

Appendix 2: View Impacts

Planning Principle – View Sharing

To understand whether the proposal will ensure a reasonable level of view sharing for adjoining properties, consideration is given to the four (4) step process adopted by Commissioner Roseth of the NSW Land and Environment Court centering around *Tenacity Consulting v Warringah Council* [2004] NSWLEC 140.


1. Assessment of views to be affected;

“Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, eg a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.”

2. Consider from what part of the property the views are obtained.

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

The below table describes the view to be affected, along with the part of the subject site the views are obtained from. The images indicate in yellow the general location of windows in neighbouring properties. The table lists key view across the site. Some views from other properties not listed in this table are affected but only to a minor or negligible level, and the impacts on these other views are adequately addressed within the Statement of Environmental Effects lodged with the application.

Address	View	Part of Property
Apartment 1/145 Kurraba Road (Ground Floor)	Partial view of Mosman Bay/Cremorne Point to the east from living and dining rooms.	This view is to the east and is not obtained across any part of the subject site.
	Partial view of Sydney CBD (top of buildings) to southwest from living room.	View obtained from a living room window across the common side boundary to the southwest.
	Outlook towards vegetation and buildings to south/southeast from living and dining rooms.	Outlook obtained across the common side boundary and across the northeastern corner of the subject site.

Apartment 3/145 Kurraba Road
(First Floor)



Partial view including water view of Mosman Bay/Cremorne Point to the east.

This view is to the east and is not obtained across any part of the subject site.

Partial view of Sydney CBD and partial view of Sydney Harbour Bridge to southwest from living room.

View obtained from a living room window across the common side boundary to the southwest.

Outlook/view towards vegetation and buildings with water glimpse to south/southeast from living and dining rooms.

View obtained across the common side boundary and across the northeastern corner of the subject site.

Apartment 5/145 Kurraba Road
(Top Floor)



Full view including water and land interface of Shell Cove/Mosman Bay/Cremorne Point to the east.

This view is to the east and is not obtained across any part of the subject site.

View of Sydney CBD and Sydney Harbour Bridge to southwest from living room.

View obtained from a living room window across the common side boundary to the southwest.

View towards vegetation and across buildings to Sydney Harbour beyond to south/southeast from living and dining rooms.

View obtained across the common side boundary and across the northeastern corner of the subject site.

Apartment 6/145 Kurraba Road
(Top Floor)



Expansive view towards the Sydney CBD including Sydney Opera House and Sydney Harbour Bridge towards the west, south and southwest from west and south facing sun room windows and south facing living room windows.

View obtained across the western (rear) boundary of 145 Kurraba Road across the roof of 151 Kurraba Road and through the common side boundary across the top of 153 and 147 Kurraba Road.

View towards Sydney CBD and Sydney Opera House towards the south/southwest from living room windows.

View obtained through the common side boundary across the top of 153 and 147 Kurraba Road.

Apartment 3/145A Kurraba Road



Expansive view of Neutral Bay and North Sydney, views of Sydney CBD, and partial views of Sydney Harbour Bridge from west facing study and living room windows.

This view is to the west and is not obtained across any part of the subject site.

Filtered view of Sydney CBD and Sydney Opera House to the southwest from south facing dining room windows.

View obtained across the northwestern corner of the subject site.

Apartment 7/145A Kurraba Road



Expansive view of Neutral Bay and North Sydney, views of Sydney CBD, and partial views of Sydney Harbour Bridge from west facing study and living room windows.

This view is to the west and is not obtained across any part of the subject site.

View of Sydney CBD and Sydney Opera House to the southwest from south facing dining room windows.

View obtained across the northwestern corner of the subject site and across the roof of 151 Kurraba Road.

Apartment 43/143 Kurraba Road



Expansive views of Mosman Bay and Cremorne Point to the east from bedroom and balcony.

This view is to the east and is not obtained across any part of the subject site.

Partial view of Sydney CBD and Sydney Harbour Bridge to south from bedroom, balcony and living room.

View obtained between 145 and 145A Kurraba Road and across the roof of 145A Kurraba Road then across the north side boundary of the subject site.

