

1.0 Purpose of this Report

1.1 Introduction

This report consists of an assessment of the visual impacts of the proposed redevelopment of the existing Rose Bay and Point Piper Marinas, Rose Bay. The report was commissioned by the applicants, Addenbrooke Pty Ltd. The purpose of the report is to assist in the preparation of an environmental impact statement to accompany a Development Application for the marina redevelopment. The Report is based on the observations and assessment carried out during site visits on 30 June 2005, 14 July 2005 and 21 September 2006.

The report consists of an assessment of the likely extent and significance of the visual impacts of the proposed redevelopment on public and private places. The existing marinas are visible from parts of Sydney Harbour, Rose Bay, Point Piper and Bellevue Hill including foreshore locations, parks and roads as well as from public wharves. Closer range private viewing locations are mostly limited to residential dwellings in the vicinity of the existing marinas.

The assessment has been prepared taking into consideration the statutory requirements/guidelines given in Appendix D of the Sydney Harbour Foreshores & Waterways Area, Development Control Plan for SREP (Sydney Harbour Catchment) 2005 and also addresses the Director General's Requirements in relation to the potential visual impacts of the proposed development.

1.2 Documents consulted

In preparing this report I have consulted the following documents:

- Figure 10, Issue A, Development Proposal prepared by Patterson Britton & Partners Pty Ltd dated 6 October 2006.
- Rose Bay West Framework Plan, NSW Maritime Authority.
- Report for Rose Bay West Framework Plan Stakeholders Meeting on 9 July 2005, prepared by Patterson Britton & Partners Pty Ltd.
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005, Department of Infrastructure, Planning and Natural Resources.
- Sydney Harbour Foreshores & Waterways Area, Development Control Plan for SREP (Sydney Harbour Catchment) 2005, Department of Infrastructure, Planning and Natural Resources.
- Boat Storage Policy for Sydney Harbour, June 2004, Department of Infrastructure, Planning and Natural Resources and Waterways Authority.
- Plans showing improvements proposed by Woollahra Council to the Promenade at New South Head Road, DA 122/2004.
- Draft Land Owner's Policy Manual, Policies for Occupation of Waterways Authority Land, February 2003, NSW Waterways Authority.
- Local Environmental Plan 1995, Woollahra Municipal Council.

1.3 Key Elements of the proposed redevelopment of the site

Existing marina development

The existing marinas of Rose Bay and Point Piper are located attached to the foreshore of Rose Bay and provide for commercial swing moorings and fixed berth facilities. The Point Piper Marina is also associated along its north western side with the Royal Motor Yacht Club (RMYC) Marina. There are some private swing moorings to the south east and north of Rose Bay West. The existing facility is of 29 fixed berths and 72 swing moorings in Rose Bay Marina and 23 fixed berths and 100 swing moorings in Point Piper Marina. There are 90 fixed berths and 18 commercial swing moorings in the RMYC Marina. There are 102 private swing moorings and two Water Police swing moorings.

The proposed marina structure

The proposed marina structure is to modify the boat storage facilities to provide more floating berths (pontoons) and reduce the large numbers of existing swing moorings. A total of 157 commercial swing moorings are proposed to be relinquished for an additional 107 floating berths (pontoons). The proposal is for 124 floating berths (pontoons) in the Rose Bay and 35 in the Point Piper Marinas respectively. Due to depth constraints, the Point Piper Marina is proposed to berth power boats only. The Rose Bay Marina proposal is for both sail and powered boats. The berths could accommodate vessels predominantly ranging in size from 10m to 20m in length, with a minor proportion of potential berths for vessels of up to 37m. The summary of proposed modifications to boat storage is outlined in the Table 1.1 below:

Table 1.1 : Summary of modifications to boat storage

Description	Existing	Proposed	Change
Rose Bay Marina			
floating berths	29	124	+95
swing moorings	72	10	-62
Point Piper Marina			
floating berths	23	35	+12
swing moorings	100	5	-95
RMYC			
floating berths	90	90	No change
swing moorings	18	18	No change
Private Swing Moorings	102	117	+15
Water Police			
swing moorings	2	2	No change
Totals	436	401	-35

The above table also shows that there will be a total number of 35 swing moored vessels that will be totally removed from the Bay as part of the proposal.

The mix and scale of vessel accommodation is outlined in the Table 1.2 below:

Table 1.2 : Proposed berth size distribution

Category (m)	Point Piper Marina	Rose Bay Marina	Total
<10.0	7	10	17
10.1 - 15.0	6	39	45
15.1 - 20.0	13	63	76
20.1 - 25.0	8	0	8
25.1 - 30.0	1	8	9
30.1 - 37.0	0	4	4
Total	35	124	159

The distribution of the vessels within the proposed marinas and the types of vessels is partly determined by market forces and by water depth, yachts needing deeper water for mooring and larger motor vessels requiring greater space for manoeuvring. This is partly offset in modern motor vessels by bow and stern thruster systems, which allow the larger vessels to manoeuvre in lesser space than older and in many cases smaller vessels. The scale of vessels is generally distributed throughout the floating pontoons of the Rose Bay Marina so that the larger vessels are furthest from shore, with the smaller vessels located close to shore on the south side.

The Point Piper Marina is proposed to be enlarged and relocated further to the north towards the RMYC Marina with only one arm of pontoons proposed at the existing location of the Marina. The relocated Point Piper Marina is of similar reconfiguration to that of RMYC Marina with a main arm of pontoons stretching in a northeast direction within the bay. The larger vessels are proposed to be accommodated in the northern part of the marina.

The Rose Bay Marina is proposed to be a larger facility compared to the existing with three arms of pontoons stretching to the north east and east. The proposal is for the demolition and relocation of all of the marina beyond the existing shore facilities, which are not proposed for any change, with the arms having a gradual splay toward the east to provide for a greater cone of clear water view from the beach adjacent to Rose Bay Park, which is located in the south west corner of the bay. The plans of the proposed marina facilities are shown on Figure 1.

Apart from the berthing facility / water based facility, a number of associated facilities are also proposed for the overall functioning of the proposed marinas. These include:

a) Four and three access control gates in Rose Bay and Point Piper Marinas respectively. These gates would be of clear glass supported by a metal frame of minimal proportions consistent with adequate functioning.

b) A hardstand in the form of a concrete deck located to the immediate east of the existing Rose Bay Marina building, largely in the location of the existing slipways and timber decking which are to be demolished. The dimensions of the hardstand are 11m wide x 35m long. An electricity substation (6m long x 2m wide x 1.5m high) is proposed to be located on the hardstand approximately 1m north of the sea wall. The electricity substation will be located below the height of the balustrade along the promenade and would be clad with painted timber to match the appearance of the existing marina building. Proposed fuel storage tanks would be located below the hardstand towards its seaward end.

c) Access stairs exist through an opening in the balustrade along the Promenade located to the immediate east of the existing Rose Bay Marina building and "Pier"

Restaurant. This opening and the stairs are proposed to be widened and would provide access to the hard stand area. An aluminium gangway is also proposed to provide unassisted disabled access from the hardstand to the proposed 4m wide main floating pontoon.

d) An operation office / shelter for marina employees located adjacent to the main fuel / pumpout facility at Rose Bay Marina. This would be clear glass approximately 2.4m x 1.2m x 2.4m high, supported by a minimal metal framing.

e) Lighting and fire safety facilities on both marinas in the form of light and services pedestals, fire hose reel and fire hydrants located on the main and secondary arms of both marinas. Service pedestals will be provided for each berth. The pedestals house fresh water and power outlets. Pedestals without service outlets are provided on the main arms of the marina which do not have berths associated with them. All pedestals provide low level lighting which is sufficient for the safety of patrons using the facilities after dark. Light levels will be low and are not intended to provide general lighting. The pedestals proposed are 927mm high MTech MP800 units.

The lumieres would be located near the top of the light and service pedestals at approximately 800 to 900 mm above walkway level. The lamps are proposed to be 15 watt self ballasted compact fluorescent Osram "Long Life" lamps, the colour and type of which may be decided later. The preferred colour for lamps is one which will emit light in the "warm" part of the spectrum (ie. appear slightly yellow/pink), rather than "cold" white. The lamp is shielded from view, diffused and directed downwards by a translucent plastic louvre system so that it only serves the purpose of providing safe lighting to the walkway deck. There is minor light spill out at angles above the angle of the dominant flow, but there will be no glare.

The lighting is proposed to provide safe illumination of the walkways and to allow pedestrians to safely navigate between the shore and their moored vessels only.

The pedestal lighting is proposed to be switched on automatically to full output at dusk and then, at a preset time of 9pm to fade to a minimum level for safe access along the walkways. The lights would then automatically turn off at dawn. Lighting which is turned on by means of infra-red motion sensors will be used at gangways that would assist in safety and also act as a security measure.

These units and similar lighting arrangement have been installed in a number of marinas around Sydney including the Royal Motor Yacht Club Rose Bay, Catalina Anchorage at the Spit, Rushcutters Bay Marina, The Royal Prince Alfred Marina in Pittwater and Walsh Bay Marina on Piers 6, 7. Photographs showing similar installations are shown in Appendix B. It should be appreciated in examining the night photographs of lighting facilities that the long shutter speeds which are necessary for the photography increase the apparent intensity of the lights compared to other items in the scenes and that in reality the level of lighting will appear considerably less.

Change from swing mooring to fixed berthing system

One of the most significant qualitative changes to the site would be the change of the mooring system from swing moorings as at present, to floating berths. This would bring about an increase in the visible density of boats on the marinas, and in some views, of marina structures. It would be accompanied by a significant decrease in the area of water occupied by boats and an increase in the area of open water, compared to the existing situation. In particular, this would benefit Rose Bay Park and the nearby beach area, both of which experience considerable public use and visual exposure. The kind and size of boats moored at the marina would not necessarily be the same as those presently on swing moorings, with the maximum length of boats determined by the length of berths and depths of water. The overall size of boats has been anticipated to

increase over time as described in the Boat Storage Policy, with the general maximum size of berths being capable of accommodating vessels of up to 20m, with a small number of vessels of up to 37m.

