

HUT NEWS

"Nature Conservation Saves for Tomorrow"



GUEST EDITOR'S NOTE

This issue of *HUT NEWS* is a special supplement to Issue 221 which was mailed to you in December.

Your Management Committee has deemed it desirable to bring a number of proposed changes to the Constitution of the Society before members at a Special General Meeting to precede the regular Friday Monthly Meeting on 27 January, 2006. The Constitution requires that a three-week notice of such a meeting be given, hence this early new-year edition of our newsletter.

Full details of the proposed changes are outlined for your examination on pages 3 and 4 of this issue and your support

is encouraged. Please have a good look at this material, and come along to the meeting at 7.30pm.

It will of course be followed, as announced in December, by an address from consultant arborist, John Lang, entitled *Australia's Vegetation – an Arborist's View*.

And yes, you will note that we have taken the opportunity in this issue to bring you up to date on a few other environmental matters of interest or concern.

Christine will be back next month!

Happy New Year to all,

Ron Withington

DA 22/05 Heliport Capertee is rejected — for now!

DA 22/05 Heliport relates to Capertee-based infrastructure for regular scenic 'joy flights' in the region of Mt Airly, Genowlan Mountain and Pantoneys Crown. The proposed flight paths seemingly affect the western side of the Greater Blue Mountains World Heritage Area (including the Wollemi National Park and Wilderness, and the Gardens of Stone National Park), Turon National Park and Winburndale Nature Reserve. In so doing, they also impact on the quality of life of local residents.

The 'joy flights' and heliport proposal surfaced in late 2004. The Society co-operated with the Capertee Valley Environmental Group to obtain an assessment by the Environmental Defenders Office (June 8, 2005). Following this, the Society made its own submission to Lithgow Council (June 15, 2005). It emphasised the DA's inconsistency with the objectives of the Local Environment Plan, the failure to meet the principles of ecologically sustainable development, the inadequate consideration of noise from ground and airborne operations, and the disregard of public interest.

Since that submission, additional factors have enhanced the case against the DA. The recently launched Gardens of Stone Stage 2 (GoS2) Proposal has highlighted the magnificent values of the areas adversely impacted by 'joy flights'. The Emirates Eco-tourism Concept Plan for the Wolgan Valley (broadly supported by the Society, other environmental groups, and Lithgow Council) is in conflict with 'joy flights': granting the DA could endanger the Emirates proposal. The tourist industry identifies the GoS2 and Emirates proposals as essential components of long-term tourism in the Lithgow, Western Escarpment and World Heritage areas. Finally, the affected regions have a rich indigenous culture that could be adversely impacted by overflying sacred sites for commercial gain.

DA 22/05 went before an Ordinary Meeting of Lithgow Council on Monday 19 December, 2005. Twenty-four conditions were attached to a Council Officer's report that seemingly favoured approval. The disturbing conditions allowed up to twelve flight movements per day (Monday to Friday), and up to twenty on Saturdays and Sundays. They also set the height of flight paths over national parks and local residences at an unacceptably low 500-1000 feet, subject to a 3-month trial period.

The Society, other environmental groups present, and the Emirates' representative feared that this outrageous DA would be approved. We were most happy to be wrong!

Lithgow Councillors cited numerous opposing submissions and rejected the heliport development because of its social impact, and its impact on the amenity of the local environment. The Councillors

should be congratulated for their perceptive evaluation. This is a great outcome for Lithgow, for the overall environment, for the Gardens of Stone Stage 2 and Emirates' proposals, and for regional tourism. Indigenous heritage and a sustainable low-impact tourist industry should not be jeopardized by a marginal venture with a large footprint and few benefits.

I would happily stop here, but the proponent intends to appeal Council's decision before the Land and Environment Court. The Society is cautiously confident, but experience suggests that the only assured outcomes are legal costs and protracted uncertainty!

Brian Marshall

Positive letter writing: Should you be tired of opposing things, here is your chance to be positive. Please write to Lithgow Councillors, 180 Mort Street, Lithgow, NSW 2790 or (by email) All Councillors <glcc@lithgow.nsw.gov.au> and congratulate them on their important and far-reaching decision.

