

**STATEMENT OF ENVIRONMENTAL EFFECTS**

**26 CABARITA ROAD, AVALON BEACH**

**PROPOSED ALTERATIONS AND ADDITIONS TO AN  
EXISTING DWELLING**

**PREPARED ON BEHALF OF  
Dr. Natasha Cook**

**APRIL 2025**

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## 1. INTRODUCTION

This application seeks approval for the construction of alterations and additions to an existing dwelling upon land at Lot 10 in DP 17704 which is known as **26 Cabarita Road, Avalon Beach**.

In preparation of this development application consideration has been given to the following:

- Environmental Planning & Assessment Act, 1979.
- Pittwater Local Environmental Plan 2014.
- Pittwater Development Control Plan 2014.

The following details and documents have been relied upon in the preparation of this document:

- Survey Plan prepared by Bee & Lethbridge Pty Ltd, Ref No. 17650 and dated 28/11/24.
- Architectural Plans prepared by GWN Drafting, Project No. 3070 and dated February 2025.
- Geotechnical Investigation prepared by White Geotechnical Group, Ref No. J5806 and dated 28 February 2025.
- BASIX Certificate No. A1785342 and issued 27 February 2025.
- Waste Management Plan prepared by GWN Drafting and dated February 2024.
- External Materials & Finishes Schedule prepared by GWN Drafting and dated February 2024.

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. It provides an assessment of the proposed development against the heads of consideration as set out in Section 4.15 of the Environmental Planning and Assessment Act 1979. As a result of that assessment it is concluded that the development of the site in the manner proposed is considered to be acceptable and is worthy of the support of the Council.

## 2. SITE DESCRIPTION AND LOCALITY

The site is identified as Lot 10 in DP 17704 which is known as 26 Cabarita Road, Avalon Beach. The site has an area of 646.1m<sup>2</sup> which is generally a rectangular shaped allotment located on the western side of Cabarita Road. The sites eastern boundary has frontage to Careel Bay. The site has a frontage of 12.19m to Cabarita Road with a maximum depth of 49.84m. The locality is depicted in the following map:



**Site Location Map**

The site is steeply sloping from the street frontage (RL22.23) towards the west and the Careel Bay frontage (RL0.12). The site currently comprises a multi level rendered and clad dwelling with metal roof. The dwelling is located towards the front western portion of the site. A concrete driveway provides vehicular access to the attached garage. A detached timber and weatherboard boatshed with studio over is located towards the rear southeast corner of the site. There are a number of retaining walls dissecting the site. An external stair provides access from the dwelling to the rear yard and foreshore area.

Consistent with the fall of the land, collected stormwater is disposed of into Careel Bay. The proposal does not seek to alter this arrangement.

The site is depicted in the following photographs:



