



The Star - Modification 13

Landscape & Visual Assessment Review

BY:

DAVID MOIR B.L.ARCH RLA

Director

Moir Landscape Architecture Pty Ltd

03 September 2019

FOR:

Star Entertainment Group Ltd

Table of Contents

Executive Summary	3
Qualifications & Experience.....	3
Introduction	3
The Proposal	4
Site Assessment	5
Visual Impact Assessment.....	6
Architectus VIA	7
RLA Peer Review	8
Independent Assessment & Design Advice (IADA).....	9
Modification Assessment.....	11
Summary.....	14
Annexure A – David Moir CV.....	15

Executive Summary

1. On review of the application documentation, the Department's assessment and the Independent Assessment and Design Advice provided by Professor Peter Webber, it is my opinion that the justifications for refusal on the basis of visual impact are not based upon appropriate assessment methodology and instead, are based on the brief and subjective opinion of Professor Peter Webber.
2. The Department gives greater weight in its assessment of the proposal to the subjective opinion of Professor Peter Webber over the conclusions of the comprehensive VIA undertaken by Architectus in conformance with the detailed project SEARS and the conclusions of the peer review of the VIA by Richard Lamb and Associates.
3. It is my opinion that the justifications for refusal on the basis of Visual Impact are flawed as they are not based on any conclusions that have been determined through an accepted process and are not based upon appropriate assessment methodology. For a development of this significance, a methodology of assessment, such as the one clearly outlined in the SEARS, should form the basis of any justification for refusal for reasons of adverse Visual Impact.
4. I recommend the Independent Planning Commission take the Department's lack of process of assessment into consideration in their review of the Department's justifications for refusal on the grounds of perceived visual impact.

Qualifications & Experience

5. My qualifications and experience are detailed in Annexure A.
6. I acknowledge that I have read the Expert Witness Code of Conduct and agree to abide by it.

Introduction

7. Moir Landscape Architecture has been engaged by the Star Entertainment Group Ltd (**SEGL**) to provide an expert statement in the field of Landscape and Visual Impact Assessment in response to the visual impact objections from the Department of Planning, Industry and Environment (**Department**) relating to the proposed tower (Modification 13) at The Star site in Pymont.
8. In the preparation of this summary report I undertook a site visit on 13 August 2019 and reviewed the following documents relating to the proposed Modification 13 including:
 - *The Secretary's Environmental Assessment Requirements* (SEARS) 9 May 2016;
 - *Modification 13 – Environmental Assessment Report - Urbis* 13 August 2018;

- *Visual Impact Assessment – The Star Modification 13* – Architectus August 2018 (Architectus VIA);
 - *s.75W Application for Modification 13 to Major Project Approval MP 08_0098 The Star Casino. Peer Review: Visual Impact Assessment by Architectus (the VIA)* – Richard Lamb & Associates (RLA) July 2018;
 - *The Star Modification 13 – Urban Context Report* – Urbis January 2018;
 - *The Star Casino - Section 75W Modification Assessment Report* – NSW Dept. Planning & Environment July 2019 (**Modification Assessment**); and
 - *The Star Casino - Pyrmont, Sydney - Proposed New Residential and Hotel Tower – Mod 13 – Independent Assessment and Design Advice* – Professor Peter Webber July 2019 (IADA).
9. This report is not a Visual Impact Assessment. The purpose of this report is to review;
- the recommendations for refusal pertaining to Visual Impact made in the Modification Assessment;
 - the expert advice provided, and the methodologies applied to determine the conclusions in the IADA pertaining to Visual Impact; and
 - the methodology and conclusions determined in the Architectus VIA in the context of the recommendation for refusal on issues relating to Visual Impact.

The Proposal

10. The proposal seeks approval for the development of a hotel and residential tower at the corner of Pirrama Road and Jones Bay Road, Pyrmont. The key element of the proposal that is the crux for issues surrounding visual impact is the 237m tower comprising 204 residential apartments and 220 hotel rooms, residential and hotel lobbies, a hotel club lounge, a neighbourhood centre within the tower podium, food and drink outlet fronting Jones Bay Road, a car parking stacking system and associated development.
11. The proposed tower design was selected through a comprehensive design competition as requested in the SEARS for the project. The competition consisted of 3 entries and incorporated considerable community consultation. The Design Review Panel included representatives from SEGL, the hotel industry, the design industry and NSW Government Architect.
12. Modification 13 was submitted to for approval under section 75W of the EP&A Act 1979 in August 2018.

