
4.1.5 Prepare relevant technical studies in support of the proposed planning controls	A View Sharing Analysis should be prepared to consider the impact on significant regional or district views for neighbouring properties
4.1.6 All documents are to take into account each consideration	List of considerations to be accounted for where applicable to the analysis.

State Significant Development SEARs

On January 28, 2022 DPE issued the Planning Secretary's Environmental Assessment Requirements (**SEARs**), identifying the minimum form and content requirements as prescribed by Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation) and the State Significant Development Guidelines. **Table 2** below outlines the SEARs addressed in this VIA.

Table 2 SEARs

Issue	Assessment requirements	Documentation
5 Environmental amenity	Assess amenity impacts on the surrounding locality, including...visual amenity, view loss and view sharing	View analysis
7 Visual impact	<ul style="list-style-type: none">• Provide a visual analysis of the development from key viewpoints, including photomontages or perspectives showing the proposed and likely future development	Visual analysis

Issue	Assessment requirements	Documentation
	<ul style="list-style-type: none"> Where the visual analysis has identified potential for significant visual impact, provide a visual impact assessment that addresses the impacts of the development on the existing catchment 	Visual impact assessment

The report is structured as follows:

Section 1 - Introduction: identifies the purpose and structure of this VIA

Section 2 - The site and its context: provides an overview of the site and its context

Section 3 - The proposal: outlines the proposal, including its key parameters

Section 4 - Planning framework: identifies relevant parts of the planning framework against which the acceptability of visual impact is to be assessed

Section 5 - Methodology: outlines the methodology used to consider visual impact, including any assumptions and limitations

Section 6 - View and visual analysis: identifies the locations which are likely to be subject to the greatest visual impact from the proposal

Section 7 - Visual impact assessment: identifies the nature and extent of impact based on an evidence base of visualisations, then undertakes an assessment of visual impact against relevant parts of the applicable framework to determine its acceptability

Section 8 - Conclusion: identifies whether the proposal can be supported on visual impact grounds.

2.0 The site and its context

2.1 Site location

The site is located at 524-542 Pacific Highway, St Leonards, comprising eight lots (Lots 7-9 Section 17 DP3175, Lot 1 DP433297 and Lots A-D DP377423) (refer **Figure 1**). The site is within the Lane Cove Local Government Area (LGA).

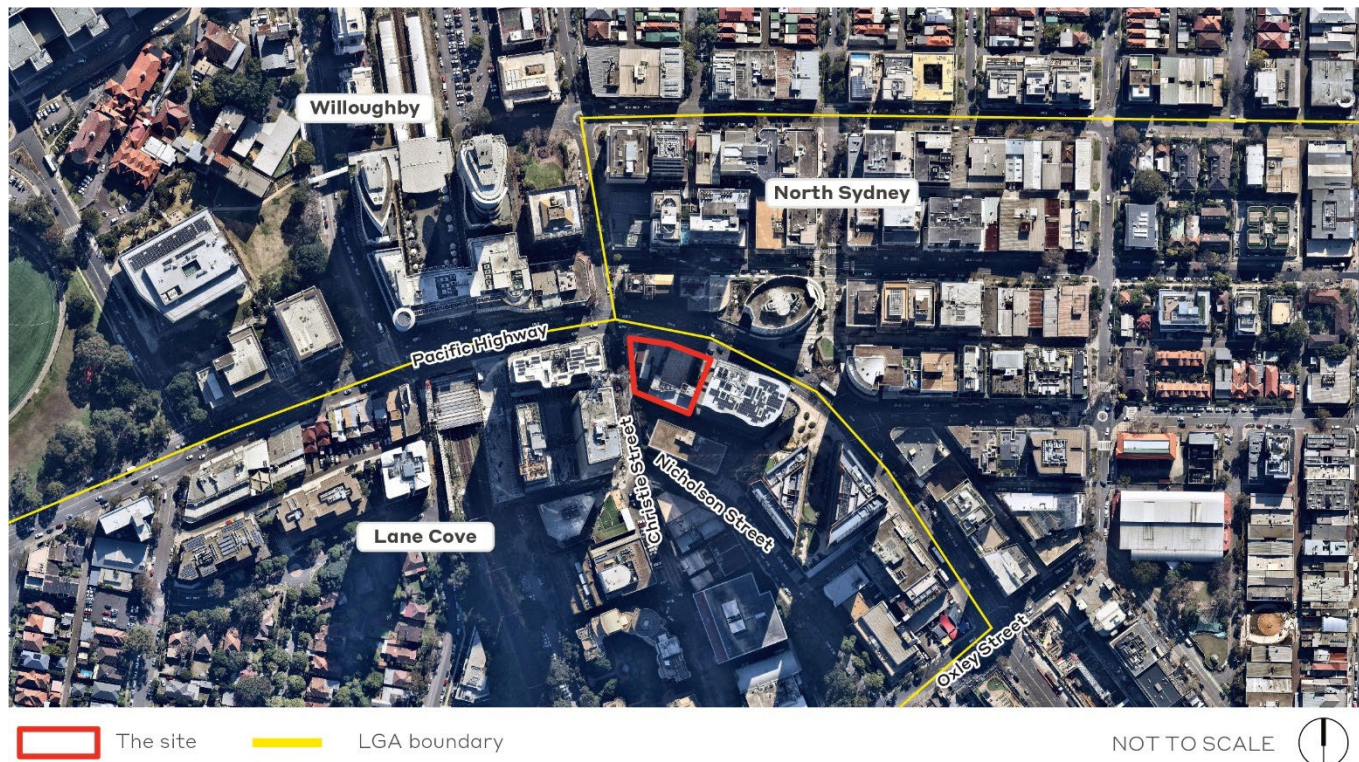


Figure 1 Locational Context

Source: Nearmap / Ethos Urban

2.2 Site description

The site has a combined area of 1,671sqm, and is bound by the Pacific Highway to the north and Christie Street to the west. The site adjoins an existing commercial building to the south and the recently completed New Hope 'The Landmark' residential development to the east.

The eastern portion of the site is currently occupied by the St Leonards Telstra Telephone Exchange. This critical piece of telecommunications infrastructure is the nodal point for Sydney's North Shore, ranking as the second-highest order of significance within the Telstra network. The Exchange also serves a key role in the Federal Government's NBN rollout, housing NBN networking equipment and employees. The Telephone Exchange therefore, cannot be demolished, relocated or used for support in the construction of any new structure.

The Telephone Exchange Building is configured as a three-storey red brick building fronting the Pacific Highway with six storeys to the south of the site (Refer **Figure 2**).



Figure 2 The site viewed from the Pacific Highway (looking south), the Telstra Exchange building to the left

Source: Google StreetView

The western portion of the site is currently occupied by four attached two-storey buildings, which contain small-scale retail and commercial tenancies. These buildings are reflective of the former character of St Leonards, which is now evolving and growing to support renewal through increased density and diversity of land-uses. As illustrated in Figure 2, the site presents as a ‘gap’ in the contemporary built form along the Pacific Highway in this evolving precinct.

The site does not contain any heritage listed items and the site is not located within a heritage conservation area.

2.3 Surrounding development

East: The recently completed New Hope residential development at 500-520 Pacific Highway, immediately to the east, marketed as ‘The Landmark’, was rezoned as part of the Leighton/Charter Hall Planning Proposal in 2015. The 43-storey residential building was approved by the JRPP in December 2017.

West: The site is bound by Christie Street to the west. Across this street is the “88 By JQZ” development, which is under construction with completion anticipated in 2023. The development comprises two residential towers (47 storeys and 26 storeys) and a commercial tower at 15 storeys. The project includes 650 units, 30,000sqm of commercial and retail floorspace, a civic plaza, dining precinct with supermarket and a public library.

South: To the south of the site is the seven storey ‘Ava House’ (also known as the AMA Building), a strata titled commercial building (with address to both Christie and Nicholson Streets) which contains more than 40 commercial tenancies.

Refer **Figure 3** for illustration of the surrounding development as at January 2022.



Figure 3 Surrounding development (as at January, 2022)

Source: Drone Locations

2.4 Wider setting

The site is close to the boundary of both North Sydney and Willoughby LGA's, and is located 6km north of the Sydney CBD. St Leonards has a key role to play in the provision of housing and employment, given its close proximity to the commercial centres of the Sydney CBD, North Sydney, Chatswood and Macquarie Park.

The St Leonards Centre is experiencing significant urban renewal in line with the St Leonards and Crows Nest 2036 Plan. The area immediately surrounding the site is undergoing wholesale renewal. To the north, 'The Forum', the foundation of the urban renewal at St Leonards, now acts as its commercial, retail and transport hub.

The elevated Strategic Centre has views south across the Lower North Shore to Sydney Harbour, with vistas of the North Sydney CBD and the Sydney CBD. However, due to the nature of redevelopment in St Leonards, the extent of these views is highly variable. Elevated, south-facing properties experience partial views of the harbour and its surrounds, obstructed by existing and recently completed tall towers (made possible by changes that allow for higher density).

3.0 The proposal

3.1 State-led rezoning

The objective of this State Led Rezoning is to amend the *Lane Cove Local Environmental Plan 2013* to:

- Rezone the site from E2 Commercial Centre to MU1 Mixed Use;
- Increase the maximum building height of 72m to 155m;
- Establish a non-residential floor space ratio of 2.3:1.

The Planning Proposal does not seek to amend the existing floor space ratio of 17.1:1.

The proposal will be supported by a Voluntary Planning Agreement to provide:

- Monetary contribution of \$3.6 million to Council.
- 10 key worker housing units on Level 8 to be owned and managed by Home as an extension of the BTR offer.
- Payment of Section 7.11 Contributions and the Housing and Productivity Contributions.