An Original Activity

The BMCS carries the responsibility for the **Valley of the Waters Bushcare Group** which meets at 9am on the second Saturday of each month. **Karen Hising**, 4757 1929, is our co-ordinator. Tools are provided, so for this pleasant exercise in weed warfare our volunteers merely turn up under a big sun hat, garden-gloved and with arms and legs protected.

Karen and her team have joined the Jamison Creek Bushcare Group, the Rotary Club of Central BM and other community groups in mounting a **Discover Darwin's Walk Day**, a celebration to commemorate the 170th anniversary of Charles Darwin's walk along Jamison Creek. It will be held on Sunday 22 January, 2006 between 10am and 4pm at Wilson Park, Wentworth Falls.

There will be three guided walks led by NPWS Discovery Rangers. Bushcare volunteers will demonstrate their skills at points along the way. Marquee stalls will be set up at Wilson Park by Council and the Rural Fire Service. One of the marquees will have display material on Bushcare as well as history, rare species, hanging swamps and *Streamwatch*. There will be a shuttle bus from the end of the walk back to Wilson Park, where the sausages will be sizzling.

Council will be launching the new **Discover Darwin's Walk** brochure on the day, and the Blue Mountains Historical Society will feature a display of Charles Darwin memorabilia in their nearby Research Centre at *Tarella*, 99 Blaxland Road, Wentworth Falls.

HUT NEWS

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This issue printed on recycled paper.

Nursery News

The Blackheath and Lawson Nurseries will re-open in 2006 on the 10th and 11th January respectively, so if you missed out last year, grab a bargain early this year!

Also, we always need volunteers so if you have a love of plants and would like to help, please give me a call.

Absolutely no experience necessary.

Kevin Bell, Nursery Manager, 4787 6436

MEMBERSHIP ENQUIRIES

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DA Sustainability Workshops — Walk the talk!

Don't forget that the Society's sustainability workshops, outlined in last month's *Hut News*, are running during January and February. If you want to come, register promptly as there are only a few spots left for the January workshop and registrations are now coming in fast for February.

These workshops will be a great opportunity to gain a deeper understanding of sustainability, learn what you can do to dramatically reduce your home's environmental footprint, and meet others who are also serious about making sustainability a reality.

Times: 9.00am – 5.00pm

Dates: Saturday 28 January 2006 (with a repeat on Saturday 25 February 2006)

Venue: Santa Maria Conference Centre, Lawson (a 12-minute walk east from Lawson station)

Standard Price: \$60 (includes 1 year of standard BMCS membership)

Reduced Prices: \$40 for those who are already members of BMCS or other NCC affiliated environmental groups, \$25 for those on low incomes (e.g. students, pensioners, retirees, and part-time employed)

Registration: An information and registration form (a pdf document) can be obtained from the Society web site www.bluemountains.org.au or to have it sent to you by conventional post please contact either:

Craig Linn: craiginbm@optusnet.com.au 4751 4934

Rosemary Lathouris: lathouris@bigpond.com 4757 2511

Important Note: as the January workshop only has a few places left, please check availability with Craig by phone or email before sending in the registration form.

Bob Debus gives assurance on the Defamation Act

In an article on page 3 of *Hut News*, No. 219, September, 2005, Jenny Rich reported on the visit to Katoomba of the Forests and Free Speech national tour group. Jenny reminded us that Gunns (the largest Australian export wood chipping company) is suing 20 individuals and organisations who have protested against their logging and wood chipping activities in Tasmania. Jenny then went on to urge us to write to our local State member expressing concern about the issue and requesting that legislation be urgently introduced to protect NSW citizens' right to free speech and right to protest, and also to discourage any court cases similar to the Gunns action.

