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Nature Conservation Saves for Tomorrow

April 20th 2018

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Lawson Crown Land Masterplan

The Blue Mountains Conservation Society (BMCS) is a community based volunteer organisation with over 830 members. Its mission is to help conserve the natural environment of the Greater Blue Mountains, and to increase awareness of the natural environment in general.

The Society understands that Council is currently preparing a Masterplan for the Crown Land at Lawson, incorporating the old Lawson Golf Course, the Lawson Cemetery, Lawson Dog Off-Leash area, and Lawson BMX track and the nearby oval. Council has previously sought community input through workshops and has now prepared three re-development options for the site. The Society is writing to you in response to the public exhibition of the three options for the Crown Land at Lawson.

Why is the area so important?

The natural values and constraints of the site are well documented in Council's commissioned report *Lawson Crown Land Environmental Constraints Assessment Report* (Ecological 2017).

Vegetation

The Lawson Crown land site includes areas of high environmental value. The site includes several regional significant vegetation communities including Blue Mountains Heath and Scrub; Blue Mountains Swamps (a State and Commonwealth listed EEC); and Blue Mountains Riparian Complex. The listed threatened plant Needle Geebung has been recorded on site, while there is the potential for two other rare plants to be present. In addition there are stands of large mature trees providing suitable habitat for native fauna including threatened species.

Fauna

The Site contains habitat for a number of fauna species with mature trees (including hollow-bearing trees), intact shrub layer and open grassy areas present. This represents potential habitat for a number of threatened species including native birds, bats and reptiles.

Water

The area is directly adjacent to Lawson Creek. Problems in the past include stormwater overwhelming the creek, with silt and sediments negatively impacting on water quality. In addition, significant parts of the site including the BMX track and the existing oval have been identified as floodprone.

Bushfire

The site is mapped as bushfire prone land and has been assessed as having a significant bushfire risk due to neighbouring vegetation and slope. Any development would require Asset Protection Zones being established (impacting on native vegetation), and bushfire protection measures such as roads and access to water supplies.

Overall constraints

Council's report ranked the environmental constraints identified as either high, medium or low. Constraints ranked as high, including bushfire risk, riparian issues, flooding, slope and high ecological constraints such as significant vegetation communities and threatened species, cover a sizable proportion of the site. When high and medium environmental constraints (including visual constraints and water quality) were mapped together, nearly the entire site was considered highly or moderately constrained.

Current uses

The South Lawson Bushcare Group has been working hard on the site since 1995 to protect the creekline and bushland and has a keen interest in the future of the site. The area is an access point for numerous bushwalks and is heavily used for passive public recreation including dog walking, picnicking, walking, running and other open space recreational activities.

The area is currently in public ownership as it is Crown Land managed by Council and is open to all members of the community to use.

The three options proposed

The Society does not support any of the three options put forward, for the following reasons:

- Taking into account the environmental constraints of the site, all options represent a significant over-development of the site, with up to 4 new sporting fields/ovals, new indoor sporting facilities and new amenity blocks and club houses.

- All this development requires supporting infrastructure – all options include a new internal road system and extensive new car parking, as well as water, sewage and electricity connection.
- One option includes re-development of the existing BMX track for new residential aged care and private tourism thereby converting public land to private ownership.
- All options require the removal of stands of existing native vegetation between the old fairways to facilitate re-development.
- Given the slope constraints any development of sporting facilities and supporting infrastructure including roads will require substantial earthworks and cut and fill during construction, impacting on water quality and amenity.
- The proposed re-development, including the sporting fields and car parks, represents a risk to the nearby creek from urban runoff from hard surfaces, as well as risks from fertiliser use on the fields/ovals.
- The intensive re-development for sporting facilities will significantly impact on local amenity including traffic, parking and noise. Significant and large parking areas will be required to prevent parking and traffic issues on the current small local road network, especially during peak periods such as weekends. This is a well known issue at existing sporting sites such as Warrimoo Oval, Winmalee Sporting Grounds and Lapstone Sporting facilities.

A new fourth option

Instead of the three options currently proposed the Society would like to see a fourth option developed for public consultation which would be aimed at minimal impact and sustainable use of the site. This fourth option would:

- Ensure the site is protected as an open space recreation area and bushland reserve
- Maintain the existing uses at their current locations, including the BMX track, oval, cemetery, dog off-leash area and bushwalking tracks – with no new sporting or residential re-development of the site.
- Provide additional small-scale recreational opportunities consistent with the natural values of the site, such as a children's nature playground, children's bike track, and other passive recreational opportunities (e.g. picnic tables and interpretative signage).
- Enhance the natural values of the site including widening of the bushland areas along the creekline and improving stormwater management.
- Upgrade and expand the existing walking track network.

