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Sent via email: stephanie.vatala@dentons.com

GLADESVILLE BRIDGE MARINA: 380 GLADESVILLE ROAD, DRUMMOYNE HERITAGE RESPONSE TO CANANDA BAY COUNCIL'S REQUEST FOR FURTHER INFORMATION

I refer to the request for further information and provide comment on the Council's Heritage Advisor's comments.

The proposal was reviewed by Council's Heritage Advisor and they have provided comments that the Marina in its current form is not acceptable with regard to its heritage impacts and does not satisfy Clause 5.10 of the Canada Bay Local Environmental Plan 2013 and Part D3 of the Canada Bay Development Control Plan 2017.

I will **respond** to the matters raised by Council below.

Howley Park

It is proposed to berth very large boats ("super yachts") close to the foreshore of Howley Park in addition to numerous smaller boats. The larger boats will be much closer to shore than the boats of the existing marina. The scale of the large boats proposed close to shore would disturb the relationship between the original Gladesville bridge and the later bridge as the boats would interrupt and dominate the view.

The relationship between the foreshore and the Parramatta River would be adversely affected as rather than the shoreline fronting the open waters of the river, large boats would crowd close to the shoreline, blocking views from the headland and shore. This would have a dramatic impact on the park. The view to the rocky shoreline of the eastern edge of Howley Park would be blocked by the proposed extension to the marina. The existing marina has been set back so as to retain the views.

Response:

This relates more to visual impact assessment however it is considered that the height of the park and its place as a visual promontory will not be diminished. The park currently provides views to the east, north and south of the abutment to the former Gladesville Bridge. The views to the east currently include the marina and the Gladesville Bridge beyond. The Gladesville Bridge is a dominant element in the local landscape and can be viewed from a large number of vantage points. The proposal will not diminish the appreciation and significance of the bridge. The views east from the Park are currently partly obscured by vegetation and one of the characteristics of the Park is its filtered views in most directions. The principal waterway will be open to river traffic and the proposal will not impact on the appreciation of this aspect of the river.

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Photo 1: View east from Howley Park from grassed section



Photo 2: View east from Howley Park from the northern end.
Note the proposal will not impact the appreciation of the Gladesville Bridge.



Photo 3: View east from Howley Park from the northern end.

The three views above illustrate that the Marina is a well-established part of the view corridor. Yachts closer to the Park cannot obscure the Gladesville Bridge nor diminish the importance of the bridge in the view corridor due to its height and form. The Park is surrounded on three sides by water which can be appreciated from many aspects. The importance of the point is also recognised in the 5 stone cuttings or docks that are on the western side of the Park and from whence Five Dock gets its name. The historic relationship of this park is to the transport, shipping and maritime uses of the river and the proposal reinforces that use without impact on the heritage significance of the Park.

The lack of impact on views to the abutment of the former Gladesville Bridge and now incorporating Howley Park will be very evident from the east of the park as one travels along the Parramatta River. The following series of photos from east to west and then looking back at the Park from the west clearly illustrates the breadth of the river, the height of the abutment and Park in comparison to the Marina, the complexity of the abutment and the relative scale of the promontory in relation to the Gladesville Bridge and the river and bay in this location.

It is important to note that the changing views of the abutment from the east are important as one travels by ferry or boat along the river. This is rarely a static scene but experienced as one moves at a pace.

In the case of *Todd Buncombe and Anor v Leichhardt Council* [2016] NSWLEC 1093 it is acknowledged that the view of a property on the river if viewed from a ferry would be only 9 seconds. Whilst the view traveling along the river would be more than this, at the location where the Marina is closest to Howley Park then the view would also be approximately 9 seconds.

The court notes that in the case of *Buncombe*:

71. The development will be viewed (on the evidence) for a maximum of 9 seconds from people on ferries on the waterway, potentially longer for people on private vessels noting however, that such vessels are unable to moor near the site. In that time, the development will be

viewed in the context of a substantially larger and closer flat building on one side and a relatively large and modern 2 storey dwelling on the other. Furthermore, there are trees and a boatshed further obscuring the view and a variety of dwelling ages and styles on other sites in proximity when viewed similarly from the ferry route.

In the case of the current application the views to Howley Park are unencumbered by large development on its three sides. The yachts are lower and the proposal will have almost no impact on the timing that one view of the park and the stone abutment from one specific viewpoint- and this depends very much on how close to the Marina a vessel is when it passes the point. In essence, it is a moving vista that has minimal impact in the difference between the current approved circumstances and the proposed.



Photo 4: Traveling west after passing under the Gladesville bridge adjacent to the marina. Howley Park visible above marina. The Rivercat (on right) travelling further north on the river with a wider view of the promontory.



Photo 5: View closer to the promontory with the park clearly visible above the stone abutment to the former bridge. This view would have some encroachment by the proposed moorings for a limited period (a matter of seconds) but only to the left of the red buoy. Views of the Marina Club House and residential flats may be partially obscured by the proposal from this position.

