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CITY OF CANADA BAY GLADESVILLE BRIDGE MARINA EXTENSION

PEER REVIEW OF VISUAL IMPACT ASSESSMENT

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Cover page: Gladesville Bridge Marina looking at Gladesville Bridge
This page: Gladesville Bridge Marina



GLADESVILLE BRIDGE MARINA EXTENSION PEER REVIEW OF VISUAL IMPACT ASSESSMENT

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AUTHOR OF THIS REVIEW

Crosbie Lorimer is a Landscape Architect, Landscape Ecologist and Fellow of the Australian Institute of Landscape Architects (AILA). He is the Managing Director of CLOUSTON Landscape Architects, Landscape Planners and Urban Designers and has some 40 years' experience in all aspects of landscape design and landscape planning in the UK and Australia (in Sydney since 1989).

Crosbie has 30 years' experience in providing expertise to both the public and private sector in preparing landscape character studies, scenic management strategies and visual impact assessments. Much of this experience has been based on both urban and natural river landscapes and developments in Sydney and across NSW.

In those roles Crosbie has been an Expert Witness in the NSW Land and Environment Court on numerous occasions since the early 1990s, undertaking the Court's Certificate in Expert Witness Evidence in 2012. Crosbie has also prepared LCVIAs for several marina developments or extensions for sites on the Parramatta River and on Sydney Harbour.

Project experience of relevance to this review includes:

- Parramatta River Foreshores Strategic Guidelines (Parramatta City Council) -1994
- Lake Macquarie Scenic Development Guidelines (subsequently integrated into the LMCC LEP) – 1996
- Georges River Foreshores Scenic Guidelines – 2004
- Hunters Hill Marina Extension LCVIA - 2014
- Berry's Bay Marina LCVIA - 2016
- NSW Art Gallery Sydney Modern Extension LCVIA – 2018
- Bays District Fishmarkets LCVIA - 2018
- The Bays West Precinct LCVIA for Infrastructure NSW - 2020

Under Crosbie's guidance CLOUSTON has continuously refined and developed LCVIA methodologies from varying best practice sources across the world over the last 25 years.

That expertise has been recognised by the NSW State Government through Crosbie's role in assisting Transport for NSW (formerly RMS) to update and refine their LCVIA methodology and NSW DPIE in developing their VIA methodology for windfarm assessments.

Crosbie Lorimer is an experienced yachtsman and is a photojournalist in the sailing world, regularly contributing technical articles and photographs for magazines and websites in Australia and overseas. Consequently he has a strong working knowledge of all aspects boating. In that role he also has experience in the use of professional photographic equipment and software.



Fig trees at Five Dock Point

1.0 INTRODUCTION

PROJECT BACKGROUND

The Gladesville Bridge Marina is located west of Gladesville Bridge on the Parramatta River. The existing marina comprises 50 large marine berths and 44 swing moorings.

Gladesville Bridge Marina Extension proposed by GHD for GMB Pty Ltd was originally submitted under DA2019/0308 and has been revised as per GHD drawing 21-27558-K101 Rev H dated 25th August 2020. The revised proposal comprises the alternation and additions to the marina berth layout of the existing Gladesville Bridge Marina including:

- Alterations and additions to the marina berth layout to provide overall storage of 126 vessels comprising 15 swing moorings and 111 floating berths. Increasing floating berth spaces from 50 to 111. The marina generally extends East in front of a number of foreshore properties in Victoria Place and Drummoyne Avenue.
- Removal of 29 swing moorings and retention of 15 swing moorings.
- Cessation of slipway activities including the removal of slipway rails and demolition of internal office mezzanine structure within the covered slipway area. Installing a public kayak pontoon on the site of the existing slipway.
- Provision of 8 valet car parking spaces within the existing slipway area.
- Ancillary kiosk amended to neighbourhood shop.

This document, commissioned by the City of Canada Bay provides a peer review of the visual impact assessment of the proposed marina extension.

VISUAL IMPACT ASSESSMENT

ARPL (Anthony Rowan Pty Ltd) has prepared a Visual Impact Assessment (dated 8th December 2020) addressing the proposed extension of the existing Gladesville Bridge Marina. The report addresses the following relevant planning policy and guidance:

- The requirements of the Sydney Harbour Foreshores and Waterways Area DCP for SREP (Sydney Harbour Catchment) 2005 DCP ('DCP') provisions as detailed in section D.1.4 of the document
- The Land and Environment Court Planning Principle for Public Domain Views (Rose Bay Marina Pty Limited vs Woollahra Municipal Council and anor (2013) NSWLEC 1046) ('public domain view planning principle') addressing the potential for impact upon views from both the public domain and from residential property
- The Land and Environment Court Planning Principle for Private Property Views (Tenacity Consulting vs Warringah Council (2004) NSWLEC104) ('private view planning principle') addressing the potential for impact upon views from private properties.



Viewing from Huntleys Points Wharf lookout to Gladesville Bridge Marina

1.0 INTRODUCTION

GENERAL OVERVIEW OF THE VIA

It is clear from the VIA that the author is experienced in this field of work; the background site appraisal is generally comprehensive (a visual catchment map would assist), the overview of the relevant planning context covers the principal policy areas and identifies the primary sources for an appropriate methodology. The proposal is also described in some detail.

The author also provides a reasonable critique of the shortcomings of some of the NSW State government's methodologies, most notably the Sydney Harbour Foreshores and Waterways Area DCP, Appendix D. While not necessarily agreeing with all aspects of this critique, I would concur that some areas of this methodology for VIA preparation for marinas can create quite uniform visual impact ratings that the experienced VIA specialist and the lay person alike might question.

It should be acknowledged however that no two sites are the same and by their nature such methodologies – which are guidelines only and have no statutory status – implicitly infer that the authors of VIAs should bring their experience to adapting these methodologies to those site specifics and vagaries.

Consequently, given the VIA author's experience in this field it is surprising that the VIA itself applies the guidelines unamended or unqualified, seeming to infer that the weaknesses in the guidelines – specifically those of the SHFWA DCP - make the conclusions unreliable.

In the same vein the VIA uses the Land and Environment Court's Principles derived from the Rose Bay Marina Judgement to evaluate individual views and draw a rating for each view based solely on the written Principle.

By their nature the L and E Court guidelines are Principles only and thus do not contain the detail criteria for each Principle that allows the reader to assess the consistent basis on which the impact rating may vary. It is reasonable to assume that a VIA author would set out those criteria for each Principle to assist the reader in assessing whether the rating seems reasonable.

In my experience, the Court and the Commissioners are seeking to establish that the witness has adopted a robust methodology and where appropriate adapted and refined that methodology– in line with accepted best practice principles - to the site's unique features and variabilities. I do not see this approach adopted in this VIA, despite the author's obvious experience in the field.

As a consequence of the VIA's approach to the principal methodologies I find the impact ratings in many cases unduly 'flattened'– especially for the public views – with a number of similar ratings for different views where a significant degree of variation in impact would seem evident, even from a cursory view.

2.0 The Proposal



Gladesville Bridges Marina

2.0 THE PROPOSAL

THE STUDY AREA

The existing marina is located on the waterway of the Parramatta River (east of Five Dock Point and Victoria Place). The marina is within a leased portion of the river waterway, with an arm connection to the foreshore (a hardstand area).

Access to the marina is via a shared access driveway from Victoria Place to the waterside. A dwelling (with separate level access to the footway of Victoria Place) is located directly above the marina-related office accommodation. The building in which the commercial operational offices are located is three-storeys. The marina facility occupies the two lower levels. Pedestrian access to the marina office accommodation is via the marina hardstand and driveway (not directly from Victoria Place).

The current marina has the capacity to accommodate up to 99 vessels. There are currently 55 fixed berths and 44 swing moorings. Details of the location of the swing moorings accompany the development application.

