

# The Pulpit Post™

A not-for-profit local independent newsletter by locals on local issues



Dedicated to community and environment issues specific to Radiata (Mt Elphinstone) Plateau, Pulpit Hill & Nellies Glen environs.

**Issue No. 2, Spring 2006 ...by a whisker**

Editor's note: Welcome to the second issue of **The Pulpit Post**. This issue has been regrettably delayed due to an intervening holiday and illness.

## 'Save Radiata Plateau' – where to from here?

Issue# PH91-01

Any further hope of environmental support for the Save Radiata Plateau Campaign from the Blue Mountains Conservation Society (ConSoc) or from The Colong Foundation for Wilderness has all but dried up. "We have no time to engage further in this." - ConSoc president 5-Jan-06. Both organisations have abandoned the Radiata Plateau cause, preferring instead to dedicating their efforts to saving Newnes Plateau north of Lithgow from sand mining.

So where to from here? What can be done to protect Radiata Plateau which possesses one of the last remaining untouched escarpments of the upper Blue Mountains? Perhaps residents would like to propose ideas and suggestions by phoning or emailing the editor of this publication (see contact details at end of paper). Some Pulpit Hill residents may know the current owners of Radiata Plateau, who would be able to tell us the latest situation concerning the proposed sale. The editor is very keen to be kept updated and in turn communicate any 'developments' back to Pulpit Hill residents via this newsletter.

So what more can be done to try to protect Radiata Plateau (or Mt Elphinstone Plateau) from threats of housing development?

Well, back in 1996 some 1,300 hectares of Crown (public) bushland along the rugged Blue Mountains western escarpment from Blackheath Glen north to Mt York were nominated for inclusion into the Blue Mountains National Park. Most of this identified bushland adjoins the existing National Park and has been assessed by the National Parks & Wildlife Service (now the Department of Environment and Conservation - DEC) as having "high conservation value". However, these 1,300 hectares are divided across many titles owned by different government authorities. Under the State Government's Public Lands Rationalisation Project Stage One, the idea has been to rationalise this ownership and management into one title with the aim of achieving better conservation management for these 1300 hectares. The options were to transfer the 1,300 hectares into either inclusion into the Blue Mountains National Park, or as a Regional Park, a State Park or to local council as 'Community Land'. However, rather than these all being incorporated into the National Park, Blue Mountains Council put in a strong bid to control these 1300 hectares and DEC backed down and agreed. These 1,300 hectares are to become a local council reserve. So what are the opportunities for future rationalisation of these western escarpment lands to include Radiata Plateau?

Earlier this year, the Minister for the Environment, the Hon. Bob Debus, announced committing \$7.2 million out of the NSW environment budget to restore and upgrade tourist walking tracks in the Upper Blue Mountains. Clearly, State Government funding is around to develop local bush tourism, yet not so for genuine environmental commitments such as acquiring Radiata Plateau so it may be incorporated into the protectorate of the National Park or as a local council reserve.

DEC has long considered the 'hotch-potch' boundaries of the Blue Mountains National Park along the western escarpment as "convoluted". Surely the Blue Mountains National Park would be more integrated and protected if it were extended uninterrupted from the Jamison Valley across Narrow Neck, Nellies Glen, Radiata Plateau and joined up with the proposed rationalisation of the 1,300 hectares from onward to Blackheath to Mt York. A few years ago, ScenicWorld sold some of its private bushland holdings west of Narrow Neck to DEC.

Residents can learn more about the latest on this Public Land Rationalisation Project by asking their local Ward One councillors or by contacting Tim Hager, Conservation Assessment and Data Officer, Central Directorate, Department of Environment & Conservation, PO Box 1967 Hurstville 2220, Ph: 9585 6417, Fax: 9585 6442.

Email: [tim.hager@environment.nsw.gov.au](mailto:tim.hager@environment.nsw.gov.au)

Another avenue worth pursuing may be to recommend including Radiata Plateau on our National Heritage List within the Blue Mountains World Heritage Area, but this time using criteria (h) '*importance in natural and cultural history*' and (i) having '*outstanding heritage values to the national because of the place's importance as part of the indigenous tradition*'. Few Pulpit Hill residents would be aware of the strong cultural significance of the nearby area to the local Gundungurra people. To learn more about the present efforts to nominate the Blue Mountains for these two additional heritage criteria, residents can contact the Heritage Inventory & Referrals Section, Heritage Division, Department of the Environment & Heritage, PO Box 787 CANBERRA ACT 2601, tel: 02 6274 2153, fax: 02 6274 2095. Feedback to the editor will be appreciated

In the inaugural issue of The Pulpit Post last winter, Pulpit Hill residents may recall being alerted to local council's plans to develop about 6 hectares of community bushland on the eastern crest of Pulpit Hill and to prepare it for sale for housing development. This plan dates back to local council meeting minute #563 of 11-Nov-97. In June 2006, councillors unanimously agreed to allocate \$178,000 in their Capital Works Programme (**Project 70/127302 'Pulpit Hill Subdivision'**) to prepare the land for subdivision and sale. Were any Pulpit Hill residents notified by council of its plans?

