

## Natural Environment Referral Response - Coastal

<b>Application Number:</b>	DA2025/1236
<b>Proposed Development:</b>	Upgrade of existing inclinator
<b>Date:</b>	18/09/2025
<b>Responsible Officer</b>	Brittany Harrison
<b>Land to be developed (Address):</b>	Lot 12 DP 1303339 , 145 Riverview Road AVALON BEACH NSW 2107 Lot LIC 634353 , 145 Riverview Road AVALON BEACH NSW 2107 Lot 215 DP 752046 , 145 Riverview Road AVALON BEACH NSW 2107

### Reasons for referral

This application seeks consent for land located within the Coastal Zone.

And as such, Council's Natural Environment Unit officers are required to consider the likely impacts on drainage regimes.

### Officer comments

The proposal is for renovations to an existing inclinator in order to provide safe access to a recently approved dwelling house subject to DA2023/1607 (currently under construction). The Inclinator commences at the internal driveway. The inclinator RL is 19.14 at the driveway level and ends at the foot of the lift at RL1.30. The proposed work includes:

- Replacement of platform in existing location to the east
- Replacement of Inclinator rail in existing location; and
- New pit for Inclinator to the west.

No excavation is proposed.

Pedestrian access is maintained to the rear of the cottage and existing boat shed.

Officer comments:

This application was assessed in consideration of:

- Supplied plans and reports;
- *Coastal Management Act 2016*;
- State Environmental Planning Policy (Resilience & Hazards) 2021 (section 2.10, 2.11 & 2.12);
- State Environmental Planning Policy (Biodiversity & Conservation) 2021;
- Relevant LEP and DCP clauses of the Pittwater LEP 2014 and Pittwater 21 DCP.

### **Coastal Management Act 2016**

The subject site has been identified as being within the coastal zone and therefore *Coastal Management Act 2016* is applicable to the proposed development.

Comment:

The proposed development is in line with the objects, as set out under Clause 3 of the *Coastal Management Act 2016*.

This referral has not assessed the compliance of the proposal, for any potential impact on the scenic value of the area in accordance with the objectives of Clause 3(a) of the *Coastal Management Act 2016*

that relate to scenic impact. Assessment of compliance with Clause 3(a) of the *Coastal Management Act* will be undertaken by the development assessment officer assessing this development application.

### **State Environmental Planning Policy (Resilience & Hazards) 2021**

The subject land has been included on the 'Coastal Environment Area' and 'Coastal Use Area' maps under the State Environmental Planning Policy (Resilience & Hazards) 2021. Hence, Clauses 2.10, 2.11 and 2.12 of the State Environmental Planning Policy (Resilience & Hazards) 2021 apply for this DA.

#### **Comment:**

On internal assessment and as assessed in the submitted Statement of Environmental Effects (SEE) report prepared by Levy Planning dated September 2025 the DA satisfies requirements under clauses 2.10, 2.11 and 2.12 of the State Environmental Planning Policy (Resilience & Hazards) 2021.

As such, it is considered that the application does comply with the requirements of the State Environmental Planning Policy (Resilience & Hazards) 2021.

### **Pittwater LEP 2014 and Pittwater 21 DCP**

#### **Development on Foreshore Area**

A section of the subject property is within the foreshore building line. Part 7, Clause 7.8 – Limited development on foreshore area of the Pittwater LEP 2014 applies for any development within the foreshore area.

The DA proposes works renovations to an existing inclinator including replacement of inclinator rail in existing location; and a new pit for the inclinator to the west within the foreshore building line. The proposed rebuilding (within the foreshore area) is to the new rail and the lower-level landing platform. The footprint will not extend further into the foreshore area, than the existing inclinator. These proposed works are consistent with Clause 7.8(2)(b).

#### **Comment:**

On internal assessment and as assessed in the submitted SEE report, the DA satisfies the objectives and requirements of Part 7, Clause 7.8 of the Pittwater LEP 2014.

### **Estuarine Risk Management**

The subject property has also been identified as affected by estuarine wave action and tidal inundation on Council's Estuarine Hazard Mapping. As such, the Estuarine Risk Management Policy for Development in Pittwater (Appendix 7, Pittwater 21 DCP), the relevant B3.7 Estuarine Hazard – Low density residential will apply to any proposed development of the site.

In accordance with the Pittwater Estuary Mapping of Sea Level Rise Impacts Study (2015), a base estuarine planning level (EPL) of RL 2.66m AHD would apply at the subject site. A reduction factor (RF) based upon the distance from the foreshore of proposed development may also apply at a rate of 0.07m reduction to the EPL for every 5.00m distance from the foreshore edge up to a maximum distance of 40.00m.

#### **Comment:**

On internal assessment and as assessed in the submitted Statement of Environmental Effects SEE report, the proposed replacement of the inclinator platform is above the applicable EPL of 2.66m AHD for the site. As assessed in the submitted Clause 4.6 Report prepared by Levy Planning dated September 2025, the Inclinator ends at the foot of the lift at RL1.30 and is below the derived EPL for the site.

The proposed development is therefore subject to conditions to satisfy the relevant estuarine risk management requirements of P21 DCP.

The proposal is therefore supported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

#### **Recommended Natural Environment Conditions:**

### **CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE**

#### **Estuarine Hazard Design Requirements**

All development or activities must be designed and constructed such that they will not increase the level of risk from estuarine processes for any people, assets or infrastructure in surrounding properties; they will not adversely affect estuarine processes; they will not be adversely affected by estuarine processes.

To ensure Council's recommended flood evacuation strategy of 'shelter-in-place', it will need to be demonstrated that there is safe pedestrian access to a 'safe haven' above the Estuarine Planning Level.

Reason: To minimise risks associated with coastal hazards for development in an estuarine environment.

#### **Estuarine Planning Level Requirements**

An Estuarine Planning Level (EPL) of 2.66m AHD has been adopted by Council for the subject site and shall be applied to all development proposed below this level as follows:

1. All structural elements below 2.66m AHD shall be of flood compatible materials;
2. All electrical equipment, wiring, fuel lines or any other service pipes and connections must be located either above 2.66m AHD or waterproofed to this level; and
3. The storage of toxic or potentially polluting goods, chemicals or materials, which may be hazardous or pollute the waterway, is not permitted below 2.66m AHD.
4. All interior power supplies (including electrical fittings, outlets and switches) must be located at or above 2.66m AHD. All exterior power supplies (including electrical fittings, outlets and switches) shall be located at or above 2.66m AHD to avoid the likelihood of contact with splashing waves and spray.

Reason: To ensure vulnerable components of the development are built at the appropriate level.

### **CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT**

#### **Installation and Maintenance of Sediment and Erosion Control**

Sediment and erosion controls must be installed in accordance with Landcom's 'Managing Urban Stormwater: Soils and Construction' (2004). Techniques used for erosion and sediment control on site are to be adequately maintained and monitored at all times, particularly after periods of rain, and shall remain in proper operation until all development activities have been completed and the site is sufficiently stabilised with vegetation.

Reason: To protect the surrounding environment from the effects of sedimentation and erosion from the site

### **CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK**

**Stockpiling materials**

During construction, all material associated with works is to be contained at source, covered and must be within the construction area. All material is to be removed off site and disposed of according to local regulations. The property is to be kept clean and any building debris removed as frequently as required to ensure no debris enters receiving waters.

Reason: To ensure pollution control measures are effective to protect the aquatic habitats within receiving waters throughout the construction period.