The berthing arms of the existing marina comprise floating pontoons, stabilised by fixed pylons. The level of the pontoons rises and falls with the tide on the river.

The hardstand area at the foreshore of the river provides for parking, and includes a slipway for boat/ marine repairs.

THE PROPOSAL

The proposal describes alterations and additions to the marina berth layout to provide overall storage for 126 vessels, comprising 15 swing moorings and 111 floating berths, (being a reduction in the total number of vessels compared to the original proposal). The works include:

- removal of 29 existing moorings and retention of 15 existing swing moorings;
- construction of 61 new floating berth spaces of varying sizes, that increases the number of floating berths from 50 to 111 berths;
- cessation of slipway activities;
- demolition of the slipway rails and demolition of the internal office mezzanine structure within the covered slipway area; and
- provision of 8 valet car parking spaces within the existing slipway area.

In summary, and as depicted on the GHD Plan, the following modifications are proposed to the marina:

- Removal of the existing arm connecting to the jetty pedestrian walkway from the hardstand;
- Provision of new Arms A, B and C close to the hardstand (located west of the two existing south-west/ north-east marina arms);
- Extension of Arms D and E.
- The marina layout provides for 111 berths.

2.0 THE SITE AND PRECINCT PLAN

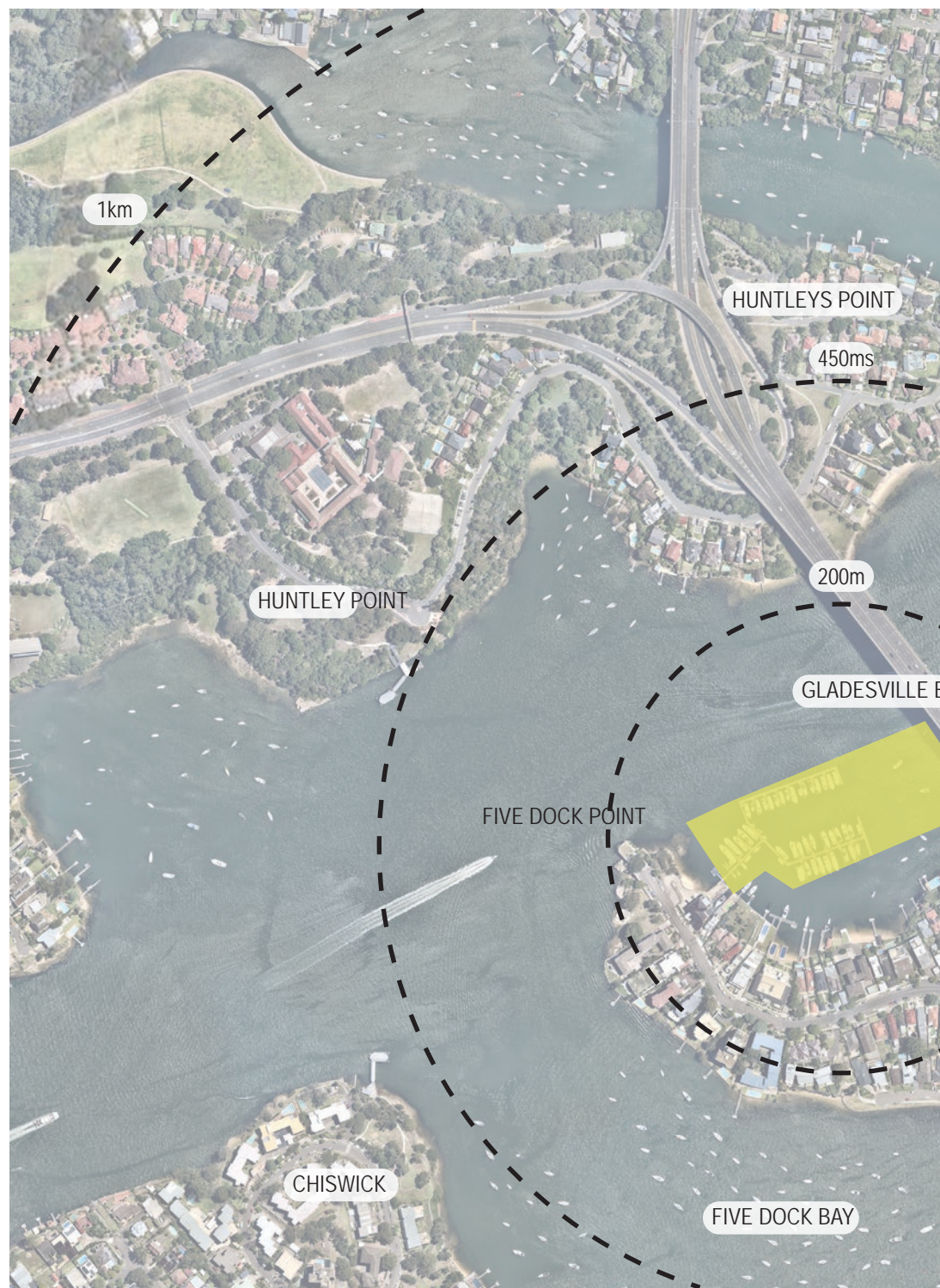


Figure 2.1 - Site context of the study area (source nearmaps)



