

# HUT NEWS

*"Nature Conservation Saves for Tomorrow"*



**GUILTY of protecting Wilderness!** (pictured left to right) Dave Simmons, Hugh Paterson, Jenny Kee, Emily Coleing, Mick Dark, Marie LeBreton. Story on Page 2. Photograph by Ron Withington.

## Battle of the Bill

### Filming Approval Bill 2004

Conservationists have applauded Land and Environment Court Mr Justice Lloyd's famous comment in the 'Stealth' case, that 'Declared wilderness areas are sacrosanct'.

He also made other remarks which sent alarm bells ringing for the film industry and the NSW government. He said "I do not think that the production of a commercial feature film is appropriate public recreation in the context of the objects of the Act or in the context of reserving land as a national park. Such an activity has nothing to do with those objects or that purpose".

Commercial filming has been happening in national parks for over 30 years. The film industry has come to rely on this access and was understandably alarmed to realise that it was not operating within the law and might find itself facing further court cases. The Premier became highly alarmed that the industry might pack up and leave NSW unless they could have 'certainty' in their operations.

Within five days of the court decision the Premier had a Bill drafted to give the film industry their certainty – the Filming Approval Bill 2004. Unfortunately, according to our legal advice from the Environment Defenders Office (EDO), **it did not include appropriate certainty for the environment in national parks or for the rights of community members to protect that environment.**

EDO's Options Paper states: "Clause 4(9) gives absolute scope for the Minister to consider and issue the approval, notwithstanding that such authority may be inconsistent with the objects, management principles and provisions of the *National Parks and Wildlife Act 1974* and the *Wilderness Act 1987*".

"An approval holder, in carrying out the

filming activities under the terms of an approval, can do so **despite** any restrictions under the *NPW Act*, *Wilderness Act* or *Marine Parks Act 1997*. This means that even if the objects or management principles prevent it, or a plan of management prohibits it, it may still be approved and lawfully carried out".

In regard to Third Party Rights of Appeal which was the means by which the Society was able to appeal the Minister's granting of a Special Licence for the 'Stealth' filming, EDO says: "The Government is not merely clarifying existing rights, they are scaling back statutory third party rights".

**The lack of third party rights was of major concern to us. The fight needed to protect Butterbox Point has demonstrated that we cannot rely on Government: the community must have the right to legally challenge breaches of the Acts if they occur.**

Sixty people demonstrated outside Parliament against the Bill on 4 May and then went into the lobby of Parliament House where NSW Minister for the Environment Bob Debus consented to a short meeting with a small group of BMCS members late in the afternoon. He told us that amendments could be considered when the Bill goes before the Upper House.

The National Parks Association, Colong Foundation for Wilderness and the Society launched into an intense two-pronged campaign, political and legal, which is not yet over. The political campaign was to raise public awareness of the issue in order to get people to contact the Minister and ask him to withdraw the Bill. The Society has run ads in both the Gazette and the Sydney Morning Herald and had street stalls in Katoomba, Blackheath and Springwood and many members were able to be contacted by email. Large numbers of Blue Mountains residents responded and the Minister certainly became aware that we were not happy with the Bill.

At the same time, legal options were being developed for amendments either to the Film Bill, or to the *National Parks and Wilderness Acts*. We had a meeting with representatives of the film industry to present our concerns and kept lobbying the Government with whom we also had meetings. On Wednesday 26 May we were informed that the Government was not prepared to consider amendments to the existing Acts, only to the Film Bill.

On Thursday 27 May a round table meeting of all the involved parties was held, chaired by the Minister. We owe that meeting to Mick Dark! **At the meeting the Minister said more than once that he thought we were**

**in agreement in principle on most of the issues, particularly on the third party appeal rights which he had specifically guaranteed in the Blue Mountains Gazette the previous day.** Another smaller meeting was arranged for the following day to work through the details.

On Friday 28 May the Government made some concessions in regard to the ways in which approvals can be granted and to the setting of consent conditions, making them more stringent than in the original Bill. By including a firm definition of 'Tourism' in the description of types of filming allowed in Wilderness areas it seems that these areas will be sufficiently protected.

