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**From:** Janet Forrester  
**Sent:** 7/11/2022 12:36:12 PM  
**To:** Council Northernbeaches Mailbox; Adam Susko; Adam Croft  
**Cc:** Miranda Korzy; Rory Amon; Michael Gencher; David Owen  
**Subject:** DA for 60 Hudson Parade Clareville DA2022/1715

This DA2022/1715 is not compliant with many of the DA rules put forward by the NBC. Therefore it must go back to the drawing board to ensure compliance.

In particular it fails to recognise that the block is on waterfront land and is in the Pittwater Spotted Gum Forest, and as such is under the LEP rules outlined in section B4.7 and B5.13.

I'm sure you will pick up these deficiency (and maybe more) and enforce them but I would just like to highlight the very obvious ones I see:

1. No spotted gums, or the trees associated with the local endangered spotted gum forest can be removed from this block under section [B4.7 Pittwater Spotted Gum Forest - Endangered Ecological Community of the NBC planning rules](#). Number 60 Hudson Parade Clareville is clearly part of the Pittwater Spotted Gum Forest, [see map](#). This block was also previously owned by a member of NBC bush care and as such has a garden full of healthy local natives, many very mature and therefore need to be protected at all costs.
2. The built area breaches the 40:60 rule of the LEP, where 60% of the block for a single dwelling must be soft landscape green space. See rule [C1.1 Landscaping](#)
3. No digging into the ground nor fill is allowed under section [B5.13 Development on Waterfront land of the NBC planning rules](#). This clearly states: *"Any waterfront land (as defined in the Water Management Act 2000) on the property shall be retained in their natural state to: carry stormwater/flood flows, maintain aquifers, retain stability, and provide habitat functions."*
4. The height of the building breaches the 8.5 metre height rule of the NBC in the Pittwater area (section [4.3 Height of buildings](#) of planning rules)
5. The boat shed should not be approved nor built as:
  - o it is on an area of land which must not be built on
  - o it is dug into the ground - this is not permissible under section B5.13 Development on Waterfront Land of the NBC planning rules
  - o its construction will see the removal of native plants (see section B4.7 above)
  - o it also not an *"Appropriate setback between waterways and development"* (section B5.13 again)
6. The landscape plans do not include all local native plants, where under B5.13 it clearly states *"Development adjoining waterfront land is to be landscaped with local native plants."*
7. The previous owner, along with number 58 Hudson Parade built a waterfront wall with the help of a marine engineer to ensure the beach in front of their homes would be retained as much as possible. In this light, this wall must not be restructured.

Because this DA breaches many of the very good DA rules put forward by the NBC it will seriously impact the natural environment, the Pittwater Spotted Gum Forest, the loss of tree canopy, local bird and wild life, the local community and neighbours.

I disagree with many of the comments in the Statement of Environmental Effect. The building itself is very out of character with the local area which has normal size homes nestled in the native bush environment, not huge statements - with 6 bedrooms, a study, a playroom, a mudroom, a game room and a music room, with a pool and a boat shed - taking up most of the land. It dwarfs the two homes next to it - which are both bigger than normal (see plans below). Plus its obvious size can be seen plainly from the east and north elevations (i.e. the road). Any claim that this home fits into to 40:60 rule needs to be backed up with detailed measurements and analysis.

I look forward to you enforcing the DA rules to ensure the quality of life and environment is protected for all, even the people who have put in this DA as I'm sure they bought here because they love the community and natural beauty of area and would hate to think that their home is endangering the very thing they love. This is obviously why we have DA rules - so the council can keep the area as we all love it.

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