**View of Site from Street**

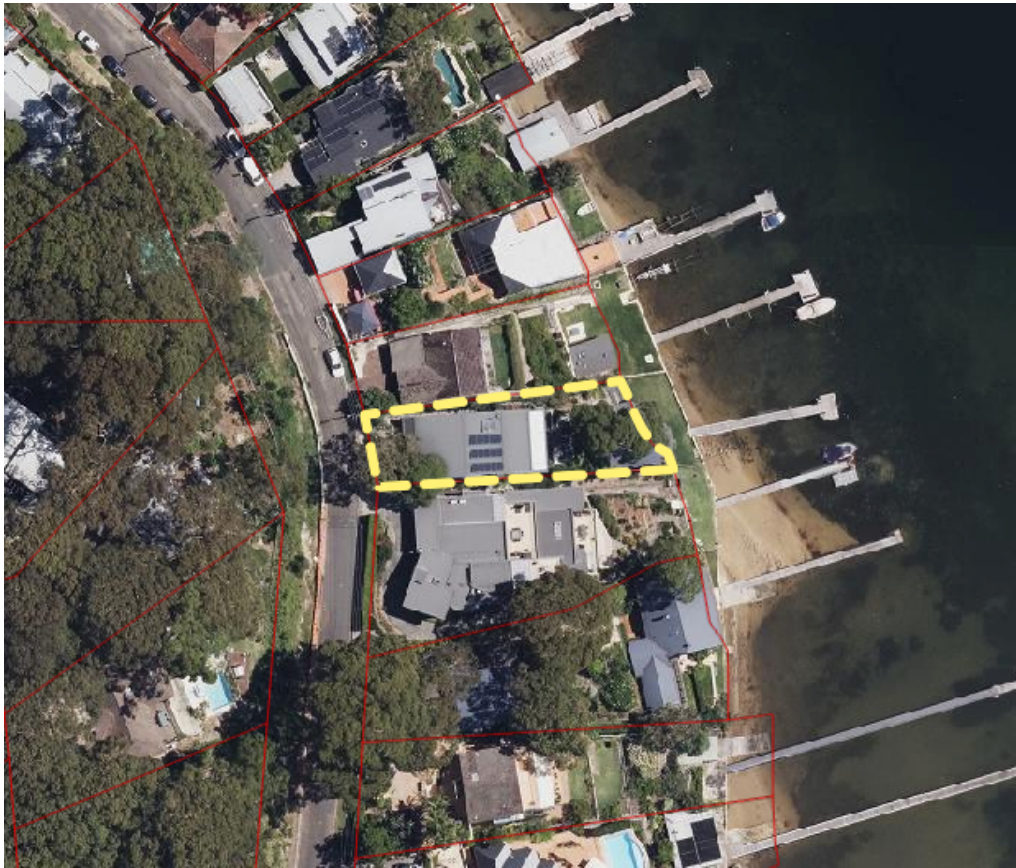


**Rear View of Existing Dwelling**

The existing surrounding development comprises predominantly multi storey dwellings which are designed to be orientated towards and maximise views over Careel Bay. The significant slope of the subject and surrounding sites has resulted in dwellings stepping down the site with large numbers of highly elevated decks and



outdoor living areas. The sites relationship with the surrounding properties is depicted in the following aerial photograph:



**Aerial Photograph of the Subject Site**

### 3. THE DEVELOPMENT PROPOSAL

This proposal seeks approval for the construction of alterations and additions to an existing dwelling.

The proposed additions/alterations are described below:

#### Level 2 Floor

- Enclose existing balcony to provide additional floor area.
- New balcony on rear eastern elevation. Privacy screen proposed to southern elevation.

#### Level 3 Floor

- Enclose portion of existing balcony to the rear eastern elevation and northern side elevation to increase living/dining room.
- Reconfigure existing pantry/laundry to provide larger pantry.
- Enclose existing drying court to provide laundry and internal courtyard.

#### **Stormwater**

All collected stormwater will continue to be discharged to the existing stormwater system.

The proposal results in the following development indices

**Site Area:** 646.1m<sup>2</sup>  
**Existing Landscaped Area:** 203.43m<sup>2</sup> or 31.49%  
**Proposed Landscaped Area:** 203.43m<sup>2</sup> or 31.49%

## 4. ZONING & DEVELOPMENT CONTROLS

The proposed development is identified as development requiring the consent of the Council under the provisions of the Environmental Planning and Assessment Act 1979, as amended. The following is an assessment of the proposal against the relevant provisions of the Act and all of the relevant planning instruments and policies of Pittwater Council.

### 4.1 Planning for Bushfire Protection

The subject site is not identified as bushfire prone land and therefore the provisions of Planning for Bushfire Protection does not apply.



Extract of Bushfire Map

### 4.2 Pittwater Local Environmental Plan 2014

The site is zoned C4 Environmental Living under the provisions of the PLEP 2014. Development for the purposes of alterations and additions to an existing dwelling house and ancillary works are permissible with the consent of Council within the C4 zone.





**Extract of Zoning Map**

The relevant provisions of the PLEP which relate to the proposed development are detailed in the attached table:

Clause	Development Standard	Proposal	Compliance
Clause 4.3 Height of Buildings	8.5 metres	Refer to plans – work do not exceed 8.5m	Yes

The following clause also applies:

#### **Clause 7.1 Acid Sulfate Soils**

The site is identified as 5 on Council's Acid Sulfate Soil map. The proposal does not result in any significant excavation. No further information is required in this regard.