Our Environmental Education Officer, Craig Linn, wrote to Bob Debus on behalf of the Society. Here is the Minister's written reply:

"Thank you for your letter concerning the Defamation Act and the right to free speech. The Defamation Act received assent on 26 October 2005, and is expected to commence on 1 January 2006. The other Australian States and territories are in the process of enacting identical legislation, so that a uniform defamation law regime will be established throughout Australia within a matter of months.

"The new defamation law includes a very important protection for free speech. The national model laws contain a prohibition on medium and large corporations suing for defamation, which should greatly reduce the incidence of Strategic Lawsuits Against Public Participation (SLAPP) litigation, referred to in your letter. Under the new law, it will be no longer possible for corporations, such as Gunns, to sue for defamation in any State or Territory. Medium and large corporations have been unable to sue for defamation in NSW since 2002.

"Another important protection contained in the new law is that 'truth alone' will be a defence to a defamation action. Under the old NSW law, if a person was sued for defamation, they had to establish that their publication was both true and in the public interest. Under the new law, a defendant will only need to establish that the publication was true. In other words, people will not be liable for defamation if all they have done is told the truth."

As Craig remarked, the letter records a prompt and satisfactory action by the State Government which protects the ongoing right of the Blue Mountains Conservation Society or its individual members to pursue our mission, remaining positive in all things, but where necessary engaging in accurate and prudent protest.

Welcome to the Lithgow Environment Group

Following a period of negotiation it has been agreed that the Lithgow Environmental Group (LEG) will become a sub-committee of the Blue Mountains Conservation Society. Operational procedures are still being finalised, but it has been established that LEG will continue to function in its own right, not using the name of BMCS Inc, except where approval of our Management Committee is sought and granted on specific areas or projects.

This initiative is heartily welcomed by the Committee at a time when, through such issues as the opposition to sand mining on Newnes Plateau, the promotion of Stage 2 of the Gardens of Stone National Park and the Emirates Proposal are directing much of the Society's endeavour towards the Lithgow area.

BLUE MOUNTAINS CONSERVATION SOCIETY – NOTICE OF SPECIAL GENERAL MEETING – 27 JANUARY 2006

Notice is hereby given of a Special General Meeting of the Society to be held at the Conservation Hut, Fletcher Street, Wentworth Falls at 7.30 pm on Friday 27 January 2006. There is one item of business, to consider changes to the Constitution proposed by the Management Committee. There are 3 changes proposed:

1. To create a category of Provisional Membership to enable guest or visitor bushwalkers to be covered by the Society’s public liability insurance and to give status to new members generally before their applications are considered by the Management Committee.
2. To relax the present requirement that all payments be made by cheque to permit the Society to also make payments by direct debit, thereby permitting subscription to an internet broadband connection which only permits payment by direct debit.
3. To regularise the current practice of annual approvals for recurrent expenditure making it clear that each payment does not require individually approval by the Management Committee.

The specific wording of these proposed changes is as follows:

