

North Sydney



Visual Assessment Report

Report prepared for Avenor Group

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Executive Summary

1. This report is an assessment of the visual effects and potential impacts on view sharing of a Planning Proposal for 173-179 Walker Street and 11-17 Hampden Street, North Sydney.
 2. There are three Reference Designs being considered for the site. The Development of a preferred option will depend on a variety of factors including land ownership, potential amalgamation of adjoining lots and assessment of the designs included in the planning proposal. Like any coastal location with highly valued views, future buildings on the site would need to be carefully designed to ensure that an appropriate degree of view sharing can be retained.
 3. The site has a potentially large visual catchment, however direct visual effects of the proposed development will be relatively restricted to locations closest to the site from adjacent roads including Walker Street, McLaren Street and Hampden Street.
 4. Parts of the podium and towers proposed on the East Walker Street precinct will be visible from distant locations from the north-east, east and south-east and will be visible in the context of a skyline that is predominantly characterised by tower forms of similar or greater height.
 5. The built form proposed in all Reference Designs is compatible with those that currently exist, are approved or are under construction within the immediate visual context of North Sydney.
 6. The majority of views to the proposed development from the south-west, west and north-west will be blocked by intervening tall built forms that are present in the North Sydney CBD.
 7. In our opinion there are no high sensitivity viewing locations to the site from within the immediate public domain.
 8. The most sensitive views to the site from the private domain are likely to be from the closet residential developments located opposite the East Walker Street Precinct along the west side of Walker Street.
 9. View access from low-level dwellings opposite the site to iconic or highly valued features as defined in *Tenacity* are unlikely to be currently available.
 10. The tower forms proposed will introduce new, taller built form into the foreground composition of views from some low and mid-level dwellings at the Heritage Apartments and in some mid-level views from the dwellings in The Belvedere.
 11. The tower forms included in all Reference Designs are not dissimilar in scale or form to adjoining residential tower forms eg. Century Plaza.
 12. In the majority of views from high-level dwellings as presented in block-model photomontages, the tower forms will block a small part of a wider panoramic view to the south-east or east. The parts of the view composition blocked do not include iconic items or a large proportion of scenic or highly valued views as defined in *Tenacity*.
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13. A small part of a wider view to the east to Sydney Harbour will be potentially blocked in some views from centrally located high level apartments in the Belvedere.
 14. The visual effects of all of the Reference Designs would include view loss in respect of low-level dwellings at the Heritage and Belvedere Apartments. The views lost do not include iconic items or a large proportion of scenic or highly valued views as defined in *Tenacity*.
 15. The extent of view loss in our opinion from the closet low-level dwellings is likely to be similar the effects caused by a development that complies with the controls that apply to the site such as the R4 zone and 12 metres height control.
 16. The additional height sought by the planning proposal predominantly blocks views of areas of open sky.
 17. To the extent that there is view loss, it would not be directly related to the overall heights of the built form proposed. That is, lower built form would not cause significantly lesser effects.
 18. High rise residential and mixed-use tower development in this visual context are not unexpected or likely to appear out of place given the similar scale and height of developments at Milsons Point, North Sydney and within the City of Sydney.

1.0 Background

Avenor Pty Ltd (Avenor) on behalf of Walker Street No. 100 P/L is preparing a planning proposal to be submitted to North Sydney Council as the consent authority, for a proposed mixed-use development at the East Walker Street Precinct (the precinct) which includes 173-179 Walker Street and 11-17 Hampden Street, North Sydney. The planning proposal includes proposed built forms across the East Walker Street Precinct that are on separate land titles, with the objective of amalgamation in order to maximise the development potential of the precinct.

Richard Lamb and Associates (RLA) have been commissioned by Avenor to provide an independent visual assessment of the planning proposal at the Reference Design stage.

RLA has extensive experience in visual analysis and visual impact assessment of projects ranging from individual residences to urban release areas. The company specialises in landscape assessment, landscape heritage conservation, visual impacts and strategic planning for visual protection and conservation of cultural landscapes. Dr. Lamb, the principal author of this report, has 30 years' experience in development assessment and strategic planning and has published articles in local and international journals on perception, aesthetic assessment and landscape management. RLA have been engaged to provide independent visual analysis of many Major Projects, planning proposals and development applications in urban settings similar to the precinct.

A CV for Dr Richard Lamb, principal of RLA and author of this report can be viewed or downloaded from the RLA website at www.richardlamb.com.au.

2.0 Purpose of this report

This report provides an assessment of the potential visual effects and impacts of the built form proposed on the precinct subsequent to the approval of the planning proposal. The planning proposal includes 3 different Reference Designs, the merits of which are analysed in respect of impacts on potential view sharing. All Reference Designs include podium and tower forms.

Each Reference Design has been analysed based on the indicative 3D modelling that has been prepared by SJB Architects in February 2019 which shows the location, form, height and massing of the built forms proposed.

Should the proposal be approved to progress to the development application stage, detailed design would occur for individual components of the development, at which time fine-grained consideration of the massing, articulation, detailing, materials and finishes, colours and landscape design would be resolved.

Our assessment is therefore restricted to the analysis of the visibility, visual exposure, and visual effects on views and streetscapes that would occur in relation to the general principles proposed eg. location, height and form. It also includes a preliminary assessment of potential impacts on the composition of views, existing visual character, desired future character and streetscape character of the vicinity. In this regard we have as far as possible assessed the potential of the development to cause view loss or blocking in relation to surrounding views within the private and public domain, including approved and proposed developments nearby.

3.0 The existing site and visual context

The precinct is located on the eastern side of Walker Street with a west and north boundary to Hampden Street. Together the 7 separate lots form a lowercase 'r' shape if considered in plan-view and are bounded by the east side of Hampden Street including its eastern return. Existing built form on the site is characterised by inter-war era residential buildings between three and four residential storeys in height. We note that the site is identified by Council as an 'opportunity site' in the draft WSPM but has been excised from the plan so that development on the site can be separately pursued.