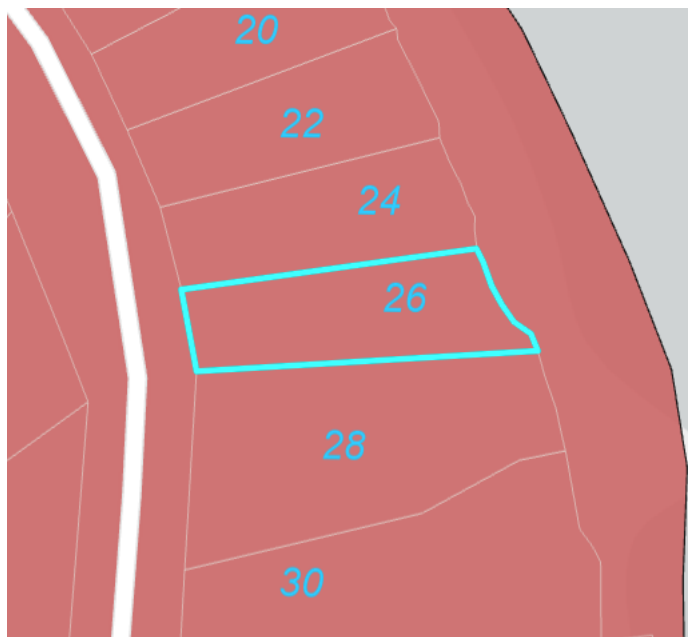
### Clause 7.6 Biodiversity



**Extract of Biodiversity Map**

The site is not identified on the NSW BDAR map (purple), however it is located within an area identified terrestrial biodiversity on Council's Biodiversity Map (green). However, the proposal provides for works over the existing footprint and does not require the removal of any protected trees. There is no further information required in this regard.

### Clause 7.7 Geotechnical Hazards



**Extract of Geotechnical Hazards Map**

A Geotechnical Investigation has been prepared by White Geotechnical Group which in summary provides:

*The proposed development is suitable for the site. No geotechnical hazards will be created by the completion of the proposed development provided it is carried out in accordance with the requirements of this report and good engineering and building practice.*

There are no specific other provisions of the LEP that apply to the proposed development.

## **4.2 Pittwater Development Control Plan 2014**

Council's Pittwater DCP 2014 Part B (General Controls), Part C (Design Criteria) and Part D1 Avalon Beach Locality Statement provides a range of outcomes and controls which form the primary criteria for the control for development within the subject locality.

### **4.2.1 Section A Introduction**

#### *A4.1 Avalon Beach Locality*

*The most important desired future character is that Avalon Beach will continue to provide an informal relaxed casual seaside environment. The locality will remain primarily a low-density residential area with dwelling houses a maximum of two storeys in any one place in a landscaped setting, integrated with the landform and landscape. Secondary dwellings can be established in conjunction with another dwelling to encourage additional opportunities for more compact and affordable housing with minimal environmental impact in appropriate locations. Any dual occupancies will be located on the valley floor and lower slopes that have less tree canopy coverage, species and habitat diversity, fewer hazards and other constraints to development. Any medium density housing will be located within and around commercial centres, public transport and community facilities. Retail, commercial, community and recreational facilities will serve the community.*

*Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport. Vehicular and pedestrian access into and through the locality is good. Pedestrian links, joining the major areas of open space (Angophora Reserve, Stapleton Park and Hitchcock Park) and along the foreshores, should be enhanced and upgraded. Similarly, cycle routes need to be provided through the locality. Carparking should be provided on site and where possible integrally designed into the building.*

*Future development will maintain a building height limit below the tree canopy, and minimise bulk and scale. Existing and new native vegetation, including canopy trees, will be integrated with development. The objective is that there will be houses amongst the trees and not trees amongst the houses.*

*Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment.*

*Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance. Development will be designed to be safe from hazards.*

It is considered that the proposal is consistent with the desired character of the locality. The proposal provides for alterations and additions to the rear of the existing dwelling and will not be visible from the street. The additions when viewed from the adjoining waterway are minimal and do not extend above the height of the existing dwelling. The proposed additions do not encroach the foreshore building line. The minor additions maintain sufficient separation to the rear boundary which adjoins Careel Bay and does not result in unreasonable bulk or scale. The proposed works do not have any detrimental impact on the amenity of the surrounding properties.

