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urbaine
DESIGN GROUP

VISUAL IMPACT ASSESSMENT

DEVELOPMENT APPLICATION FOR THE CONSTRUCTION OF:

ADDITIONS AND ALTERATIONS TO BUILDINGS D, E & F AND MODIFICATIONS TO: DEVELOPMENT CONSENT DA-2021/300/D (AS PREVIOUSLY MODIFIED)

NOVEMBER 28 2024

Proposed additions and alterations to an existing residential development.
11 DP 129153, Lot 1 DP 17852, Lot 1 DP 75133.
452 – 460 Willoughby Road & 1A-27 Walter Street.

CONTENTS

1. INTRODUCTION

1.1. Scope and Purpose of Report

This Visual Impact Report has been prepared for Walter projects and is submitted to the Willoughby City Council in support of a Development Application (DA) for the construction of additions and alterations to Buiildings D,E and F and modifications to development consent DA-2021/300/D (as previously modified) at Nos.452 – 460 Willoughby Road & 1A-27 Walter (the site). The report provides an analysis of the proposed development's visual impact in relation to its visual and statutory contexts and is to be read in conjunction with the drawings and other material submitted with the development application.

Urbaine Design Group and its Director, John Aspinall, BA(Hons), BArch(Hons) have been preparing 3d imagery and Visual Impact Assessments, both in Australia and Internationally for over 25 years. Their methods are regularly published in planning and architectural journals and John Aspinall has lectured in Architectural Design at both the University of Technology Sydney and The University of New South Wales

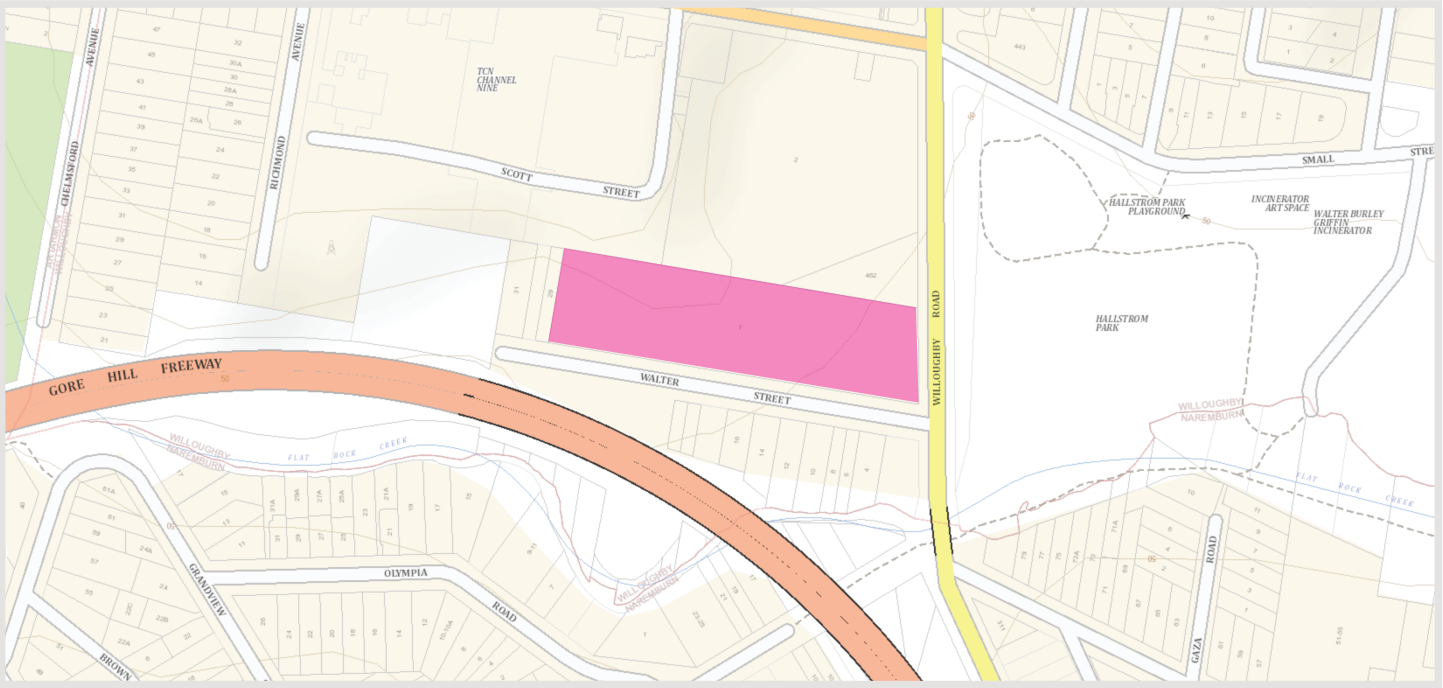


Figure 1 – Site location shown in magenta

1.2. The Proposed Development

The approved development under DA-2021/300/D, as subsequently modified, involves the construction of 5 residential flat buildings comprising a total of 154 apartments & 217 basement car parking spaces as a two staged development, landscaping, road widening, new footpath and street planting.

The works as part of this Development Application application add to the existing approval on the site for 5 residential flat buildings, with an increase in height of building D, E and F along with an increase in FSR to accommodate additional residential apartments to take advantage of the recent government incentives.

The Site and existing property

The site is located at 452 – 460 Willoughby Road, Willoughby & 1A – 27 Walter Street and, within the Willoughby Local Government Area (LGA). The site is located approximately 2.5km south-east of the Chatswood central business district (CBD) and within 400m of Artarmon local centre including the Artarmon local shopping high

street and railway station through a network of open spaces on the Artarmon to Middle Harbour Walking Track. The site comprises of a combined area of 1.12474ha. The site has two (2) street frontages, with the main frontage being to Walter Street comprising approximately 204.7 metres along the southern boundary, and a frontage of 54.7 metres to Willoughby Road along the eastern boundary. The common northern boundary comprises approximately 202.9 metres adjoining high density residential development.

Figure 2 – Subject site shown in magenta overlay

1.3. Proposed Land Use and Built Form

The development of the subject site will continue to be constructed in two stages.
Stage 1 includes buildings B, C and D (identified as Site 1), above basement parking and servicing for the three proposed residential flat buildings.
Stage 2 includes buildings E and F (identified as Site 2) above basement parking and servicing with the basements in each stage linked underground.
The proposed development, as revised, now provides for a total of 180 apartments and 215 car spaces, with 12 motorcycle parking spaces and 32 bicycle spaces.
The proposed works as revised do not require any further external site disturbance and there will be no alterations to the roadworks, driveway access or any reduction in landscaped area or further removal of trees.
A total of 180 apartments are proposed across the 5 residential apartment blocks, with the new floor area limited to Buildings apartments.The residential flat buildings will remain separated by landscaping, with apartments orientating towards the surrounding landscaping to provide a direct connection to the landscaped areas.

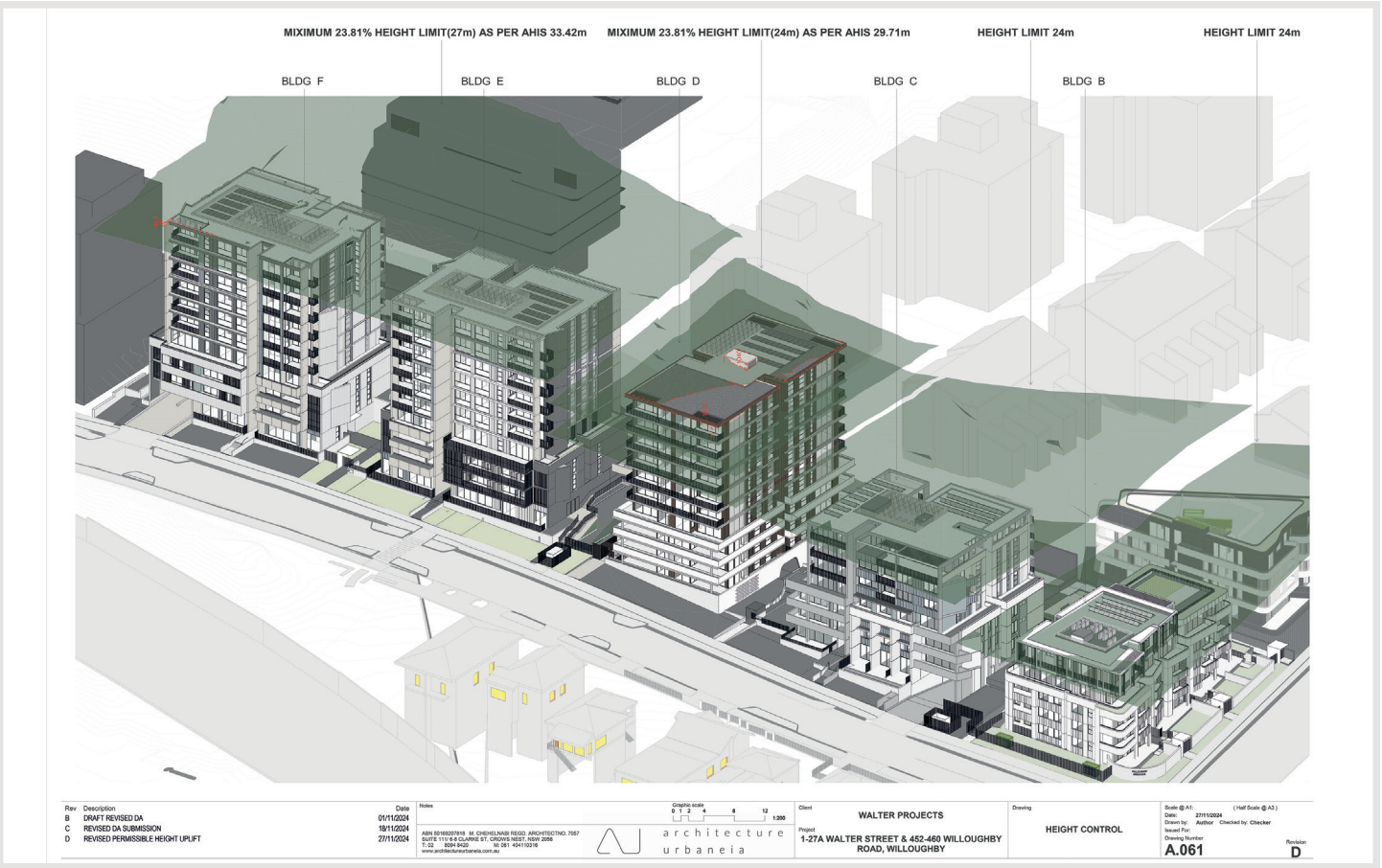


Figure 3 – Height Control Plane of the proposed design by Architecture Urbaneia.

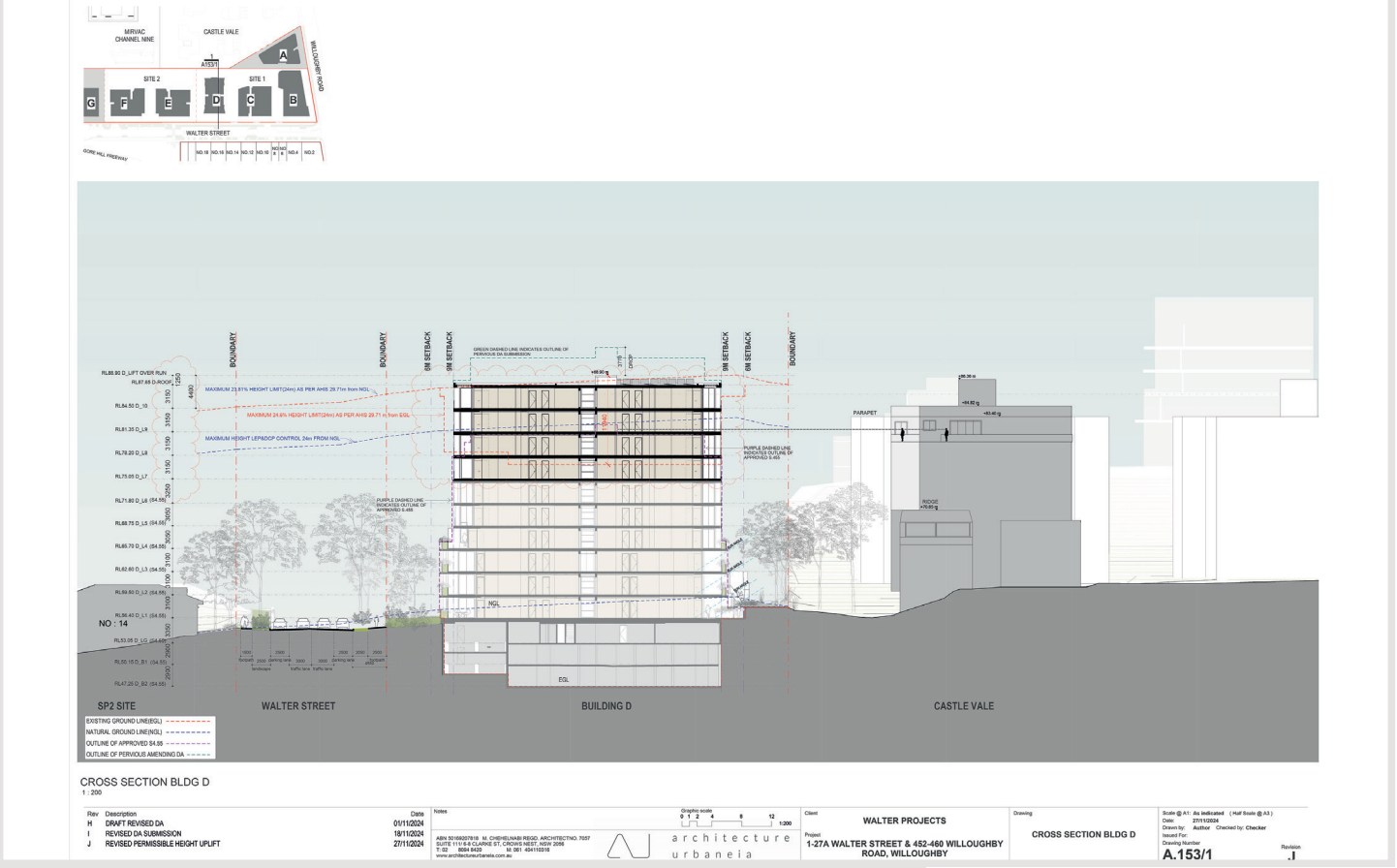


Figure 4 – Section through Block D of the proposed design by Architecture Urbaneia.

1.4. Methodology of Assessment

The methods used by Urbaine, for the generation of photomontaged images, showing the proposed development in photomontaged context are summarised in an article prepared for New Planner magazine in December 2018 and contained in Appendix B. A combination of the methods described were utilised in the preparation of the photomontaged views used in this visual impact assessment report.

1.4.1. Process

Survey, plans, elevations and model of the proposal were sourced from the architect Architecture Urbaneia and aligned to the scene using the survey information from Surveyors, which accompanies the DA submission.

A drone assessment was undertaken and triangulated into a 3D point cloud which was aligned to ground control points using a RTK GNSS rover with NTRIP corrections. This was placed into the scene and further verified against the survey DWG.

Virtual cameras were placed into the 3D model to match various selected viewpoints, in both height and position. These locations were measured on-site using a survey provided. From these cameras, rendered views have been generated and photomontaged into the existing photos, using the ground plane for alignment at standing height 1600mm.

The final selection of images shows these stages, including the block montage of the original development application and concluding with an outline, indicating the potential visual impact and view loss. For the purposes of statutory requirements, the images within the report are of a standard lens format.

1.4.2. Assessment Methodology

There are no set guidelines within Australia regarding the actual methodology for visual impact assessment, although there are a number of requirements defined by the Land and Environment Court (LEC) relating to the preparation of photomontages upon which an assessment can be based.

Where a proposal is likely to adversely affect views from either private or public land, Council will give consideration to the Land and Environment Court's Planning Principle for view sharing established in Tenacity Consulting v Warringah Council [2004] NSWLEC 140. This Planning Principle establishes a four-step assessment to assist in deciding whether or not view sharing is reasonable:

- *Step 1: assessment of views to be affected.*
- *Step 2: consider from what part of the property the views are obtained.*
- *Step 3: assess the extent of the impact.*
- *Step 4: assess the reasonableness of the proposal that is causing the impact.*

However, there is no peer review system for determining the accuracy of the base material used for visual impact assessments. As a result, Urbaine Group provides a detailed description of its methodologies and the resultant accuracy verifiability – this is contained within Appendix A.

The methodology applied to the visual assessment of the current design proposal has been developed from consideration of the following key documents:

- *Environmental Impact Assessment Practice Note, Guideline for Landscape Character and Visual*
- *Impact Assessment (EIA-N04) NSW RMS (2013);*
- *Visual Landscape Planning in Western Australia, A Manual for Evaluation, Assessment, Siting and Design, Western Australia Planning Commission (2007);*
- *Guidelines for Landscape and Visual Impact Assessment, (Wilson, 2002);*

In order to assess the visual impact of the Design Proposal, it is necessary to identify a suitable scope of publicly accessible locations that may be impacted by it, evaluate the visual sensitivity of the Design Proposal to each location and determine the overall visual impact of the Design Proposal.

Accessible locations that feature a prominent, direct and mostly unobstructed line of sight to the Project are used to assess the visual impact of the Design Proposal. The impact to each location is then assessed by overlaying

an accurate visualisation of the new design onto the base photography and interpreting the amount of view loss in each situation, together with potential opportunities for mitigation.

Views of high visual quality are those featuring a variety of natural environments/ landmark features, long range, distant views and with no, or minimal, disturbance as a result of human development or activity. Views of low visual quality are those featuring highly developed environments and short range, close distance views, with little or no natural features.

Visual sensitivity is evaluated through consideration of distance of the view location to the site boundary and also to proposed buildings on the site within the Design Proposal. Then, as an assessment of how the Design Proposal will impact on the particular viewpoint. Visual sensitivity provides the reference point to the potential visual impact of the Design Proposal to both the public and residents, located within, and near to the viewpoint locations.

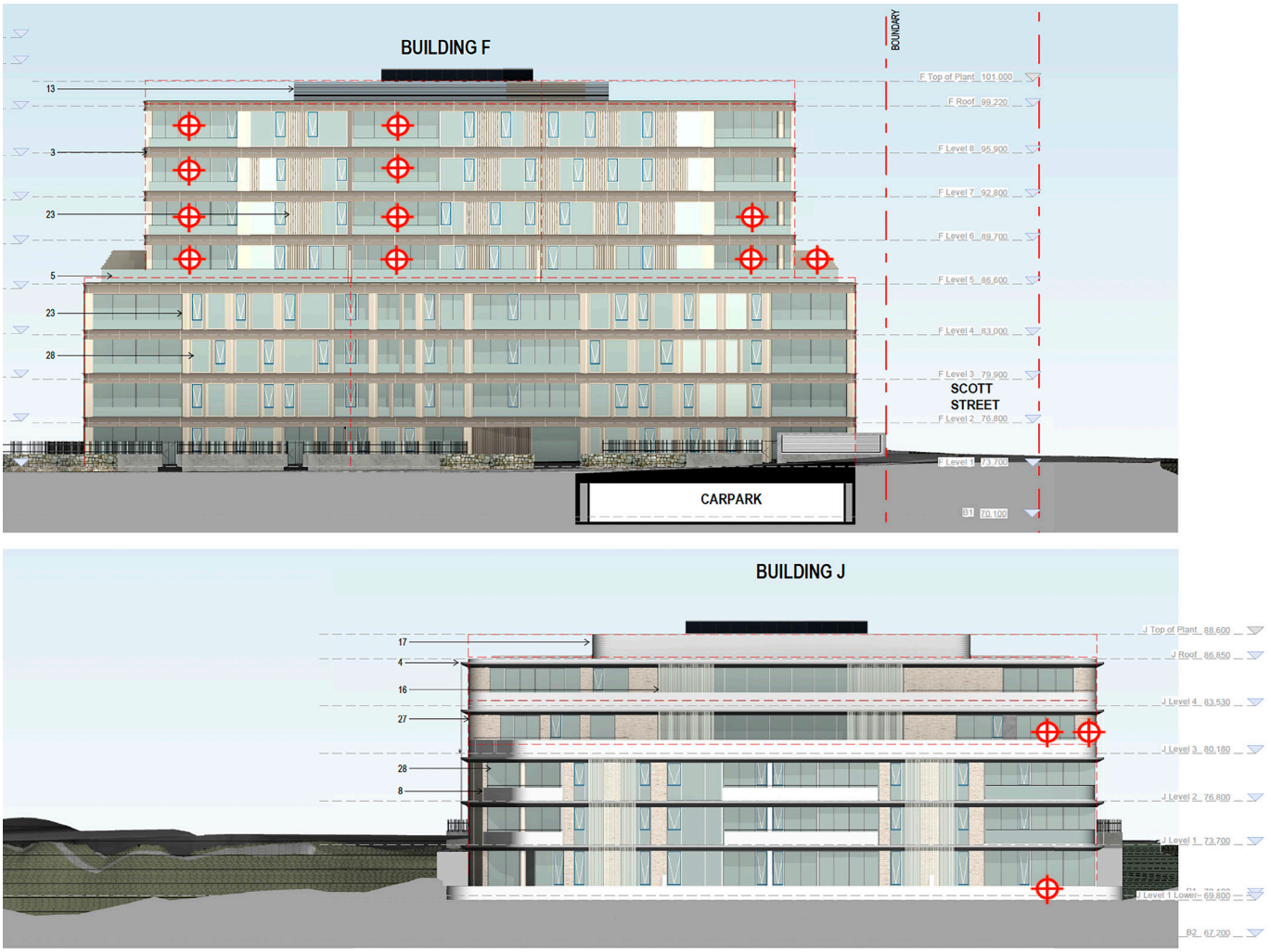


Figure 5: Selected private viewpoint locations for visual impact assessments shown in elevation.