Apartment 66 /143 Kurraba Road



Expansive and Iconic views of Neutral Bay and North Sydney, views of Sydney CBD, and Sydney Harbour Bridge to the west from bedroom and balcony.

The view to the west is not obtained across any part of the subject site.

Expansive and Iconic views of Sydney Harbour, Sydney CBD, Sydney Harbour Bridge and Sydney Opera House from bedroom, balcony and living room. Includes full land/water interface.

View obtained across the roofs of 145 and 145A Kurraba Road then across the north side boundary of the subject site and across the top of 151, 147 and 153 Kurraba Road (existing

buildings within the subject site).

3. Assess the extent of the impact in qualitative terms as negligible, minor, moderate, severe or devastating.

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

Apartment 1/145 Kurraba Road

Views to the east will be unaffected by the proposed development.

The partial view of Sydney CBD (top of buildings only) to the southwest from the living room will be lost from this ground floor apartment.

The outlook to the south/southwest from living and dining rooms will be reduced to a minor degree by the development.

Overall the view impacts to this property are assessed as minor. Refer to **Figure 1** below.

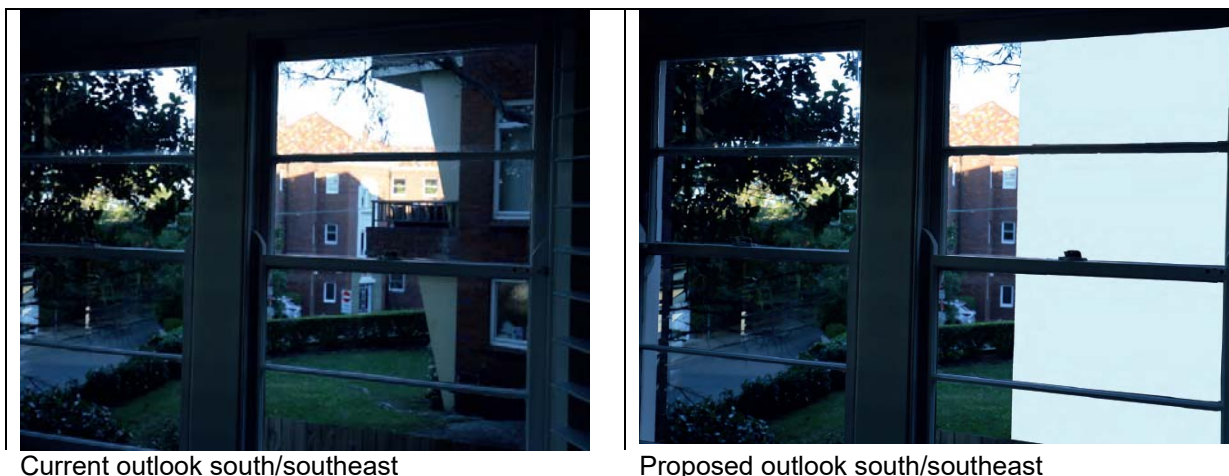


Figure 1: View impacts for 1/145 Kurraba Road

Apartment 3/145 Kurraba Road

Views to the east including water view will be unaffected by the proposed development.

The extent of the partial view of Sydney CBD will be reduced however the Harbour Bridge part of the view would be retained.

The outlook to the south/southwest will be reduced to a minor degree.

Overall the view impacts to this property are assessed as minor. Refer to **Figure 2** below.



Current view to southwest



Proposed view to southwest



Current outlook south/southeast



Proposed outlook south/southeast

Figure 2: View impacts for 3/145 Kurraba Road

Apartment 5/145 Kurraba Road

Views to the east including water view will be unaffected by the proposed development.

The extent of the view of Sydney CBD to the southwest will be reduced however the Harbour Bridge part of the view would be retained.

The view to the south/southwest will be reduced to a minor degree however a wide view of Sydney Harbour would remain.

Overall the view impacts to this property are assessed as minor. Refer to **Figure 3** below.



Current View to southwest



Proposed View to southwest



Current view south/southeast



Proposed view south/southeast

Figure 3: View impacts for 5/145 Kurraba Road

Apartment 6/145 Kurraba Road

Views to the west/southwest will be improved through the reduction in height in the northwest corner of the site compared with the existing building at 151 Kurraba Road, which will provide additional land/buildings and water interface below Sydney Harbour Bridge.