The associated planning documentation submitted alongside this VIA outlines the objectives and intended outcomes of the State-led rezoning. These are summarised below:

- Provide a high-density building containing both serviced apartments and build to rent residential apartments that will take advantage of this accessible location, proximity to services and existing and planned rail networks with direct connections to major employment destinations).
- Deliver on the State Government's preferred outcome for St Leonards as a Strategic Centre with increased employment opportunities and mixed-use activities as identified in the St Leonards and Crows Nest Plan 2036.
- Facilitate the renewal of a constrained and otherwise underutilised and undevelopable parcel of land at a critical location in St Leonards.
- Integrate with the contemporary urban landscape of the Pacific Highway frontage established by Mirvac, New Hope and JQZ.

3.2 Concurrent State Significant Development Application

The concurrent State Significant Development Application seeks approval for the following works:

- Site preparation and excavation.
- Retention and integration of the existing Telstra Exchange Building.
- Construction of a new 42-storey mixed-use development, comprising:
 - 21,472m² of build-to-rent housing across 31 storeys, including 272 dwellings.
 - 3,840m² of non-residential space within an 8-storey podium including ground level retail and short stay accommodation.
 - 721 m² of Key Worker Housing across 1 level, within the podium, delivering a total 10 dwellings to be managed as part of the build to rent development.
 - 2,014m² of community amenity facilities throughout the building.
- Residential lobby accessed via Christie Street and separate serviced apartment accommodation lobby accessed via Pacific Highway.
- Podium car parking and loading area with vehicular access via Christie Street, comprising a 48-space car stacker;
- Associated landscaping and public domain works; and
- Augmentation of, and connection to, existing utilities services as required.

The State Led Rezoning will facilitate the development by amending the controls of the Lane Cove LEP.

The proposal is shown in **Figure 4**, **Figure 5** and **Figure 6** below.



Figure 4 The Proposal from Christie Street north of Pacific Highway

Source: DKO Architecture



Figure 5 The Proposal from Christie Street south of Pacific Highway

Source: DKO Architecture



Figure 6 The Proposal from the north west corner of Christie Street and Pacific Highway

Source: DKO Architecture

4.0 Planning framework

The relevant planning framework is identified in **Table 3** below.

Table 3 Planning framework

Name of Plan	Type of Planning Instrument
A Metropolis of Three Cities – the Greater Sydney Region Plan	Strategic plan
North District Plan	Strategic Plan
Lane Cove Local Strategic Planning Statement (LSPS)	Strategic Plan
Lane Cove Local Housing Strategy (LHS)	Strategic Plan
St Leonards and Crows Nest 2036 Plan (2036 Plan)	Strategic Plan
State Environmental Planning Policy (Housing) 2021 (Housing SEPP)	SEPP

4.1 Strategic planning framework

St Leonards is identified as a Strategic Centre in the Greater Sydney Region Plan – A Metropolis of Three Cities and in the supplementary North District Plan. The Plan recognises that the District's strategic centres of Macquarie Park, Chatswood and St Leonards are part of the State's critical economic asset – the Eastern Economic Corridor – which contributed two-thirds of NSW's economic growth in the 2015–16 financial year.

The DPE finalised the St Leonards and Crows Nest 2036 Plan (2036 Plan) in August 2020. The 2036 Plan provides a strategic framework for the future development of the area including approximately 16,500 new jobs and 6,680 new dwellings. This Plan sets out both a vision and a strategic framework to guide rezoning of the area.

The increased densities in the St Leonards precinct are appropriate to the Strategic Centre and the enhanced accessibility provided by the Sydney Metro heavy rail project, which includes a new rapid transit station built in Crows Nest, southeast of the site. The station provides improved access to the CBD (via a second Harbour crossing) as well as to key employment destinations at North Sydney CBD and Macquarie Park.

The State Environmental Planning Policy (Housing) 2021 (Housing SEPP) provides planning direction for affordable and diverse housing. Although build-to-rent is permitted within the B3 Commercial Core zone under the Housing SEPP, the B4 Mixed Use Zone is considered the most appropriate zone given the mix of uses proposed and the need to provide both employment and residential accommodation in the precinct. It is also emphasised that the B4 Mixed Use zone is the recommended zone for the site under the 2036 Plan.

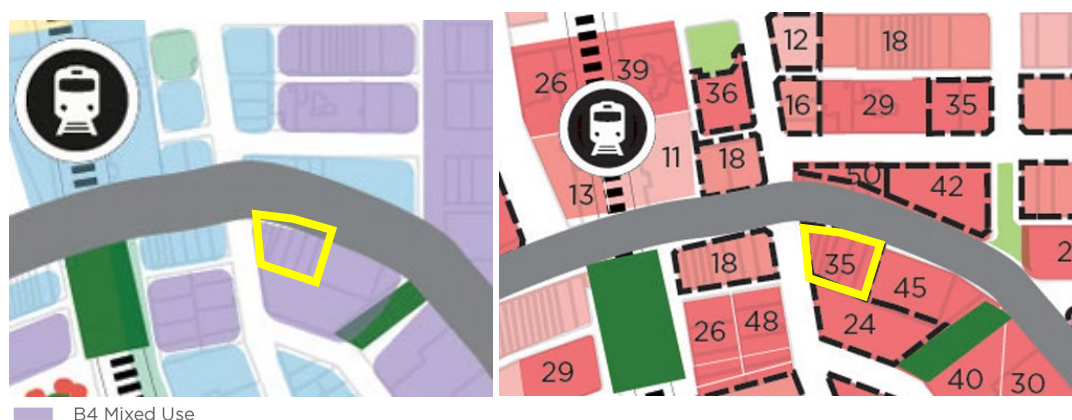


Figure 7 Land Zoning and Building Height nominated in the 2036 Plan

Source: 2036 Plan

5.0 Methodology

Decisions on visual impact are inherently subjective and involve professional value judgements. As noted by the Land and Environment Court of New South Wales (LEC) (*Rose Bay Marina Pty Limited v Woollahra Municipal Council and anor* [2013] NSWLEC 1046), the key to addressing this challenge is to inform these decisions through VIA that adopts a rigorous methodology.

Accordingly, this VIA has adopted a three-stage process:

- visual analysis
- visual impact
- visual impact assessment.

5.1 Visual analysis

The purpose of the visual analysis stage is to identify the locations which are likely to be subject to the greatest visual impact from the proposal.

5.2 Visual impact

The purpose of the visual impact stage is to identify the nature and extent of impact based on an evidence base of visualisations. The evidence base was prepared by specialist experts Virtual Ideas. While ordinarily consistent with LEC photomontage policy survey and photographic work from effected locations is prepared, due to current and ongoing COVID19 considerations access to private property to enable this to occur is not appropriate.

On this basis, Virtual Ideas have prepared computer simulated views from affected properties. The methodology and sources underpinning this is outlined in their report at **Appendix A**.

Of note, a frame of view approximating a 24mm camera lens was selected as it is considered to represent the most appropriate balance between the wide field able to be appreciated by the human eye (eg equivalent to a 17mm camera lens) and the focus also enabled by the human eye (eg equivalent to a 50mm camera lens).

5.3 Visual impact assessment

The purpose of the visual impact assessment stage is to assess visual impact against accepted provisions.

It is a long-established legal principle in Australia that no one has the right to a view. However, the legal system has acknowledged that views from a person's home can have considerable value (Lindsay Taylor Lawyers, 2015).

To encourage a consistent approach to the address of the impact on private views through development, in 2004 the NSW Land and Environment Court established a planning principle in *Tenacity Consulting v Warringah* [2004] NSWLEC 140 (*Tenacity*). While this principle was formulated in particular response to a clause in the relevant LEP (the *Warringah Local Environmental Plan 2000*) requiring reasonable sharing of views, this principle has been widely adopted by consent authorities even in the absence of such statements due to the public interest test of the EP&A Act. On this basis, *Tenacity* has been adopted as the relevant test in this case.

In *Tenacity*, Roseth SC noted that the LEP did not “state what is view sharing or when view sharing is reasonable”.

To provide guidance, Roseth SC stated that “The notion of view sharing is invoked when a property enjoys existing views and a proposed development would share that view by taking some of it away for its own enjoyment. (Taking it all away cannot be called view sharing, although it may, in some circumstances, be quite reasonable)”. To determine whether view sharing is reasonable in the circumstances, *Tenacity* specifies a four step process:

- “26 The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, eg a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.
- 27 The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic.
- 28 The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service

areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.

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

It is noted that while guidance on relevant considerations is provided, judgement on the extent of impact is inherently subjective. In our experience, to be considered devastating under the Tenacity scale, the nature of impact would need to involve:

- blocking of views to a valuable and prominent feature, and / or
- blocking of part of views to a valuable and prominent feature with the effect of significantly reducing the ability to understand and appreciate the feature, and / or
- complete blocking of views from the property, and in particular truncating views to the foreground to leave only outlook remaining.

5.4 Assumptions, limitations and exclusions

The following limitations apply to this VIA:

- while photomontages provide an indication of likely future visual environment, they can only provide an approximation of the rich visual experience enabled by the human eye. As they are based on photographs, the same limitations that apply to photography, including optical distortion, apply

The following exclusions apply to this VIA:

- consideration of night-time impact, including lighting, is excluded
- consideration of impact on Aboriginal cultural heritage values associations is excluded. This is only appropriately undertaken by a member or qualified representative of the Aboriginal community.
- consideration of visual impact to future residential dwellings that are not the subject of an active development application with the relevant consent authority. Future development adjacent the subject site may experience viewing impact as a result of the proposed development. Although future development envelope parameters are prescribed in the relevant Local Environmental Plan and Development Control Plan(s), these envelopes do not contain sufficient information for provision of an assessment of impact in accordance with the NSW Land and Environment Court’s planning principle: *Tenacity Consulting v Warringah* [2004] NSWLEC 140 (Tenacity). This detail can only be derived from a development application which proposes the nature and arrangement of dwellings on the site. Specifically:
 - (27) determination of the affected parts of the property from which views are obtained. This step also requests consideration of standing and sitting positions. Understanding of affected parts of the property must follow a proposed layout and positioning of windows, balconies, terraces etc.
 - (28) assessing the extent of impact. This step requests consideration of viewing impact from specific rooms (living rooms, bedrooms, etc) in order to make a qualitative assessment.