1.4 Rose Bay Promenade Proposal

There is a proposal by Woollahra Council (DA 122/2004) for the improvement and beautification of the Rose Bay promenade along New South Head Road in the vicinity of the development site. The initial proposal was for retaining and restoring the balustrade along the Rose Bay Promenade, restoring lights and adding a new set of lights, each located half way between the original ones, making an opening in the balustrade at the new lights, provision of cantilevered semi circular viewing bays (belvederes) at four points along the balustrade with the provision of seating areas and two wall openings to proposed timber decks that would provide access to storage space for dinghies and to the water. These two openings were proposed to the east of the Rose Bay Marina near the intersection of New South Head Road with Beresford Road and O'Sullivan Road respectively. Reconstruction of footpath, ground cover planting and grassed area around the existing tree plantings, some additional tree plantings and a bicycle path on the northern side of New South Head Road were also proposed which would result in the reduction in 36 car parking spaces.

Based on a number of community consultations and Council Committee Meetings the proposal has been amended to include retaining the balustrade in its original form relevant to its heritage value, new lighting to be provided but without openings in the balustrade, belvederes removed from the proposal and only one set of timber deck and dinghy storage area, proposed at the intersection of New South Head Road and O'Sullivan Road. There already is an opening in the balustrade at this intersection and it appears that this opening will not need any further widening to serve the purpose of providing access to the timber deck.

The access to water and dinghy storage area at the intersection of O'Sullivan Road and New South Head Road will essentially be similar to the existing opening in the balustrade at that location. Hence, it will not cause any potential increase in terms of an opportunity for a low level view. The proposed extension of the Rose Bay and Point Piper Marinas will not have any adverse impact on the proposed improvement along the promenade. Nor will there be any significant change in view access if the car parking bays are removed and a provision is made for a cycleway. The proposed additional tree planting may result in a minor reduction in view access to the proposed marinas. The Rose Bay Promenade proposal would not result in any significant increase in the view access and view availability to the Marina Facility compared to the existing situation.

1.5 Visual impact assessment methodology

The methodology used in the present assessment has been developed over several years and uses relevant aspects of methods accepted in landscape assessment, extended and modified to adapt to urban environments. The modifications introduced are derived from visual perception research that has been carried out in urban contexts.

The assessment of visual impacts is a field that requires a degree of subjective judgement and cannot be made fully objective. It is necessary to limit the subjectivity of the work by adopting a systematic, explicit and comprehensive approach. This has the aim of separating aspects that can be more objective, for example the physical setting, visual character, visibility and visual qualities of a proposal, from more subjective elements, such as matters of personal taste and emotion.

The methodology used consisted of the steps briefly described below, which are consistent with the methodology recommended for visual impact assessment in the DCP.

- Identification and description of the visual context and character of the landscape within which the proposal would be seen.
- Analysis and evaluation of the visibility of and visual access to the proposal, so as to assess:
 - 1 The extent of change to the intrinsic character of the site
 - 2 The visual fit to the surrounding environment
 - 3 The visual sensitivity of viewing places
- Analysis of the specific visual effects of the proposal.
- Evaluation and assessment of the overall extent of and the significance of the impacts which would be produced.

The base line assumption of the methodology was the maximum capacity of the proposed marinas as occupied by vessels of the largest size capable of accommodation in the berths proposed. That is to say, the visual effects assessed were based on the 'worst case scenario' of all berths being assumed to be instantaneously occupied by vessels of the maximum size relative to each berth. The assumption is therefore conservative, because the reality is that boats many of which are below the maximum berth sizes would initially occupy the marinas and be replaced over time by vessels that are likely to be larger. During the period of transition, small boats can be placed in larger vessel berths, whereas the reverse is not possible.

The assumption is also conservative because while other physical and biological environmental effects must be assessed on the worst case scenario, in reality the perception of visual change and impacts of this change would be mediated by time, the changing experience of viewers and other changes to the visual environment, including those not associated with the marina developments. A generation could pass, marked by continuing visual change, between the construction of the developments and their appearance when containing a high proportion of larger vessels.

2.0 Assessment

2.1 Visual context and character of the environs

Natural and built context

The landscape setting of the site is within the visual catchment of Rose Bay, a part of Sydney Harbour waters. The Point Piper Marina is located on the western shore and Rose Bay Marina located close to the south west corner of the bay. The landform of the bay is typical of this part of Sydney Harbour on the Bellevue Hill, Point Piper and Vaucluse sides, with the adjacent slopes being relatively steep and the foreshores consisting of a narrow strip of land. The relatively steep terrain leads to a restricted visual catchment for the site.

The central part of the bay between Point Piper and Vaucluse is quite different in character, being formed on the sandy alluvial flats of a former stream or series of small streams which flowed to the north onto the flood plain adjacent to the bay but are now no longer in evidence. The sandy foreshore has been retained by a sea wall between Point Piper and Rose Bay proper, behind which reclaimed land exists and along which New South Head Road was constructed.

The sites are set in the recreational context of Rose Bay, which is visually dominated at water level by maritime elements, such as the public wharf, existing marina, private slipways and moored boats of various scales. The slopes of the bay feature the visual presence of residential developments, mainly detached housing with the exception of a number of apartment buildings along New South Head Road. Most of the dwellings within the bay are of a large scale, although their bulk is partially screened from the water by both native vegetation and cultural plantings.

Visual character

The visual character of the proposed developments would differ from that of the existing marina facilities in several ways. The main change would be removal of the majority of the swing moorings close to the shore adjacent to and between the two marina sites and their replacement with the proposed fixed berth marina arrangement.

The nature of the activity of the marinas would be the same as has been carried on in the locality over several decades, in my experience. However, there may be somewhat increased boating activity associated with greater usage of facilities by both the casual boating public and also the non-boating public. The intrinsic visual character of the shore facilities would be minimally affected by the proposal. The character of the two marinas would be substantially altered, with the Rose Bay Marina's fixed jetty in its present form demolished and replaced with a floating system of pontoons on different alignment to the present organisation and considerably expanded in scale toward the east and north east. The Point Piper marina would in effect be relocated further to the north, with the present fixed arm replaced by a floating pontoon providing accommodation for tenders, work boats and one permanent berth and a new arm running to the south east and parallel to the RMYC marina main spine.

Although it would be apparent to the experienced viewer that there had been an expansion in the activities of the marinas, there would not be an introduction into the visual catchment of elements unexpected or out of the character within the area. The strict and denser organisation of boats in the marina compared to swing moorings would be a notable change, as would be the expansion of open water in the foreground and middle distance of views, particularly when viewed from Rose Bay Park and the adjacent beach area. The foreground would contain no boats and the horizontal extent of open water leading to the north east would be increased from the present 30m which is barely discernible to 100m and would be cleared of any swing moored boats. This is a significant net benefit to the public domain.

As a scenic management consideration, I would caution against the future placement of new swing moorings in this area, since this would be contrary to the benefits outlined above and not be in the public interest.

2.2 Visibility

Viewing places (visual catchment)

The visual catchment of the proposed development sites is largely confined to the following public and private domain viewing locations:

- a) The immediate waterways of Rose Bay and Point Piper,
- b) Adjacent residences located within the bay, especially those located on the western part of the shore and the foreshore,
- c) The Esplanade which runs atop the concrete sea wall between Rose Bay Park and Lyne Park.

- d) A section of New South Head Road and from the intersections of a small number of roads in the vicinity of the marinas.
- e) Public spaces such as Rose Bay Park, the beach associated with the park and from Lyne Park.
- f) In general, the sites are not visible from the public domain in Bellevue Hill.

To assess the visual impacts which would be experienced by viewers, a view point analysis was conducted. This consisted of visiting the site and locality and assessing the likely impact on views from a selected series of locations. The key viewing locations ranged from a number of public and private domain locations including those on:

- a) Roads,
- b) Residential Areas
- c) Recreational Areas
- d) Waterways

The locations were selected to represent the kinds of viewers' experience of the development which would exist in the immediate area. Locations, which represent the main kinds of viewing areas that would be affected, were visited and photographed. The photographs taken with a digital 35mm format camera set to simulate a focal length of 55mm, to approximate the correct proportions of the elements of views as experienced by the human eye. At each viewing place a series of observations and assessments were made, as documented in Map 1, and Photographic Figures in Appendix A of the report. A variety of other locations were also visited to ascertain the extent of the catchment and the characteristics of the views. A graphical representation of the approximate visual catchment of the proposed development is shown in Map 2.

As a result of the topography of the bay and surrounding roadways, the land based places from which the proposal would be visible are relatively limited. There would be close views to the marina from places immediately adjacent to the bay and along New South Head Road mainly from the west and south of the site. Some of these views are filtered by intervening vegetation. The existing Rose Bay Marina building envelope will screen much of the proposed structure when viewed from residences opposite the site in New South Head Road. Middle distant views would be available from both the foreshore and locations on the sloping land that forms the ridge of Rose Bay and part of Bellevue Hill. More distant views to the development would be possible from locations to the east and north east of the site, such as from beaches along the east of Rose Bay, Hermit Point, Shark Island and Sydney Harbour National Park and Nielson Park. Both close and distant views to the marina development would be possible from the water.

It is not expected that the redevelopment of the marina would significantly increase the visual exposure of the development when compared to the existing facilities when seen from the eastern shore and the Vaucluse/Rose Bay areas.