1.4.3. Site Inspections

A site inspection was undertaken to photograph the site and surrounding area to investigate:

- *The topography and existing urban structure of the local area*
- *The streetscapes and houses most likely to be affected by the Proposal*
- *Important vistas and viewsheds*
- *Other major influences on local character and amenity*

The elevations, see figure 5, indicates chosen locations for site photography from adjoining properties to the north.

1.4.4. Contextual Analysis:

An analysis was undertaken of the visual and statutory planning contexts relevant to the assessment of visual impacts in a Development Application.

1.4.5. Visual Impact Analysis:

The visual impacts of the proposed development were analysed in relation to the visual context and assessed for their likely impact upon the local area and upon specific residential properties.

1.4.6. Statutory Planning Assessment:

The results of the local view impact assessment are included in Section 3 of this report.

1.5. References

The following documentation and references informed the preparation of this report:

- *Design Documentation*
- *The design drawings and information relied upon for the preparations of this report were prepared by Architecture Urbaneia*
- *Willoughby Development Control Plan*

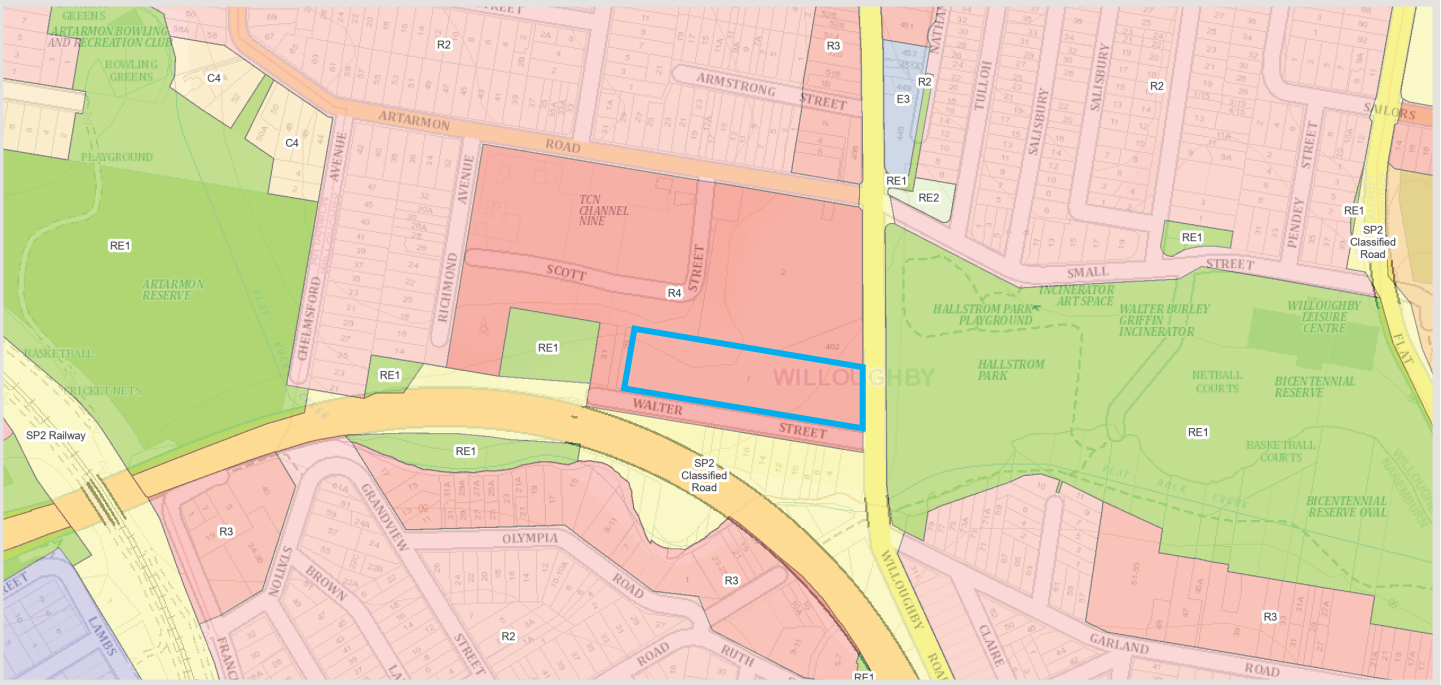


Figure 6: Land zoning map, indicating site with blue outline.

2. THE SITE AND THE VISUAL CONTEXT

Visual impacts occur within an existing visual context where they can affect its character and amenity. This section of the report describes the existing visual context and identifies its defining visual characteristics.

Defining the local area relevant to the visual assessment of a proposed development is subject to possible cognitive mapping considerations and statutory planning requirements. Notwithstanding these issues, the

surrounding local area that may be affected by the visual impact of the proposed development is considered to be the area identified on in the topographical area map, Figure 8.

Figure 7: Subject area topographical map.

Although some individuals may experience the visual context from private properties with associated views, the general public primarily experiences the visual context from within the public realm where they form impressions in relation to its character and amenity. The public realm is generally considered to include the public roads, reserves, open spaces and public buildings.

The visual context is subject to “frames of reference” that structure the cognitive association of visual elements. The “local area” (as discussed above) provides one such frame of reference. Other “frames of reference” include the different contextual scales at which visual associations are established and influence the legibility, character and amenity of the urban environment. Within the scope of this report three contextual scales are considered relevant to the analysis of the visual context and the visual impact of the proposed development.

The ‘Street Context’ provides a frame of reference for reviewing the visual relationship of the new development (and in particular its facades) in relation to the adjoining pedestrian spaces and roads. Elements of the development within this frame of reference are experienced in relatively close proximity where, if compatible with the human scale they are more likely to facilitate positive visual engagement and contribute to the “activation” of adjoining pedestrian spaces.

The ’Neighbourhood Context’ provides a broader frame of reference that relates the appearance of the development as a whole to the appearance of other developments within the local area. As a frame of reference, it evolves from the understanding gained after experiencing the site context and the low density of development. Within this context the relative appearance, size and scale of different buildings are compared for their visual compatibility and contribution to a shared character from which a unique “sense of place” may emerge. This frame of reference involves the consideration of developments not necessarily available to view at the same time. It therefore has greater recourse to memory and the need to consider developments separated in time and space. The neighbourhood context is relevant to the visual ’legibility’ of a development and its relationship to other developments, which informs the cognitive mapping of the local area to provide an understanding of its arrangement and functionality.

The ‘Town / City Context’ provides a frame of reference that relates the significance of key developments or neighbourhoods to the town as a whole. The contribution that distinctive neighbourhoods make (or may potentially make) to the image of the city can be affected by the visual impact of an individual development through its influence on the neighbourhood’s character and legibility. Within this context, it is also important to be aware of other proposed developments in the area.

2.1. The Visual Context

The site is located within an established urban residential area that is undergoing significant change from low to high density residential. The changes have been brought about by recent the changes in NSW planning legislation via recent reforms. Further high density development is anticipated to be constructed in the area via the yet to be implemented Transport Orientated Development Program (TOD) that encourages sustainable and mixed-use development around transport and aims to create vibrant and walkable communities.

2.2. Visual Features and Local Landmarks

Particular elements in the urban pattern, through either location and/or built form provide visual nodes and landmarks that assist in differentiating locations within the broader visual context. The following visual nodes are considered to be of the greatest significance in terms of their contribution to the character and legibility of the local and surrounding area:

The focus of all the properties is primarily to the south for high-value views, towards St Leonards, North Sydney and the Sydney CBD in the far distance. The dense collection of mature trees, within the neighbouring suburbs, forms a middle-distance foreground element to these views. No iconic views are seen from this location.

2.3. Streetscapes

Within the immediate and surrounding areas, the streetscapes are typical of the Northern Sydney suburbs, being a mixture of individual houses and apartments blocks of varying scales, commercial buildings and multi-storey hotels. The landscaping is predominantly mature and well established.

2.4. The selected view locations for the local view analysis

As a result of the site's topography, the visual impact is primarily relevant to the residential properties to the north of the subject site, being the new Mirvac apartments on Scott Street. A large number of site photos were taken and a smaller number of specific views selected from these, relevant for private viewing locations, as described above. The selected photos are intended to allow consideration of the visual and urban impact of the new development at a local level and, specifically, from the neighbouring properties and public viewing locations.

2.5. Context of View

The context of the view relates to where the proposed development is being viewed from. The context is different if viewed from a neighbouring building, or garden, as is the case here, where views can be considered for an extended period of time, as opposed to a glimpse obtained from a moving vehicle.

2.6. Extent of View

The extent to which various components of a development would be visible is critical. For example, if the visibility assessment is of a multi-storey development proposal in a low-density context of 2 to 3 storey buildings, it would be considered to have a significant local scale visual impact, whereas if a development proposal is located in an area of a CBD containing buildings of a similar scale and height, it may be considered to have a lower scale visual impact.

The capacity of the landscape to absorb the development is to be ranked as high, medium or low, with a low ranking representing the highest visual impact upon the scenic environmental quality of the specific locality, since there is little capacity to absorb the visual impact within the landscape.

3.1. Visual Impact Assessments viewpoint locations

Visual Impact Assessments from 19 viewpoint locations – from Nos.2 and 3, Scott Street.

3.1.1. Method of Assessment

In order to allow a quantitative assessment of the visual impact locations where view impact and view loss,

a Canon EOS Full Frame Digital Camera with fixed focal length 50mm lens was used to take all viewpoint photos, at an eye level of 1600mm.

The photos include location descriptions, to be read in conjunction with the site map, contained in Appendix A. Additionally, information is supplied as to the distance from the site boundary for each location and the distance to the closest built form is provided in Section 3.1.2 below.

To assess the visual impact, there are 2 relevant aspects - view loss of actual substance (landscape, middle and distance view elements etc.) and also direct sky view loss. To a large extent, the value associated with a view is subjective, although a range of relative values can be assigned to assist with comparing views. Figure 9 is a scale of values from 0 to 15, used to allow a numeric value to be given to a particular view, for the purposes of comparison.

On the same table are a series of values, from zero to 15, that reflect the amount of visual impact.

The second means of assessment relates to assigning a qualitative value to the existing view, based on criteria of visual quality defined in the table – see figure 9.

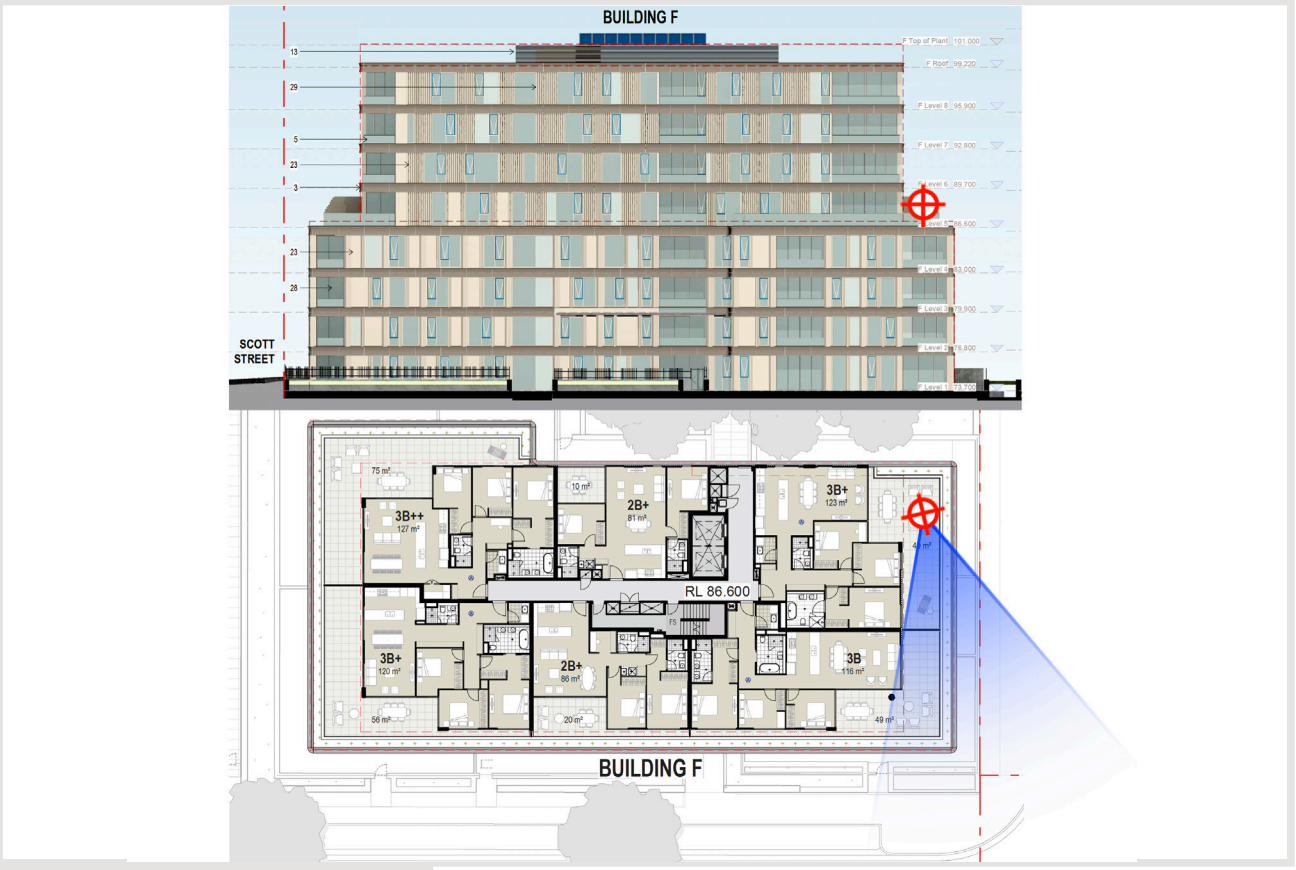
The % visual content is then assessed, together with a visual assessment of the new development's ability to blend into the existing surroundings.

TENACITY / SCALE / VALUE		VISUAL IMPACT	VISUAL QUALITY
NIL	0	NEGLIGIBLE	No negative impact on the pre-existing visual quality of the view	N/A
NEGLIBLE	1	LOW	A minor negative impact on the pre-existing visual quality of the view Examples: minor impact on natural landscapes no impact on iconic views impact on small number of receivers significant distance between the development and receiver	Predominant presence of low quality man made features Minimal views of natural formations (e.g. cliffs, mountains, coastlines, waterways, ridges etc.) Uniformity of land forms
	2			
	3			
MINOR	4			
	5			
	6	MEDIUM	A medium negative impact on the pre-existing visual quality of the view Examples: moderate impact on iconic views or natural landscapes impact on moderate number of receivers located nearby the receiver	Presence of some natural features mixed with manmade features Some views of distinct natural formations (e.g. cliffs, mountains, coastlines, waterways, ridges etc.)
MODERATE	7			
	8			
	9			
SEVERE	10	HIGH	A high negative impact on the pre-existing visual quality of a view Examples: loss of iconic vie impact on significant number of receivers owershadowing effect directly adjacent the receiver	Predominantly natural features Minimal manmade features, however if present of a high architectural standard Significant views of distinct natural formations (e.g. cliffs, mountains, coastlines, waterways, ridges etc.) Presence of iconic regional views of landmark features
	11			
	12			
DEVASTATNG	13			
	14			
	15			

Figure 9: Urbaine Group Assessment Table

3.1.2. Assessment at selected viewpoints

VIEWPOINT 01



F501 - Viewpoint 01 location

From standing position, Unit F501 balcony.
RL +88.200m Distance to boundary: 56.15m

Existing site photo - F501

Photomontage of Proposal

Visual Impact shown in cyan overlay with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 57%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 73% :27%*
- *Existing Visual Assessment Scale no: 9 /15 & Visual Impact Assessment Scale no: 5 /15*

This is a static private view from the balcony of Unit F501, at No.3, Scott Street - 'Overture', looking due south across the balcony's length towards the subject site. There is an expansive view to the east, across the top of the apartment block at No.2, Artarmon Road, towards Hallstrom Park, Bicentennial Reserve Oval and then to clear district views beyond these.

The view to the subject site is across the roof level of Block J at No.2, Scott Street. Beyond the site, the midground view includes the densely landscaped residential areas of Naremburn and Crows Nest. Beyond this, the main CBD commercial and residential towers of St Leonards are observed and, further to the southeast, at approximately 4km distance, North Sydney CBD and glimpses of Sydney City CBD, including the upper portion of the Sydney Tower. There are no iconic elements observable within the existing view.

The additional floors, proposed on the approved residential towers D,E &F, of the subject site would impact upon parts of the view to the south, although the main view to the east is fully maintained. The views affected are primarily to the far distant glimpses of North Sydney CBD and Sydney CBD and a small area of the mid-distant district views to the southeast. These views are at an oblique angle from the external balcony, which is a secondary living area.

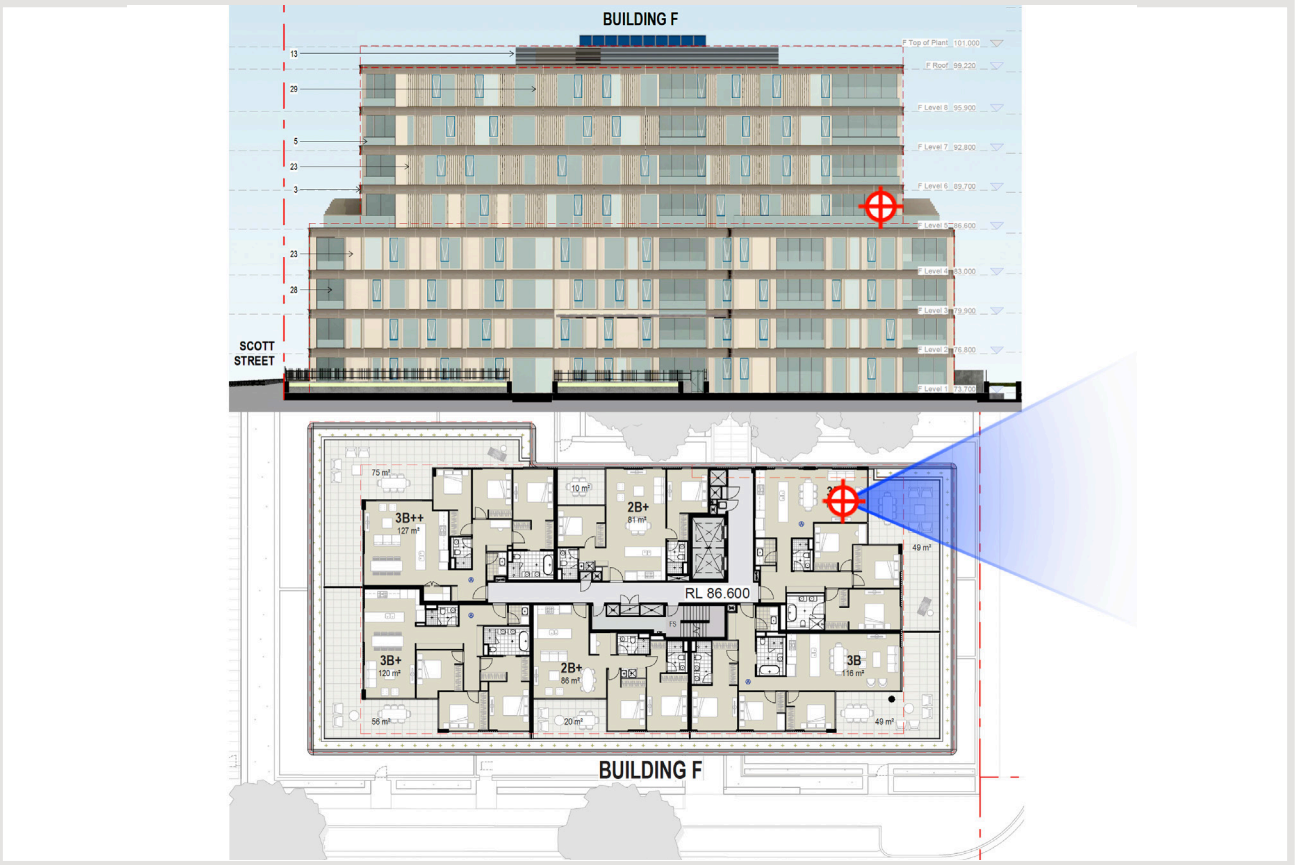
The visual impact would be assessed as Negligible-to-Minor.

Tenacity Assessment Summary:

- *Value of view: Medium-to-High*
- *View location: Main balcony - secondary, outdoor living space.*
- *Extent of impact:Negligible-to-Minor*

Reasonableness of proposal: Within the context of the development's height compliance, the proposal can be deemed acceptable, since the highest value components of the view remain and views to the southeast and southwest are not impacted.

VIEWPOINT 02



F501 - Viewpoint 02 location

From standing position, Unit F501 living room.
RL +88.200m Distance to site boundary 67.7m

Existing site photo - Apartment F501

Photomontage of Proposal

Visual Impact shown in cyan overlay with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 0%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: N/A*
- *Existing Visual Assessment Scale no: 8 /15 & Visual Impact Assessment Scale no: 0 /15*

This is a static, private view from the main living room of Apartment F501, 1m within the glazing line and looking out, in an east-northeasterly direction. This represents the viewing location from a primary living area. The view is across the top of the apartment block at No.2, Artarmon Road, towards Hallstrom Park, Bicentennial Reserve Oval and then to clear, densely landscaped, district views beyond this.