Walker Street runs parallel to and is in a mid-slope position relative to the Pacific Highway and the Warringah freeway to its east. In this regard the site includes a steep cross fall from west to east with a ground level that sits below its western Walker Street and Hampden Street frontages. The site appears to be located at the approximate low point within the local topographic and visual context so that the adjacent ground levels to the west, north and south are higher relative to it.

The subject site is surrounded by residential dwellings or apartment blocks that vary in architectural style and age. The west side of Walker Street is characterised by contemporary high quality mixed-use development eg. the Belvedere and Heritage apartments and by residential development such as a low four-storey clinker brick 1980's style building at 45 McLaren Street.

McLaren Street located north-west of the precinct rises in elevation to meet the Pacific Highway. Development located along the both sides of the street include tall tower forms including existing and approved mixed and residential buildings.

45 and 41 McLaren Streets have been the subject of conjecture in regard to uplift development. We are advised that Council at its January 2019 meeting, endorsed a Post Exhibition Report on the Draft Ward Street Precinct Masterplan (Stage 2) and resolved to progress with a final masterplan based on Masterplan Design Option 2 which does not involve the redevelopment of 41 McLaren Street or 45 McLaren Street. As a result, 45 McLaren Street is not expected to increase in height.

We understand that a Planning Proposal for 41 McLaren Street, up-slope and west of 45 McLaren Street is still being progressed. Information available on the Council's DA tracker, indicates that although parts of the existing 8-storey Harry Seidler-designed building would remain, redevelopment of the site is likely to include a tower form that is potentially much higher than 12 storeys (RL110) as shown in the draft WSPM. In fact, the planning proposal that is currently under review by the DPE includes a tower form of up to 53 residential storeys in height or RL 230, as shown in Figure 14 at page 36 of the planning proposal document prepared by Architectus.

The SAP building located at No.168 Walker Street at the north-west corner of McLaren Street will be replaced by an approved residential tower to be built by 'Aqualand'. This building will spring from a higher ground level relative to the subject site to a height of RL 167m. It primarily presents to McLaren Street as is characterised by its long southern elevation parallel to the street.

Two residential apartment towers are located at the high (west) end of McLaren Street including what appears to be 13 storeys at the "McLaren Apartments" at 39 McLaren Street and approximately 17 storeys at the "Harvard Apartments" at 237 Miller Street which stands at the south-east corner of McLaren and Miller Streets.

We note that two mixed-use developments including residential towers are under construction at 231 Miller Street and 221 Miller Street. Both buildings include a residential component and rise to 21 storeys. 3D aerial imagery available via Google Earth and graphics provided in the Ward Street Precinct Master Plan Urban Design Report (WSPMUDR) prepared by Hassell in 2018, indicates that such

a building at 21 storeys would reach the approximate height of an existing 22 storey building at 201 Miller Street to the south. Marketing information available on line in relation to 231 Miller Street (the Miller) indicates that living spaces along the east elevation of this building would have access to some views to the east. It is likely that some views may also be available from the upper floors at 221 Miller Street albeit only via a narrow slot between existing and approved tower forms.

The Belvedere residential tower is located at No.138 Walker Street opposite the precinct. It includes two connected built forms, the lower of which is 13 residential storeys in height (RL101) and the higher form including 21 residential storeys reaches RL125.

'The Heritage' apartment block and associated dwellings at No.150 Walker Street is located west and north-west of the site. This development includes four modified separate federation style one and two-storey dwellings with gardens and a conjoined 8 storey contemporary residential apartment building immediately to the rear (west). The rear apartments include external balconies and windows along the eastern elevation.

The east side of Walker Street north of the site includes residential development that is predominantly lower in height and smaller in form and scale relative to the west side and includes two to three-storey flats and terrace houses with the exception of the Harbourview Apartments at No.191-195 Walker Street that includes eight residential storeys massed in two tower forms located on a local ridgeline north of Hampden Street.

Hampden Street includes a split carriageway separated by terraced stone walls and semi- mature vegetation for example, Jacaranda and Bottlebrush trees which provide a continuous visual screen between the two carriageways. Mature canopy trees are located at the east end of the street and along the west side of Warringah Freeway which block some low-level and street views from Hampden Street and parts of Walker Street to the east. The north side of the street is elevated relative to the south and includes two-storey residential development, the western-most of which is a semi-detached residence with a narrow setback to a two-storey terrace development that includes five dwellings.

A five-storey contemporary residential development occupies the eastern end of the north side of Hampden Street. This is characterised by two separate buildings, with curved roof forms and what appear to be open terraces along the east elevation. This development is set back to the north and beyond mature vegetation which creates a vegetation screen between it and Hampden Street.

No.169 Berry Street "Century Plaza" is located south of the precinct and is characterised by two wings of apartments located either side of a central lift core. The building's unusual 'butterfly' floorplate appears to be circa 1990's era with one elevation orientated to the north-west and towards the site. The north-west elevation includes windows and external balconies and appears to be the rear of apartments. Century Plaza is approximately 19 residential storeys in height with the highest floor level of accommodation RL 119. We observed that the tower form is well separated from the precinct by a ground level podium, garden areas and carparking structure that includes a pool, landscape gardens and mature vegetation.

We observed the presence of mature London Plane street trees (*Platanus acerifolia*) in Walker and McLaren Streets which make a significant visual contribution to the streetscape character of the area. The canopies of other mature trees located within private property particularly those close to Walker Street, also contribute to the visual context of the site.

3.1 Visual quality

In our opinion, the intrinsic visual quality of the site and Walker Street is moderate to high. The North Sydney Development Control Plan 2013 (the DCP) identifies the site as being within the Hampden Neighbourhood precinct. Section 2.4.1 describes the streetscape character of this area as including significant elements such as street trees, grass verges, landscaped median strips and double rail timber fences as well as an iconic sandstone wall and views and vistas to be preserved. We note that Hampden Street includes heritage items that are recorded in Schedule 5 of the North Sydney LEP 2013 and that the Walker Street conservation area is located north of McLaren Street and does not include the precinct.

