



Wagstaffe to Killcare Community Association Inc.

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24/4/10

Gosford City Council
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Att: SUBMISSION ON LEP 2009

ALTERATION TO PROPOSED DLEP ZONING FOR WATERWAYS AT HARDYS BAY & PRETTY BEACH

The Association submits that the zoning of **W1 (Natural Waterways)** is closer to the objectives of the zoning for Hardys Bay And Pretty Beach than is W2 (Recreational Waterways). **W1 (Natural Waterways)** zoning aims to prevent development that would have an adverse effect on the natural value of the waterways which in turn affects the adjoining lands.

The DLEP 2009 objectives for W1 (Natural Waterways) are as follows:

Zone W1 Natural Waterways

1 Objectives of zone

- *To protect the ecological and scenic values of natural waterways.*
- *To prevent development that would have an adverse effect on the natural values of waterways in this zone.*
- *To provide for sustainable fishing industries and recreational fishing.*
- *To make provision for aquaculture.*

2 Permitted without consent

Environmental facilities, Environmental protection works; Moorings

3 Permitted with consent

Aquaculture; Boat sheds; Water recreation structures

4 Prohibited

Business premises; Canal Estate Development; Hotel or motel accommodation; Industries; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

A huge expansion of the Hardys Bay Marina was proposed recently and rejected because of the zoning. It created a high level of community objection which quite clearly indicated that local residents value the natural environment of Hardys Bay. A protective zoning is required because a second marina application may well be lodged directly with the State Government.

The Additional Uses with consent permitted in the W2 (Recreational Waterways) zoning are not needed or wanted in our remote area where aqua-culture has traditionally been carried out. Quiet backwaters should not be given the same zoning as navigation channels. When the adjoining land has high conservation value as it does on the Bouddi Peninsula and where scenic quality has been upheld as a big issue in the Land and Environment Court (most recently the Bespoke Properties inappropriate development in Hardys Bay), the previously unzoned waterways need the protection of **W1 (Natural Waterways)** zoning.

Moorings, the principal current use of Hardys Bay and Pretty Beach, are permitted in **W1 (Natural Waterways)** zonings but large commercial ventures are not. The existing low-key Hardys Bay Marina could continue to function under existing use rights but would be prevented from major expansion, which would have serious effects on local scenic quality and lifestyles of local residents.

In Pretty Beach there are no commercial activities apart from moorings and it maintains the objectives of **W1 (Natural Waterways)** zoning.

In order to protect the ecological and scenic values of the Bouddi Peninsula, the Association therefore requests:

‘that the bays of Hardys Bay and Pretty Beach be given a zoning of W1 (Natural Waterways)’.

Yours Faithfully

**Graeme Anderson
President WTKCA**