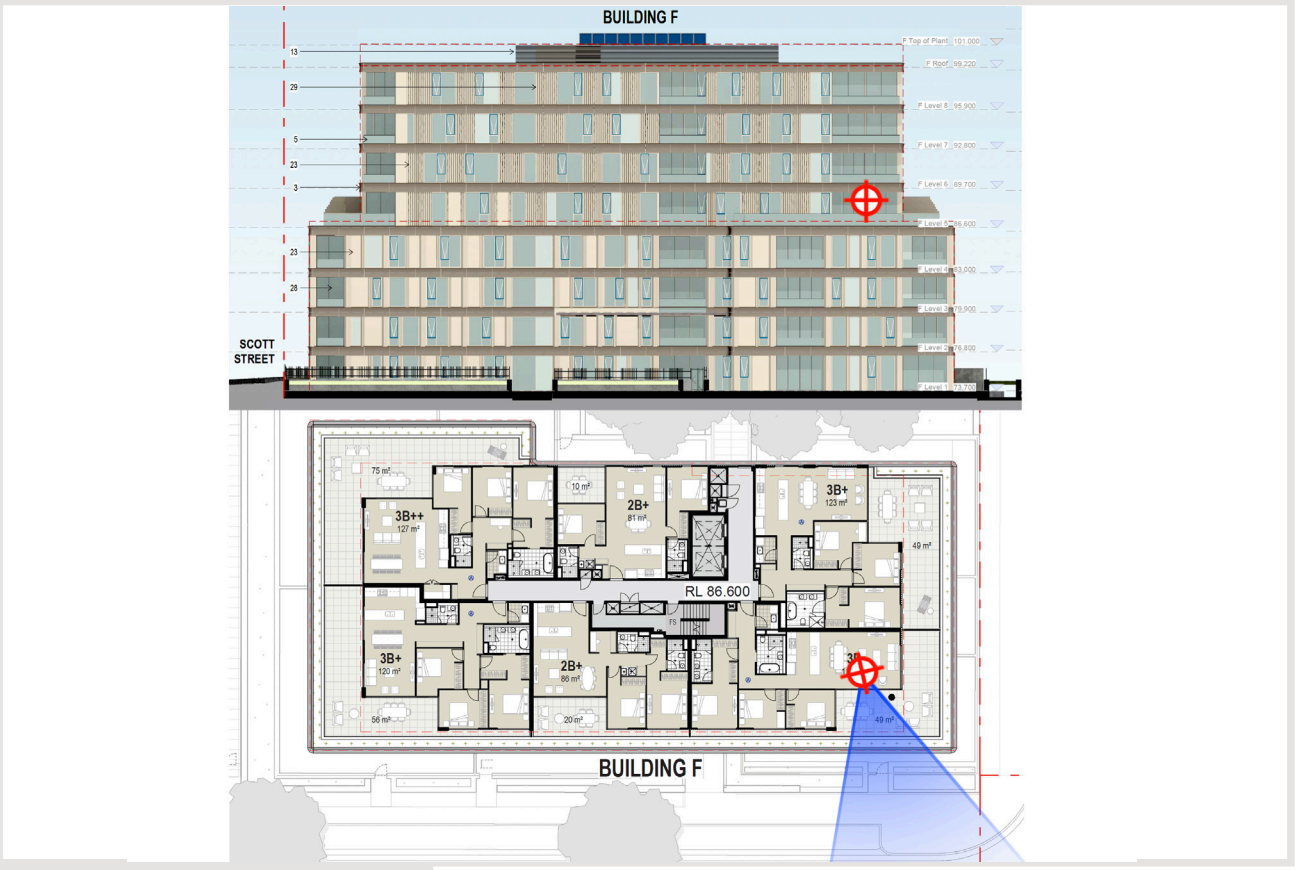
The additional floors, proposed on the approved residential towers D,E &F, of the subject site would not impact upon this view, which is the primary, perpendicular view from this apartment unit.

Tenacity Assessment Summary:

- *Value of view: Medium.*
- *View location: Living room - primary living area.*
- *Extent of impact: Nil*

Reasonableness of proposal: Within the context of the development's height compliance, the proposal can be deemed acceptable, since the highest value components of the view remain and views to the west are not impacted.

VIEWPOINT 03



F502 - Viewpoint 03 location

From standing position, Unit F502 living room
RL +88.200m Distance to boundary: 47.1m

Existing site photo - F502

Photomontage of Proposal

Visual Impact shown in cyan overlay with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 59%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 59% :41%*
- *Existing Visual Assessment Scale no: 9 /15 & Visual Impact Assessment Scale no: 10 /15*

This is a static private view from the living room of Unit F502, at No.3, Scott Street - 'Overture', looking south-south-west across the apartment's balcony, towards the northern elevation of Building J at No.2, Scott Street and the subject site beyond this.

The view to the subject site is already significantly impacted by Building J and its rooftop plant ventilation structures. Beyond the site, the midground view includes glimpses of the densely landscaped residential areas of Naremburn and Crows Nest. Beyond this, the skyline includes the commercial and residential towers of St Leonards to the south-southwest and, further to the southeast, at approximately 4km distance, North Sydney CBD and glimpses of Sydney City CBD, including the upper portion of the Sydney Tower. There are no iconic elements observable within the existing view.

The additional floors, proposed on the approved residential towers D,E &F, of the subject site would impact upon parts of the view to the south, including the mid-ground district views and the towers of St Leonards up to their mid-levels. The views to the south, including North Sydney and the partial city views are also impacted from this location. Views to the southeast and southwest remain and the skyline in these directions is unaffected.

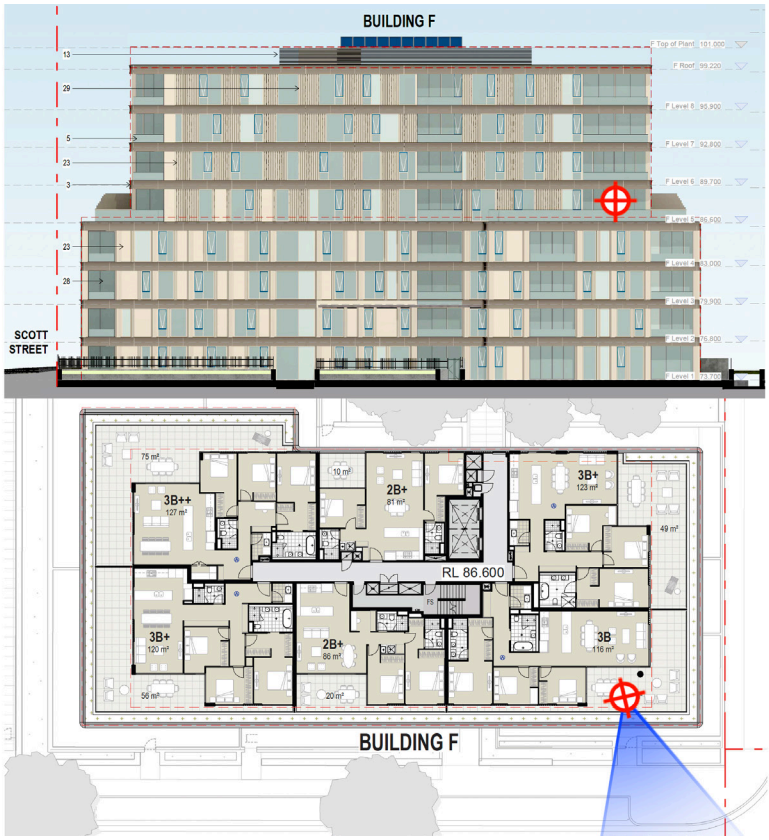
The visual impact would be assessed as Moderate-to-Severe.

Tenacity Assessment Summary:

- *Value of view: Medium-to-High*
- *View location: Living room - primary living area.*
- *Extent of impact: Moderate-to-Severe*

Reasonableness of proposal: Within the context of the development's height compliance, the proposal can be deemed acceptable, since the highest value components of the view remain and views to the southeast and southwest are not impacted.

VIEWPOINT 04



F502 - Viewpoint 04 location

From standing position, Unit F502 balcony centre.

RL +88.200m Distance to boundary:42.1m

Existing site photo - F502

Photomontage of Proposal

Visual Impact shown in cyan overlay with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 63%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 78% :22%*
- *Existing Visual Assessment Scale no: 9 /15 & Visual Impact Assessment Scale no: 10 /15*

This is a static private view from the centre of the balcony balustrade of Unit F502, at No.3, Scott Street - 'Overture', looking due south across Scott Street, towards the northern elevation of Building J at No.2, Scott Street and the subject site beyond this. There is also a view to the east, across the top of the apartment block at No.2, Artarmon Road.

The view to the subject site is already significantly impacted by Building J and its rooftop plant ventilation structures. To the southeast, the site is also partially obscured by the residential flat building at No.2, Artarmon Road. Beyond the site, to the south,the midground view includes glimpses of the densely landscaped residential areas of Naremburn, Cammeray and Crows Nest. Beyond this, the skyline includes the commercial and residential towers of St Leonards to the south-southwest and, further to the south-southeast, at approximately 4km distance, North Sydney CBD and glimpses of Sydney City CBD, including the upper portion of the Sydney Tower in the far distance. There are no iconic elements observable within the existing view.

The additional floors, proposed on the approved residential towers D,E &F, of the subject site would impact upon parts of the view to the south, including the mid-ground district views and the towers of St Leonards up to their mid-levels. The views to the south, including North Sydney and the partial city views are also impacted from this location. Views to the southeast and southwest remain and the skyline in these directions is unaffected.

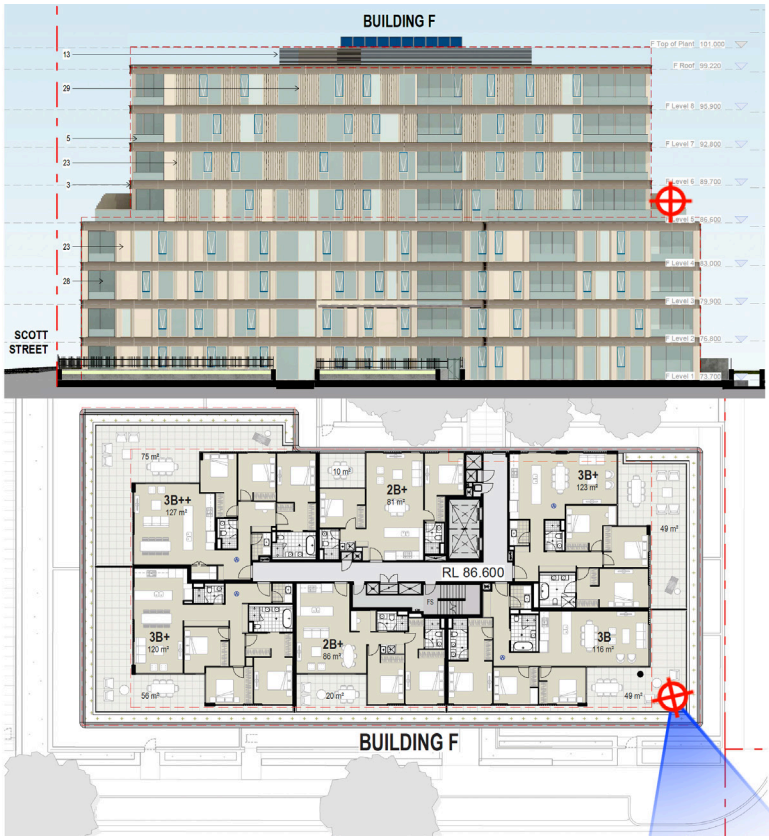
The visual impact would be assessed as Moderate-to-Severe.

Tenacity Assessment Summary:

- *Value of view: Medium-to-High*
- *View location: Balcony - secondary living area.*
- *Extent of impact: Moderate-to-Severe*

Reasonableness of proposal: Within the context of the development's height compliance, the proposal can be deemed acceptable, since the highest value components of the view remain and views to the southeast and southwest are not impacted.

VIEWPOINT 05



F502 - Viewpoint 05 location

From standing position, Unit F502 balcony east.
RL +88.200m Distance to boundary 42.15m

Existing site photo - Apartment F502

Photomontage of Proposal

Visual Impact shown in cyan overlay with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 34%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 52% :48%*
- *Existing Visual Assessment Scale no: 8 /15 & Visual Impact Assessment Scale no: 8 /15*

This is a static private view from the eastern end of the balcony balustrade of Unit F502, at No.3, Scott Street - 'Overture', looking south-southeast across Scott Street, towards the northern elevation of Building J at No.2, Scott Street and the subject site beyond this. There are also views attained to the southeast and southwest from this position.

The view to the subject site is already significantly impacted by Building J and its rooftop plant ventilation structures. Beyond Building J and the site, to the southeast,the midground view includes glimpses of the densely landscaped residential areas of Naremburn, Cammeray and Crows Nest. Beyond this, the skyline includes the commercial and residential towers of St Leonards to the south-southwest and, further to the south-southeast, at approximately 4km distance, North Sydney CBD and glimpses of Sydney City CBD, including the upper portion of the Sydney Tower in the far distance. There are no iconic elements observable within the existing view.

The additional floors, proposed on the approved residential towers D,E &F, of the subject site would impact upon parts of the view to the south and southeast, including the mid-ground district views and the towers of St Leonards up to their mid-levels. The views to the south, including North Sydney and the partial city views are also impacted from this location. Views to the southeast and southwest remain and the skyline in these directions is unaffected. The view of Sydney tower is maintained through the gap in the buildings, between E and F on the subject site.

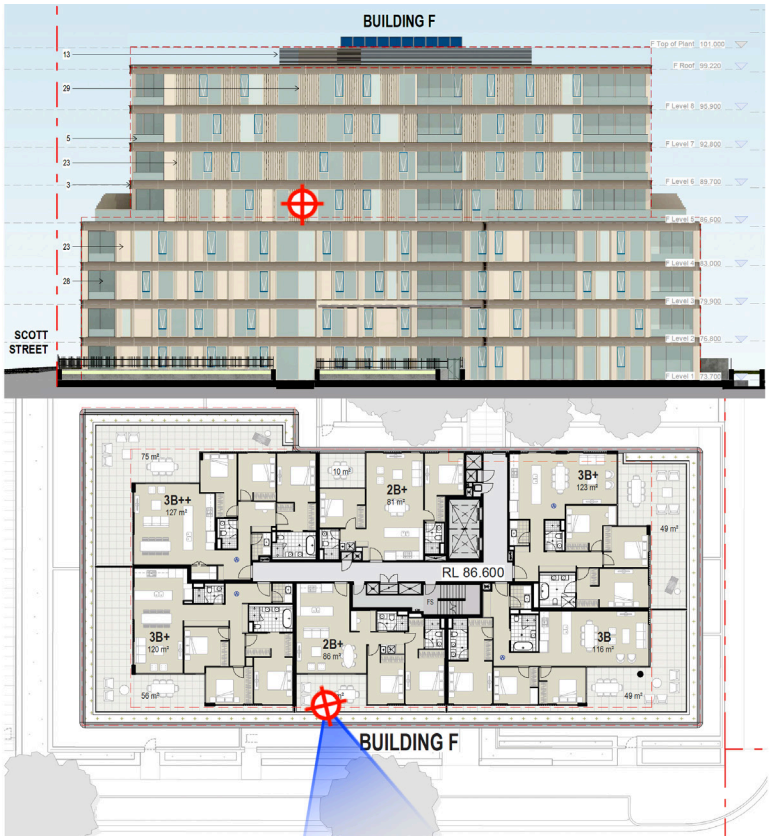
The visual impact would be assessed as Moderate-to-Severe.

Tenacity Assessment Summary:

- *Value of view: Medium-to-High*
- *View location: Balcony - secondary living area.*
- *Extent of impact: Moderate.*

Reasonableness of proposal: Within the context of the development's height compliance, the proposal can be deemed acceptable, since the highest value components of the view remain and views to the southeast and southwest are not impacted.

VIEWPOINT 06



F503 - Viewpoint 06 location

From standing position, Unit F503 balcony centre.
RL +88.200m Distance to boundary 46.4m

Existing site photo - Apartment F503

Photomontage of Proposal

Visual Impact shown in cyan overlay with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 39%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 47% :53%*
- *Existing Visual Assessment Scale no: 8 /15 & Visual Impact Assessment Scale no: 8 /15*

This is a static private view from the centre of the balcony balustrade of Unit F503, at No.3, Scott Street - 'Overture', looking southeast across Scott Street, towards the northern and western elevations of Building J at No.2, Scott Street and the subject site beyond this. There are also uninterrupted views to the southwest from this position.

The view to the subject site is already significantly impacted by Building J and its rooftop plant ventilation structures. Beyond Building J and the site, to the southeast,the midground view includes small glimpses of the densely landscaped residential areas of Naremburn and Crows Nest. Beyond this, the skyline includes the commercial and residential towers of St Leonards to the south-southwest and, further to the south-southeast, at approximately 4km distance, North Sydney CBD and glimpses of Sydney City CBD, including the upper portion of the Sydney Tower in the far distance. There are no iconic elements observable within the existing view.

The additional floors, proposed on the approved residential towers D,E &F, of the subject site would impact upon parts of the view to the south and southeast, including the mid-ground district views and the towers of the southern end of St Leonards, up to their mid-levels. The views to the south, including North Sydney and the partial city views are also impacted from this location. Views to the southwest remain and the skyline in these directions is unaffected. The view of the spire of St Leonard's Catholic Church is maintained through the gap in the buildings, between E and F on the subject site.

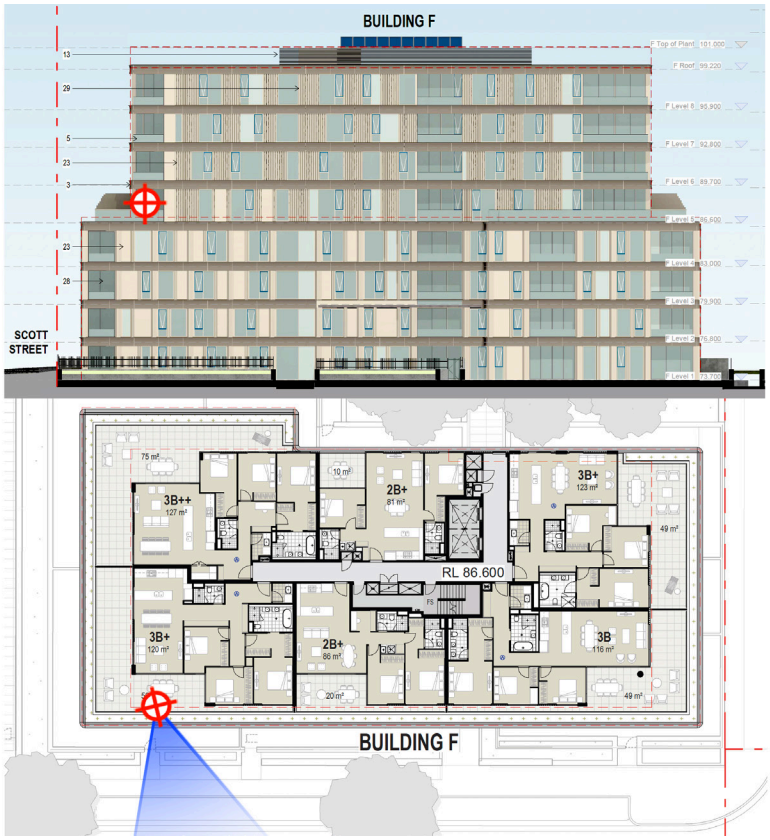
The visual impact would be assessed as Moderate-to-Severe.

Tenacity Assessment Summary:

- *Value of view: Medium-to-High*
- *View location: Balcony - secondary living area.*
- *Extent of impact: Moderate.*

Reasonableness of proposal: Within the context of the development's height compliance, the proposal can be deemed acceptable, since the highest value components of the view remain and views to the southeast and southwest are not

VIEWPOINT 07



F504 - Viewpoint 07 location

From standing position, Unit F504 balcony centre.
RL +88.200m Distance to boundary 47.85

Existing site photo - Apartment F504

Photomontage of Proposal

Visual Impact shown in cyan overlay with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 41%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 69% : 31%*
- *Existing Visual Assessment Scale no: 9 /15 & Visual Impact Assessment Scale no: 8 /15*

This is a static, private view from the centre of the balcony balustrade of Unit F504, at No.3, Scott Street - 'Overture', looking east-southeast across Scott Street, towards the northern and western elevations of Building J at No.2, Scott Street and the subject site beyond this. There are also uninterrupted views to the south and southwest from this position.

The view to the subject site is already significantly impacted by Building J and its rooftop plant ventilation structures. Beyond Building J and the site, to the southeast,the midground view includes small glimpses of the densely landscaped residential areas of Naremburn and Crows Nest. Beyond this, the skyline includes the commercial and residential towers of St Leonards to the south-southwest and, further to the south-southeast, at approximately 4km distance, North Sydney CBD and glimpses of Sydney City CBD, including the upper portion of the Sydney Tower in the far distance. There are no iconic elements observable within the existing view.

The additional floors, proposed on the approved residential towers D,E &F, of the subject site would impact upon parts of the view to the south and southeast, including the mid-ground district views and the towers of the southern end of St Leonards, up to their mid-levels. The views to the south, including North Sydney and the partial city views are also impacted from this location. Views of St Leonards, to the southwest, remain and the skyline in these directions is unaffected. There is a glimpse of distant district views obtained between buildings E and F on the subject site.