It is noted that 617-621 Pacific Highway is located north of the proposed development, with a future development on the site having potential future views to the south across the subject site. Pursuant to the exclusion described above, viewing impact from this possible future development has not been assessed. Further, it is likely that any future development application on this site will follow submission of the subject application, and thus must consider this application as comprising part of the built context for the purpose of design and impact assessment for that future application.

6.0 View and visual analysis

The visual analysis, visual impact and visual impact assessment in this VIA will concurrently consider the State-led rezoning and the SSD application. It is noted that the visual catchment, properties affected by view loss and the resulting viewpoints apply to the assessment of both the rezoning envelope and the SSD building form.

6.1 Visual catchment

The area in which the proposal may be visible, in totality or in part, is called the “Zone of Theoretical Visibility” (ZTV).

The ZTV is influenced by the interplay of a number of factors. These include physical factors such as landform, the alignment of streets, the nature of open space and vegetation (in particular that in parks or that is otherwise afforded some level of protection) and other factors such as distance, direction of view, angle of view and scale of the development.

Given the elevated position of the site (on the ridgeline followed by the Pacific Highway), and the relatively steep elevation change to the south, the proposal will be visible from the south for a significant distance, and form part of the St Leonards skyline (it is noted that future development envelopes south of the site will partially obstruct visibility of the proposed development).

The visibility of the proposal from the east and west is significantly obscured by the towers to the immediate east and west of the site. Existing residential towers to the north of the site on Atchison Road, and fronting the Pacific Highway to the north east are key components in the visual catchment in this direction.

6.2 Properties affected by view loss

A scoping study of the site and its surrounds was conducted to analyse properties affected by view loss, resulting from both the rezoning envelope and the proposed development. The focus of the study was on permanent private residential properties. While commercial properties north of the site also experience views towards North Sydney and the Sydney CBD, these properties have a lesser sensitivity and are not typically subject to the same level of rigour regarding view loss.

There are a number of apartment buildings that currently have views in the direction of the proposal. Buildings that are considered to have the greatest potential to be impacted are:

- 2 Atchison Street, St Leonards, known as “Linea”;
- 10 Atchison Street, St Leonards”, known as “Air St Leonards”; and
- 1 Sergeants Lane, St Leonards – the east tower of St Leonards Forum.

These buildings are identified as having the greatest potential impact as they are north of the site and experience district views towards the Sydney CBD, with the harbour and Parramatta River also visible. The recently completed apartments to the east of the site (The Landmark) and the apartments under construction west of the site (88 by JQZ) are not considered to have their views impacted upon by the proposal, as each development (being either side of the site) obstructs the easterly or westerly views of the other.

The affected apartment buildings are separated from the site by commercial developments fronting the Pacific Highway, refer **Figure 8** below. As such, the affected apartments are limited to the upper floors that have visibility over the rooftop of these existing commercial buildings. The view corridor from the affected apartments is framed and limited by “The Landmark” and “88 by JQZ”, which both have a rooftop RL higher than the affected buildings.

It is noted that the commercial block that separates the Atchison Street apartment buildings from the site has opportunity for a higher density development in line with the 2036 Plan, with a FSR of 25.4:1 and a height of 180m. It is therefore identified that future development on this site that meets the permissible height limit will most likely remove the district views of the Atchison Road apartment buildings, regardless of development on the subject site.



Figure 8 Properties affected by view loss, illustrating their direction of viewing towards the site

Source: Nearmap, Ethos Urban

6.3 Viewpoints

6.3.1 2 Atchison Street, St Leonards - “Linea”

The Linea Apartments is a single building comprising approximately 103 units and 16 floors. Ground floor retail addresses Atchison Street. The commercial development opposite Linea is approximately 12 storeys, obstructing views from the lower floors of Linea. Views across the subject site to the south are thus limited to units on the upper floors. Three apartments per floor have Atchison Road frontage on the upper levels. Views are obtained from sliding glass doors through balconies. An example affected apartment is numbered 1305, refer **Figure 9**.

Given the limited proportion of apartments with views past the commercial and across the subject site, 1 key view has been selected to represent these apartments. This view is taken from approximately the centre of the top floor. Refer **Table 5** for view summary.



Figure 9 View from 1305/2 Atchison Street, St Leonards (August 2020)

Source: Domain

6.3.2 10 Atchison Street, St Leonards - “Air St Leonards”

Air St Leonards is a mixed use development with a total of 34 storeys. Retail at ground level addresses Atchison Street, 4 storeys accommodate 38 hotel rooms and associated facilities, and 28 storeys comprise residential apartments (228 units). As is the case for Linea, the commercial development opposite the site obstructs the view south from the lower floors, however given the height of Air, most residential floors are not obstructed. Air has a wide southern frontage. Views are obtained from sliding glass doors through balconies. A total of 9 views have been selected for visual impact assessment. Three views from the lowest floor that overlooks the commercial development opposite (denoted “lower level”) (refer **Figure 10**). One view is taken from the eastern end of the southern façade, one from the centre of the southern façade and one from the western end of the southern façade. Three views are similarly taken from the top floor (refer **Figure 11**), and three views from an approximate mid-level between the lower level and the top floor. Refer **Table 5** for view summary.



Figure 10 View from 907/10 Atchison Street, St Leonards (August 2021)

Source: Domain



Figure 11 View from 2807/10 Atchison Street, St Leonards (July 2022)

Source: Domain

6.3.3 1 Sergeants Lane, St Leonards – the east tower of St Leonards Forum

The Forum at St Leonards is a transit-oriented development over St Leonards Train Station. The development consists of two residential towers (782 apartments) and three ten storey commercial buildings around a retail podium and “town square” with perimeter retail. The east tower is 38 storeys. The eastern façade of this tower has district views across the subject site towards the North Sydney and Sydney CBDs. As 1 Sergeants Lane is to the north east of the site, “88 by JQZ” partially obstructs this view for the full height of the tower, and the lower floors are fully obstructed by the commercial tower of “88 by JQZ” fronting the Pacific Highway. Views from the tower in the direction of the subject site are further obstructed and framed by “The Landmark”. Views are generally obtained from sliding glass doors through balconies.

A total of 9 views have been selected for visual impact assessment. Three views from the lowest floor that that overlooks the commercial development across the Pacific Highway (denoted “lower level”). One view is taken from the northern point of the eastern façade, one from the centre of the eastern façade and one from the southern end of the southern façade. Three views are similarly taken from the top floor, and three views from an approximate mid-level between the lower level and the top floor. Refer **Table 5** for view summary.

6.3.4 View States

Virtual Ideas is the specialist visualisation consultant engaged to produce computer-generated images for each viewpoint. Real time movement around the 3D model assisted to identify viewpoints that best represent those described in the preceding sections. Relative levels were identified that approximated the height for each view.

Virtual Ideas produced three view states for each view:

- Existing view from the sample affected apartments. The view includes recent development to either side of the site, being “The Landmark” and “88 by JQZ” (does not include future development such as the 50 storey tower south of Atchison Road).
- The same view with the LUIP envelope on the subject site. The LUIP envelope parameters are identified in the Land Use and Infrastructure Plan (LUIP) for the precinct, being the St Leonards and Crows Nest 2036 Plan (2036 Plan), led by the DPE. The 2036 Plan provides parameters that establishes the volume height, podium height and podium setbacks. The tower volume setback is in accordance with SEPP65 ADG minimum requirements.
- The same view with the SSDA envelope on the subject site. This envelope is considered for concurrent assessment of the State-led planning proposal. This proposed envelope is taller and more slender than the LUIP envelope. Additional setback has been provided to the eastern boundary to achieve solar access to the proposed apartments and to provide district views from the proposed apartments, in addition to providing better amenity to the neighbour. Further analysis of the proposed envelope is provided in the accompanying planning proposal documentation.

Views from the Atchison Road buildings are produced perpendicular to the Atchison Road façade. The resulting outlook considers a viewer standing on the balcony, looking directly outwards. This removes the possibility for an outlook that is biased towards a lateral direction in the scope of viewing. However, the forum tower views are oriented towards the subject site. The perpendicular outlook from this tower would only include the subject site in the peripheral edge of the view, and this peripheral edge is also the location of Sydney Harbour. Understanding that the harbour constitutes an element of high social and cultural value, it is reasonable to approach viewing from the Forum tower as oriented towards the subject site.









To represent a ‘worst case’ scenario from the selected apartments, the camera was positioned at the outside edge of the balcony. Views from most areas inside the apartments will be substantially truncated compared to these representations.

The Virtual Ideas modelling was prepared using a combination of:

- a 3D model of the SSDA proposal and of the LUIP envelope supplied by DKO Architects
- a 2018 surveyed city model for the CBD and the North Sydney CBD supplied by AAM
- imagery for other areas, including western Sydney Harbour / Parramatta River and environs, from Aerometrex.