Site Assessment

13. As part of this review I undertook a site visit to the proposed development site on 13 August 2019 for the purpose of understanding the context of the proposal at street level on Pirrama Road and Jones Bay Road. I also visited viewpoints identified in the Architectus VIA at Pirrama Park, Union Square (and adjoining heritage conservation area), and viewpoints at Cockle Bay, King Street Wharf and Barangaroo.
14. The Urban Context Report by Urbis provides a comprehensive assessment of the historical evolution of Pymont and identifies the current character in the immediate surrounds of the proposal and local context through Pymont, the surrounding bays and the connection with the CBD. For the sake of expedience, I will refer the reader to that document for historical context and focus on the pedestrian character of the viewpoints visited.
15. On site at the intersection of Pirrama Road and Jones Bay Road (the location of Modification 13) the character is defined by a mixture of heritage industrial buildings associated with the wharves and modern commercial and residential apartment buildings. The buildings are primarily low rise (4-8 storeys) with extensive and inactive street frontages. Views to the Harbour are restricted by the built form however a short walk to Metcalf Park or Pymont Bay Park provides direct access to the water. The streetscapes and open space areas are contemporary in design and structure, and they are a key feature of the waterfront area.
16. Moving north towards Pirrama Park the dominant character element is the sandstone cutting that provides a clear demarcation between the wharves and waterfront and the densely developed area west of the escarpment associated with Pymont Street and Harris Street. Streetscapes are tree lined, attractive yet largely inactive. The articulation of the wharves is the key character element of the harbour edge and offer views across Darling Harbour to the City.
17. Pirrama Park is a significant area of harbourside open space. Its character visually connects with the more suburban harbour edge of Balmain East however views to the East are a reminder of the close proximity to the City. The park is contemporary in design and connects to the contemporary style of the redeveloped Jones Bay Wharf and apartments along Pirrama Road.
18. Union Square at the intersection of Union Street and Harris Street is in the heart of the Pymont Conservation area. The streetscape is characterised by two to four storey heritage buildings and a streetscape that, although contemporary, is sensitive to the heritage character. Harris Street is a well activated streetscape, particularly in the area surrounding Union Square. Large contemporary buildings are prominent to the east, however, in the context of the proximity to the city, do not detract from the finer grain character elements of Union Square and the broader conservation precinct.
19. Pymont Bridge is the major pedestrian connection between Pymont and the City, particularly for the many residents of Pymont. It is also a key defining character element of the southern end of Darling Harbour. South of Pymont Bridge Road the pedestrian experience deteriorates as the streetscape of Darling Drive is dominated by the considerable bulk and scale of the Novotel and Ibis hotels and the significant concrete structures associated with the Western Distributor.

20. On the eastern edge of Cockle Bay, the view to the west is dominated by the Imax Theatre and ICC tower (Sofitel). The character of the eastern edge is of a vibrant and active contemporary city waterfront. Viewing to the north the International Towers dominate the skyline with distant views to the north side of the Harbour.
21. To the north of Pyrmont Bridge views open up to the Pyrmont Wharves, which set the character for the western edge of Darling Harbour. The Sofitel, Ibis and The Star dominate the horizon to the west but are sufficiently setback in the view not to detract from the articulation of the wharves.
22. At Barangaroo the evolving nature of the Darling Harbour edge is most apparent, particularly with the Crown Casino tower beginning to take shape. The wharves dominate the character of the waterfront of Pyrmont while the horizon line is characterized by the mid-rise residential and hotel buildings. From this viewpoint the post-industrial, densely developed character of Pyrmont contrasts significantly with the leafy suburban character of the Balmain East waterfront.
23. When in Pyrmont, all of the locations visited had unique character elements that successfully integrated the retained heritage elements into a contemporary urban character. From all locations visited, the proximity of Pyrmont to the CBD is constantly apparent however does not detract from the fine grain character at street level. The pedestrian experience through the active and vibrant heritage streetscape of Harris Street through to the relatively peaceful waterfront parks and wharves of Pirrama Road provide a unique Sydney experience that, for the uninitiated, is unexpected, as when viewed from across the water, the visual character of Pyrmont (except for the wharves and waterfront edge) is visually, pretty unremarkable.