Existing Clauses	Proposed Replacement Clauses
<p>3 MEMBERSHIP</p> <p>(a) Membership shall be open to all persons and to Incorporated Organisations.</p> <p>(b) Application for membership shall be in writing, signed by the applicant, and shall be in such form and contain such requirements as the Management Committee from time to time prescribe.</p> <p>(c) As soon as practicable after the receipt of an application for membership, it shall be considered by the Management Committee who shall thereupon determine upon the admission or rejection of the applicant. In no case shall the Management Committee be required to give any reason for the rejection of an applicant.</p> <p>(d) There may be Life Members. The criteria for Life Membership are to be found in Rule 29.</p> <p>(e) A Register of Members shall be kept, in electronic or traditional form. The register shall include, at least, each member’s name, address and the date of commencement of membership.</p> <p>(f) The details in the Register of Members shall remain confidential to members of the Management Committee, except as provided in clause 4(c).</p> <p>g) Members (but not Life Members) shall pay a membership fee. The fee shall be determined at a Special General Meeting or an Annual General Meeting and shall remain in force until varied by a subsequent Special General Meeting or Annual General Meeting.</p>	<p>3 MEMBERSHIP</p> <p>(a) Membership shall be open to all persons and to Incorporated Organisations.</p> <p>(b) Application for membership shall be in writing, signed by the applicant, and shall be in such form and contain such requirements as the Management Committee from time to time prescribe.</p> <p>(c) Members may be Provisional Members or Ordinary Members.</p> <p>(d) Upon completion of an application for membership and payment of the appropriate fee to an officer of the Society, an applicant becomes a Provisional Member.</p> <p>(e) As soon as practicable after the receipt of an application for Ordinary Membership, it shall be considered by the Management Committee which shall thereupon determine the admission or rejection of the applicant. In the case of rejection, the applicant will cease to be a Provisional Member and the membership fee will be refunded. In no case shall the Management Committee be required to give any reason for the rejection of an applicant.</p> <p>(f) Provisional membership may be granted for a specified time period. In such cases there is no requirement for consideration by the Management Committee and membership ceases on expiration of the specified time period.</p> <p>(g) There may be Life Members. The criteria for Life Membership are to be found in Rule 29. All Life Members are Ordinary Members.</p> <p>(h) A Register of Members shall be kept, in electronic or traditional form. The register shall include, at least, each Ordinary Member’s name, address and the date of commencement of membership</p> <p>(i) The details in the Register of Members shall remain confidential to members of the Management Committee, except as provided in clause 4(c).</p>

Continued overleaf on page 4

<p>(h) A member shall cease to be a member upon resignation, death, expulsion or failure to pay their fees within two months of the due date.</p>	<p>(j) Members (but not Life Members) shall pay a membership fee. The fee shall be determined at a Special General Meeting or an Annual General Meeting and shall remain in force until varied by a subsequent Special General Meeting or Annual General Meeting. Different fees may apply to various categories of member.</p> <p>(k) A member shall cease to be a member upon resignation, death, expulsion or failure to pay their fees within two months of the due date.</p>
<p>14.2 THE GENERAL FUND</p> <p>(a) The Society shall have a General Fund for all activities not covered by Clause 14.1 above.</p> <p>(b) Payments required by Trading Entities owned by the Society may be made out of the proceeds of the Trading Entity provided that such arrangements have been approved in advance by the Management Committee.</p> <p>(c) All other payments made by the Society from its General Fund shall be made by cheque signed by any two of the President, Treasurer and a third person (who shall be a member of the Management Committee) appointed by the Management Committee. This latter appointment shall expire at the first meeting of the Management Committee following each Annual General Meeting.</p>	<p>14.2 THE GENERAL FUND</p> <p>(a) The Society shall have a General Fund for all activities not covered by Clause 14.1 above.</p> <p>(b) Payments required by Trading Entities owned by the Society may be made out of the proceeds of the Trading Entity provided that such arrangements have been approved in advance by the Management Committee.</p> <p>(c) Regular periodic payments may be made by direct debit arrangement. Any such arrangement must be approved in advance by the Management Committee and executed by officers authorised to sign cheques under paragraph (d) below. Such approvals must be reviewed annually.</p> <p>(d) All other payments made by the Society from its General Fund shall be made by cheque signed by any two of the President, Treasurer and a third person (who shall be a member of the Management Committee) appointed by the Management Committee. This latter appointment shall expire at the first meeting of the Management Committee following each Annual General Meeting.</p>
<p>15 AUTHORISATION OF ACCOUNTS FOR PAYMENT</p> <p>All accounts that have been received for payment shall be presented to and passed for payment at a Management Committee Meeting. Full details of all such approvals shall be entered in the Minute Book.</p>	<p>15 AUTHORISATION OF ACCOUNTS FOR PAYMENT</p> <p>All payments shall be presented to a Management Committee Meeting for approval in advance. For regular periodic payments, such approvals may be provided annually at the first meeting of the Management Committee after the Annual General Meeting. Full details of all such approvals shall be entered in the Minute Book.</p>

Replace the word "member" with "Ordinary Member" where it appears in the following clauses: 12(f) (first sentence), 13(b), and 22(a) (both occurrences).