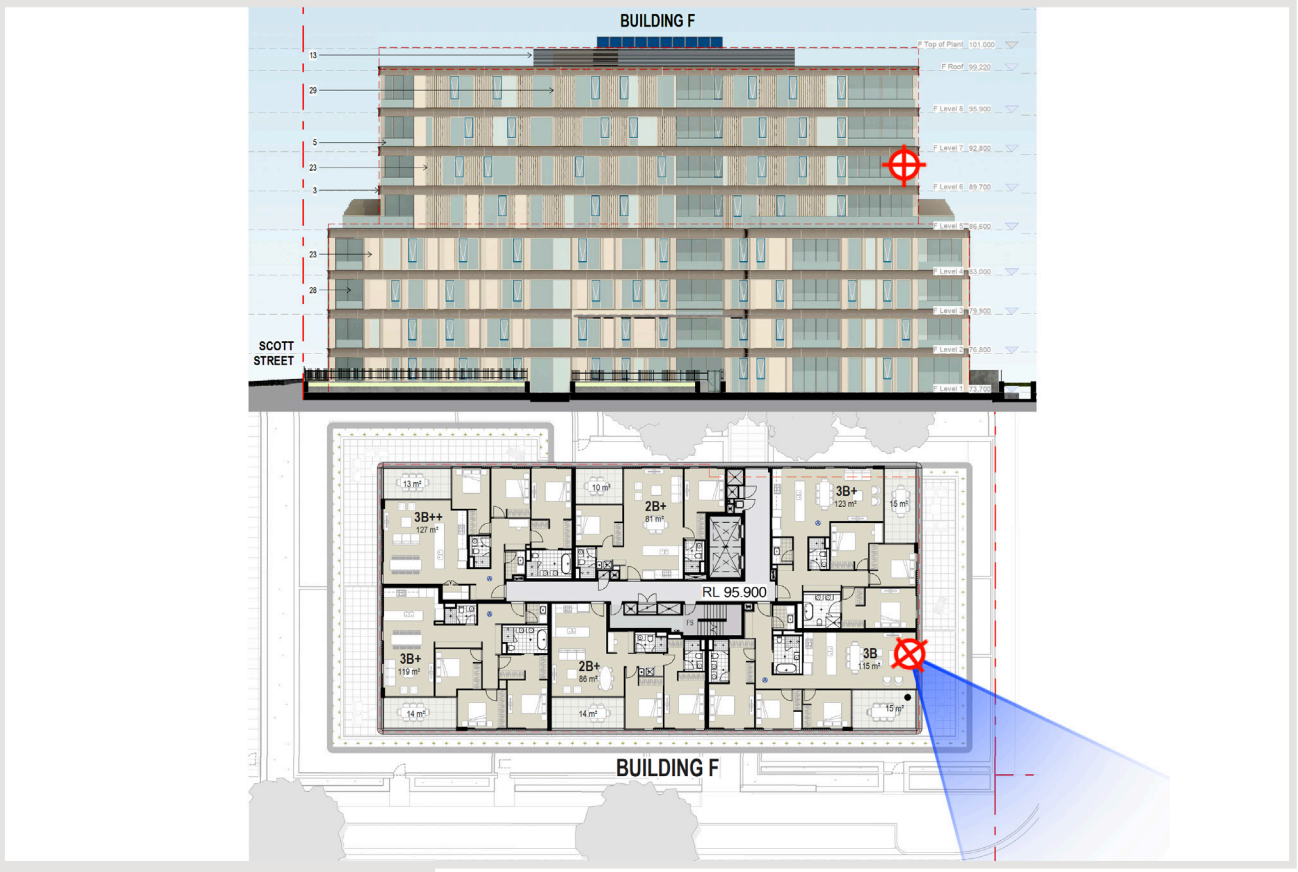
The visual impact would be assessed as Moderate-to-Severe.

Tenacity Assessment Summary:

- *Value of view: Medium-to-High*
- *View location: Balcony - secondary living area.*
- *Extent of impact: Moderate.*

Reasonableness of proposal: Within the context of the development's height compliance, the proposal can be deemed acceptable, since the highest value components of the view remain and views to the southeast and southwest are not

VIEWPOINT 08



F602 - Viewpoint 08 location

From standing position, Unit F602 living room.
RL + 91.300m Distance to boundary 50.65m

Existing site photo - Apartment F602

Photomontage of Proposal

Visual Impact shown in cyan overlay with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 52%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 94% :6%*
- *Existing Visual Assessment Scale no: 7 /15 & Visual Impact Assessment Scale no: 6 /15*

This is a static, private view from the living room of Unit F501, at No.3, Scott Street - 'Overture', looking due south, at an oblique angle to the glazing line, towards the subject site. There is an expansive view directly to the east, across the top of the apartment block at No.2, Artarmon Road, towards Hallstrom Park, Bicentennial Reserve Oval and then to clear district views beyond these.

The view to the subject site is across the northeastern corner of the roof level of Block J at No.2, Scott Street. Beyond the site, the midground view includes the densely landscaped residential areas of Naremburn, Cammeray and Crows Nest. Beyond this, glimpses of Sydney City CBD, including the upper portion of the Sydney Tower. There are no iconic elements observable within the existing view.

The additional floors, proposed on the approved residential towers D,E &F, of the subject site would impact upon parts of the view to the south, although the main view to the east is fully maintained. The views affected are primarily to the middle distance, district views and the lower levels of the far distant glimpses of Sydney CBD. These views are all observed at an oblique angle through the window.

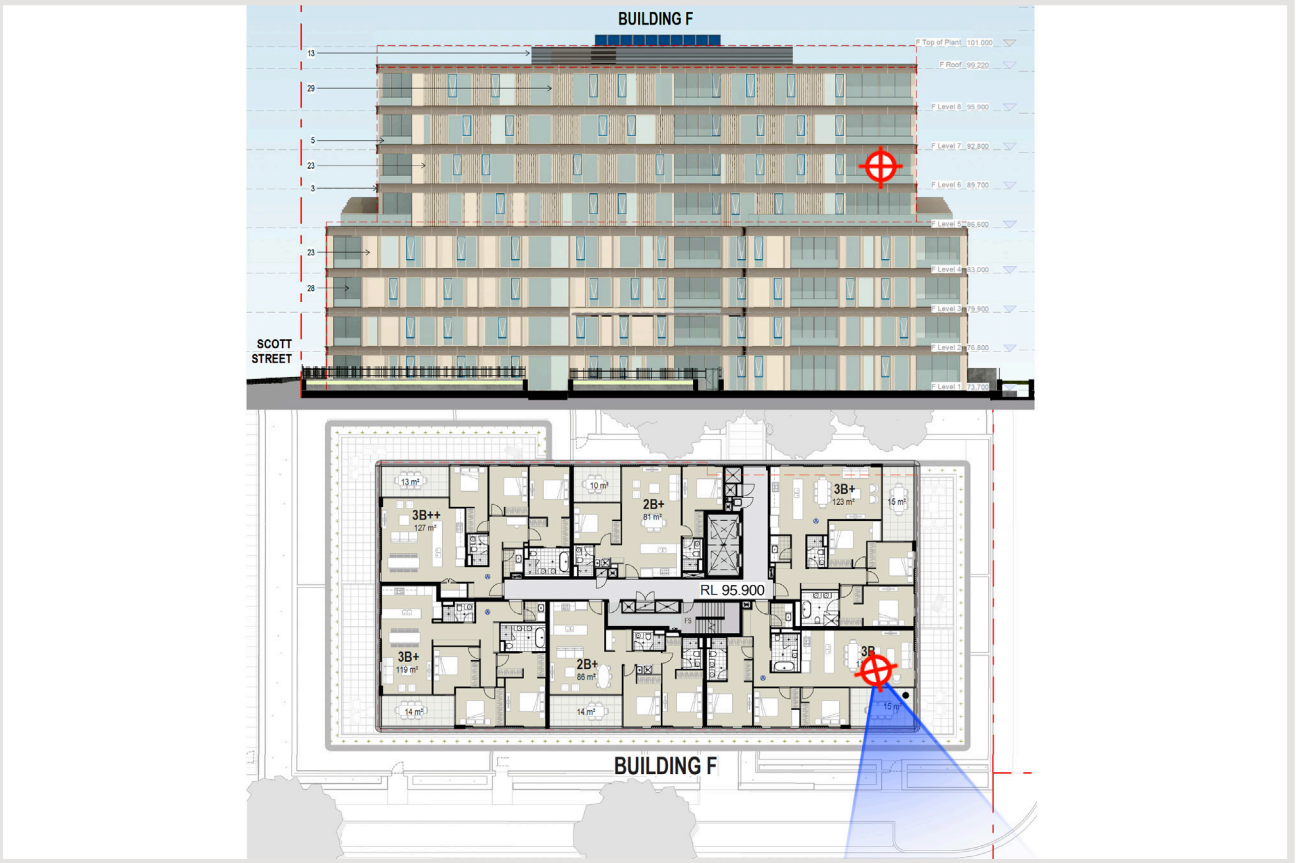
The visual impact would be assessed as Negligible-to-Minor.

Tenacity Assessment Summary:

- *Value of view: Medium.*
- *View location: Living room - primary living space.*
- *Extent of impact: Minor*

Reasonableness of proposal: Within the context of the development's height compliance, the proposal can be deemed acceptable, since the highest value components of the view remain and views to the southeast and southwest are not impacted.

VIEWPOINT 09

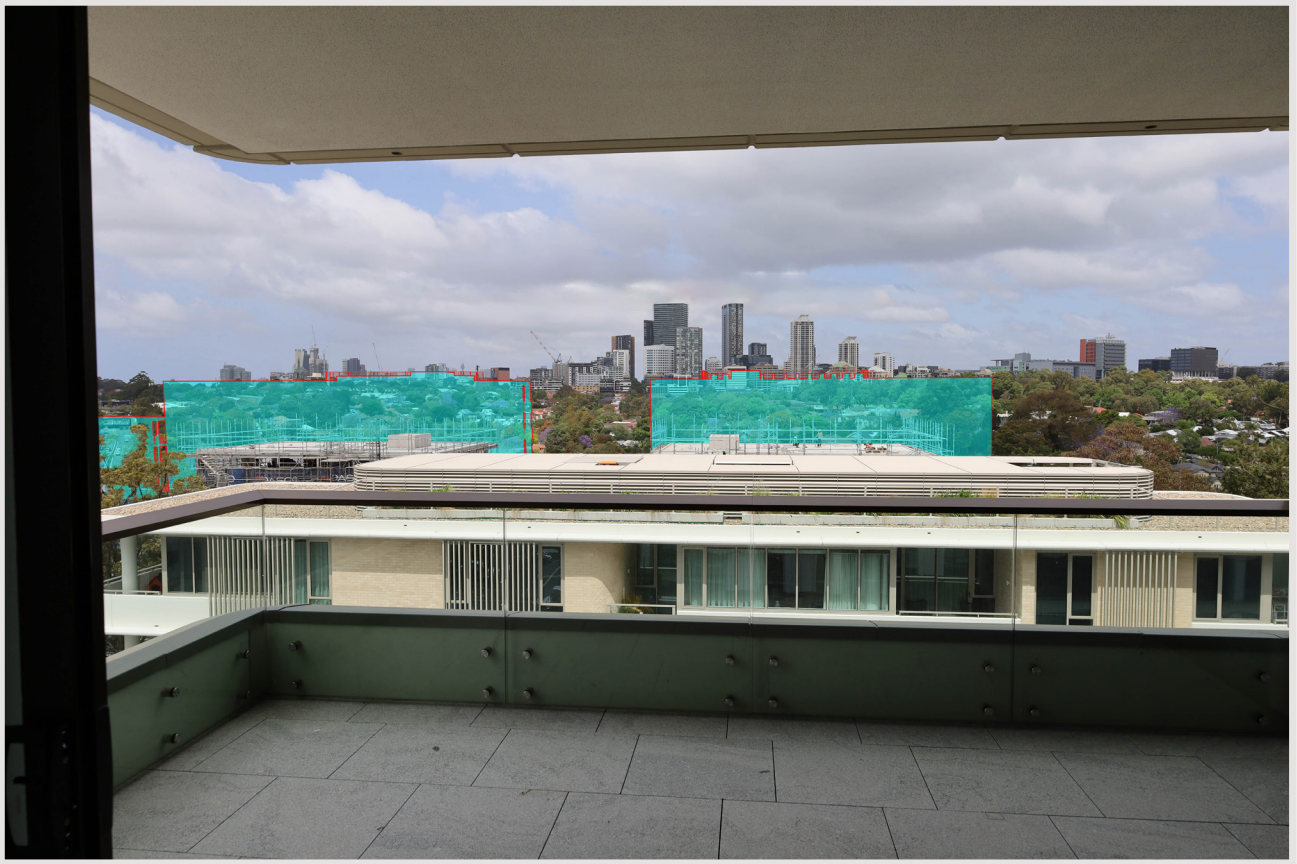


F602 - Viewpoint 09 location

From standing position, Unit F602 living room.
RL + 91.300m Distance to boundary 47.25m

Existing site photo - Apartment F602

Photomontage of Proposal



Visual Impact shown in cyan overlay with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 72%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 96% :4%*
- *Existing Visual Assessment Scale no: 11 /15 & Visual Impact Assessment Scale no: 8 /15*

This is a static private view from the living room of Unit F602, at No.3, Scott Street - 'Overture', looking south-south-west across the apartment's balcony, towards the roof and top level of the northern elevation of Building J at No.2, Scott Street and the subject site beyond this.

The view to the subject site is already significantly impacted by Building J and its rooftop plant ventilation structures. Beyond the site, the midground view includes significant amounts of the densely landscaped residential areas of Naremburn and Crows Nest. Beyond this, the skyline includes the commercial and residential towers of St Leonards to the south-southwest and, further to the southeast, at approximately 4km distance, North Sydney CBD and glimpses of Sydney City CBD, including the upper portion of the Sydney Tower. There are no iconic elements observable within the existing view.

The additional floors, proposed on the approved residential towers D,E &F, of the subject site would impact upon parts of the view to the south, including parts of the mid-ground district views and the lower levels of the towers of St Leonards. The views to the south, including North Sydney and the partial city views remain almost unimpacted from this location, with only low level elements obscured. Views to the southeast and southwest remain and the skyline in these directions is unaffected.

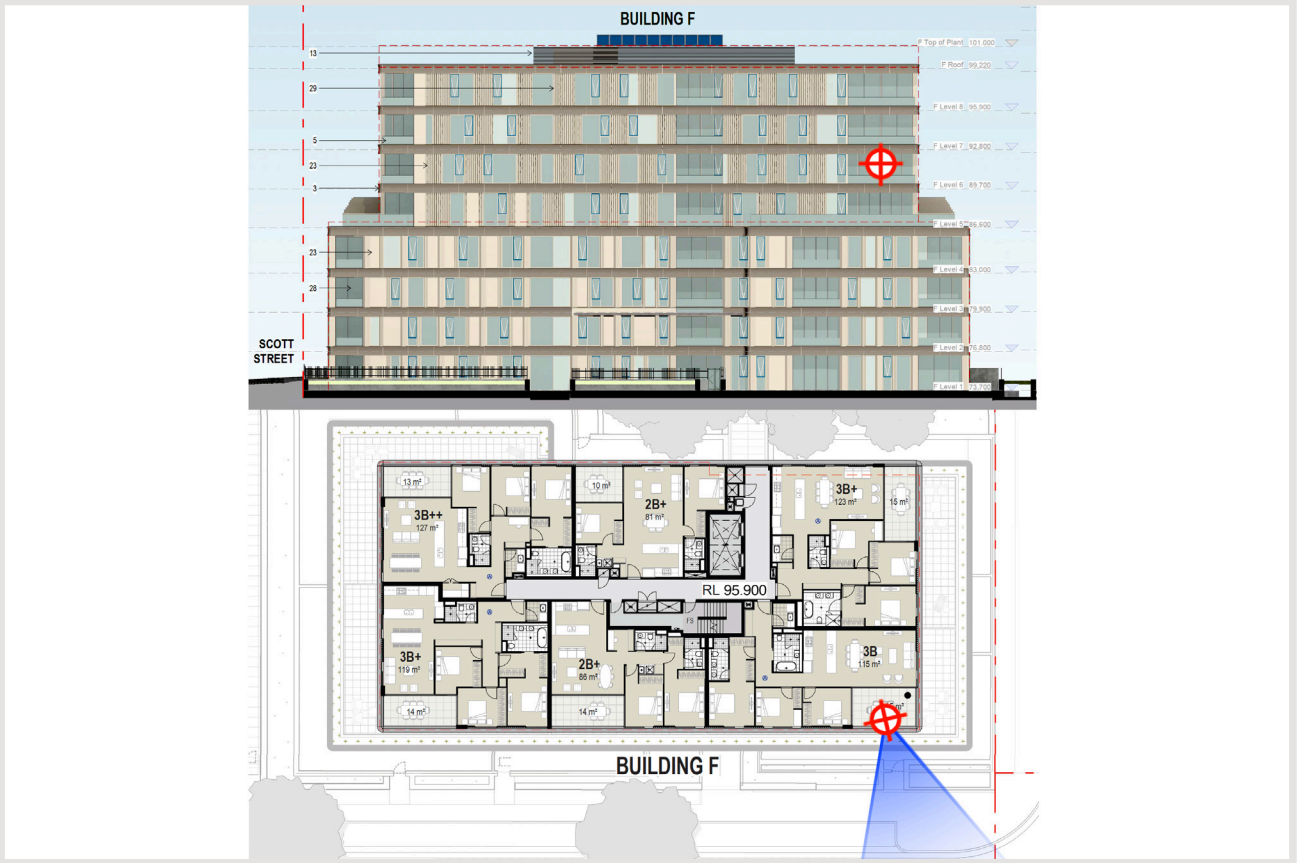
The visual impact would be assessed as Moderate.

Tenacity Assessment Summary:

- *Value of view: High*
- *View location: Living room - primary living area.*
- *Extent of impact: Moderate.*

Reasonableness of proposal: Within the context of the development's height compliance, the proposal can be deemed acceptable, since the highest value components of the view remain and views to the southeast and southwest are not impacted.

VIEWPOINT 10



F602 - Viewpoint 10 location

From standing position, Unit F602 balcony, centre.
RL + 91.300m Distance to boundary 43.1m

Existing site photo - Apartment F602

Photomontage of Proposal

Visual Impact shown in cyan overlay with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 79%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 97% :3%*
- *Existing Visual Assessment Scale no: 11 /15 & Visual Impact Assessment Scale no: 7 /15*

This is a static private view from the centre of the balcony balustrade of Unit F602, at No.3, Scott Street - 'Overture', looking south-southeast, towards the northeastern corner of the roof and top levels of the northern elevation of Building J at No.2, Scott Street and the subject site beyond this.

The view to the subject site is already significantly impacted by Building J and its rooftop plant ventilation structures. Beyond the site, the midground view includes significant amounts of the densely landscaped residential areas of Naremburn and Crows Nest. Beyond this, the skyline includes the commercial and residential towers of St Leonards to the south-southwest and, further to the south, at approximately 4km distance, North Sydney CBD and glimpses of Sydney City CBD, including the upper portion of the Sydney Tower. There are no iconic elements observable within the existing view.

The additional floors, proposed on the approved residential towers D,E &F, of the subject site would impact upon parts of the view to the south, including parts of the mid-ground district views and the lower levels of the towers of St Leonards. The views to the south, including North Sydney and the partial city views remain relatively unimpacted from this location, with only low level elements obscured. Views to the southeast and southwest remain and the skyline in these directions is unaffected. The gap between the proposed additions to buildings E and F, on the subject site, permit middle distance views to be maintained in this direction

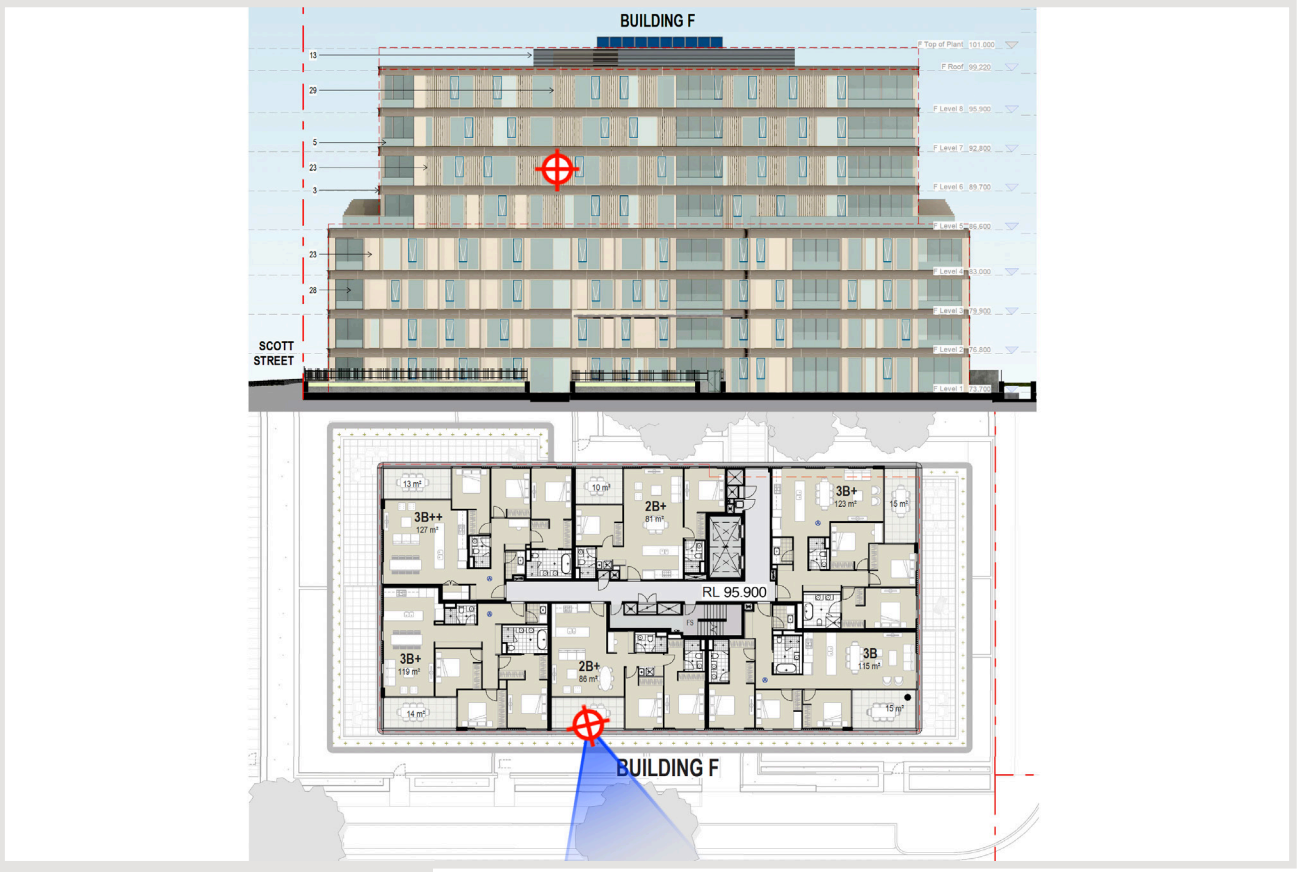
The visual impact would be assessed as Moderate.