SITE OF THE PROPOSAL



2.0 THE PROPOSAL

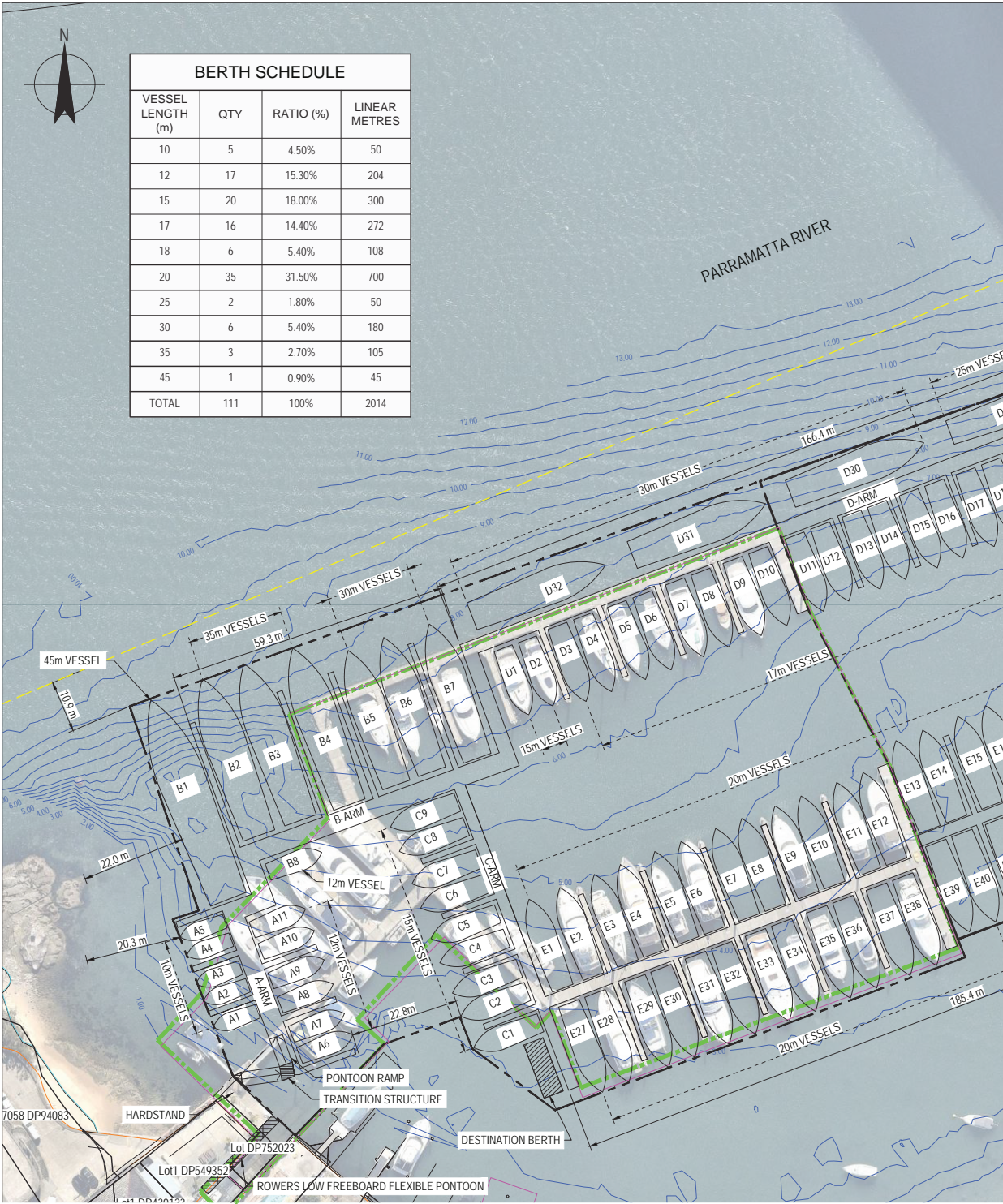
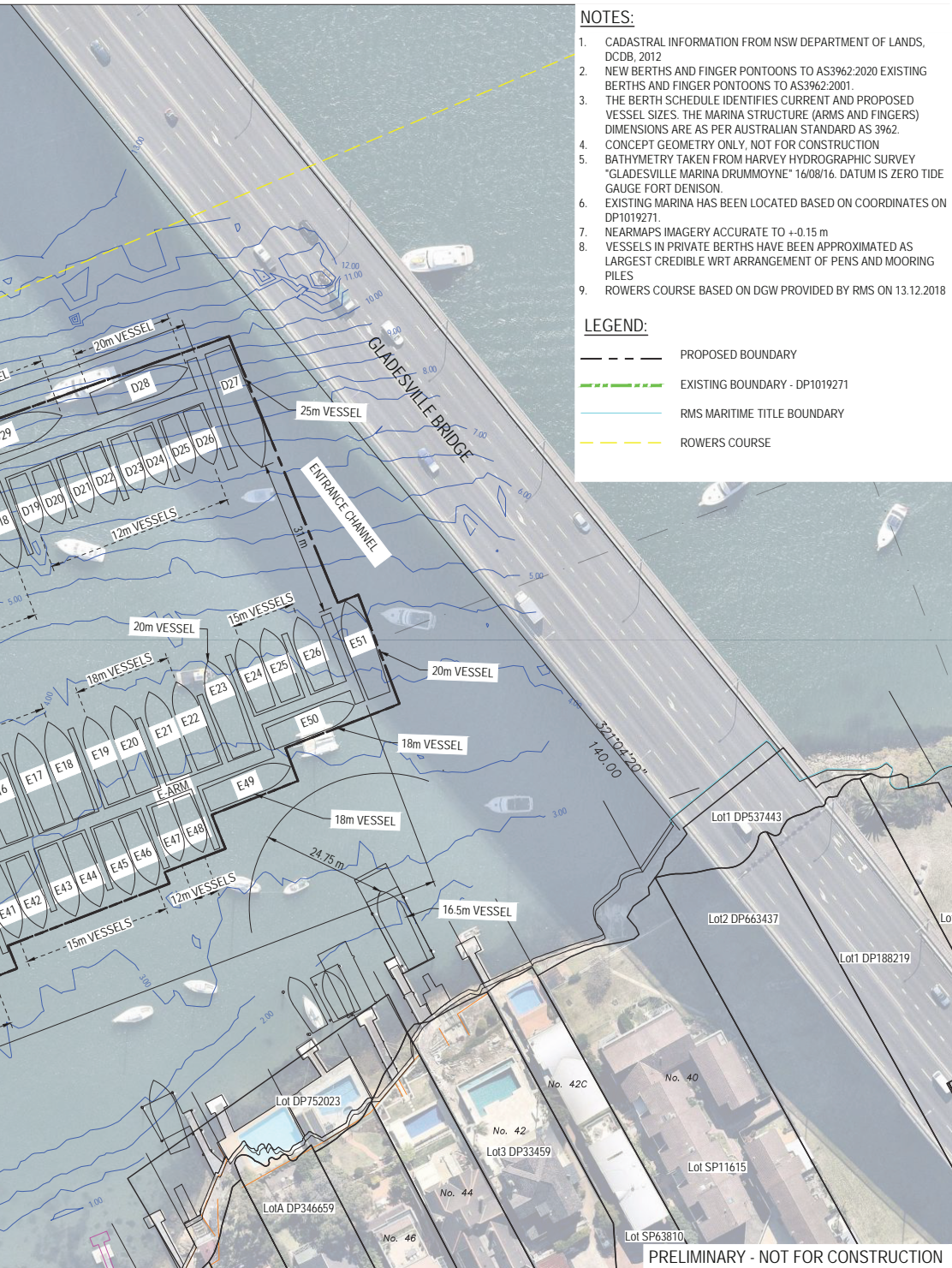


Figure 2.2 - Proposed Marina Extension Layout Drawing Revision H Overlaying wider context Aerial image (source GHD)







3.0 Planning context



Viewing from Gladesville Bridge Marina towards residential properties

3.0 PLANNING CONTEXT AND METHODOLOGIES

LEGISLATIVE POLICY AND CONTEXT

The key legislative and planning instruments that have a bearing on the visual and impacts assessment and related implications of the proposed development include;

- Environmental Planning and Assessment Act, 1979 (NSW)
- Sydney Regional Environmental Plan SREP (Sydney Harbour Catchment) 2005
- Sydney Harbour Foreshore and Waterways Area Development Control Plan (SHFWA DCP) 2005
- State Environmental Planning Policy No. 71 - Coastal Protection under Environmental Planning and Assessment Act, 1979 (NSW).

VISUAL IMPACT ASSESSMENT METHODOLOGIES

Over the last 30-40 years various organisations around the world have prepared guidelines for the preparation of studies to evaluate landscape character and undertake visual impact assessments.

Of these perhaps the most widely referenced are the guidelines published by the British Institute of Landscape Architects in concert with the Environment Institute. These guidelines were first published in 2004 and have subsequently been updated several times since.

These guidelines have formed the foundations for many policies and methodologies applied in Australia, most notably by Transport for NSW in their LCVIA guidelines (Guideline for Landscape Character and Visual Impact Assessment - Environmental impact assessment practice note EIA-N04 by Transport for NSW). In the absence of a methodology of similar rigour for a range of other land uses and developments this methodology is frequently applied and adapted to other development contexts.

The UK guidelines also formed a reference point for the award winning Guidance Note for Landscape and Visual Assessment published by the Australian Institute of Landscape Architects (AILA). The Commonwealth Government of Australia has not published any guidelines for preparing VIAs that would apply across Australia, however several States have published methodologies for preparing VIAs for varying development contexts.

In NSW the following guidelines are typically applied to visual impacts for developments on or beside waterways and include one methodology specifically focused on the visual impacts of marina developments

- The NSW Land and Environment Court's Planning Principles prepared by the Court's Commissioners and drawn from case judgments in two specific cases - *Tenacity v Warringah Council* in 2004 (often referred to as 'Tenacity') and *Rose Bay Marina v Woollahra Municipal Council* in 2013
- Sydney Harbour Foreshore and Waterways Area Development Control Plan (SHFWA DCP) 2005 (including a visual impact rating methodology for marinas in Appendix D)

These methodologies are referenced and applied in various place through the VIA and in this Review.