Visual Impact Assessment

24. The practice of Visual Impact Assessment (VIA) has evolved significantly over the past twenty years as the importance of the visual landscape to our sense of place, wellbeing, cultural identity and personal and collective values has become more clearly understood. Over this period, methodologies for the assessment of visual impacts have been developed globally and have been tested through practice and through the courts. There now exists a generally accepted approach to undertaking VIA. The key purpose of this accepted approach is to establish a process of quantitative assessment following a clearly defined methodology that could, if required, be followed by another experienced practitioner who would, ideally, arrive at similar conclusions.
25. The value of the quantitative approach is that a generally accepted baseline can be established from which a practitioner can then apply a degree of qualitative assessment, which again, should describe a logical path to a conclusion on the level of impact.
26. Methodologies in approach may vary depending on the type and scale of development or impact, the setting and landscape within which the proposal is being assessed and the cultural values that may be ascribed to a particular visual landscape. What should be consistent across all VIA is the description of the process and the consistency of assessment and values applied.

27. For the Modification 13 application, the SEARS included a comprehensive outline of requirements to be adhered to in the preparation of the VIA (refer SEARS 9 May 2016 – Plans & Documents - Section 7. Visual Impact Assessment). In reference to the visual assessment methodology, the SEARS clearly demand that when undertaking the VIA:
- *The consultant's methodology should be explicit. This may include a flow-chart indicating how the analysis is to be undertaken, or a narrative description of the proposed sequence of activities.*
 - *As part of the methodology, the consultant should provide, and explain, criteria for assessment relevant to the site, local context and proposed built form and public domain outcomes. A rationale should be provided for the choice of criteria. Criteria must include reference to the planning framework.*
 - *Visual catchment should be defined and explained (see below).*
 - *An assessment matrix should be produced including number of viewers, period of view, distance of view, location of viewer to determine potential visual impact - i.e. high, medium or low.*
28. In addition to expectations on methodology the SEARS clearly identified specific locations and viewpoints where the proposal should be assessed from and how, as a minimum, the assessments and conclusions should be graphically developed and represented in the VIA.
29. Without an explicit and logical methodology and a process of quantitative assessment, conclusions on the extent of impacts are purely subjective and valueless in communicating the potential extents of the visual impact of a proposal.

Architectus VIA

30. The VIA prepared by Architectus is a comprehensive and thorough visual impact assessment.
31. Architectus have developed a methodology for the assessment that is appropriate for the proposal. The report focuses on the context of the setting and the impact on key public domain views throughout the city (including those specifically identified in the SEARS), the impact on identified view corridors and addresses the potential impact upon views from private residences.
32. The VIA clearly demonstrates adherence to the specific visual impact requirements detailed in the SEARS (specifically addressed in Section 2.2 Secretary's Environmental Assessment Requirements of the VIA p.21).
33. The assessment addresses the impacts in the context of the relevant planning legislation, guidelines and principles relating to the site.
34. As requested in the SEARS, the VIA adopts the preferred methodology of the Land and Environment Court of New South Wales in the preparation of photomontages. On assessment it appears that the photomontages provide an accurate representation of the proposal in the context of the buildings setting and its introduction into the current urban landscape. The methodology for the preparation of the building model and the process through which this was

integrated into the photomontage, to ensure an accurate representation of the proposal, is clearly described.

35. The VIA concludes that the visual impacts of the proposal are acceptable primarily due to:
- *the emerging context of the site and its surrounds being strategically envisioned for growth,*
 - *the context of the current and proposed built form surrounding Darling Harbour, in particular the scale of development at Barangaroo and the bulk and scale of development in the southern extents of Darling Harbour,*
 - *the tall, narrow design of the proposal maintains views to the water and land–water interface and does not obstruct views between public spaces, heritage items or landmarks, primarily only obstructing views to an area of sky,*
 - *and that while highly prominent it does not decrease the quality of views or their ability to be appreciated.*
36. On review, it is my opinion that the Architectus VIA provides an accurate assessment of the extent of Visual Impact of the proposal within its visual catchment and the context of its setting.