Replace the word "members" with "Ordinary Members" where it appears in the following clauses: 4(a), 5(a), 5(b) (first occurrence in the second sentence), 7(g), 10 (second sentence), 11 (second occurrence in the first sentence, both occurrences in the third sentence), 12(a), 12(c), 12(f), 18(a), 18(d), 19(a), 19(b), 20(a), and 29 (both occurrences).

Replace the words "a financial member" with "an Ordinary Member" in clause 12(a).

Add the words "and Provisional Members" after the words "Incorporated Organisations" in clause 12(g).

Change the words "A member" to "An Ordinary Member" at the start of clause 13(d) and the words "a member" to "an Ordinary Member" in clauses 7(f) (second occurrence), 27 and 29.

To be effected, these changes must be passed by a three-quarters majority of members present at this meeting (Constitution Clause 20(a)).

By order of the Management Committee
23 December 2005

MEMBERSHIP SURVEY Article 3

by Brian Marshall

Happily, Article 2 did not produce the adverse responses engendered by item (e) in Article 1. Nevertheless, it seems that some members are unhappy with the general apology issued in Article 2 and the specific apologies sent by letter. Without wishing to aggravate matters, I emphasise that we too are volunteers, mistakes do happen and, particularly after apologies have been issued, it is time to move on. We would rather apply our energy to the numerous environmental concerns that come before Management Committee than devote any more time to one item in a long article.

Article 3 will deal with survey questions H, I, J and M. This slightly departs from the intentions outlined in Article 1, but it conveniently defers dealing with the difficulties embodied in questions N, K and L.

Questions H and I: these were specifically linked to the contribution of *Hut News* as the Society's monthly newsletter.

Do you read *Hut News*? 'Yes' 100%; 'no' 0%. As a breakdown of this response, 33% read it from cover to cover when first received, 37% read it later at leisure, and 30% skimmed it and later read aspects of interest. In relation to 'first-off' or specific actions, 32% turned to the back to check the bushwalks, 18% checked the speaker and topic for the Monthly Meeting at the Conservation Hut, and some immediately focussed on requests to write letters. Although the last action should be read in conjunction with the responses to questions D and G in Articles 1 and 2 respectively, it is gratifying that many members respond to requests for 'action'.

Do you like *Hut News* 'as is'? 'Yes' 93%; 'no' 7%. Clearly, *Hut News* is substantially read, well received and a tribute to the Editor. Nevertheless, when asked to comment on eight aspects of *Hut News*, only 5% wanted 'more poems and stories of activities', whereas at least 15% wanted more information on each of 'current events, up and coming bushwalks, the plant nursery, bushcare groups and operations, and Management Committee's activities', and an exceptional 38% wanted 'a sequence articles of articles on the environmental objectives being pursued through Management Committee'. These responses are consistent with the hope to gain information and learning from membership of the Society (as emphasised in Article 1).

'Unguided' comments were also requested. The dominant feeling was that *Hut News* should be available on the first of the month mainly, but not only, for members involved in bushwalking. Some respondents felt that there was need to lift the impact of the front page and improve overall layout, but several acknowledged cost and time considerations. Some felt the need to clarify how articles related to the Society's 'objectives' and others commented on imbalance within the overall size constraints. Several wanted an electronic version.

Under consideration by Management Committee:

- clarify the relationship of an article to the Society's objectives – show that there is proactive as well as reactive environmentalism;
- investigate the degree of imbalance and size limitations;
- explain the timing controls on *Hut News* and its contents;
- investigate changes such as mid-month Management Committee Meetings and ¾-month monthly meetings, as these influence *Hut News* timing;
- have 'mid-month to mid-month' or '3-month' bushwalk listings.

Questions J and M: J looked more closely at whether members would prefer a 'snail-mailed' paper copy or an electronically transmitted copy of *Hut News*, whereas M investigated use of the website and possible improvements.