Unfortunately, at time of writing (30 May 2004) we have not been able to gain satisfactory third party appeal rights. Despite the Minister's assurance that "third party appeal rights will exist as they were before" we now have tight time constraints during which the appeal can be launched. Also, essential clauses requiring the Minister to act in accordance with the Management Principles and Objects of the National Parks Acts are not agreed.

We have yet to see the amendments in written form. We understand they are likely to go to the Upper House during the first week of June. It is not over yet!

**This two-month drama which required so much time and energy and expenditure of funds by conservationists and concerned residents was unnecessary. The 'Stealth' debacle need never have happened if the Government had followed its own laws regarding filming in Wilderness.**

**If laws needed to be changed to legitimise commercial filming in National Parks it should have been done in a timely way with the community consultation that a changed use of community property decently demands. National Parks belong to the people and their primary purpose is nature conservation. National Parks do not exist merely for the convenience of the film industry or any other commercial activity.**

## Bob Debus to speak

Local member and NSW Minister for the Environment Bob Debus will speak at our monthly meeting on 25 June 2004. The subject of his talk will be "Building a NSW Reserve System for the 21st Century".

The meeting at the Conservation Hut, Wentworth Falls, starts at 7.30 pm. Visitors are very welcome.

"Hut News", the newsletter of  
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## Kosciuszko under threat by Keith Muir

The fate of Kosciuszko National Park for the next 20 years will be determined by the draft plan of management and the Alpine Resorts Plan that are currently on public exhibition. Management of the national park will control such matters as zoning to define the resorts areas and the range of recreational activities and facilities in the park. The development control for the ski resorts will be governed by an Alpine Resorts Regional Environmental Plan that will sit within a plan of management for the 675,000 hectare national park.

### Draft Plan of Management

Australia's leading scientists report that the park's outstanding values are at risk due to expanding development,

increased visitor use, climate change and introduced plants and animals. Kosciuszko National Park, the largest park in NSW, deserves a strong ecologically based plan of management that puts nature, wilderness, public transport and humane and effective pest management before tourist fun rides and resort development. While the termination of cattle drives across the park should be strongly supported, the draft plan fails to effectively curb the growth in feral horse numbers. There are also inappropriate plans for visitor-focussed park infrastructure such as tourist "grandstands" that could dominate the alpine landscapes.

Please make a submission to the Kosciuszko National Park Plan of Management Review, PO Box 733, Queanbeyan, NSW 2620 before 20 August, 2004.

### Alpine Resorts Plan

Please also write to the Alpine Resorts Planning Team objecting to any further development of the ski resorts, as climate change will make these resorts obsolete in 50 years. Six large apartment blocks up to five stories high are proposed for Perisher and many apartments will be for private sale. Such town development may be appropriate on the Gold Coast but not in one of the country's most fragile ecosystems. The proposed resort expansion plans and increased water, sewage and waste services will destroy the natural environments that people come to enjoy.

Submissions on the Alpine Resorts Plan can be made until 16 July 2004. Write to the Alpine Resorts Planning Team, PO Box 189, Queanbeyan, NSW, 2620.

Use your own words to develop a submission on both plans based on this article and the enclosed brochure. The Colong Foundation has also prepared a comprehensive response to both plans entitled 'A Plan for Environment Protection and Restoration' (available for \$5.00 from the Foundation). In your submissions please support the Plan for Environment Protection and Restoration which has been endorsed by the Nature Conservation Council Annual Conference 2003. Further information: <http://www.colongwilderness.org.au> <http://www.nationalparks.nsw.gov.au> and <http://www.dipnr.nsw.gov.au/alpinerestorts>

## Nursery Managers

The Society's native plant nurseries at Blackheath and at Lawson generate most of the Society's income. The role of Nursery Manager is vital, but our present Nursery Manager, David Coleby, will not be continuing beyond February 2005, as by then he will have had over 11 years in the job.

In the absence of a volunteer to take over this demanding but rewarding job, the Management Committee has decided to split the work-load into three different components. The aim therefore is to find three people with the appropriate skills to

undertake these components and collectively comprise a Nursery Management Team (NMT).

