

# KILLCARE WAGSTAFFE TRUST INC.

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PO Box 4009  
WAGSTAFFE NSW 2257

General Manager  
Gosford City Council,  
PO Box 21,  
GOSFORD NSW, 2250

2<sup>nd</sup> April 2010

**Subject: GOSFORD LEP submission**

**Dear Mr Wilson**

The Killcare Wagstaffe Trust has some important objections to the draft LEP as it stands and wishes to suggest some amendments.

Of particular concern is the proposed zoning of the lands acquired by Council for the Coastal Open Space System as **RE1**. An RE1 zoning would mean an unacceptable loss of environmental protection for these lands as they allow for a variety of possible uses that are currently unavailable for them. It is clear, from a close examination of the proposed zonings, that the zoning that most closely reflects the level of protection that was intended for the COSS lands is the **E2** zoning – Environmental Conservation and not **RE1**.

The COSS system is one of the most far sighted initiatives of Council and one of its greatest assets. The wisdom of setting aside land for long term protection of environmental and scenic qualities will only become more apparent with time.

The LEP represents a once in a lifetime opportunity to ensure the protection of these community assets through appropriate zoning. Other Councils have taken the opportunity to protect their remaining bushlands such as Lane Cove, North Sydney, Ryde, Willoughby and Mosman.

The COSS lands in the Bouddi peninsula that are affected are:

- Putty Beach Reserve. This land is currently under regeneration with a detailed long term plan in place. Protection of fragile littoral communities has been, and should continue to be, a priority of Council. We feel most strongly that this area be given the protection of an E2 zoning.
- The land below the ridge line along sections of Blythe St and Fraser Rd. There are two sections of COSS land currently zoned 7(a) that are zoned as RE1 in the draft LEP. These blocks are continuous with other blocks, not part of COSS, but which are zoned E2 in the draft. We submit that these COSS lands be given the same protection.

The objectives of a 7(a) zoning that will be lost with a RE1 zoning are:

- a) the conservation and rehabilitation of areas of high environmental value;
  - b) the preservation and rehabilitation of areas of high visual and scenic quality in the natural landscape;
  - c) the provision and retention of suitable habitats for flora and fauna;
  - d) the prohibition of development on or within proximity to significant ecosystems, including rainforests and estuarine wetlands;
  - e) the provision and retention of areas of visual contrast within the City, particularly the “backdrop” created by the retention of the ridgelines in their natural state;
  - f) the minimisation or prohibition of development so that the environmental and visual qualities of the natural areas are not eroded by the cumulative impact of incremental, individually minor developments;
  - g) the minimisation or prohibition of development in areas that are unsuitable for development by virtue of soil erosion, land slip, slope instability, coastal erosion or bushfire hazard
- The block on Fraser Rd (50) and the blocks along the marked Fletchers Glen Rd (68, 77-91 and 27 Hardy’s Bay Parade). These were all put aside for long term environmental protection. Once again these are currently 7(a) lands, continuous with lands to be given E2 zoning that are given a less restrictive zoning in the draft LEP.
  - The block off the fire trail that is a continuation of Maitland Bay Drive (401) onto the ridge that separates Killcare from Empire Bay.
  - The block off Hawkes Head Dr (32). Continuous with E1 and E2 zonings.

These are all parcels of land that have been put aside for environmental and scenic protection as part of the COSS scheme. Along with almost all the other land in the Council area that is COSS land these deserve the protection of an E2 zoning. Many currently have a 7(a) zoning and most are continuous with lands to be given an E1 or E2 zoning. We submit that there is no satisfactory reason to give these particular blocks the reduced level of protection that a RE2 zoning would deliver.

There are some parcels of land in the COSS system that are probably not suitable for an E2 zoning and over which Council is understandably reluctant to lose options for future use and development. However, these should be exceptions to the principle that all COSS lands should be zoned E2 and not a reason for undermining the intentions of the whole COSS program.

The proposed zoning for several other lands which aren’t part of the COSS lands is also of concern. These are:

- The reserve bounded by Blythe and Stanley Sts. This is currently zoned 6(a) and is the last remnant of original wetland in the valley. It has been regenerated over the last twenty years, is an important wildlife corridor between the ridgeline and Brisbane Water and contains the grave of Thomas Menton (d. 1837). It should also receive a E2 zoning.

- The foreshore reserve that runs along the Killcare waterfront between Noble Rd. and the Hardy's Bay RSL is zoned RE1 in the draft. We have no problem with this zoning. We do, however, recommend that this zoning be extended to include the reserve areas along the waterfront adjoining all of Araluen Dr, around the point to the boat ramp at Pretty Beach. The proposed zoning for this area is residential (R2) and should be RE2.

This is a once in a lifetime opportunity to get these zonings right and we trust that our concerns will be addressed.

Yours Sincerely

David Legge (President)