Delivery of *Hut News*: 90% of respondents preferred to receive a paper copy, but approximately one-third of these were not overly concerned. The 9:1 relationship is inconsistent with results obtained from membership application forms, so it is conceivable (in the context of those with little concern) that 6:4 or 7:3 relationships might be closer to reality.

Despite only 10% firmly committing to electronic access, some 22% of respondents commented on the mode of electronic access. Of this 22%, 24% would be happy with a link to the website, whereas 76% favoured transmission by email and half of these nominated a pdf attachment.

Regarding the website: 79% of respondents 'never' visit the Society's website. Reasons for this ranged from not being aware that there was one, through lacking the capacity, to having done it 'once' and found it uninformative or poorly constructed. The latter is a failing of many websites.

Comments on changes that would improve the website and promote visitation, predominantly involve more frequent and regular updating, coupled with better design and navigation.

Management Committee's response to J and M:

- Lack of an electronic option fosters 'knitting circle', stuffy, elitist and other negative assessments of the Society, so electronic and hard copy options should be available.
- A small but significant proportion of members want to receive *Hut News* as an emailed pdf file – posting it on the website is not the preferred option – this will be addressed.
- An 'expert' subcommittee will review the website's deficiencies and attempt to find solutions – the subcommittee would welcome the involvement of a member with expertise specific to this issue – please don't hang back!

Members' reactions:

If, when you read this article you feel that there are significant omissions, please send your comments to bmcs@bluemountains.org.au or BMCS, PO Box 29, Wentworth Falls 2782 and mark them M'shipSurvHNArticle2.

If you are an expert in website design and wish to be involved in the website construction and/or management, please contact Brian Marshall (4784 1148) or Heather Hull (4739 1493).

That Letter-Writing task for January

Last November we made reference to the power of writing letters to influence our decision makers. This month members are urged to write a letter on the following topic:

RENEWABLE ENERGY DEVELOPMENT STIFLED BY FEDERAL GOVERNMENT

Australia must move from reliance on coal-fired energy to renewable energy if greenhouse gas emissions are to be reduced.

The Federal Government tells power companies how much renewable energy they must buy in its Mandatory Renewable Energy Target. This sounds like a good initiative until you hear that the amount is so low that the target has been fulfilled for the next five years already!

In an article written by NSW Premier Iemma, and published in the Sydney Morning Herald of Tuesday 29 November, he said, *“Our grandchildren face a grim future if we do not cut the greenhouse gas emissions that are causing the planet to warm dramatically.”*

Write to the NSW Premier, and ask him to guarantee to increase NSW’s proportion of renewable energy from the current 8% to 15% by 2012. Unless there is a guaranteed market for renewable energy, \$3 billion worth of investment and more than 2000 new jobs may be lost.

By supporting this burgeoning industry, it will grow. Total Environment Centre estimates that it will only cost the consumer about \$15 extra per year by 2012. This is a small price to pay for clean power and zero greenhouse emissions.

Write also to the Prime Minister and ask that the Federal Government increase the percentage of renewable energy electricity retailers must buy.

Address Details

NSW Premier: The Hon Maurice Iemma, Parliament House, Macquarie St, Sydney 2000.

Prime Minister of Australia: The Hon John Howard, Parliament House, Canberra ACT 2600.

If you wish to discuss any issue please contact:

Rosemary 4757 2511 lathouris@bigpond.com or

Robin 4757 1354 mosman@hermes.net.com

George Caley Re-enactment Film

Born in 1770 in Yorkshire, the son of a horsebreaker, George Caley was one of the early colony’s most significant botanists and ornithologists. One of science’s unsung heroes, his quirky personality and working-class roots stifled his recognition in the annals of Australia’s natural history.

On Saturday 3 November 1804, Caley set out from Richmond Terrace with three men and a dog, carrying provisions, on an exploratory trip to the Blue Mountains. His aim was to reach the Carmarthen Mountains, later to be known as Mounts Hay, Dixon, Strezlecki, Caley, Banks, Tomah, Wilson and Irvine.

