

# Fact Sheet: View Sharing

## How views are assessed



Sydney's Northern Beaches provide some of the most scenic and valued views in metropolitan Sydney. These views contribute significantly to our unique character. Balancing development with the impacts on views from both private property and the public domain is the responsibility of the development community.

Through their design, development proposals should demonstrate that views from surrounding private and public places have been considered, and that any loss of views are minimised where possible. Where view loss occurs, Council's assessment will include analysis of the reasonableness of that impact.

The value placed on a view can vary. Council officers analyse and come to a decision about whether the loss of view is reasonable. These considerations are generally guided by the relevant [Development Control Plan \(DCP\)](#). The DCP is an official Council document that sets out expectations for development, including for the 'sharing' of views.

The NSW Land and Environment Court has also endorsed a general approach to the consideration of view issues and provides guidance through its relevant [Planning Principles](#). These Planning Principles are for views from a private property, or from public places as outlined below.

### Views from private property

In relation to views from private property, the relevant Planning Principle was developed as part of a Court decision in the matter [Tenacity v Warringah Council](#).

We must consider 'view sharing', which is:

*'...when a property enjoys existing views and a proposed development would share that view by taking some of it away for its own enjoyment'*.

The Principle sets out questions and considerations that can help determine whether view sharing is reasonable in the specific context of the development.

1. Identify and consider the nature and value of views, where the views are enjoyed from and the extent of the impact.
2. The reasonableness of the proposal causing the impact, including design alternatives that may avoid the impact.

### Views from public spaces and places

In relation to views enjoyed from public spaces, the relevant Planning Principle was developed as part of a Court decision in the matter [Rose Bay Marina Pty Limited v Woollahra Municipal Council and anor](#).

Consider these points when views from public areas are affected:

1. The nature and scope of views.
2. The locations of view interruptions.
3. The extent of obstructions.
4. The intensity of the use of the relevant public spaces.
5. Any documented importance of the view, or planning controls that specifically require its retention or protection.

### Height poles

Height poles are used to demonstrate the extent of view loss resulting from a proposed development. Applicants may be asked to temporarily install height poles, at their own expense, when:

- the proposed development may obscure views to an icon or landmark
- a non-compliance in built form leads to the view loss
- there are numerous view loss objections
- the potential view loss is unclear after an initial site visit
- the expected view loss is significant
- other relevant scenarios with the Assessing Officer's discretion.

