

Prepared for: North Sydney Council
Date: 7 August 2020

6 John Street, McMahon's Point

Berrys Bay Floating Dry Dock Visual Impact Assessment

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1 Introduction

The project

1.1 The project

This report has been prepared by Architectus on behalf of North Sydney Council to assess the potential visual impacts of a Development Application (DA) (DA57/2019) submitted to Council for construction of a floating dry dock facility to service commercial vessels up to 1,000 tonnes in weight.

The proposed development is located adjacent to the existing working harbour operated by Noakes Group in Berry's Bay, McMahon's Point.

The subject site is indicated in red at Figure 1 and Figure 2. The structure will be located on the south-western side of the site, both on land and at the land/water interface.



Figure 1. Site context map
Site outlined in red
Source: NearMaps (dated 18 April 2020)

Figure 2. Adjacent page: Local context map
Site outlined in red
Source: NearMaps (dated 18 April 2020)
6 John Street, McMahon's Point | Visual Impact | Architectus



Waverton

North Sydney

Balls Head Bay

Subject site

Manns Point

McMahons Point

Berrys Bay

Milsons Point

Snails Bay

Balls Head Reserve

Lavender Bay

Blues Point Reserve

Sydney Harbour Bridge

Goat Island

Mort Bay

Walsh Bay

Balmain

Purpose of this report

1.2 Purpose of this report

This report provides an overview of the town planning context that relates to the site, a review of the site’s visual context, and provides a peer review of the Visual Impact Assessment (VIA) prepared by Richard Lamb and Associates (RLA) on behalf of the Applicant, in terms of both methodology and conclusion.

The following assessments prepared by RLA are subject to this peer review:

- Visual Impact Assessment, dated December 2017;
- Updated Visual Impact Assessment, dated February 2019; and
- Updated Visual Impact Assessment (amended proposal with top acoustic curtains), dated 7 November 2019.

1.3 Structure of this report

This report is set out as follows:

- **Section 2:** Review of the site context and site surrounds.
- **Section 3:** Review of the proposed development.
- **Section 4:** Review of the current planning controls that apply to the site.
- **Section 5:** Review of the site’s visual context.
- **Section 6:** Review of photomontages provided.
- **Section 7:** Assessment of appropriateness of the proposal, conclusion and recommendations.

1.4 Approach to assessment

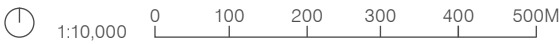
This VIA is based on best practice and Architectus’ experience in the field of visual impact assessment.

Key planning principles for the assessment of visual and view assessment are set out in Section 4.5 of this report.

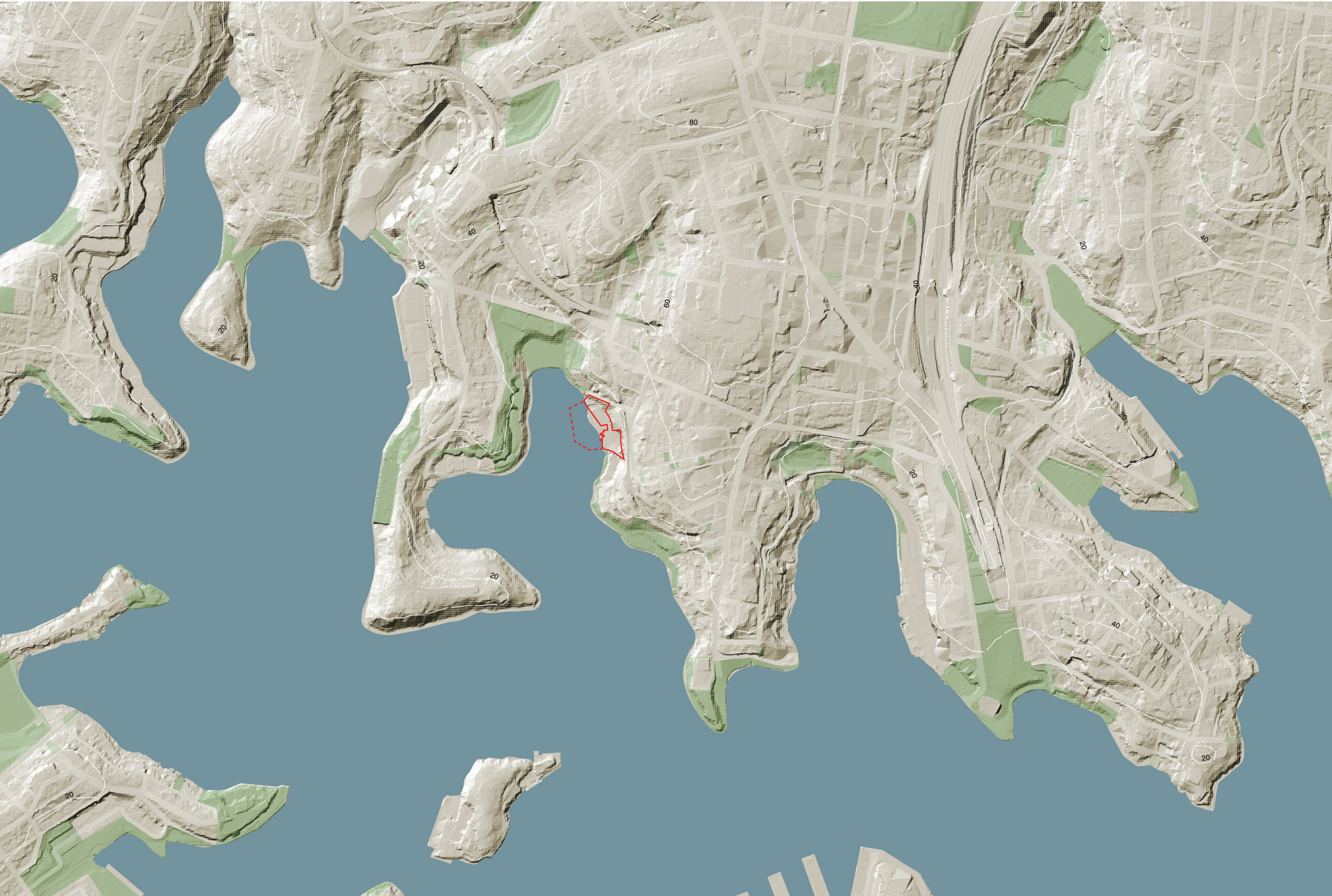
This assessment is set out as follows:

1. Photographic review of the site’s visual context:
This includes the review of additional views with a comparison to the applicant’s selection of views to determine whether further testing is required.
2. Visual impact assessment:
Review of photomontages and assessment of views against the key visual and view impact assessment principles set out in Section 4.5. This includes a summary of impacts, limitations of material provided and appropriateness of the proposal.
3. Recommendation and conclusions:
Appropriateness of VIA provided with the Development Application (DA).

Figure 3. Context topographic map
Site outlined in red, 20m contours shown
Source: Architectus



Purpose of this report







2 Site context

2.1 Site details

The site is located on the eastern shore of Berrys Bay, on Sydney Harbour. The site address is 6 John Street, McMahon's Point.

The site is currently occupied by a boat repair and maintenance facility that comprises land infrastructure as well as various wharfs that project into Berrys Bay for mooring of boats. The total site area is approximately 6,403m².

Legal description

The site is an irregular shaped site that is comprised of ten (10) individual lots, including:

- Lot 987 DP 752067;
- Lot 2 DP 77853;
- Lot 1 DP 127195;
- Lot 1 DP 449731;
- Lot A and B DP 420377;
- Lot B DP 420377;
- Lot 1 DP 179730;
- Lot 2 DP 179730;
- Lot 3 DP 179730; and
- Lot 4 DP 179730.

Land ownership

It is understood that the site is currently owned by Stannards Marine (the Applicant) and that Noakes Group Pty Ltd is the tenant of the Applicant and it will be operating the facility.

2.2 Urban context

The site is located directly adjacent to Berrys Bay, which is a south-facing harbour surrounded by steeply sloping hills to the east and west, including Waverton and Balls Head Reserve to the west and south-west and McMahon's Point to the east.

The site is characterised by its harbour setting with a large portion of the surrounding harbour foreshore being accessible to the public via pedestrian pathways, public open space, parklands and nature reserves. The site itself is one of the few areas of Berrys Bay foreshore that is not accessible to the public.

North Sydney is located approximately 900m walking distance to the north-east of the site and Waverton Train Station is approximately 800m walking distance to the north-west of the site. Sydney CBD is approximately 4km to the south of the site.

The subject site is located within the North Sydney Local Government Area (LGA).

Refer to the site context plan at Figure 4.

Existing development surrounding the site

The site is immediately surrounded by:

- Munro Street to the south with a residential flat complex known as 'The Waterman' beyond, and a public foreshore walkway leading to Sawmillers Reserve further beyond.
- Berrys Bay is located immediately adjacent to the site to the west with Carradah Park (a former BP storage site) beyond, including a steep embankment and cliff with Larkin Street and residential dwellings above.
- John Street (a no-through road) is located directly to the north of the site and is the primary vehicle access point to the site. There are a number of residential dwellings located on John Street that overlook Berrys Bay. Waverton Park is located approximately 160m to the north-west of the site.

- To the east of the site is a steep embankment and cliff with the largely disused Lavender Bay Railway line above. Dumbarton Street and residential dwellings are located beyond.

Topography

The topography of the surrounding area is relatively steep with the headlands of Balls Head Reserve and McMahon's Point surrounding Berrys Bay.

A steep embankment is located directly behind the subject site and also at the western side of Berrys Bay at Carradah Park. Waverton Park (at the head of Berrys Bay) is one of the few areas of low lying and level land. As such, the public domain and private residential dwellings surrounding the site are generally elevated above the harbour and largely have good opportunities for distant views.

Character

The site is surrounded by a mixture of land uses, including low, medium and high density residential development, industrial uses, transport infrastructure, public recreation areas and environmental conservation and environmental living areas.

Refer to an extract of the relevant Land Zoning Map at Figure 10.

A notable feature of the local character is the large amount of public open space surrounding the site at the interface with the harbour. Key public parks and reserves fronting Berrys Bay include:

- Waverton Park, including park, playground, bushland reserve and sportsground;
- Carradah Park (a former BP site for oil storage that was redeveloped as a landscaped public parkland in 2005);
- Balls Head Reserve, which is a landscape heritage item and comprises a significant area of urban bushland; and

- 'Sawmillers Reserve' and the 'Coal Loader Centre for Sustainability' (both identified as Local heritage items) are parks and bushland reserves that are also located close to the subject site.

Built form

The built form surrounding the subject site is predominantly comprised of residential dwellings, including residential flat buildings and detached dwellings.

To the south of the site is a complex known as 'The Waterman', which includes three residential flat buildings up to approximately four (4) storeys, and to the north of the site are two residential flat buildings on John Street with heights up to approximately five (5) storeys. Larkin Street to the west of the site and Dumbarton Street to the east of the site are characterised by two-three storey detached and semi-detached residential dwellings.

Heritage

The site is identified as a Local heritage item known as 'Stannard Bros Shipyard and associated industrial buildings' (heritage item no. I0484). There are multiple other heritage items adjoining the site and in close proximity to the site.

Refer to an extract of the relevant Heritage Map at Figure 13 and a summary of heritage items at Table 2.

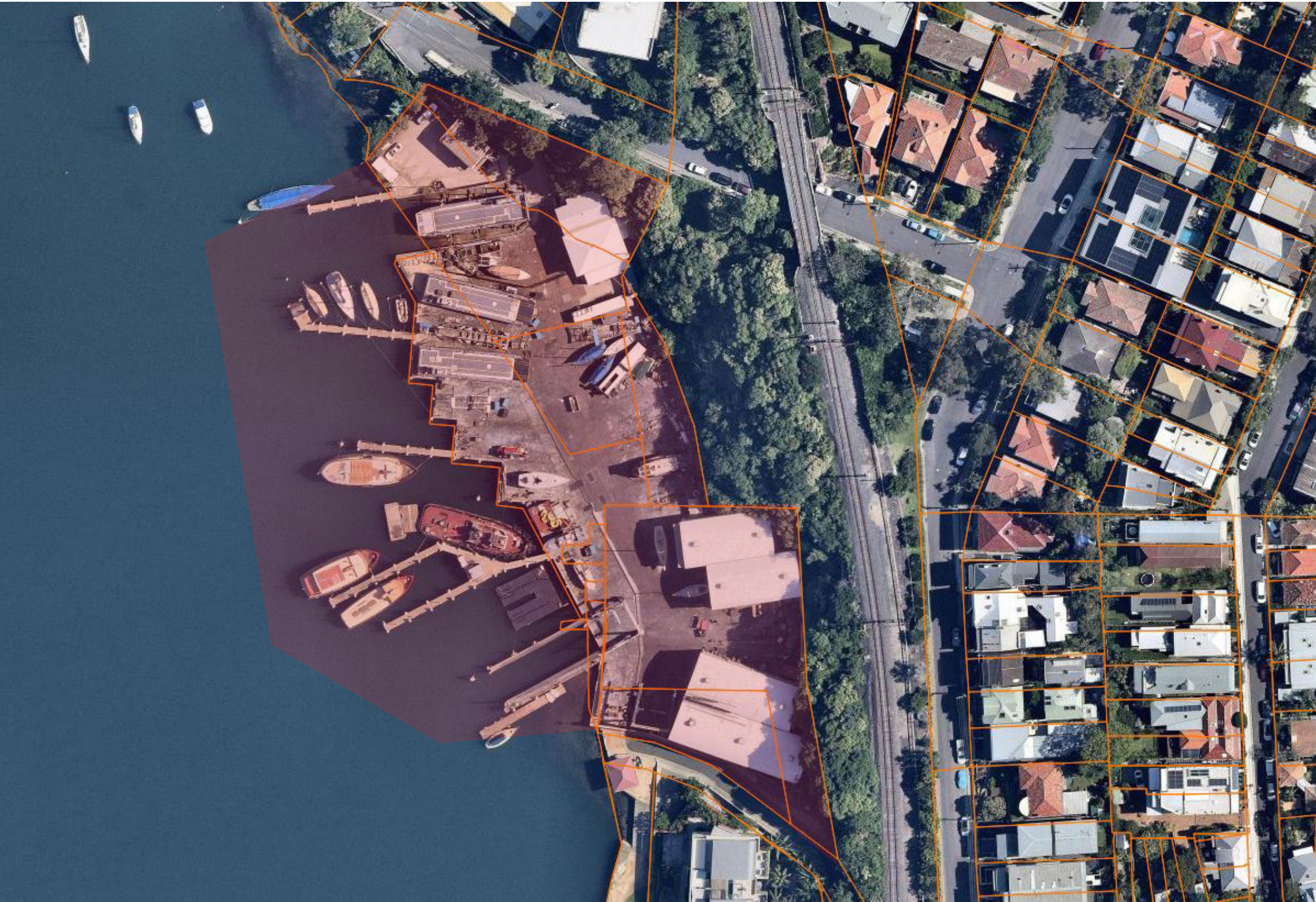


Figure 4. Immediate site context
Site outlined in red
Source: NearMaps (dated 27 December 2018)





3 Proposed development

Existing development

3.1 Existing development

The site is currently occupied by a boat repair and maintenance facility that comprises land infrastructure as well as various wharfs that project into Berrys Bay for mooring of boats.

