Attachment D

Visual Impact Assessment





Tarpeian Lawn, The Royal Botanic Gardens

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1. EXECUTIVE SUMMARY

This Visual Impact Assessment (VIA) has been prepared in support of a development application for a major public artwork, the 'Monument of the Eora" which is to be installed within the Tarpeian Lawn at the Royal Botanic Gardens (RBG). The artwork has been designed by renowned Australian artist Judy Watson and is the fourth public art project of seven to be delivered by the City of Sydney as part of the 'Eora Journey: Recognition in the Public Domain' program, endorsed by Council in June 2012.

This VIA is based on established NSW policy and practices and includes an assessment of visual effect and impact and the determination of the acceptability of the visual impact.

This VIA concludes that the proposal would have a low-moderate visual effect on the existing visual catchment. Assessment against the relevant planning documents found that the overall visual impact of the proposal is acceptable on a balance of considerations.



2. THE SUBJECT SITE AND SURROUNDING AREA

The chosen site for the installation of the artwork is the Tarpeian Lawn, located within the north western corner of the RBG. The subject site legally described as part of Lot 32 in Deposited Plan (DP) 39586.



Figure 1: Map showing the location of the Royal Botanic Gardens (blue) and approximate location of the proposed installation site (red star) (Source: SIX Maps)

The Tarpeian Lawn is a recreational area located on the fringe of the Sydney Central Business District (CBD) within the City of Sydney, with direct access and views to Sydney Harbour, which is located to the north.

The surrounding land use context of the Tarpeian Lawn, being the subject site, is varied in character, comprising a mixture of commercial, residential and recreational developments within a CBD environment. The built form context is also varied and includes wharf structures, promenades, high-rise commercial, residential and mixed-use developments, heritage listed buildings and places, museums, galleries and residences.

The heart of the Sydney CBD is located to the south-west of the site and is a heavily developed environment that is characterised by high-rise developments that are in stark contrast to the landscape qualities of the RBG. The high-rise development continues north towards Circular Quay and to the south of the RBG.

Directly north of the site at the foot of the stone escarpment on which the site is located, is the Sydney Opera House, which is a United Nations Educational, Scientific and Cultural Organisation (UNESCO) heritage listed site. It is located on the prominent peninsula of Bennelong Point between Sydney Cove and Farm Cove.

To the south-west of the site is a transportation hub at Circular Quay, comprising the main ferry terminal in Sydney. To the south-east is Woolloomooloo Wharf and north-west is the National heritage listed Sydney



Harbour Bridge. Directly south of the site is the Eastern Distributor and the part of the RBG that forms the Domain. Woolloomooloo Wharf, the Eastern Distributor and the Domain are not directly visible from the subject site. The historic CBD area of The Rocks is located further west of Circular Quay.

An aerial view of the site location is shown in Figure 2.



Figure 2: Aerial view showing the proposed location for the 'Monument for Eora' public art installation (Tarpeian Lawn), indicated by the red star. Other key surrounding features are also indicated including the Sydney Harbour Bridge (light blue), Sydney Opera House (green), Circular Quay (orange), the Sydney CBD (pink), The Domain (blue) and Woolloomooloo Wharf (purple). (Source: SIX Maps)



3. THE PROPOSAL

The proposed development comprises public artwork that is to be delivered by Council as part of the 'Eora Journey: Recognition in the Public Domain' program (the "program"), which was unanimously endorsed by Council on 25 June 2012. The artwork itself has been designed by renowned Australian artist Judy Watson and Urban Art Projects (UAP) and is the fourth public art project from seven that are to be delivered by Council as part of the program.

The proposed public artwork is referred to as the 'Monument of the Eora' and can be described as follows:

- The artwork will be a permanent installation consisting of a 'bara' shell hook (or fishhook). It will be
 6.3 metres high x 5.6 metres wide;
- The artwork will comprise off-white Carrara marble and will include a mix of rough and smooth surfaces;
- The artwork will include in-ground support comprising a 1 metre concrete footing and a 3.5 metre in-ground strut;
- Mulch will surround the base of the artwork and extend 1.5 metres outwards around the sculpture;
 and
- The artwork will include the installation of a lighting fixture at ground level in front of the bara shell hook. This will allow the artwork to be illuminated at night and will mirror the various phases of the moon.

