

**Submission  
No 192**

## **INQUIRY INTO CROWN LAND IN NEW SOUTH WALES**

**Name:** Mr Paul Links

**Date received:** 24 July 2016

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Submission to: **Inquiry into Crown Land**

I have been encouraged to forward to your "Inquiry into Crown Land" a copy of a submission I recently made to the Central Coast Council relating to their current proposals to reclassify a number of existing parks and reserves from "Community Use" land to "Operational Land". Please refer to my email below which was forwarded directly to Mr Rob Noble, CEO of Central Coast Council on 19 July 2016.

If the new Central Coast Council decides to pursue the proposed Land Sale Strategy, then a number of precious community parks and reserves will be rezoned for their ultimate sale to developers.

I oppose the reclassification and sale of Crown Land to developers when no justification is provided other than short term profit.

I look forward to attending the Inquiry when it is held in Gosford in August.

Yours sincerely,

Paul Links

Wamberal, NSW

Mr Rob Noble  
Chief Executive Officer  
Central Coast Council  
PO Box 21  
Gosford NSW 2250

## **Submission Objecting to the Central Coast Council Land Sale Strategy and the Proposed Reclassification of Community Use Land**

Further to my recent presentation at the Public Meeting conducted at the Erina Centre on Wednesday on 6 July, I write to formalise my sincere objection to the Proposed Reclassification of various Open Space / Public Recreation zoned parcels of land in the Gosford City area.

More specifically as a long term resident of Wamberal I wish to express my particular dismay at Council's plans to Reclassify the Benjamin Parker Reserve. I also understand that plans exist for the Reclassification of the Wamberal Memorial Hall and in this regard my submission also extends to this valuable Community site.

I believe the Land Reclassification Process is an important tool for Council to utilise when surplus land suitable for disposal is considered for sale purposes. My understanding is that Council should provide satisfactory reasons for the proposed Reclassification and subsequent sale of such land. To date neither Gosford City Council nor the Central Coast Council have provided any substantial justification for the proposed Reclassification and sale of Benjamin Parker Reserve and the other open space parcels listed in the first stage of this process. From a reading of publicly available Council documents to date, the only apparent reason for the Reclassification is that the current sites nominated have "sale potential". This is no reason to sell off precious Community land and this process must stop.

My understanding is that the provisions of Department of Planning LEP Practice note PN 09-003 dated 12 June 2009 apply to Central Coast Council's proposed land reclassification.

LEP Practice note PN 09-003 stipulates that land can be classified or reclassified **by either a resolution under the LG Act or via an LEP under the EP&A Act**. It appears that Central Coast Council has not followed either of these statutory guidelines and the process to date has been ad-hoc and **has not followed due process** as outlined in the Practice Note and the respective Acts. The process to date has been a sham and it should stop.

Under what statutory guidelines is the current Land Strategy proceeding?

The only publicly available documentation relating to the processes to date is extremely brief and contained on pages 101 to 103 of the "Agenda Ordinary Council Meeting 8 Sept, 2015" under the heading "Report of the Strategy/Policy Workshop held on 30 June 2015. Is there any documented strategy or records of the decision making processes to date? The Community is a vested stakeholder in such Publicly owned land and we deserve the right to know of the decision making processes affecting our valuable Community land.

It would appear that the Council's Property Groups' only directions or instructions were to "establish sites with sale potential". Is this the case?

Why has there been no Community consultation? From documents sighted at the Erina Meeting on 6 July it would appear that Council is relying solely on recommendations from a local independent town planning consultant paid to write some form of report. If this is the case then these documents and recommendations should be made public. Why should a

highly paid consultant's opinion take precedent over local communities opinion? The instructions to this consultant should be made public.

Has the land's history, and social and environmental values been given due consideration? Benjamin Parker Reserve was Vested to Council's care in 1956 by Wamberal local Benjamin Parker; the land therefore exists as his gift for future residents. It was not gifted to Council for its future sale based upon a Consultant's recommendation. No valid reason to sell off this precious Community land has been given and **this process must stop.**

I am aware that Council has put forward statistics that show the various Open Space parcels under consideration form a small percentage of overall Open Space land holdings. It is a **spurious and misleading argument to put forward such statistics** relating to percentage of overall land holdings in the Council Portfolio. The subject Open Space parcels represent some of the few remaining Open Space zoned parks in our local urban areas. They deserve protection for future generations to enjoy and should not be sold by a greedy council seeking short term profit.

I am aware from community discussions relating to the proposed land sales that, similar to Benjamin Parker Reserve, various park facilities and equipment such as swings and picnic tables have been removed from a number of our parks by Gosford City Council over the past five years. **It is disingenuous for Council to complain** that these parks are not being utilised when, if reduced usage figures can be provided, Council is complicit in any reduced patronage by their very actions in making the parks less user friendly. Studies have shown that the "presence of supportive infrastructure within parks such as footpaths, wooded areas, sports facilities or equipment is associated with park use and physical activity and walking within parks".

The mature native trees on The Wamberal Memorial Hall site and Benjamin Parker Reserve are home to a variety of native birds including but not limited to: Kookaburras, magpies, butcher birds, bower birds, rosellas, rainbow lorikeets, and native animals including tree and swamp snakes, blue tongue lizards, leaf tail geckos, antichinas, brush tail possums, sugar gliders, ring tail possums, bandicoots, micro bats etc. These birds and animals have provided enjoyment and fascination for generations of people in our local communities. Their precious habitat is disappearing on a steadily increasing basis in our urban areas. **Surely it is incumbent** on our local leaders to take pro-active steps to protect and retain these important native pockets that remain in public ownership– not discard them to developers for short term profit.

Studies have shown that "the presence of attractive open space is associated with enhanced mental health for adults and that access to nature and space assists with children's mental health". Given the high suicide rates on the Central Coast - **selling off parklands and green community open space cannot be justified.**

Both Gosford Council and Wyong Shire Council are ranked in the top ten out of 151 Local Council's state wide in relation to their financial position ( refer Gosford Council Website - Latest News February 2016). Claiming high annual maintenance costs as a valid reason supporting the land sale strategy is not justified given the relatively sound financial rankings of the former Councils now comprising the Central Coast Council.

I refer to Section **1.2 Aims of Plan** under the **Gosford LEP 2014** and more specifically section (2) (b), (c), (f), (g), (h) & (j) as follows:

(2) The particular aims of this Plan are as follows:

(b) to foster economic, environmental and social well being so that Gosford continues to develop as a sustainable and prosperous place to live, work and visit,

(c) to provide community and recreation facilities, maintain suitable amenities and offer a variety of quality lifestyle opportunities to a diverse population,

(f) to promote the efficient and equitable provision of public services, infrastructure and amenities,

(g) to conserve, protect and enhance the environmental and cultural heritage of Gosford,

(h) to protect and enhance the natural environment in Gosford, incorporating ecologically sustainable development,

(j) to promote a high standard of urban design that responds appropriately to the existing or desired future character of areas,

The proposed Land Sale Strategy of Open Space parklands in our urban areas is in direct conflict with the above aims of the current Gosford LEP 2014 and it should not proceed.

Yours sincerely,

Paul Links,  
Wamberal