The landward side of the site is occupied by car parking areas, hardstand areas, four enclosed buildings for boat repairs and maintenance, a two storey office building, and other marine infrastructure.

The current operations of the existing boat repair and maintenance facility on site is subject to Development Consent 1164/90 which sets parameters for hours of operation, vessel accommodation and the nature of works permitted on site. The development consent enables:

- Employment of up to 120 people; and
- Hours of operation between 7am to 6pm for six days a week (it is noted that use of flood-lighting is restricted outside of these hours).

The current facility provides boat repair and maintenance services to approximately 60% public agencies and 40% private individuals.

3.2 Proposed development

The subject DA seeks approval for the mooring of a floating dry dock facility at the site. The following summary of the proposal has been informed by the DA documentation submitted to North Sydney Council (DA57/19).

The original Environmental Impact Statement (EIS) relating to the site was prepared by Hamptons Property Services, dated 5 March 2019.

The EIS describes that the floating dry dock is proposed to be located at the land-water interface of the western side of the site. The DA proposes to remove two jetties to allow for the installation of the floating dry dock. The dock would be used for the purpose of lifting vessels out of the water for maintenance and repairs. It is understood that the dock would have capacity to service vessels up to 1,000 tonnes in weight, and as such would be one of the few facilities in the Sydney region where large boats are able to be serviced. The dock is proposed to service both private clients and Government clients at various levels of government, including vessels operated by the Australian Defence Force.

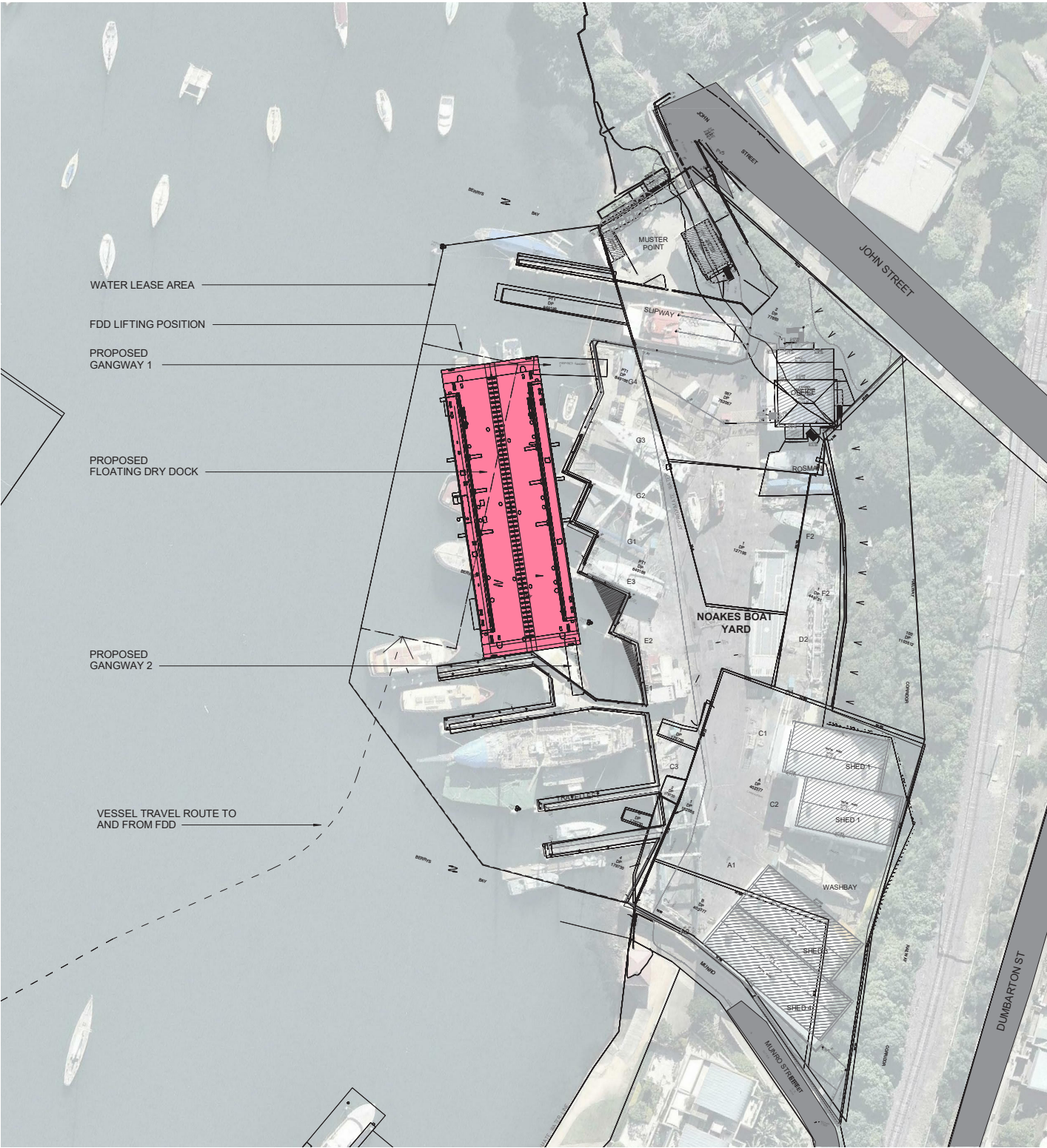


Figure 5. Site plan of proposed floating dry dock.
Source: Altis Architecture, dated 5 December 2017

Changes to proposed development

3.3 Changes to proposed development

An Addendum EIS has been prepared by Hamptons Property Services, dated 20 February 2020. The Addendum EIS responds to a Request for Information (RFI) by North Sydney Council and consolidates additional information supplied to Council subsequent to lodgement of the original DA. The Addendum EIS is accompanied by various supporting technical reports. Of relevance to this report is the ‘Updated Visual Impact Assessment’ (UVIA) prepared by RLA, dated 7 November 2019.

The UVIA responds to the requirement for the floating dry dock to include further acoustic mitigation treatments at times when works are occurring within the dock. The UVIA provides that the acoustic mitigation treatments would be in the form of additional acoustic curtains at the top of the dock, which have the external appearance of hinged screens the same or a lesser height than the side decks of the dock.

3.4 Specifications of proposed development (as updated)

Dimensions

The dock is proposed to be 60m in length. When working, the dock will raise a vessel out of the water (internal floor is above water level) the side of the dock is proposed to be 8.5m above water level. Any vessel on the FDD will not have a hull height greater than 8.5m. It is understood that when the dock is in a submerged position to allow vessels to move in and out (internal floor is flooded), the side of the dock is proposed to be 3.5m above water level. Refer to Figure 7 adjacent.

In addition, a plant room will be located above the top deck level on one side of the dock with a height of 2.2m and length of approximately 4.5m. Structures such as handrails and bollards will also project above the top deck level of the dock.

The Addendum EIS notes that while the technical specifications allows for a vessel of up to 1000T in weight to be lifted by the dock, in practice this cannot occur because of the need to ensure that vessels do not overhang the length of the dock to allow the acoustic curtains to close to avoid adverse acoustic conditions.

Movement

The dock will have capacity to temporarily rotate from its working position adjacent to the land-based boat repair and maintenance facility to deeper water to allow vessels to enter and exit. Refer to the arrangement of the proposed floating dry dock at the extract of the architectural site plan prepared by Altis Architecture at Figure 5.

Lighting

Boat repair operations are proposed to occur during daylight hours only, therefore flood lighting and security lighting will be minimal.

Acoustic treatment

Acoustic protection is proposed in the form of acoustic curtains to ensure that there is adequate protection to the nearby residential receivers. Acoustic curtains will be implemented on each end of the dry dock and across the top of the dock to enclose a vessel to its deck line. The extent of the proposed acoustic curtains is demonstrated in Figure 6 adjacent.

The curtains will be made from PVC fabric sandwiching acoustic insulation material (6kg/m² in weight). They are proposed to be grey in colour. The curtains are proposed to be used intermittently and, when not in use, would be opened.

In addition, there will be two permanently fixed acoustic panels on the inside walls of the dock.

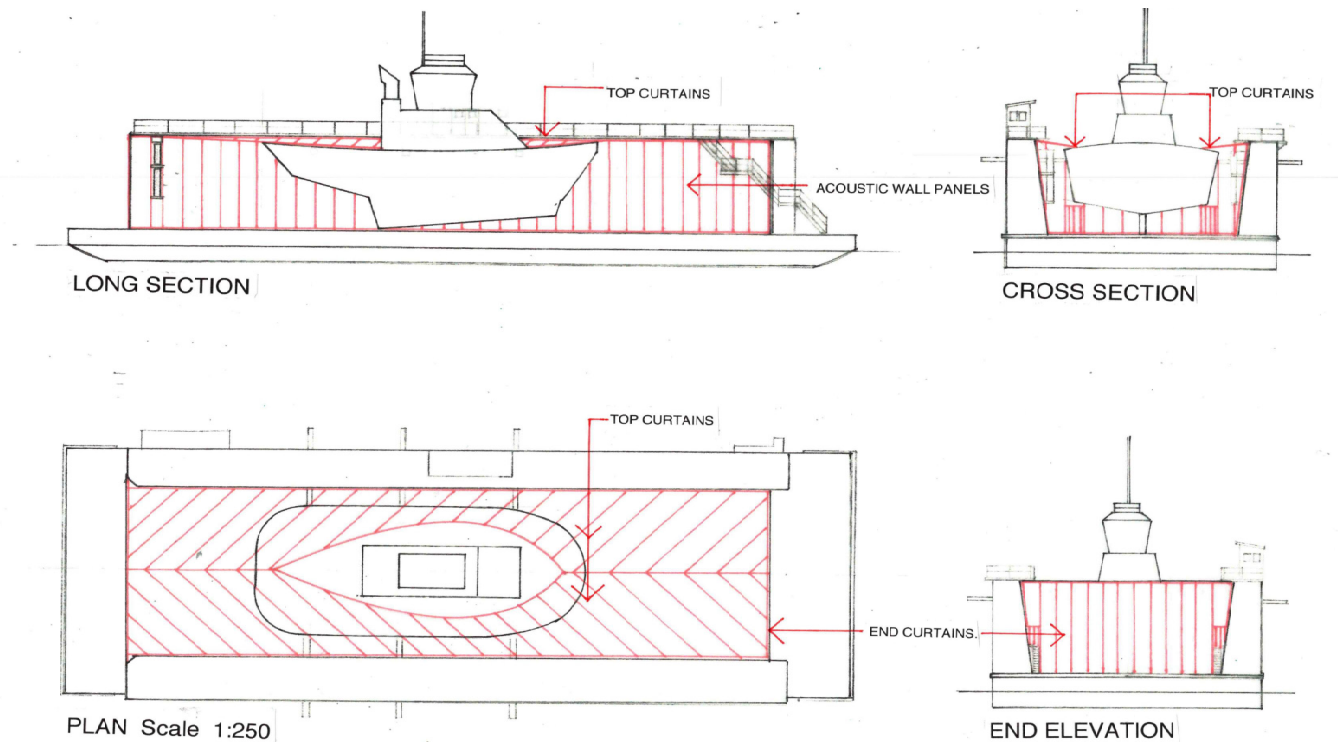


Figure 6. Sections, plan and elevation of a typical vessel (tug) docking plan with the acoustic curtains closed (shown in red) Source: William Loader Architectural and Marine Design, dated September 2019



Figure 7. Photomontage of proposed floating dry dock facility in the flooded position with a vessel located inside. Source: Richard Lamb and Associates, dated 6 March 2019





4 Review of planning context

4.1 Planning context

The following planning controls relate to the assessment of the site’s visual impact:

- The Secretary’s Environmental Assessment Requirements (SEARs) issued by the Department of Planning, dated 31 August 2017;
- Strategic context including the *Greater Sydney Region Plan 2018* and the *North District Plan 2018*;
- The *North Sydney Community Strategic Plan 2018-2028*;
- The *North Sydney Local Strategic Planning Statement* (LSPS), dated November 2019;
- The current planning controls applicable to the site under the *North Sydney Local Environmental Plan 2013* (North Sydney LEP 2013), including the site’s role in the *IN4 working waterfront zone*;
- The *North Sydney Development Control Plan 2013* (NSDCP 2013);
- Other relevant considerations including:
 - *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005* (SREP 2005);
 - *Sydney Harbour Foreshores and Waterways Area Development Control Plan 2005* (FWDCP 2005); and
 - *Draft Environment State Environmental Planning Policy* (Draft Environment SEPP).
- Land and Environment Court Planning Principles regarding the assessment of visual impact (*‘Tenacity’* and *‘Rose Bay Marina’*).