Photomontages to represent views

Appendix C shows a series of photomontages prepared by POD Group, architectural and 3-D graphics specialists. The montages were created with my supervision and advice. The montages include an aerial view of the existing and proposed development which demonstrate the layout in plan, rendered to also show the new locations of vessels within the marinas and of relocated swing moorings in the existing and proposed amended mooring areas.

The viewing locations that were chosen for montages were a mix of public viewing places as well as some residences. The public domain viewing places chosen for

montages and the orientation of the views that they depict are shown on Figure 2 of Appendix B. The heads of the red arrows show the approximate location from which the photographs were taken. The viewing places were chosen to represent examples of each of the range of views that will be available in the public domain.

A series of montages were also produced to indicate the visual exposure and character of the proposal in views from some nearby residences. The viewing locations for which the photomontages have been made are:

- i) Public steps that link New South Head Road to Cranbrook Lane.
- ii) Balcony of apartment at third floor of No. 587 New South Head Road.
- iii) Third floor of No. 595 New South Head Road.
- iv) Second Floor of No. 603 Cranbrook Road located at the intersection of New South Head Road and Cranbrook Road.

A 3-dimensional computer model of the marinas was created from the plans provided by Patterson Britton (Version 10A). The model became the base layer later to be inserted into the photographs, using the Adobe Photoshop program. A series of photographs of vessels of the maximum lengths which could occupy each of the classes of berths shown on the plan were taken by POD Group in the vicinity of the existing marinas and in other areas of Sydney, so that the vessels shown on the montage would accurately depict the scale and character of the boats in the future marinas when occupied. Examples of vessels of the appropriate sizes are shown as an overlay on Figure 2. For each marina, the vessels of each size class on each 'arm' were added as a separate layer, so as to faithfully represent the visibility and character of the total vessels. The final montages represent the addition of all of the layers of boats, when seen from the four locations shown on Figure 2.

These photomontages have been one of the many factors on which the assessment of visual impact is based in this report. Both the aerial montage and the 4 view montages have been prepared to represent 100% filled capacity with maximum size vessel in each permanent marina berth to reflect worst case scenario. The public berths are not represented as 100% filled. The montages therefore accurately represent the size, form and character of the proposed vessels and marina structure. This was on the basis of my instructions and the assumptions made in this assessment.

Position and sequence of views

Roads

There are no substantial views of the site from roads other than from a short section along New South Head Road in the immediate vicinity of the site and from part of Wunulla Road to the immediate west of the Point Piper Marina location. The views from roads on the sloping land to the west of the site are otherwise limited as a result of topography, and the screening effects of intervening dwellings and vegetation. Some of the streets located to the south of the site have a focal view from the lower parts of the streets toward Rose Bay, for example Balfour Road, Salisbury Road, Beresford Road and Cranbrook Road but most do not have any significant exposure to the marina sites in themselves. Part of the Rose Bay Marina area will be visible down the final section of Beresford Road (Photographic Plate 3). There would be views that include aspects of the marinas, but particularly the Rose Bay Marina, from each of these streets near their intersections with New South Head Road such as Salisbury Road, Beresford Road and Cranbrook Road. The effect would mainly be in the form of a greater density of boats in the middle distance of views and prominently a lesser visibility of the upper parts of boats that are presently in the foreground. The difference in the character of the view would be minimal and therefore it is not considered to be a significant effect. There are no long distance views available towards the Harbour and north of the bay from

locations within these streets as views that contain water are blocked by the existing RMYC and Point Piper Marinas (Photographic Plates 1 & 2). The height of the existing seawall and balustrade screens the water views in the foreground.

There are closer range views from a short section of Wunulla Road that is located to the west of the site, which presently include the Point Piper Marina in the foreground, with a variety of swing moored vessels still closer to the viewer. There would be a general improvement in these views as a result of the relocation of the main arm of the Point Piper Marina further to the north and the removal of the foreground clutter of swing moored vessels. The existing Rose Bay Marina development is mostly screened by intervening vegetation from these viewing places at present (Photographic Plates 4, 5, 6 & 7), however the extension to the north and east will change this distribution of structures and future boats. As is also the case for the Point Piper Marina, there will be greater access to views of the water in the foreground as a result of the removal and relocation of existing swing moored vessels.

Viewing places from residences in streets located to the west such as Wolseley, Wentworth and Myuna are predominantly elevated above the water. The view lines from the visual catchment in this locality are above the level of any future marina structures and boats, including the superstructures. Middle distance and distant views would not be affected significantly. There would be a qualitative change to the character of the view but no significant change to the visual composition of the view. There would be some beneficial effects on the views from close locations, including the reduction of foreground clutter provided by swing moored boats and the reorganisation and relocation of the Point Piper Marina further to the north.

The Promenade in the vicinity of the Rose Bay Marina and the part of New South Head Road approximately between Wunulla Road and Beresford Road would have close range views of the Rose Bay Marina. The extent to which the marina would affect views from this location is depicted on Figure 2. The proposed marina would prevent view access northward up the bay and toward the wider Harbour beyond in some locations. However these views are dynamic and are experienced by people who are moving on the Promenade and using adjacent streets and are not from fixed locations. While there would inevitably be some locations close to the Rose Bay Marina from which the view would be less extensive than is presently the case, a moving viewer quickly reaches areas both to the west and east of the site where more expansive views, including a less cluttered foreground, are present (Photographic Plate 8). In general, the location of the larger vessels in the northern arm of the marina is such that there would be minimal views of these from the Promenade.

It is possible that there are some views from residential streets that have not been documented in detail in this report. Despite this, from my knowledge of the area combined with the nature of the topography of the landscape, I would expect views from roads to be minimal. Any glimpses to the site by motorists that may occur, would not appear out of character within the visual context.

Residential areas

The residences on New South Head Road in the vicinity of the Rose Bay Marina site are predominantly apartment buildings that have elevated viewing situations and thus have long distance panoramic views towards the north and north east of the bay and the Harbour. These views are also affected by the width of the road and parking on both sides, as well as by screening vegetation in the road reserves on both sides. These views would not be significantly affected by the proposed marinas. The effect would be in the form of a differently organised array of vessels in the bay in the middle distance views compared to the existing arrangement which features boats of various scales in the foreground and middle distance, which while dispersed cause significant view blocking.

The opening up of a wider view corridor west of the existing marina would be a scenic improvement.

The proposed redevelopment of the Point Piper Marina facilities, as is the existing marina, would be visible from some residences to the west and south of the site. For example, some residences in Wunulla Road, Wolseley Road, Wentworth Place and Wyuna Road would have views over the existing Point Piper Marina. As indicated above, most of these residences are located on sloping land and have views through the tree canopy and over the bay in the general direction of the eastern shore of Rose Bay. From many of these properties the marina facilities are not a prominent part of the view, if they are visible at all. However, there would be some improvement in these views due to the relocation of the Point Piper Marina further to the north, providing for a wider clear view line. The extension of the Rose Bay Marina to the north and east would increase the visibility and density of boats in the middle distance.

Residential streets located further to the east in Balfour Road, Salisbury Road, Beresford Road and Cranbrook Road are lined with residences most of which have no views of the bay or Harbour, by virtue of the street alignments, subdivision pattern, avenue plantings of predominantly evergreen trees.

Recreation areas

There are close range views available from Rose Bay Park and the beach located in the south west corner of the bay between the Point Piper and Rose Bay Marinas. Views from the park are heavily screened by existing vegetation, however the foreshore and beach provide expansive view opportunities. Because of the low viewing angle relative to the water and existing boats accommodated in the bay, the foreground is dominated by swing moored vessels that are of smaller size closer to the shore, as well as vessels of a star mooring pontoon and larger vessels on swing mooring further away from the viewer. There is no access to a view corridor to the Harbour beyond which is free of swing moored boats or moored vessels.

The reorganisation of the Point Piper Marina would have minimal impact on the existing view access and composition of the views from the park and beach. The existing RMYC marina and vessels moored there block views at water level toward the north as would the reorganised Point Piper Marina. There would be a benefit of an expansive foreground free of boats, as well as a vista to the north east toward Strickland House and the main Harbour channel.

The Rose Bay Marina would appear longer due to its greater extent to the north compared to the existing marina, however the splay proposed takes the marina out of the alignment of the existing marina toward the east, reducing the sense of enclosure caused by the existing marina when seen from the beach. The lateral extent of the Marina toward the east would not be evident from many of the viewing locations in the vicinity, particularly from the beach adjacent to the marina buildings.

The potential extent of view from the park and beach that is not affected by the proposed marina extensions has been mapped on Figure 2. The coloured area depicts the area of water that is not affected by vessels moored at the proposed expanded marinas. It is evident, particularly when it is considered that the lighter coloured part is totally free of vessels, that there will be a substantial clear foreground and a wide and unimpeded view corridor to the Harbour, which presently does not exist. The visual experience from the park and beach will be transformed.

The extension of the Rose Bay Marina would affect the view towards the foreshore near Lyne Park from the northern part of the beach. However, there would again be an increase in the unobstructed clear water views available to the east and northeast from these viewing locations as a result of the removal of vessels in the foreground and the

gradual splay provided across the longitudinal extent of the Rose Bay Marina. Figure 3 shows views that are available through fairways between the 'fingers' of the marinas. While there would be occasional obstruction of these view lines by vessels temporarily moored to the marina spine, there would frequently be unimpeded views, other than for the effect of a pontoon.

The relocation of Point Piper Marina further to the north and removal of swing moorings and the star mooring that is presently visible in the foreground of views from these viewing locations will also substantially increase the sense of space and openness of the view. Overall, there would be an improvement in views towards the north and northeast from these viewing locations (Photographic Plates 9, 10 & 11 and Figures 2 and 3).