The views presented in the following section are coloured to identify the following elements:

Table 4 *Viewpoint colour legend*

	Existing built form on the subject site
	LUIP envelope
	SSDA proposed development
	Pymont built form
	Existing adjacent recent development
	Wider contextual built form
	North Sydney built form
	Sydney city built form

For further detail, refer **Appendix 1**

Table 5 Selected Viewpoints

View	Address	RL (m)	Position
CAM01	2 Atchison Street St Leonards	128.1	Top level centre
CAM02	10 Atchison Street St Leonards	118.4	Lower-level east
CAM03	10 Atchison Street St Leonards	118.4	Lower-level centre
CAM04	10 Atchison Street St Leonards	118.4	Lower-level west
CAM05	10 Atchison Street St Leonards	146.5	Mid-level east
CAM06	10 Atchison Street St Leonards	146.5	Mid-level centre
CAM07	10 Atchison Street St Leonards	146.5	Mid-level west
CAM08	10 Atchison Street St Leonards	175.5	Top-level east
CAM09	10 Atchison Street St Leonards	175.5	Top-level centre
CAM10	10 Atchison Street St Leonards	175.5	Top-level west
CAM11	1 Sergeants Lane, St Leonards	127.4	Lower-level south
CAM12	1 Sergeants Lane, St Leonards	127.4	Lower-level centre
CAM13	1 Sergeants Lane, St Leonards	127.4	Lower-level east
CAM14	1 Sergeants Lane, St Leonards	158.5	Mid-level south
CAM15	1 Sergeants Lane, St Leonards	158.5	Mid-level centre
CAM16	1 Sergeants Lane, St Leonards	158.5	Mid-level east
CAM17	1 Sergeants Lane, St Leonards	185.2	Top-level south
CAM18	1 Sergeants Lane, St Leonards	185.2	Top-level centre
CAM19	1 Sergeants Lane, St Leonards	185.2	Top-level east



Figure 12 Location of views selected for private domain assessment

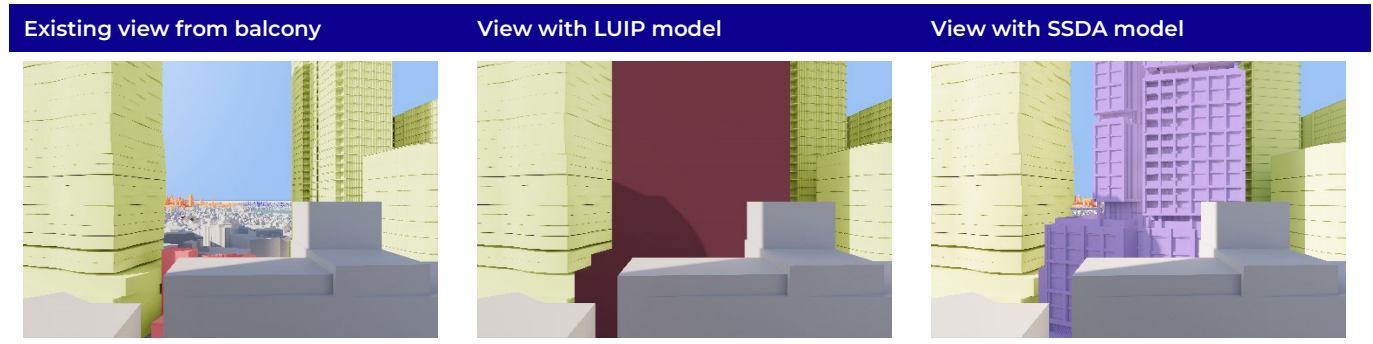
Source: Nearmap and Ethos Urban

7.0 Visual impact assessment

7.1 2 Atchison Street (“Linea”)

The following view states are extracted from **Appendix 1**.

Table 6 CAM01: 2 Atchison Street St Leonards - Top level centre



7.1.1 Tenacity steps 1 to 3

Tenacity step 1: Assessment of views to be affected

The view is of an urban setting with towers in close proximity that limit and frame distant views. Given the elevation of the St Leonards town centre, the eastern and southern portion of the Sydney CBD is visible in the distant background. The view does not include the iconic elements of the Sydney Opera House or the Sydney Harbour Bridge. The view includes a glimpse of harbour water and Parramatta River water, however the water glimpses cannot be described as a ‘whole view’ where a continuous interface between land and water is visible, given the presence of occluding distant built form. The resulting objective value assessment of the view is identified as moderate. Although not containing iconic elements, the part CBD skyline and part water views from the elevated position provide value.

Tenacity step 2: Consider from what part of the property the views are obtained

The views are obtained from a standing position on balconies that look over the balustrade. While floor plans have not been obtained for the units, it is understood that the balconies adjoin living rooms.

It is noted that the view illustrated does not represent the full extent of viewing possible from the balcony of the affected apartments, but rather the view perpendicular to the balcony. The resident also experiences views to either side of the illustrated view, depending on the angle of viewing from the balcony.

Tenacity step 3: Assess the extent of the impact

The LUIP model is provided for comparative assessment, being representative of a volume currently supported by the DPE in the 2036 Plan. This volume fills the void between existing towers. The height of this volume is such that the distant built form described above is obstructed in full (the additional height of the SSDA volume is not perceptible in the constraint of the view).

The proposed SSDA volume, compliant with the concurrent State-led PP, includes a greater setback to the existing tower to the east than the LUIP volume. As a result, sky is visible in the gap between the existing and proposed towers. Above the podium, there is visibility of a limited portion of the Sydney CBD. Qualitatively, the proposal largely obscures the remaining extent of distant views between the two recent towers and is therefore assessed as severe.

Table 7 Tenacity assessment of visual impact

View	Value assessment of views to be affected	Qualitative assessment of extent of impact
CAM01	Low value – Moderate value – High Value	Negligible – Minor – Moderate – Severe - Devastating

7.2 10 Atchison Street (“Air”)

The following view states are extracted from **Appendix 1**.

Table 8 CAM02: 10 Atchison Street St Leonards - Lower-level east

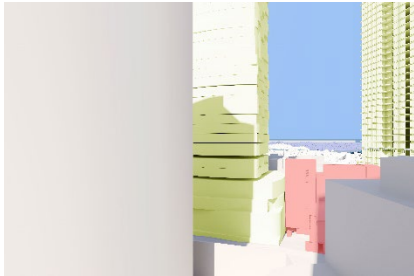
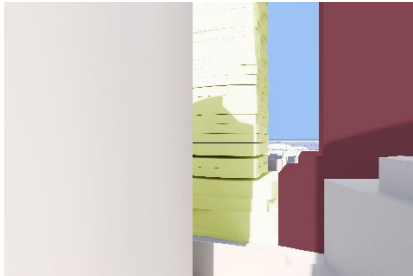
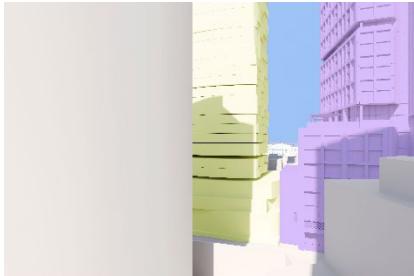
Existing view from balcony	View with LUIP model	View with SSDA model
		

Table 9 CAM03: 10 Atchison Street St Leonards - Lower-level centre

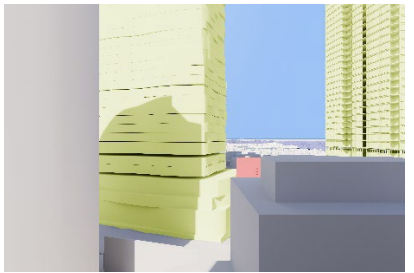
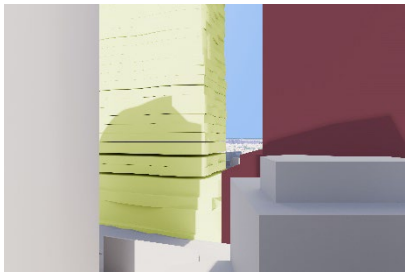
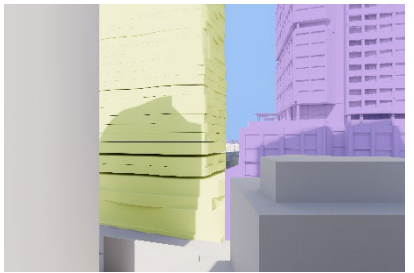
Existing view from balcony	View with LUIP model	View with SSDA model
		

Table 10 CAM04: 10 Atchison Street St Leonards - Lower-level west

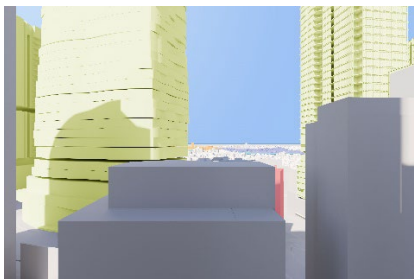
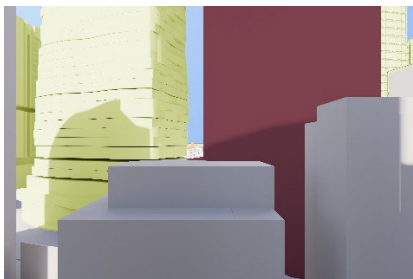

Existing view from balcony	View with LUIP model	View with SSDA model
		

Table 11 CAM05: 10 Atchison Street St Leonards - Mid-level east

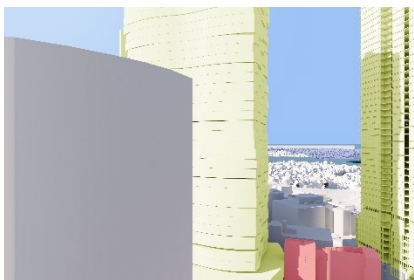
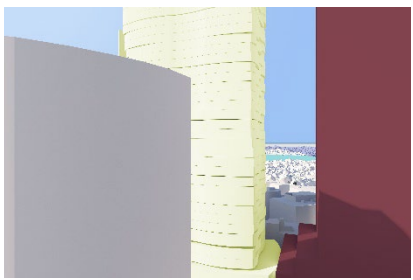