4.2 Secretary’s Environmental Assessment Requirements

Secretary’s Environmental Assessment Requirements (SEARs) have been issued for the proposed floating dry dock facility under Section 78A(8) of the *Environmental Planning and Assessment Act 1979*. The SEARs detail the environmental assessment requirements that must be addressed as part of the Environmental Impact Statement (EIS), and process for assessment and consultation.

In relation to the potential visual impacts of the proposed development, the SEARs require:

- “An impact assessment of the proposed floating dry dock, particularly when viewed from:
- Properties along the foreshore areas;
 - Waterway users; and
 - Public and other significant land based vantage points.”

The SEARs also identify the policies and guidelines to be considered by the proposal and the documentation to be submitted.

Refer to the assessment of the site’s visual context and potential impacts at Section 5 below.

4.3 Strategic context

Greater Sydney Region Plan, 2018

The Greater Sydney Commission (GSC) released the *Greater Sydney Region Plan: A Metropolis of Three Cities* in March 2018. The Plan provides a 40-year vision for ‘three cities’ in Greater Sydney, where the site is located in the ‘Eastern Harbour City’.

Key objectives relevant to the development of a floating dry dock in Berrys Bay include:

- Objective 4: Infrastructure use is optimised;
- Objective 13: Environmental heritage is identified, conserved and enhanced;
- Objective 23: Industrial and urban services land is planned, retained and managed;
- Objective 25: The coast and waterways are protected and healthier; and
- Objective 28: Scenic and cultural landscapes are protected.

The proposed development will retain the ‘working harbour’ use at the site and is considered to be consistent with the relevant objectives identified above.

North District Plan, 2018

The site is identified within the ‘North District’ under the GSC’s *North District Plan 2018*. The Plan provides directions to improve access to jobs, housing types and activities in the North District, and enhance lifestyle and environmental assets.

Key objectives relevant to the development of a floating dry dock in Berrys Bay include:

- Planning Priority N1: Planning for a city supported by infrastructure;
- Planning Priority N11: Retaining and managing industrial and urban services land;
- Planning Priority N15: Protecting and improving the health and enjoyment of Sydney Harbour and the District’s waterways; and

- Planning Priority N17: Protecting and enhancing scenic and cultural landscapes.

The proposal is considered to be consistent with, or able to achieve, the relevant objectives of the District Plan.

Council Strategic Plan, 2018-2028

The *North Sydney Community Strategic Plan 2018-2028* came into effect in June 2018 and is designed to respond to community agreed priorities and strategies for the ten years to 2028.

Key priorities in the Strategic Plan that relate to the proposed development include:

- 1.1.3 Encourage healthy local waterways
- 2.1.1 Expand and adapt existing infrastructure to meet future needs
- 4.4.1 Recognise, celebrate and promote North Sydney’s history and heritage

The proposal is considered to be consistent with the strategies of the Strategic Plan.

North Sydney Local Strategic Planning Statement (LSPS), 2019

The *North Sydney Local Strategic Planning Statement* (LSPS) dated November 2019 was endorsed by North Sydney Council on 25 November 2019. The LSPS provides a 20-year vision for land use planning within the North Sydney LGA (to 2036) in response to the priorities and actions identified in the NSW Government’s regional and district plans.

Berrys Bay is identified by the LSPS as one of several small pockets of working waterfront land, which are uniquely located lands along the harbour waterfront and contain significant industrial and maritime heritage. Council propose to will conduct an activity review to better understand the characteristic of these precincts.

The subject site is identified by the LSPS as an opportunity site for improved open space and foreshore access.

4.4 Applicable planning controls

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005* (SREP 2005) applies to the site as it is identified as being within the Foreshores and Waterways Area.

Clause 14 of SREP 2005 provides planning principles for land within the Foreshores and Waterways Area. A relevant principle relating to view impacts includes:

- d) *development along the foreshore and waterways should maintain, protect and enhance the unique visual qualities of Sydney Harbour and its islands and foreshores*

In relation to working harbour uses, Clause 14 provides the following:

- e) *adequate provision should be made for the retention of foreshore land to meet existing and future demand for working harbour uses*

Clause 15 of SREP 2005 provides planning principles for heritage conservation. Given that the subject site is identified as a Local heritage item known as 'Stannard Bros Shipyard and associated industrial buildings', the following is considered:

- (e) *significant fabric, settings, relics and views associated with the heritage significance of heritage items should be conserved*

Clause 23 of SREP 2015 is noted as it relates to maintenance of a working harbour:

The matters to be taken into consideration in relation to the maintenance of a working harbour are as follows:

- a) *foreshore sites should be retained so as to preserve the character and functions of a working harbour, in relation to both current and future demand*

Clauses 25 and 26 of the SREP 2005 also identify matters for consideration, and have been considered as part of the assessment of the proposed development's impact on views. These are as follows:

25 Foreshore and waterways scenic quality

The matters to be taken into consideration in relation to the maintenance, protection and enhancement of the scenic quality of foreshores and waterways are as follows:

- a) *the scale, form, design and siting of any building should be based on an analysis of:*
 - (i) *the land on which it is to be erected, and*
 - (ii) *the adjoining land, and*
 - (iii) *the likely future character of the locality,*
- b) *development should maintain, protect and enhance the unique visual qualities of Sydney Harbour and its islands, foreshores and tributaries,*
- c) *the cumulative impact of water-based development should not detract from the character of the waterways and adjoining foreshores.*

26 Maintenance, protection and enhancement of views

The matters to be taken into consideration in relation to the maintenance, protection and enhancement of views are as follows:

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

The above clauses require the assessment of impact on views to consider the future character of the area. Further, the clauses emphasise protection of views to and from the public domain (including Sydney Harbour), landmarks and heritage items.

Clause 59 of SREP 2005 is relevant to views and visual impact and provides:

59 Development in vicinity of heritage items

- (1) *Before granting development consent to development in the vicinity of a heritage item, the consent authority must assess the impact of the proposed development on the heritage significance of the heritage item.*
- (2) *This clause extends to development:*
 - (a) *that may have an impact on the setting of a heritage item, for example, by affecting a significant view to or from the item or by overshadowing, or*
 - (b) *that may undermine or otherwise cause physical damage to a heritage item, or*
 - (c) *that will otherwise have any adverse impact on the heritage significance of a heritage item.*
- (3) *The consent authority may refuse to grant development consent unless it has considered a heritage impact statement that will help it assess the impact of the proposed development on the heritage significance, visual curtilage and setting of the heritage item.*
- (4) *The heritage impact statement should include details of the size, shape and scale of, setbacks for, and the materials to be used in, any proposed buildings or works and details of any modification that would reduce the impact of the proposed development on the heritage significance of the heritage item.*

There are maps under the SREP 2005 that show the location of heritage items. Refer to an extract of the relevant heritage map at Figure 8. This shows the nearest heritage items to the site as set out in the following table (note not in order of closest proximity).

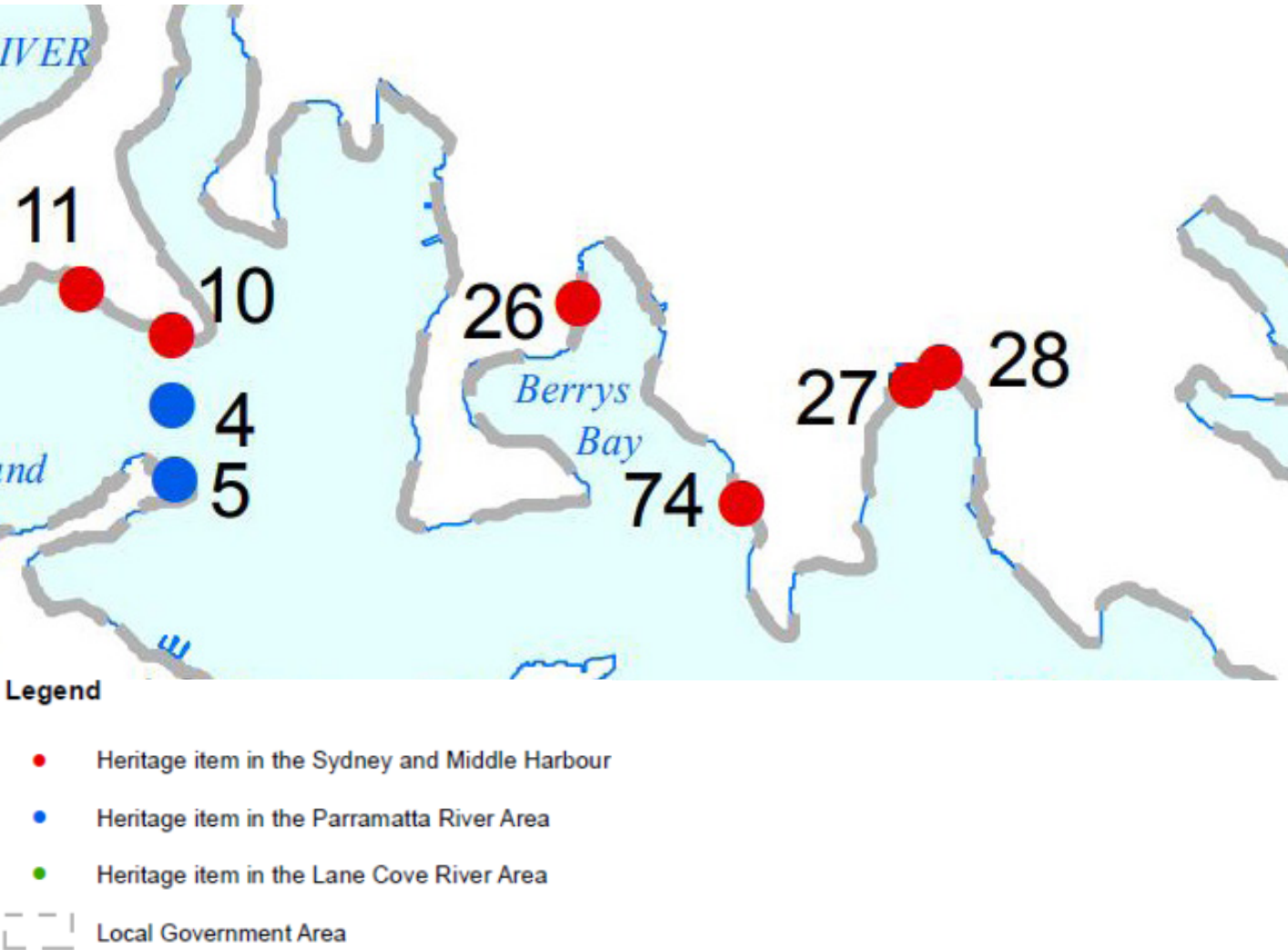


Figure 8. Sydney Harbour Heritage Map
Source: Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

Table 1. Heritage items identified in Sydney and Middle Harbour Areas in vicinity of the site
Source: SREP 2005

Item No.	Name or description of heritage item	Address
4	Site of Robinson's Bath	Mrs Macquarie's Road, Sydney
5	Former Woolloomooloo Deep Sea Wharves No.s 6,7,8, 9 & 11, and Cargo Sheds at Cowper Wharf Road and Lincoln Crescent, Woolloomooloo, and the land and the waterway between Wharf 11 and the other Wharves	Cowper Wharf Road and Lincoln Crescent, Woolloomooloo
10	Electricity Tunnel	Foreshore of Manns Point Reserve, Greenwich
11	Boat sheds and slips	O'Connell and Albert Streets, Greenwich
26	Sydney Harbour Queen	Moored in Berry's Bay, Waverton (formerly moored west of Luna Park, Milsons Point)
27	Site of Cavill's Baths	Foreshore of Lavender Bay
28	Lavender Bay ferry wharf	Walker Street, Kirribilli
74	Wreck of Maritime Services Board Hopper Barge	Foreshores of Berry's Bay, Sydney Harbour

Of these heritage items, the only location with likely visibility of the site is item no. 26 ('Sydney Harbour Queen').

Planning context

Foreshores and Waterways Development Control Plan 2005

The SREP 2005 is supported by detailed provisions contained within the *Sydney Harbour Foreshores and Waterways Area Development Control Plan 2005* (FWDCP 2005). With regards to views, the following must be considered:

3.2 General Aims

- Minimise any significant impact on views and vistas from and to:
 - Public places;
 - Landmarks identified on the maps accompanying the DCP; and
 - Heritage items.

The FWDCP 2005 map shows ‘Landmark’ locations along the harbour foreshore. Landmark items located close to the subject site (within approximately 1km of the site) include:

- ‘Stepped Foreshore Development’ (eastern side of Berrys Bay);
- ‘Former Quarantine Station’ and ‘Substantial Wharves’ (western side of Berrys Bay);
- ‘Former Coal Loader’ (a Local heritage item);
- ‘HMAS Waterhen’ cliff face (Balls Head Bay, a Local heritage item);
- ‘Historic Buildings Wharves/Jetties’ and ‘Native and Exotic Vegetation’ (Goat Island, a State heritage item);
- ‘Blues Point Tower’ (a Local heritage item); and
- ‘Station Masters Cottage’, ‘Church’ and ‘Railway Tunnel’ (Lavender Bay).

These landmarks are of sufficient distance from the site and would be unlikely to be affected by visual impacts, other than ‘Stepped Foreshore Development’ (eastern side of Berrys Bay), which is relatively close to the development. This location has been assessed through this VIA.