4.0 Peer Review

Gladesville Bridge Marina looking south

4.0 PEER REVIEW

TOPICS ADDRESSED IN THIS REVIEW

In the following sections I have reviewed and provided commentary on the following aspects of the VIA:

- Site Appraisal
- Relevant Planning and Legislative Context
- Selected methodology
- View Selection for the public realm and private properties
- Visual Impact rating of all public views
- Visual Impact rating of all private views
- Findings and Conclusions

I note that the VIA does not include any assessment of mitigation options that might potentially reduce visual impacts from any views. I also note and that the visual impacts of proposed night lighting, those of the construction phase and those of day-to-day operations of the extended marina are also not addressed. While these would appear to be notable omissions from an evaluation of the full impacts of the proposal, I have not commented further on these matters.

ASSUMPTIONS FOR THIS REVIEW

In compiling this peer review I make the following caveats with respect to my commentary:

- **Photographs;** many of the photos in the VIA appear to have been taken at varying focal lengths and some photos are evidently stitched panoramas. This approach is a reasonable one when seeking to show wider contexts, although wider angles tend to create a sense of greater distance to the subject. I have assumed however that all photos selected for photomontages have been shot at 50mm focal lengths (or nearest equivalent if the camera has a fractional frame sensor) in accordance with the guideline requirements of the NSW Land and Environment Court/DPIE
- **Photomontages;** the VIA states that all photomontages have been prepared in accordance with the guideline requirements of the NSW Land and Environment Court/DPIE. While the VIA does not include details of camera metadata for images and the survey information on all images is not provided, I have assumed nonetheless that the photomontages meet the Court requirements. Where I have some reservations on matters such as focal length or comparability of images, I have stated those reservations or caveats on my commentary.

SITE APPRAISAL

The overview of the site's context and landscape character is reasonably comprehensive in written form. This section would have benefited from some greater graphic content as a reference point for the text. Some imagery from around the immediate site would assist the reader in a better understanding of the landscape context. Most notably the inclusion of a visual catchment map (relatively easy to produce from the likes of Google Maps) would have assisted in supporting the view selection.

SELECTED METHODOLOGY

As outlined in the general overview above, the VIA author seems to have adopted the principal guidelines in raw form, with little or no adaptation, refinement or further elaboration when applying these to the site.

In particular the absence of any explanation for how rating criteria have been applied to the five step Rose Bay Marina derived L and E Court Principles or Tenacity criteria leaves the reader uncertain as to the basis on which a high or low rating has been achieved.

This limitation comes into relief when considering the application of the L and E Court Principles. The VIA addresses each of the five steps for each view in a written text form. While much of the analysis may be sound enough, the absence of any form of relativity of analysis on each Principle between each view simply leads to a single 'Low' rating, when even the most cursory view of the photomontages show this not to be the case.

Establishing the criteria for each rating level does not necessarily need to be based on numeric values, as it is in the SHFWA DCP; a simple five point range for each individual matter to be addressed on each view, such as Low, Moderate/Low, Moderate, Moderate/High and High can be accumulated to give an overall average rating on the same scale for each view.

Transport for NSW has adopted a similar approach in developing a matrix of ratings for their Practice Note of VIAs for transport projects (see Guideline for Landscape Character and Visual Impact Assessment - Environmental impact assessment practice note EIA-N04 by Transport for NSW)

Thus for instance, when addressing the fourth step in the L and E Court Principles 'intensity of public use' to this site, it is clear that this varies greatly across the various public realm views selected; yet the VIA simply states for most of the views that 'the intensity for the purposes of this assessment is low' or 'low to negligible', with no supporting substantiation or explanation about the user type or the activity they engaged in.

Arguably the intensity of public use of the Huntleys Point ferry stop is high at times but conversely the focus of ferry users may not necessarily be primarily on the view. Conversely the intensity of public use of Victoria Place (View 2) might be quite low, but users' reason for being there (given that it is a dead end) is to enjoy the view, with the likelihood that the viewer will not simply stand at one point and look in one direction only.

When factors such as viewer distance, view magnitude and view direction are overlaid on these considerations a much more nuanced and robust impact rating can be achieved.

4.0 PEER REVIEW

Few of these sort of variabilities are addressed in the VIA – either for the public or private views - and hence it is hard to concur with many of the resulting ratings.

Further details on the application of the methodology to public views (including applying the SHFWA DCP Appendix D methodology) and private views is provided in the sections 'Assessment of Public Views' and 'Assessment of Private Views' below.

VIEW SELECTION

In general the eight views selected for the public realm (see Fig 4.1) seem reasonable, with one notable exception, being the omission of any views from the Huntley's Point ferry wharf and access paths, highlighted here for reasons outlined below.

While the proposal may well be visible to some degree at greater distance, the views selected would appear to represent those views where the most discernible impacts will be experienced, with the one exception noted.

It is arguable that in terms of user activity an additional view could have been selected from the ramps or the pontoon of the ferry wharf at Huntleys Point, from which the proposal will be visible by significantly larger numbers of users than from the adjoining lookout.

The shortlisting of the selected views would perhaps also have been assisted by the addition of a visual catchment map extending beyond the immediate context of the bay and river reach in which the proposal will sit.

Finally, in passing, it is not clear why the views listed on the map in Image 3 of Section 3.0 are listed alphabetically, whilst the same views are listed numerically in Section 4.

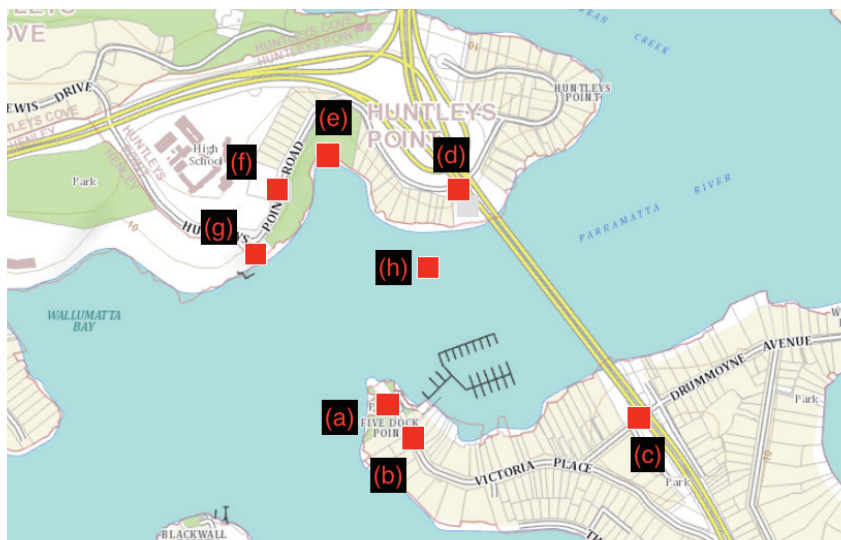


Figure 4.1- Public views locations (extracted from VIA report prepared by ARPL)

The 13 selected private views seem reasonable and representative as best I can establish from a site visit and in reviewing the VIA. It is also clear that access was not available to all potentially affected properties.

More detailed commentary on public and private view analysis in the VIA is provided later in this section.

PHOTOMONTAGES

As outlined in the assumptions detailed earlier in this review I have taken it as read (in the absence of any details of camera metadata or view location survey information) that the photomontages have been prepared in line with the L and E Court an DPIE's current requirements.

From a general view the images appear accurate in terms of scale and perspective and the renders seem quite realistic. I would also concur with the VIA's author that these images would appear to represent a 'worst case' scenario with the marina full of vessels and most of the vessels being powered boats, which tend to appear more bulky in form than sailing yachts, particularly with respect to their more substantial above-deck superstructure.