Tenacity Assessment Summary:

- *Value of view: High*
- *View location: Balcony - secondary living area.*
- *Extent of impact: Moderate.*

Reasonableness of proposal: Within the context of the development's height compliance, the proposal can be deemed acceptable, since the highest value components of the view remain and views to the southeast and southwest are not

VIEWPOINT 11



F603 - Viewpoint 11 location

From standing position, Unit F603 balcony, centre.
RL + 91.300m Distance to boundary: 46.45m

Existing site photo - Apartment F603

Photomontage of Proposal

Visual Impact shown in cyan overlay with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 76%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 93% :7%*
- *Existing Visual Assessment Scale no: 11 /15 & Visual Impact Assessment Scale no: 7 /15*

This is a static private view from the centre of the balcony balustrade of Unit F603, at No.3, Scott Street - 'Overture', looking south-southeast, towards the northern and western elevations of Building J at No.2, Scott Street and the subject site beyond this. There are also uninterrupted views to the west and southwest from this position.

The view to the subject site is already significantly impacted by Building J and its rooftop plant ventilation structures. Beyond the site, the midground view includes significant amounts of the densely landscaped residential areas of Naremburn and Crows Nest. Beyond this, the skyline includes the commercial and residential towers of St Leonards to the south and, further to the south- southeast, at approximately 4km distance, North Sydney CBD and glimpses of Sydney City CBD, including the upper portion of the Sydney Tower. There are no iconic elements observable within the existing view.

The additional floors, proposed on the approved residential towers D,E &F, of the subject site would impact upon parts of the view to the south, including parts of the mid-ground district views and the lower levels of the towers of St Leonards. The views to the south, including North Sydney and the partial city views remain relatively unimpacted from this location, with only low level elements obscured. Views to the south and southwest remain and the skyline in these directions is unaffected. The small gap between the proposed additions to buildings E and F, on the subject site, permit partial middle distance views to be maintained in this direction

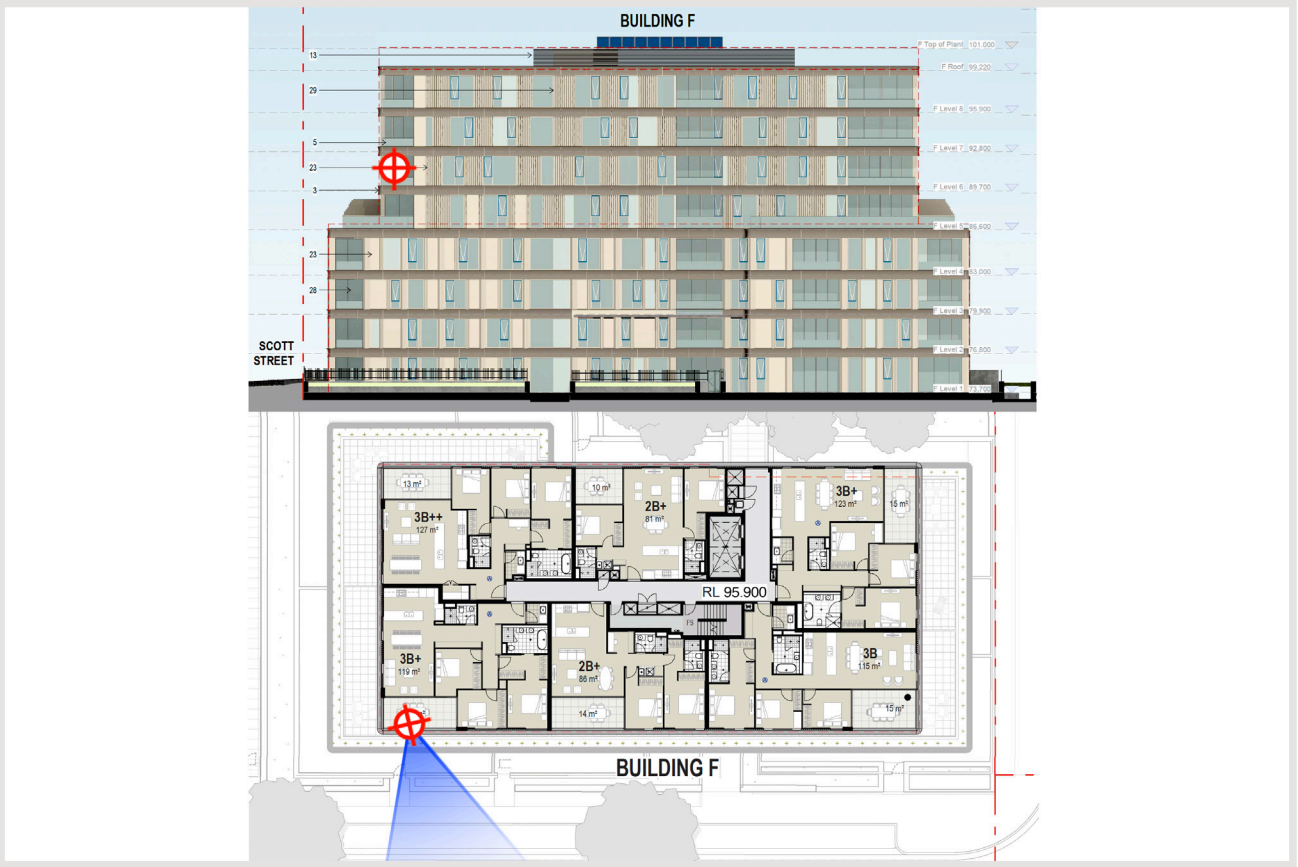
The visual impact would be assessed as Moderate.

Tenacity Assessment Summary:

- *Value of view: High*
- *View location: Balcony - secondary living area.*
- *Extent of impact: Moderate.*

Reasonableness of proposal: Within the context of the development's height compliance, the proposal can be deemed acceptable, since the highest value components of the view remain and views to the southeast and southwest are not

VIEWPOINT 12



F502 - Viewpoint 12 location

From standing position, Unit F604 balcony, centre.
RL + 91.300m Distance to boundary: 47.65m

Existing site photo - Apartment F502

Photomontage of Proposal

Visual Impact shown in cyan overlay with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 76%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 93% :7%*
- *Existing Visual Assessment Scale no: 10 /15 & Visual Impact Assessment Scale no: 7 /15*

This is a static private view from the centre of the balcony balustrade of Unit F604, at No.3, Scott Street - 'Overture', looking south-southeast, across Scott Street and towards the northern and western elevations of Building J at No.2, Scott Street, with the subject site beyond this. There are also uninterrupted views to the west and southwest from this position.

The view to the subject site is already significantly impacted by Building J and its rooftop plant ventilation structures. Beyond the site, the midground view includes significant amounts of the densely landscaped residential areas of Naremburn and Crows Nest. Beyond this, the skyline includes the commercial and residential towers of St Leonards to the south and, further to the south- southeast, at approximately 4km distance, North Sydney CBD and glimpses of Sydney City CBD, including the upper portion of the Sydney Tower. There are no iconic elements observable within the existing view.

The additional floors, proposed on the approved residential towers D,E &F, of the subject site would impact upon parts of the view to the south, including parts of the mid-ground district views and the lower levels of the southern towers of St Leonards. The views to the southeast, including North Sydney and the partial city views remain relatively unimpacted from this location, with only lower level elements obscured. Views to the south and southwest remain and the skyline in these directions is unaffected. The is a small gap between the proposed additions to buildings E and F, on the subject site, which permits partial middle distance views to be seen in this direction

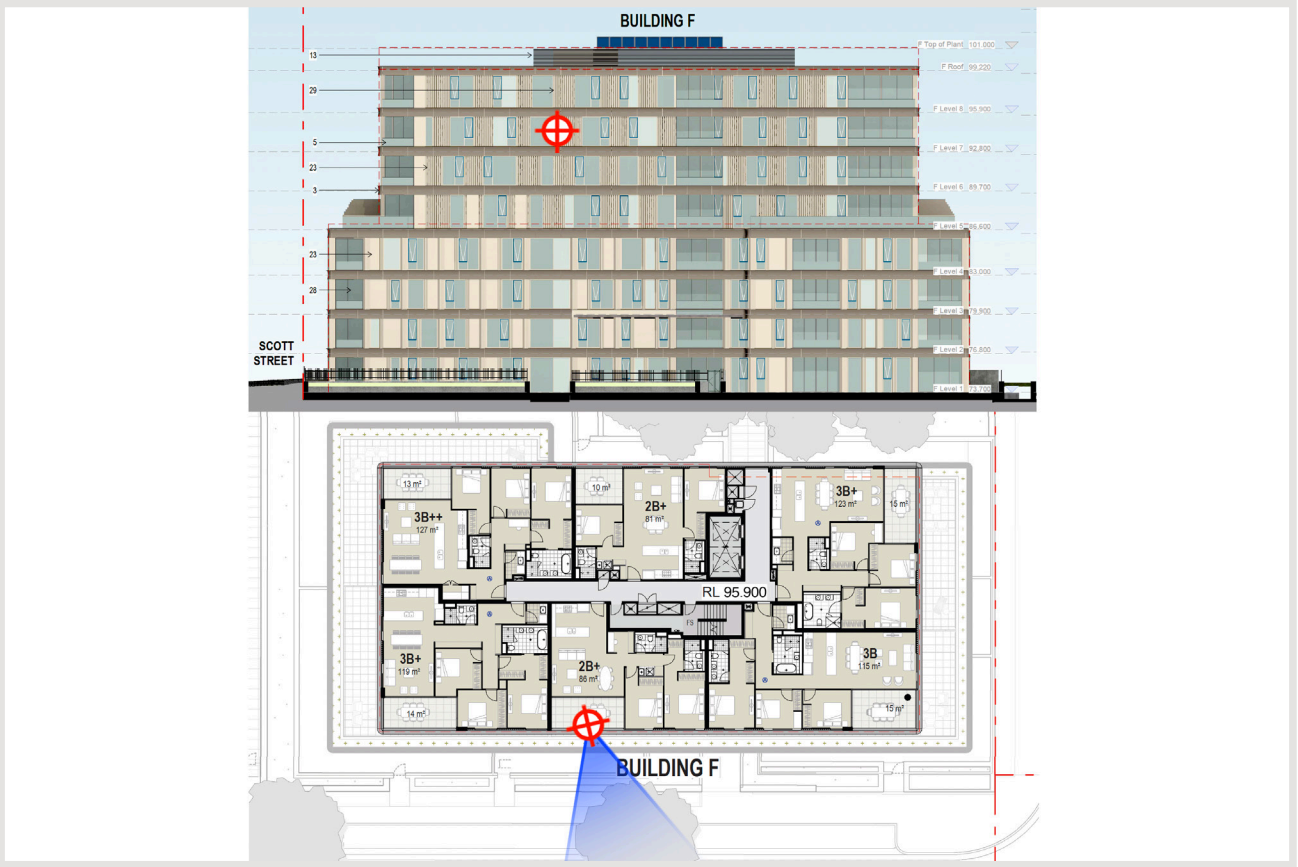
The visual impact would be assessed as Moderate.

Tenacity Assessment Summary:

- *Value of view: Medium-to-High*
- *View location: Balcony - secondary living area.*
- *Extent of impact: Moderate.*

Reasonableness of proposal: Within the context of the development's height compliance, the proposal can be deemed

VIEWPOINT 13



F703 - Viewpoint 13 location

From standing position, Unit F703 balcony, centre.
RL + 94.400m Distance to boundary 46.45m

Existing site photo - Apartment F703

Photomontage of Proposal

Visual Impact shown in cyan overlay with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 72%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 0% :100%*
- *Existing Visual Assessment Scale no: 12 /15 & Visual Impact Assessment Scale no: 6 /15*

This is a static private view from the centre of the balcony balustrade of Unit F703, at No.3, Scott Street - 'Overture', looking south-southeast, towards the northern and western elevations of Building J at No.2, Scott Street and the subject site beyond this. There are also uninterrupted views to the west and southwest from this position.

The view to the subject site is already significantly impacted by Building J and its rooftop plant ventilation structures. Beyond the site, the midground view includes significant amounts of the densely landscaped residential areas of Naremburn and Crows Nest. Beyond this, the skyline includes the commercial and residential towers of St Leonards to the south and, further to the south- southeast, at approximately 4km distance, North Sydney CBD and glimpses of Sydney City CBD, including the upper portion of the Sydney Tower. There are no iconic elements observable within the existing view.

The additional floors, proposed on the approved residential towers D,E &F, of the subject site would impact upon parts of the view to the south and southeast, including parts of the mid-ground district views. The views to the south, including North Sydney and the partial city views remain unimpacted from this location. Views to the south and southwest remain and the skyline in these directions is unaffected. The small gap between the proposed additions to buildings E and F, on the subject site, permit additional, partial middle distance views to be maintained in this direction

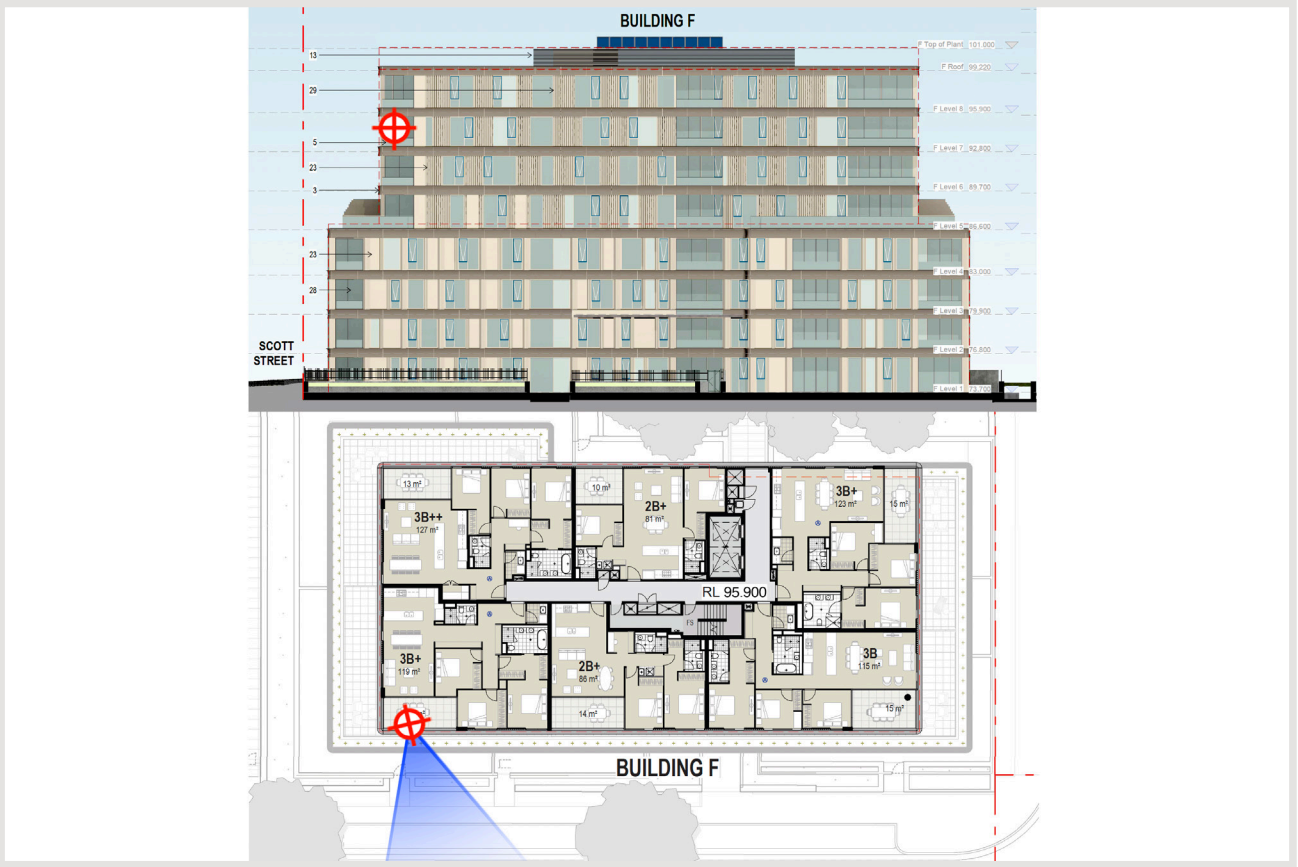
The visual impact would be assessed as Moderate.

Tenacity Assessment Summary:

- *Value of view: High*
- *View location: Balcony - secondary living area.*
- *Extent of impact: Moderate.*

Reasonableness of proposal: Within the context of the development's height compliance, the proposal can be deemed acceptable, since the highest value components of the view remain and views to the southeast and southwest are not impacted.

VIEWPOINT 14



F704 - Viewpoint 14 location

From standing position, Unit F704 balcony, centre.
RL + 94.400m Distance to boundary: 47.65m

Existing site photo - Apartment F704

Photomontage of Proposal

Visual Impact shown in cyan overlay with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 71%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 0% :100%*
- *Existing Visual Assessment Scale no: 12 /15 & Visual Impact Assessment Scale no: 6 /15*

This is a static private view from the centre of the balcony balustrade of Unit F704, at No.3, Scott Street - 'Overture', looking southeast, towards the northern and western elevations of Building J at No.2, Scott Street and the subject site beyond this. There are also uninterrupted views to the west and southwest from this position.

The view to the subject site is already significantly impacted by Building J and its rooftop plant ventilation structures. Beyond the site, the midground view includes significant amounts of the densely landscaped residential areas of Naremburn and Crows Nest. Beyond this, the skyline includes the commercial and residential towers of St Leonards to the south and, further to the southeast, at approximately 4km distance, North Sydney CBD and glimpses of Sydney City CBD, including the upper portion of the Sydney Tower. There are no iconic elements observable within the existing view.