3.2 Streetscape character

Streetscapes immediately surrounding the site are predominantly characterised by mixed-use residential and commercial buildings. This is the case for Walker, McLaren and Berry Streets. Hampden Street includes a lower density and scale of residential development. The setback of built form along the west side of Walker Street varies but the majority of sites are characterised by narrow or nil setbacks. Streetscapes within the Hampden neighbourhood precinct and along the east side of Walker Street are characterised by low front fences and substantial gardens within the front setbacks. The streets are quiet relative to the major arterial roads to the west, south and east eg the Pacific Highway and Berry Street and include mature street trees which contribute to a green, pleasant pedestrian environment.

4.0 The proposed development

SJB have prepared three alternative Reference Designs. The massing of each option is shown in the Planning Proposal prepared by SJB architects in February 2019 and in photomontages in this report.

Reference Design

The massing of built forms proposed in this option, includes a wider spatial separation where towers are located at the north-east edge adjacent to Hampden Street and centrally on the site adjacent to Walker Street. A 3-storey podium occupies the majority of the site and the north-east tower rises to include 18 storeys (RL 110.7). A lower mass up to 8 residential storeys separates the north-east tower from the central tower of 24 storeys (RL132.4) which includes two lower forms of 16 and 12 storeys, which step down in height to the north.

Special Provisions Reference Design

The massing of built form includes a continuous podium of 3 storeys before a setback to a central core of built form of greater and more uniform height relative to Option 1. The north and central part of the precinct include the tallest forms with towers which step up in height to the north including up to 29 residential storeys, at the corner of Hampden Street. The lowest massing of 8 and 9 storeys are located at the south and east ends of the central core of development and present to Walker Street and Hampden Street respectively.

Separate Land Holdings Reference Design

The massing of built form includes a continuous 3-storey podium to the site. Lower tower forms up to 8 and 9 storeys are situated in the northern half of the precinct, which relate to Hampden Street and to the lower residential context to the north. Taller built forms occupy the southern half of the site and include three potential tower forms that step down in height from north to south and from 24 residential storeys (RL 132.4) to 12 residential storeys.

5.0 Existing view access

5.1 Public domain (including local streets)

Existing view access from surrounding streets is constrained largely to the road corridors by built form and street trees. The existing site is visible from parts of Walker Street and from its intersections with McLaren Street and Berry Street. Views from the west towards the site and to the potential tower forms are constrained by tall intervening existing development and buildings that are currently under construction including 221 and 231 Miller Street. Therefore, the visual catchment of the site is limited overall.

View compositions available from within the public domain in the immediate context of the site includes features typical of a commercial residential mixed-use environment and streetscape features described in Section 3.2 such as sandstone walls and gardens etc.

There is no view across the existing site and dwellings from Walker Street or Hampden Street to scenic or more highly valued features eg. parts of Sydney Harbour. In addition, there appears to be a limited prospect of medium or more distant views from pedestrian paths in McLaren Street, Walker Street and Hampden Street across the site to scenic or more highly valued features. Potential views towards Kirribilli and beyond to parts of Sydney Harbour from Walker Street if available from the public domain would not be affected by the proposed development. The strong vista along Walker Street to southern part of the North Sydney CBD referred to in the North Sydney DCP is not available in the vicinity of the site. This potential view to the south along Walker Street appears to exist from near its intersection with Berry Street which is at a relative high point in the street.

5.2 Existing view access - private domain

Based on our experience and observations, an analysis of the spatial relationship, landforms, built form, and presence of vegetation within the immediate site context, in our opinion some residential apartments may be potentially affected by view loss or view blocking as a result of construction of a tower form on the precinct.

The lower buildings such as those located in the heritage conservation area in Hampden Street and those opposite the site, for example at 146 and 148 Walker Street, have limited view access to the east and south-east. We anticipate that views are short range and do not extend beyond the precinct to the east or include scenic or highly valued items. Views in this direction and to the south-east from the heritage precinct and from Walker Street appear to be constrained east of the site by taller built forms, for example 86 -88 Berry Street.

Views from both Century Plaza and the proposed Aqualand development are likely to be expansive with only a small part of potential views being affected by the built form proposed on the precinct. Further, both of these buildings are located some distance from the precinct and in this regard potential visual impacts would receive less weighting in terms of the significance of the impact as only a part of the field of view would be affected.

Views from the upper few floors of 'The Harvard' to the east and south-east may be available above the adjacent 'McLaren Apartments' and, may include parts of Sydney Harbour. View access to scenic or iconic items from the upper floors at 'The McLaren' to the east and south-east is likely to be constrained by existing (and proposed) built forms. Potential views to the south from dwellings at the upper floors at both buildings, above and beyond intervening built form and approved built forms that are under construction are likely to be limited.

We note that two mixed-use developments including residential towers are under construction at 231 Miller Street, 'The Miller' and 221 Miller Street 'Vantage'. Both buildings include a residential component and rise to 21 storeys. 3D aerial imagery available via Google Earth, indicates that such a building at 21 storeys would reach a similar height to an existing building at 201 Miller Street, to the south. Marketing information available on line in relation to 'The Miller' indicates that living spaces along the east elevation of this building would have access to some views to the east. It is likely that some views may also be available from the upper floors at 221 Miller Street albeit only via a narrow slot between existing and approved tower forms.

The most affected views will be those from the closest residential locations including the Belvedere and upper floors at the Heritage Apartments. Views from some upper level apartments in these buildings may have access to scenic and highly valued items in the views that may be affected by built form proposed for the site.

Based on an analysis of potential views using 3D imagery available via Google Earth, we envisage that private domain views to the south-east and east from the upper floors at 221 Miller Street (post completion) would be constrained by construction of a tower form on the southern part of the site at 41 McLaren street.