Renders of the proposed development from different angles as prepared by UAP can be viewed at Figure 3 and Figure 4.



Figure 3: Render of the proposed development with the harbour in the background, looking north-west (Source: UAP)





Figure 4: Render of the proposed development with the CBD in the background, looking south (Source: UAP)



4. RELEVANT PLANNING CONSIDERATIONS

The main planning instruments that guide development on the site relevant to visual impact assessment include:

Regional and District

- Greater Sydney Region Plan A Metropolis of Three Cities (2018)
- Eastern City District Plan (2018)
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

Local

- Sydney Local Environmental Plan 2012
- Sydney Development Control Plan 2012

4.1. A Metropolis of Three Cities - the Greater Sydney Region Plan and the Eastern City District Plan

The objective to protect scenic and cultural landscapes is encapsulated in both *Greater Sydney Region Plan - A Metropolis of Three Cities* (the Region Plan) and the *Eastern City District Plan* (District Plan). Objective 28 of the Region Plan requires that "*Scenic and cultural landscapes are protected*" for their aesthetic, social and economic values and for the character of the region. The Region Plan acknowledges that these landscapes are important in creating a sense of identity, preserving links to Aboriginal, colonial and migrant era heritage and culture, and create opportunities for tourism and recreation.

This objective is supported by two strategies in the Region Plan:

- Identify and protect scenic and cultural landscapes.
- Enhance and protect views of scenic and cultural landscapes from the public realm.

The District Plan gives effect to this objective of the Region Plan and Planning Priority E16 of the District Plan is "*Protecting and enhancing scenic and cultural landscapes*". The District Plan recognises that one of the District's key assets is the Harbour and coastline, with its urban landscape sitting within this natural setting and contributing to the diversity of the District's scenic value. The District Plan requires the continued protection of the Eastern City District's scenic and cultural landscapes, which can complement the protection of biodiversity and habitat, help manage natural hazards, support tourism and can also help preserve links to Aboriginal cultural heritage.

The District Plan identifies two Actions to deliver Planning Priority E16, which are the same as the supporting strategies identified in the Region Plan in relation to Objective 28.

The District Plan stipulates that further work on this topic will be the responsibility of councils, other planning authorities and State agencies.

4.2. Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Sydney Harbour Catchment SREP) seeks to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are recognised, protected, enhanced and maintained for existing and future generations. The Sydney Harbour Catchment SREP includes the following relevant planning principles for land within the Sydney Harbour Catchment:





- development that is visible from the waterways or foreshores is to maintain, protect and enhance the unique visual qualities of Sydney Harbour,
- the number of publicly accessible vantage points for viewing Sydney Harbour should be increased.

The proposal is consistent with the above planning principles in that the crescent shape of the proposed artwork allows for the unique visual qualities of Sydney Harbour and its foreshore areas to be maintained. Furthermore, it is considered that the artwork will improve the visual quality of Sydney Harbour by creating a new point of visual interest that is sympathetic to Indigenous culture and surrounding heritage items. While the proposal does not increase the number of vantage points for viewing Sydney Harbour, it will draw more people to the site, where extensive views of Sydney Harbour are available.

Clause 26 relates to the maintenance, protection and enhancement of views and requires the following matters to be taken into consideration:

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

The proposal is consistent with Clause 26 of the Sydney Harbour Catchment SREP in that it creates a new view from within the RBG whereby the artwork is framed by the Sydney Opera House and Sydney Harbour Bridge. Moreover, there is sufficient separation between the site and Tarpeian Way north-west of the site, to retain existing views of Sydney Harbour and its various iconic landmarks from the top of the escarpment. Furthermore, the proposed artwork as viewed from Sydney Harbour will be subservient to its backdrop and is of a maximum height of 6.3 metres that does not restrict existing views to Government House within the RBG.

4.3. Sydney Local Environmental Plan 2012

Relevant aims of the Sydney Local Environmental Plan 2012 (SLEP 2012) include:

- To support the City of Sydney as an important location for business, educational and cultural activities and tourism.
- To conserve the environmental heritage of the City of Sydney.
- To protect, and to enhance the enjoyment of, the natural environment of the City of Sydney, its harbour setting and its recreation areas.

Under the SLEP 2012, the site is zoned RE1 Public Recreation. The objectives of this zone are:

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To provide links between open space areas.
- To retain and promote access by members of the public to areas in the public domain, including recreation facilities and waterways and other natural features.