Existing view from balcony	View with LUIP model	View with SSDA model
		

Table 12 CAM06: 10 Atchison Street St Leonards - Mid-level centre

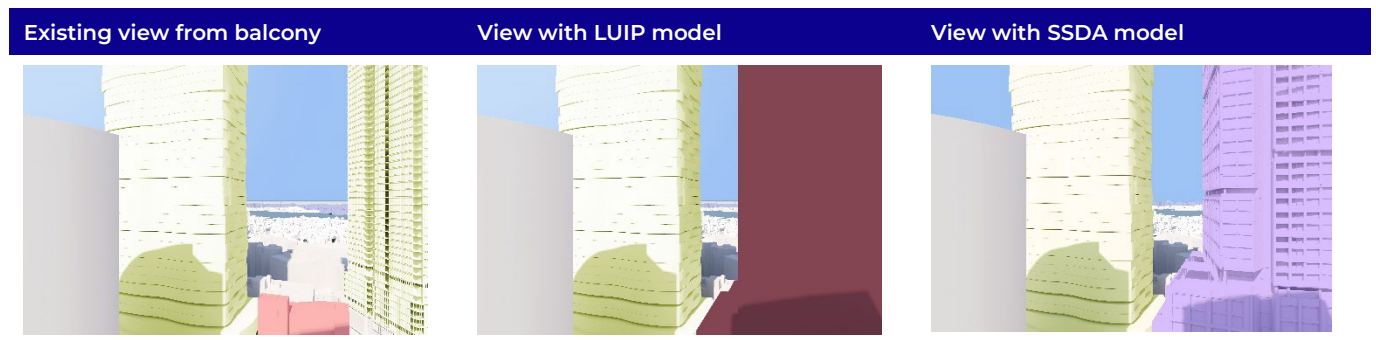


Table 13 CAM07: 10 Atchison Street St Leonards - Mid-level west

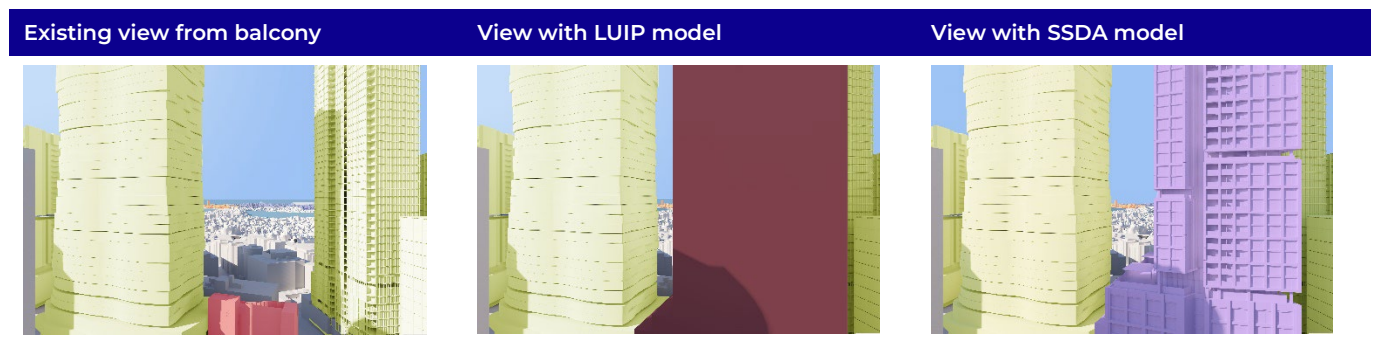


Table 14 CAM 08: 10 Atchison Street St Leonards - Top-level east

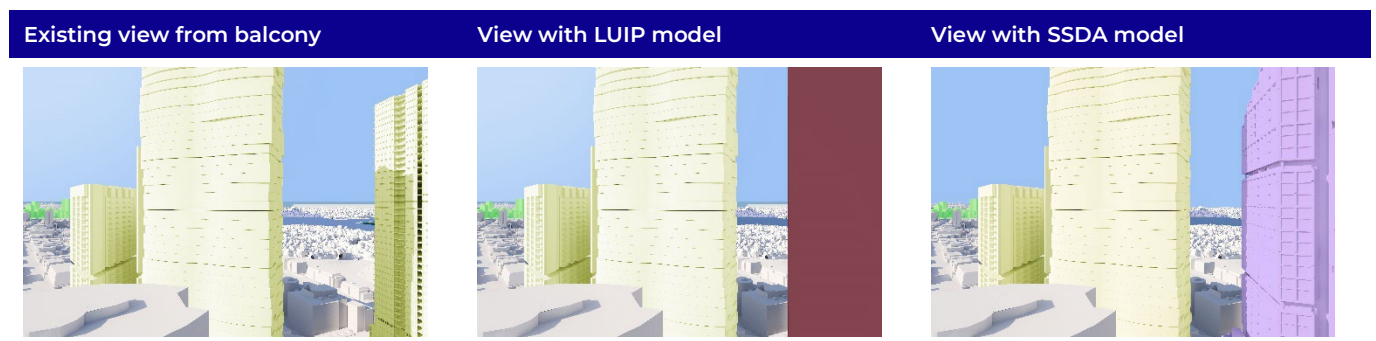


Table 15 CAM09: 10 Atchison Street St Leonards - Top-level centre

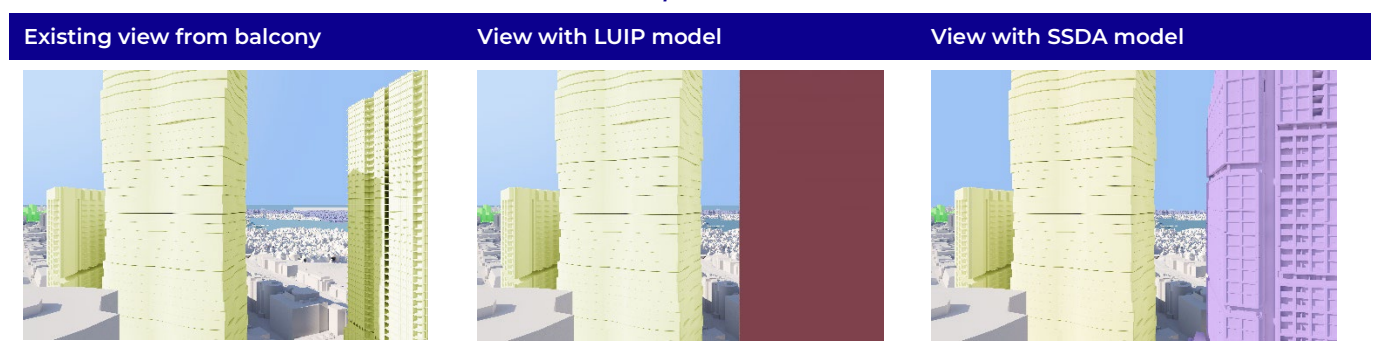
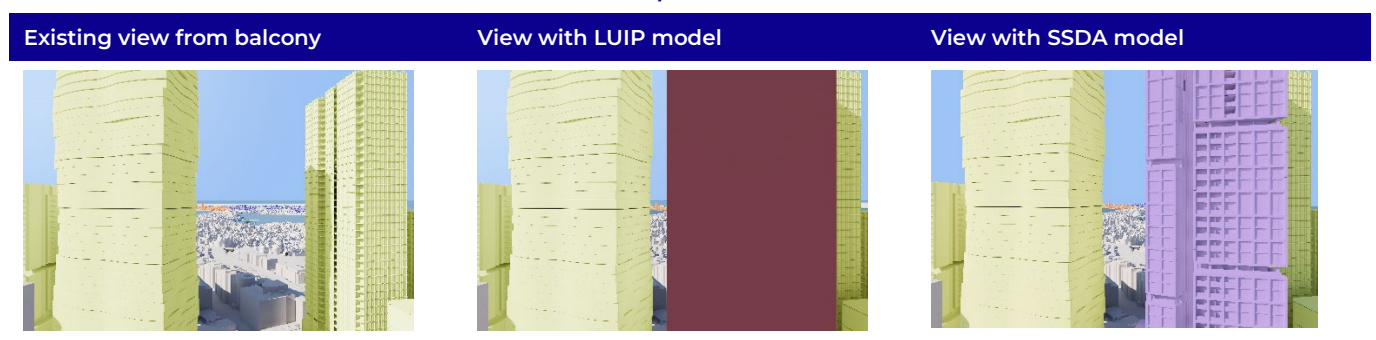


Table 16 CAM10: 10 Atchison Street St Leonards - Top-level west



7.2.1 Tenacity steps 1 to 3

Tenacity step 1: Assessment of views to be affected

The view is of an urban setting with towers in close proximity that limit and frame distant views. Given the elevation of the St Leonards town centre, distant views to the south are experienced by apartments on the southern façade. The extent of distant view corridor is more restricted than 2 Atchison Street (assessed in the previous section) as “The Landmark” tower occupies a greater portion of the eastern viewing range.

From this development, the visible water is generally west of Sydney Harbour proper. The lower level apartments have distant views that include partial Parramatta River glimpses, the presence of occluding distant built form at this lower level presents a greater obstruction to the water’s visibility. At the eastern end of the southern façade, the distant built form is west of the CBD, and includes Pyrmont. The centre of the façade is similar. The western end of the southern façade includes the built form of the southern/western portion of the Sydney CBD – this does not include the iconic elements of the Harbour Bridge or Opera House. The resulting objective value assessment of the view is identified as low to moderate. The value of the view is limited by partial distant water views constrained between existing towers.

The mid-level apartments experience water views that are less occluded by the distant built form given their greater elevation. The views do not include the iconic elements of the Harbour Bridge or Opera House. The resulting objective value assessment of the view is identified as moderate. The value of the view is limited by partial distant water views constrained between existing towers. The value is higher than the lower level apartments, given the additional visible water.