I have expressed some reservation on the accurate modelling perspective of the photomontage in image 31 for Location 5: Betts Park, but understand that this could simply be a 'trick of the eye' and this reservation does not affect my evaluation of the VIA's impact rating for this view.

METHODOLOGIES AND THEIR APPLICATION

The VIA adopts both the SHFWA Appendix D and the Land and Environment Court Planning Principle for Public Domain Views (rose Bay Marina) as its principal approach to assess visual impact for the views from the public realm.

While the VIA applies the SHFWA DCP Appendix D methodology to the public realm views, the methodology is critiqued but then adopted without amendment or refinements along the lines highlighted in the VIA critique that might better reflect the site's specific characteristics.

The conclusion that all the views are 'Below Medium' is not wholly supported by the scoring (see following sections) and the implication that in being lower than Medium means visual impacts are not of significance is not substantiated.

Basis of Visual Impact Ratings

As outlined in the previous section (Selected Methodology), the application of the Land and Environment Court Principles to the assessment of each view does not include any explanation how the rating variations against each principle are quantified (see Appendices for an example of impact rating criteria details).

A separate rating is not provided for all of the Five Steps (mostly only the intensity of public use is given a rating, without any real substantiation) with the assessment being based solely on a brief written text for each step and concluding with an Analysis paragraph that suggests that all of the impacts are Low.

4.0 PEER REVIEW

A more detailed review of each view location assessment is provided below, but by way of an indication of the problematic nature of the VIA's conclusions it is hard to see how the impact ratings based on the Before and After views at some locations can be justified.

In Location 1 (a very large vessel in the foreground of the view, significantly changing the scale of the existing marina) and Location 2 (a significantly increased massing of vessels in the foreground and midground), both lie within 50 metres of the proposal and yet result in the same visual impact rating as Location 7 at Huntleys Point, more than 300 metres distant from the marina, where the proposal will be much less evident in the context of the residential backdrop to the marina.

Applying the SHFWA DCP Methodology

The VIA firstly adopts the DCP methodology and the ratings show average scores for the eight views ranging from 1.5 (Views 6,7, and 8) to 1.83 (View 3).

A brief review of the scoring would suggest that the average scores for Views 1 and 2 would be higher, as the VIA appears to under score the Distance of View, making View 1 a score of 2.0 (Medium) and View 2 a score of 1.9 . That said, none of the scores on the basis of a straight application of the methodology exceed a Medium average score.

The DCP does not provide any commentary on the implications of a High, Medium or Low score, but the VIA's conclusion that because all scores are 'Below Medium' (see caveat above re Views 1 and 2) the development, as proposed, is 'satisfactory in terms of view impact' is not substantiated.

A Medium or even Medium/Low score does not of itself imply that the proposal is satisfactory; such scores reasonably suggest that mitigating measures, such as through redesign of the proposal, to reduce the impact further can still be warranted. Generally speaking, a Low or Negligible score could be deemed as not likely to warrant a change to the proposal.

Applying the Land and Environment Court Planning Principles Methodology

The VIA secondly adopts the Land and Environment Court Planning Principles Methodology using the Before and After photomontages to illustrate the assessment for each view. For each view a written analysis of the Court's five step process is provided, concluding with an Analysis and overall rating score.



4.0 PEER REVIEW

REVIEW OF PUBLIC DOMAIN VIEW ASSESSMENTS

Brief commentary on the VIA assessment of each of the eight views is provided below. I have not sought to carry out a detailed assessment of each of the selected views and montages, but rather have provided a general commentary on the VIA assessment of each view, with a focus on the photomontages from which the impact of the proposal can be most readily assessed.

Location 1: Five Dock Point

The VIA concludes that the views from this location are primarily to the north and west; while those views are more open from the southern end of this open space, the actual viewing point at the water's edge on the former bridge's abutment provides an almost 200 degree view from NE towards the Gladesville Bridge to the SW towards the Blackwell Point Reserve.

Furthermore, the interpretive sign on the north east corner of the viewpoint focuses on the construction of the heritage listed Gladesville Bridge (see photo below). Hence, views to the east are clearly deemed important and in this context the location and visibility of the proposal is highly relevant.



Five Dock Point showing seating and interpretive signage

Images 6 and 7 in the VIA both show the existing marina as a strong, visible presence on the southern side of the view of the Gladesville Bridge.

Based on the After image (Image 28) it is hard to see how the statement that 'the view to the bridge is unaffected', with the likely presence of a very large vessel in the foreground completely changing the scale and impact of the marina from this view.

The use of the pocket park space on Five Dock Point may be relatively low, but its importance as a viewing location should not be understated. Like all such viewing points the user will rarely simply stand at one point but will more usually move around the promontory to enjoy the various view and vistas, including the view shown in Image 28.

4.0 PEER REVIEW

On the basis of the above and the photomontage of Image 28, I find the conclusion that the visual impact rating is Low as unsupportable. Without more detailed analysis I would suggest that this rating would more likely to be at least Moderate/High and arguably High.

Location 2: Victoria Place

This broad view eastward, at the entrance to the marina complex driveway, is a public street view. This being a dead end road, volumes of vehicle traffic are not high, but on-street parking serves local residents and the adjoining local reserve of Howley Park on the west side of the headland opposite this view.

The VIA states that 'the change will be generally indiscernible' (para C) as the proposed arrangements of Arms A, B and C are similar to those of the existing marina. Further, it states that the proposal 'improves the view from the roadway' and that 'there is a net benefit to this view from this change' by virtue of the less 'cluttered' arrangement of the vessels in the proposal. The Analysis concludes that this visual impact rating is Low.

On the basis of the photomontage of Image 29 it is hard to see how any of these statements can be reasonably justified, when the very evident change to the scale of the marina, as is visible from the greatly increased massing and volume of vessels from the foreground to the midground, substantially alters the context of the view to the river and the bridge.

Without more detailed analysis I would suggest that this rating would more likely to be at least Moderate/High and arguably High.

Location 3: Cambridge Park (South Pylon)

While this view is from a space zoned as public open space, also offering elevated views to the river, there are few if any park facilities and thus this space is likely to have relatively low levels of use as a park destination as such. It is however also a street view from Drummoyne Avenue, viewed daily by local residents passing in cars and on foot.

The VIA states that the 'impact is marginal, with no affectation upon the extent of the waterway in the foreground west of the bridge '. The Analysis concludes that the visual impact would be Low.

On the basis of the photomontage of Image 30 it is evident that there is in fact a reasonably significant loss of view to the water in the foreground part of the water view, by virtue of the much extended marina arms in the proposal. Again, as with Location 2, the VIA says nothing of the change in scale of the marina and the much increased massing of vessels.

Without more detailed analysis I would suggest that this rating would more likely to be at least Moderate.

Location 4: North Pylon Reserve

Much as for the open space at the south pylon this park offers no specific facilities and would not generally be a park destination in its own right (nor is there a foreshore path link) and in that respect the principal views would probably be for vehicles and pedestrians on Huntleys Point Road. That said the photomontage (Image 31) is from an image shot within the park with a clear view to the marina.

4.0 PEER REVIEW

Based on the photomontage in Image 31, there is no significant loss of view of the water body itself from the outside arm of the marina but the water that can presently be seen reaching the southern bank between the existing marina and the bridge will be lost.

Most notably, the larger vessels on the outside arm significantly change the scale of the marina when compared with the existing situation from this view. Again the Analysis focuses principally on the quantity of water lost or retained in the view and not the increased impact of the larger vessels and the significantly increased massing of the vessels in combination.