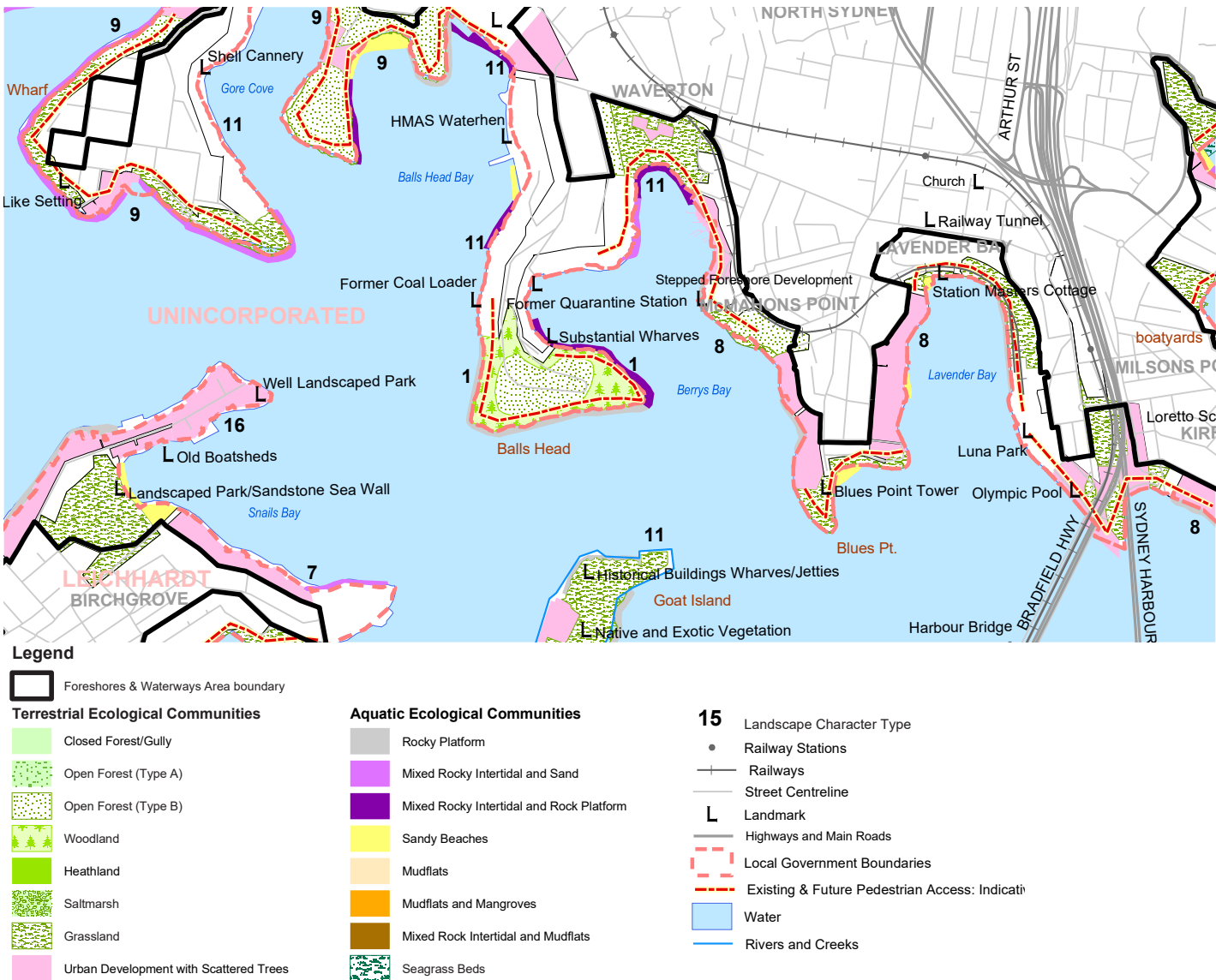


Figure 9. Foreshores and Waterways Area DCP - Ecological Communities and Landscape Characters Map
Source: Foreshores and Waterways Development Control Plan 2005

The FWDCP 2005 identifies landscape character types and the intent for each character type. The site is identified as Landscape Character Type 11, which applies to “industrial areas of Sydney Harbour including Cockatoo and Spectacle Islands, and Gore and Woolloomooloo Bays”. The statement of character and intent provides that these industrial areas “have a high level of development largely comprising waterside industrial uses and have a strong visual presence within the Harbour” and make an important contribution to the “vitality and diverse activity on the Harbour”.

The FWDCP 2005 provides performance criteria associated with each character type. Of relevance to the proposed development is the following performance criteria:

- views of the remaining natural elements along the foreshore and behind existing development are preserved in a continuous unbroken line to soften the impact of the built form;
- the maritime nature of industrial uses on the harbour is preserved. Pressure for these uses to relocate is minimised. New developments adjoining maritime activities are designed and sited to maintain compatibility with existing maritime activities;

The proposed development will not impact upon natural elements along the foreshore. The floating dry dock will be moored at the land/water interface of the subject site, which is currently used as a working harbour. The maritime nature of the proposed development will preserve the use of the site as a working harbour.

Planning context

North Sydney Local Environmental Plan 2013
(North Sydney LEP 2013)

The subject site is located within the North Sydney Local Government Area (LGA) and subject to the North Sydney LEP 2013.

Refer to the current planning control maps at Figure 10 to Figure 13 below.

Land use

The site is zoned *IN4 Working Waterfront* under the North Sydney LEP 2013.

The adjacent lots are also zoned *IN4 Working Waterfront* as well as *SP2 Infrastructure (Railway)*, *R2 Low Density Residential*, *RE1 Public Recreation*. It is noted the wharfs projecting into the harbour are unzoned land.

Objectives of the *IN4 Working Waterfront* zone:

- To retain and encourage waterfront industrial and maritime activities.
- To identify sites for maritime purposes and for activities that require direct waterfront access.
- To ensure that development does not have an adverse impact on the environmental and visual qualities of the foreshore.
- To encourage employment opportunities.
- To minimise any adverse effect of development on land uses in other zones.

Permitted without consent:

Environmental protection works

Permitted with consent:

Boat building and repair facilities; Boat launching ramps; Charter and tourism boating facilities; Jetties; Kiosks; Light industries; Marinas; Roads; Signage

Prohibited:

Any development not specified in item 2 or 3

Under the current land use zoning, development for the purpose of boat building and repair facilities are permitted with consent. Therefore the land use proposed, including development of a floating dry dock, is permitted with consent.

As an *IN4 Working Waterfront* zone, the site has the role of enabling industrial maritime activities to service Sydney Harbour, which has limited *IN4* zoned land.

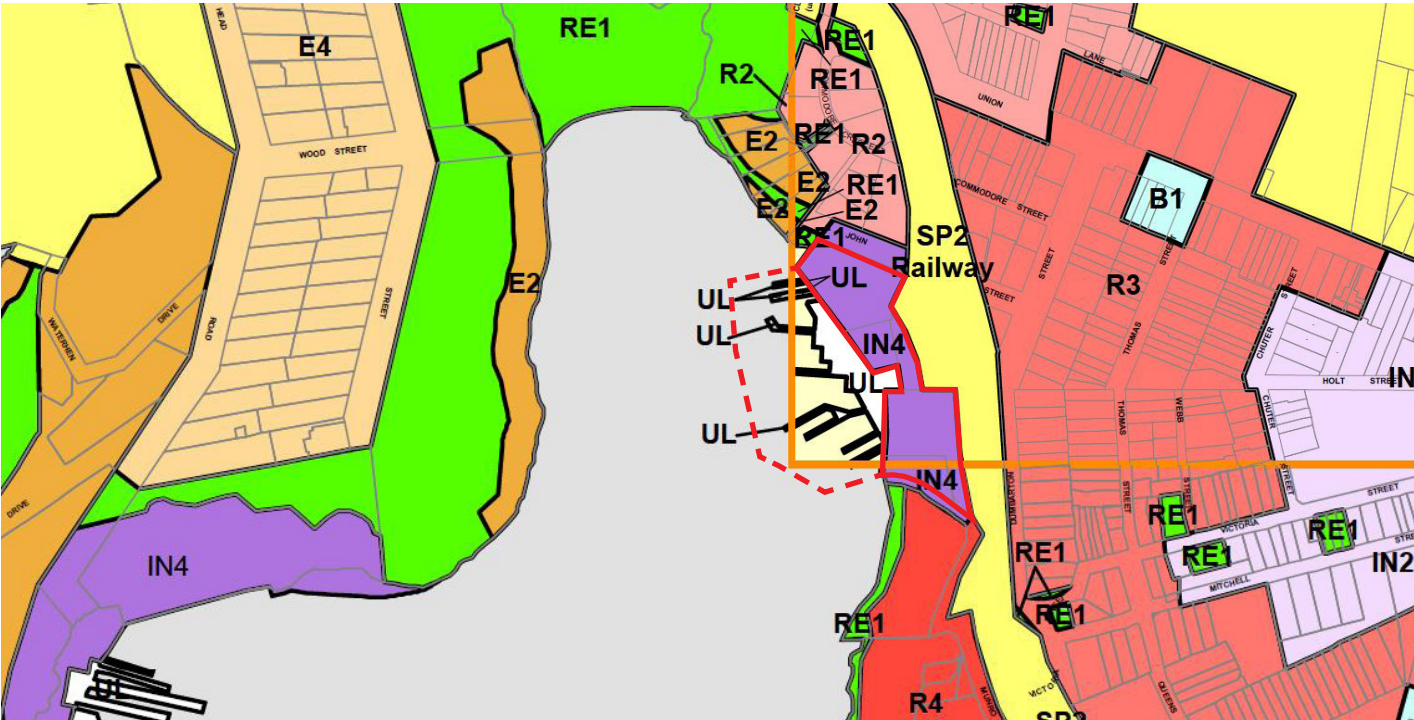


Figure 10. Land Zoning Map
Site indicated in red.
Source: North Sydney Local Environmental Plan 2013 - Land Zoning Map, Sheet LZN_002 and LZN_002A; annotations by Architectus.



Figure 11. Height of Buildings Map
Site indicated in red.
Source: North Sydney Local Environmental Plan 2013 - Height of Buildings Map, Sheet HOB_002 and HOB_002A; annotations by Architectus.

Planning context

Height of buildings

The maximum building height on the landward side of the site is 10 metres.

Floor Space Ratio

The maximum Floor Space Ratio (FSR) is unspecified under the North Sydney LEP 2013 Floor Space Ratio Map.

Heritage

The site is identified as a local heritage item known as “Stannard Bros Shipyard and associated industrial buildings”.

Heritage items that are located in close proximity to the subject site are identified in the table below.

Table 2. Surrounding Local Heritage Items

Locality	Item name	Address	Significance	Item No
McMahons Point	Stannard Bros Shipyard and associated industrial buildings	Munro Street	Local	I0484
McMahons Point	Sandstone cliff	Munro and John Streets (behind boat yard, east side of Berry’s Bay)	Local	I0483
McMahons Point	“Monte Cristo”	3 Commodore Crescent	Local	I0461
Lavender Bay, McMahon’s Point and Waverton	Lavender Bay Railway Line	Between Luna Park and Waverton Railway Station	Local	I0387
Lavender Bay, McMahon’s Point and Waverton	John Street Railway Bridge	John Street	Local	I0388
Lavender Bay, McMahon’s Point and Waverton	Lavender Bay Railway Tunnel	King George Street and Lavender Crescent	Local	I0389
Lavender Bay	Railway viaduct		Local	I0397
Lavender Bay, McMahon’s Point and Waverton	Brick retaining wall	South of John Street	Local	I0402
McMahon’s Point	Sawmiller’s Reserve	Munro Street	Local	I0521
Waverton	BP site	3A Balls Head Road	Local	I1036
Waverton	Woodleys Shipyard	1 Balls Head Drive	Local	I1038
Waverton	Balls Head Reserve	Balls Head Drive	Local	I1041



Figure 12. Floor Space Ratio Map (note: the yellow colour over Berrys Bay is not noted in the key)
Source: North Sydney Local Environmental Plan 2013 - Floor Space Ratio Map, Sheet FSR_002 and FSR_002A



Figure 13. Heritage Map
Source: North Sydney Local Environmental Plan 2013 - Heritage Map, Sheet HER_002 and HER_002A

Planning Principles

North Sydney Development Plan 2013 (North Sydney DCP 2013)

The site being located within the North Sydney Local Government Area (LGA) is subject to the controls under North Sydney DCP 2013. The DCP sets out precincts within the LGA and, for each, identifies views and vistas that are to be preserved and where possible enhanced.

The site is located within the ‘John Street Waterfront Neighbourhood’. Adjacent precincts include the ‘Sawmillers’ and ‘Waverton Peninsula Neighbourhoods’.

The North Sydney DCP 2013 identifies the following views and vistas to be preserved and where possible enhanced:

- “Views to Sydney Harbour and Beyond;
- Views from the end of Larkin Street, from the rock outcrop towards the Sydney CBD, Sydney Harbour and Parramatta River;
- Views through the Area from streets, adjoining open space and nearby residences; and
- Significant public views of Iron Cove and the Parramatta River from Horace Street, Balls Head Road and the cliff top”.

These views have been considered in this visual impact assessment in Sections 5 and 6.

4.5 Planning Principles

The NSW Land and Environment Court (NSW LEC) has established Planning Principles for the assessment of development on views, both from public and private realms.

The Planning Principles assist when making a planning decision, including particularly:

- where there is a void in policy;
- where policies expressed in qualitative terms allow for more than one interpretation; and
- where policies lack clarity.

The planning principles apply to the proposal in the situation as there are no adequate controls under the planning framework pertaining to view and visual impacts for development of this kind to the public and private domain (Note: This is described in *Bastas Architects v Willoughby City Council* [2008] NSWLEC 1360 at 11).

The assessment of the impact of view loss on public views is established by *Rose Bay Marina Pty Limited v Woollahra Municipal Council and anor* [2013] NSWLEC 1046 at 39 - 49.

The principles for view sharing in respect of private views are established in *Tenacity Consulting v Warringah Council* [2004] NSWLEC 140 at 25-29.

Public Views - *Rose Bay Marina Pty Limited v Woollahra Municipal Council and anor* [2013] NSWLEC 1046

A consideration of the likely impacts on these private views in relation to the NSW LEC Planning Principles set out in *Rose Bay Marina Pty Limited v Woollahra Municipal Council and anor* [2013] NSW LEC 1046. In this case, Senior Commissioner Moore set out a number of steps for the consideration of public domain view impacts, which are identified below:

The established planning principle process is as follows:

1. Identify the scope of the existing views from the public domain (44). This should consider:

- the nature and extent of any existing obstruction of the view;
- compositional elements of the view;
- what might not be in the view - such as the absence of human structures in the outlook across a natural area;
- is the change permanent or temporary; or
- what might be the curtilages of important elements within the view.