There are long distance views of the sites from Lyne Park located along the southern foreshore of the bay. These views are significantly affected at present by the large number of swing moored boats in the foreground and middle distance when looking west or south west. The condensation of boats in the proposed marinas, of which only the Rose Bay Marina would be of any visual presence, would not significantly change the composition of the view. The extent of the mooring area to the north is not a significant influence on views to the Harbour generally, being well inside the line toward Point Piper when seen from this location. Moving the outer limit further north east, providing that this did not lead to boats being concentrated in the foreground of the view or boats being seen outside the line between the wharf and Point Piper, would not make any material difference to the view composition or scenic quality of the views. The effect on views to the west and southwest from some of these viewing locations would be in the form of a slightly greater density of boats but in an organised array as compared to the existing scattered swing moorings arrangement. This would provide for some more clear water views and would be a small improvement in some views (Photographic Plate 12).

The waterway

The proposed marina facilities will only be visible in any detail from the immediate waterways of Rose Bay and Point Piper. The facilities will be visible also from part of the wider Sydney Harbour waterway to the north east, however, the viewing distance from the main channels is such that the visual impact would be minimal. Due to the width, horizontal extent of foreshore and visual openness of Rose Bay, the proposed marina facility will not be visually dominating when seen from the waterways, other than in close view.

Views from the general area of the Rose Bay waterway to the north of the proposed sites are limited by the presence of moored boats in the foregrounds of the view. The marina would be visible from closer range in the main navigation channel within Rose Bay, from the eastern, southeastern and in the southern sector of the bay itself. The vertical piles would be visible somewhat more widely than the floating structure when boats are not moored and naturally both would be noticeable in closer views. As is the case for most marinas in the Harbour, the boats moored have a greater visual presence than any of the associated structure (Photographic Plates 13 & 14). Larger vessels proposed to be moored to the northern end of the Rose Bay Marina would have a greater visual presence in views from the waterway to the north east of the marina.

Seen from the main alignment of the ferry route which traverses the bay and curves in to the south east around Woollahra Point and toward Rose Bay Wharf at Lyne Park, the greater density of boats in Rose Bay Marina would be evident, although seen at some distance and through a foreground of swing moored boats. The overall composition of the view would not be altered.

View composition

The most significant effects of the proposal on the composition of views would be the removal of the vessels presently on swing moorings which dominate the foreground of views from the public domain on land, and the concentration of boats in a geometric arrangement along the marina pontoons. A second effect may over the longer term be the gradual replacement of a proportion of the vessels moored by larger vessels, mainly confined to the outer arms of the marinas. Section 4.2 of the "Boat Storage Policy for Sydney Harbour, June 2004" addresses the changing demands and trends toward larger and motorised boats and their storage on marina berths. It also indicates Rose Bay as an example of one of the precincts in the Harbour accommodating high levels of boating activity and infrastructure and in which demands for growth and change may be most pronounced. It states;

"While there is minimal growth in the overall number of registered boats, there is a clear trend toward larger boats and a shift in composition towards motorised rather than sailing boats. Sailing vessels are more likely to be stored on moorings while larger motor cruisers are more likely to be stored on marina berths. This trend suggests a future growth in demand for fixed berth storage rather than moorings.

In addition, there are a number of precincts in the harbour, such as The Spit and Rose Bay that currently accommodate high levels of boating activity and infrastructure and in which demands for growth and change may be most pronounced. A more detailed and localised understanding of such precincts would assist all stakeholders in working together to ensure that growth and change in these areas occurs in the most appropriate manner".

There would be changes in the composition of views where the marina was in the foreground of views, for example for part of the Promenade and when seen from adjacent street intersections. These effects would also be experienced from residences immediately to the west and south of the sites, from locations within New South Head Road in the vicinity of the marina, in particular from the immediate foreshore and adjacent waterway. The change in composition would be as a result of the fixed nature of the proposal, the greater concentration of boats in comparison to the extent of open water, the absence of variations in boat orientation and movement in relation to wind and tides that is typical of swing moored vessels and ultimately the height of larger motor vessels. The proportion of open water to boats would be increased by virtue of the distance between marina arms and the width of the open fairways between them and the extent of open water created by the removal of swing moored vessels (Figure 3).

Access to views of the eastern and northern shores of the Harbour and of Rose Bay itself would be decreased for some close viewing locations by virtue of close parking and orientation of the moored vessels and the height of the superstructure of larger vessels. In most cases however, the larger vessels which are moored furthest away from the viewer would not be significantly visible as a result of the blocking effect on the view caused by smaller vessels closer to the viewer.

In terms of the visibility, it is the floating berths and their arrangement in the marinas that would be the most visible component of the proposed facility. The associated facilities such as access control gates, operations office, service pedestals for lighting and fire hose reel and fire hydrants are of very small scale and would not be prominently visible from any of the viewing locations within the visual catchment. The hardstand and the electric substation would only be visible from locations close to the balustrade along the Promenade to the immediate east of the marina building (Photographic Plate 15 & 16). Even from these viewing locations the hardstand will only be visible if the viewer is looking downwards. The hardstand and the electricity substation will not form part of the main view composition in the north, northeast and northwest directions. It

will not be visible from moving cars on New South Head Road adjoining the Promenade. There would be minimal, if any, visibility of the hardstand and the electric substation from the southern side of New South Head Road and from apartments located on that side of the road as it would be located below eye level of the viewer and below the balustrade along the Promenade (Photographic Plate 17). The widening of the opening in the balustrade to the immediate east of "Pier" Restaurant to provide for the widened access stairs would not result in any significant change in visual impacts but would provide for a slightly widened view corridor for a short section of the south side of New South Head Road and the apartments located in that section.

Kinds and number of viewers

The largest number of viewers would be residents, followed by recreational users of Rose Bay, motorists and pedestrians. Residents would experience the development from fixed locations and over longer periods of time. Tourists and visitors to the area would mostly experience the site from moving vessels and over shorter durations.

Viewers engaged in passive recreational use of the area, particularly local people, can be expected to have higher expectations for scenic quality than casual recreational viewers or those experiencing distant views. They would also be more likely to notice and respond to changes to the visual character of the area. As an alternative, these viewers as well as casual walkers will have the potential to effectively walk out onto the Harbour and utilise the 4m wide Rose Bay Marina main walkway as an extension to the experience of the Promenade. This kind of access to the waterway from private marinas is generally not available to the public. Of the kind of locations available to other casual recreational viewers or tourists, the close views from the water would provide the circumstances where the development would be most noticeable. At the same time, these viewers would be least likely to appreciate that the development was a change in character.

View Analysis Matrix & Address to Appendix D of the DCP to SREP (Sydney Harbour Catchment) 2005

Appendix D of the DCP to SREP (Sydney Harbour Catchment) 2005 provides guidelines on how to undertake a Visual Impact Assessment for Marinas. The assessment of Visual Impacts in this Report has been carried out on the basis of the guidelines given in D1.2, D1.3 and D1.4 of Appendix D of the DCP.

Section D1.1 describes the known characteristics of various types of boat storage facilities. Below I describe some of the characteristics of the proposed marina facilities based on the provisions of Section D1.1

- The proposed facility is for a floating berths arrangement of boats which forms a single visual element as opposed to swing moorings that are scattered all over the water.
- The proposed removal of a large number of swing moored vessels from the foreground of the view from the foreshore reserve of Rose Bay Park results in an increase in view access to open water and distant views, reducing the impact of the floating berth arrangement of boats overall.
- The proposed marina is not located in a narrow bay (Rose Bay being perhaps the widest Bay in Sydney Harbour). Hence, it does not have a high potential to block views from open space and residences located at the head of the bay or inlet.
- The proposed marina facility will be viewed from the adjoining waterway and opposite shoreline generally against a background of residential development that is

located on steep topography and at a higher elevation compared to the marina facilities. The impact is therefore significantly lessened.

- Where the marina is seen against lower set residential development south of New South Head Road, this is considerably set back from the water and screened by intervening vegetation and structures such as the Promenade balustrade.
- The potential visual impact of the proposed marinas is also significantly lower as from the waterway they would not be viewed against un-vegetated flat low-lying land. Hence, from the majority of viewing locations the moored boats would be visible below the main view lines.
- The arrangement of the boats is such that the larger size vessels are located on the waterway side of the marina. Hence, there is a significant distance of separation between the larger vessels and the viewers from the public domain and residences resulting in a lower visual impact.
- View access from Rose Bay Park and beach are enhanced by the removal of swing moorings and the arrangement of the floating berths further to the east. There are views through the fairways across the marina facilities. Hence new view corridors have been provided as part of the proposed development, resulting in lower visual impact (Refer Figure 2 & 3).
- The buildings associated with the marinas are not proposed to be altered and there is no additional impact as a result of this component of the development.
- Residential developments are mainly located on steeper slopes to the west and southwest of the marina facilities. They have view lines that are predominantly over the top of the marina layouts.

Based on the guidelines given in Appendix D of the DCP to SREP (Sydney Harbour Catchment) 2005 and the above detailed analysis in terms of visual catchment, visual exposure and impact on view access the following matrix is prepared which graphically indicates the visual impacts of the proposed development on the range of possible viewing locations. The matrix has been prepared based on Figures D1 and D2 of Appendix D of the DCP.

The degree of impact is ranked as shown in Figure D2 of Appendix D of DCP.

High = ●

Medium = ⊙

Low = ○

I observe that two factors prescribed in Figure D2 in Appendix D of DCP are constant, being the scale or relative size of the marina and boat storage type/spatial relationships. The guidelines recommend that powerboats or yachts of less than 10 metres size are considered to be of low impact, between 10-30m are considered to be of medium impact and between 30-50m are considered to be of high impact. This principle will logically only apply when the vessels are viewed from relatively close locations.