6.0 Visual effects on public domain views

In our opinion the massing of built forms proposed in each of the Reference Designs would not cause significant visual effects or potential impacts on views from the public domain that are available surrounding the site. Further, the proposed development complies with provisions in the North Sydney Council DCP regarding maintenance of public domain views including those specific to the Hampden Precinct Character Statement.

7.0 Visual effects on private domain views

RLA determined that potential view loss would be likely to occur in relation to the closest dwellings advised Avenor and JBA that block-model photomontages should be prepared as an aid to the further assessment of potential visual effects and impacts on view sharing.

We advised Avenor and JBA that drone photography would provide an adequate indicative representation of a range of view compositions potentially available from neighbouring developments.

We also advised in February 2019 having reviewed Council's feedback regarding view sharing, that the preparation of additional modelling be prepared if possible to show an additional view from 150 Walker Street, and from approved and existing residential developments to the west in Miller Street.

We understand that due to ongoing construction at 221 and 231 Miller Street, additional drone photography was not possible. In addition, because of the unknown potential future massing at 41 and 45 McLaren Street we advised that there would be no utility in preparing additional photomontages to represent views from 237 Miller Street (The Harvard) and 37 McLaren Street (the McLaren Apartments). We have however, assessed the likely effects of the proposed development on potential views from those locations based on an analysis of 3D modelling available on Google Earth. This modelling includes the form height and massing of existing buildings within the immediate visual context of the precinct and beyond. A typical 3D image from Google Earth is included in Appendix 2.

Views from the McLaren Apartments and The Harvard to the east and south-east are likely to be potentially affected by any tower form proposed as part of the draft WSPM, or the planning proposal for 41 McLaren Street in the foreground, as well as new built forms on the precinct. However, given the relative heights of 37 McLaren Street and 237 Miller Street, only views from the upper two or three floors of the east facing dwellings at the Harvard apartments would be available above and beyond the McLaren apartments and may include parts of Neutral Bay and Kurraba Point. Potential distant views to the south-east including parts of Sydney Harbour from upper floors at 237 Miller Street would be oblique and across part of the site at 231 Miller Street that is currently under construction. Further, 37 McLaren and 237 Miller Street are spatially well separated from the precinct.

Similarly, due to the wide spatial separation, the relative massing and RLs of the proposed development in relation to 231 Miller Street, any potential views to the east and south-east are unlikely to be significantly affected by proposed development. In our opinion it would be impractical and problematic in this urban visual context to be able to maintain the existing access to views by manipulating the massing of the planning proposals for that specific purpose.

RLA recommended that drone photography be employed to take photographs from the closest and potentially most affected neighbouring locations. The level of importance was determined by their location, potential extent of view access and potential effect of the proposed development on the whole composition of views. The visual effects of each of the three proposed developments have been modelled in respect of the following locations,

- 138 Walker Street (Belvedere)
- 150 Walker Street (The Heritage Apartments)
- 169 Walker Street (Century Plaza)
- 168 Walker Street (existing SAP building/approved Aqualand)
- Hampden Street dwellings

In relation to this amended Planning Proposal, views were modelled from dwellings at Hampden Street, The Belvedere, The Heritage Apartments and the development to be constructed by Aqualand. A request by council to inspect views from all apartments at 138 and 150 Walker Street was considered but deemed not to be required. In our opinion, the extent of the visual effects shown in a representative sample of pictures undertaken in relation to this and the previous planning proposal, demonstrate a comprehensive and reasonable assessment of the potential for view loss. Modelling provided to date by the applicant, as well as an analysis of 3D graphics available on Google earth, a review of Councils Ward Street Masterplan including Figure 12, suggest that there are no iconic views to be preserved from these properties and further analysis would not likely find any other outcome.

We note that Figure 12 that was included in the (WSPMUDR) does not identify the Heritage or Belvedere Apartments as having any potential views to the south-east or south for example to the Opera House or Sydney Harbour Bridge. In addition, it was stated in the Ward Street Precinct Masterplan (2018) recently on exhibition, that view impacts are considered to be reasonable as a result of development.

7.1 Limitations of drone photographs

In our opinion the use of drone photographs is not ideal but can provide a useful indication of potential views when inspection of existing views, is not possible.

- There are limitations in using photographs taken from a drone to simulate view loss effects on adjacent buildings, as follows:
- The drone is unable to provide a photograph from an internal or a private area.
- The location of the camera is closer to the items viewed than would occur in a private viewing location. As a result, the item causing view loss appears larger than would be the case in a view from a private residence.
- The drone camera is in unlimited space, whereas in a real viewing situation the view would be likely to be constrained at the sides and in the foreground by structures such as windows, reveals, doorway openings, walls, balcony floors, balustrades and other similar features. The horizontal and vertical extent of view to the human eye would therefore be less than the drone image.
- The camera height is accurately known but the eye height relative to viewing locations in individual buildings is approximate, as floor levels would need to be established with survey accuracy.
- The equivalent focal length of the lens of the drone camera will need to be multiplied by the relevant crop factor to give a 35mm equivalent focal length (see above).
- Notwithstanding the above limitations, drone images are very useful aids to demonstrating principles for view sharing and also because they can overcome many practical constraints on gaining access to private viewing places. They provide adequate images for the purposes of photomontage preparation in these circumstances.

8.0 Analysis of photomontages

This assessment is based on an analysis of block model photomontages prepared by SJB. The photomontages were prepared following guidance and direction provided by RLA from view locations recommended by RLA using drone photography and from a hand held camera used by Avenor staff. The likely impact of the proposal on outward views (private domain views) requires analysis and assessment in relation to the planning principle of Roseth SC of the Land and Environment Court of New South Wales in *Tenacity Consulting v Warringah [2004] NSWLEC 140 - Principles of view sharing: the impact on neighbours (Tenacity)*.