2. Identify the locations in the public domain from which the potentially interrupted view is enjoyed (45);

3. Identify the extent of the obstruction at each relevant location (46);

4. Identify the intensity of public use of those locations and where the enjoyment of the view will be obscured (47);

5. Review any document that identifies the importance of the view to be assessed (48).

The methodology utilised in this VIA is in accordance with the five-step process established by *Rose Bay Marina Pty Limited v Woollahra Municipal Council* [2013] NSW LEC 1046.

Planning Principles

Private Views - Tenacity Consulting v Warringah Council [2004] NSWLEC 140

A consideration of the likely impacts on these private views in relation to the New South Wales Land and Environment Court Planning Principles set out in *Tenacity Consulting v Warringah Council* [2004] NSW LEC. In this case, Senior Commissioner Roseth set out a number of principles for the consideration of private view impacts, which are discussed individually below, based on the following steps:

1. Assessment of views to be affected. At 26: “water views are valued more highly than land views. Iconic (e.g. of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, e.g. a water view in which the interface between land and water is visible is more valuable than one in which it is obscured”.

2. Consideration of from what part of the property views are obtained. At 27: “For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic”.

3. Assessment of the extent of the impact. At 28: “this should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating”.

4. Assessment of the reasonableness of the proposal. At 29: “A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours”.





5 Photographic review of site's visual context

5.1 Approach to assessment

The methodology used in this assessment has been developed by Architectus based on experience in preparing Visual Impact Assessments for a variety of projects.

A general overview of Architectus' process for the assessment of visual impact is described in the diagram adjacent.

Key considerations in the Visual Impact Assessment of this project are set out in this chapter as below.

Section 5.2 Criteria for assessment

Architectus' criteria for assessment of visual impacts, based on the Planning Principles and relevant policies and guidelines as detailed above.

Section 5.3 Standards for photography and photomontages

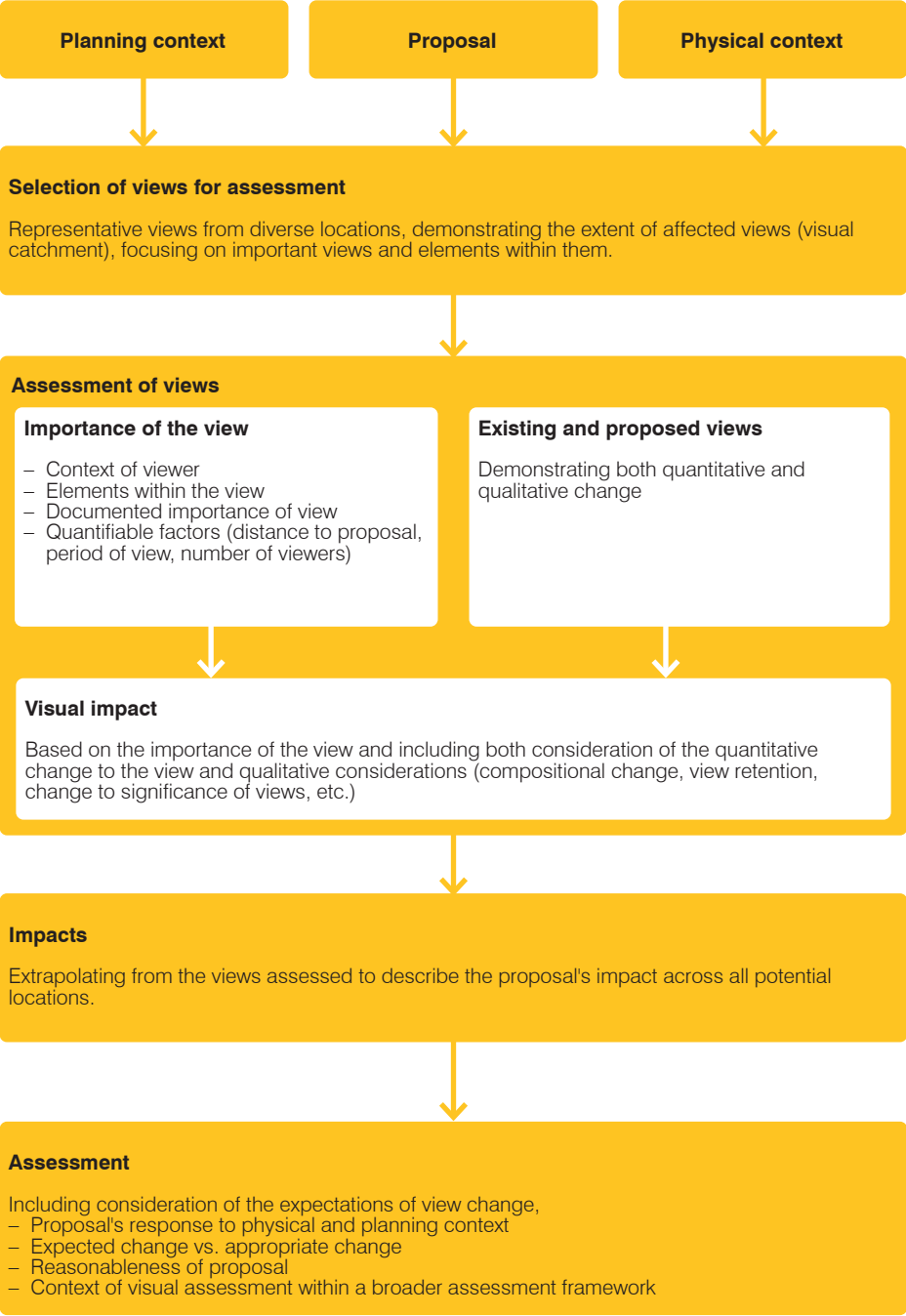
Relevant standards for photography and photomontage processes and how they have been applied in this document.

Section 5.4 - 5.5 Architectus' view selection

Views selected by Architectus through destktop analysis and an inspection of the site and surrounding areas are described and assessed.

Section 5.6 Applicant's view selection

A review of views selected by the Applicant for the development application (DA57/19) is provided. The Architectus view selection is compared against the Applicant's view selection to assess if all important views have been considered and appropriately assessed.



5.2 Criteria for assessment

Architectus' criteria for assessment of visual impact are shown below. These are based on the planning framework, NSW LEC Planning Principles and Architectus' experience in the assessment of visual impact.

The criteria are divided into two broad categories:

- Importance of the view; and
- Visual impact rating.

The 'importance of the view' is defined differently for public domain and private views with weighting applied which is consistent with the NSW LEC Planning Principles.

It is noted that each of the views selected by Architectus, and assessed in this Chapter, are public domain views. The views selected by the Applicant include both public domain and private views.

Approach to assessment

Importance of the view (public domain views)

- The importance of the view includes consideration of the following factors:
- The importance of the view location, including;
 - Any document that identifies the importance of the view to be assessed;
 - The number of viewers;
 - The likely period of view;
 - The distance to the proposal; and
 - The context of the viewer (whether the view is static or dynamic, obtained from sitting or standing positions, etc.)
 - Elements within the view, including:
 - Whether iconic elements or water views are present; and
 - The existing composition of the view, and any existing obstructions to the view.

The above features are described for each view and a final categorisation of view importance has been produced as a summary. The following table presents examples of how these categorisations are used:

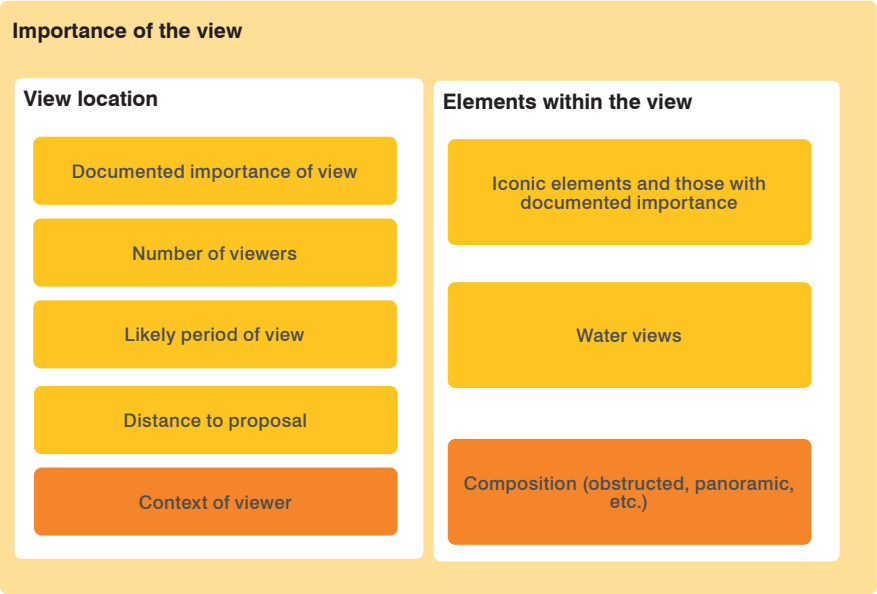


Figure 14. View importance
Source: Architectus

Table 3. Importance of public domain views

	Definition
High	Unobstructed views of highly valuable or iconic elements from highly important locations.
Moderate-High	Generally unobstructed views including important visual elements from well-used locations. The view attracts regular use of this location by the public.
Moderate	Views including elements of moderate importance with little obstruction which are obtained from moderately-well used locations. The view may assist in attracting the public to this location.
Low-Moderate	Views with some important elements which may be partially obstructed or from a less well-used location. The view may be a feature of the location however is unlikely to attract the public to it.
Low	Views from spaces or streets with little pedestrian use or obstructed views or views with few important elements. Obtaining views is not a focus of using the space.

Some elements which form part of the consideration of view importance can be quantitatively estimated. The table below shows the criteria used in evaluating the relative number of viewers and period of view.

Table 4. Relative number of viewers (estimation)

	Definition
High	> 500 people per day
Moderate	20-500 people per day
Low	< 20 people per day

Table 5. Period of view (estimate)

	Definition
High (long-term)	> 5 minutes
Moderate	1-5 minutes
Low (short-term)	< 1 minute

Importance of the view (private views)

The importance of the view includes the same elements as the importance of public domain views. The location within a residence from which a view is obtained (whether from a sitting or standing position; a living room, bedroom or balcony) provides some further guidance as to how the view is perceived and whether an expectation to retain the view is realistic. For instance, as set out in the Planning Principles from *Tenacity*, a sitting view or a view across side boundaries is considered more difficult to protect than a standing view or view across front boundaries.

The table below provides a definition of the categories used.

Table 6. Importance of private views

	Definition
High	Uninterrupted views of highly important or iconic elements from standing positions across from front or rear boundaries.
Moderate-High	Primary views of important elements from locations which may have an expectation of retention such as across front boundaries.
Moderate	Views of some important elements which may have some lower expectation of retention, such as those across side boundaries, seated views or partial views, views from bedrooms and service areas.
Low-Moderate	Views with selected important elements, partially obstructed views or views with some important elements where there is low expectation of retention.
Low	Views with few important elements, highly obstructed views or views where there can be little expectation of retention.

Photographs taken

View change

The view change is a qualitative assessment of the change of the view. It includes consideration of:

- The quantitative extent to which the view will be obstructed or have new elements inserted into it by the proposed development;
- Whether any existing view remains to be appreciated (and whether this is possible) or whether the proposal will make the existing view more or less desirable, or locations more or less attractive to the public;
- Any significance attached to the existing view by a specific organisation; and
- Any change to whether the view is static or dynamic.

A description of the view change rating for each view has been provided, with a final categorised assessment of the extent of view change provided under the following categories:

Table 7. Overall extent of view change

	Definition
High	The proposal obscures iconic elements or elements identified as highly significant within the existing view.
Moderate-High	The proposal changes the quality of the existing view or obscures elements of significance within the view.
Moderate	The proposal obscures some elements of importance within the existing view or is highly prominent within the view
Low-Moderate	The proposal obscures minor elements within the view.
Low	The proposal is visible within the view however does not impact on any elements of significance within the view.
None/ Negligible	The proposal will not be noticeable within the view without scrutiny.

The categorisation is focussed on retaining the qualities of an existing view. A highly prominent proposal does not necessarily result in a high view change where the existing qualities of the view are retained.

The approach taken is generally conservative in its consideration of these views for the purpose of highlighting maximum potential impacts for consideration in terms of acceptability.

A high extent of view change is not necessarily unacceptable. This may be the case when a proposal contributes to the desired future character of an area that may be different to the existing character.

5.3 Photographs taken

Following a site visit and review, ten (10) representative public domain views have been selected by Architectus for initial consideration of potential impacts, as described in Table 8.

The diagram at Figure 25 illustrates the location of the views and provides an assessment of the importance of the view and the potential for view change.

Table 8. Public domain views selected by Architectus

View number	Reference	Location	View description
View 1	V1	John Street	John Street adjacent to the entrance to Noakes Group’s driveway, looking south towards the site.
View 2	V2	Commodore Crescent	Commodore Crescent at the top of pedestrian stairs, looking south towards the site below.
View 3	V3	Public foreshore walkway	Public foreshore walkway on the east side of Berrys Bay, in front of ‘The Waterman’ development, looking north towards the site.
View 4	V4	Munro Street	Munro Street looking north-west towards the site below.
View 5	V5	Waverton Park (upper level)	Waverton Park (upper level, adjacent to Merrett Playground) looking south-east towards the site below.
View 6	V6	Waverton Park (soccer field)	Waverton Park (soccer field adjacent to Berrys Bay) looking south-east towards the site.
View 7	V7	Larkin Street (north end)	Larkin Street (north end, adjacent to Carradah Park) looking east towards the site below.
View 8	V8	Larkin Street (south end)	Larkin Street (south end, adjacent to Carradah Park) looking east towards the site below.
View 9	V9	Carradah Park	Carradah Park (lower level, north end) looking east towards site.
View 10	V10	Balls Head Reserve	Balls Head Reserve foreshore walking trail looking north-east towards the site.

Consideration of potential impacts from photographs

5.4 Consideration of potential impacts from photographs

The following assessment provides a preliminary review of the impacts that could be expected as a result of the proposed development from the photographs taken by Architectus. This has been completed for Architectus to understand the breadth of impacts of the proposal and in particular whether the photomontages presented by the applicant are appropriate and representative of key views affected.

