
From: Janet Forrester
Sent: 20/01/2023 6:42:15 PM
To: Council Northernbeaches Mailbox; Phil Lane
Louise Kerr; Ray Brownlee; Miranda Korzy; Chelsey Baker; Michael Regan; Rory Amon; Michael Gencher; Sunny; Sue Anderson; Sue Martin; Catherine Kerr; Peter Robinson; David Owen; John & Lyn Illingsworth; Craig Boaden; westsireland; Gavin Butler; Peter Blanchard; Peter Middleton; Deb Collins @ Canopy Keepers; contact.us@marine.nsw.gov.au; Angus Gordon; Sue Young; Marcia Rackham; Marita Macrae; Ray Mills; Murray-Walker Fred; Mike Streeter
Cc:
Subject: Application Number: DA2022/2042 90 Hudson Parade, Clareville

The proposed alterations to the boat shed and the gates stopping public access around this boat shed and the jetty should not be approved.

Here at Clareville, and other places in the Northern Beaches Council area, we are sick of our council allowing owners to build on public land, stop access to public land. In this case the beach. I have complained about 78 Hudson, 60 Hudson and others have written about 64 Hudson and 316 Hudson Parade Clareville. Number 80 too wants to build beyond the foreshore building line - and I just note that has been allowed despite provisions in the LEP and DCP which should not let this happen (obviously no one in the public complained so it was just allowed? There is a clear pattern here.). **WHAT IS HAPPENING with NBC's DA process - it definitely isn't doing the right thing by the community and public in protecting our environment**

Here I'm going to quote an online submission to the DA2022/2042 90 Hudson Parade, Clareville which I totally agree with.

"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."

Come on NBC get your house in order with your DA process. We want no more gaslighting from council staff, the Mayor and councillors saying everything is good here, when it clearly isn't.

Oh and please ask the current owners to take down "Private Land" signs. The beach is public ...

Janet Forrester

59 Hudson Parade Careville