I also note that the photomontage appears to flatten the perspective, such that the large vessels on the outside arm appear to be seen more in elevation than perspective when the photomontage is compared to the existing photo, given the elevated viewpoint. If this is the case, this would reduce the visible impact somewhat. It would be worthwhile verifying that this photomontage is indeed accurately conveyed.

The Analysis suggests that the rating for this view would be Low. Given the commentary and observations above, I would suggest that this rating would be more likely be Moderate/ Low or potentially Moderate.

Location 5: Betts Park

The caption for Image 32 indicates that it is a 'Before and After representation'. Given that this is a stitched panorama at a small scale it is hard to discern what part of the image is the After component. It is also not clear whether this stitched panorama comprises photos taken at 50mm focal lengths.

There appears to be a white line on the image that presumably conveys the existing/ proposed marina extent, but it's not possible at the scale of the image to discern whether the vessels for the marina extension have been added.

The Analysis concludes that the visual impact is Low. This view is at some 400 metres distance from the proposal, so the visual impact is likely to be lower than that for Location 4 at the North Pylon Reserve, but without verifying the focal lengths of the stitched images it is hard to say what the impact rating would be.

It is noteworthy that the Image 33 photomontage for Location 6 Huntleys Point Road is from a viewpoint that is 450m distant from the proposal, yet the vessels appear to be significantly more visible in that photomontage than those in Image 32, which is 50 metres closer.

Location 6: Huntleys Point Road

The Before and After photos of Image 33 would appear to be different photographs taken from slightly different locations, with the Before image seemingly taken at a shorter focal length (wider lens angle) and also of a different exposure. It is not clear why this is the case, as the comparison between the images is consequently less reliable.

With those reservations in mind, the After image shows that the extent of the larger vessels make the marina more visible.

4.0 PEER REVIEW

All that said, this image is shot from a street view that is generally fairly oblique and the view is brief when walking or driving. On that basis I would suggest that the visual impact rating would probably be Low (with the above caveats on the photos), which would concur with the VIA Analysis rating.

Location 7: Huntleys Point

Image 34 comprises a stitched panorama (the Before image is presumably on page 29 of the VIA) . It is not clear why a panorama only is selected for this view nor at what focal length the photograph is taken; but the net effect of the stitched panorama at this scale on an A4 page is to render the marina itself or any change barely discernible.

A single photograph taken from a similar location (shot at 28mm focal length to illustrate that, like the former bridge's south abutment, this is a public lookout facing directly across to the marina) shows that in reality the marina is far more visible to the naked eye even at a 28mm f/l) than the panorama in Image 34 conveys,



Lookout at Huntleys Point with Gladesville Bridge Marina visible in the background.

Without a correct photograph and analysis it is hard to say what the visual impact rating might be from this location, but potentially Moderate/Low.

Location 8: Ferry (Rivercat)

Image 35 is described in the VIA as 'a sideward view from the ferry'. The image appears to be oriented more forward than sideward given the ferry's line of travel and it begs the question as to why the photograph was taken from this more oblique angle (nominally 200+ metres from the existing marina) or even from this direction and distance. For instance the city-bound Rivercat ferry would pass within less than 70ms of the proposed larger vessels on the outer D Arm, resulting in a significant visible presence to the ferry passenger.

Based on the view in Image 35 it may be arguable that the overall visual impact (allowing for removal of swing moorings) is Moderate/Low or even Low. However, it seems highly likely that view of the proposal at a closer distance to the proposal – particularly from a city-bound ferry - might conceivably result in a Moderate/High or High visual impact rating.

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Section 9.0: Public Domain Views – General Consideration

In the summary of the analysis and visual impact ratings of the eight public domain locations the VIA conclusions include:

- Only minor loss of visible water
- The DCP Appendix D ratings are considered 'Below Medium' and that this therefore does not warrant further mitigation of visual impact
- Visual impacts are considered negligible or minor.

Based on my analysis above and the photographic and photomontage evidence in the VIA itself I find all of these conclusions unsupportable:

- Loss of view of the water body itself cannot be considered separately from the associated impacts of the scale and massing of vessels, which are very evident in the proposal images and yet which appear to get little to no mention in the VIA
- The DCP methodology is recognised as tending to average and flatten scores. Nonetheless a 'Below Medium' (ie Medium/Low) average score does not of itself imply that the resultant impact is either acceptable or that mitigation through design need not be pursued
- None of the impact ratings in the VIA result in a Negligible score, thus the use of the word 'negligible' seems inappropriate in describing the overall impact, as does 'minor' given my commentary and observations above.

While I recognise that the visual impacts of some of the more distant and oblique views of the proposal (eg from Locations 5, 6 and 7) are potentially in the Low to Moderate range, I believe that those closer views (Locations 1-4) generally lie in the Moderate to High range of impacts.

On that basis I do not believe that it can credibly be stated that the overall public domain visual impacts of the proposal can be considered 'negligible or minor'.



4.0 PEER REVIEW

REVIEW OF PRIVATE DOMAIN VIEW ASSESSMENT

This section provides commentary on the analysis and visual impact ratings in the VIA for the 13 selected private domain views.

Overview

Evaluating the visual impact assessment of the private views selected and as set out in the Appendix to the main report is not made easy, due to the Appendix layout:

- There is no accompanying map identifying the properties concerned, nor any elevation photos of the properties identifying the relevant levels and windows
- Photograph pages are not titled with the property concerned
- There is a variation in many properties between the title of the photographs and the locations title in the tables
- There is no number referencing between images and the relevant section of the table and no page numbers
- Photographs appear to be taken at varying focal lengths

The following review is therefore based on the my best understanding of which images relate to which property, which view and the relevant parts of the assessment tables.

Views Selected

The private views selected for the VIA would seem to be from those dwellings that are likely to be most affected by the proposal (along Drummoyne Avenue and Victoria Avenue in particular). It is also acknowledged that it is at the owner's discretion whether or not to permit access for view assessment.

It is also acknowledged that the owner of the dwelling should have the discretion to identify which they believe are the most important views to be considered, from their personal perspective. Such view locations will usually reflect the way the occupier uses the dwelling day to day and may not necessarily align with default view selection, such as from living rooms.

It is noted that views have been selected from various levels within individual dwellings, which gives some indication of how the views of the water and activities on it vary with elevation.

On this basis I have assumed that the views selected are broadly representative of other views from dwellings along the foreshore facing the marina that were not assessed.

Finally, I acknowledge that the findings from Tenacity that the visual impact of the proposal on the whole property should be considered, is not easily assessed where the same building may offer views from a number of rooms, with impacts from each room potentially varying from Negligible to Severe or Devastating.

Applying the Methodology

The VIA adopts Tenacity v Warringah Council as its principal approach to assess visual impact for the views from private dwellings.

It should be noted that the core issues of Tenacity focus around View Loss and View Sharing (ie the impact of one development on the views of another, in the case of Tenacity, three residential dwellings were concerned).

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In adopting Tenacity to undertake the evaluation the VIA's authors appear to have focused on view loss (ie loss of view of the water body itself) as the main criteria for visual impact rating and has not included the qualitative aspects of Visual Impact (ie changes to the nature, scale and character of the view or the visual impacts of the vessels and associated infrastructure).

The inclusion of these qualitative factors – similar to those referenced earlier in this review to the public views - would undoubtedly have resulted in a more holistic rating of impacts for each view.

Unlike Tenacity this proposal would also not strictly involve matters of View Sharing as the loss of view is driven by a marina development on the water (from which optimising views of the surroundings is not a driver of that development) and not another land-based dwelling.

Approaches to impact rating terminology vary by methodology, thus for the purposes of assessing this VIA I have adopted the five point rating described on page 81, Pt 178 of the VIA being: Negligible, Minor, Moderate, Severe, Devastating.