Views from the north

Views from the north of the site include V1 and V2, where both locations have views of the harbour.

V1 is from John Street, which is a no-through road. The location of this view is the closest view to the site of the views assessed, being close to the vehicle access point to the site. This street has some use by people walking around the Harbour as it is at the end of segment of the foreshore walk. The view is considered to be of low-moderate importance as it will likely only be seen as a glimpsed view between the trees for people walking down John Street on foot. The potential for view change is considered to be high as the proposed development will occupy a large portion of the view and obscure views of the harbour beyond.

V2 is from the top of the pedestrian stairs at Commodore Crescent and provides a view to a large portion of Berrys Bay. The view is considered to be of moderate importance as it is one of the few locations along Commodore Crescent where public views to Berrys Bay are available. The potential for view change is considered to be moderate. While the proposed development will be visible, it will be partly hidden behind trees and views to Berrys Bay will still be visible beyond.

Views from the south

Views V3 and V4 are from public footpaths to the south of the site, whilst V10 is from Balls Head.

V3 is from the public foreshore walkway in front of ‘The Waterman’ development looking north towards the site. The location is directly adjacent to the harbour. The broader panoramic view, of which the photograph is one part, is considered to be of moderate-high importance as it provides an uninterrupted view of Berrys Bay and is from a location adjacent to the harbour that is publicly accessible. The location of the proposed development is somewhat obscured from this location by other boats and piers, so the potential for view change within the broader panoramic view is considered to be low-moderate.

V4 is from Munro Street, a local street elevated above the site, looking north-west towards the site below. Only a small glimpse of Berrys Bay is available from this location. The importance of the view is considered low and the potential for view change is considered negligible.

V10 is also located to the south of the site. The view is from a foreshore walking trail on Balls Head Reserve. The view is looking north-east. The location of this view is the furthest view from the site of the views assessed. While the site is visible, it is a long distance away in this view and forms part of the broader view of Berrys Bay and surroundings. The view location is one of the clearest views towards the site from Balls Head Reserve however is taken from the edge of an open area rather than along the main walking route itself. As such the view importance is considered low-moderate. The potential for view change is also considered low-moderate as the proposed development will not obscure water views and is not likely to become the focus of this view.

Views from the north-west

Views from the north-west are from public open spaces and include V5 and V6.

V5 is from an elevated position above Berrys Bay at Waverton Park (upper area near the Merrett playground). The view is somewhat obstructed by trees, but glimpses of the harbour are visible, with good views to Sydney’s city centre beyond. The subject site is visible from this position but is partly obscured by trees. The view is considered to be

of moderate importance given that it provides city views and views over Berrys Bay from a public park, however is partially obscured. The potential for view change is low because the proposed development will be largely obscured by vegetation.

V6 is from the Waverton Park soccer field looking south-east towards the site. The location is close to the waterfront and provides excellent unobstructed views across Berrys Bay towards the working harbour with the landscape of McMahon’s Point beyond. The location is unique in Sydney as it is uncommon to have public sports fields located directly adjacent to the harbour foreshore. The importance of the view is therefore considered moderate-high. The potential for view change is moderate as the proposed development will be clearly visible in the view but will not entirely obstruct the view.

Views from the west

Views from the west include elevated views from Larkin Street, a local street lined by residential dwellings along the west side (views V7 and V8) and a lower level view from Carradah Park (view V9).

V7 is from the northern part of Larkin Street, adjacent to the upper level of Carradah Park, looking east towards the site below. The view includes Berrys Bay in the foreground, the working harbour and views to the landscape and neighbourhood of McMahon’s Point beyond. The location offers a good position to observe the movement of boats at the working harbour below. The view can be considered representative of views experienced from residential dwellings along Larkin Street (although is likely a better, less obstructed view). As such, the importance of the view is considered moderate. It is noted that from this location the proposed development will be viewed at its longest edge and will likely obscure views to part of Berrys Bay, constitute a reasonable change to the look of the working harbour, and become the focal point of the view. The potential for view change is moderate.

V8 is from the southern end of Larkin Street and represents a similar view to Berrys Bay as V7 but provides a view of the site from a different angle. The view is also adjacent to the upper level of Carradah Park and can be considered representative of views experienced from residential dwellings along Larkin Street. The importance of the view is considered moderate and the potential for view change is moderate for similar reasons to V7.

V9 is from the lower level of Carradah Park, a popular publicly accessible park. The view is from the foreshore walkway and mainly comprises views of Berrys Bay, the working harbour and views to the landscape of McMahon’s Point beyond. The view includes moorings of small recreational boats in Berrys Bay. The view is considered to be of moderate importance as it provides an good view of Berrys Bay and is from a location adjacent to the harbour that is publicly accessible. The potential for view change is moderate as the proposed development will be clearly visible in the view, and is likely to become a focal point of the view, but will not entirely obstruct views of the harbour and surrounding landscape.

Photographs taken



Figure 15. View 1: John Street
John Street looking south towards the site (72mm focal length)
Source: Architectus, dated 3 May 2018



Figure 16. View 2: Commodore Crescent
Commodore Crescent (top of pedestrian stairs) looking south towards the site below (72mm focal length)
Source: Architectus, dated 3 May 2018



Figure 17. View 3: Public foreshore walkway
Public foreshore walkway (in front of 'The Waterman' development) looking north towards the site (72mm focal length)
Source: Architectus, dated 3 May 2018



Figure 18. View 4: Munro Street
Munro Street looking north-west towards the site below (27mm focal length)
Source: Architectus, dated 3 May 2018

Photographs taken



Figure 19. View 5: Waverton Park (upper level)
Waverton Park (upper level, adjacent to Merrett Playground) looking south-east towards the site (72mm focal length)
Source: Architectus, dated 3 May 2018



Figure 20. View 6: Waverton Park (soccer field)
Waverton Park (soccer field adjacent to Berrys Bay) looking south-east towards the site (72mm focal length)
Source: Architectus, dated 3 May 2018



Figure 21. View 7: Larkin Street (north end)
Larkin Street (north end, adjacent to Carradah Park) looking east towards the site below (72mm focal length)
Source: Architectus, dated 3 May 2018



Figure 22. View 8: Larkin Street (south end)
Larkin Street (south end, adjacent to Carradah Park) looking east towards the site below (72mm focal length)
Source: Architectus, dated 3 May 2018

Photographs taken



Figure 23. View 9: Carradah Park
Carradah Park (lower level, north end) looking east towards the site (72mm focal length)
Source: Architectus, dated 3 May 2018



Figure 24. View 10: Balls Head Reserve
Balls Head Reserve foreshore walking trail looking north-east towards the site (72mm focal length)
Source: Architectus, dated 3 May 2018

Photographs taken















Figure 25. Public views selected by Architectus and views selected by the Applicant
Views are classified according to 'view importance' and 'view change' criteria. Views selected by the Applicant are shown in yellow.
Source: Architectus


Table 9. Summary of public domain views assessed

View	Importance of view	Potential for view change
Architectus' public domain views		
V1 - John Street	Low-moderate	High
V2 - Commodore Crescent	Moderate	Moderate
V3 - Public foreshore walkway ('The Waterman')	Moderate-high	Low-moderate
V4 - Munro Street	Low	Negligible
V5 - Waverton Park (upper level)	Moderate	Low
V6 - Waverton Park (soccer field)	Moderate-high	Moderate
V7 - Larkin Street (north end)	Moderate	Moderate
V8 - Larkin Street (south end)	Moderate	Moderate
V9 - Carradah Park	Moderate	Moderate
V10 - Balls Head Reserve	Low-moderate	Low-moderate

Legend

Preliminary consideration of photographic views

		View importance		
		Low	Moderate or low-moderate	High or moderate-high
Likely visibility / Potential for view change	Negligible			
	Low			
	Moderate or low-moderate			
	High or moderate-high			

 Photomontage provided

Consideration of the Applicant’s public view selection for photomontage

5.5 Consideration of the Applicant’s public view selection for photomontage

The public domain views selected by the Applicant for assessment of view change are identified in yellow in Figure 25. The views include public domain views. This VIA assigns a view number to each of the Applicant’s views for comparison with the views provided by this VIA and identified in Table 9. These are further assessed in Chapter 6 of this document.

With regard to the public domain views selected by the Applicant, based on Architectus’ photographic assessment (see Section 5.4), it is considered that reasonable views have been selected for assessment and that the views selected include the locations that are most likely to be impacted by the proposed development.

Views selected by the Applicant include views towards the site from:

- the south – V3 and P1 are equivalent views from the foreshore walkway in front of ‘The Waterman’ development;
- the north – V1 and P5 are views from similar locations on John Street;
- the north-west – V6 and P6 are equivalent views from the Waverton Park soccer field; and
- the west – V7 and V8 are represented by P7.

Based on Architectus’ experience, the photomontages provided appear to provide accurate representations of the floating dry dock. For each view, a photomontage of the floating dry dock is provided:

- in down position with a vessel inside;
- in raised position with no vessel inside and acoustic curtains open; and
- in raised position with vessel inside and acoustic curtains closed.

It is noted that the photomontages of the floating dry dock in the raised position with a vessel inside and closed acoustic curtains includes curtains to each end of the dock, and top curtains.

Architectus considers that the most significant views not included in the Applicant’s photomontage set are locations close to V2, V5 and V10. These views are considered to be of low-moderate or moderate importance and will likely experience low-moderate view change. Nonetheless, it is considered that the Applicant’s selection adequately represents the most significant views.

Architectus would typically provide a ‘before’ photograph together with an ‘after’ photomontage to fully describe and consider each view. These haven’t been provided by the applicant and thus only alternative ‘after’ views are shown. Despite this, it is considered that the visual impact of the proposal can be sufficiently understood from the ‘after’ photomontage only and that this is appropriate for assessment.







6 Photomontage assessment

6.1 Public domain view impacts

Photomontages for five (5) public domain views were provided and assessed by the Applicant, as shown in Figures 26 to 40. The review of each view below is based on Architectus’ criteria (see Section 5.1 of this report) which is based on appropriate considerations from the planning context including the ‘Rose Bay Marina’ planning principles (see Chapter 4 of this report). A summary plan of all views against our criteria is included in Figure 41.

The view importance is similar to those assessed in the photographic assessment (see Section 5), while the impacts are further considered below.

The photomontaged views confirm that the proposed floating dry dock will be visible in view P1 and P2, especially when in the raised position, however it will not impact on any elements of significance within the view and will generally appear as part of the working harbour. Views P5, P6 and P7 are likely to be the most impacted by the proposed development.

P1 - Public foreshore walkway (north)

This view is from the public foreshore walkway to the south of the site and is in front of ‘The Waterman’ apartments looking north. The location is directly adjacent to Berrys Bay. The broader panoramic view, of which view P1 is one part, is considered to be of moderate-high importance as it provides an uninterrupted view of Berrys Bay and is from a publicly accessible location adjacent to the harbour.

The proposed floating dry dock will be partly visible in the view, but largely obscured behind existing harbour infrastructure and moored boats within the area of existing working harbour. The view change is considered to be low.

Summary against criteria:
Importance of view: Moderate-high
View change: Low



Figure 26. View P1 (photomontage of dock in raised position with vessel inside and acoustic curtains closed)
Source: Richard Lamb and Associates, dated 7 November 2019



Figure 27. View P1 (photomontage of dock in down position with vessel inside)
Source: Richard Lamb and Associates, dated 7 November 2019



Figure 28. View P1 (photomontage of dock in raised position with no vessel inside and acoustic curtains open)
Source: Richard Lamb and Associates, dated 7 November 2019

Public domain view impacts

P2 - Public foreshore walkway (south)

This view is also from the public foreshore walkway to the south of the site looking north. The view is from the southern side of an elevated boardwalk and is approximately 80m to the south of P1. The view forms one part of a broader panoramic view and is considered to be of moderate-high importance as it provides an uninterrupted view of Berrys Bay and is from a publicly accessible location adjacent to the harbour.

The proposed floating dry dock will be largely obscured in the view behind existing harbour infrastructure and moored boats within the existing working harbour. The view change is considered to be low.

Summary against criteria:
Importance of view: Moderate-high
View change: Low



Figure 29. View P2 (photomontage of dock in raised position with vessel inside and acoustic curtains closed)
Source: Richard Lamb and Associates, dated 7 November 2019



Figure 30. View P2 (photomontage of dock in down position with vessel inside)
Source: Richard Lamb and Associates, dated 7 November 2019



Figure 31. View P2 (photomontage of dock in raised position with no vessel inside and acoustic curtains open)
Source: Richard Lamb and Associates, dated 7 November 2019

Public domain view impacts

P5 - John Street

This view is from John Street, which is a no-through road however it forms part of the broader foreshore walk network where the foreshore is not accessible for a short distance (across the subject site). The view includes the working harbour in the foreground, including the existing car parking area, Berrys Bay and views of Balls Head Reserve beyond. The view is considered to be of low-moderate importance, as it will likely only be seen as a glimpsed view between the trees from a small street that is not a primary place for obtaining views.

The view change is considered to be high as the proposed floating dry dock will occupy a large portion of the view and obscure views of the harbour beyond.

From this view, the acoustic curtains at the end of the vessel will add slightly to the perceived bulk of the vessel, compared to where the curtains are open. However the curtains do not cause additional view loss to the harbour beyond or alter the quality of the view.

Summary against criteria:
Importance of view: Low-moderate
View change: High



Figure 32. View P5 (photomontage of dock in raised position with vessel inside and acoustic curtains closed)
Source: Richard Lamb and Associates, dated 7 November 2019



Figure 33. View P5 (photomontage of dock in down position with vessel inside)
Source: Richard Lamb and Associates, dated 7 November 2019



Figure 34. View P5 (photomontage of dock in raised position with no vessel inside and acoustic curtains open)
Source: Richard Lamb and Associates, dated 7 November 2019

Public domain view impacts

P6 - Waverton Park (soccer field)

This view is from the Waverton Park soccer field and includes water views of Berrys Bay in the foreground, including moored boats on the bay, the working harbour to the left of the view and the neighbourhood of McMahons Point beyond. The view also includes good views of Sydney Harbour and the city skyline beyond and is considered to be of moderate-high view importance.