To mark the 200th anniversary of George Caley’s expedition, last year a party of adventurers re-enacted the section of the walk from Kurrajong Heights through to Station Rock, west of Mount Tomah. Hoping to trace Caley’s exact route, the team attempted to collect the species of plants found by Caley and to locate the mysterious landmarks named in his diary such as the “Devil’s Wilderness”.

A short documentary-style film has been made of the journey, and the main players are Ian Brown, Andy McQueen, Wyn Jones, Dave Monahan, Wayne Cherry, Lisa Clausen, Peter Elfes, Rusty Worsman and of course a small dog named Lulu.

The film is being screened in the Wollemi Room, Mount Tomah Botanic Gardens. Screening times are 11am and 2pm each day throughout the new year until 31 January.

Attendance is free, although the usual garden entry does apply. Screenings at other times for visiting groups may be arranged by appointment. Phone 4567 2154 for bookings.

BMCS BUSHWALKING

LOOKING FOR THE BUSHWALKS...?

This corner of *Hut News* is traditionally devoted to our Bushwalking Activities. However, the Walks Program to mid-February was published in the December edition. This is in line with the new policy to publish walks mid-month to mid-month.

Lawson Golf Course on Exhibition

The Blue Mountains City Council, in line with its claim to be “identifying the preferred vision and concept for the future use of the former Lawson Golf Course”, has now placed three Options on Public Exhibition. The good news is that the Bushcare Option 6, the Bush Heritage Vision proposal endorsed by Consoc and fully expounded in the October edition of *Hut News*, has been included in the display.

The Options are on display from Friday 23 December 2005 until Friday 3 March 2006.

Members are asked to examine the display at Katoomba or Springwood during January and to come away with a “Feedback Form”. Then in the February 2006 edition of *Hut News* we propose to provide a Bushcare/BMCS commentary on the exhibition and, in keeping with our “letter-writing” policy, will urge members to record their response.

The Latest on Parklands

Members would be aware that the Society has been supporting the residents’ action group BRAID in its opposition to the Parklands development in Govetts Leap Road, Blackheath. **Virginia King** gave us a report in the October edition of *Hut News*. This is her update on the merit hearing in the Land and Environment Court. It is dated 12 December, 2005...

1. The merit hearing ended on November 16 when the Commissioner called for verbal presentations from all parties (applicant, Council and RAID) on the Conditions of Consent. This was the finale of what turned out to be ten days in Court – a huge time blow-out with cost implications for all parties.

2. As the hearing progressed, the applicant kept changing the details of the on-site sewage treatment and dispersal system in response to pressure from RAID’s experts that their calculations weren’t correct or sustainable.

3. RAID engaged five experts who all appeared in Court: Cathy Hird (on-site effluent expert), Dr John Murtagh (water balance expert), Dr Anne Clements (botanist), Dr Gary Grohmann (virologist), Dr Richard Lamb (heritage architect). Dr Murtagh made two trips to Sydney from Brisbane and Dr Grohmann came up from Canberra for two days and stayed overnight in a hotel.

4. Although the applicant kept changing their proposal “on the run”, the Commissioner refused to regard this as a new DA and called it merely “details”. RAID insisted that a new water balance was needed before the new sewage treatment configurations could be evaluated for sustainability, but the Commissioner has retired to make his decision without this crucial information. (The water balance is based on “crunching” all factors: soil, climate, vegetation, dispersal area, effluent generation rate etc.)

5. **The applicant has now proposed to build a sewage treatment system that is so sophisticated that no other small community has ever built or operated one anywhere** — we believe this is also not sustainable because the compliance and maintenance obligations of the Owner’s Corporation would be too expensive to be realistic. If the Commissioner approves the on-site system, we have grave concerns for the impacts on Pope’s Glen Creek and Reserve.

6. The Sydney Water documents for the upper mountains sewer upgrade were published during the hearing and were tabled as evidence to support Council’s issue of “premature development”.

7. RAID has been in fundraising mode to pay its bills. All experts and lawyers were working for greatly reduced fees. Some have been paid in full, but the larger bills have received a part-payment at this stage.