This important bushland is protected from land use development under council's own stringent zoning regulations of LEP 1991 for this site as follows:

- LepZone BC1HM BC (1 ha min area)
- LepZone EP Environmental Protection
- LepArea ECA PA - Environmental Constraint
- LepArea LBT PA - Land Between Towns
- LepArea WSC PA - Water Supply Catchment
- Emp2002VegSch 8 5B Blue Mountains Swamps

Source: BMCC website [http://www.bmcc.nsw.gov.au/bmccmap/Disclaimer\\_bmccmap.cfm](http://www.bmcc.nsw.gov.au/bmccmap/Disclaimer_bmccmap.cfm)

The bushland is also protected under the NSW Native Vegetation Act (NVA) and Regulations which came into effect on 1 December 2005 designed to regulate the clearing of native vegetation in NSW. Under the NVA, it is an offence to clear native vegetation without approval under the Act. Native vegetation is defined as trees, groundcovers, understorey plants, ground cover and wetland plants. Clearing is defined as including cutting, thinning, logging, poisoning, uprooting, ringbarking etc. The Act applies to areas zoned under LEP 1991 (including this 6 hectare site) as Bushland Conservation (BC) and Environmental Protection (EP).

Source: BMCC Business Paper 5-Sep-06, Item No: 4, 'Subject: 'IMPLICATIONS OF THE NSW NATIVE VEGETATION ACT FOR THE BLUE MOUNTAINS, File No. CO7683, Page 6

Despite this zoning and statutory protection, councillors back in June 2006 unanimously decided to develop the land for sale, permitting at least two houses to be built just north of the old convict graves and to bulldoze a fresh access road through the bush from Explorers Road. How can council get away with breaching its own zoning regulations and the new NSW Native Vegetation Act?

Following responses from Ward One councillors to a Pulpit Hill resident concerned about council spending \$178,000 in preparation for housing development on Pulpit Hill.

*"There was a line item covering this matter. A report will have to go to council before anything can start if at all. There is little point of having public meetings if we have not yet decided to do anything."*

[Mayor Jim Angel, email 3 July 2006]

*"Councillors have not had any briefings on the future of this land and have, therefore, made no decisions at all, apart from voting for the funds to be used only IF we thought it should go ahead. If there were any likelihood of this, then there would be full community consultation and a public meetings prior to Council making any decision."*

[Cllr Terri Hamilton, email 3 July 2006]

As to the Mayor's first statement, what "line item covering this matter"? The only public notice provided by council was in the Gazette newspaper 28-Jun-06 on page 30, item 5 which stated that at the ordinary meeting of council held on 20-Jun-06, Business Item 4 'Finalisation of Management Plan, Estimates and Capital Works Programme and Rates for 2006/07 (File No: C07759) was approved for adoption by council. No notification has been made specifically and directly about council's plans to develop and sell Pulpit Hill land. The details of council's intentions remain buried within council's Capital Works Programme under "Non Programme Projects' (**Project 70/127302 'Pulpit Hill Subdivision'**).

Simply, council appears not to have expressly notified local residents of Pulpit Hill about its plans to sell community bushland (zone 'operational' land) for housing development. Council appears to have not expressly notified residents of its decision to commit \$178,000 out of council's capital works budget to 'prepare' this community land for sale as a housing development site.

As to the Mayor's second statement, councillors in fact made a decision to approve **Project 70/127302 'Pulpit Hill Subdivision'** at council's general meeting on 20-Jun-06 Business Item 4 as referenced above. In fact councillors approved the entire Capital Works Programme unanimously, so the Mayor's statement is factually incorrect.

By councillors agreeing to commit to spending \$178,000 to prepare this Pulpit Hill bushland for sale, what is to prevent bulldozing and road making through the site commencing immediately? Once this largely unspoilt natural area and its heritage values have been disfigured, the natural and historical heritage values of the site will be removed.

Having walked over the site, there is already evidence of slashing to gain access to peg boundary posts. What community consultation occurred before the slashing activity? Residents perhaps should walk around to see for themselves.