RLA Peer Review

37. RLA were engaged by SEGL to undertake a Peer Review of the Architectus VIA.

38. The RLA report concluded that;

“The VIA shows that while the building would be a change to the visual environment in the public domain, the building does not have substantive negative visual impacts measured with regard to view loss, view sharing, or access to views of scenic, iconic or other items of documented importance. The additional environmental impacts (visual impacts) would therefore be limited.”

and,

“In summary, the VIA shows that the tower does not cause more than limited impacts compared to what has previously been assessed, irrespective of its additional height. The extra height obscures an area of sky only, which, while this is a kind of view loss, is not one that is called up by the planning principles or development controls that apply. In my experience, loss of view of sky in the general sense, is not a reason for refusal of the height of a building.

39. RLA stated that on review the Architectus VIA demonstrated best practice in its assumptions, methods and conclusions and that the s.75W application had limited environmental impacts as required to be addressed by SEAR 1.

40. It is my opinion that the RLA peer review provides a thorough and accurate appraisal of the Architectus VIA, the applied methodology and the established conclusions.

Independent Assessment & Design Advice (IADA)

41. An Independent Assessment and Design Advice was prepared by Professor Peter Webber on behalf of the Department.
42. The assessment refers to the findings of the Architectus VIA and the Peer Review by RLA.
43. In addressing the methodology and approach the IADA acknowledges that the Architectus VIA;
“explores the impact from a comprehensive range of viewpoints” (p.136, paragraph 2 – Modification Assessment)
44. The IADA acknowledges that from a series of viewpoints, primarily to the west of Anzac Bridge and from the centre of the Sydney CBD that;
“the tower would be seen against the backdrop of existing high-rise buildings in the city centre with prominent features in the foreground such as the nearby peninsula and Anzac Bridge and would not be conspicuous or objectionable. Even from Martin Place, where glimpses would be visible, the new tower being relatively distant may not be unduly intrusive from most viewing positions.” (p.136, paragraph 2 – Modification Assessment)
45. The IADA ultimately disagrees with the conclusions of the VIA that the overall visual impact of the proposal is acceptable from public and private views and the conclusion of the RLA Peer Review that Modification 13 would not have substantial negative visual impacts.
46. The IADA states that:
“it cannot be agreed that this would be the case because from the large majority of other viewpoints it is considered that the tower would be unduly prominent, unrelated to its context and unacceptable. The argument that only sky views are obscured by extra height ignores the fact that the substantial visual bulk of the very tall tower seen against the sky would be oppressive from many viewpoints. This is demonstrated by many of the images presented” (p.136, paragraph 4 – Modification Assessment)
47. The IADA supports this conclusion with comments on specific viewpoints from the Architectus VIA stating that specific views in the;
- Distant/Medium Distant**
- *View from Balls Head (p.49 VIA) illustrates its isolated form adversely impacting on views to the Harbour and Goat Island*
 - *View from Central Barangaroo Foreshore (p.55 VIA) indicates how it would be completely unrelated to its context in this part of Pyrmont”*

- Views from Pymont Bridge (p.63 VIA) and east Cockle Bay (p.67 VIA) both demonstrate its undue prominence, even in the context of the very large Convention Centre and ICC buildings.
- View from Giba Park (p.85 VIA) where it would be closer, the tower becomes highly intrusive. (p.136, paragraph 5 – Modification Assessment)

Immediate

- Pirrama Road / Jones Bay Road view (p.89 VIA) shows how the setback of the tower from the podium façade at lower levels would do very little to mitigate the adverse impact of the tower bulk rising above, even though this would be far more significant than the image depicts. Only the lower six levels of the tower are visible in this montage, whereas in reality anybody experiencing the building from this viewpoint would be well aware of the bulk of the tower above. Comparison with the image of the existing building is also very telling.
- Pymont Bay Park view (p.91 VIA) demonstrates clearly that the tower would loom over the environment in this area, with little regard for its pedestrian context.” (p.137, paragraph 3 – Modification Assessment)