The envisaged NMT will consist of:

**Manager (Nurseries):** concerned with propagation of plants and running the two nurseries at Blackheath and Lawson. This involves two mornings per week (one at each of the nurseries) and includes supervising and training volunteers. Other duties will include seed collection for contracts.

**Manager (Sales):** concerned with plant-sales and generating new contracts for supplying and planting indigenous species. The Society holds two plant sales a year at the Conservation Hut and gains a substantial (though variable) income from contract work for various bodies including RTA, BMCC and Sydney Water.

**Manager (Administration):** concerned with keeping the accounts and contractual records, representing the NMT on the Management Committee and integrating NMT activities.

**We need to find volunteers for this Nursery Management Team now so that the members can work with David for the remainder of the year, to enable a smooth transition in March next year.**

If you have the interest and necessary skills for any of these jobs or are willing to learn and want to find out more, please contact David Coleby, Brian Marshall or Christine Davies (contact details are on page 2) or come to the Blackheath Nursery (in the workshop compound of National Parks) any Tuesday morning, 9 am through 12 noon, to see for yourself and discuss your interests with David. If you cannot attend Blackheath on a Tuesday, then come to Lawson on a Wednesday, 9 am through 12 noon, at the rear of Mt Hay Technology, 25 Livingstone Street.

## Wilderness defenders face court despite upholding the law

Nine protesters who made a stand for the Grose Wilderness and were arrested at the Mt Hay Road blockade appeared at Katoomba Court on Wednesday 26 May 2004.

Shanu Antoniacomi, Nick Hill and Heidi Chappelowe pleaded Not Guilty. Their hearing will take place on 23 June.

Mick Dark, Hugh Paterson, Jenny Kee, Marie LeBreton, Dave Simmons and Emily Coleing pleaded Guilty. The charge against Mick, Jenny and Marie was dismissed. Hugh, Emily and David were discharged without conviction, but with a one-year bond.

Magistrate George Zdenkowski gave very fair and detailed reasons for his decision on sentence in a statement which can be found on the Society's website.

An extract from one of the quotes which he used in his statement is on page 4.



## Stormwater

by Ross Coster

Stormwater is both a problem and a resource and needs to be handled much better if Sydney is to become sustainable.

### Stormwater flows

The first problem with stormwater is flow rate. As part of developing man-made environments, we rip up vegetation and replace it with hard surfaces, and therefore change the flow rate of stormwater.

Natural vegetation cover soaks up rain and releases it slowly, keeping peak flows lower, minimum flows higher and generally regulating flow. Hard surfaces, like roofs, pavers, driveways, parking lots and roads, soak up no water but instead dump it into stormwater pipes, and eventually creeks, in sudden bursts. So in an extreme man-made environment, like Katoomba Street, no rain means no stormwater and heavy rain means lots of stormwater to catch and dispose of.

When urban stormwater systems release high flows into creeks they cause scouring (ripping material from creek beds), erosion and flooding. What we need to do is catch stormwater and release it slowly to mimic natural flows.

### Stormwater pollution

The other problem with stormwater is pollution, caused by the things we leave lying around to be washed away.

Rubbish, pet animal droppings, grass clippings, exotic plant leaves, fertiliser, dirt, oil and grease all lay around on hard surfaces waiting for rain. When it rains these items get picked up in the water flows and sent downstream into creeks, causing pollution.

We also see erosion of exposed soils in storm events, resulting in silting up of creeks, loss of oxygen in creek waters and decimation of native aquatic life.

### Stormwater as resource

Can we use stormwater as a resource? Yes, but with provisos.

The simplest way to capture and use stormwater is with a rainwater tank on your home, but not for drinking. NSW Health have plenty of documented cases of Salmonella caused by bird droppings and dead animals in water tanks so they don't want us to drink it. The general rule is, if reticulated water is available, use it for drinking purposes.

So what can you do with tank water? Tank water is fine for toilet flushing, laundry use, car washing, pool and pond filling and garden watering. But you shouldn't use tank water for drinking or bathing.

The other way to regulate stormwater flows is with detention basins. A detention basin basically catches a storm event and releases it slowly to the stormwater system. Around Sydney there are now lots of examples of such devices, usually appearing at a sports field or other open area, surrounded by earthen banks, with a flow regulator at the lowest point. I also know of a couple of small-scale stormwater detention basins here in Lawson Industrial Area, installed as part of Council DA

approvals.