At this stage in the planning process we have not undertaken a comprehensive assessment under *Tenacity*, but have assessed the likely visual effects and potential impacts of the construction of a built forms shown in each of the three reference designs, that could occupy the precinct and are proposed in the planning proposal. In summary, Roseth SC in *Tenacity* defines a four-step process to assist in the determination of the impacts of a development on views from the private domain. The steps are sequential and conditional, meaning that proceeding to further steps may not be required if the conditions for satisfying the preceding threshold is not met in each view or residence considered.

Our assessment is based on a review of the potential effects of the building envelope as modelled and shown as a translucent grey form in photomontages. We are advised that the location and form shown, accurately represents the height and FSR of the proposals. In this regard drone photographs were taken on two occasions using the same equivalent camera focal length of 24mm and used as the base images in photomontages.

We have analysed the bulk form and scale of each option from the same location so that their effects can be more easily compared.

2 Hampden Street: Reference Design

This view is to the south towards Walker Street and includes the podium and part of the low height tower that rises to 8-storeys tower (including the podium) at the north-west corner of the precinct. The proposed development would replace existing low built forms, with low street wall height forms in a similar location including a setback to a mid-rise tower. Foreground vegetation would remain to partly screen the lower parts of the proposed development. The set back to the tower is similar to the height of existing roof forms on the site and present in the in the view. The new massing would not block views to scenic or highly valued items identified in *Tenacity* and would only block views to other existing built forms in the mid and background composition and areas of sky.

2 Hampden Street: Special Provisions Reference Design

This view is to the south towards Walker Street and includes the podium and part of the tallest tower proposed at the north-west corner of the precinct. The proposed development would replace existing low built forms, with low street wall height forms in a similar location including a setback to a mid-rise tower. Foreground vegetation would remain to partly screen the lower parts of the proposed development. The set back to the tower is similar to the height of existing roof forms on the site and present in the in the view. The new massing would not block views to scenic or highly valued items identified in *Tenacity* and would only block views to other existing built forms in the mid and background composition and areas of sky.



*Reference Design
View south from 2 Hampden Street*



*Special Provisions Reference Design
View south from 2 Hampden Street*



*Separate Landholdings Reference Design
south from 2 Hampden Street*

2 Hampden Street: Separate Land Holdings Reference Design

This view is to the south towards Walker Street and includes the podium and part of the low height tower that rises to 8-storeys tower (including the podium) at the north-west corner of the precinct. The proposed development would replace existing low built forms, with low street wall height forms in a similar location including a setback to a mid-rise tower. Foreground vegetation would remain to partly screen the lower parts of the proposed development. The setback to the tower is similar to the height of existing roof forms on the site and present in the in the view. The new massing would not block views to scenic or highly valued items identified in *Tenacity* and would only block views to other existing built forms in the mid and background composition and to areas of sky.

Summary of effects from 2 Hampden Street

The visual effects and extent of view blocking in respect of each proposed Reference Designs is similar from this low viewing location. There are no significant differences or merits in terms of view sharing when the Reference Designs are compared.

Belvedere 150 Walker Street apartment 302: Reference Design

This view is to the east, from a mid-level apartment in a central location along the east elevation at this address. The 3-storey podium and setback to the north-west low-rise tower is visible before the wider setback at level 8 to the tallest tower form that occupies the central part of the site. The proposed development would block the majority of the foreground, mid-ground and background composition of the view that is characterised by residential development, vegetation and areas of sky. The spatial separation between the west and east tower forms provides for some visual permeability across the central part of the site and will block less areas of sky in upward views.

Notwithstanding the massing introduces new built form into the composition of the view, it would not block views to scenic or highly valued items as defined in *Tenacity* and would predominantly block views to existing built forms and areas of sky.

Belvedere 150 Walker Street apartment 302: Special Provisions Reference Design

The 3-storey podium and setback to the tallest form proposed at the north-west corner block the majority of the foreground, mid-ground and background composition of the view that is characterised by residential development, vegetation and areas of sky.

The proposed development does not allow for any visual permeability into or across the precinct in this direction and provides a wall of development that blocks a whole view, in other words a view that includes a foreground, mid and background composition.

Notwithstanding the massing new introduces built form into the composition of the view, it would not block views to highly valued items as defined in *Tenacity* and would predominantly block views to existing built forms and areas of sky.



*Reference Design
View east from apartment 302 at 150
Walker Street*



*Special Provisions Reference Design
View east from apartment 302 at 150
Walker Street*



*Separate Landholdings Reference Design
View east from apartment 302 at 150
Walker Street*

Belvedere 150 Walker Street, apartment 302: Separate Land Holdings Reference Design

This view is to the east, from a mid-level apartment in a central location along the east elevation at this address. The 3-storey podium and setback to the north-west low-rise tower is visible before the wider setback at level 8 to the tallest tower form that occupies the central part of the site. The proposed development would block the majority of the foreground, mid-ground and background composition of the view that is characterised by residential development, vegetation and areas of sky.

Notwithstanding the new massing introduces new built form into the composition of the view, it would not block views to scenic or highly valued items as defined in *Tenacity* and would predominantly block views only to existing built forms and areas of sky.

Summary of effects from 150 Walker Street

The visual effects and extent of view blocking in respect of the Reference Design and the Separate Land Holdings Reference Design are similar from this location and there are no significant differences in merits in terms of view sharing when the Reference Designs are compared. The effects of the Special Provisions Reference Design can be improved with careful consideration and detailing of built form at the DA stage.

168 McLaren Street: Reference Design (approved Aqualand development)

This view proposed development will have similar visual effects as in Option 1 with the added blocking effects of the west 18 storey tower form. Notwithstanding the eastern tower will block a small area of open undifferentiated water, its spatial separation from the western tower provides for visual permeability through and across the site between towers and creates less view blocking relative to option 2.

The view composition available to the east of Century Plaza includes the main channel of Sydney Harbour, including islands and areas of land-water interface, distant Eastern suburbs and residential development on the lower North Shore. Parts of the Tasman Sea are visible beyond the Eastern Suburbs.