The proposed marina facility will provide for berthing of vessels ranging from 10m-37m in size with the majority of berths being less than 20m. Hence, it is considered overall to have the potential for medium impacts (⊙).

It is stated in the guidelines that swing moorings adjoining relatively straight shoreline are of low impact; marinas adjoining relatively straight shoreline or swing moorings in narrow enclosed bays are of medium impact and marinas in a narrow enclosed bay are of high impact. This guideline cannot be directly applied to the proposed marina facilities as they are located in a wide bay of an open nature and one which is largely

surrounded by steeper and elevated landforms. I have adopted a medium impact rating (⊙) of the proposed marina facility overall for the purpose of preparing the following matrix. As is the case for other factors in the recommended matrix, the impact is also affected by viewing distance. The large number of viewing locations available from which the facilities are visible at considerable distances therefore means that the overall impact adopted is conservative.

View Situation (Photographic Plate - PP No.)	Factors				
	Location of viewer	Distance of view	Approx. period of view	Scale or relative size	Boat storage/Spatial relationship (ie private or commercial marina or swing moorings and its setting)
From near intersection of O'Sullivan Road and New South Head Road. (PP1)	⊙	⊙	○	⊙	⊙
From corner of Beresford Road and New South Head Road (PP2)	⊙	⊙	○	⊙	⊙
From in front of No. 1 Salisbury Road (PP3)	⊙	⊙	○	⊙	⊙
From Wunulla Road, midway between Royal Motor Yacht Club Marina and Point Piper Marina (PP4)	○	⊙	○	⊙	⊙
From Wunulla Road near the access stairs to Point Piper Marina (PP5)	○	⊙	○	⊙	⊙
From a viewing platform off Wunulla Road (halfway between Point Piper Marina & Rose Bay Police Station) (PP6)	⊙	⊙	○	⊙	⊙
From a viewing platform off Wunulla Road near Rose Bay Police Station (PP7)	⊙	⊙	○	⊙	⊙
From Promenade near the intersection of New South Head Road & Beresford Road. (PP8)	●	⊙	○	⊙	⊙
From Rose Bay Park & beach, east of Point Piper Marina. (PP9)	●	●	⊙	⊙	⊙

View Situation (Photographic Plate - PP No.)	Factors				
	Location of viewer	Distance of view	Approx. period of view	Scale or relative size	Boat storage/Spatial relationship (ie private or commercial marina or swing moorings and its setting)
From Rose Bay Park & Beach approximately mid way along the beach (PP10)	●	●	⊙	⊙	⊙
From Rose Bay Park & Beach near the south edge of the existing dinghy storage area. (PP11)	●	●	⊙	⊙	⊙
From Lyne Park near Rose Bay Wharf (PP12).	⊙	⊙	⊙	⊙	⊙
From waterway halfway between Rose Bay Wharf and Rose Bay Marina (PP13)	●	⊙	○	⊙	⊙
From waterway near RMYC Marina. (PP14)	●	●	○	⊙	⊙
From the immediate east of the Pier Restaurant and Rose Bay marina building (PP 15)	●	●	○	⊙	⊙

Summary of View Analysis Matrix Principles

The matrix is useful as a way of providing an overall assessment of impact and of identifying the kind of viewing locations which are associated with particular levels of impacts. The overall level of impact assessed using the matrix is moderate. Lower impacts exist for viewing places where the view experienced is short term or from a moving position, whereas higher impacts exist for close range views and some fixed positions.

For the latter, for example views from Rose Bay Park, there are also compensatory effects which are not easily accommodated in the matrix, for example the increase in open water views and more expansive scenic foregrounds provided by removal of swing moored vessels.

The matrix emphasises the effect of the form of boat storage and vessel size, both being considered to be directly proportional to impacts. However, major visual aspects of both are also inversely related to distance from the viewer. The visual size of a vessel and the horizontal extent of a marina decreases exponentially with distance. This is important in regard to this application, in which the marinas can be experienced in a very wide bay setting, from a variety of distances in which their physical size is recessive.

The next step of the methodology therefore is to acknowledge within the general principles provided in the matrix, the finer grain of impacts, including detailed consideration of the overall fit of the proposal to the setting, details of the visual effects, and the appropriate weight to be given to the significance of the residual impacts.

2.3 Visual Effect of the Proposed Lighting

The lighting will be visible to a varying extent from the visual catchment of the proposed development. It will be visible within the existing context and contribute to the effect of other light sources on land and in water. In most views, the lighting provided for individual berths will not be prominent. This is because of the masking effects of vessels themselves, which are generally taller than the units. The location of the light sources generally between two rows of vessels further decreases the likelihood of there being visibility of a significant number of light sources in any single view. Exceptions are lighting to the main arms where a larger number of light sources would be visible from some directions and the few opportunities which exist for a view down the length of an individual arm. The latter occur only over a very narrow cone of view.

From most of the viewing locations to the west along Wunulla Road and to the east in Lyne Park and further afield, the lighting will also be visible with the backdrop of the lights of residential development located on the slopes and ridges. When seen from along Wunulla Road for example, the bright lights of the playing field located near Lyne Park are visually prominent and catch a viewer's attention, as do the promenade, New South Head Road and vehicle lights on the road.

Lighting along the main walkway/arm of the proposed Rose Bay marina will be visible from New South Head Road and along the promenade, west of the marina and from the immediate east of the Pier Restaurant (Photographic Plate 1-Appendix B). There will be a minimal number of viewing opportunities from along Wunulla Road from which this lighting will be visible (Photographic Plate 2-Appendix B), filtered by the intervening vegetation. It will also be visible from some residences located along this section of Wunulla Road and New South Head Road. The effect of the brightness of the lighting will be minimal as the lights are of very low intensity and are only installed to provide safe access to the marina users. When seen from some residences located along New South Head Road, the proposed lights will be visible in the context of and seen "through" the more intense lights along the promenade and on New South Head Road,

the lights of the moving cars and of the Pier Restaurant. This will result in the proposed light appearing highly visually subdued.

Some individual lighting units along the three arms of the proposed Rose Bay marina may be visible from residences located along and above Wunulla Road and from a very small stretch of the Street (Photographic Plate 2-Appendix B).

Lights at the ends of the subsidiary arms of the Rose Bay marina may be visible from some viewing locations in Lyne Park and from the promenade in the vicinity of Lyne Park. Views down the length of the arms, while theoretically possible, would be highly restricted. There would be a minimal number of windows of viewing opportunity (Photographic Plates 3 & 4-Appendix B).

The lighting along the three arms will be highly screened by the presence of boats moored along the inside of the first arm of the proposed marina when seen from the promenade, New South Head Road and the residences located in this section of New South Head Road to the east of the existing marina building. The effect will be similar to the low visibility of the lighting of the RMYC marina that are mostly invisible from along the promenade due to the presence of boats that are moored along the arms (Photographic Plate 5-Appendix B).

Some of the light units along the two main arms of the proposed Point Piper marina will be visible from residences located along Wunulla Road. These lights will be visible from a minimal number of viewing locations from the Street in the form of screened views through the intervening vegetation (Photographic Plate 2-Appendix B). Lighting in the Point Piper marina will be largely invisible from New South Head Road and along the promenade, west and east of Rose Bay marina due to the orientation of the array of lighting being parallel to promenade, thus, screened by the moored vessels along the arms. The lighting in Point Piper marina will be minimally visible from Lyne Park (Photographic Plate 4-Appendix B)

I am of the opinion that while there would be visibility of lighting to some extent in most views, that there are no negative visual impacts of the proposed lighting on the two marinas. This is because the intensity of the proposed lights is very low compared to the already existing lighting sources in the vicinity of the marinas and because of the extent to which vessels will mask the lighting to varying, generally considerable extents.

It is agreed that there will be an area of the waterway presently without lighting at night which will be transformed in appearance by the proposed lighting of the marinas. There will be some locations where a viewer will be able to interpret the line of part of the marina structures, represented by a row of lights (ie. in elevated views from the west and from the waterway, generally west of the marinas). It would not be possible to perceive of more than a part of the overall development on the basis of the lights visible, from any viewing location. The proposed lighting will not have an effect of significantly altering the view composition of the views nor significantly increasing the intensity of lighting that exists in the present context. It will also be not visually prominent.

I also had the opportunity to visit some of the other marinas that have a similar lighting system in operation. Walsh Bay has a similar lighting arrangement with lights located on service and light pedestals which are florescent lamp type. They are of similar heights to the proposed lights in Rose Bay and Point Piper marinas. Photographic Plates 7, 8 & 9 in Appendix B show the lightings on wharves 6 and 7 of Walsh Bay. The relative intensity of lights on the marina can be seen to be low compared to the internal lighting of the apartments along the wharves and the light units are only visible in a confined visual catchment of the wharves.

The light units at Rushcutters Bay are arranged in a similar manner, located on shared light and service pedestals (Photographic Plates 10, 11 & 12-Appendix B). Some of the lights are slightly taller than the ones proposed for Rose Bay and Point Piper marinas and others are of similar heights. They are mostly incandescent bulbs type. It is observed

that the lights are only significantly visible within the marina and are predominantly screened by the large vessels in the marina from the outside viewing locations.

The light units at Catalina Anchorage are arranged in a similar manner to what is proposed, but are somewhat shorter than the ones proposed for Rose Bay and Point Piper marinas (Photographic Plates 13, 14 & 15-Appendix B). They contain incandescent bulb types but also of an intensity which does not have a large visual effect on views from its vicinity.

2.4 Change to the intrinsic character of the locality

The proposed redevelopment of the marina would not significantly alter the intrinsic character of the locality, although there would be some change to the composition of views. In this regard the appearance of the site would be changed from its present condition by including more formalised arrangement of the moorings however the overall use of the marina and the activity that takes place there would be the same. In this regard the relationship between the visual elements of boats, buildings and landscape would largely be as before. The size of Rose Bay itself, which overall would be relatively unaffected by the proposal, is such that the scale of the marinas can be accommodated without degrading the overall high scenic quality of the bay.

