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To: DA Submission Mailbox
Subject: Online Submission

17/01/2023

RE: DA2022/2042 - 90 Hudson Parade CLAREVILLE NSW 2107

I am writing in relation to DA2022/2042 concerning proposed works at 90 Hudson Parade Clareville.

As Council would be aware, there is a current licence granted by NSW Crown Lands (Licence # 463671) which covers the boatshed, sliprails and jetty attached to 90 Hudson Parade.

Annexure "B", Schedule 2 of that Licence contains various conditions which attach to the Licence itself. At least one of these is relevant to the current DA, as follows:

Condition 86 (Jetty): "The jetty permitted by this Licence shall be available for public use and the Licensee will not interfere with the public's use of the jetty during the period between sunrise and sunset on any day, subject to the normal provisions of a Licence".

Furthermore, in connection with the DA which was approved when this Licence was granted (N0052/12), the Determination Notice (available on the Council's website) contains various conditions. On page 3 of the Determination Notice at Item B (Matters to be incorporated into the development and maintained over the life of the development), condition 13 reads as follows:

"At no time shall the boatshed be utilised or converted to provide for residential habitation. The boatshed must not be used for any other purpose than the storage of small boats and/or boating/marine equipment. The incorporation of any internal kitchen facilities, habitable rooms, shower or toilet facilities are not permitted."

In light of the above Licence and DA conditions respectively, my submission is that the proposed alterations to the boatshed and jetty are not in compliance and should not be approved.

Specifically:

1. The proposed installation of 'hardwood swing gates to both sides of the Boathouse' would prevent public access to the jetty during daylight hours as required under the Licence; and
2. The proposed installation of 'timber glazed bi-fold doors' and four 'timber framed double-hung sash windows' to each side of the boatshed is not consistent with the prior DA condition which stipulated that the only permitted use of the boatshed is the 'storage of small boats and

or boating/marine equipment'.

Finally, it is worth noting that in relation to the existing Licence condition regarding public access to the jetty, there is uncertainty amongst the public (especially children) as to whether the jetty is in fact available for public access.

Given this uncertainty, I would suggest that in connection with any DA approval, the applicant be required to post signage permanently on the side of the boatshed which clearly states that the public have a right to use the jetty between sunrise and sunset.