48. In referring to the **Distant/Medium Distant** views the IADA does not explain that how and why, other than being present in the view from Balls Head, the proposal “adversely impacts” on views to the Harbour and Goat Island when it is clearly positioned behind both these elements in the view. Or, when “prominence” becomes unduly or, on what scale, the presence of an element in a view transitions from acceptable to intrusive to “highly intrusive”.
49. In the discussion on **Immediate** views the IADA does not explain why the presence of the tower above the streetscape is an “adverse impact” as it could be equally argued that in such close proximity to the tower the impact would be negligible as people rarely look directly upwards (as it is uncomfortable). Or, how the proposal has “little regard for its pedestrian context” when, alternately, other prominent vertical elements in a pedestrian context are valued as focal points, particularly when orientating visitors to key attractions and entertainment zones.
50. It is clear that the IADA is not a visual impact assessment nor does it pretend to be, however it does draw subjective conclusions without a proper baseline, application of any methodology of assessment or clear explanation to how its conclusions relating to the extent of visual impact have been determined.
51. The comments on visual impact in the IADA are in fact very brief and do not explain in what context or in any detail why the proposal is considered to be “unacceptable” or how and why the IADA conclusions differ from the conclusions of the VIA on particular viewpoints.
52. In the absence of any quantitative analysis or methodology of assessment, the conclusions of the IADA can only be considered a subjective review of the proposals impact and should not be given equal consideration when compared to the comprehensive assessment of the visual impacts of the proposal undertaken in the preparation of the Architectus VIA and the established conclusions.

Modification Assessment

53. In the Executive Summary, under the title “Visual Impact”, the Department makes the following statement to justify the recommendation for the refusal of the proposal on the basis of perceived visual impacts.

“The Department agrees with the independent design advice that the proposed tower would appear isolated and overly prominent and unrelated to its context within Pymont to the detriment of local and wider views from many public vantage points. The Department considers the proposed tower is inconsistent with and would adversely affect the established character of Pymont. Furthermore, from all directions the proposed tower would be highly visible and prominent in views from nearby public domain and public open spaces, and more distant views from the north shore. The prominence of the tower would be both significant and detrimental to those public views.”

54. As stated previously the advice in the IADA by Professor Webber relating to visual impact is very brief and subjective. The IDA does not provide a clear explanation on why the proposal is considered to be overly prominent, why the impacts upon the character of Pymont are adverse or how and why the introduction of this tower into the existing Sydney landscape would be detrimental to public views. Being visible or prominent alone are not detrimental visual impacts.

55. When undertaking visual impact assessments, the objective is not to determine whether the proposed impact is visible or not visible, but to determine how the proposal will impact on the existing visual amenity, landscape character and scenic quality. The Architectus VIA identifies the key viewing locations where the proposal will appear to contrast in height to the existing built form in the immediate area of the proposal. The VIA demonstrates the prominence and visibility of the proposed tower clearly through photorealistic montages. The VIA acknowledges that the tower will be prominent however identifies that in the context of the existing and emerging urban landscape the tower is neither out of character or an inappropriate element, and, as a consequence, does not have an unacceptably adverse impact upon the views from the public domain.

56. In assessing the proposal against other key factors generally addressed in the Architectus VIA, RLA in its peer review of the Architectus VIA stated that although the proposal will constitute “a change to the visual environment in the public domain, the building does not have substantive negative visual impacts measured with regard to view loss, view sharing, or access to views of scenic, iconic or other items of documented importance”.

57. The second paragraph under the Visual Impact heading in the executive summary in the Department’s Modification Assessment is as follows;

“The Department also considers the proposal is contrary to Planning Principle no.4, established in The Land and Environment Court case Veloshin v Randwick Council [2007] NSWLEC 428 (The LEC Case). The impacts of the proposed tower are not consistent with the impacts that may be reasonably expected from an LEP complaint envelope; the proposed height and bulk significantly exceed the height and bulk of existing buildings; the proposed tower is at odds with the predominant low-to-medium rise-built form character of the surrounding area and it is overly dominant.”

58. On review of Planning Principle No.4 and the Land and Environment Court case of *Veloshin v Randwick Council* [2007] NSWLEC 428, it is my opinion that the above paragraph does not relate to visual impact but to issues surrounding bulk and scale, privacy and overshadowing.
59. The issue of dominance is one that is considered in Visual Impact Assessment and generally in terms of an element (or multiples of that element) within a view that, when introduced, become the dominant element in the view, and as a result, change and define the character of that view. The tower, if constructed, will be a prominent element in views to the west towards Pyrmont, however, the character of Pyrmont will still be defined by the abundance of low-rise development.
60. The third paragraph under the Visual Impact heading in the executive summary in the Department's Modification Assessment is as follows;

"The Department acknowledges the proposed tower would be imposing when viewed from within the Pyrmont conservation area and be proximate in views to and from local heritage items. However, it is considered the tower is located a sufficient distance from the conservation area so as not to directly impact its setting or preclude the appreciation of proximate heritage items. The Department concludes that although minor, the heritage impacts of the proposal would only occur as the result of an unacceptable form of development and therefore should not be supported."