Other provisions of SLEP 2012 relevant to addressing visual considerations include:

- Clause 4.3 Height of buildings to promote the sharing of views
- Clause 5.10 Heritage conservation to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views

The SLEP 2012 does not prescribe a maximum height for development within the site and therefore Clause 4.3 is not applicable to the proposal.



The RBG is identified as a heritage item of State significance under Clause 5.10 of the SLEP 2012. The site is also in the vicinity of various other heritage items of both State and local significance, including:

Item No.	LEP Listing	Level of Significance
l1712	Sydney Opera House including forecourt, seawall, platforms and interior,	State
I1860	Steps and rock face "Tarpeian Way", Macquarie Street	State
I1861	Palm Street, Macquarie Street	State
I1862	Government House including interior, gardens and movable heritage	State
I710	Shop and residence group including interiors	Local
I711	House "D'eresby" including interior and front fence	Local
1539	Sydney Harbour Bridge approaches group	State
I1660	Circular Quay Railway Station including interior	State

A Statement of Heritage Impact (SoHI) has been prepared by City Plan Heritage to accompany the application for this proposal. The SoHI states the "... proposed installation site is at a distance, (125m south of the SOH, on top of the Tarpeian Lawn) and away from the main approach, key surrounding public open spaces and the forecourt of the SOH. Therefore, the proposed location will prevent the sculpture from encroaching on key views between the SOH and the city and harbour".

4.4. Sydney Development Control Plan 2012

The general objectives of the Sydney Development Control Plan 2012 (SDCP 2012) seek to maximise opportunities for view sharing. Section 3.2 of the SDCP 2012 relates to defining the public domain and requires that development protects sunlight to parks and streets and high-quality views to the built and landscape features.

Objective 3.2 is to "enhance the public domain by ensuring adequate sun access to publicly accessible spaces and protecting significant views from public places".

The relevant provisions for view sharing include:

- (1) Buildings are not to impede views from the public domain to highly utilised public places, parks, Sydney Harbour, Alexandra Canal, heritage buildings and monuments including public statues, sculptures and art.
- (2) Development is to improve public views to parks, Sydney Harbour, Alexandra Canal, heritage buildings and monuments by using buildings to frame views. Low level views of the sky along streets and from locations in parks are to be maintained.

While the proposed development does not involve the construction of a building, the intent of these provisions can still be applied to the proposal. The site is situated at the top of a sandstone escarpment (Tarpeian Way), elevating the site above the Sydney Opera House and Circular Quay promenade. The low scale of the artwork in comparison to its landscape setting and urban context, and its crescent shape, ensure that views to and from public domain areas in and around the site are not impeded by the proposal. Extensive views to and from Sydney Harbour and its iconic landmarks will be available with the proposal, as demonstrated by the photomontages included at Figure 3 and Figure 4.



5. ASSESSMENT OF VISUAL IMPACT

5.1. Overview of Visual Catchment

This part of the report describes the existing visual environment and assesses the visual effect of the proposal.

The visual catchment for the site is extensive due to a combination of factors including the site's elevated topography, openness and exposure within the RBG and the site's proximity to Sydney Harbour. In terms of the scale of potential impact, the primary visual catchment is from the nearby foreshore of the Sydney CBD to the west, as well as the suburbs directly to the north of the Harbour. including North Sydney, Lavender Bay and McMahons Point. The relevant visual catchment of the site is reflected in the selection of view locations upon which this VIA is based (Refer to Figures 1, 2 and 5). To ensure a comprehensive assessment, a view location has also been selected from the more distant location of the Sydney Harbour Bridge. An assessment has not been undertaken from vantage points to the north of the Harbour as the sculpture will not be easily discernible from these locations, noting the artwork's visibility from the Sydney Harbour Bridge, which is closer to the site than these suburbs north of the harbour, is clearly negligible as will be discussed below.



Figure 5: Ariel view of the site and locations of views (site identified by red star) (Source: Nearmap)

The site is located within the Tarpeian Lawn at the RBG, towards its north-western extent, adjacent to Government House. The subject site is situated on top of a raised sandstone escarpment, elevating the site above the Sydney Opera House forecourt and Circular Quay promenade. Due to the site's elevated topography, clear views to the Sydney Opera House, the Harbour and surrounding Circular Quay area are provided. The visual catchment of the subject site is constrained to the east due to existing dense



vegetation and the elevated topography of the adjacent Government House. Subsequently, views of the proposed artwork are also obscured from further east of Government House.

