



Residents Group

Bay news

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“WORKING FOR A POSITIVE LIFESTYLE AND HEALTHY ENVIRONMENT IN AND AROUND HARDYS BAY”

PRESIDENT'S MESSAGE

SEASON'S GREETINGS

In this issue of Bay News, among a number of features, we report on the controversial major development proposal, provide a timely safety warning issued by the Rural Fire Service, examine the abandoned oyster leases cleanup operations, review the excellent progress achieved at our surf club and present a profile of a magnificent motor cruiser, with a rich historical past, which currently plies our waterways.

It has been another busy year for the Hardys Bay Residents Group and our various sub-committees continue to work on a broad range of matters, of long and short-term consequence, which are relevant to our community's welfare. We always look forward to receiving your comments and commend our website as an ideal communication source for all local matters.

We offer a warm welcome to our many new members this year. Our executive committee extends cordial season's greetings to all and wishes everybody a safe and happy holiday period.

Sincere good wishes,
Adrian Williams,
President

DEVELOPMENT PROPOSAL CREATES MAJOR COMMUNITY CONCERNS

When the two solicitors who have been appointed to represent Gosford Council in the twice-rejected Hardys Bay development proposal took centre stage as guest speakers at a general meeting of the Hardys Bay Residents Group in late October, a “standing room only” response confirmed the enormous amount of community interest the controversial plan has created.



Solicitor Pauline Wright discusses development matters with HBRG president Adrian Williams

The packed gathering at the Community Church Hall in Araluen Drive welcomed Patrick Donnellan and Pauline Wright of the Gosford law firm, P.J. Donnellan and Co., who have been instructed to defend an application by the developer to the Land and Environment Court seeking a review of Council's decision to disallow DA3500452/2008 involving a property known as “58 to 62 Araluen Drive, Hardys Bay”.

At issue is a proposed mixed-use development consisting of a “commercial component, in this case, retail properties, as well as a residential building to the west”. Four new commercial properties were planned and nine terraced apartments were to step up the slope behind the retail premises. Underground parking for 34 vehicles was to be provided.

Gosford Council has also sanctioned Donnellans to engage a senior counsel, Mr. Peter Tomasetti and his colleague, or 'junior counsel', Mr. Matthew Fraser. This pair, together with the Donnellans, represent a formidable specialist legal team working on behalf of Council and the many objectors.

After the council received over 600 objections to the original proposal, the developer made a number of amendments to the plan. Consequently, the number of listed objectors increased to 731. Clearly, the minor changes made by the applicant were not

Dec 2009

adequate to convince the local community that the size and style of the development was in the best interests of the bay.

A large expanse covering three blocks of land and requiring the removal of over 100 large trees is considered out of context with the bay's character and not in keeping with the minimalist approach to foreshore development that has been advocated by the HBRG and some other local community groups.

At the Residents Group's meeting, Pauline Wright variously outlined Council's reasons for the refusal of the application. These included:

- # The proposal is not in the public interest due to non-compliance with desired or existing character and negative impact on scenic quality of the locality.
- # Its height and floor-spaced ratios are excessive. (That is, the height, bulk and scale of the proposal are inappropriate and the development does not contain enough elements of desired character to be considered appropriate in its context).
- # It does not comply with the requirements of SEPP 65 - Design Quality of Residential Flat Buildings regarding context.
- # The proposal is inconsistent with SEPP 71 - Coastal Protection, Scenic Impact and Bulk and Scale intrusion on the coastline.
- # The proposal will have a detrimental impact on the scenic quality of the locality by removal of most of the regionally significant vegetation on the site and does not meet the requirements of DCP 159.

Since filing the appeal, the solicitors advised, the developers have made additional, "but only minor cosmetic changes".

Further factors emerging from the HBRG meeting included Council's appointment of three expert witnesses who are expected to play significant roles as the development application proceeds. Their specialist fields are Urban Planning (Mr. Brett Newbold), Town Planning (Mr. George Wellington-Smith) and Ecological Issues (Dr. Anne-Marie Clements). The latter, in fact, examines the serious concern that, following the completion of the development, the residual trees, including those newly planted, will not survive.

In the meantime, Mr. Newbold will confer with an acknowledged heritage expert consultant whose retention, among other matters, has been undertaken to provide advice as to the effect on the heritage-listed Old Killcare Store. This will contribute to a general site inspection by the Commissioner, prior to an anticipated early March date as the likely timing for the subsequent hearing in the Land and Environment Court, when he also views, from the nearby jetty, the scenic impact of

the proposal created by the large flat masonry wall facing Killcare Road.

On this occasion, a suitable vessel, which will be provided by the HBRG as a viewing facility, will provide an opportunity for a group of about 20 persons, including the Commissioner and the legal teams, to step aboard and evaluate the visual impact from the water .

Consequently, the Residents Group, which unanimously agreed at its general meeting to fully support Gosford Council in its rejection of the development application, will advise its members and many others in the community by means of email or website correspondence of the relevant dates of the inspection and commencement of the subsequent court hearing, with the intention of encouraging as many as possible to attend. Representatives of the community organisations will be invited to address the court. The HBRG has duly nominated two speakers.