2.5 Assessment of visual fit

Visual fit, is a measure of the capacity of the locality to visually absorb a development, without losing its visual character or having that character change in a way that is unacceptable. It is not a measure of whether a development can be hidden, but whether it relates appropriately to the visual context into which it is intended to fit.

The capacity of the locality to absorb the development visually was judged to be moderate-high. This was based on the following considerations:

- The proposal would produce a development of clearly maritime character in a relevant location, which would relate appropriately to the foreshore and waterways.
- The proposed redevelopment considered purely in terms of the built structures proposed is typical of the scale and character of waterside facilities that serve similar functions within the Harbour and elsewhere.
- The sites are in the existing locations of developments with similar functions and features and which contain most of the same visual elements.
- The composition of the scene taken overall would be only partly altered, ie. the elements which are responsible for the character of the landscape of the area would be retained.
- The proposed development is not for the introduction of more boats into the composition of views but rather for the replacement of swing moorings for a fixed berth arrangement. The size of vessels contained by parts of the marinas will however be greater as they are occupied in time by vessels of larger sizes.
- Rose Bay is the largest bay in Sydney Harbour and its tributaries providing sufficient area in which a higher concentration of boats can be accommodated without unacceptable change to the overall character of the area.
- The Boat Storage Policy anticipates larger vessel sizes and anticipates that Rose Bay West is a location where higher densities of boat storage may be appropriate.

2.6 Assessment of visual sensitivity

Visual sensitivity is a measure that acknowledges the public interest in a location, by giving weight to the visual exposure of a proposal, the number and kind of viewers and whether there could be impacts on publicly important locations. Each of the above factors is positively related to visual sensitivity.

The overall visual sensitivity of the site was judged to be moderate, based on the following considerations:

- The sites have a relatively small visual catchment given the overall open character of the bay.
- The sites are moderately exposed to general users of the Harbour waterways, such as the ferry routes and navigation lanes.
- The proposed area for development being relatively contained and partly screened from the wider waterway by swing moored vessels in the foregrounds of the views.
- Both sites are visible at close range to recreational users of the foreshore and adjacent waterway.
- The sites are visible from a major road, along which views of other similar facilities are present.
- The sites are within an area that is of considerable intrinsic scenic quality.

2.7 Visual qualities of the proposal

Form and silhouette

The alteration to the appearance of the site would be due to the effect of concentrating the already present large number of boats into a smaller area and would arrange them in a more formalised way. The boats would be moored in a linear arrangement along pontoons. In this regard there is potentially another change to the composition of views in that the marina berths could facilitate the mooring of larger vessels than is presently possible on the swing moorings. This change would be most evident in close views from the waterway, but would be of lesser significance to views from the Promenade, Rose Bay Park and nearby beach.

Coherence and complexity

These two attributes, when there is sufficient complexity for interest but a level of visual coherence, are usually considered to be positive contributors to scenic quality. Boats and boating activity are generally also considered to be intrinsically scenic, as illustrated in the visual arts, whether the boats depicted are individually moored or otherwise arranged. The proposal has a direct and coherent nautical theme. Within this will be various levels of complexity brought about by the variety of boat forms and details, the articulation of the structure of the marina by the organisation of the different forms and scales of boats and the modulation brought about by the arms, fairways and so forth. When these are taken together, it is considered that the development would engender attention and interest in many viewers.

Visual and perceptual coherence would also be positively affected by the lack of foreground complexity caused by the moored boats that are proposed to be relocated. The provision of a wide view corridor when seen from Rose Bay Park and adjacent beach that is free of moored vessels will increase a viewer's ability to perceive and appreciate the composition of the wider view to the Harbour and distant shores to the north and north east.

2.8 Specific visual impacts

Contrasts

Contrasts caused by developments are usually matters that deserve consideration as impacts in their own right. In this case, the contrasts that would occur are related to the introduction of the marinas to replace the current swing mooring arrangements and over time the increase in size of boats moored at them. There would be contrasts created by the rearranging of mooring facilities within the bay adjacent to the site. The proposal would introduce linear structures within the water that would be capable of berthing 157 vessels. Although the boats themselves would not be a new element within the visual catchment, their more formalised mooring arrangement would be. The marina structure would be the setting for mooring of boats in a more compact arrangement than presently exists. Due to the reduction in water area needed to berth the boats there would be more open water visible from many locations within the visual catchment.

It should also be noted that the proposed marina berthing arrangement would not result in the boats totally obscuring views to parts of the shores of Rose Bay, whether seen from land or water. The relatively steep, partly vegetated slopes and ridgeline that characterise the bay in the vicinity of the site would remain visible from vantage points to the northeast and east.

Prominence

Seen in relation to the various qualities of its total visual catchment, the development would not be excessively prominent in terms of its character or location. The sites are in a relatively secluded location, the bay is of very extensive area most of which is of a different character and which does not contain marinas. The proposed redevelopment of the sites would also not be introducing new visual elements or new uses into the bay. As such, the prominence of the development would be lessened due to the expectation of the viewer to see such a development in this location.

The prominence of the development would be greater when seen at close range from the foreshore and water, parts of New South Head Road and some nearby properties. However, the same could be said about the existing marina facilities. The redevelopment of the marina would not unacceptably increase the prominence of the mooring system.

The size of boats to be accommodated could add to the prominence of the facilities if the locations for their moorings were not closely considered. The locations of the berths capable of accommodating vessels upto 37m are such that they would have a minimal impact on views from the publicly available shoreline. While they would be more visible from the waterway itself, this is considered to be a reasonable outcome given the presence of larger vessels in many views in the wider Harbour context, as well as the acceptance by the Boat Storage Policy that demand for larger motor vessels will continue to alter the balance and maximum size of vessels visible generally. This opinion is qualified by the willingness of the proponent to accept a condition that larger vessels will not include commercial vessels such as ferries and charter boats, which are typically of greater bulk and height than recreational vessels so as to accommodate large passenger numbers and viewing opportunities.

View loss

There would be no unreasonable view loss caused by the development. There would be a lesser extent of open water visible among boats seen from parts of the shore, but there would be a compensatory increase in the extent of open water view to the public

domain, looking to the north and north east from Rose Bay Park and nearby beach as a result of the removal of the swing moorings.

There would be no significant view loss from residences in the vicinity of the marina. Most of the dwellings are located at much higher levels and their view toward the marina is steeply downward looking. As such there would be very little effect on the extensive views of the bay that would be experienced from these properties. There would be some loss of views to the south west from the foreshore adjacent to some of these same properties below Wunulla Road.

2.9 Summary of extent of visual effects

The extent of visual change was judged to be low-moderate taken over the effective visual catchment of the development. This takes into consideration the extent of change that would occur to the character of the bay overall as a result of the redevelopment of the existing boat storage facilities.

3.0 Extent and significance of impacts

The assessment detailed above between 2.1 and 2.7 shows that there are many separate aspects of the visual effects of the proposal that need to be taken into account in determining the level and significance of the visual impacts that would result from the redevelopment of the existing facilities. There are two important and related matters to be determined. The first is, to what extent would there be visual effects, or how much of an effect would there be? The answer is substantially an objective matter. Visibility, physical appearance, presence in view lines, contrast to existing conditions and relationship to adjacent forms are essentially matters of fact. They are not impacts.

The second concerns how important the effect would be or if there is an impact that is of any significance? The latter is more subjective. A visual impact does not exist without emotional involvement and aesthetic response. Visual fit, the visual sensitivity of the site and viewing places, the value to be placed on view loss and whether bulk and scale are of overriding importance are matters of judgement, not fact. However they must be based on objective measures.

Our approach is to make as explicit as possible, the reasons that we give weight to the various aspects of visual effects, in arriving at an overall judgement on impact significance. Below I explain each of the matters to which I have given weight in arriving at an overall assessment of impact significance. The weights indicate my thinking on their relative importance.

3.1 Weighing impact significance compared to extent of effects

The weightings applied included the following:

Visual sensitivity

The scenic location of the development site and its proximity to an area of natural appearance and that receives high levels of recreational use is considered to increase the importance of the visual impacts of the development proposed.

Form of the development in terms of marina berths versus swing moorings

It may be argued that the marina would have higher visual impacts than swing moorings, in that the density of boats causes view obstructions and that the fixed nature

of it is less scenic compared to the movement of boats that is characteristic of swing moored vessels. At the same time, the extent of increase in open water that would be created is a scenic advantage in views both from water and land. While there may be preferences among people in favour or against either form of boat accommodation, there is as far as we are aware no definitive evidence of a preference across the community against marinas generally. On the contrary, the evidence from art history, visual arts and literature is that in western cultures boats of all kinds accommodated in various ways are considered to be scenic items by many in the population. Open water and the potential to perceive the distant Harbour and foreshore add to the scenic quality of the setting are also considered to be a benefit of the proposals.

As a result of there being both benefits and costs, I have neither up nor down weighted impact significance on this criterion.

Public access to the marinas

Public access will be provided to the main walkway of each marina during the following hours: Summer (daylight saving) 7am-6pm, Winter (non-daylight saving) 7am-5pm. Public use will include the ability of the boating public to pick up and set down passengers and to make use of the public facilities at the marinas. In addition, the general public will be able to come onto the marinas, view and experience their operations and also experience the wider views of the Harbour and immediate locality that are available from the pontoons. This is considered to be a public benefit that helps to offset the perception of marinas as privatised and unavailable to the public generally.