#### **4.2.2 Part B General Controls**

The General Controls applicable to the proposed dwelling are summarised as:

##### **B3.1 Landslip Hazard**

A Geotechnical Investigation has been submitted with the application to address this clause. The proposal complies with the objectives of this clause.

##### **B3.7 Estuarine Hazard – Low Density Residential**

The proposed additions are relatively minor and do not encroach the mean high water mark nor the foreshore building line. The proposal retains the existing floor levels and no works are proposed to the lower level or at ground level. The proposal meets the objectives of this clause.

##### **B4.7 Pittwater Spotted Gum Forest – Endangered Ecological Community**

The proposed works are located over the existing footprint and do not require the removal of any existing vegetation.

##### **B5.13 Development on Waterfront Land**

The proposal does not encroach the foreshore building line. The proposed additions maintain ample setback to the waterfront. Additions are located over the existing footprint and therefore there is no impact on the existing riparian land or waterfront.

##### **B5.15 Stormwater**

All collected stormwater will continue to drain to the existing stormwater system. All works are over the existing footprint and do not result in additional stormwater runoff. The proposal is in accordance with the controls of this clause.

### **B8.1 Construction & demolition – excavation and landfill**

The controls seek to achieve the outcomes:

*Site disturbance is minimised.*

*Excavation and construction not to have an adverse impact.*

*Excavation operations not to cause damage on the development or adjoining property.*

The proposal does not result in any significant excavation or fill. Appropriate sedimentation and erosion measures will be implemented prior to works commencing on site.

### **B8.2 Construction & Demolition – Erosion and Sediment Management**

The controls seek to achieve the outcomes:

*Waterways, coastal areas, watercourses, drainage systems and the public domain are protected from the transportation of sedimentation from development sites. (En)*

*Reduction of waste throughout all phases of development. (En)*

*Public safety is ensured. (S)*

*Protection of the public domain. (S, En)*

Erosion and Sediment controls, as depicted in the architectural plans, will be implemented prior to works commencing on site.

## **4.2.3 Part C Design Criteria**

The Design Criteria applicable to the proposed development and are summarised over as:

### **C1.1 Landscaping**

The controls seek to achieve the outcome:

*A built form dominated and complemented by landscaping.*

*Landscaping that reflects the scale and form of development.*

*Retention of canopy trees by encouraging the use of pier and beam footings.*

*Development does not result in significant loss of the urban forest.*

*Reduced risk of landslip.*

The proposal does not require the removal of any vegetation. The proposal does not reduce the landscaped area of the site and maintains ample landscaping within the front setback.



### **C1.2 Safety and Security**

The controls seek to achieve the outcomes:

*On-going safety and security of the Pittwater community.  
Opportunities for vandalism are minimised.*

The additions to the existing dwelling will continue to provide good surveillance of the site and the dwelling approach. The existing entry and windows to habitable areas are located on the front elevation. The proposal complies with this clause.

### **C1.3 View Sharing**

The controls seek to achieve the outcomes:

*A reasonable sharing of views amongst dwellings.  
Views and vistas from roads and public places to water, headland, beach and/or bush views are to be protected, maintained and where possible, enhanced.  
Canopy trees take priority over views.*

The proposed dwelling complies with the maximum building height. The subject and adjoining properties currently enjoy direct views to the west over Careel Bay and surrounds. The additions do not encroach the foreshore building line and are generally setback in line with the adjoining properties. The proposed additions will not obstruct existing views. The proposal does not result in any view loss.

### **C1.4 Solar Access**

The controls seek to achieve the outcomes:

*Residential development is sited and designed to maximise solar access during mid-winter.  
A reasonable level of solar access is maintained to existing residential properties, unhindered by adjoining development.  
Minimal need for artificial lighting.*

The required controls to achieve the outcomes are to ensure that private open spaces of the subject and adjoining dwellings maintain a minimum of 3 hours of solar access in mid winter.