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“PREPARE , ACT , SURVIVE” RURAL FIRE SERVICE MESSAGE

“ If we have ever needed a more appropriate time to get our message out, it is now ! “

In emphasising the serious nature of the threats currently posed by bush fires, Steve Farrell, the Killcare/ Wagstaffe Rural Fire Brigade captain, acting on behalf of the Fire Service, has issued a specially prepared, and timely, warning to members of our local communities.

“ Your life is the first priority during bush fires. Prepare well, act decisively - and survive, “ he stresses.

“ Over the coming weeks you will hear and see more information on the new Fire Danger Rating signs which will be installed around our area. The Fire Danger Rating is an early indicator of potential danger and should act as your first trigger for action.

“ The FDR is an assessment of the potential fire behaviour, the difficulty of suppressing a fire, and the potential impact on our community should a bush fire occur. The FDR is determined by the Fire Danger Index (FDI). An FDI of 1 (Low-Moderate) means that fire will not burn, or will burn so slowly that it will be easily controlled, and an FDI in excess of 100 (Catastrophic) means that fire will burn so fast and so hot that it is uncontrollable.

“ In areas with a fire danger rating of Catastrophic, even homes which are specially designed and constructed to withstand a bush fire and are properly prepared, may not be safe during a fire. Under these conditions, any fire that starts and takes hold will typically be uncontrollable, unpredictable and fast moving. Embers will be blown ahead of the fire, creating spot fires that will move quickly and may threaten your home earlier than the predicted main fire front.

“ One of the most important decisions you need to make to protect you and your family is ' will you leave early or stay and defend a well prepared property ? ' Regardless of your decision, preparation is the key to survival. “

Steve Farrell further advises that the RFS Bush Fire Household Assessment Tool will help you make an informed decision and is available at www.rfs.nsw.gov.au together with latest news and updates on major fires and incidents. Alternatively, you can call the NSW Rural Fire Service on 1800 NSW RFS, or Gosford Fire Control on 4340 2911.

“ Of course “ , he adds, “ the Killcare/Wagstaffe members are always accessible during Wednesday night training at the station and during the regular cake stall held on the first Saturday of each month”.

ART BY THE SEA “ AT KILLCARE SURF CLUB

An imposing lineup of distinguished artists will showcase their talents at the Killcare Surf Club in early January when “Art By The Sea “ will be presented.

The club is presently in the midst of preparations for this major event which has attracted a large contingent of well-known figures including John Woulfe, the popular wood and stainless steel sculptor, Fran Connell from Austinmer, Sydney artist Dzidra Mitchell, and Bill Leak, the acclaimed cartoonist and painter.

The Art Show will run from Saturday, January 2nd, until Monday, January 11th. Opening night will be featured by a cocktail party which will be open to visitors for which tickets must be purchased. The tickets will be on sale during



*Killcare Surf Club president
Karen Burke*

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December for \$20 and may be purchased at the bar in the clubhouse or at Ray White Real Estate in Killcare. The exhibition hours will be from 11am to 7pm daily and the bar will be open for trading during these hours. The closing night's cocktail event has been set aside for financial club members.

According to Luisa Scutts, the Social Vice President of the Killcare SLSC and the event's organiser, "Art By The Sea" represents a major club fundraiser.

"Since our surf club building was completed during 2009, we have been raising money for a number of items to complete the necessary fit-out," she explained. "These have included a flagpole, storm blinds for the auditorium deck, extra bar tables and stools, equipment for the gymnasium as well as other water craft suitable for use by surf club members."

Meanwhile, the surf club broke a 77-year tradition by electing its first female president when the Annual General Meeting was held last August.

In taking over the role from the long-serving Jim Macfadyen, Karen Burke achieved a rare double in adding the presidency to the Life Membership honour bestowed upon her earlier in the year. Predicting 'exciting times ahead', Karen is looking forward to a productive future for the club.

"We are most fortunate in having a committee comprising of hard working and dedicated people," she enthuses, "and we are enjoying a huge increase in new memberships."

"Currently, we have 53 members training for their Bronze Medallion and Surf Rescue Certificates, in addition to the existing 80 lifesavers regularly patrolling our beach".

THE SILVER CLOUD ... FROM WARTIME HERO TO PRIDE OF THE FLEET



As the historic 70-year old timber motor cruiser made its way into Hardys Bay, an admiring onlooker likened the grand entry to an "operatic diva sweeping onto the stage for yet another rousing encore".

The 20.6-metre - or 67 ft 7 in - Silver Cloud was designed by Harold Halvorsen and launched in 1939. Meticulously restored to world-class standard in more recent times, it nevertheless represents an example of delightful contradictions where the designing values of the past and present are evenly divided. It is this sweet conspiracy of the old and new which generates this special aura.

The vessel is stunning, with a dominance of glistening white paint and chrome, contrasting with varnished timber, teak decks and canvas awnings. The Silver Cloud is currently moored at Point Frederick and owned by businessman Robert Hunter who purchased the cruiser 4 years ago and regularly calls into Hardys Bay to visit friends. With its stylish, sleek lines, it is truly a sight to behold.