Public domain benefits

The public using the adjacent beach and Rose Bay Park will experience an increase in the extent of open water in the foreground and a new lack of conflict with other vessels in launching and recovering small water craft from the beach. The scenic benefits of the proposal, as well as the removal of some sources of conflict between large and small craft users are considered to be benefits that should be given weight in determining the overall merits of the proposals.

3.2 Significance of Impacts

When the weights above are applied to the assessed extent of visual effect they indicate that the significance of impacts is no more than moderate. Moderate visual impacts of the kind revealed in this assessment are typical in our experience of developments newly constructed in locations that have easy visual access. This development would be no different in that regard. The significance of impacts overall therefore is not considered to be such as would require either extensive modifications of the application or would justify its refusal.

4.0 Potential Visual Impacts of the Construction Phase of the proposed development

It is proposed to carry out all the construction activities from water, predominantly by placement of prefabricated pontoon units, but including concrete construction work for the hard stand and fuel tanks and piling work. Plant and equipment would be brought in by barge from the selected contractors yard. The main construction activities to be carried out in the process involve site establishment, adjusting existing services/installing

temporary services, preparatory works, relocation of berths/moorings, removal of wharves, jetties and slipways, installation of floating berths including piling, installing associated services such as sewage pumpout facility and electricity, installing fuel facility, site restoration/cleanup and site de-establishment.

The typical plant and equipment that will be used include barges, light commercial vehicles to provide goods by land, barge mounted cranes, work boats, pile jetting equipments, pile driver and hand held power tools.

There are no temporary structures proposed on land for the storage of plant and equipment. All the construction activities will take place from water which is a better option compared to storage and transport from land in terms of visual impacts and ease of construction. There will be an occasional movement of light commercial vehicles on adjacent roads and near the marina facility.

The construction phase is proposed to be carried out within a time frame of a maximum 24 weeks for both marinas with the major construction activity of installing piles to be carried out in a 9 week time frame.

There would be close range views on land available of construction work associated particularly with the Rose Bay Marina, from viewing places indicated above. There would be a marked, short term change caused by the removal of the existing facility and temporary re-location of vessels, followed by new piling and hard stand construction and a more gradual placement of the new pontoons and associated services.

The general activity would be similar for Point Piper Marina, however the low public access to view from immediately adjacent to the buildings would provide less opportunity for close range views of the construction.

The waterways would provide unimpeded views for some viewers, including close range views of all major phases of construction. Unusual vessels, such as pile driving barges, cargo and demolition barges and other specialist vessels would be among the short term visual changes which would occur. Given that all of these can be seen in various contexts on the working foreshores of the Harbour at various times, it is not considered that any significant impact will ensue.

Overall I do not consider that there will be any unreasonable or significant visual impacts of the construction activities which would preclude development.

5.0 Matters for consideration by the consent authority

5.1 SREP (Sydney Harbour Catchment) 2005.

State Regional Environmental Policy (Sydney Harbour Catchment) was recently gazetted. It combined two previous SREPs for Sydney Harbour and the Parramatta River, included some other waterways and unifies the underlying planning framework. Division 2 contains the relevant matters for consideration by consent authorities before granting consent to development under Part 4 of the Act, or to activities to which Part 5 of the Act applies.

Aspects of Clauses 22-27 are relevant to consideration of visual impacts. A response to each of the relevant subclauses follows:

Clause 22 : Public access to, and use of, the foreshores and waterways

Subclause 22(a):

development should maintain and improve public access to and along the foreshore, without adversely impacting on watercourses, wetlands, riparian lands or remnant vegetation.

Subclause 22(b):

development should maintain and improve public access to and from the waterways for recreational purposes (such as swimming, fishing and boating) without adversely impacting on watercourses, wetlands, riparian lands or remnant vegetation.

Subclause 22(c):

if foreshore land made available for public access is not in public ownership, development should provide appropriate tenure and management mechanisms to safeguard public access to, and public use of, that land.

Although the first two subclauses of Clause 22 are orientated more toward protection of the natural environment, it is worth noting that the proposal provides for public access to the Rose Bay Marina during business hours, as well as providing for emergency service uses and connection to New South Head Road. Thus there is a substantial public benefit in terms of access to the waterway, which is also attended by the public's ability to experience different kinds of visual experiences of the waterway and working harbour which are presently unavailable.

Clause 23 : Maintenance of a working harbour

Subclause 23(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.

The proposed development clearly complies with this subclause, in that it conserves and enhances existing foreshore sites each with a long history of association with the intended uses. The visual character of the working harbour is also changing as the industrial working harbour declines and the recreational and tourism harbour character increases. An important aspect of the future working harbour is a greater presence of storage and maintenance facilities for recreational vessels and an increase in the size of these. These will become more and more valued parts of the aesthetic qualities of the waterways.

Subclause 23(b):

consideration should be given to integrating facilities for maritime activities in any development.

The proposal is for an integrated maritime development containing marina facilities, boat storage, boat retailing, public access wharfs, fuelling, waste management facilities available to its clients and to the general boating public and assured public access for the non-boating public.

Subclause 23(d):

in the case of development for industrial and commercial maritime purposes, development should provide and maintain public access to and along the foreshore where such access does not interfere with the use of the land for those purposes.

The development has no increase in impact on the existing access to and along the foreshore, however it would lead to greater convenience of use of the foreshore itself, in particular by the passive boating public, by virtue of the relocation of swing moored

vessels adjacent to Rose Bay Park. There would be clear aesthetic benefits in this which also can be appreciated from the foreshore.

Clause 24 : Interrelationship of waterway and foreshore uses

Subclause 24(a):

development should promote equitable use of the waterway, including use by passive recreation craft.

The development results in improvement of the use and aesthetic experience of the beach and nearby waterway, as well as promoting more equitable use of the immediate waterway as a result of relocation of the swing moorings off Rose Bay Park.

Subclause 24(b):

development on foreshore land should minimise any adverse impact on the use of the waterway, including the use of the waterway for commercial and recreational uses.

There is no proposed change to the foreshore development component, while the use of the waterway for commercial and public purposes continues the existing use and extends it in a way which is sympathetic with the existing visual character.

Subclause 24(e):

development should avoid conflict between the various uses in the waterways and along the foreshores.

The development proposed positively supports the existing uses of the waterway and foreshores and will assist in reducing conflicts between passive craft and larger vessels by relocating existing swing moorings off Rose Bay Park. Woollahra Council is presently also upgrading access to the foreshore and dinghy storage areas.

Clause 25 : Foreshore and waterway scenic quality

Subclause 25(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,*

The proposal has been the subject of detailed analysis of design and siting, as well as consideration of the likely future character of the immediate locality, the waterway generally and of boating and boat storage in the near future.

Subclause 25(b):

development should maintain, protect and enhance the unique visual qualities of Sydney Harbour and its islands, foreshores and tributaries, and

Subclause 25(c):

the cumulative impact of water-based development should not detract from the character of the waterways and adjoining foreshores.

In my opinion, the provision of boat storage as proposed is within the established qualities of the Harbour and its siting, form and appearance and will protect its unique

visual qualities. There is no adverse impact on the character of the views and adjoining foreshores due to the proposed development. The development is proposed taking into consideration the likely future character of the locality and it maintains, protects and enhances the scenic quality of the foreshores and waterways.

Clause 26 : Maintenance, protection and enhancement of views

Subclause 26 (a):

development should maintain, protect and enhance views (including night views) to and from Sydney Harbour,

The development has been carefully designed to maintain, protect and enhance views both to and from Sydney Harbour. The proposal has been considered in regard to public and private views as well as views from the waterway. While there would clearly be substantial change to some views, the effect of the proposal on view access overall is modest and will appropriately maintain existing views.

Subclause 26 (b):

development should minimise any adverse impacts on views and vistas to and from public places, landmarks and heritage items,

The development has been closely considered and designed to minimise impacts on views and vistas to and from public places. Views from Rose Bay Park will be enhanced and improved by the opening up of views to the harbour to the north east and by reducing clutter in the foreground presently caused by swing moored vessels close to shore. While there would be some reduction in access to existing views from some locations, from others the views would be significantly improved. On balance, it is considered that there would be no overall significant impacts on views or vistas. The proposal does not have unacceptable visual impacts on any landmarks or heritage items.

Subclause 26 (c):

the cumulative impact of development on views should be minimised.

The cumulative impacts of development have been considered in detail, by arranging the proposed marina arms and differing sizes of vessels able to be accommodated in such a way that the impact is minimised. The effect on this can be judged in the photomontages provided, in which the predominant bulk of vessels is disguised by their placement relative to significant viewing places. The cumulative impact is also lowered in some instances by the removal of existing swing moored vessels which dominate foreground views, opening up extensive views lines with no, or few, vessels.

Clause 27 : Boat storage facilities

Subclause 27(a):

development should increase the number of public boat storage facilities and encourage the use of such facilities.

The proposal has this specific intention, as well as that of accommodating future demand for vessels as acknowledged in the Boat Storage Policy document. The benefits of concentrating boat storage on the marinas, compared to the existing swing mooring arrangements, is evident in the extent of open water views retained and enhanced and in the aesthetic and other benefits to public.

Subclause 27(d):

development should avoid the proliferation of private boat storage facilities in and over the waterways by ensuring that all such facilities satisfy a demonstrated demand.

The development proposes the amalgamation and concentration of storage over a smaller area than is occupied by existing single vessels. This has the benefit not only of providing greater visual access to the waterway overall, but also the ability to absorb the increasing demand for vessels and increasing size of those vessels in the future without leading to an ever increasing area covered by private facilities or alternatively to unexpected or unpredictable visual impacts.

