



northern
beaches
council

MEMO

DATE: 2 June 2026

TO: Northern Beaches Local Planning Panel (NBLPP)

CC: Peter Robinson, Executive Manager Development Assessment

FROM: Brittany Harrison, Planner

SUBJECT: Item No. 5.1 – D315A2025/1911 – 20 Cabarita Road, Avalon Beach

RECORD: 2026/315266

Introduction

The purpose of this Memo is to provide advice to the Panel in relation to a late a written submission from Kim Marsh (owner of No. 22 Cabarita Road, Avalon Beach) in response to Item 5.1 of the published Agenda for 3 June 2026.

The key concerns noted in the submission are summarised and addressed below.

Site Inspection

Concern is raised that neither the NBLPP nor Council have or will visit the objecting property at No. 22 Cabarita Road, Avalon Beach during the determination nor assessment process.

Planner Response

A site inspection of 20 Cabarita Road was undertaken on 15 May 2026. For the reasons set out in the assessment report, a site visit to the adjoining property, 22 Cabarita Road was not deemed necessary to understand the potential impact of the development on the objector property. It is considered that neighbouring amenity will be retained at an acceptable level, subject to the recommended conditions.

View Loss (Landscape Works)

In summary, concern is raised regarding potential view loss, resulting from the submitted Landscape Plan. It is recommended that specific plant species be identified to allow for the proper assessment of their potential impact.

The submission notes that the photographs relied upon in the assessment report were sourced from a previously withdrawn application (DA2024/0660) and are considered to be a poor representation of the potential view loss from their living and dining area. Furthermore, the objector argues that the

information provided may be sufficient in determining view loss impacts in reference to built form but not accurate in the context of the proposed landscaping.

Planner Response

The issues raised are addressed in the assessment report. The photographs used to represent the views of concern were sourced from DA2024/0660 to provide a visual representation.

The overall built form of the proposal is located landward of the foreshore building line, which is further upslope (to the west) of the dwelling at No. 22 Cabarita Road, Avalon Beach. The Landscape Plan will consist of various species of vegetation, which is noted in the submitted Planting Schedule, which forms part of the submitted Landscape Plan and is supported by Council's Landscape and Biodiversity Officers, subject to conditions.

Vegetation shall not be limited solely to create or preserve view corridors. Whilst the objector may not agree that "*Views are not to be obtained at the expense of native vegetation*", this is however a requirement of Clause C1.3 View Sharing of the P21DCP. Despite this, the following condition was recommended in reference to landscaped works and neighbouring amenity:

All proposed tree planting shall be positioned in locations to minimise significant impacts on neighbours in terms of blocking winter sunlight to living rooms, private open space and where the proposed location of trees may otherwise be positioned to minimise any significant loss of views from neighbouring and nearby dwellings and from public spaces.

Whilst no site inspection was undertaken from the neighbouring property, the information and material previously obtained by Council and available for the assessment was considered sufficient to determine that no adverse impact to views would result, and that the property will continue to benefit from expansive water views.

Drawings

The objector notes that a Master-set of Plans were submitted on 15 May 2026, one (1) day after submissions closed. None of the perspective drawings appear to show any of the large trees that are included in the Planting Schedule listings, nor indicate proximity of our home. It fails to demonstrate potential impact of new plantings.

Planner Response

The Master-set of Plans submitted on the 15 May 2026 was to address a discrepancy with the plans; the proposal was not altered and did not trigger re-notification as per the criteria in Council's Community Participation Plan. This was noted in the Assessment Report.

In terms of the Landscape Plan, this was reviewed by the relevant referral units – Biodiversity and Landscape, who are in support subject to recommended conditions within the draft conditions of consent.

Foreshore Location

The objector notes that the assessment report discusses the placement of the building at No. 22 Cabarita Road, Avalon Beach noting that it is predominantly seaward of the foreshore building line.

Planner Response

The placement of the dwelling at No. 22 Cabarita Road, Avalon Beach was referenced in the report to provide context to the area and describe the character of the eastern side of Stokes Point in comparison to the west. It was later discussed that this dwelling was located close to the MHWL in reference to view sharing (as noted in Issue 2 above).

Conclusion

The proposed development has been comprehensively assessed, and the above concerns raised within the late submission have been discussed in detail within the Assessment Report. The assessment report and recommendations remain relevant and deal with the issues raised. No changes are required to the recommendation.

Recommendation

Panel note the late submission