The 'gentlemen's cruiser' enjoys a generous main saloon, a dining area that seats 8, roomy galley, 3 double cabins each with a double bed, a double V berth which sleeps 4 and expansive outdoor entertaining areas on the bridge and fly decks, a rare sight in today's modern vessels. There is an abundance of storage space which includes an engine room housing a well-equipped marine workshop with outboard motors, diving gear, refrigeration, generators and a fully-equipped laundry. The vessel has all modern conveniences including state of the art electronics, navigation, air conditioning, refrigeration, sanitary systems, etc.

Throughout the years, The Silver Cloud has

the fat goose

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enjoyed the enviable reputation of being referred to as the ' Jewel of Sydney Harbour ' and the pride of the Halvorsen fleet. It has hosted royalty on a number of occasions, is believed to have been Australia's first floating casino, has featured in film documentaries and has been used for numerous charity purposes.

Many of its army of admirers would be aware of the heroic contribution it made on our country's behalf during the Second World War when Japanese midget submarines entered Sydney Harbour on the fateful evening of May 31st, 1942. At the time, a number of Halvorsen owners with boats exceeding 40 feet in length were requested by the authorities to hand over their vessels to assist the war effort. One of these was The Silver Cloud which was 'decked out ' in naval colours and fitted with depth charges and Vickers

machine guns.

As a member of the ' Hollywood Fleet ' (as the glamorous Halvorsen vessels were popularly described), Silver Cloud was honoured with the Mentioned in Despatches citation over the pursuit, and eventual sinking, of two of the three submarines which had penetrated the harbour defences.

At the conclusion of the war, The Silver Cloud was severely burnt in an engine room fire at the Balmoral Naval Station before being returned to her owner. She was subsequently acquired by the Halvorsen family who gradually restored the vessel to her old status as a ' gentlemen's cruiser'. The more recent restorations so lovingly administered by Robert Hunter should ensure that this stately vessel continues to weave its special charm for at least another 70 years.

LETTER

As a regular visitor to Killcare/Hardys Bay, I would like to thank the Hardys Bay Residents Group members for all the work they have done in cleaning up the abandoned oyster leases in the bay. This has made the eastern shoreline much more accessible and clearly has encouraged a regeneration of marine life. Well done !

*Sincerely,
Peter O'Connor
Asquith NSW*


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BRIEFS

INTERNATIONAL CONCERT PIANIST ASSISTS LOCAL TALENT...

Zaga Peshich, acclaimed as one of Europe's finest concert pianists, has brought her remarkable talents to the Central Coast and is currently providing local artists of all levels with tuition and encouragement. Since arriving in Australia from Yugoslavia she has performed as a guest soloist at various eisteddfods throughout the country and given a number of piano recitals at the Sydney Opera House.

Now residing at Daleys Point, Zaga currently provides music tuition embracing piano, keyboards, music theory and musicianship, in addition to offering accompaniment to other instruments. She conducts Master Classes for advanced pupils and takes them to special AMEB levels.

For personal piano tuition, Zaga Peshich can be contacted at 43443 222.

BENEFACTOR EXPANDS VET PRACTICE.....

Dr. Rainer Mettal, the veterinary surgeon who provided valuable assistance when he sponsored the Hardys Bay Residents Group's dog-waste clearance program which regularly oversees the monitoring procedure by a committed team of ladies from the Group at foreshore locations between Killcare and Pretty Beach, has recently expanded his practices to include a second surgery at Empire Bay. Dr. Mettal's new address is 436 Empire Bay Drive and the telephone number is 4363 2222.

The facility will be available for all veterinary matters in addition to his other practice at the Woy Woy Veterinary Hospital, tel. 4341 8146.

OYSTER LEASE STAGE WELL UNDERWAY ...

Steady progress in the Phase 3 operation involving further removal of abandoned oyster leases in the bay has been welcomed by the local community. According to HBRG members, Terry and Kay Feltham, who pursued the original negotiations several years ago which eventually led to a generous grant provided for the campaign by the State Government, the latest stage is well underway with approximately two-thirds of the project already completed. Depending on favourable weather and tides, an early 2010 completion date is anticipated

CHANNEL DREDGING IN PROGRESS

Following a Gosford Council decision to accept a tender for the operations, the long-awaited preliminary work on the dredging of the Ettalong Channel commenced on December 2nd with high expectations of a pre-Christmas completion in order to minimise the impact on holiday boating traffic on Brisbane Water.

According to the council's Director of City Services, Stephen Glen, NSW Maritime have been involved in an extensive interview process and agree that the contractor is competent to undertake the works and the proposed methodology is appropriate.

A report stated that "the main considerations of the undertaking were the requirement to retain dredged sand within the shoal system and to minimise impact on the adjacent sea grasses and maritime traffic."

The total project cost is anticipated to be \$360,000 including preparation of a review of environmental factors, tender documents and management fees, as well as the dredging works. On this basis, council is expected to fund - on a 50/50 agreement with the State Government - \$180,000 for the operations.



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