61. Neither the Modification Assessment nor the IADA demonstrate how the tower would be imposing when viewed from within the Pyrmont Conservation Area. Viewpoint P20 in the Architectus VIA demonstrates the visibility of the proposed tower from Union Square in the Pyrmont Conservation Area. The tower is clearly visible however, as acknowledged in the above paragraph, it does not directly impact on the setting. As there are other contemporary buildings within the view that are significantly larger in scale than the heritage buildings around Union Square, the proposal does not appear out of context. Due to the scale of the Union Street/Harris Street intersection this location provides the most open views towards the tower. As pedestrians move either to the north or south of this location the views to the tower are likely to be contained and fragmented by existing built form and the canopy of the established street trees.
62. The Architectus VIA concludes the assessment of the proposal on heritage views stating that:

"This report considers heritage items for their importance as part of a visual impact assessment process only as they are assigned importance as part of the planning framework. It finds that the proposal does not obstruct views to or from heritage items and key areas of public domain and therefore the impacts on heritage items in visual impact terms is limited." (p156, Column 2, Paragraph 4 Architectus VIA)

63. The final paragraph under the Visual Impact heading in the executive summary in the Department's Modification Assessment is as follows:

"The Department considers the approval of the tower would establish a precedent for future tall buildings in its immediate vicinity, as a defining component of an entirely new Pyrmont character and built form context. This new character could and most likely would, be used to justify additional tall buildings, further eroding the established and desired character of Pyrmont, unsupported by any adopted strategic policy direction."

64. It is my opinion that this paragraph does not relate to visual impact of the proposal but more the possible change of the character of the Pyrmont area over time if the proposal were to be approved and used as precedent for future development. It is my understanding of the NSW planning system that if a clear vision for the future development of a precinct or area is determined then the density, height and typology of future development can be effectively controlled through clearly articulated planning regulations and design guidelines.

65. In *Section 6.2.2 Visual impacts of the tower when viewed from the surrounding area* the Modification Assessment quotes the IADA conclusion:

“it cannot be agreed that this would be the case because from the large majority of other viewpoints it is considered that the tower would be unduly prominent, unrelated to its context and unacceptable. The argument that only sky views are obscured by extra height ignores the fact that the substantial visual bulk of the very tall tower seen against the sky would be oppressive from many viewpoints. This is demonstrated by many of the images presented” (p.136, paragraph 4 – Modification Assessment)

66. In the following paragraph the Modification Assessment states that;

“The Department considers that the above visual analysis indicates that from all directions the proposed tower would be highly visible/prominent in views from nearby public domain and public open spaces, and more distant views from the north shore. The prominence of the tower would be both significant and detrimental to those public views”. (p45, Paragraph 5 – Modification Assessment)

67. Firstly, it is misleading to refer to the conclusion of the IADA as “visual analysis” as there is no evidence of any visual analysis being undertaken as part of the IADA. There is a subjective opinion on the visual impact of the proposal however this opinion is not based on the outcomes of the application of a visual assessment methodology. As stated previously the subjective opinions presented in the IADA relating to visual impact should not be given the same weight in assessment as the conclusions of the Architectus VIA which has directly responded the comprehensive requirements of Visual Impact Assessment detailed in the SEARS.

68. Secondly, the IADA conclusion does not indicate that *“from all directions the proposed tower would be highly visible/prominent in views from nearby public domain and public open spaces, and more distant views from the north shore”*. In fact, the IADA acknowledges that from a series of viewpoints primarily to the west of Anzac Bridge and from the centre of the Sydney CBD that,

“the tower would be seen against the backdrop of existing high-rise buildings in the city centre with prominent features in the foreground such as the nearby peninsula and Anzac Bridge and would not be conspicuous or objectionable. Even from Martin Place, where glimpses would be visible, the new tower being relatively distant may not be unduly intrusive from most viewing positions.” (p.136, paragraph 2 – Modification Assessment).

Summary

69. It is my opinion that the assessment of Visual Impact in the Modification Assessment dismisses the conclusions of the comprehensive VIA undertaken by Architectus and the conclusions of the peer review of the VIA by RLA in favour of several paragraphs of subjective opinion on the subject of Visual Impact in the IADA, which are not supported by any demonstrated methodology of assessment or clear justification.
70. Subsequently, it is my opinion that the justifications for refusal on the basis of Visual Impact are tenuous at best and are not based upon appropriate assessment methodology. For a development of this significance a methodology of assessment, such as the one clearly outlined in the SEARS, should form the basis of any justification for refusal for reasons of adverse Visual Impact.