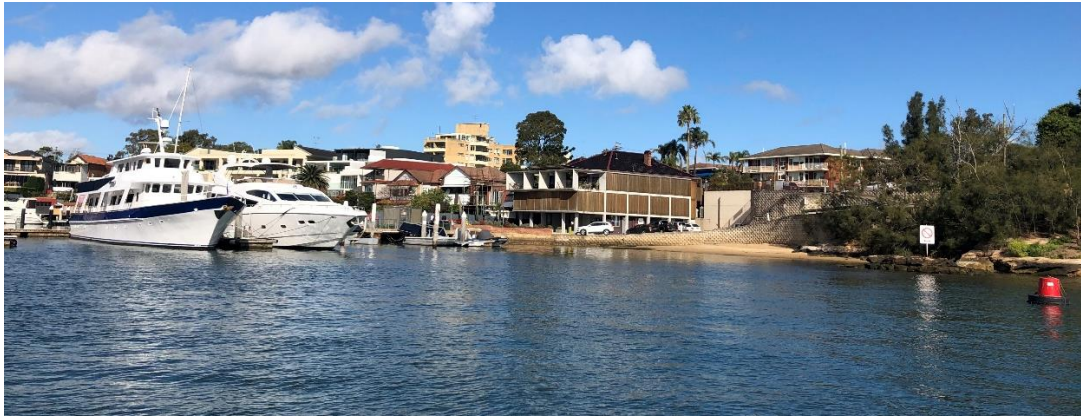


Photo 6: Passing by the Marina building- a short glimpse with no significant loss of views



Photo 7: Passing by the abutment of the former bridge. No loss of views or impact on significance caused by the proposal.



Photo 8: View to the south from the ferry path along the river. This view clearly shows no impact on the appreciation of the heritage significance of Howley Park or the Gladesville Bridge.



Photo 9: Looking west towards the promontory. Note the former docks in the sandstone river edge to the right. No loss of views.

The other public location where views may be considered is the Cambridge Road Reserve. This public place it is not conducive to recreation and is bordered by residential flat buildings to the west which restricts wider views. The views to the underside of the Gladesville Bridge are important in this location.



Photo 10. View to the north over the river across Cambridge Road Reserve. The proposed Marina will be visible in this photo between the flat building and the palm tree however will not impact on a significant heritage context.



Photo 11: The proposed marina will extend between the two palm trees . No significant views are interrupted.

House, 352 Victoria Place

The house is a marine villa that has been designed to overlook the water. There will be some adverse impact on the setting of the house due to some loss of views to open water as a result of the enlargement of the marina.

Response: The proposal will not impact on the physical structure of the dwelling nor change its relationship to the river. The dwelling currently overlooks the Marina. There is no change to the site boundary with the water and the history and significance of the dwelling as a Federation water front dwelling will not be altered from a heritage perspective.

Boatshed, 348 Victoria Place

The impact on the heritage values of the boatshed will be minimal as the relationship between the water and the boatshed will remain.

Response: Agreed

House, "Tobrique", 44 Drummoyne Avenue

The house is a marine villa that has been designed to overlook the water. There will be some adverse impact on the setting of the house due to the some loss of views to open water as a result of the enlargement of the marina - the marina is proposed to extend across the existing area of open water in front of the house. The proposed marina would be closer to shore than the existing marina - thereby having a greater visual impact than does the existing marina on the heritage items at nos. 352 and 348 Victoria Place. The proposal will also interrupt views to "Tobrique" from the water.

Response: The proposal will not impact on the physical structure of the dwelling nor change its relationship to the river. There is no change to the site boundary with the water and the history and significance of the dwelling as a Federation water-front dwelling will not be altered from a heritage perspective.

Abutments of the former Gladesville Bridge

The heritage values of the abutments of the former Gladesville Bridge will be adversely affected as there will be a loss of ability to interpret the relationship between the old and new Gladesville Bridges due to the visual intrusion of very large boats close to shore. The proposal will have some impact on the setting of the Gladesville Bridge. The bridge will remain a landmark, however it's visual relationship with the abutments of the former Gladesville Bridge will be adversely affected. The setting of the bridge, when viewed from Drummoyne Avenue and the park under the bridge, will be affected boats would occupy an area that is currently open water.

Response: This matter has been dealt within detail above under the Howley Park heading. It has been concluded from a visual survey from the river and the views from the parks that the relationship of the two "Bridges" will not be affected as the location and height of the existing structures and landforms in relation to the scale of the proposed boats to be housed will not impede view-lines in a significant manner.



Gladesville Bridge **Maintenance of a Working Harbour**

The application includes the removal of the existing slipway rails, slipway area, engineering workshop and shipwright workshop, which are considered to be a substantial loss to the working harbour. Whilst the impact and proximity to the adjoining residential property is not Environmental Plan (*Sydney Harbour Catchment*) 2005.

Opportunities are to be explored to retain and preserve the functions of the working harbour in any redevelopment of the Marina ed, the removal of these services would be contrary to Clause 23 of Sydney Regional

Response: The ability to retain the engineering workshop is not one for a heritage response however the slipway is to be maintained and a Kayak ramp introduced which will maintain the fabric of the slipway and an understanding of the previous uses on the site. This history may be interpreted on the site.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Stephen Davies", followed by a comma.

Stephen Davies
Director

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