Views to the south/southwest from the south facing living room windows will be altered, and there will be a minor/negligible reduction in the view of the Sydney Opera House.

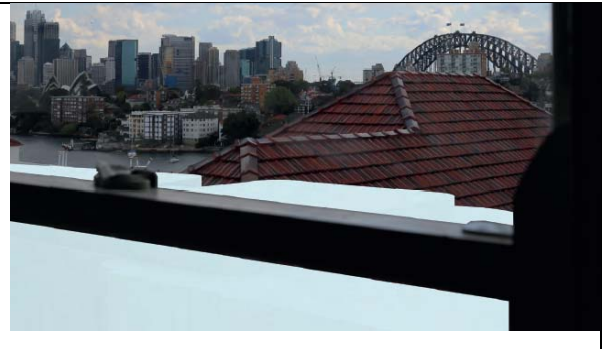
Views to the south/southwest will be altered but generally retained and there would be no loss of the Sydney Opera House view.

The view towards Sydney CBD and Sydney Opera House towards the south/southwest from the living room windows would be reduced to a minor degree.

Overall the view impacts to this property are assessed as minor. Refer to **Figure 4** below.



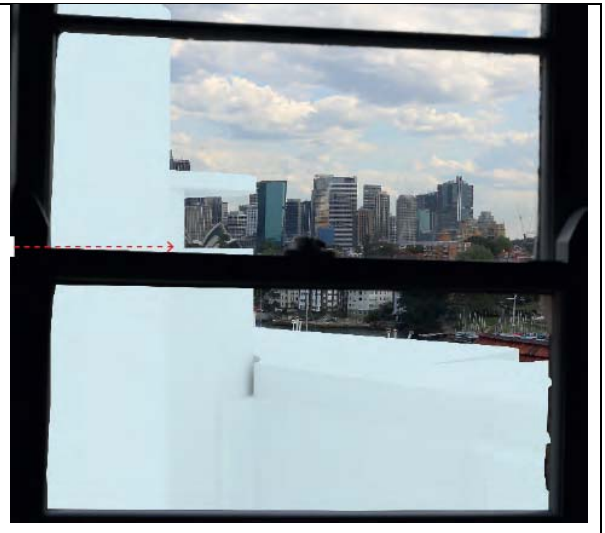
Current view to west/southwest



Proposed view to west/southwest (improved)



Current view south/southwest
(living room)



Proposed view south/southwest
(living room)



Current view south/southwest
(sun room)



Proposed view south/southwest
(sun room)

Figure 4: View impacts for 6/145 Kurraba Road

Apartment 3/145A Kurraba Road

Views to the west will be unaffected. The views across the site will also not be materially affected. Overall the view impacts to this property as assessed as negligible. Refer to **Figure 5** below.



Figure 5: View impacts for 3/145A Kurraba Road

Apartment 7/145A Kurraba Road

The expansive views to the west/southwest from west facing windows will be retained.

Views of Sydney CBD and Sydney Opera House to the southwest would be significantly improved through a reduction in height of the building at the northwest corner of the site compared with the existing building at 151 Kurraba Road.

Overall the view impacts to this property are assessed as negligible/improved. Refer to **Figure 6** below.