The additional floors, proposed on the approved residential towers D,E &F, of the subject site would impact upon parts of the view to the south and southeast, including parts of the mid-ground district views. The views to the south, including North Sydney and the partial city views remain unimpacted from this location. Views to the south and southwest remain and the skyline in these directions is unaffected. The small gap between the proposed additions to buildings E and F, on the subject site, permit additional, partial middle distance views to be maintained in this direction

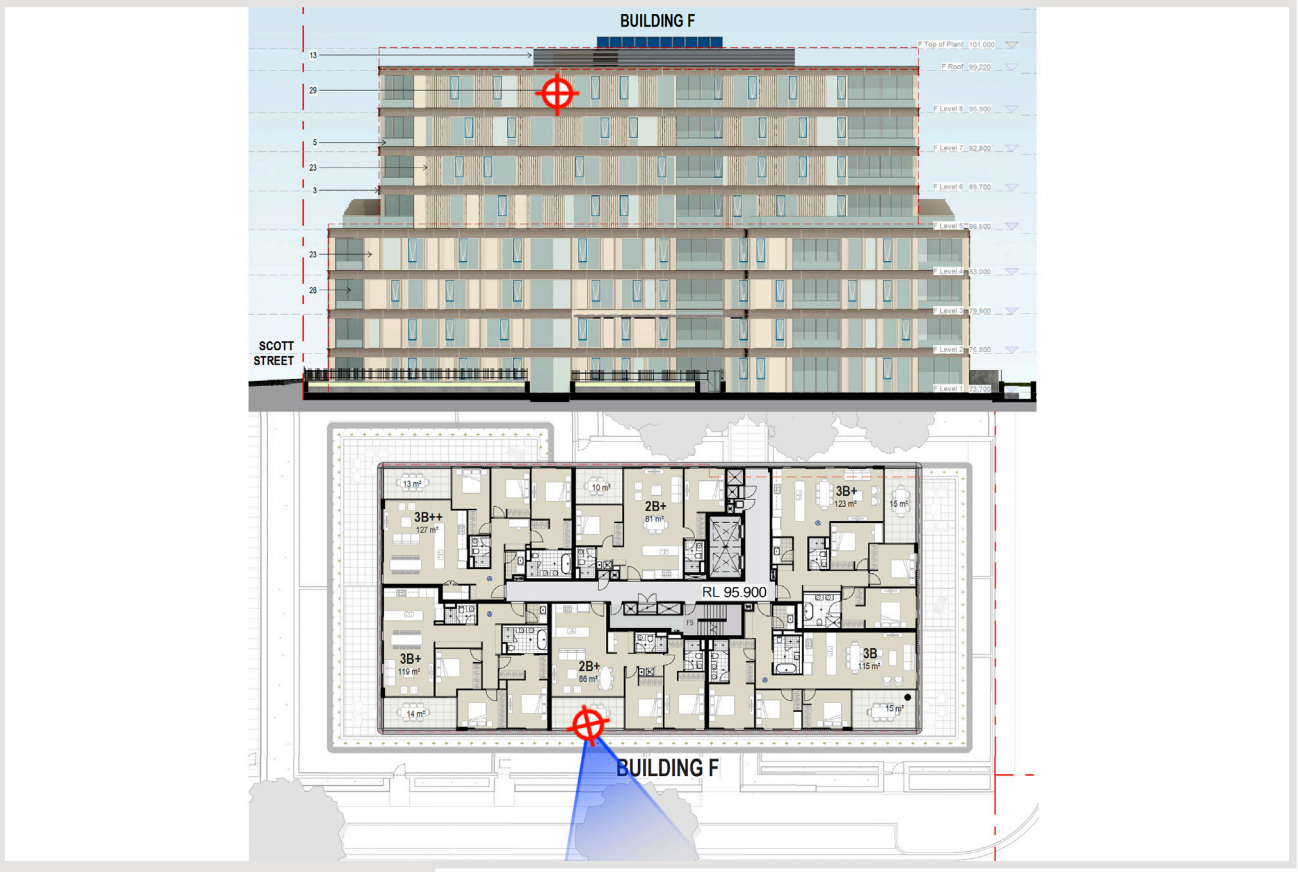
The visual impact would be assessed as Moderate.

Tenacity Assessment Summary:

- *Value of view: High*
- *View location: Balcony - secondary living area.*
- *Extent of impact: Moderate.*

Reasonableness of proposal: Within the context of the development's height compliance, the proposal can be deemed acceptable, since the highest value components of the view remain and views to the southeast and southwest are not impacted.

VIEWPOINT 15



F803 - Viewpoint 15 location

From standing position, Unit F803 balcony, centre.
RL + 97.500m Distance to boundary 46.45m

Existing site photo - Apartment F803

Photomontage of Proposal

Visual Impact shown in cyan overlay with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 74%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 0% :100%*
- *Existing Visual Assessment Scale no: 12 /15 & Visual Impact Assessment Scale no:5 /15*

This is a static private view from the centre of the balcony balustrade of Unit F803, at No.3, Scott Street - 'Overture', looking south-southeast, towards the northern and western elevations of Building J at No.2, Scott Street and the subject site beyond this. There are also uninterrupted views to the west and southwest from this position.

The view to the subject site is already significantly impacted by Building J and its rooftop plant ventilation structures. Beyond the site, the midground view includes significant amounts of the densely landscaped residential areas of Naremburn and Crows Nest. Beyond this, the skyline includes the commercial and residential towers of St Leonards to the south and, further to the south- southeast, at approximately 4km distance, North Sydney CBD and glimpses of Sydney City CBD, including the upper portion of the Sydney Tower. There are no iconic elements observable within the existing view.

The additional floors, proposed on the approved residential towers D,E &F, of the subject site would impact upon parts of the view to the south and southeast, including parts of the mid-ground district views. The views to the south, including North Sydney and the partial city views remain unimpacted from this location. Views to the south and southwest remain and the skyline in these directions is unaffected. The small gap between the proposed additions to buildings E and F, on the subject site, permit additional, partial middle distance views to be maintained in this direction

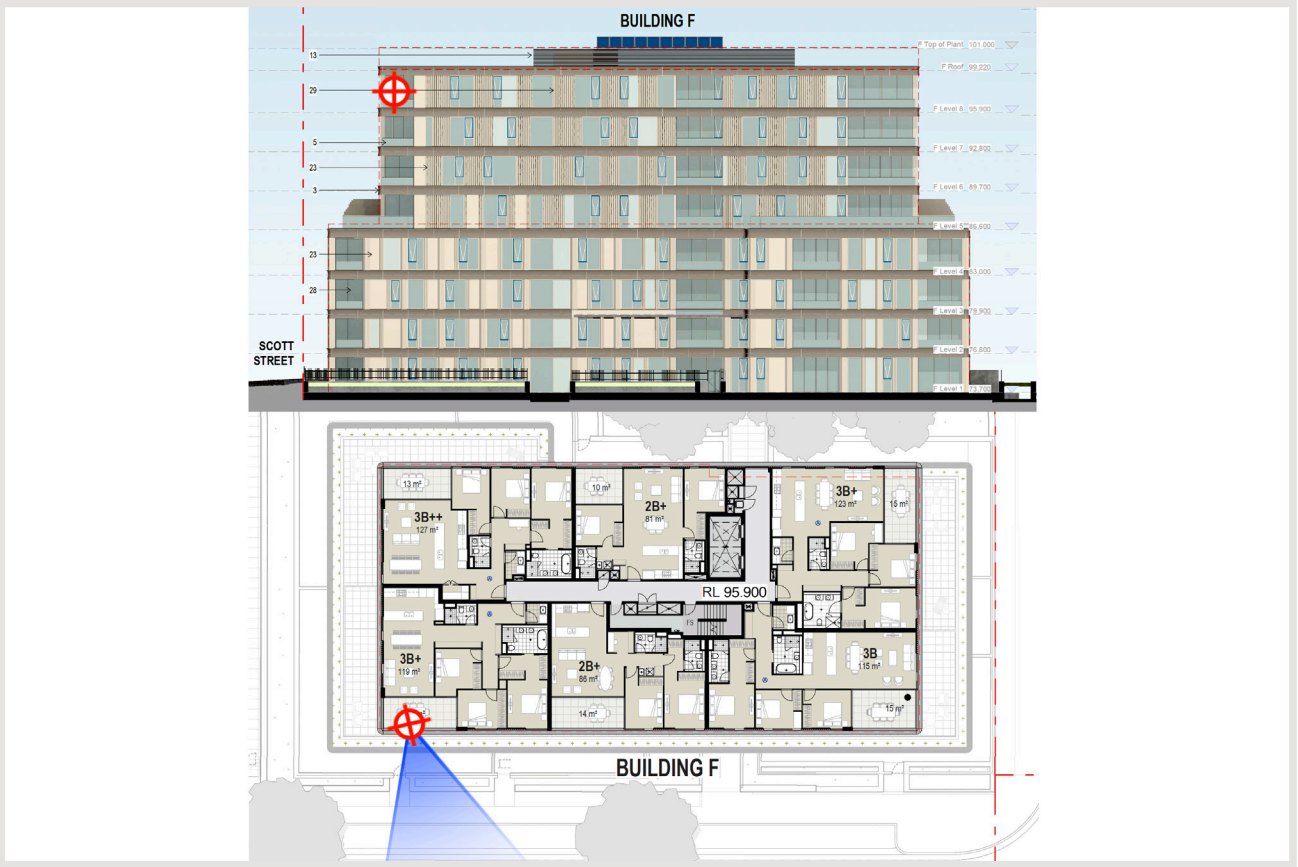
The visual impact would be assessed as Moderate.

Tenacity Assessment Summary:

- *Value of view: High*
- *View location: Balcony - secondary living area.*
- *Extent of impact: Minor.*

Reasonableness of proposal: Within the context of the development's height compliance, the proposal can be deemed acceptable, since the highest value components of the view remain and views to the southeast and southwest are not impacted.

VIEWPOINT 16



F804 - Viewpoint 16 location

From standing position, Unit F804 balcony, centre.
RL + 97.500m Distance to boundary: 47.65m

Existing site photo - Apartment F804

Photomontage of Proposal

Visual Impact shown in cyan overlay with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 75%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 0% :100%*
- *Existing Visual Assessment Scale no: 12 /15 & Visual Impact Assessment Scale no: 6 /15*

This is a static private view from the centre of the balcony balustrade of Unit F804, at No.3, Scott Street - 'Overture', looking southeast, towards the northern and western elevations of Building J at No.2, Scott Street and the subject site beyond this. There are also uninterrupted views to the west and southwest from this position.

The view to the subject site is already significantly impacted by Building J and its rooftop plant ventilation structures. Beyond the site, the midground view includes significant amounts of the densely landscaped residential areas of Naremburn and Crows Nest. Beyond this, the skyline includes the commercial and residential towers of St Leonards to the south and, further to the southeast, at approximately 4km distance, North Sydney CBD and glimpses of Sydney City CBD, including the upper portion of the Sydney Tower. There are no iconic elements observable within the existing view.

The additional floors, proposed on the approved residential towers D,E &F, of the subject site would impact upon parts of the view to the south and southeast, including parts of the mid-ground district views. The views to the south, including North Sydney and the partial city views remain unimpacted from this location. Views to the south and southwest remain and the skyline in these directions is unaffected. The small gap between the proposed additions to buildings E and F, on the subject site, permit additional, partial middle distance views to be maintained in this direction

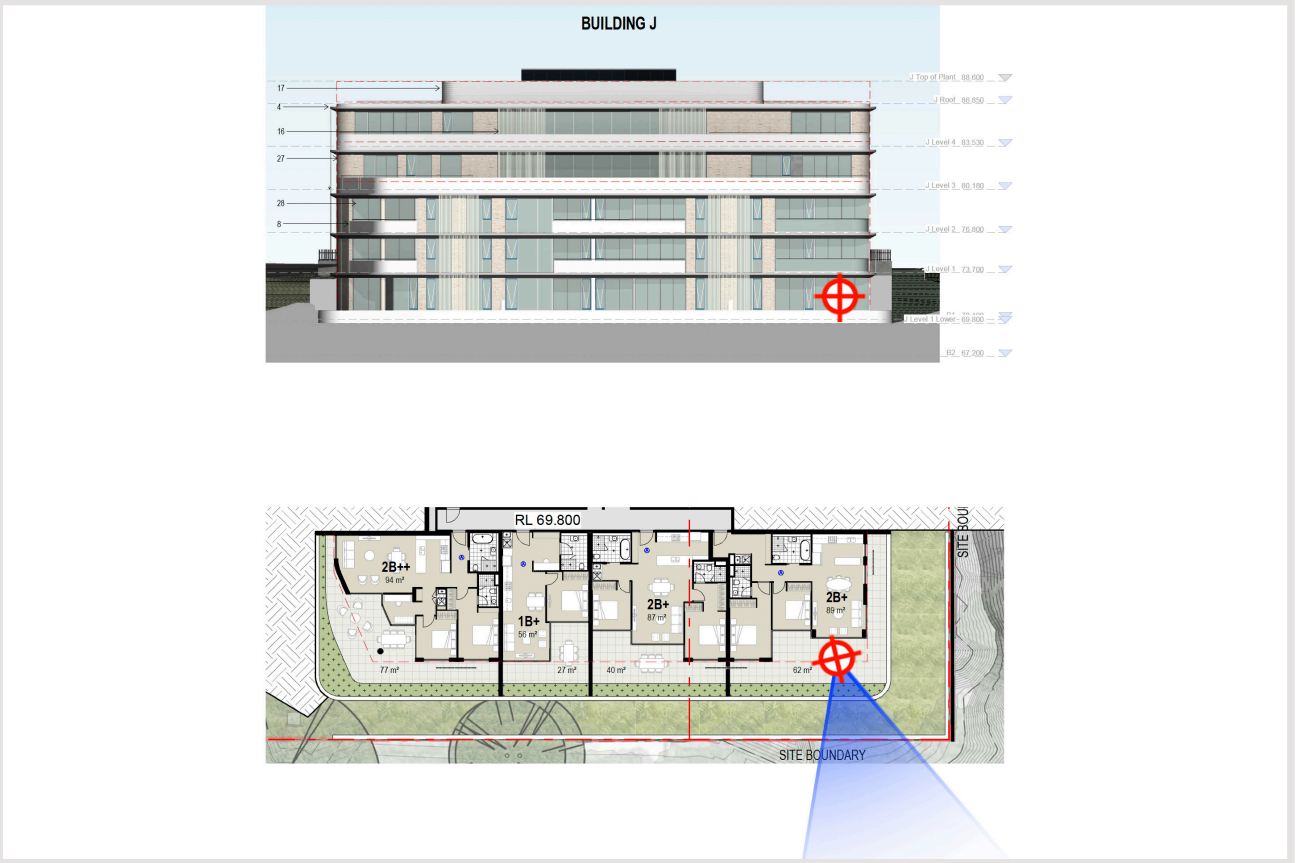
The visual impact would be assessed as Moderate.

Tenacity Assessment Summary:

- *Value of view: High*
- *View location: Balcony - secondary living area.*
- *Extent of impact: Moderate.*

Reasonableness of proposal: Within the context of the development's height compliance, the proposal can be deemed acceptable, since the highest value components of the view remain and views to the southeast and southwest are not impacted.

VIEWPOINT 17



J001 - Viewpoint 17 location

From standing position, Unit J001 outdoor area.
RL + 71.400m Distance to boundary 8.4m

Existing site photo - Apartment J001

Photomontage of Proposal

Visual Impact shown in cyan overlay with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view 32%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 10% : 100%*
- *Existing Visual Assessment Scale no: 3 /15 & Visual Impact Assessment Scale no: 2 /15*

This is a static, private view from the outdoor living area of Unit J001, located beneath the adjoining ground level on the lowest residential floor of Block J - Lungara, at No.2, Scott Street. The view is looking due south towards the tiered landscaping on the southern boundary of the outdoor space, up to the fixed railings surrounding the property. Beyond this site boundary, the subject site can be seen and the northern elevations of the two new blocks, E and F. Views beyond this, will be obtained through the gap between the 2 towers and will include a clear view of sky and the upper-most elements of the towers within St Leonards CBD. From this location, there are also oblique views to the east and west.

The additional floors, proposed on the approved residential towers D,E &F, of the subject site would primarily impact upon sky view above the existing buildings. There would be no impact upon any other components of the view.

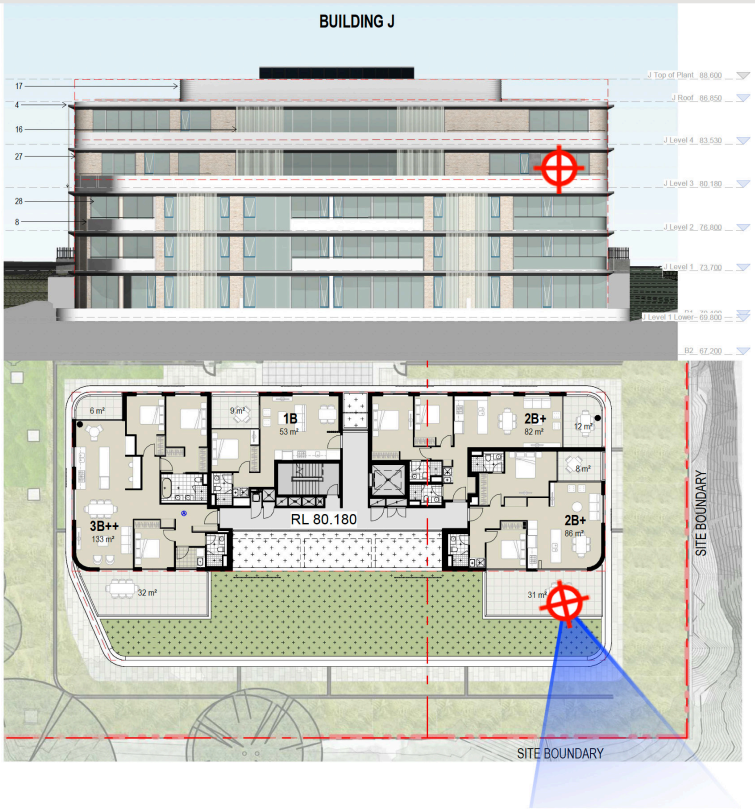
The visual impact would be assessed as Negligible.

Tenacity Assessment Summary:

- *Value of view: Low*
- *View location: Outdoor living space.*
- *Extent of impact: Negligible.*

Reasonableness of proposal: The proposed height and FSR controls are complaint with the provisions as set out in the SEPP (Housing) and the setback controls are largely consistent with the DCP. As a result, any view impacts on neighbouring development (whether redeveloped or not) are consistent with what would be reasonably expected by the controls Council has established.

VIEWPOINT 18



J302 - Viewpoint 18 location

From standing position, Unit J302 balcony, centre.
RL + 81.780m Distance to boundary: 13.85m

Existing site photo - Apartment J302

Photomontage of Proposal

Visual Impact shown in cyan overlay with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 34%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 0% : 100%*
- *Existing Visual Assessment Scale no: 8 /15 & Visual Impact Assessment Scale no: 2 /15*

This is a static, private view from thecentre of the balcony balustrade on the souther end of the Unit J302 balcony. The view looks acorss the heavily vegetated planter box that adjoins the balcony and, from there, across the site boundary and towards the subject site. The existing view (prior to current construction) at the midground, includes significant amounts of the densely landscaped residential areas of Naremburn and Crows Nest. Beyond this, the skyline includes the commercial and residential towers of St Leonards to the south. There are no iconic elements observable within the existing view.

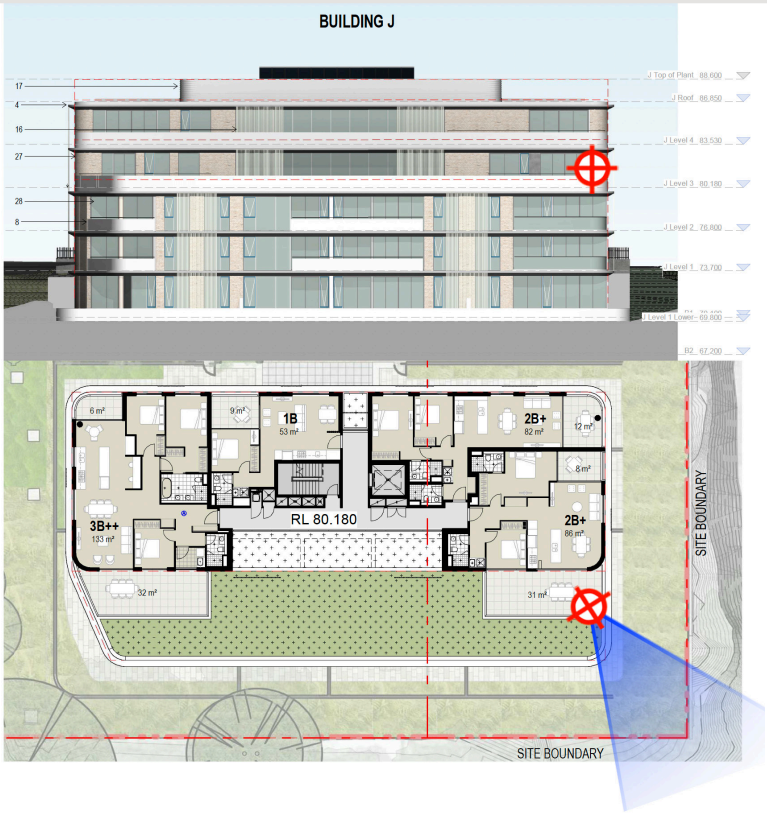
The additional floors, proposed on the approved residential towers D,E &F, of the subject site would primarily impact upon sky view above the existing buildings. There would be minimal impact upon any other components of the view.

The visual impact would be assessed as Negligible.
Tenacity Assessment Summary:

- *Value of view: Low*
- *View location: Outdoor living space.*
- *Extent of impact: Negligible.*

Reasonableness of proposal: The proposed height and FSR controls are complaint with the provisions as set out in the SEPP (Housing) and the setback controls are largely consistent with the DCP. As a result, any view impacts on neighbouring development (whether redeveloped or not) are consistent with what would be reasonably expected by the controls Council has established.