5.2. Methodology

An assessment of the visual impact of the proposed artwork from various known vantage points has been based on a comparison of existing photographs and photomontages that demonstrate the proposal.

The visual impact of the proposal is affected by the following criteria:

- the distance of the viewer from the proposal;
- the nature of the surrounding landscape; and
- the number of viewers able to see the development.

Accordingly, a description of the overall effect of the proposal on each viewpoint has been assessed by evaluating the value of each of the above criteria, ranking those as either; negligible, low, moderate, or high, and subsequently making an assessment as to the overall effect by balancing each of those criteria. These values, given the above criteria and overall effect, are based on the following:

Negligible	The proposal has no visual effect on the landscape.	
Low	The proposal is evident but is subordinate to other elements in the scene by virtue of its small scale, screening by intervening elements, or difficulty of being identified.	
Low-Moderate	The proposal is evident and identifiable in the scene, but is less prominent, makes a smaller contribution to the overall scene, or does not contrast substantially with other elements.	
Moderate	The proposal is a substantial element but is equivalent in prominence to other elements and landscape alterations in the scene.	
Moderate-High	The proposal is more prominent than other elements in the scene, by virtue of its size, character, location or a combination of these.	
High	The proposal visually dominates the scene due to its relative size, isolation, location in a focal point, contrast of form, colour or line, or a combination of these.	



5.3. Assessment from Viewpoint 1: Sydney Harbour Bridge

Element	Category	Comment	Level of effect
Category of view	Public domain, Iconic location	N/A	N/A
Viewing distance Medium		At approximately 750 metres from the site and elevated, the viewpoint is located at the higher end of the medium range.	Low
Nature of the surrounding landscape	Low	Given the viewing distance of this vantage point as demonstrated in Figures 6 and 7 below, the visibility of the proposed development is low when considered in the context of its landscape setting, with surrounding trees dominating the artwork in terms of height and scale. The proposed artwork is also small in scale when compared to the high-rise development within the CBD.	Low
Number of viewers	Moderate-high	From this vantage point the proposed development is visible to those people that walk across Sydney Harbour Bridge as part of their daily commute or for recreational purposes.	Moderate-high
Overall	Low-Moderate		



Figure 6: Viewpoint 1 - Sydney Harbour Bridge, existing view (Source: City Plan)





Figure 7: Viewpoint 1 - Sydney Harbour Bridge, proposed view (Source: UAP)

5.4. Assessment from Viewpoint 2: Hickson Road Reserve

Element	Category	Comment	Level of effect
Category of view	Public domain	N/A	N/A
Viewing distance	Medium	At approximately 480 metres from the site, the viewpoint is located at the lower end of the medium viewing range.	Low-moderate
Nature of the surrounding landscape		The proposed development is visible and identifiable within the landscape setting of the Tarpeian Lawn and RBG, with Government House as the backdrop; however, it makes a smaller contribution to the overall scene when compared to the surrounding trees and landscaping.	Low-moderate
Number of viewers	Moderate	From this viewpoint the proposed development is visible from those people utilising reserve, noting it is most commonly used during special events and for photography purposes, offering views to both the Sydney Harbour Bridge and Opera House.	Moderate
Overall			Low-moderate





Figure 8: Viewpoint 2 - Hickson Road Reserve, existing view (Source: City Plan)



Figure 9: Viewpoint 2 - Hickson Road Reserve, proposed view (Source: UAP)



5.5. Assessment from Viewpoint 3: Sydney Opera House Steps

Element	Category	Comment	Level of effect
Category of view	Public domain, Iconic location	N/A	N/A
Viewing distance	Short	At approximately 130 metres from the site, this viewpoint is located at the higher end of the short viewing distance range.	Moderate
Nature of the surrounding landscape	Low-moderate	The proposed development is visible and identifiable within the landscape setting of the Tarpeian Lawn and RBG, with Government House as the backdrop; however, it makes a smaller contribution to the overall scene when compared to the surrounding trees, landscaping and multi-storey CBD buildings in view.	Low-moderate
Number of viewers	High	The Sydney Opera House is a popular attraction for both locals and visitors to Sydney as an iconic landmark and therefore is highly trafficked.	High
Overall			Moderate