The proposed additions are relatively minor and do not extend above the height of existing dwelling. It is not considered that shadow diagrams are necessary in this instance.

The proposal complies with the requirements of this clause.

### **C1.5 Visual Privacy**

The controls seek to achieve the outcomes:

*Habitable rooms and outdoor living areas of dwellings optimise visual privacy through good design.*

*A sense of territory and safety is provided for residents.*

The required controls to achieve the outcomes are to ensure that the private open space, recreation areas and living rooms within 9m of a development are suitably protected to limit the effects of direct overlooking.

The works at Level 2 involve enclosing an existing balcony and providing for a new balcony on the rear elevation. The design provides for a full height privacy screen along the western elevation to prevent views into the adjoining southern property. The proposal also ensures retention of the existing landscaping adjacent to the southern boundary which provides a vegetative screen.

The works at Level 3 encloses a small portion of the balcony along the rear elevation. The existing privacy screen along the western elevation will be retained. There will be no impact on privacy to the adjoining property. The proposal also provides for enclosure of the existing balcony on the northern side of this level. This will provide for weather protection without any reduction in privacy to the adjoining property.

The proposal complies with this clause.

### **C1.6 Acoustic Privacy**

The controls seek to achieve the outcomes:

*Noise is substantially contained within each dwelling and noise from any communal or recreation areas are limited.*

The required controls to achieve the outcomes are to ensure that noise sensitive living areas and bedrooms are located away from major noise sources.

The proposed development will not have any impact on existing acoustic privacy to surrounding properties.

### **C1.7 Open Space**

The controls seek to achieve the outcomes:

*Dwellings are provided with a private, usable and well-located area of private open space for the use and enjoyment of the occupants.*

*Private open space is integrated with, and directly accessible from, the living areas of dwellings.*

*Private open space receives sufficient solar access and privacy.*

The required controls to achieve the outcomes are to ensure that dwellings are provided with suitable private open space with an area and at a grade which will facilitate outdoor private recreation.

The development retains the existing private open space in the rear yard. The proposal complies with this clause.

### **C1.9 Adaptable Housing and Accessibility**

The controls seek to achieve the outcomes:

*The community's lifecycle housing needs are met within Pittwater through well designed adaptable housing.*

*All members of the community enjoy equitable access to buildings to which the general public have access.*

*Housing for older people and people with a disability are accessible, adaptable and safe. (S)*

*Equitable access in the public domain.*

Single dwellings and associated structures are not required to provide access in accordance with AS4299-1995.

## **4.2.4 Part D Design Criteria**

A summary of the DCP controls for the **D1 Avalon Beach Locality** is provided below:

### **D1.1 Character as Viewed from a Public Place**

The additions to the dwelling are at the rear of the dwelling and not visible from Cabarita Road. The proposed additions are relatively minor and do not encroach the foreshore building line. The additions will not result in additional bulk when viewed from Careel Bay. The resultant dwelling is of a compatible bulk and scale with the existing surrounding development and desired future character of the locality. The proposal does not require the removal of any vegetation. The proposal complies with this clause.

### **D1.5 Building Colours and Materials**

The proposal incorporates natural tones which are recessive and will harmonise with the existing dwelling the natural environment and complement the surrounding development.

### **D1.5 Building Colours & Materials**

An external material and finishes schedule has been prepared. Finishes will complement the natural environment and character of the locality.

## **D1.8 Front Building Lines**

The controls seek to achieve the outcomes:

*To achieve the desired future character of the Locality.  
The amenity of residential development adjoining a main road is maintained.  
Vegetation is retained and enhanced to visually reduce the built form.  
Vehicle manoeuvring in a forward direction is facilitated.  
To encourage attractive street frontages and improve pedestrian amenity.  
To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.*

This clause requires a minimum setback of 6.5m or the established building to the primary street frontage.

The proposed additions are confined to the rear of the existing dwelling which complies with the numerical requirements and achieve the objectives of this clause.