VIEWPOINT 19

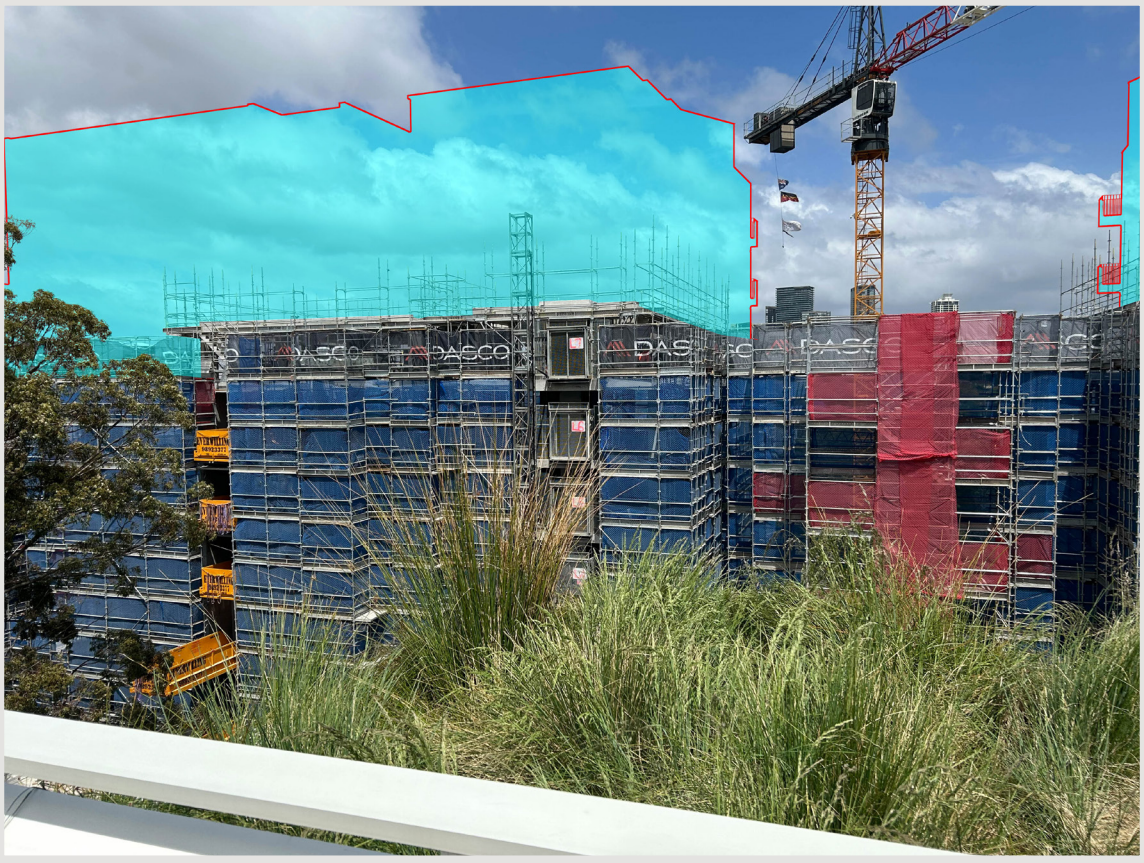


J302 - Viewpoint 19 location

From standing position, Unit J302 balcony, corner.
RL + 81.780m Distance to boundary: 13.8m

Existing site photo - Apartment J302

Photomontage of Proposal



Visual Impact shown in cyan overlay with red outline

Visual Impact Assessment

- *Visual impact – Amount of new development visible in view - 34%*
- *Visual impact ratio - view loss (including buildings) : sky view loss: 0% : 100%*
- *Existing Visual Assessment Scale no: 8 /15 & Visual Impact Assessment Scale no: 2 /15*

This is a static, private view from thecentre of the balcony balustrade on the souther end of the Unit J302 balcony. The view looks acorss the heavily vegetated planter box that adjoins the balcony and, from there, across the site boundary and towards the subject site. The existing view (prior to current construction) at the midground, includes significant amounts of the densely landscaped residential areas of Naremburn and Crows Nest. Beyond this, the skyline includes the commercial and residential towers of St Leonards to the south. There are no iconic elements observable within the existing view.

The additional floors, proposed on the approved residential towers D,E &F, of the subject site would primarily impact upon sky view above the existing buildings. There would be minimal impact upon any other components of the view.

The visual impact would be assessed as Negligible.

Tenacity Assessment Summary:

- *Value of view: Low*
- *View location: Outdoor living space.*
- *Extent of impact: Negligible.*

Reasonableness of proposal: The proposed height and FSR controls are complaint with the provisions as set out in the SEPP (Housing) and the setback controls are largely consistent with the DCP. As a result, any view impacts on neighbouring development (whether redeveloped or not) are consistent with what would be reasonably expected by the controls Council has established.

4. SUMMARY ASSESSMENT

This Visual Impact Assessment from Urbaine Design seeks to provide an objective approach to the likely visual impact on the surrounding areas from the development proposal for an increase in height of building D, E and F along with an increase in FSR to accommodate additional residential apartments to take advantage of the recent government incentives.

This Visual Impact Assessment has undertaken a review of the proposal, within its future setting and concludes that, although there are locations within the neighbouring properties that are impacted by the new development, the relevant views, as selected within the report, are all observed from Nos.2 and 3, Scott Street.

The assessment of view loss experienced by the various apartments varies between Nil and Moderate-to-Severe. The impacted views are primarily to the south and southeast and consist of a mixture of mid-ground residential areas and distant CBD views. The higher rated impacts are for apartments on Level 5 of Building F at no.3, Scott Street. These apartments continue to enjoy uninterrupted views to the southeast and southwest, which should be considered within the overall assessment. There are no iconic views available from any of the apartments.

Figures 10 and 11 demonstrate the extent of available views from the corner apartments of F Block. District views are largely maintained and the impact is mostly to far distant views, beyond th existing, approved development. In terms of view-sharing, the new proposal offers an acceptable solution to the potentially most visually-impacted neighbours, in this instance.

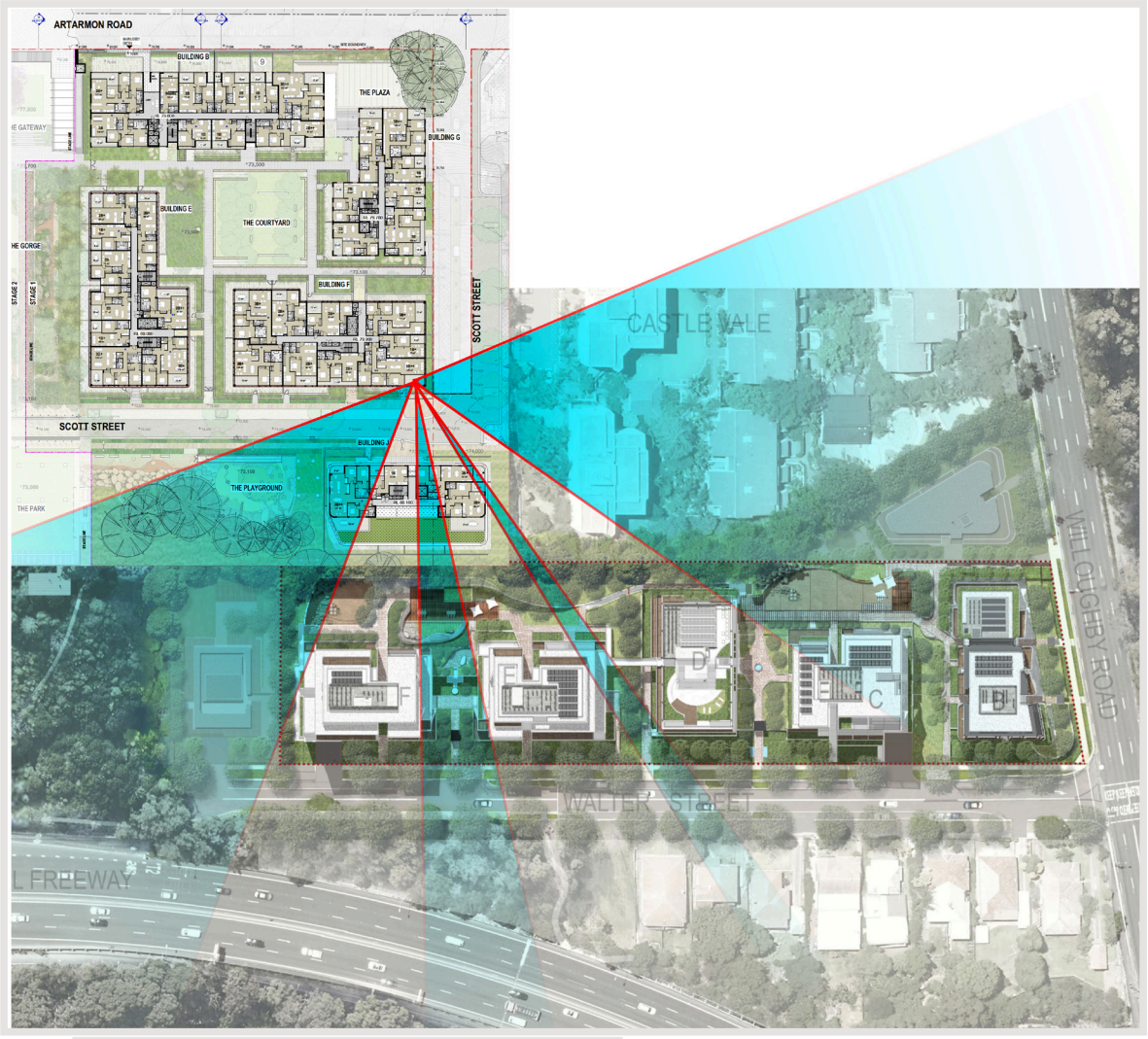


Figure 10: Extent of available views for F Block.

Figure 11: Expansive view scope from F Block.

The apartment views that have been assessed within Block J of No.2, Scott Street are already impacted visually by the approved, partially completed development. The additional floors of the new proposal increase the impact, but to sky view only, whilst the distant views obtained between the towers are completely maintained.

The addition of 3 floor levels is compliant with height controls and the design succeeds in maintaining the area's character and architectural context. The use of building articulation, recesses and materials assists in minimising its perceived bulkiness. Overall, the design responds to the site's topography and surrounding context, reducing visual disruption to the locality. The continuation of the vertical elements of the design enhances the slenderness of the tower, without significantly adding to visual impact, or view loss. The proposed height and FSR controls are complaint with the provisions as set out in the SEPP (Housing) and the setback controls are largely consistent with the DCP. As a result, any view impacts on neighbouring development (whether redeveloped or not) are consistent with what would be reasonably expected by the controls Council has established.

Since the proposal is largely compliant, it satisfies the Council's guildelines for view sharing between neighbouring properties, as outlined within the Tenacity Judgement.

Based on our 3D analysis, photography, and site visit it would be my recommendation that the Development Application be approved on the grounds of an acceptable amount of visual impact and view loss, when assessed against the permissible building envelope for the site.

John Aspinall, Director,

urbaine design group pty ltd

APPENDIX B:

Aspinall CV and Expert Witness experience.

Methodology article – Planning Australia, by Urbaine Architecture

LEC Guidelines for the preparation of photomontages.

JOHN ASPINALL. director: urbaine design group

UK Qualifed Architect RIBA BA(Hons) BArch(Hons) Liverpool University, UK.

24 years' architectural experience in London and Sydney.
Halpin Stow Partnership, London, SW1
John Andrews International, Sydney
Cox and Partners, Sydney
Seidler and associates
NBRS Architects, Milsons Point
Urbaine Pty Ltd (current)

Design Competitions:

UK 1990 – Final 6. RIBA 'housing in a hostile environment'. Exhibited at the Royal Academy, London
UK Design Council – innovation development scheme finalist – various products, 1990.
Winner: International Design Competition: Sydney Town Hall, 2000
Finalist: Boy Charlton Swimming pool Competition, Sydney, 2001
Finalist: Coney Island Redevelopment Competition, NY 2003

Design Tutor: UTS, Sydney, 1997 – 2002

This role involved tutoring students within years 1 to 3 of the BA Architecture course. Specifically, I developed programs and tasks to break down the conventional problem-solving thinking, instilled through the secondary education system. Weekly briefs would seek to challenge their preconceived ideas and encourage a return to design thinking, based on First Principles.

Design Tutor: UNSW, Sydney 2002 – 2005

This role involved tutoring students within years 4 to 6 of the BArch course. Major design projects would be undertaken during this time, lasting between 6 and 8 weeks. I was focused on encouraging rationality of design decision-making, rather than post-rationalisation, which is an ongoing difficulty in design justification.

Current Position: URBAINE GROUP Pty Ltd

Currently, Principal Architect of Urbaine - architectural design development and visualisation consultancy: 24 staff, with offices in: Sydney, Shanghai, Doha and Sarajevo.

Urbaine specialises in design development via interactive 3d modelling.

Urbaine's scale of work varies from city master planning to furniture and product design, while our client base consists of architects, Government bodies, developers, interior designers, planners, advertising agencies and video producers.

URBAINE encourages all clients to bring the 3D visualisaton facility into the design process sufficiently early to allow far more effective design development in a short time frame. This process is utilised extensively by many local and international companies, including Lend Lease, Multiplex, Hassell, PTW, Foster and Partners, City of Sydney, Landcom and several other Governmental bodies. URBAINE involves all members of the design team in assessing the impact of design decisions from the earliest stages of concept design. Because much of URBAINE's work is International, the 3D CAD model projects are rotated between the various offices, effectively allowing a 24hr cycle of operation during the design development process, for clients in any location.

An ever-increasing proportion of URBAINE"S work is related to public consultation visualisations and assessments. As a result, there has also been an increase in the Land And Environment Court representations. Extensive experience in creating and validating photomontaged views of building and environmental proposals. Experience with 3D photmonages began in 1990 and has included work for many of the world's leading architectural practices and legal firms.

Co-Founder Quicksmart Homes Pty Ltd. , 2007 - 2009

Responsible for the design and construction of 360 student accommodation building at ANU Canberra, utilising standard shipping containers as the base modules.

Design Principal and co-owner of Excalibur Modular Systems Pty Ltd: 2009 to present.

High specification prefabricated building solutions, designed in Sydney and being produced in China.

Excalibur has developed a number of modular designs for instant delivery and deployment around the world. Currently working with the Cameroon Government providing social infrastructure for this rapidly developing country.

The modular accommodation represents a very low carbon footprint solution

Expert Legal Witness, 2005 to present

In Australia and the UK, for the Land and Environment Court. Expert witness for visual impact studies of new developments.

Currently consulting with many NSW Councils and large developers and planners, including City of Sydney, Lend Lease, Mirvac, Foster + Partners, Linklaters.

Author of several articles in ‘Planning Australia’ and ‘Architecture Australia’ relating to design development and to the assessment of visual impacts, specifically related to the accuracy of photomontaging.

Currently preparing a set of revised recommendations for the Land and Environment Court relating to the preparation and verification of photomontaged views for the purposes of assessing visual impact

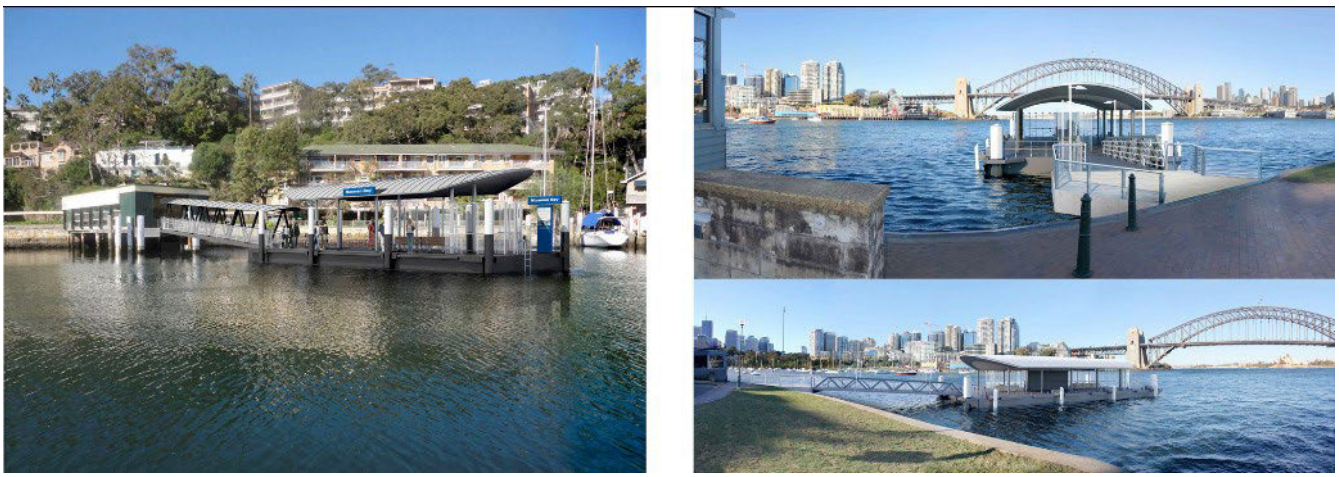
VISUAL IMPACT ASSESSMENTS: A REALITY CHECK.
BY JOHN ASPINALL.

Photomontaged views of new apartment building at Pyrmont: Urbaine

Australia's rapid construction growth over the past 10 years has coincided with significant advances in the technology behind the delivery of built projects. In particular, BIM (Building Information Modelling). Virtual Reality and ever-faster methods of preparing CAD construction documentation.

Alongside these advances, sits a number of potential problems that need to be considered by all of those involved in the process of building procurement. Specifically, the ease with which CAD software creates the appearance of very credible drawn information, often without the thoroughness and deliberation afforded by architects, and others, in years past.

Nowhere is this more apparent than in the area of visual impact assessments, where a very accurate representation of a building project in context is the starting point for discussion on a project's suitability for a site. The consequences of any inaccuracies in this imagery are significant and far- reaching, with little opportunity to redress any errors once a development is approved.



Photomontaged views of new Sydney Harbour wharves: Urbaine

Urbaine Architecture has been involved in the preparation of visual impact studies over a 20 year period, in Australia and Internationally. Urbaine's Director, John Aspinall, has been at the forefront of developing methods of verifying the accuracy of visualisations, particularly in his role as an expert witness in Land and Environment Court cases.

In Urbaine's experience, a significant majority of visualisation material presented to court is inaccurate to the point of being invalid for any legal planning decisions. Equally concerning is the amount of time spent, by other consultants, analysing and responding to this base material, which again can be redundant in light of the frequent inaccuracies. The cost of planning consultant reports and legal advice far exceeds that of generating the imagery around which all the decisions are being made.

Over the last 10 years, advances in 3d modelling and digital photography have allowed many practitioners to claim levels of expertise that are based more on the performance of software than on a rigorous understanding of geometry, architecture and visual perspective. From a traditional architect'straining, prior to the introduction of CAD and 3d

modelling, a good understanding of the principles of perspective, light, shadow and building articulation, were taught throughout the training of architects.

Statutory Authorities, and in particular the Land and Environment Court, have attempted to introduce a degree of compliance, but, as yet, this is more quantitative, than qualitative and is resulting in an outward appearance of accuracy verification, without any actual explanation being requested behind the creation of the work.

Currently, the Land and Environment Court specifies that any photomontages, relied on as part of expert evidence in Class 1 appeals, must show the existing surveyed elements, corresponding with the same elements in the photograph. Often, any surveyed elements can form such a small portion of a photograph that, even by overlaying the surveyed elements as a 3d model, any degree of accuracy is almost impossible to verify. For sites where there are no existing structures, which is frequent, this presents a far more challenging exercise. Below is one such example, highlighted in the Sydney Morning Herald, as an example of extreme inaccuracy of a visual impact assessment. Urbaine was engaged to assess the degree to which the images were incorrect – determined to be by a factor of almost 75%.

Domain The Sydney Morning Herald

Inaccurate images anger residents

February 21

Kelsey Munro

Picture imperfect ... the original interpretation of how the Lewisham Estates development will look.

CAN residents affected by big development proposals rely on developers' photo montages?

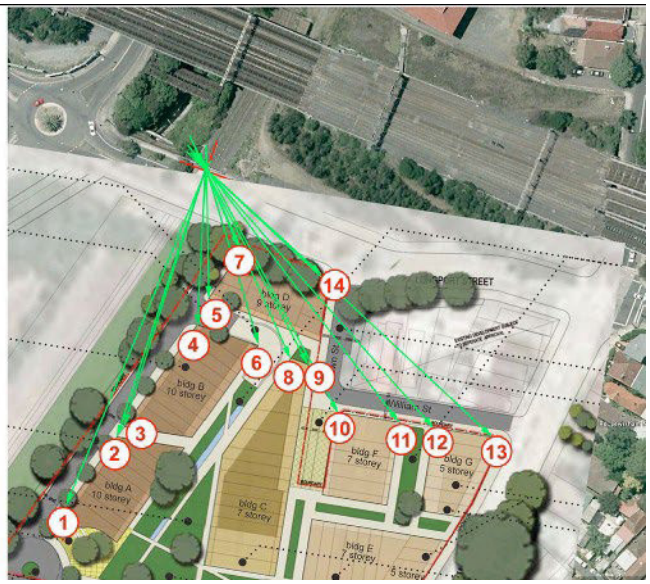
One inner west group thinks not, after inaccuracies were found in a series of digital photo montages which made the proposed Lewisham Estates development appear much smaller than it would if built.

The developer was sent back to the drawing board by the Department of Planning to redo the images that were publicly exhibited for the project after questions were raised over their accuracy.

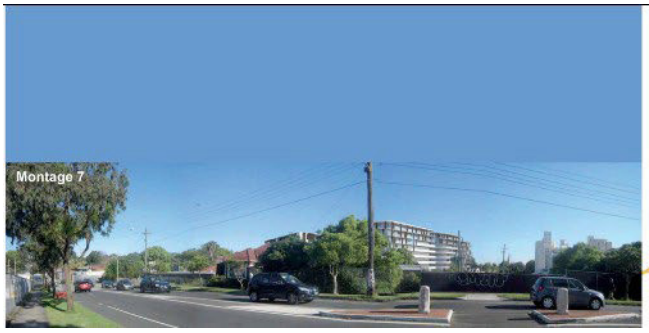
The corrected interpretation of how the Lewisham Estates development will look.

The No Lewisham Towers residents' action group claims the original images were so misleading that the corrected ones should go on public exhibition before the Planning Assessment Commission makes its determination next week.