A large portion of the proposed floating dry dock will be visible from this location and it will be prominent within the view, especially when in the raised position. However, the broader view, including Sydney Harbour and the city skyline will remain largely unaffected by the proposal. The view change is considered to be moderate.

Summary against criteria:
Importance of view: Moderate-high
View change: Moderate



Figure 35. View P6 (photomontage of dock in raised position with vessel inside and acoustic curtains closed)
Source: Richard Lamb and Associates, dated 7 November 2019



Figure 36. View P6 (photomontage of dock in down position with vessel inside)
Source: Richard Lamb and Associates, dated 7 November 2019



Figure 37. View P6 (photomontage of dock in raised position with no vessel inside and acoustic curtains open)
Source: Richard Lamb and Associates, dated 7 November 2019

Public domain view impacts

P7 - Larkin Street (centre)

This view is from the Centre of Larkin Street, adjacent to the upper level of Carradah Park, looking east towards the site below. The view includes Berrys Bay, the working harbour and views to the neighbourhood of McMahons Point beyond. The location offers a good position to observe the working harbour and can be considered representative of views experienced from residential dwellings along Larkin Street (although is likely a better, less obstructed view). The view importance is therefore considered to be moderate.

The proposed floating dry dock will be viewed from the side from this location and, when in the raised position, will appear as a solid wall, thereby becoming prominent within the view. However, despite this, the broader view of important elements including the water and Sydney Harbour Bridge will be largely retained. The top acoustic curtains of the vessel would be somewhat visible (when closed), however the curtains would not cause additional impact to the view. The view change is therefore considered to be moderate.

Summary against criteria:
Importance of view: Moderate
View change: Moderate



Figure 38. View P7 (photomontage of dock in raised position with vessel inside and acoustic curtains closed)
Source: Richard Lamb and Associates, dated 7 November 2019



Figure 39. View P7 (photomontage of dock in down position with vessel inside)
Source: Richard Lamb and Associates, dated 7 November 2019



Figure 40. View P7 (photomontage of dock in raised position with no vessel inside and acoustic curtains open)
Source: Richard Lamb and Associates, dated 7 November 2019

Public domain view impacts

Public domain views assessed



Figure 41. Public views selected by the Applicant for assessment
Views are classified according to 'view importance' and 'view change' criteria
Source: Architectus

Table 10. Summary of public domain views assessed

View	Importance of view	View change
Applicant's public domain views		
P1 - Public foreshore walkway (north)	Moderate-high	Low
P2 - Public foreshore walkway (south)	Moderate-high	Low
P5 - John Street	Low-Moderate	High
P6 - Waverton Park (soccer field)	Moderate-high	Moderate
P7 - Larkin Street (centre)	Moderate	Moderate

Legend

Preliminary consideration of photographic views

		View importance		
		Low	Moderate or low-moderate	High or moderate-high
Likely visibility / Potential for view change	Negligible
	Low	→	→	→
	Moderate or low-moderate	→	→	→
	High or moderate-high	→	→	→

Private view impacts

6.2 Private view impacts

Twelve (12) private view photomontages were assessed by the applicant. Of these, a selection of views are shown in Figures 42 to 75.

Architectus' review of the private view photomontages is based on our criteria (see Section 5.1 of this report) which is based on appropriate considerations from the planning context including the 'Tenacity' principles (see Chapter 4 of this report). The final step in 'Tenacity' is to assess the reasonableness of the proposal, which is considered within Chapter 7 of this report. A summary plan of all views against our criteria is included in Figure 76.

The private views selected are generally considered to be of high importance as they are primary views from living areas that include important elements (water views) and are across front or rear boundaries. The primary exception to this is P14 which is a view from a bedroom which is not given the same significance under 'Tenacity' as a living area.

Views from the south (Munro Street)

P3 - 4/17 Munro St

This is a north facing view. The view includes the working harbour in the foreground, Berrys Bay to the left of the view and views to the landscape and neighbourhood of Waverton beyond. The importance of the view is considered to be high.

The proposed floating dry dock will be partly visible in the view, but largely obscured behind existing harbour infrastructure and moored boats within the area of existing working harbour uses. When in the closed position, the acoustic curtains at the end of the vessel will add slightly to the perceived bulk of the vessel from this view. The view change is considered to be moderate.

Summary against criteria:
Importance of view: High
View change: Moderate



Figure 42. View P3 (photomontage of dock in raised position with vessel inside and acoustic curtains closed)
Source: Richard Lamb and Associates, dated 7 November 2019



Figure 43. View P3 (photomontage of dock in down position with vessel inside)
Source: Richard Lamb and Associates, dated 7 November 2019



Figure 44. View P3 (photomontage of dock in raised position with no vessel inside and acoustic curtains open)
Source: Richard Lamb and Associates, dated 7 November 2019

Private view impacts

P16 - 5/18 Munro St

The view is from a standing position on the lower floor balcony. Similarly to view P3 above, the importance of the view is considered to be high.

The proposed floating dry dock will be largely obscured behind existing harbour infrastructure and moored boats and the broader view of the Harbour will be retained. The view change is considered to be moderate.

Summary against criteria:
Importance of view: High
View change: Moderate



Figure 45. View P16 (photomontage of dock in raised position with vessel inside and acoustic curtains closed)
Source: Richard Lamb and Associates, dated 7 November 2019



Figure 46. View P16 (photomontage of dock in down position with vessel inside)
Source: Richard Lamb and Associates, dated 7 November 2019



Figure 47. View P16 (photomontage of dock in raised position with no vessel inside and acoustic curtains open)
Source: Richard Lamb and Associates, dated 7 November 2019

Private view impacts

P17 - 5/17 Munro St

The view is from a standing position on the lower floor balcony. The view is also of the working harbour, Berrys Bay and the neighbourhood of Waverton beyond. The importance of the view is considered to be high.

While this view is from a higher angle than P16, the view change is considered to be similar given that the proposed floating dry dock will be viewed within the area of existing working harbour uses and will not be the focus of the view. The view change is considered to be moderate.

Summary against criteria:
Importance of view: High
View change: Moderate



Figure 48. View P17 (photomontage of dock in raised position with vessel inside and acoustic curtains closed)
Source: Richard Lamb and Associates, dated 7 November 2019



Figure 49. View P17 (photomontage of dock in down position with vessel inside)
Source: Richard Lamb and Associates, dated 7 November 2019



Figure 50. View P17 (photomontage of dock in raised position with no vessel inside and acoustic curtains open)
Source: Richard Lamb and Associates, dated 7 November 2019

Private view impacts

View from the west

P4 - Shipbuilders Walk

This view is from Shipbuilders Walk adjacent to the moored SS South Steyne. The view is of Berrys Bay in the foreground and the working harbour beyond.

At the time of visitation by the project team there was no public access to this viewing location (see Figure 51) hence it is included as a private view in this analysis. If public access is provided to this location in the future it's importance would be categorised as low to moderate and not form a focus of public domain view assessment to Architectus as:

- it will be accessed by wharf users only due to not being on the primary walking path; and
- primary views from the area are generally south towards Sydney Harbour, not towards the site.

The view is considered to be of moderate importance. The view change is considered to be high as the proposed dry dock (viewed from the side) would become a focal point of the view.

Summary against criteria:
Importance of view: Moderate
View change: High



Figure 51. No access to Shipbuilders Walk to View P4
Source: Architectus



Figure 52. View P4 (photomontage of dock in raised position with vessel inside and acoustic curtains closed)
Source: Richard Lamb and Associates, dated 7 November 2019



Figure 53. View P4 (photomontage of dock in down position with vessel inside)
Source: Richard Lamb and Associates, dated 7 November 2019



Figure 54. View P4 (photomontage of dock in raised position with no vessel inside and acoustic curtains open)
Source: Richard Lamb and Associates, dated 7 November 2019

Private view impacts

Views from the north (John Street and
Commodore Crescent)

P8 - 2/13 John Street

The view is from a standing position within the terrace on the west side of the building. The view includes the working harbour in the foreground, Berrys Bay and views of Balls Head Reserve beyond. Glimpses of the city are visible on the horizon. The importance of the view is considered to be high.

The proposed floating dry dock will be partly visible in the view (partly obscured behind trees), and will be a feature of the foreground, but will not obscure broader views of Berrys Bay or Balls Head Reserve. The view change is considered to be moderate.

Summary against criteria:
Importance of view: High
View change: Moderate



Figure 55. View P8 (photomontage of dock in raised position with vessel inside and acoustic curtains closed)
Source: Richard Lamb and Associates, dated 7 November 2019



Figure 56. View P8 (photomontage of dock in down position with vessel inside)
Source: Richard Lamb and Associates, dated 7 November 2019



Figure 57. View P8 (photomontage of dock in raised position with no vessel inside and acoustic curtains open)
Source: Richard Lamb and Associates, dated 7 November 2019

Private view impacts

P9 - 1/13 John Street

This view is from the same building as view P8. The view is from the terrace on the west side of the building and is from a standing position. The view is of Berrys Bay and Balls Head Reserve beyond, with the working harbour being less visible in this view than view P8. The importance of the view is considered to be high.

Only a portion of the proposed floating dry dock will be visible. The majority of the water view is retained even with the vessel in the 'up' position as well as the entirety of Balls Head and the horizon views. The view change is considered to be low-moderate.

Summary against criteria:
Importance of view: High
View change: Low-Moderate



Figure 58. View P9 (photomontage of dock in raised position with vessel inside and acoustic curtains closed)
Source: Richard Lamb and Associates, dated 7 November 2019



Figure 59. View P9 (photomontage of dock in down position with vessel inside)
Source: Richard Lamb and Associates, dated 7 November 2019



Figure 60. View P9 (photomontage of dock in raised position with no vessel inside and acoustic curtains open)
Source: Richard Lamb and Associates, dated 7 November 2019

Private view impacts

P10 - 1/11 John Street

This view is from a standing position within the living room of an apartment on the west side of the building. The view is almost at street level and given the low view angle, the working harbour is prominent in the view. The view also includes water views of Berrys Bay and the Balls Head Reserve ridgeline beyond. The view is considered to be of high importance.

The proposed floating dry dock will appear as a prominent feature in the foreground, particularly when raised where the more distant views of Sydney Harbour will be impacted. It will obscure part of the water views from this location. A portion of water views will remain visible in the foreground of this view and views to Balls Head Reserve will not be obstructed. The view change is considered to be moderate-high.

Summary against criteria:
Importance of view: High
View change: Moderate-High



Figure 61. View P10 (photomontage of dock in raised position with vessel inside and acoustic curtains closed)
Source: Richard Lamb and Associates, dated 7 November 2019



Figure 62. View P10 (photomontage of dock in down position with vessel inside)
Source: Richard Lamb and Associates, dated 7 November 2019



Figure 63. View P10 (photomontage of dock in raised position with no vessel inside and acoustic curtains open)
Source: Richard Lamb and Associates, dated 7 November 2019

Private view impacts

P11 - 11/9 Commodore Crescent

This view is from a standing position on the balcony of the building. The location provides a high view angle and includes the working harbour below, and views of Berrys Bay and Balls Head Reserve beyond. Glimpses of the city are visible on the horizon. The view importance is considered to be high.

The proposed floating dry dock will be visible in the view, and will likely be a significant feature of the foreground, however will not obscure broader views of Berrys Bay or Balls Head Reserve. The view change is considered to be moderate-high.

Summary against criteria:
Importance of view: High
View change: Moderate-High



Figure 64. View P11 (photomontage of dock in raised position with vessel inside and acoustic curtains closed)
Source: Richard Lamb and Associates, dated 7 November 2019



Figure 65. View P11 (photomontage of dock in down position with vessel inside)
Source: Richard Lamb and Associates, dated 7 November 2019



Figure 66. View P11 (photomontage of dock in raised position with no vessel inside and acoustic curtains open)
Source: Richard Lamb and Associates, dated 7 November 2019

Private view impacts

P12 - 5 Commodore Crescent

The view is from a standing position on a balcony (south-east side of the building), and includes the working harbour in the foreground, Berrys Bay, Balls Head Reserve and the city skyline. The importance of the view is considered to be high.

The floating dry dock will be visible in the view, and will likely be a significant feature of the foreground, however will not obscure broader views of Berrys Bay or the city skyline. The potential for view change is considered to be moderate-high.

Summary against criteria:
Importance of view: High
View change: Moderate-High



Figure 67. View P12 (photomontage of dock in raised position with vessel inside and acoustic curtains closed)
Source: Richard Lamb and Associates, dated 7 November 2019



Figure 68. View P12 (photomontage of dock in down position with vessel inside)
Source: Richard Lamb and Associates, dated 7 November 2019



Figure 69. View P12 (photomontage of dock in raised position with no vessel inside and acoustic curtains open)
Source: Richard Lamb and Associates, dated 7 November 2019

Private view impacts

P13 - 3 Commodore Crescent - apex of two terraces standing

The view is looking south over Sydney Harbour towards the city skyline. The importance of the view is considered to be high.

The working harbour is visible in the view but is not considered to be the focus of the view. As such, the important elements in the view including majority of the water view, CBD skyline and Balls Head will not be obstructed by the proposal. The view change is considered to be moderate.

Summary against criteria:
Importance of view: High
View change: Moderate



Figure 70. View P13 (photomontage of dock in raised position with vessel inside and acoustic curtains closed)
Source: Richard Lamb and Associates, dated 7 November 2019



Figure 71. View P13 (photomontage of dock in down position with vessel inside)
Source: Richard Lamb and Associates, dated 7 November 2019



Figure 72. View P13 (photomontage of dock in raised position with no vessel inside and acoustic curtains open)
Source: Richard Lamb and Associates, dated 7 November 2019

Private view impacts

P14 - 3 Commodore Crescent - first floor bedroom

The view towards Berrys Bay is largely obscured by vegetation, however glimpses of the water and the working harbour are visible. The broader view of Berrys Bay, Balls Head Reserve and the horizon is not visible from this location as it is in other views considered. As described in ‘Tenacity’ the impact on views from living areas is also considered more significant than from bedrooms. The view importance is considered to be moderate.