## **D1.9 Side and Rear Building Lines**

The controls seek to achieve the outcomes:

*Achieve the desired future character of the Locality.  
The bulk and scale of the built form is minimised.  
Equitable preservation of views and vistas to and/or from public/private places.  
To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.  
To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties.  
Substantial landscaping, a mature tree canopy and an attractive streetscape.  
Flexibility in the siting of buildings and access.  
Vegetation is retained and enhanced to visually reduce the built form.  
A landscaped buffer between commercial and residential zones is achieved.*

The numerical requirements of this clause require a setback of 2.5m to one boundary and 1.0m to the other boundary. A foreshore building line applies to the site.

The existing dwelling does not comply with the side setback requirements of this clause. The proposed additions do not encroach the existing side boundary setbacks. There is sufficient area within the side setbacks to access the rear of the site. The proposal does not require the removal of any vegetation.

The proposal does not encroach the foreshore building line.

The proposal complies with the objectives of this clause.

### **D1.11 Building Envelope**

The controls seek to achieve the outcomes:

*To achieve the desired future character of the Locality.*

*To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.*

*To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.*

*The bulk and scale of the built form is minimised.*

*Equitable preservation of views and vistas to and/or from public/private places.*

The required controls to achieve the outcomes are to maintain the development within a height envelope which provides for a height of 3.5m with an angle projected at 45°. The proposed works are generally contained within the existing building envelope. The enclosure of an existing balcony on the northern elevation will encroach the building envelope. However, this portion of the balcony is roofed, which is to be retained and merely glazed on the northern and western elevations. This enclosure is minor and does not result in unreasonable bulk. As the roofed balcony is existing, the enclosure will not result in additional overshadowing or loss of privacy.

### **D1.14 Landscaped Area – Environmentally Sensitive Land**

The controls seek to achieve the outcomes:

*Achieve the desired future character of the Locality.*

*The bulk and scale of the built form is minimised.*

*A reasonable level of amenity and solar access is provided and maintained.*

*Vegetation is retained and enhanced to visually reduce the built form.*

*Conservation of natural vegetation and biodiversity.*

*Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels.*

*To preserve and enhance the rural and bushland character of the area.*

This clause requires a landscaped area of 60% of the site. The proposal provides for the following:

Existing Landscaped Area: 203.43m<sup>2</sup> or 31.49%

Proposed Landscaped Area: 203.43m<sup>2</sup> or 31.49%

Whilst the proposal does not strictly comply with the numerical requirements of this clause, it is acknowledged that the existing development does not comply and the proposal does not further reduce existing landscaping.

The proposal achieves the objectives of this clause.

There are no other provisions of the DCP that are relevant to the proposed development.



## **5. EP & A ACT - SECTION 4.15**

### **The Provisions of any Environmental Planning Instruments**

The proposal is subject to the provisions of the Pittwater Local Environmental Plan 2014 and Pittwater Development Control Plan 2014. It is considered that the provisions of these documents have been satisfactorily addressed within this report.

There are no other environmental planning instruments applying to the site.

### **The Likely Impacts of the Development**

It is considered that the development provides for the construction of alterations and additions to an existing dwelling without detrimentally impacting on the character of the area. The proposal has been designed to retain privacy and amenity to the adjoining properties through considered orientation and location of windows. The proposal does not result unreasonable overshadowing. The proposal does not require the removal of any tree.

### **The Suitability of the Site for the Development**

The subject site is zoned C4 Environmental Living and the construction of alterations and additions to an existing dwelling and associated works in this zone are permissible with the consent of Council. The resultant development is of a bulk and scale that is consistent with the existing surrounding development.

For these reasons it is considered that the site is suitable for the proposed development.

### **The Public Interest**

It is considered that the proposal is in the public interest in that it will provide for the construction of alterations and additions to an existing dwelling that is consistent with other development in this locality without impacting the amenity of the adjoining properties or the public domain.

## 6. CONCLUSION

This application seeks approval for the construction of alterations and additions to an existing dwelling and associated work as demonstrated in this report the proposal is consistent with the aims and provisions of the Pittwater LEP 2014 and Pittwater DCP 2014. The proposed development does not have any detrimental impact on the amenity of the adjoining properties or the character of the locality.

It is therefore considered that the proposed construction alterations and additions to an existing dwelling and associated works upon land at **No. 26 Cabarita Road, Avalon Beach** is worthy of the consent of Council.

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