The proposed development will create an isolated tower form above a lower, continuous podium in the mid-ground composition. The stepped tower forms to the south are blocked from view by the taller tower component. A small part of a wider panoramic view would be blocked by the proposed tower including scenic and highly valued features, while the majority of the built form would block views only to other built forms and vegetation.

168 McLaren Street: Special Provisions Reference Design (approved Aqualand development)

The view would include a wider taller built form across the central part of the site. The effects of the proposed built form include blocking of a greater proportion of the view to the east of Century Plaza, that includes scenic and highly valued features including parts of the Sydney Harbour main channel and islands, relative to Option 1.

The stepped tower forms to the south are largely blocked from view by the taller tower component. Overall, a wider part of the existing panoramic view would be blocked by the proposed tower including scenic and highly valued features, while the majority of lower built form would block views only to other built forms and vegetation.



*Reference Design
View south-east from 168 McLaren Street*



*Special Provisions Reference Design
View south-east from 168 McLaren Street*



*Separate Landholdings Reference Design
View south-east from 168 McLaren Street*

168 McLaren Street: Separate Land Holdings Reference Design (approved Aqualand development)

This view is to the south-east from the eastern end of the south elevation of an approved development at the corner of Walker Street and McLaren Street. The view composition includes mid-ground tower forms located along Walker Street, parts of the North Sydney CBD and the roof of the existing building at 41 McLaren Street.

The view composition available to the east of Century Plaza includes the main channel of Sydney Harbour, including islands and areas of land-water interface, distant Eastern suburbs and residential development on the lower North Shore. Parts of the Tasman Sea are visible beyond the Eastern Suburbs.

The proposed development will create an isolated tower form above a lower, continuous podium in the mid-ground composition. The stepped tower forms to the south are blocked from view by the taller tower component. A small part of a wider panoramic view would be blocked by the proposed tower including scenic and highly valued features, while the majority of the built form would block views to other built forms and vegetation.

Summary of visual effects from 168 McLaren Street

The visual effects and extent of view blocking in respect of the Reference Design and the Separate Land Holdings Reference Design are similar from this location and there are no significant differences in merits in terms of view sharing when the Reference Designs are compared. The effects of the Special Provisions Reference Design can be improved with careful consideration and detailing of built form at the DA stage.

Belvedere Roof top view

A small extent of the massing of each Reference Design is present to the north, in the composition of this view which is orientated to the south-east. The visual effects and extent of potential view blocking in each Reference Design is similar and minor. There are no significant differences or merits in terms of view sharing when the Reference Designs are compared.



*Reference Design
View east from the roof of the Belvedere
Apartments*



*Special Provisions Reference Design
View east from the roof of the Belvedere
Apartments*



*Separate Landholdings Reference Design
View south-east from the roof of the
Belvedere Apartments*

Unit 1516 Belvedere Apartments: Reference Design

The visual effects of Reference Design are similar to those discussed in relation to Separate Land Holdings Reference Design above. Views to the east are available above the stepped-height northern tower forms from this high-level apartment. The composition of view retained is similar to the part of the view that would be lost which includes a foreground, mid-ground and background characterised by low density residential development and vegetation.

Notwithstanding the massing introduces new built form into the foreground of the view, it would not block views to scenic or highly valued items as defined in *Tenacity* and would predominantly block views to existing built forms and areas of sky.

Unit 1516 Belvedere Apartments: Special Provisions Reference Design

A small part of the 20-storey tower proposed, is visible in this view, with the 8-storey form being located below the view line. The massing of taller built form in the central part of the precinct allows more of the view to be retained. Notwithstanding the massing introduces new built form into the composition of the view and would block some views to the east, it would not block views to scenic or highly valued items as defined in *Tenacity* and would predominantly block views to existing built forms and areas of sky.

Unit 1516 Belvedere Apartments: Separate Land Holdings Reference Design

This view is to the east, from a high-level apartment at the north end of the east elevation at this address. A horizontal view that is available above the 12 and 16 storey stepped tower form, includes a foreground, mid-ground and background that is characterised by low density residential development and vegetation. Part of this view to the north-east would be blocked by the taller tower form proposed.

Notwithstanding the massing introduces new built form into the composition of the view, it would not block views to scenic or highly valued items as defined in *Tenacity* and would predominantly block views to existing built forms and areas of sky.

Summary of visual effects from 1516 Belvedere Apartments

The visual effects and extent of view blocking in respect of Reference Designs are similar from this location and there are no significant differences in merits in terms of view sharing when the designs are compared.



*Reference Design
View east from apartment 1516 at the
Belvedere Apartments*



*Special Provisions Reference Design
View east from apartment 1516 at the
Belvedere Apartments*



*Separate Landholdings Reference Design
View east from apartment 1516 at the
Belvedere Apartments*

9.0 Summary of visual effects in relation to *Tenacity*

A planning principle established in the Land and Environment Court of New South Wales is relevant to this assessment, ie. *Tenacity Consulting v Warringah [2004] NSWLEC 140 - Principles of view sharing: the impact on neighbours (Tenacity)*.

Tenacity concerns view sharing in the private domain and is the most widely referenced planning principle according to Land and Environment Court of New South Wales records. In analysing the viewer sensitivity, notwithstanding that the composition of views to the east would change for some of the closest neighbours to the site, it was concluded that the majority of private domain view loss would not include highly valued iconic features as defined in Tenacity. For example, parts of Sydney Harbour, the Sydney Harbour Bridge and the Sydney Opera House are unlikely to be part of the composition of the majority of the closest and potentially affected neighbours.

A full assessment of view loss in the private domain adopting the *Tenacity* principles would require a detailed assessment of individual views from dwellings that would be more appropriate at the development application stage. Nevertheless, it appears unlikely that a view sharing assessment would conclude that the effects of any of the reference designs would be unreasonable, in the terms of *Tenacity*.