### Stormwater filtering

How do we reduce pollution of stormwater? The obvious way is not to pollute it in the first place but, as we all know, not everybody is green in their behaviour. Don't litter, keep hard surfaces clean by sweeping, pick up pet animal droppings, don't put anything down a stormwater drain but water.

But what about the stuff that gets in anyway? It's here that all the controversy starts. What is the best way to capture rubbish, silt, oil and grease from Stormwater? Gross pollutant traps, silt traps, detention basins and constructed wetlands all have their part to play but they are expensive, need regular maintenance and come in a multitude of designs.

Which is the best design in a given circumstance? My reading tells me that Melbourne is way ahead of us on this issue, with a Centre for Freshwater Ecology designing stormwater systems that are world-class.

Let's not forget of course the Urban Stormwater Control Program. This program, initiated by Bob Debus, provided funding of millions of dollars in the Blue Mountains to seal roads, build gross pollutant and silt traps and construct wetlands. It's all good stuff (except for one notorious wetland) but there is a lot more to do.

We need every urban road to be sealed and provided with stormwater infrastructure, every interface between urban stormwater and natural creek-lines equipped with traps and a Council program to keep the traps well-maintained. *Ross Coster.*

## Film Night/Fundraiser Tasmanian Forests

Wednesday 30 June, 7.30 pm at  
Triselles Taverna, 110 Main Street,  
Katoomba.

*Australians for Ancient Forests* is holding a Film Night to raise funds to help save the Tasmanian Forests.

Three documentaries on the wilderness of Tasmania made by local filmmaker Gary Kaganovich will be shown. The films are, "Tarkiner Paner", "Manifestations", and "1080".

Gary is an award winning filmmaker who will speak about the making of the films on the evening.

There will also be poetry reading. A speaker from the Wilderness Society will talk about the most recent developments in the campaign to save the Tasmanian Forests.

Please support this worthwhile event.

For more information please contact Chris Mason on 4787 1366 or Jenny Rich on 4787 6243.

## ECLIPSE

by Ivor Morton

The first total eclipse of the moon that I ever viewed was on the banks of Lake Brewster in western NSW. Deirdre and I were lucky to be camping with Conservation Society members Mick and Jill Dark, Graham Alcorn and Jean Armstrong.

Lake Brewster was then (and I hope still is) an idyllic camping area. There were canals bringing water into the lake where we saw Platypus, myriads of birds and, joy of joy, water rats playing in the reeds along the bank.

We saw a python attempting to predate a nest on a tree branch being repulsed by a variety of protective birds. It was a nature lover's paradise.

Once evening arrived we were glad to have a warming campfire, hot dinner and a few glasses of things to keep the cold out. On that night we were able to lie in our sleeping bags whilst the full moon rose high in the sky and the stars danced attention, crystal clear in the frosty air.

Slow moving shadow gradually overtook the moon's edge and to the plop of fish and the call of frogs we slowly lost the clear moonlight and our surroundings were darkened. There was

a faint glimmer of the moon's gold colour through the shadow. I dozed off and on but became fully aware of the moonlight returning.

On the cold morning of this May 5<sup>th</sup>, Deirdre and I drove on the road to Murphy's Glen and stopped at the first gate into the National Park. In this cleared area we watched the total eclipse of the moon. Conditions were not as good as at Lake Brewster, for there was intermittent cloud that obscured everything as soon as the moon was covered in shadow. We also had no chance of seeing the Eta Aquarid shower from Halley's Comet.

As dawn slowly lightened the sky Deirdre saw two small bats flying and I heard a Magpie welcome the coming day.