Despite being partly obscured by trees, the proposed floating dry dock will likely be prominent in the view. The view change is considered to be moderate-high.

Summary against criteria:
Importance of view: Moderate
View change: Moderate-High

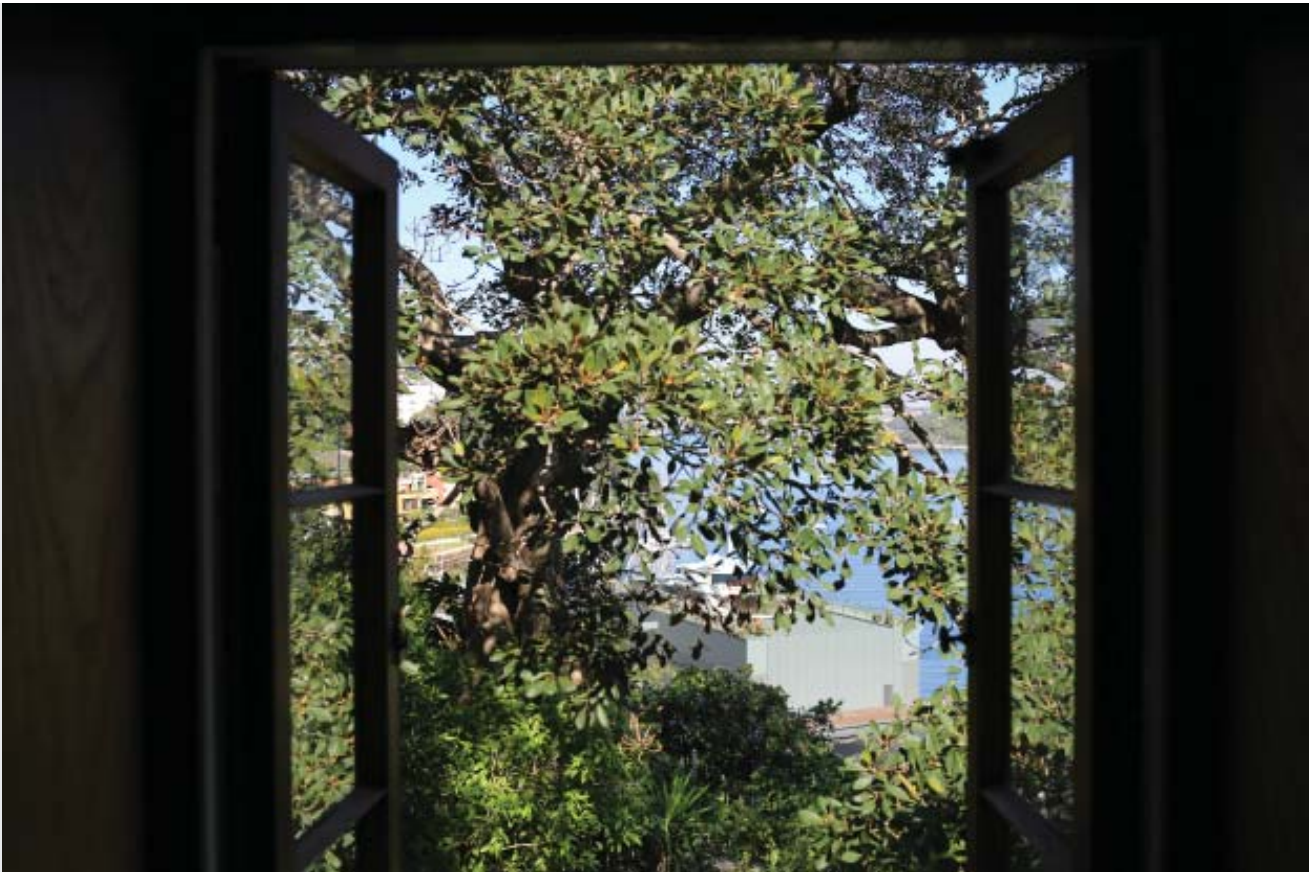


Figure 73. View P14 (photomontage of dock in raised position with vessel inside and acoustic curtains closed)
Source: Richard Lamb and Associates, dated 7 November 2019

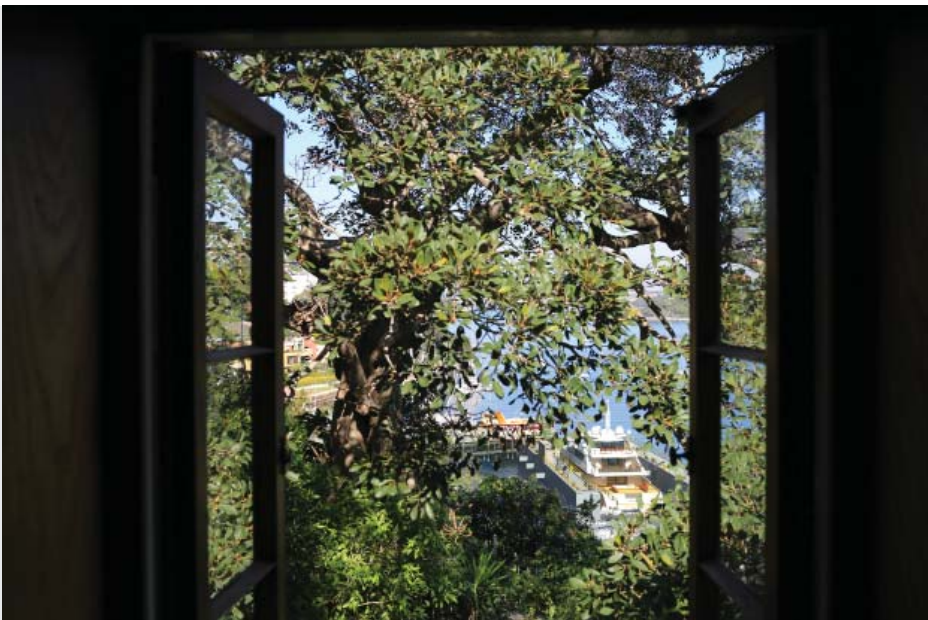


Figure 74. View P14 (photomontage of dock in down position with vessel inside)
Source: Richard Lamb and Associates, dated 7 November 2019



Figure 75. View P14 (photomontage of dock in raised position with no vessel inside and acoustic curtains open)
Source: Richard Lamb and Associates, dated 7 November 2019

Private view impacts

Private domain views assessed



Figure 76. Private views selected by the Applicant for assessment (note: views are positioned approximately only)
Views are classified according to 'view importance' and 'view change' criteria
Source: Architectus

Table 11. Summary of private domain views assessed

View	Importance of view	View change
Applicant's private domain views		
P3 (RLA 2018 Position 3) Level 2, Unit 4/17 Munro St	High	Moderate
P4 (RLA 2018 Position 4) Shipbuilders Walk	Moderate	High
P8 (RLA 2019 View 01) 2/13 John St Terrace West side standing	High	Moderate
P9 (RLA 2019 View 02) 1/13 John St Terrace West side standing	High	Low-Moderate
P10 (RLA 2019 View 03) 1/11 John St Terrace West side standing	High	Moderate-High
P11 (RLA 2019 View 04) 11/9 Commodore Cres Living balcony standing	High	Moderate-High
P12 (RLA 2019 View 05) 5 Commodore Cres Balcony SE side standing	High	Moderate-High
P13 (RLA 2019 View 06) 3 Commodore Cres apex of 2 terraces standing	High	Moderate
P14 (RLA 2019 View 07) 3 Commodore Cres first floor bedroom	Moderate	Moderate-High
P15 (RLA 2019 View 08) 7 Commodore Cres entry level balcony west side standing	High	Moderate
P16 (RLA 2019 View 09) 5/18 Munro St lower floor balcony standing	High	Moderate
P17 (RLA 2019 View 10) 5/17 Munro St Lower floor balcony standing	High	Moderate

Legend

Preliminary consideration of photographic views

		View importance		
		Low	Moderate or low-moderate	High or moderate-high
Likely visibility /Potential for view change	Negligible
	Low	→	→	→
	Moderate or low-moderate	→	→	→
	High or moderate-high	→	→	→





7 Conclusion and recommendations

Conclusion and recommendations

7.1 Appropriateness of VIA material provided for assessment

Architectus has undertaken our own site visit and review (see Chapter 5 of this report) to understand visual context and whether the photomontages provided by the applicant are appropriate in describing the visual context and affected views. In summary of this, the photomontages provided are considered sufficient for Architectus to provide an assessment of the view change and visual impact resulting from the proposed development.

The VIA material prepared by the Applicant for the proposed development, including the recently prepared UVIA, is considered reasonable and adequate for the purpose of DA57/2019. It is noted that the existing photograph is not provided for every view which we would consider to be best practice, however it is considered that the information provided is sufficient to assess the proposal and its visual impacts. It is noted that photomontages from waterway users are not provided, however it is considered that the number of waterway users in Berrys Bay is minor and the view assessment material provided is sufficient to assess the impact on these users as required by the Secretary’s Environmental Assessment Requirements (SEARs).

This VIA provides a review of visual impact using the Applicant’s selection of photomontaged views, and as such, it is not a direct assessment of the Applicant’s VIA against the SEARs.

7.2 Summary of impacts

Based on the review undertaken, the most significant impacts are as follows:

Public domain views within the vicinity of the site include most significantly impacts to the north and west of Berrys Bay. Moderate impacts to views of moderate or moderate-high importance assessed include:

- P6 from Waverton Park (soccer field); and
- P7 from Larkin Street (centre).

Although the proposal is visible and has a level of prominence in these public domain views, the key elements of importance within the existing views are retained, including views to the water, the Sydney CBD skyline and landforms.

One further view (P5) from John Street has low-moderate importance but a high view change as it is directly in front of the site.

Private views of high importance that are anticipated to be most impacted by the proposed development (moderate-high impact) are views from the north of the site along John Street, including:

- View P10 from 1/11 John Street;
- P11 from 11/9 Commodore Crescent;
- P12 from 5 Commodore Crescent.

There is one further view assessed as a moderate-high impact (P14) however this is of moderate importance as it is from a bedroom which is not considered as important as a primary living space under the ‘Tenacity’ principles.

There are a range of other locations that have been assessed as moderate impact on a high importance view, both from the north around John Street / Commodore Crescent (P8, P13, P15) and from the south along Munro Street (P3, P16, P17).

7.3 Appropriateness of proposal

The proposed development is for the purpose of a floating dry dock facility which will be located at the land and land/water interface of the site.

The development proposed is consistent with the land use objectives for the *IN4 Working Waterfront* zone under the North Sydney LEP 2013 to retain waterfront industrial and maritime activities at the site and encourage employment opportunities.

It should also be noted that the SREP (Sydney Harbour Catchment) 2005 describes a need to ‘preserve the character and functions of a working harbour in relation to both current and future demand’. The proposal is consistent with this character.

However, there are also important considerations within policy to maintain, protect and enhance views and minimise adverse impact on views (both public domain and private) that should be considered.

Related to this is the *Tenacity* principle for assessment of visual impact which discusses whether a ‘more skilful design could provide the Applicant with the same development potential and amenity and reduce the impact on the views of neighbours’.

The Environmental Impact Statement (EIS) for the project includes a description of the purpose of the proposal and provides consideration of alternative development options (such as alternative mooring locations), which is the key consideration in assessing the above. Subject to this being accepted by Council, it is considered that the test for the above minimisation of adverse effects and ‘more skilful design’ test are met.

The inclusion of acoustic curtains to the end and top of the floating dry dock will add slightly to the perceived bulk of the vessel from select views when closed. However the minimal additional impact is justified by the reduction in acoustic impacts to surrounding residents, workers and the public.

A set of potential mitigation measures has been developed by Architectus for consideration by Council and the Applicant to minimise the proposal’s visual impact. These are set out below. Subject to consideration of these, the development is appropriate and acceptable with regard to its impact on both public domain and private views.

Recommended mitigation measures

1. Paint the floating dry dock a colour that blends into the marine environment as best as possible and causes minimal contrast with the water colour (including the plant room). This could be a dark blue or dark green colour (rather than the proposed pale grey). This is most important for views from Larkin Street and Carradah Park where the floating dry dock is viewed from the side and appears as a large block of flat colour that is prominent in its context.
2. The acoustic curtains enveloping the dock should also be a dark blue or dark green colour (rather than grey, as proposed). The acoustic curtains should be a non-reflective material.
3. Subject to any relevant safety standards and requirements, the railings on the top of the floating dry dock are recommended to be painted a neutral colour that blends into the marine environment as best as possible, rather than bright yellow.
4. It is recommended that flood-lighting or security lighting is not used or is minimised where possible. It is noted that this is a condition of the existing hours of operation consent for the working harbour.

Conclusion and recommendations

7.4 Comparison to conclusions of Applicant's VIA

Architectus has reviewed the following documents submitted by the Applicant:

- Visual Impact Assessment, dated December 2017;
- Updated Visual Impact Assessment, dated February 2019; and
- Updated Visual Impact Assessment (amended proposal with top acoustic curtains), dated 7 November 2019.

Generally, with the exception of a small set of recommended mitigation measures, this VIA provides a conclusion consistent with both of these documents.

It is noted that the methodology for the assessment of views is different between the RLA assessments and Architectus assessment, thereby resulting in slightly differing approaches to view categorisation, which is to be expected as approaches to the assessment of visual impact do vary across the industry.

However, it is agreed by both RLA and Architectus' assessments that while the proposed development will cause some localised view change, the proposed development is consistent with the working harbour character of the site which is desired in policy to continue into the future. Although there is noted in both Architectus and RLA's assessments to be some view loss to private residences, it is agreed that this does not make the proposed use unacceptable in visual impact terms with regard to relevant planning policy and visual impact assessment standards.

However this report sets out four potential mitigation measures that we believe should be considered by Council.

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