Further we note that in the recently exhibited Ward Street Precinct Masterplan (2018), that Council provides *Figure 12 No existing views of the Harbour Bridge or Opera House* which indicates that the Masterplan studies show 221, 231, 239 Miller Street and 39 McLaren Street do not have iconic views of the Opera House or Sydney Harbour Bridge.

On Page 47 of the Masterplan, it states "*The height of existing buildings to the south of the precinct mean that there are no existing views of the Harbour Bridge or Opera House available to existing residents of the precinct. Views of the Harbour are restricted to the east and only over the top of existing buildings at 41 McLaren Street. This allows for new development without compromising existing views of the Harbour Bridge or Opera House.*"

This confirms our observations and analysis of the likely impacts of the planning proposal on views from this locality.

10.0 Conclusion

The proposed development has a visual catchment predominantly situated to the east.

The visual catchment would not be significantly different or increase in relation to the tallest forms proposed in Special Provisions Reference Design. Views from the west to the proposed tower form will be constrained by development located immediately west of the site.

In views from the east the Reference Design and Separate Land holdings Design would appear to be similar in terms of height and scale with the exception of the massing of the 18-storey tower in Reference Design, which would be seen against a background of taller built form located in McLaren Streets and along the ridgeline followed by Miller Street.

The built form proposed in Special Provisions Reference Design is taller and slightly bulkier relative to the other reference designs and in this regard, its forms may be somewhat more visible in views from the west.

The existing visual quality of the site and adjacent streetscapes is moderate to high given the quality of existing development, the presence of heritage items and vegetation and in our opinion the proposed development is compatible with the visual quality and streetscape character of Walker Street.

There are limited public domain views from a restricted and close potential visual catchment to the north and south along Walker Street. In such views, the massing of all Reference Designs will not obscure or block views of scenic or culturally significant features. The proposal in this regard, complies with guidelines included in Council's DCP.

The proposal would be of high visual exposure to the Warringah Freeway and potentially to vantage points to the east, for example parts of Kurraba Road. However in the wider context and from this direction and vicinity, however the Reference Designs would not be incompatible with adjacent development and built forms in the North Sydney CBD.

The proposal would provide the potential for a high-quality development and significant areas of publicly accessible high amenity spaces, compared to the existing absence of such areas.

A limited number of views from some high-level apartments located opposite the site in Walker Street would be affected by the proposed development. The effects and impacts will vary, but in the majority of views the potential impacts in our opinion will be minor.

Impacts will be minor because the majority of scenic features, icons and highly valued features in the composition of views exist in oblique views to the south-east and south and will be unaffected by the massing proposed.

Views from low level apartments at the Belvedere and Heritage residential developments would be affected by view loss, to an extent that is likely to be similar in relation to any development that complies with the LEP requirements of the R4 land use zone and height limit of 12m.

Some private domain views from the Belvedere and Heritage apartments, including views to the east that include low density suburban development on the lower North Shore and undifferentiated parts of Sydney Harbour, which is part of a much wider panoramic view, would be lost.

In relation to views from mid and low level apartments at the Belvedere and Heritage apartments, the additional height of the tower forms sought by the planning proposal as shown in the Reference Designs, will not block views to scenic or highly valued features, that are available from the west.

Views from the upper-most floors of existing and approved residential developments west of the precinct along McLaren Street and Miller Street are unlikely to be significantly affected by view loss due to the relative differences in height of the built forms and their underlying topography, the wide spatial separation between such towers and the precinct and the blocking effects of intervening built tower forms. Views to the south from these locations would be unaffected by the proposed development

We concur with Council's analysis as shown in Figure 12 of the Ward Street Masterplan Stage 2, that views to the east and south-east from the residential developments near the corner of Miller Street and McLaren Street have no access to views of highly valued icons and limited view access to the east towards the precinct.

The visual effects of all of the Reference Designs would include view loss in respect of low-level dwellings at the Heritage and Belvedere Apartments. The views lost do not include iconic items or a large proportion of scenic or highly valued views as defined in *Tenacity*.

Based on an assessment of the potential building envelopes shown in block-model photomontages, in our opinion the visual effects of Reference Designs 1 and 3 provide a similar and an acceptable view sharing outcome for the closest neighbouring residences.

A building envelope under the Special Provisions Reference Design controls has the potential to have greater impacts due to the height and location of the tower however potential impacts could be managed through a detailed analysis of the sculpting of the built form.