REVIEW OF INDIVIDUAL VIEW IMPACT RATINGS

I have not sought to carry out a detailed assessment of each of the selected views and montages, but rather have provided a general commentary on the VIA assessment of each view, with a focus on the photomontages from which the impact of the proposal can be most readily assessed.

On this basis I have indicated where I believe an impact rating, based on both qualitative and quantitative criteria, might either corroborate or vary from the overall VIA report rating for that property.

In the absence of a cross referencing system or page numbers in the VIA Appendix, the following more detailed comments on those views (only where a photomontage is shown) are titled with the words under each photomontage:

11/40 Drummoyne Avenue – Narrow Width Terrace

The VIA rates this photomontage impact as Moderate and to the property as Minor. The existing view is of the full river width from bank to bank and midstream, with about a dozen, generally small size vessels on individual swing moorings between midstream and the near shore.

The photomontage of the proposal shows a significant change to the western half of the view, with a fairly dense collection of vessels of notably larger size occupying the mid river view and extending to the bridge parapet on the northern bank.

On the basis of the above I would suggest that the photomontage view would have at least a Moderate/High rating and the overall property rating would be at least Moderate assuming that there would also be a noticeable impact from the Level 2 Bedroom Terrace

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13/40 Drummoyne Avenue – Narrow Width Terrace

The VIA rates this photomontage impact as Minor (I assume this is the Living Room Narrow Balcony in the table) and to the property as Negligible. The existing view is only a partial view of the river with the side of the dwelling to the west and the bridge occupying much of the centre of the view.

The photomontage shows the eastern end of the proposal visible beyond the dwelling. The massing and character of the proposal, while not occupying a large part of the view is discernibly different from the existing scene.

On the basis of the above I would suggest that the photomontage view would have a Moderate/Minor rating and the overall property rating would be at least Moderate/Minor assuming that there would also be a similar impact from the Living Room (West) and the Foreshore Garden Level Terrace.

42B Drummoyne Avenue – No Photomontage

There is no photomontage shown for this property, but the overall property impact rating is deemed as Negligible.

In the absence of a any photomontage it is difficult to assess the potential impacts but based on the photos of views from the Living Room Terrace (Ground Floor), Bedroom (First Floor) and Bedroom side terrace (First Floor) the overall property impacts might be Negligible or Minor.

44 Drummoyne Avenue – Mid Level Terrace

The Before and After images of this view illustrate a very significant visual impact from this view on the mid-level terrace. As best I can establish the VIA states that this impact is Moderate, yet describes the view from the garden terrace below (for which there is no photomontage) as Severe.

Based on the Photomontage of the mid-level terrace a large expanse of water presently visible in the centre and centre/right of the view all but disappears, replaced with a mass of vessels that also largely obscure the view of water towards the northern shore of the river. The impact on this view would therefore appear Severe, not Moderate.

On the basis of this photomontage it can only be assumed that the impact from the lower terrace would be as significant if not worse, with a rating of at least Severe.

The VIA concludes that the overall property rating would be Moderate. On the basis of my observations on the impacts upon views from two of the property's most important river viewpoints the overall impacts would be Severe.

Unit 1/46 Drummoyne Avenue – Bedroom Level – Garden Courtyard – Level 2

As for the 44 Drummoyne Avenue above the photomontage for this view (I can find no comparable location reference in the table to be certain of the VIA rating) would appear Severe.

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A river view - framed by planting - of scattered boats on swing moorings with the Gladesville Bridge dominant on the right of the view changes dramatically with a large mass of vessels in the immediate foreground and extending into the water viewline of the bridge.

Several of the other views from different rooms shown in the VIA would also seem likely to be impacted to a Moderate or potentially Severe level of impact.

Overall the impacts on the whole property would therefore seem Moderate/Severe, not Moderate.

Unit 2/46 Drummoyne Avenue

No photomontages are provided for this property, but the VIA describes impacts as either Minor or Minor/Moderate for the living room front/centre).

Based on the view angles it seems likely that the impact on views from the living room/ dining room could be Moderate at least and from the living room terrace – especially the front/centre could be Moderate/Severe or possibly Severe.

Unit 3/46 Drummoyne Avenue – Living Room Terrace

The photomontage panorama shows a view from the rear of the terrace, describing the impact as Moderate. Given the mass of vessels that would occupy a band of river view in the foreground/midground, currently occupied by 6 or 7 scattered small vessels, this impact would seem more likely Moderate/Severe.

Strangely, the VIA suggests that the view from the front of the terrace, which offers more water view than from the rear of that same terrace (where the photomontage image is taken) is Minor in impact. It would seem more likely that the impact from this view would be Moderate/Severe at least.

The VIA suggests an overall Minor impact for the property. From the above the impact would appear to be closer to Moderate and possibly Moderate/Severe.

50 Drummoyne Avenue – Rear of Pool

The Before and After images of this view illustrate a very significant visual impact from this view. The VIA states that this impact is Severe and I would endorse that rating, given the extensive massing of vessels in the view, with no corridor of water view available to the far shore.

The VIA concludes that the overall property rating would be Moderate. In the absence of images of upper levels (access was not granted) it is not possible to say definitively if that rating is fair; but I note that there is significant tree planting on this elevation, which may already filter or obscure some views to the river.

326 Victoria Place – Foreshore Seating Terrace, Garden

The Before and After images of this view illustrate a very significant visual impact from this view. The VIA states that this impact is Severe and I would endorse that rating, given

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that the already quite significant presence of the marina in this view, is substantially more dominant with a continuous line of vessels occupying the full width of the midground river view.

The VIA states that all view impacts from the other views are Moderate. Based on the photos supplied I would suggest that the impacts for some of these views would be at least Moderate/Severe or possibly Severe.

The VIA concludes that the overall property rating would be Moderate. Based on the above it would seem more likely that this overall rating would be Moderate/Severe at least.

10/332 Victoria Place

No photomontages are provided for this property. The VIA states that all view impacts, except that looking from the living room terrace (rated Moderate), are Minor.

The VIA concludes that the overall property rating would be Minor. In the absence of a photomontage it is difficult to assess an overall rating from the property, but based on the photo it seems likely that this overall rating would be Minor or possibly Moderate/Minor.

1/334 Victoria Place – Living Room Doors to Terrace

The Before and After images of this view illustrate a very significant visual impact from this view. The VIA states that this impact is Moderate

Based on the photomontage showing the mass of vessels that would occupy the entire width of the midground river view, including forming the midground to the northern bridge abutment by largely obscuring its water context from this view, this visual impact would seem to be Severe.

The VIA concludes that the overall property rating would be Moderate. Based on the above analysis of the Living Room view and the images of the other views from various rooms (from all of which the proposal would create a significant change to the river views) it would seem more likely that this overall rating would be Severe.

8/334 Victoria Place – Living Room Doors to Terrace

The Before and After images of this view illustrate a very significant visual impact from this view. The VIA states that this impact is Moderate.

Based on the photomontage showing the mass of vessels that would occupy the full sweep of the midground river view, cutting off any shore to shore water view corridors, this visual impact would appear to be Severe.

The VIA concludes that the overall property rating would be Moderate. Based on the above analysis of the Living Room view and the images of the other views from various rooms (which also includes an open view northwest across the western section of the proposal, where some of the larger vessels will be very visible) it would seem more likely that this overall rating would be Severe.



376 Victoria Place – Office

The Before and After images of this view illustrate a very significant visual impact. The VIA states that this impact is Moderate/Severe. Given that the already quite significant presence of the marina in this view is substantially more dominant with a continuous line of vessels occupying the full width of the midground river view and totally obscuring any background water view, I would consider the impact from this views would be Severe.

The VIA states that the other view impacts from the living accommodation (ground floor) is Minor and that the overall impact for the property would be Moderate. Based on the photos supplied I would suggest that the overall impacts for the property would be more likely Moderate/Severe.