The top-level apartments experience water views that are less occluded by the distant built form given their greater elevation. The views do not include the iconic elements of the Harbour Bridge or Opera House (these are obstructed by “The Landmark”). The elevation of these apartments is greater than the existing commercial tower at 601 Pacific Highway, and so experience distant views to the east including the North Sydney CBD. The resulting objective value assessment of the view is identified as moderate to high. Notwithstanding the limited distant Parramatta River views, the existing towers do not constrain the view extent as significantly as the levels below, and as such the ocean is also visible.

Tenacity step 2: Consider from what part of the property the views are obtained

The views are obtained from a standing position on balconies that look over the balustrade. While floor plans have not been obtained for the units, it is understood that the balconies adjoin living rooms. A total of 9 views have been produced for this existing development. The lower floors do not currently have outlook beyond the commercial building on the opposite side of Atchison Road. The three “lower-level” views represent the view from the lowest floor that has outlook over the commercial building. The three mid-level views represent views from the floor that is mid-way between this lower level and the top floor.

It is noted that the view illustrated does not represent the full extent of viewing possible from the balcony of the affected apartments, but rather the view perpendicular to the balcony. The resident also experiences views to either side of the illustrated view, depending on the angle of viewing from the balcony.

Tenacity step 3: Assess the extent of the impact

The LUIP model is provided for comparative assessment, being representative of a volume currently supported by the DPE in the 2036 Plan. For the eastern apartments, this volume occupies approximately half the void width between the existing towers. For the centre apartments, the volume occupies two thirds of the void width and four fifths of the void width for the western apartments. The height of this volume is such that, where occupying the void, the distant built form is obstructed in full (the additional height of the SSDA volume is not perceptible in the constraint of the view).

The proposed SSDA volume, compliant with the concurrent State-led PP, includes a greater setback to the existing tower to the east than the LUIP volume. This setback is not perpendicular to the front boundary. The tapered form, provides a reduced in-fill of the gap between the existing towers when compared to the LUIP envelope. The reduction increases moving from west to east on all levels, with only a slight reduction from the LUIP envelope when viewed from the western apartments all levels, and a greater reduction when viewed from the eastern apartments.

The SSDA podium height is greater than the LUIP envelope. As a result, for the lower level, the podium occludes a greater extent of distant built form than the LUIP podium. At mid-level, the podium occludes development

immediately south of the proposal only. The extent of distant built form visible is consistent with that afforded by the LUIP podium. For the upper level, the podium of both the LUIP and SSSA envelope is not contained within the view.

Qualitatively, the severity of the extent of impact increases from west to east as additional void between existing towers is occupied. The proposal largely obscures the remaining extent of distant views between the two recent towers and is therefore assessed as severe. The severity also increases for the lower level, particularly where the podium occludes all distant built form from the western apartment. As the portion of Sydney CBD visible to the upper levels is to the eastern edge of the void, it is not occluded by the SSSA tower. Understanding that there is a gradient of severity, the qualitative assessment for each view is identified as severe, with a devastating assessment for the lower floor east apartment, which loses sight of all distant built form.

Table 17 *Tenacity assessment of visual impact*

View	Value assessment of views to be affected	Qualitative assessment of extent of impact
CAM02	Low value – Moderate value – High Value	Negligible – Minor – Moderate – Severe - Devastating
CAM03	Low value – Moderate value – High Value	Negligible – Minor – Moderate – Severe - Devastating
CAM04	Low value – Moderate value – High Value	Negligible – Minor – Moderate – Severe - Devastating
CAM05	Low value – Moderate value – High Value	Negligible – Minor – Moderate – Severe - Devastating
CAM06	Low value – Moderate value – High Value	Negligible – Minor – Moderate – Severe - Devastating
CAM07	Low value – Moderate value – High Value	Negligible – Minor – Moderate – Severe - Devastating
CAM08	Low value – Moderate value – High Value	Negligible – Minor – Moderate – Severe - Devastating
CAM09	Low value – Moderate value – High Value	Negligible – Minor – Moderate – Severe - Devastating
CAM10	Low value – Moderate value – High Value	Negligible – Minor – Moderate – Severe - Devastating

7.3 1 Sergeants Lane, St Leonards (east tower of St Leonards Forum)

The following view states are extracted from **Appendix 1**.

Table 18 CAM11: 1 Sergeants Lane, St Leonards - Lower-level south

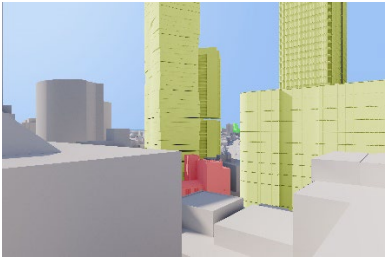
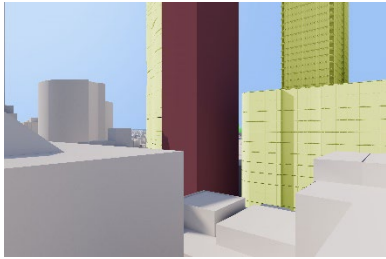
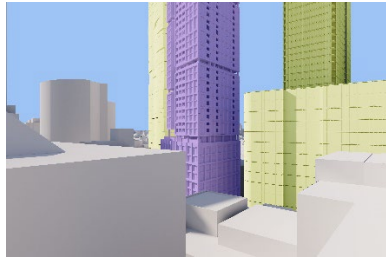
Existing view from balcony	View with LUIP model	View with SSDA model
		

Table 19 CAM12: 1 Sergeants Lane, St Leonards - Lower-level centre

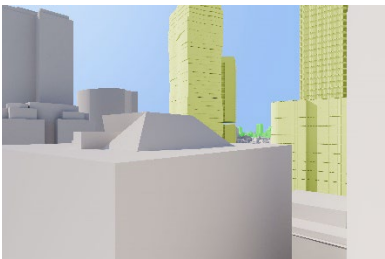
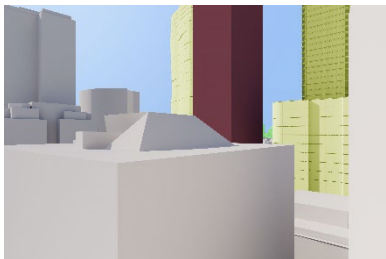
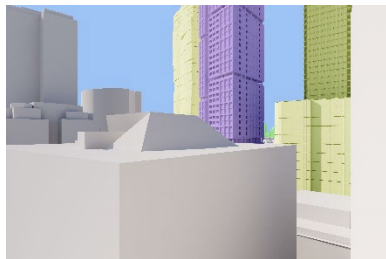
Existing view from balcony	View with LUIP model	View with SSDA model
		

Table 20 CAM13: 1 Sergeants Lane, St Leonards - Lower-level east

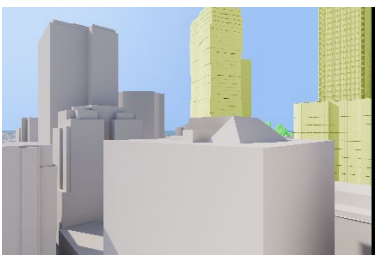
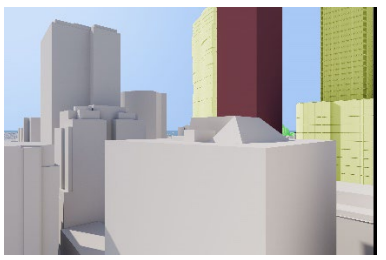
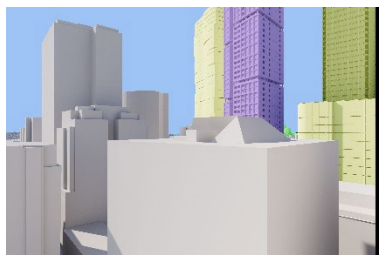
Existing view from balcony	View with LUIP model	View with SSDA model
		

Table 21 CAM14: 1 Sergeants Lane, St Leonards - Mid-level south

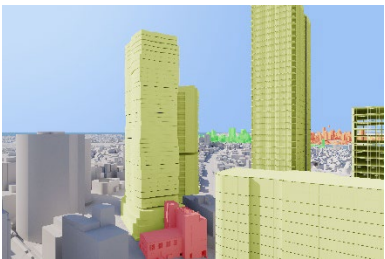
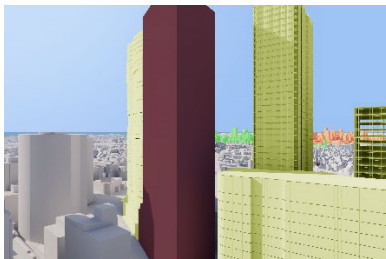
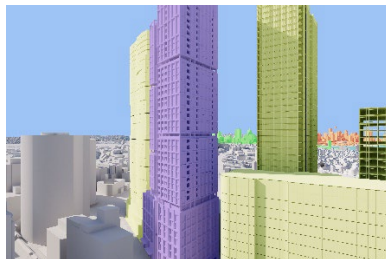
Existing view from balcony	View with LUIP model	View with SSDA model
		

Table 22 CAM15: 1 Sergeants Lane, St Leonards - Mid-level centre


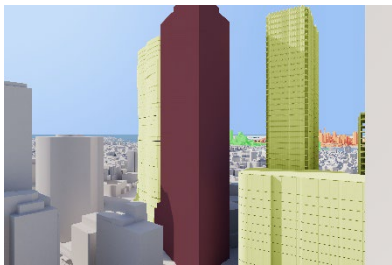
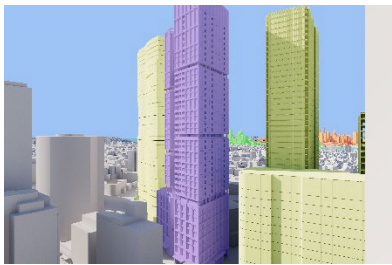
Existing view from balcony	View with LUIP model	View with SSDA model
		