5.2 Sydney Harbour Foreshores & Waterways Area, Development Control Plan for SREP (Sydney Harbour Catchment) 2005

5.2.1 Landscape Assessment (Section 3.0 of DCP)

The development site is within the Landscape Character Type 10 of the DCP. The Statement of Character and Intent states:

The character of the area is dominated by wide open bays, retained edges, sandy beaches and adjacent park areas. Special natural features such as rock outcrops and platforms form part of the landscape and should be considered in terms of their scarcity within the local context.

Development is suitable for these areas providing consideration is given to:

- *preserving the special natural features that form an integral part of the character and vitality of the landscape including the natural shorelines, beaches, rock platforms and outcrops; and*
- *the role of commercial activities within these areas is recognised as providing an important recreational resource and improving public enjoyment of the harbour.*

The proposed marina facility will not have any adverse impact on the natural features including the natural shorelines and beaches. There are no major rock platforms and outcrops in the vicinity of the development site, but in any event no structures are proposed which could have any impact on the shoreline.

The proposed marina facility does not have any adverse impacts on the recreational value of the Rose Bay Park and associated beach and Lyne Park. It does not have a significant impact on the existing extent of view access to the harbour. It increases the view access from the Park to an extent to part of the Harbour. Hence, the recreational value of the park may be enhanced.

The Performance Criteria for Landscape Character Type 10 states:

Any development within this landscape is to satisfy the following criteria:

It does not obscure, detract from or destroy special natural elements that are significant within the local context of the area;

The open nature of the bays is not lost by overdevelopment of the foreshores; and

It has been demonstrated that the commercial activities are necessary and that their proposed use is compatible with existing and likely future land uses.

There are no significant natural elements such as major rocks or outcrops in the vicinity of the development site. The proposed marina facilities are of a scale and bulk that will not have an effect of overdevelopment or visual dominance within the wider open nature of Rose Bay. The proposed commercial use of the marina facility has been proposed taking into consideration the existing and future land uses and the provisions of the Boat Storage Facility for Sydney Harbour 2004.

5.2.2 Marinas (Commercial and Private) (Section 4.7 of DCP)

Visual Impact

- *the visual contrast (derived from an analysis of form, line, colour and texture) between the marina and the existing or planned future character of its setting is to be minimised;*

The proposed marina facility does not cause any increase in the existing contrasts between marina facilities and the existing form, line, colour and texture of the foreshores and adjacent development form. The proposal remains consistent with the existing and planned future settings of the surroundings.

- *the visual impact of the marina on people in the visual catchment (derived from an analysis of the potential number of viewers, their location within the landscape, distance from the marina and duration of view) is to be minimised;*

As explained in detail in section 2.2, the visual impacts of the proposed marina facilities are moderate and every step has been taken with respect to the arrangement and alignment of arms of the marinas, the distribution and arrangement of vessel based on their size and provision and enhancement of view corridors through fairways and by relinquishing of swing moorings to *lll* for views of more open water.

- *any visual analysis shall consider the impact of the largest motor vessel(s) capable of being berthed at the marina;*

The base line assumption of the methodology for this assessment was the maximum capacity of the proposed marinas as occupied by vessels of the largest size capable of accommodation in the berths proposed. The impact of larger vessels is minimised by their location relative to the predominant view lines from the public domain and residential context.

- *the largest vessels (motorised or otherwise) to be berthed at the marina are to be located as far from shore as possible;*

The arrangement of vessels is so proposed that the largest size vessels are located farthest from the shoreline towards the waterway.

- *waterside structures and berthed vessels associated with marinas are not to block views from foreshore public open space or views to foreshore public open space from the waterway;*

The proposed marina facility will result in enhanced views of open water from the foreshore in Rose Bay Park in most cases, due to the removal of swing moorings. There will be some impact on the views to part of the eastern foreshore toward Lyne Park from this location. This is a very small part of the whole and panoramic views that are available from Rose Bay Park and beach. Views to Rose Bay Park and beach from the waterway will be affected in some areas to the north east, but moderated by the proposed alignment of the facilities further towards the east.

- *the bulk and scale of buildings and other structures on land is to be minimised through appropriate mitigating measures including landscaping, articulated walls, detailing of surfaces and by using smaller elements;*

There are no buildings proposed on land as part of the proposal. The only structure other than the berthing facility is the hardstand above the fuel storage tanks and an electric substation on the hardstand. This hardstand is proposed to be located adjacent to and to the east of the Rose Bay marina building largely on the site of the existing slip ways and decking. The hardstand and the electricity substation are of a very low scale and bulk and do not have a high visual exposure.

- *the visual impact of car parking from the waterway is to be minimised and*

Not Applicable.

- *all signage is to be located on dry land below the roofline (or parapet) of buildings. Advertising signs are not to detract from the visual quality or amenity of the foreshores and waterways when viewed from the waterways.*

Not Applicable.

5.3 Woollahra Local Environmental Plan 1995

The land in the immediate vicinity of the development site is designated "Harbour Foreshore Scenic Protection Area" under the LEP. Clause 2 of the LEP contains the general aims and objectives of the Plan.

Clause 2(2)(e) states the objectives of the Plan in relation to the area's foreshores and the harbour foreshore scenic protection area. The objectives related to visual and related amenity are;

(ii) to encourage development which, through its form, scale, materials and design is compatible with the natural and environmentally acceptable built landform of the foreshore areas as viewed from the water,

The proposed development is consistent with the existing and planned future settings of the surroundings. Its form and scale are appropriate considering the wide open nature of Rose Bay. The proposed development will be of a form, scale, material and design similar to other marina facilities present in the locality.

(iii) to recognise the residential, recreational, tourist and commercial characteristics of the foreshore area and to co-ordinate development in order to protect the area's scenic and natural attributes,

The proposed commercial use of the marina facility has been proposed taking into consideration the existing and future land uses and the provisions of the Boat Storage Facility for Sydney Harbour 2004. The proposed marina facilities do not have any unreasonable impact on the area's scenic and natural attributes.

(iv) to consider the impact of development on the views of Sydney Harbour enjoyed by existing residents and promote the practice of view sharing,

(v) to protect and, where possible, improve the view of Sydney Harbour and its foreshore areas obtained from public land,

The proposed development will cause some isolated obstruction of views to the Harbour, but overall does not have a significant impact on the existing extent of view access. To the extent that it increases the view access from Rose Bay Park and the nearby beach to part of the Harbour both in the foreground and background, the recreational value of the public land may be enhanced.

(vi) to protect the natural, scenic and cultural attributes of the area's foreshores, including the visually and ecologically significant beaches, inter-tidal rock formations, vegetation, rock faces, shelves and outcrops,

The proposed development does not have any adverse impact on the foreshore, beach and park area. There are no significant rock formations, vegetation or outcrops located in the vicinity of the development site which will be affected by the proposed development.

6.0 Conclusion

While the proposed developments shown in Figure 1 would have different components and a different spatial arrangement, the visual character of the setting and its relationship to the landscape and shoreline would largely be unchanged.

The visual catchment of the proposed redevelopment of the sites with regard to close views is confined to the water, foreshores and parts of the side slopes of the main part of Rose Bay. There are no substantial views from roads other than New South Head Road, but there is visual access from some residences on the foreshore and higher slopes and from recreational sites. From these, the existing visual composition would generally remain unchanged: there would be an increase in the concentration of boats in a smaller area. There would be only moderate effects on the intrinsic visual character. Only close views from parts of New South Head Road and the Promenade in the immediate vicinity of the site would change significantly in composition.

The visual fit of the development to the locality was judged to be high and the visual sensitivity to be moderate, given the existing character and ongoing use of the sites. The most significant departure of the development proposed from the existing would be the relocation of boats on swing moorings to those at the marinas, as well as an increase in the maximum sizes of vessels able to be moored to them.

View loss as a result of the development would be acceptable, and would be restricted to some viewing locations at close range to the marina development on the waterway, where it may be possible that the proximity of the boats could screen some views to the foreshore. Given the extent and character of the waterway and the scale of the marina structure, it is not considered that this constitutes a substantial visual impact. There would also be some view restriction in views from water level on the shore from parts of New South Head Road. There would not be any significant view loss from private residences in the vicinity of the site.

The proposed increase in the Limit Line for swing moored vessels toward the north east, which would have the effect of 'straightening' the outer edge of the line will not result in any significant changes to the composition of views. The main view effect would be perceptible only from Lyne Park and the vicinity, from which there would be no significant change in the view composition, to the extent of vessels in the foreground or access to the view to Point Piper. There would be no change to the existing view of the Harbour generally.

The increase in size of vessels would occur over time, as also anticipated in the Boat Storage Facility for Sydney Harbour, June 2004 (Section 4.2), with the larger vessels proposed to be moored in the least prominent locations when seen from the public domain on land. Viewers would perceive very few of these vessels because their locations are screened from view by other, smaller craft in the foreground of the view. Views would be available from the water, however the larger vessels in small numbers and concentrated together will not be responsible for extensive blocking of views toward the shore.

In terms of the distribution of vessels in the views and their effects, the positioning of the larger vessels is optimal. For example, in views from the Promenade, New South Head Road and intersections or roads in the vicinity of Rose Bay Marina, smaller vessels moored closer to the shoreline will prevent any significant view of the larger vessels, which are also moored a considerable distance away. In views from Rose Bay Park and the nearby beach, views would be maintained in many view lines through the fairways of the marina. In most views therefore, the size of the larger vessels will not cause significant effects on view access or the composition of the views.

In summary, it is considered that the significance of potential visual impacts would be moderate and that this is acceptable given the nature of the development. Measures

for mitigating the visual exposure of the development have been taken appropriately in determining the layout, scale and location of berths. In this regard it is considered that the development would be of an appropriate scale and appearance given its location and intended use.

For all of these reasons it is considered that the visual impacts of the development would be acceptable and that the development is worthy of receiving Land Owner's Consent for the lodgement of a DA along the lines proposed.