## Welcome to new members

Sue George, Katoomba  
Megan Walker, Katoomba  
Ivor and Deirdre Morton, Woodford  
Robin Murray, Springwood  
Ben Holden, Katoomba  
Gavin Williams, Katoomba  
Julie Bailey, Katoomba  
Mala Henderson, Katoomba  
Valmai Andracic, Wentworth Falls

Membership Enquiries  
Contact Elizabeth van Reyswoud  
Phone 4757.2694  
Email: [mcreysw@bigpond.net.au](mailto:mcreysw@bigpond.net.au)  
Post: PO Box 29, Wentworth Falls 2782

“... A person’s physical presence at a place or event is the most powerful means of expression for one believing in or committed to a particular cause, person or collection of persons. In society a public gathering of persons is the most powerful means of expression of solidarity to the group and witness to those outside the group.” (Frank Brennan, ‘The Right to Protest and the Law: An Australian Perspective’)

## Seaside weeding holiday

Here’s an offer which will be hard to refuse! Bush regenerators and bushcare volunteers are invited to stay rent-free in a secluded cottage, surrounded by bush and close to the beach at Little Bay, near South West Rocks.

All you need to do is volunteer to bush regenerate in the Arakoon State Conservation Area for 20 person hours during your week’s stay.

The cottage is available from 10 June to 3 July and 19 July to 24 September (excluding school holidays). For more details contact Cath Ireland 6566.7589, email [cath.ireland@npws.nsw.gov.au](mailto:cath.ireland@npws.nsw.gov.au) or fax 6566 7593.

## Wombeyan excursion

by Don Morison

Fourteen members of BMCS travelled south for this excursion. It started with a relaxing picnic near the ‘Dance Floor’ Cave at Kanangra Walls (a social venue for the Boyd Plateau pioneers). There was little haze and from atop the Walls the view extended over the four knolls of Mount Cloudmaker and the humps of Mount Solitary to where wisps of smoke were climbing from a hazard reduction burn at Wentworth Falls. We drove back past ‘Budthingeroo’, a former inholding which was purchased with the help of BMCS funds and incorporated in Kanangra-Boyd National Park, reaching Wombeyan Caves cabins by nightfall.

The informal atmosphere and scarcity of other tourists proved ideal for appreciating the geology and ecology of this landscape of marble (volcanically metamorphosed limestone). Laurie (a guide) and Peter (a former worker at the now closed marble quarry) projected great knowledge and enthusiasm. The tour with Laurie through Mulwaree, Wollondilly, David’s and Coronation Caves was a top to bottom cross-section. From the dangling tree-roots, circling bats and graceful natural ‘columns’ above we descended to low-ceilinged galleries more recently sculpted by underground rivers. Not even those who dislike trite formation names could resist the charm of the miniature ‘pine forests’ and ‘Walls of China’ or the deposits of tiny animal bones washed into the caves.

In gently drizzling rain Peter and Laurie steered us around the spectacular exposed face of Marble Quarry ‘L’ and the surrounding items of industrial archaeology. This site seems set to join

## BLUE MOUNTAINS CONSERVATION SOCIETY BUSHWALKING GROUP

Our bushwalking group provides a range of activities. Membership of the bushwalking group is available to members of the Society. For further information contact the Activity Leader/Coordinator (listed) or Bushwalks Conveyor Bob van Reyswoud 4757 2694 (phone/fax), email [mcreysw@bigpond.net.au](mailto:mcreysw@bigpond.net.au) Membership details are on page 4. **Cost of insurance and affiliation fees for bushwalkers is \$12.50 per member.**

### Pre-School Walks, for parent/grandparent/carer with children under 6 years.

Short, easy walks, approx 1 hour, 1st Wednesday of every month, starting at 10.30am. Bring a snack and a drink. Contact Liz Riley 4787.6637 for more information or if the weather is doubtful.

**Jul 07 Adeline Park, Faulconbridge.** Meet at end of Shirlow Avenue.

**Monday Leisure Walks:** Usually ‘Short Day’ walks of 3-5 hours suitable for walkers of average fitness. Graded Medium, i.e. can include some short rock scrambles or some short sections off-track. Bring morning tea and lunch, plus carry at least 1 litre of WATER, 2 litres on warmer days.

**Jun 07 Red Hands Cave.** Aboriginal hand paintings. Meet 9am Glenbrook Railway Station commuter carpark. ☎ Allan 4739.2767.

**Jun 14 Lockyer’s Line of Road and Lawson’s Long Alley, Hartley.** Historic mountain roads. Meet 9.15 am Mt Vic Rly Stn. BBQ. ☎ Bill 4759.1692.