David Moir B.L.Arch RLA
Director
Moir Landscape Architecture PL

03 September 2019

Annexure A – David Moir CV

● David Moir BLArch RLA AILA

Director



Registration No. 1103

David is a Registered Landscape Architect and Director and Principal Landscape Architect of Moir Landscape Architecture Pty Ltd.

Since completing his professional qualifications in 1997 David has gained significant experience and knowledge in the field of Landscape Architecture and Urban Design and has been directly involved in over 2000 projects throughout Australia, Asia and the Middle East.

Areas of expertise include Designing for the Elderly, Water Sensitive Urban Design, Residential Estate Masterplanning, Visual Impact Assessment, Public Domain Masterplanning and Park & Playground Design.

David is an active participant in continuing professional development and has previously held the position of NSW representative on the Australian Institute of Landscape Architects National Council.

David has sat as a community representative on the Newcastle City Council Recreation and Open Space Management Committee and the Urban Planning & Design Strategic Advisory Committee and is currently a member of the UDIA Newcastle Urban Renewal Advisory Panel.

David has considerable experience in the field of Landscape and Visual Impact Assessment for renewable energy projects and has assisted the NSW Department of Planning and Infrastructure in preparing the Landscape and Visual Impact Assessment Guidelines for Wind Farm Development in NSW.

David has extensive experience as an Expert Witness and was most recently involved in the DP&E case on Rocky Hill Coal Mine VIA assisting in the positive outcome of the case.

Experience

Director, Moir Landscape Architecture, 2001 - present

Project Landscape Architect, EJE Landscape Architects, 1999 - 2001

Project Landscape Architect, Environmental Partnership, 1997 - 1999

Education

B.Landscape Architecture, University of Canberra 1995-1997

B.Landscape Design, Manchester Metropolitan University, UK 1991-1994

Affiliations

Registered Landscape Architect with the Australian Institute of Landscape Architects
AILA National Executive, 2005-2008

UDIA Associate Member

NSW Property Council Associate Member



Key Projects

LANDSCAPE & VISUAL IMPACT ASSESSMENT

- Singleton Recycling Factory Eco Logic Developments P/L
- Goschen Mineral Sands VHM Limited
- Laceby Solar Farm Be Pro J Pty Ltd
- Upper Hunter Energy Parl VIA Verificaton Upper Hunter Energy Park P/L
- Tamworth Solar Farm PROJECTe
- Capital 2 Wind Farm, Bungendore Infigen Energy
- Capital Solar Farm, Bungendore Infigen Energy
- Nyngan Solar Farm Infigen Energy
- Manildra Solar Farm Infigen Energy
- Moree Solar Farm Infigen Energy
- Bodangora Wind Farm, Wellington Infigen Energy
- Cherry Tree Wind Farm Infigen Energy
- Crudine Ridge Wind Farm, Crudine Wind Prospect CWP
- Uulunga Wind Farm Wind Prospect CWP
- Gregadoo Solar Farm NGH
- Sebastapol Solar Farm NGH
- Wellington Soalr Farm NGH
- Oxley Solar Farm NGH
- Currawarra Solar Farm NGH
- Tarleigh Park Solar Farm NGH

EXPERT WITNESS & PEER REVIEW

- 18-20 Old Bathurst Rd, Woodford (Visual, Landscape & Ecological Contentions) NSW L&E Court
- Crookwell 3 Wind Farm - NSW IPC
- Rocky Hill Coal Mine, NSW L&E Court
- Wagga Solar Farm, NSW L&E Court
- Oberon Quarry, NSW L&E Court
- Vallahalla Village, Chain Valley Bay (Visual, Landscape & Ecological Contentions) NSW L&E Court
- 'Craignairn' Burns Rd Wahroonga (Landscape Heritage Contentions) NSW L&E Court
- Pepperwood Ridge, Elernmore Vale (Visual & Landscape Contentions) NSW L&E Court
- Cherry Tree Wind Farm, Victoria (Visual Impact & Landscape Character Contentions) VCAT
- Dundonnel Wind Farm (Peer Review)
- Flyers Creek Wind Farm (Peer Review)
- Rye Park Wind Farm (Peer Review)