Table 23 CAM16: 1 Sergeants Lane, St Leonards - Mid-level east


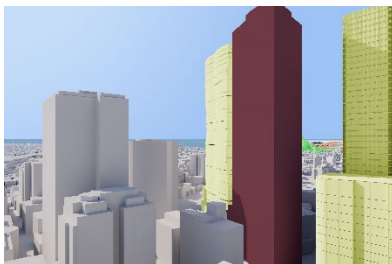
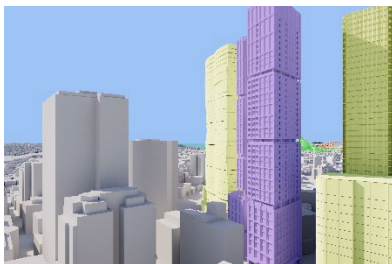
Existing view from balcony	View with LUIP model	View with SSDA model
		

Table 24 CAM17: 1 Sergeants Lane, St Leonards - Top-level south


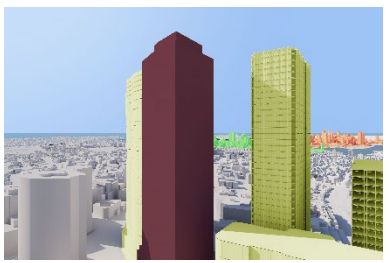
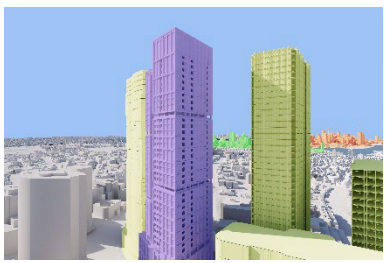
Existing view from balcony	View with LUIP model	View with SSDA model
		

Table 25 CAM18: 1 Sergeants Lane, St Leonards - Top-level centre

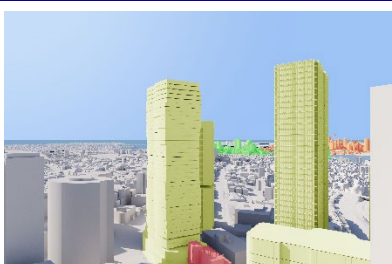
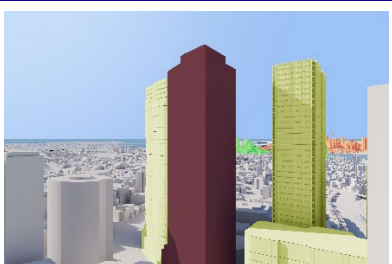
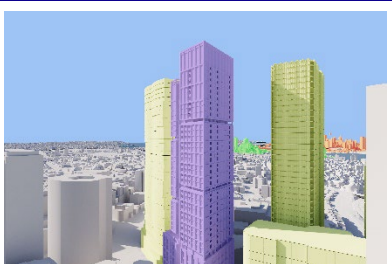
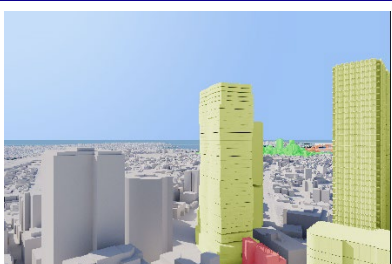
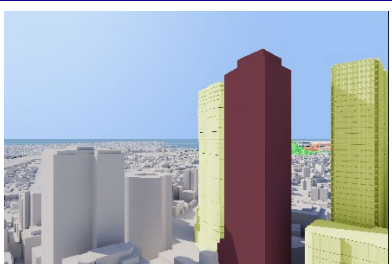
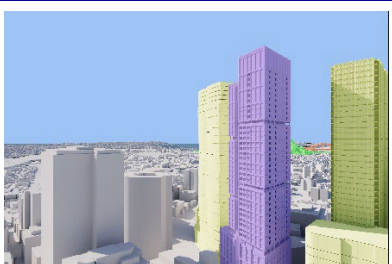
Existing view from balcony	View with LUIP model	View with SSDA model
		

Table 26 CAM19: 1 Sergeants Lane, St Leonards - Top-level east

Existing view from balcony	View with LUIP model	View with SSDA model
		

7.3.1 Tenacity steps 1 to 3

Tenacity step 1: Assessment of views to be affected

The view is of an urban setting with towers in close proximity that limit and frame distant views. Given the elevation of the St Leonards town centre, distant views to the southeast, in the direction of the subject site, are experienced by apartments on the eastern façade. Being set further back from the subject site, the existing towers are less significant a feature in the viewing extent when compared to the views from the two developments previously assessed. Also, the void between existing towers to either side of the site is wider.

From this development, the visible water includes the ocean, Sydney Harbour and the Parramatta River, from mid-level to top level. The lower-level apartments have distant views that include limited visibility of North Sydney CBD built form, however the distant viewing is largely obscured by the existing close proximity built form.

At mid and top levels, there is partial views of both the North Sydney CBD and the Sydney CBD. The centre and east apartment views at these levels also includes visibility of part Harbour Bridge and part Opera House. These icons are visible at the western edge of the void between the existing towers on either side of the site.

The resulting objective value assessment of the view is identified as low for the lower-level views. The value of the view is compromised by existing development and experiences tightly constrained distant views. The mid-level south view is assessed as having a moderate value. The centre and east views are assessed as having high value with the presence of Sydney icons as well as extensive distant water views. All top floor views are assessed as having high value.

Tenacity step 2: Consider from what part of the property the views are obtained

The views are obtained from a standing position on balconies that look over the balustrade. While floor plans have not been obtained for the units, it is understood that the balconies adjoin living rooms. A total of 9 views have been produced for this existing development. The lower floors do not currently have outlook beyond the commercial building to the south. The three “lower-level” views represent the view from the lowest floor that has outlook over the commercial building. The three mid-level views represent views from the floor that is mid-way between this lower level and the top floor.

It is noted that the view illustrated does not represent the full extent of viewing possible from the balcony of the affected apartments, but rather the view angled towards the subject site (please refer explanation of this approach in section 6.3.4 of this report). The resident also experiences views to either side of the illustrated view, depending on the angle of viewing from the balcony.

Tenacity step 3: Assess the extent of the impact

It is noted that the void between the two towers on either side of the subject site comprises part of the viewing corridor experienced by the residents of 1 Sergeants Lane. Distant views and sky are visible to either side of the two towers within the view extent.

The LUIP model is provided for comparative assessment, being representative of a volume currently supported by the DPE in the 2036 Plan. For all apartments, this volume occupies approximately half the void width between the existing towers, this is because all views are angled towards the subject site. The height of this volume is such that, where occupying the void, the distant built form is obstructed in full (the additional height of the SSDA volume is perceptible in the constraint of the mid and top-level views, however occludes additional sky only).

The proposed SSDA volume, compliant with the concurrent State-led PP, occludes the same extent of void as the LUIP volume. This is because the tapered eastern side of the proposal, with additional setback, is not visible from this development. Similarly, the variation in podium height between the LUIP and SSDA volumes is not perceptible from this viewing angle.

From the lower-level south apartment, the current limited extent of distant built form is occluded by the SSDA volume. For the lower-level centre and east apartments, a small extent of distant viewing remains. The qualitative assessment of impact is moderate, given the limited extent of current viewing.

For all views on the mid and top levels, the northern edge of the North Sydney CBD is occluded by the SSDA volume. There is no reduction to the visibility of the Sydney CBD, nor any loss of views to the Harbour Bridge or Opera House

(which are located on the opposite side of the void to the SSDA volume). The qualitative assessment of impact is moderate, as the void between existing towers comprises just part of the existing view extent, and no loss of icon views is experienced.

Table 27 *Tenacity assessment of visual impact*

View	Value assessment of views to be affected	Qualitative assessment of extent of impact
CAM11	Low value – Moderate value – High Value	Negligible – Minor – Moderate – Severe - Devastating
CAM12	Low value – Moderate value – High Value	Negligible – Minor – Moderate – Severe - Devastating
CAM13	Low value – Moderate value – High Value	Negligible – Minor – Moderate – Severe - Devastating
CAM14	Low value – Moderate value – High Value	Negligible – Minor – Moderate – Severe - Devastating
CAM15	Low value – Moderate value – High Value	Negligible – Minor – Moderate – Severe - Devastating
CAM16	Low value – Moderate value – High Value	Negligible – Minor – Moderate – Severe - Devastating
CAM17	Low value – Moderate value – High Value	Negligible – Minor – Moderate – Severe - Devastating
CAM18	Low value – Moderate value – High Value	Negligible – Minor – Moderate – Severe - Devastating
CAM19	Low value – Moderate value – High Value	Negligible – Minor – Moderate – Severe - Devastating

7.4 Reasonableness of view impact

Under Tenacity, Step 4 involves assessment of the reasonableness of the proposal that is causing the impact. Reasonableness can be a highly subjective concept involving professional value judgements. Subjectivity can be reduced by reference to the planning framework in totality, including strategic plans and statutory plans. It is also helpful to consider a range of other relevant matters such as context and previous, similar planning decisions.

St Leonards – an urban renewal precinct subject to recent, ongoing and future change.

It has been noted in this view assessment that significant growth is occurring or has been approved for land in the vicinity of the site.

This growth has fundamentally changed the scale of St Leonards and the context in which view impacts should be considered. It is of particular relevance to note that the new towers to either side of the subject site 'frame' views. In doing so, they fundamentally reduce the nature and scope of views available in all directions from the assessed apartments. It is also considered that they represent a benchmark of what consent authorities have considered acceptable in terms of view impact from the assessed apartments – these towers have in some cases occluded viewing of the Sydney Harbour Bridge and the Sydney Opera House, considered "icons" by Tenacity, and as such afforded the highest level of value. The acceptance of such view loss is considered to be a result of prioritising the strategic importance of St Leonards, which is set to increase its contribution to the City through diversity of housing in close proximity to key transport nodes.

