

Memo

Department

To: Chair – Northern Beaches Local Planning Panel

Cc: Peter Robinson – Executive Manager Development Assessment

From: Jordan Davies – Town Planner

Date: 1 March 2022

Subject: Item 5.1 - DA2020/1762 - 316 Hudson Parade Clareville

Record Number: 2022/127618

Dear Chair and Panel Members,

This Memo is to advise that Council's planning staff have received and reviewed an additional submission regarding Item 5.1 following the finalisation of the assessment report and agenda for the meeting of 2 March 2022.

The submission is on behalf of the property 318 Hudson Parade, Clareville and the submission supplements the previous submission made against the development application from 318 Hudson Parade, the original submission addressed in the assessment report.

The additional submission raised the following matters (which are summarised below) and a copy of the full submission forms an attachment to this memo:

The assessment report does not accurately detail the history of the site with regards to the CDC and who brought the illegal works to Council's attention.

Comment:

The issue of who notified Council that compliance action needed to be taken is not relevant to the assessment of the development application.

There are no independent verifiable records of the external dimensions of the original boatshed.

Comment: A survey has been provided with the application which shows the footprint of the boatshed, the first iteration of this survey being 16/09/2015 when the boatshed was existing. This plan was prepared by a surveyor and Council has no reason to believe the information provided is false or misleading.

Furthermore, the application is accompanied by a copy of the Crown Lands Licence from 2016 showing a diagram of the boatshed with a footprint which when scaled and measured, shows a footprint of 6.2m x 9.2m and Council recommends a condition to limit the footprint of the boatshed to these dimensions.

Objections to the size (footprint) and scale (height) of the boatshed. The boatshed should comply with the current DCP requirements of 4m x 6m.

Comment: The footprint and height of the boatshed is discussed in detail in the assessment report with regards to existing use rights and the current planning controls. Council's recommendation of a condition requiring the footprint to be consistent with the previous boatshed footprint to be a reasonable outcome given the existing use rights applying to the land. An assessment is made against Clause 4.6 and Clause 4.3 Building Height within the assessment report.

Objections to the materials and glazing used on the boatshed.

Comment: The materiality of the boatshed is addressed within the assessment report.

Council did not re-notify the application following amendments to the application.

Comment: The application has been notified in accordance with Council's Community Consultation Plan (CPP) and the application was not required to be renotified as the size of the proposal had reduced from the original proposal, as per the CPP. This is addressed in the assessment report.

Conclusion

Council staff have reviewed the objection received and advise the NBLPP that the recommendation of the assessment report remains unchanged.