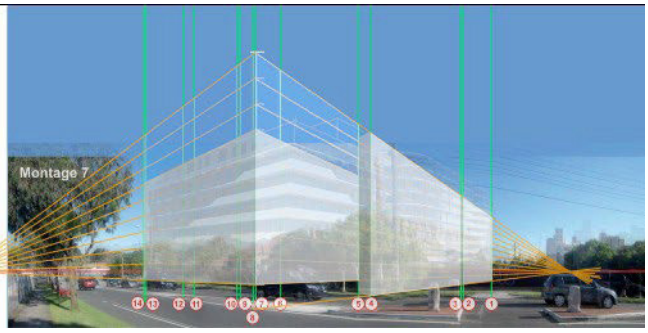
SMH article re inaccurate visualisations



Key visual location points on site: Urbaine



Photomontage submitted by developer



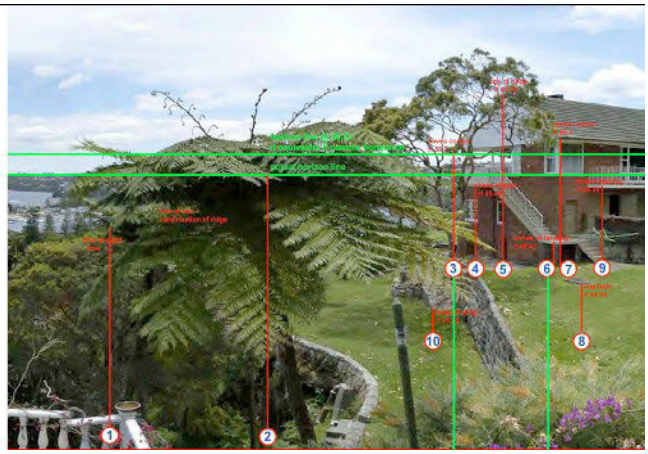
Assessment of inaccuracy by Urbaine

Urbaine has developed a number of methods for adding verification data to the 3d model of proposed buildings and hence to the final photomontages. These include the use of physical site poles, located at known positions and heights around a site, together with drones for accurate height and location verification and the use of landscaped elements within the 3d model to further add known points of references. Elements observed in a photograph can be used to align with the corresponding elements of the new building in plan. If 4 or more known positions can be aligned, as a minimum, there is a good opportunity to create a verifiable alignment.

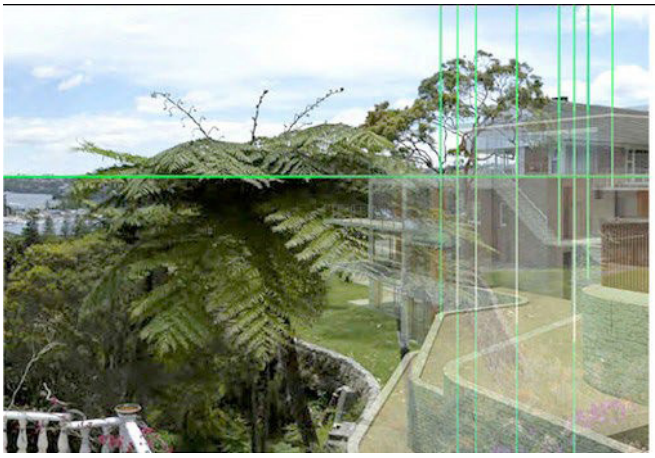
Every site presents different opportunities for verification and, often, Urbaine is required to assess montages from photographs taken by a third party. In these cases, a combination of assessing aerial photography, alongside a survey will allow reference points to be placed into the relevant 3d model prior to overlaying onto the photos for checking.

The following example clearly demonstrates this – a house montaged into a view, by others, using very few points of reference for verification. By analysing the existing photo alongside the survey, the existing site was able to be recreated with a series of reference elements built into the model. A fully rendered version of all the elements was then placed over the photo and the final model applied to this. As can be seen, the original montage and the final verified version are dramatically different and, in this case, to the disadvantage of the complainant.

Photomontage submitted by developer



Key visual location points on site: Urbaine



Key points and 3d model overlaid onto existing photo

Final accurate photomontage: Urbaine

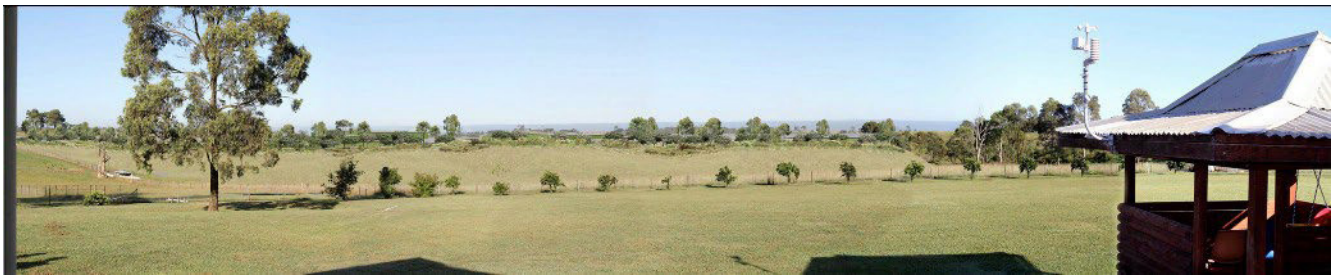
Often, Urbaine's work is on very open sites, where contentious proposals for development will be relying on minimising the visual impact through mounding and landscaping. In these cases, accuracy is critical, particularly in relation to the heights above existing ground levels. In the following example, a business park was proposed on very large open site, adjoining several residential properties, with views through to the Blue Mountains, to the West of Sydney. Urbaine spent a day preparing the site, by placing a number of site poles, all of 3m in height. These were located on junctions of the various land lots, as observed in the survey information. These 3d poles were then replicated in the 3d CAD model in the same height and position as on the actual site. This permitted the buildings and the landscaping to be very accurately positioned into the photographs and, subsequently, for accurate sections to be taken through the 3d model to assess the actual percentage view loss of close and distant views.

Physical 3000mm site poles placed at lot corners

3d poles located in the 3d model and positioned on photo

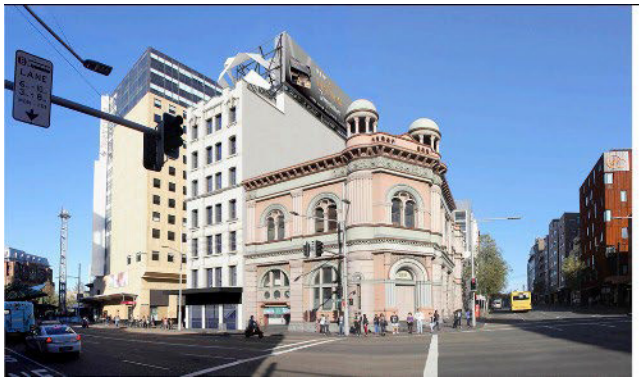
Proposed buildings and landscape mounding applied

Proposed landscape applied – shown as semi-mature

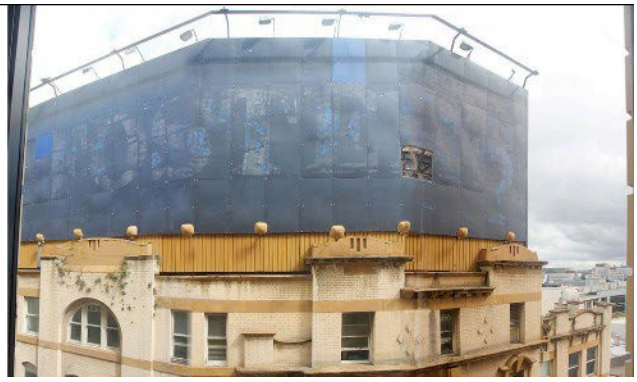


Final verified photomontage by Urbaine

Further examples, below, show similar methods being used to give an actual percentage figure to view loss, shown in red, in these images. This was for a digital advertising hoarding, adjoining a hotel. As can be seen, the view loss is far outweighed by the view gain, in addition to being based around a far more visually engaging sculpture. In terms of being used as a factual tool for legal representation and negotiation, these images are proving to be very useful and are accompanied by a series of diagrams explaining the methodology of their compilation and, hence verifying their accuracy.

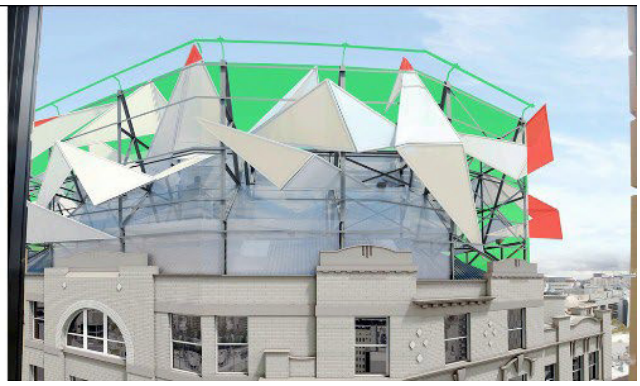


Photomontage of proposed building for digital billboard



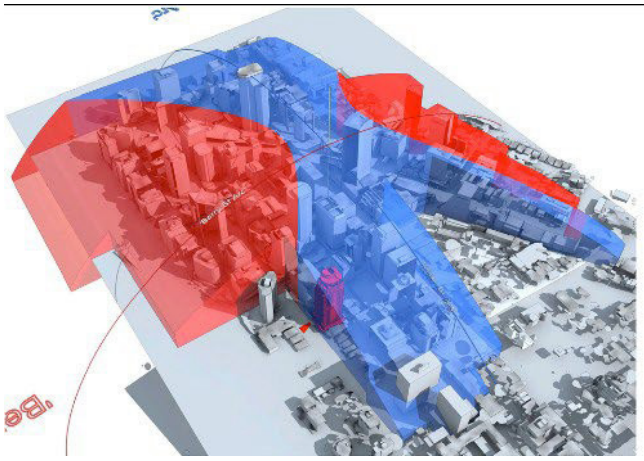
Existing situation – view from adjoining hot

Photomontage of view from hotel

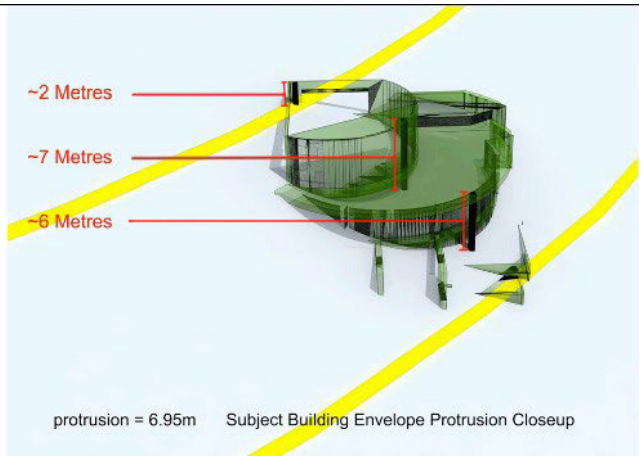


View loss – green = view gain / red = view loss

There are also several areas of assessment that can be used to resolve potential planning approval issues in the early stages of design. In the case below, the permissible building envelope in North Sydney CBD was modelled in 3d to determine if a building proposal would exceed the permitted height limit. Information relating to the amount of encroachment beyond the envelope allowed the architect to re-design the plant room profiles accordingly to avoid any breach.



3d model of planning height zones



Extent of protrusion of proposed design prior to re- design

Urbaine's experience in this field has place the company in a strong position to advise on the verification of imagery and also to assist in developing more robust methods of analysis of such imagery. As a minimum, Urbaine would suggest that anyone engaging the services of

visualisation companies should request the following information, as a minimum requirement:

1. Height and plan location of camera to be verified and clearly shown on an aerial photo, along with the sun position at time of photography.
2. A minimum of 4 surveyed points identified in plan, at ground level relating to elements on the photograph and hence to the location of the superimposed building.
3. A minimum of 4 surveyed height points to locate the imposed building in the vertical plane.
4. A series of images to be prepared to explain each photomontaged view, in line with the above stages.

This is an absolute minimum from which a client can determine the verifiability of a photomontaged image. From this point the images can be assessed by other consultants and used to prepare a legal case for planning approval.

Land and Environment Court
of New South Wales

Policy: Use of Photomontages and Visualisation Tools

Commencement

1. This policy commences on 17 May 2024 and replaces the policy published 21 August 2013.

Purpose of the policy

2. This policy is to guide the preparation of photomontages, still images, video images, and other visualisation tools to depict the development in an appeal under the *Environmental Planning and Assessment Act 1979*, to ensure that the data they present is represented and interpreted accurately, and that their use would assist the Court in determining the appeal.

Application

3. The policy applies to appeals under the EPA Act, where photomontages or other visual tools are to be submitted as part of expert evidence.

Definitions

4. In this Policy:

   Appeal means an appeal to the Court under the EPA Act.

   CGI means Computer Generated Image.

   Commissioner means a Commissioner or Acting Commissioner of the Court.

   Court means the Land and Environment Court of New South Wales.

   Development means the development for which consent is sought in the development application that is the subject of the appeal.

   EPA Act means the *Environmental Planning and Assessment Act 1979*.

Existing image means an unchanged or unaltered image of the location, viewing angle and approximate conditions on which the proposed development will be overlaid, to convey the issues in dispute.

Judge means a Judge of the Court.

Photomontages means, for the purpose of this policy, any visual tool or aid, whether still image, video, computer generated image, two dimensional (2D) or three dimensional (3D) or other visual means to depict development plans.

Registrar means a Registrar of the Court.

RL Reduced Level or Relative Level as defined in Australian Standard® AS1100 Technical Drawings.

General principles

5. A photomontage submitted in an appeal should provide to the Judge, Commissioner or Registrar the most accurate visual images of the development in its real-world location, so as to specifically convey the issues in dispute.

6. A photomontage must include:

   6.1 the existing image;

   6.2 a 2D plan and/or elevation showing the location of the camera, target point/viewing angle, and lighting source that corresponds to the location from where the existing image was taken; and

   6.3 the proposed built envelope and key features of the development overlaid on the existing image in the form of a wire frame and/or 'block massing' model to demonstrate the development.

7. Where a photorealistic CGI of the development is used:

   7.1 the metadata from the existing image to create an identical 3D computer generated camera should be provided;

   7.2 the environmental conditions of the CGI should be set to the same parameters as the existing image;

   7.3 colour matching in the CGI is to correspond with the existing image; and

7.4 the details of the software used in creating the CGI should be stated as part of the submission of the photomontage.

8. A detailed summary of the methodology used to create the photomontage should be provided, including:

8.1 survey data that is used to create the photomontages, including the name and qualifications of the surveyor who prepared the survey information from which the underlying data for the wire frame was obtained;

8.2 site specific topographical data used to create the photomontages, including the source and references utilised for the topographical data (for example paper, or survey inputs from file types such as from 'DWG' or 'DXF');

8.3 the camera type, lens, focal length or field of view, and sensor used for the purpose of the photograph from which the existing image has been derived;

8.4 accurate location, alignment and direction of the camera (whether fixed on tripod or drone) and RL of the camera for the existing image;

8.5 data that was used to prepare the photomontages, such as:

8.5.1 use of relevant plans and data for the depiction of existing buildings or existing elements as shown in the wire frame, block massing model or photorealistic CGI;

8.5.2 the means by which terrain has been generated (such as surveyed spot levels and/or contours or by some form of point cloud, or Ground Control Point survey method);

8.5.3 any variables applied to the images such as, time of day, lighting and weather conditions;

8.5.4 consistency in application of scale and interpretation of the relevant data;

8.5.5 rationale for selecting a particular view, use of camera lens or conditions in creating the image. For example, in circumstances where a development is best depicted with an expanded field of view or panoramic view, the type of panorama head and equipment must be stated, in addition to the data above.

8.6 where a photomontage has used more than one baseline image to represent the existing context (that is where multiple images are 'stitched together'), this must be stated, and the requirements above should be adapted to convey the key data required to verify its accuracy; and

8.7 whether any editing software or other visual manipulation has been used in the preparation of the final image, for example an adjustment in contrast, saturation, tilt shift or the like.

Visualisation Tools

9. As technology emerges, the principles outlined above are to be applied. What is important is that the Court has an unaltered and real life baseline, summary of metadata so the veracity of imagery presented can be verified, and application of relevant overlays of the proposed development that assists in the Court's consideration of the real issues in dispute.

10. All effort is to be made and the 'best practices' are to be applied when utilising technology for the purposes of visualisation of the development to ensure accuracy and avoid bias of information interpretation.

Paperless Hearings

11. Parties should be prepared to display the photomontage electronically if it is to be relied upon, or be the subject of an examination of an expert witness.

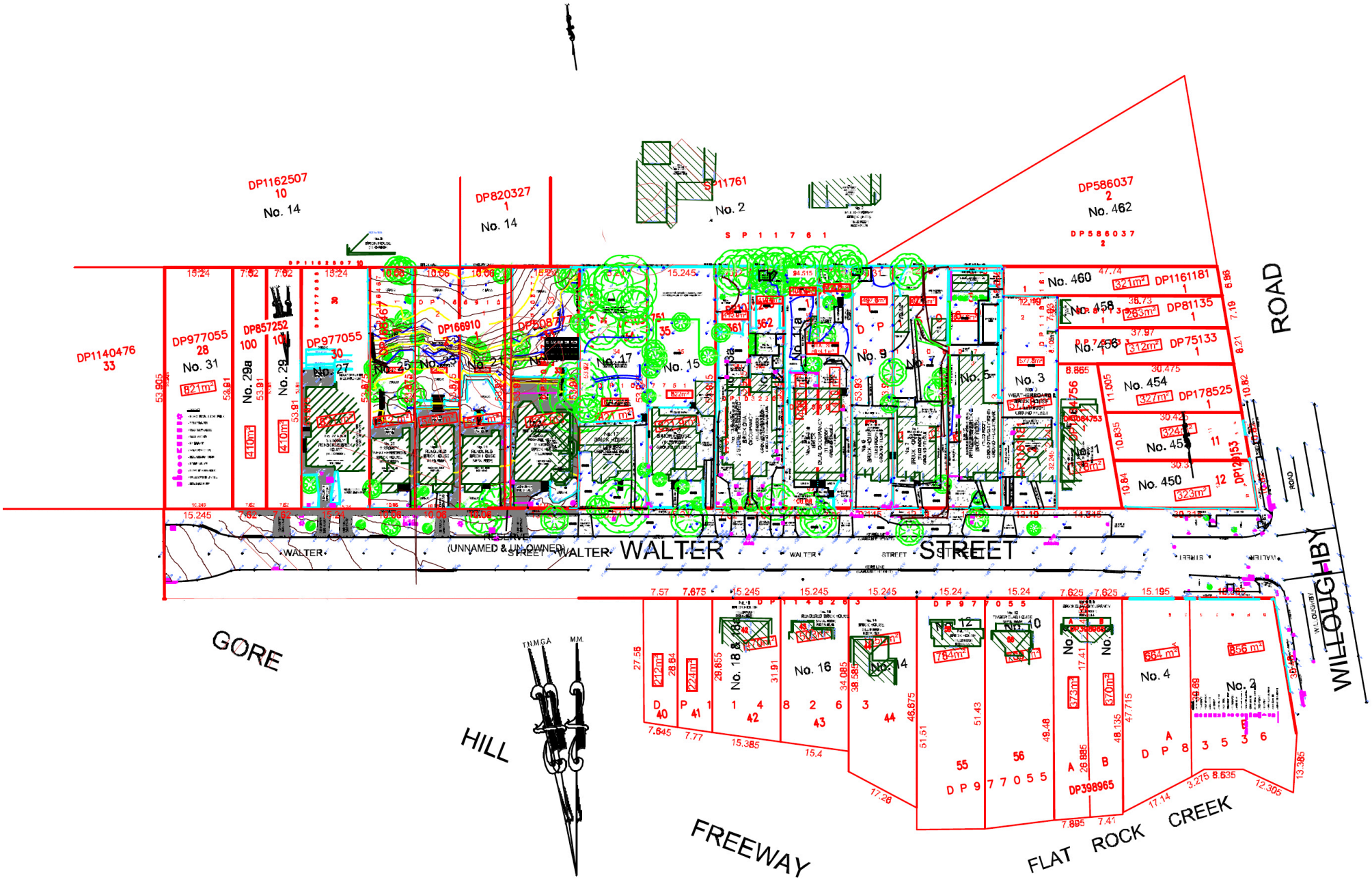
12. It will be the responsibility of the party whose expert is being examined, to provide a device compatible with courtroom technology which can display the photomontage electronically. This will allow the presiding officer, the experts, lawyers and all other people to be able to see in real time and on a common image, the subject of the examination.

Issued by:

The Honourable Justice Brian J Preston
Chief Judge – Land and Environment Court of NSW
Date: 17 May 2024

APPENDIX C:

Survey


WALTER STREET
RESERVE (UNNAMED & UN-OWNED)
WILLOUGHBY ROAD
GORE HILL FREEWAY
FLAT ROCK CREEK
No. 14
No. 2
No. 462
No. 460
No. 458
No. 456
No. 454
No. 452
No. 450
No. 31
No. 29a
No. 29
No. 27
No. 25
No. 23
No. 21
No. 17
No. 15
No. 9
No. 7
No. 5
No. 3
No. 1
No. 18 & 18a
No. 16
No. 14
No. 12
No. 10
No. 4
No. 2
DP1162507 10
DP820327 1
DP11761
DP586037 2
DP1140476 33
DP977055 28
DP857252 100
DP977055 30
DP166910 1
DP1161181 1
DP81135 1
DP75133 1
DP178525 1
DP977055
DP398965
T.H.M.G.A
M.M.