**Jun 21 Woodford Railway Dam.** Old railway water supply. Meet 9am locked gate, at end of Winbourne Road, Hazelbrook. BBQ. ☎ 4758.6356.

**Jun 28 Transit of Venus, Woodford.** Come and be surprised! Meet cnr Woodford Ave and GWH, Woodford 9am. ☎ Kees 4759.1958.

**Jul 05 Victory Track, Faulconbridge to Springwood.** Walk through closed forests and by mountain streams. Meet 9am Council car park behind Royal Hotel, Springwood. Contact Bill 4759.1692.

### ADVANCE NOTICE: CHRISTMAS IN JULY.

**Jul 19** Walk to Everglades Gardens, conducted tour of the property and catered Christmas Dinner (\$20). Lunch bookings essential. Contact Birgitta 4784.3191.

**Thursday Pleasure Walks:** These easy to medium grade walks are conducted to suit the walkers on the day. Times given are approximate. Slower walkers are catered for and on longer walks there is an option of a slower group to complete a section of the walk. Phone the contact for any enquiries about the program, starting times and transport issues. **NOTE: Walks to commence at 10 am unless stated otherwise.**

**Jun 10 Bus Trip to Taronga Zoo** Pickup times and locations to be advised. ☎ Simone 4757.3416.

**Jun 17 Skyway to Katoomba Cascades.** Paths to lookouts through rainforest and Witches Leap. Numerous steps up and down. Meet Gearins Hotel, Katoomba. ☎ Joan 4782 2218.

**Jun 24 Lapstone Zig Zag.** Walk along original rail formations and cuttings on the eastern escarpment. Graded paths with some rough sections. Meet on Highway at Native Plant Reserve Glenbrook. ☎ David 4757 3416.

**Jul 01 Medlow Bath, Three Brothers.** Walk on established tracks in area near Hydro. Meet on Highway at the Hydro Majestic. ☎ Bill 4759 1692.

**Jul 08 Dante’s Glen, Lawson.** Bush paths with some steps through rainforest gullies. Meet north side of Lawson Station. ☎ Simone 4757 3416.

**Weekend Bushwalks:** Always discuss with the contact if the walk you would like to do is medium/hard or hard, before attending. If this is your first walk, or you are in any doubt, discuss with the contact or Bushwalks Convener Bob van Reyswoud 4757.2694, email [mcreysw@bigpond.net.au](mailto:mcreysw@bigpond.net.au)

**Jun 05 (Sat) Fortress Ridge.** Meet Cnr Mt Hay Road and GWH 9.30am. Medium. ☎ June 4787.7312.

**Jun 12 (Sat) Glenbrook Gorge, Porter’s Lookout, Euroka Clearing.** Medium/Hard. Steep climb. Meet 9.30 Glenbrook Station. ☎ June 4787.7312.

**Jun 19 (Sat) Lost World.** Medium/Hard. Steep Climb. Meet 8.30 am Springwood Station. ☎ Ron 4757.1526.

**Jun 26 (Sat) Devil’s Hole.** Meet 8.30 am Gearins Hotel, Katoomba. Medium. Steep climb. ☎ Mary 4787.6918.

**Jul 03 (Sat) Terrace Falls to Laura Cascades.** Meet 9.30 am Honour Ave, Lawson. Medium. ☎ Bill 4758.8545.

Yerranderie and Newnes as one of the places where mining archaeology can be sensitively managed next to the World Heritage Area to provide a unique experience for the visitor.

The dry surface landscape showed us kangaroos, possums, lyrebirds and local botanical specialities like ‘Chalker’s Wattle’. Kurrajong trees abounded. Underground, above the gorges and in the kitchen the usual BMCS team spirit shone—new vacancies for multi-day activities in September ‘Hut News’.

### DATES FOR YOUR DIARY

**Monthly Meeting:** Friday 25 June 7.30 pm, Conservation Hut (page 1)

**Management Meeting:** Saturday 19 June, 9 am. Mid Mountains Community Centre, Lawson. Members are welcome to attend as observers.

**Bushcare:** Saturday, 12 June. Valley of the Waters Bushcare Group meets at 9am on the 2nd Saturday of every month. Tools are provided. Bring morning tea, gloves and drinking water.