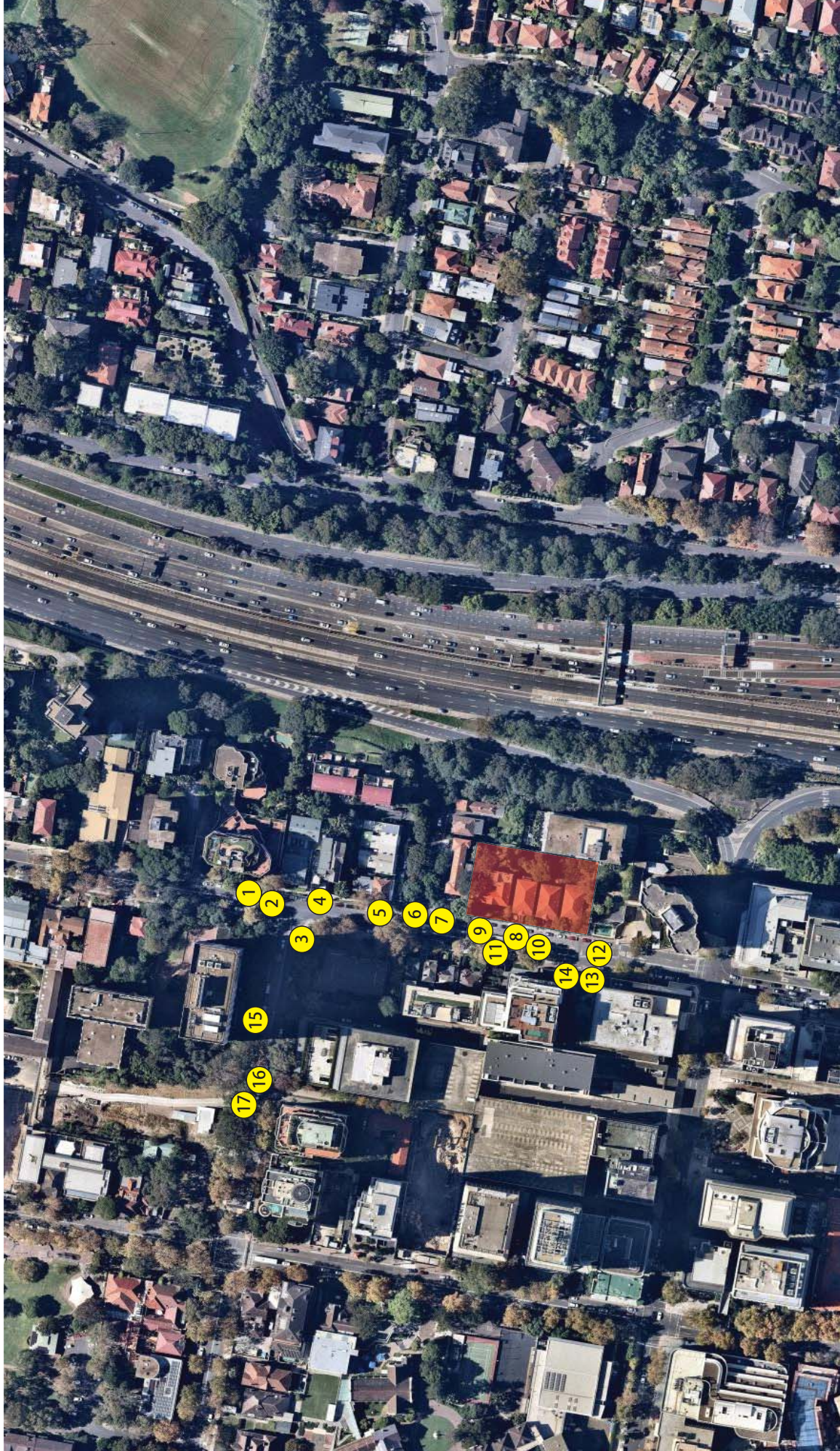
The planning proposal and subsequently the construction of a built form according to each of the reference designs can be supported on visual impacts grounds.



Richard Lamb and Associates

20 March 2019

Figure 1



Map 1: 173-179 Walker Street and 11-17 Hampden Street planning proposal

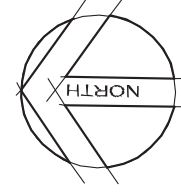
Documented views



Approximate location of subject site



View location



Not to Scale



Location 1; Detail of the Harbourview Apartments located north of the subject site



Location 2; View west to the existing SAP building at 168 Walker Street



Location 3; view west to development located along the south side of McLaren Street



Location 4; view south-west to low-rise residential development 45 McLaren Street



Location 5; View towards the Heritage Apartments at 150 Walker Street



Location 6; view east along Hampden Street



Location 7; view south including the south end of the Heritage Apartments and the Lower part of the Belvedere



Location 8; View north-east to 11 Hampden Street which will form part of the subject site



Location 9; detail of the east elevation of the Heritage Apartments from the lower part of Walker Street adjacent the site



Location 10; Existing buildings on the subject site.



Location 11; East elevation of the Belvedere



Location 12; View north-west to the taller tower form of the Belvedere



Location 13; Detail of the Century Plaza north elevation and entry from Walker Street



Location 14; view north along Walker Street to the subject site



Location 15; detail of a mixed use development located at 41 McLaren Street, that is currently the subject of a planning proposal which includes significant uplift



Location 16; View along access lane between 41 and 37 McLaren Street



Location 17; detail of residential development along the south side of McLaren Street including the Harvard Apartment building at 239 Miller Street at the corner



3D view of built form in North Sydney courtesy of Google Earth Pro. The existing low built form of 231 Miller Street is shown in the foreground, south of 237 Miller Street, 'The Harvard' apartments.

Summary Curriculum Vitae: Dr Richard Lamb



Summary

- Qualifications
 - Bachelor of Science - First Class Honours, University of New England in 1969
 - Doctor of Philosophy, University of New England in 1975
- Employment history
 - Tutor and teaching fellow – University of New England School of Botany 1969-1974
 - Lecturer, Ecology and environmental biology, School of Life Sciences, NSW Institute of Technology (UTS) 1975-1979
 - Senior lecturer in Landscape Architecture, Architecture and Heritage Conservation in the Faculty of Architecture, Design and Planning at the University of Sydney 1980-2009
 - Director of Master of Heritage Conservation Program, University of Sydney, 1998-2006
 - Principal and Director, Richard Lamb and Associates, 1989-2017
- Teaching and research experience
 - visual perception and cognition
 - aesthetic assessment and landscape assessment
 - interpretation of heritage items and places
 - cultural transformations of environments
 - conservation methods and practices
- Academic supervision
 - Undergraduate honours, dissertations and research reports
 - Master and PhD candidates: heritage conservation and environment/behaviour studies
- Professional capability
 - Consultant specialising in visual and heritage impacts assessment
 - 30 year's experience in teaching and research in environmental impact, heritage and visual impact assessment.
 - Provides professional services, expert advice and landscape and aesthetic assessments in many different contexts
 - Specialist in documentation and analysis of view loss and view sharing
 - Provides expert advice, testimony and evidence to the Land and Environment Court of NSW on visual contentions in various classes of litigation.
 - Secondary specialisation in matters of landscape heritage, heritage impacts and heritage view studies
 - Appearances in over 250 Land and Environment Court of New South Wales cases, submissions to Commissions of Inquiry and the principal consultant for over 1000 individual consultancies concerning view loss, view sharing, visual impacts and landscape heritage

A full CV can be viewed on the Richard Lamb and Associates website at www.richardlamb.com.au