Figure 10: Viewpoint 3 - Sydney Opera House steps, existing view (Source: City Plan)





Figure 11: Viewpoint 3 - Sydney Opera House steps, proposed view (Source: UAP)

5.6. Assessment from Viewpoint 4: Circular Quay Promenade

Element Category Comment		Comment	Level of effect
Category of view	Public domain	N/A	N/A
Viewing distance Short		At approximately 70 metres from the site, this viewpoint is at the lower end of the short range.	Moderate
Nature of the surrounding landscape	Moderate	In terms of scale, the proposed development is equivalent to some of the surrounding trees from this viewpoint; however, the landscape is still the dominant feature.	Moderate
Number of viewers	High	The promenade connects Circular Quay to the Sydney Opera House, offering views of Sydney Harbour and iconic landmarks such as the Sydney Harbour Bridge and Opera House. These views and the various offerings that are located within the Circular Quay area and at the Sydney Opera House make it highly trafficable.	High
Overall	Moderate		





Figure 12: Viewpoint 4 - Circular Quay promenade, existing view (City Plan)



Figure 13: Viewpoint 4 - Circular Quay promenade, proposed view (Source: UAP)



5.7. Summary: Visual Impact Assessment

Element	Low	Moderate	High	Comment
Viewing distance				The viewing distances from the chosen viewpoints range from short to moderate. The trees surrounding the site provide a significant landscape backdrop, with glimpses of the palatial Government House. The Sydney Harbour Bridge and Sydney Opera House, highrise development within the Sydney CBD and in the suburbs to the east (e.g. Potts Point) also provide an urban backdrop to the artwork. The combination of surrounding landscaping and built form together with the overall design of the proposed public artwork, generally make it subordinate; however, visibility of the artwork increases as the viewing distance decreases. Nonetheless, it is intended for the artwork to be viewed from different vantage points, drawing in visitors to the site within the RBG and educating the public on the Eora journey. The illumination of the artwork at night will assist with visibility after dark, regardless of the viewpoint of the proposal.
Nature of the surrounding landscape	✓	✓		The site is located within a park setting and is surrounded by many significant trees, which provide a backdrop of greenery to the proposal. The proposed development is generally subservient to the surrounding trees and at no point dominates the landscape. From certain vantage points, existing dense development within the Sydney CBD acts as a partial backdrop, further ameliorating the scale and visual impact of the proposed artwork, which is comparatively minor and not of any adverse consequence.
Number of viewers				The viewpoints from iconic landmarks (i.e. Sydney Harbour Bridge and Opera House) and Sydney Harbour foreshore areas (i.e. Circular Quay and Hickson Road Reserve) experience significant foot traffic given the natural, scenic, environmental and cultural qualities of Sydney Harbour and the offerings that are available in the foreshore area. Despite the high viewer numbers, the dominance of the landscape features and significant built form and high rise development surrounding the site, consistent with its urban context and CBD setting, makes the proposed development subordinate from all viewpoints, or equivalent as part of a worst case scenario.





6. CONCLUSION

The site's immediate visual catchment includes areas such as Sydney Harbour, Circular Quay and the Sydney CBD foreshore, which are critical to the visual character and identity of this part of Sydney. The suburbs north of the harbour also form part of the site's extended visual catchment; however, visibility of the artwork from viewpoints in those localities would be minimal to nil given the extensive viewing distance.

The proposal has been assessed against the relevant State and local statutory and non-statutory planning provisions in relation to visual impact and views and is found to be consistent with these provisions.

Due to a range of factors such as distance from viewing, the nature of the surrounding landscape and the number of viewers, this VIA has found that proposal would have a moderate visual effect on the existing visual catchment.

On this basis, it is determined that overall, the proposal in its current form has an acceptable, and in many ways, positive visual impact. Its visibility from various vantage points around Sydney Harbour will draw people to the proposed artwork, thus facilitating the education of visitors in relation to the Eora journey and the inspiration for the sculpture. The proposed illumination of the sculpture at night will further enhance their visibility after dark. This will ensure that the site is highly trafficked during both the day and the night, promoting casual surveillance. Overall, the artwork represents a balance between not dominating the parklands and heritage values of the site, while ensuring the artwork is visible to draw in visitation.