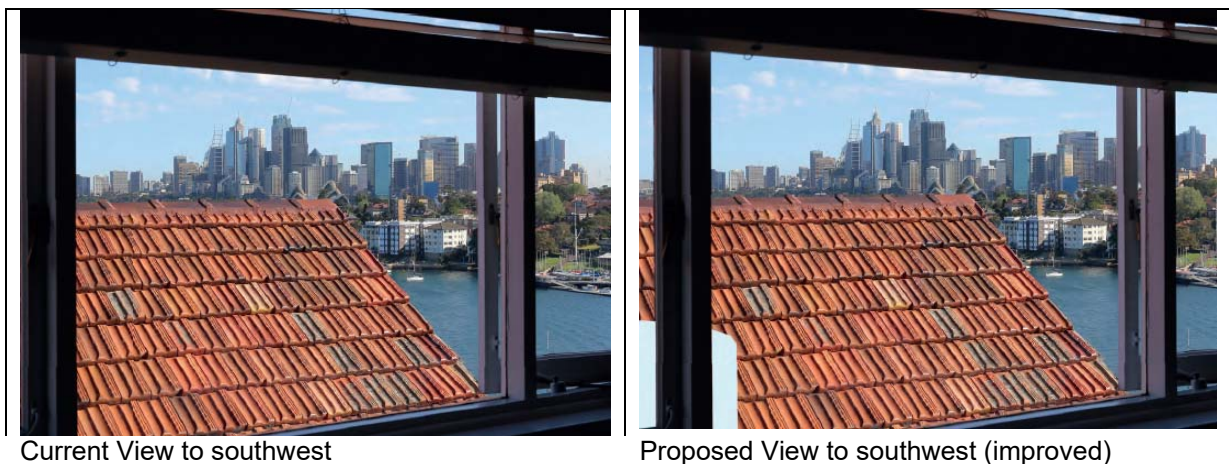


Figure 6: View impacts for 7/145A Kurraba Road

Apartment 43/143 Kurraba Road

The expansive views to the east from this apartment will be unaffected by the proposed development.

The partial view of Sydney CBD to the southwest between 145 and 145A Kurraba Road will not be materially affected.

Overall the view impacts to this property are assessed as negligible. Refer to **Figure 7** below.

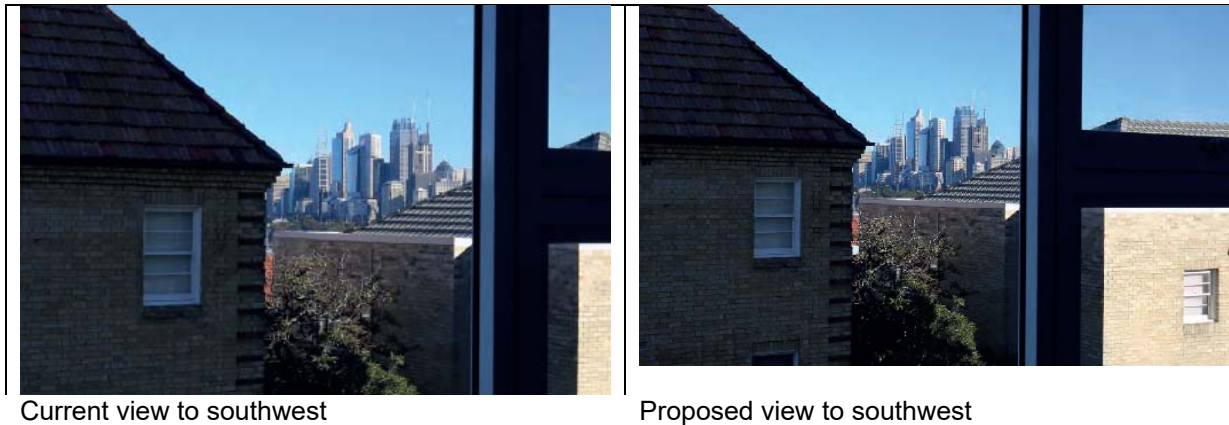


Figure 7: View impacts for 43/143 Kurraba Road

Apartment 66/143 Kurraba Road

The expansive views to the west from this apartment will be unaffected by the proposed development.

The panoramic views across the site towards the south will be retained in full.

Overall the view impacts to this property are assessed as negligible. Refer to **Figure 8** below.



Figure 7: View impacts for 66/143 Kurraba Road

4. Assess the reasonableness of the proposal that is causing the impact.

“A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.”

The proposed development complies with the NSLEP Building Height development standard, and also provides a compliant site coverage. The scale and massing of the building including the stepped form and central courtyard has been designed to ensure no neighbour experiences unreasonable view loss. Where view loss does occur this is no more than minor and arises from a compliant built form. Several properties around the site will benefit from improved views as a result of the development. Overall view impacts arising from the development are no more than minor, and acceptable view sharing is achieved.