St Leonards is identified as a Strategic Centre in the Greater Sydney Region Plan. The DPE published the St Leonards and Crows Nest 2036 Plan (2036 Plan) in August 2020, providing the strategic framework for future development to deliver approximately 16,500 new jobs and 6,680 new dwellings. Ultimately, the plan facilitates the urban renewal of St Leonards to guide the growth of this crucial economic centre. The 2036 Plan includes proposed changes to existing planning controls to guide further site specific planning investigations. A set of increased building heights are proposed across St Leonards, an excerpt of which is provided in **Figure 14**. In this Figure, the subject site is bound in yellow, 2 Atchison Street is identified with a purple asterisk, 10 Atchison Street with a green asterisk and 1 Sergeants Lane with an orange asterisk.



Figure 13 Land Zoning and Building Height nominated in the 2036 Plan

Source: 2036 Plan

Between the subject site and the Atchison Road properties, the 2036 Plan proposes:

- A 50 storey tower in front of 2 Atchison Road and part 10 Atchison Road residences
- A 42 storey tower in front of part 10 Atchison Road residences

Both proposed towers are taller than the apartment buildings assessed. Between the 1 Sergeants Lane building and the subject site, an 18 storey and a 36 storey building is proposed, the 36 storey building not greatly dissimilar to the height of 1 Sergeants Lane.

The proposed SSDA built form is compliant with the State-led rezoning envelope. The rezoning process is informed by the 2036 Plan and is aligned with the vision for St Leonards. Tenacity states that, "A development that complies with all planning controls would be considered more reasonable than one that breaches them... With a complying proposal, the

question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.”

Given the above, the severity of impact to the views, particularly to the apartments at 10 Atchison Place, is considered reasonable in light of the current and future urban renewal of St Leonards. The towers recently completed either side of the subject site impose a significant change to the viewing experienced by the assessed apartments. Similarly, development that occurs between the subject site and the assessed apartments, in line with the 2036 Plan, would significantly change the view extent of the assessed apartments. The proposed development is part of the significant change taking place in St Leonards. The additional height being sought in the SSDA and State-led rezoning is not perceptible within the frame of viewing assessed by the apartments on Atchison Road, and occludes additional sky within the frame of viewing of the 1 Sergeants Lane apartments. The additional height will not reduce the extent of views to distant built form or natural features that would be reasonably expected to be maintained by the LUIP envelope.

Skilful design

Tenacity also prompts the question whether a more skilful design would result in a lesser view impact and achieve the same development potential and amenity.

The proposal has been subject to a comprehensive, detailed and lengthy design process. It is noted that the SSDA envelope presents a greater setback to the eastern boundary than considered in the LUIP form, which is designed to meet the ADG minimum separation requirement. The eastern extent of the SSDA envelope is tapered, achieving a boundary setback that ranges from 12m to 20m (refer **Figure 15** below). The resulting envelope provides additional visual privacy between neighbouring developments and compliant solar amenity to the SSDA proposal (refer **Figure 16** below).

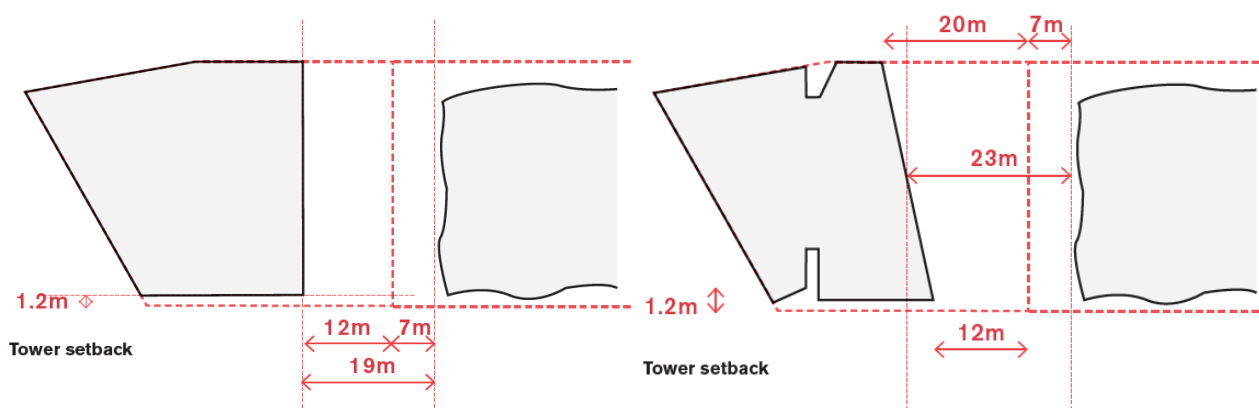


Figure 14 Eastern boundary separation: 12m to the LUIP envelope (left) and 12-20m to the SSDA envelope (right)

Source: DKO Architecture

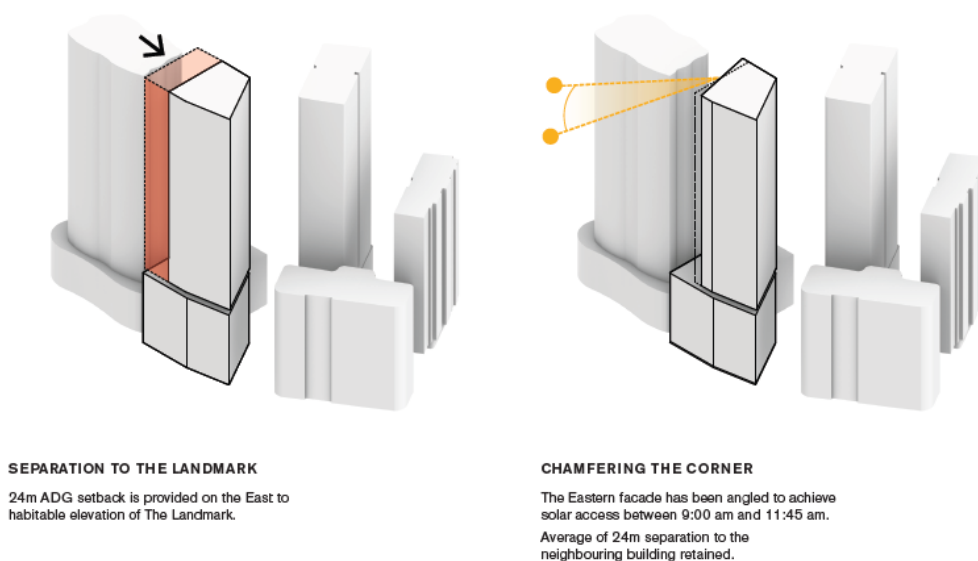


Figure 15 Formation of the SSDA envelope to provide visual privacy, solar amenity and access to views

Source: DKO Architecture

The view analysis contained in this report has identified that the additional setback to the eastern boundary has reduced the extent of view loss for the assessed apartments on Atchison Road. Although this does not reduce the qualitative severity of the view loss, the retention of sky and partial distant built form between towers results in an assessment that is below the devastating category. It is evident that the architect, DKO Architecture, has approached the massing with consideration to neighbouring amenity while achieving the development potential anticipated in the 2036 Plan. In this respect, it is considered that the architect has approached the design with expert skill, and that a development envelope that is in strict alignment with the LUIP envelope would present a worse view loss outcome.

The mitigating role of outlook

It is noted that the St Leonards fine grain street, laneway and recent investment in open space (refer **Figure 17**) provides the assessed apartments with an east or west aspect, and close-range viewing with a guaranteed outlook that would not otherwise be available in its absence. While distinct from views, outlook is also a key source of amenity for residential properties. This is considered to provide a level of mitigation for view loss appropriate to a CBD context.



Figure 16 CGI of St Leonards Plaza, currently under construction in the vicinity of the assessed apartments

Source: Arcadia

8.0 Conclusion

The key question addressed by this visual impact assessment was whether the impact to views from affected apartments resulting from the proposed State Led rezoning and concurrent SSDA is reasonable, considering the relevant planning and strategic context of St Leonards.

It has been determined that the impact to views experienced by residents at 2 Atchison Road, 10 Atchison Road and 1 Sergeants Lane is reasonable on the following grounds:

- The properties are in the core of St Leonards, a strategic centre that has been endorsed for significant built form and density uplift in the DPE's St Leonards and Crows Nest 2036 Plan.
- Strategic and statutory plans, including the 2036 Plan noted above, are clear in their intent to promote St Leonards as a Strategic Centre for jobs growth and housing diversity. This is reinforced by significant public investment in the locality, most notably the Crows Nest Metro Station, approximately 300m southeast of the site.
- Consistent with this, significant recent development has occurred following consent authority approval that fundamentally changes the visual context of the assessed apartment buildings. This includes both "The Landmark" and "88 by JQZ" towers, positioned on either side of the site, which are comparable in scale and density to the proposed development.
- The 2036 Plan proposes that future buildings between 42 storeys and 50 storeys are located between the affected properties and the subject site. Future height compliant buildings on land between the affected properties and the subject site will either block or significantly reduce views towards and across the subject site.
- The volume of the LUIP envelope, being an articulation of the 2036 Plan, results in greater occlusion of viewing from the Atchison Road apartments than the proposed SSDA envelope, which is consistent with the built form controls facilitated by the State-led rezoning. Further, the additional height proposed by the SSDA is not perceptible within the frame of viewing from the Atchison Road apartments and does not contribute to the loss of distant built form and water views generated by the LUIP and SSDA envelopes.
- The Sergeants Lane apartments are qualitatively assessed as having a moderate extent of impact. The reduced impact results in their wider viewing extent to either side of the subject site (increased distance from the site) and there is no loss of views to icons (Harbour Bridge and Opera House).

On this basis, it is the conclusion of this view loss assessment that the extent of view loss is insufficient in its own right to warrant redesign or refusal of the proposal on merit grounds.

Appendix A Visual Impact Evidence

Author: Virtual Ideas