5.0 Findings and Conclusions



5. FINDINGS AND CONCLUSIONS

CONTEXT OF THIS REVIEW

This review of the Gladesville Bridge Marina VIA has been based on an appraisal of the proposed extension to the marina, a site visit to review the principal locations in the public and private domains (from which the proposal will be most visible) and a detailed review of the VIA itself.

In reaching the conclusions set out below I recognise that marinas are a permitted land and water use in this location and that boating and its related berthing are longstanding features of the Parramatta River, with a rich heritage.

I also acknowledge that the nature and design of recreational sailing and motor vessels have changed over recent decades with respect to their visible profiles relative to their overall lengths (generally higher freeboards in the hulls and bulkier above-deck superstructures). Larger vessels are also being made more safely manoeuvrable for the general boater with the need for fewer crew for berthing; consequently larger vessels are becoming more popular with owners who might previously have purchased smaller vessels.

Importantly however, the nature of the extension to the existing marina footprint is substantial and this will result in more - and in some cases noticeably larger - vessels often to be seen in a massed form, with associated visual impacts.

In the context of the river landscape – not least in recognising the heritage significance of the Gladesville Bridge, the viewpoints and interpretive signage at the former bridge's northern and southern abutments and the proximity of the marina to a large number of private dwellings on its southern side – applying a high degree of sensitivity to visual impact is inherent in any development proposal for this site.

FINDINGS FROM THIS REVIEW

From this review I have drawn the following findings with respect to the content, analysis and conclusions of the VIA:

- The VIA has been prepared by an author that evidently has significant experience in and knowledge of this discipline
- The VIA describes the proposal and its planning context quite comprehensively
- The written analysis of the visual catchment is reasonable, but would perhaps have benefited from inclusion of a visual catchment map, based at minimum on topography
- The overview and selection of relevant VIA methodologies, while reasonable from a planning perspective, seems to focus principally on quantum of view loss (especially of water) and gives minimal attention to visual impact (vessel sizes and collective massing are rarely assessed)
- The VIA does not include any assessment of the visual impacts of the construction stages nor assessment of lighting impacts nor impacts of regular operations of the marina once functioning. These are typically standard requirements of VIAs
- The VIA states that all photographs and photomontages have been shot and produced in accordance with NSW Land Environment Court guidelines. No metadata or survey information is provided but in the absence of that information, some images used for photomontages seem to be shot at different focal lengths



5. FINDINGS AND CONCLUSIONS

- There is little consistency in the use of photos and photomontages across the VIA with some used as single images and some as panoramas, the latter often of a size in the document that makes any assessment of the impact hard to evaluate
- The VIA provides a strong critique of the SHFWA DCP methodology for VIAs for marinas. Much of the critique is not unreasonable, but the author appears to question the process and conclusions rather than to contextualise the methodology and use their evident expertise to tune the process to the proposal's particularities, as the Land and Environment Court typically encourages experts to do
- The selection of the Tenacity principles to private views in the VIA tends to skew the assessment towards view loss, while visual impact (bulk, scale, massing and character changes of the proposal's core elements) is rarely referred to or evaluated
- The selection of public domain views for assessment seem generally reasonable, although views from the Huntley's Point ferry wharf access path, ramps and pontoons seem an obvious omission, given their high level of daily use and the visibility of the proposal from these locations
- The selection of private sector views for assessment seem reasonable and generally representative of best and worst case scenarios, particularly given some owner access restrictions
- The visual impact ratings of public views seem significantly understated. Notably, the VIA has suggested a uniform Low impact from all views; a field visit and the photomontages in the VIA itself (in particular from the nearer views of the proposal) demonstrably show to the lay person and expert alike that this is not the case
- While the VIA recognises that some view impacts are Severe, the visual impact ratings of some views based on photomontages seem understated. Impacts from other rooms where photomontages were not undertaken also seem understated, as do most of the overall property impact ratings
- The VIA's conclusions that any impact rating under Medium or Moderate is inherently acceptable and thus not requiring mitigation is not supported by any such implication in the adopted methodologies; nor is this supported by any evidence supplied in the VIA to suggest that such ratings could not be further lowered through amendments to scale, layout or design of the proposal
- The VIA's conclusions that the overall impact ratings for public views is 'negligible or minor' and those impacts on private views are 'reasonable and acceptable' do not appear to withstand scrutiny from in-field evaluation or from the images within the VIA itself.

CONCLUSIONS OF THIS REVIEW

In conclusion, it is my opinion that the VIA has significantly understated the visual impacts of the proposal from both public and private views.

Consequently, the VIA has not made a clear or convincing case on visual impact grounds as to why amendments to the proposal's scale, layout and/or design should not be pursued, in order to mitigate the significant visual impacts that the current proposal implies for views from both the public and private domain.



Appendices

APPENDICES

	FACTOR		NEGLIGIBLE	LOW IMPACT	MODERATE IMPACT	HIGH IMPACT
QUALITATIVE	Viewer Sensitivity	Each visual receptor type has an inherent and varied sensitivity to change in the visual scene based on the personal context in which their view is being experienced. This sensitivity has a direct bearing on the perception of visual impact experienced by the receptor and qualifies the quantitative impacts. Number of viewers also has a bearing on sensitivity. Viewpoints have a varied number of potential receivers depending on whether the viewpoint is public or private, the popularity of the viewing location and its ease of accessibility. Views from public reserves and open space are often given the highest weighting due to the increased number of viewers affected.	Vacant lot, uninhabited building, car park.	Minor roads, service providers.	Residential properties with limited views, commercial properties, scenic public roads (eg official tourist routes).	Public open space, public reserves, living areas or gardens/ balconies of residential properties with direct views of Proposal.
	Distance of View	The effect the Proposal has on the view relating to the distance between the Proposal and the visual receptor. The distances are from the approximate boundary of the Proposal Site.	Over 3000m	Viewing distance of between 1000-3000m	Viewing distance between 100m and 1000m	Viewing distance between 0 and 100m
QUANTITATIVE	Quantum of View	The quantum of view relates to the openness of the view and the receptor's angle of view to the scene. A development located in the direct line of sight has a higher impact than if it were located obliquely at the edge of the view. Whether the view of the Proposal is filtered by vegetation or built form also affects the impact, as does the nature of the view (panoramic, restricted etc.). A small element within a panoramic view has less impact than the same element within a restricted or narrow view.	Only an insignificant part of the Proposal is discernible	An oblique, highly filtered or largely obscured view of the Proposal or a view where the Proposal occupies a very small section of the view frame.	A direct view of the Proposal or its presence in a broader view where the Proposal occupies a moderate proportions of the view frame.	A direct view of the Proposal or its presence (sometimes in a very narrow highly frames view), where the Proposal occupies the greater proportion of the view frame.
	Period of View	The length of time the visual receptor is exposed to the view. The duration of view affects the impact of the Proposal on the viewer - the longer the exposure the more detailed the impression of the proposed change in terms of visual impact.	Less than 1 second	1 to 10 seconds: often from a road or walking past.	1 to 5 minutes: usually from a road/ driveway entrance, walking past.	Significant part of the day: usually residential property.
	Scale of Change	Scale of change is a quantitative assessment of the change in compositional elements of the view. If the proposed development is largely similar in nature and scale to that of existing elements in the vicinity, the scale of change is low. If the development radically changes the nature or composition of the elements in the view, the scale of change is high. Distance from the development would accentuate or moderate the scale and variety of visible elements in the overall view and hence influence this rating.	Proposal barely discernible	Elements and composition of the view would remain largely unaltered.	Elements within the view would be at odds with existing features in the landscape	Elements within the view would greatly dominate existing features in the landscape

Example of rating criteria for differing levels of visual impact across quantitative and qualitative parameters



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