Contrary to the Mayor's playing down of councillors' decision, there is every reason to engage in public meetings before council decides to do anything, because once council does decide, it's all too late...legally. Any argument proposing waiting for such a decision is therefore fatalistic. What the community deserves is written assurance from council that no further disturbance whatsoever to the Pulpit Hill site before an open community consultation process including community meetings with council on the issue.

Perhaps a more proactive and considerate response from our mayor would have been to have expressed concern and deep interest in the heritage of the Pulpit Hill precinct and to have confirmed a willingness to meet with the community and defer the capital works until open community consultation has been fully undertaken and the important community issues of heritage, zoning and environment opening discussed and an acceptable solution reached.

As to Clr Terri Hamilton's statement above that: "*councillors have...made no decisions at all and that...there would be full community consultation and a public meetings prior to Council making any decision*"; on 27-Jul-06 the editor emailed Clr Hamilton requesting the following assurances:

*"Please provide written assurance to Pulpit Hill residents from Council that no further disturbance to the Council owned land on Pulpit Hill will occur and that Council will not enter into contracts to have the land developed using any part of its allocated \$178,000 for the site without first:*

- 1. Council arranging for open community consultation to discuss Council's development proposal*
- 2. Council commissioning an independent historical investigation into the heritage values of the site and immediate precinct of Pulpit Hill in consultation with the State Heritage Office and relevant historical societies and that the finding be published and made available to the public."*

..to which Clr Hamilton responded by email the following day:

*"I cannot give you this assurance. I suggest you contact the General Manager."*

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#### **Copy of email by the editor to Blue Mountains councillors Sunday, 2 July 2006 4:41 PM**

To: 'thamilton@bmcc.nsw.gov.au'; 'kogrady@bmcc.nsw.gov.au'; 'pmcinnes@bmcc.nsw.gov.au'; 'ltrindall@bmcc.nsw.gov.au'

#### **"Requested Notice of Motion**

In light of the importance of Pulpit Hill to the community I urge you to put forward the following Notices of Motion at the next Council meeting in July, before Council is committed to spending (and indeed wasting) \$178,000 of community funds to sell heritage land.

That Council:

1. Defer its commitment to spend \$178,000 of community funds to develop this site for housing
2. Set up a series of at least two public meetings to explain its plans for the site and to allow for community consultation in the matter
3. Commission an independent historical study to comprehensively assess the heritage value of the Pulpit Hill site and of the immediate surrounding area of Pulpit Hill, including:
  - The historical significance of Pulpit Hill itself
  - Possible local indigenous cultural values of the site and immediate area – there is a natural spring on the southern part of the site
  - The appropriateness of close proximity to the Explorers' Marked Tree historic precinct
  - The traversing of Cox's Line of Road across the site

- The traversing of Lawson's Deviation Road across the site
- The presence of convict pits on or near the site
- Convict Graves abutting the site
- Historic Culverts near the site
- The significance of the unknown ruin on the site."

To date this Notice of Motion has not been presented. No reply has been received to this request from any councillor.

## Heritage Interest in Pulpit Hill by Heritage Office

Issue# PH97/01

The NSW Heritage Office has been duly informed about local council's plans to develop and sell this Pulpit Hill precinct for housing development. See copy of its letter dated 4-August 2006 to local council's acting General Manager, Robert Greenwood. At the time of going to press, the Heritage Office had not received any response from local council nor from Mr Greenwood.

Residents may not be aware of Pulpit Hill's historical heritage significance. For instance, in 1815 William Cox carved the first road over the Blue Mountains over Pulpit Hill. In the 1820s, William Lawson constructed an alternative gentler grade 'deviation road' around the crest of Pulpit Hill. Remains of this deviation road can still be found on the very site that local council is planning to develop. Investigation into local history archives has uncovered a rich pioneering heritage associated with Pulpit Hill. Details will be revealed in the forthcoming Summer issue of **The Pulpit Post**.



Experienced bushwalker (retired), Jack Austin, revealing evidence of William Lawson's 1820's 'Deviation Road' found on Pulpit Hill.

Photograph taken 30-Jun-06.

## Current Development Application for 49 Explorers Road, Katoomba

Issue# PH06/01

At the time of going to print, no decision has been made by local council's planners on a development application received in July for a "boundary adjustment" between the vacant paddock at 49 Explorers Road (SW corner of Saywell Road) and the adjoining bushland to the west, which forms part of Karuna Sanctuary, 418 Great Western Highway. [File Ref: S06/0031]. But a phone call to council has indicated the boundary adjustment is to be approved.

For enquiries about any item above, to contribute to this newsletter, or if you are aware of any issues affecting this area, please contact the residents below.