The Society believes that this type of minimal impact and sustainable use option is supported by the community. The Society notes that the previous public consultation process in 2005/6 to develop a Masterplan for the site resulted in three options being developed, called Option 10 and 11 and Option 6 (Bushcare). Option 10 and 11 were variations of similar options with sporting fields, ovals, a BMX track and development precincts proposed. The Bushcare Option was a low impact, sustainable, minimal re-development option aimed at enhancing the natural values of the site. Option 6 proposed:

- The site be used as an Arboretum and Botanical Gardens,
- No additional playing fields (apart from those already at Lawson Oval)

- No new development, except for the use of the existing clubhouse and some dispersed small developments.

The public exhibition process attracted 181 submissions. Of these

- 6% supported Option 10, 91 % did not
- 14% supported Option 11, 75% did not
- 32% supported Option 6, 57% did not

The highest support was for Option 6 – but a similar low impact sustainable option was NOT developed during the current consultation process.

Justification for redevelopment for sporting fields and other facilities

Of particular concern to the Society is that we believe that Council has not demonstrated the need or demand for such a huge increase in sporting infrastructure in the mid mountains or indicated how much it will cost to build.

Relationship between the BMCC Lawson Crown Lands Masterplan 3 options/demonstrations' and BMCC draft Open Space and Recreation Strategy

The Blue Mountains Conservation Society has concerns about the evidence base for the 3 options for the Lawson Crown Lands presented for public comment. Our concerns relate to:

1. The basis of the claim in the BMCC draft Open Space and Recreation Strategy that the provision of sports fields, outdoor sports courts and indoor sport and recreation facilities in the Blue Mountains is 'relatively low' or otherwise inadequate, leading to recommendations for extensions to or new provision of Council sporting facilities. Further, we are concerned about how this claim and flow-on recommendations have led to a sports 'overkill' in the 3 options for the Lawson Crown Lands.
2. The conflict between identified resident recreational activities, needs and priorities reported in the BMCC draft Open Space and Recreation Strategy and what is provided for in the Lawson Masterplan's 3 options.

The Society is also concerned that community feedback e.g. the initial online 'have your say' and Workshop of 24th March may not have been accurately reflected in the 3 options for the Lawson Crown Lands currently on exhibition. We request that Council provide a detailed public report on the results of all these surveys, workshops and community consultations, including this current one.

We also note that the draft Open Space and Recreation Strategy is still in draft form and has yet to be endorsed by Council. In this regard we note that several recommendations in the draft Open Space and Recreation Strategy have already been overturned e.g. pool closures.

Going to these points above in detail:

The evidence base for the recommendations in the BMCC draft Open Space and Recreation Strategy that more sports fields, outdoor sports courts and indoor sport and recreation facilities are needed in the Blue Mountains, particularly in the Mid and Lower Mountains.

The BMCC draft Open Space and Recreation Strategy recommends that Council facilities for indoor sport and recreation facilities be extended and that opportunities for provision of additional outdoor sports courts and sports fields be investigated, particularly for a set of fields suitable for district competition sports (pp.37-38). The old Lawson Golf Course site is identified for investigation for such uses.

But what is the basis of these recommendations? From what we can see in the draft Open Space and Recreation Strategy (pp.37-38), identification of an apparent need for more sports fields and outdoor sports courts seems to be based solely on a 'benchmarking' exercise. In this exercise, sports facilities provision in the Blue Mountains is compared with "5 other similar local government areas in NSW, Victoria and Queensland" on the basis of the ratio of population to the area of indoor and outdoor sports fields and courts. At about .8 ha per 1,000 population, the provision of sports fields, outdoor sports courts and indoor sport and recreation facilities in the Blue Mountains is found to be 'relatively low' compared with these unidentified other local government areas.

This questionable methodology alone doesn't seem to be a robust basis for the claim found in the Strategy throughout that there is a 'shortfall' or 'inadequacy' or 'lack' in provision of sports fields, outdoor sports courts and indoor sport and recreation facilities, particularly in the lower mountains. The knock-on recommendations arising from this claim – investigating opportunities for expanded sports facilities at the former Lawson golf course, for example – are therefore also questionable. The methodology for arriving at these recommendations is particularly questionable given that the Strategy also states that, "However comparing or benchmarking provision of facilities and services between Blue Mountains and other areas is difficult due to the unique nature of the City which is on the fringe of a metropolitan Sydney, with no main population centre, instead supporting a population of just over 78,000 (2016 Census) spread across 27 towns, villages and rural localities and with a slow rate of population growth" (p.37). (It should be noted that p.29 of the draft Strategy gives the 2016 population as 76,905 i.e. up 1,000 from 2011.) Apart from the questionable methodology underpinning the claims above, the key point here is that there is no evidence of a massively increasing demand for sporting facilities arising from the current level of population growth.

If there is a more substantial study establishing 'adequacy of supply' and a demonstrated need for more sports facilities than the one we've identified here the Society would be pleased to receive it.

In conclusion, it seems that on the basis of very flimsy evidence generated through questionable methodology, a claim has been made that there is a need for the provision of more sports fields, outdoor courts sports and indoor sports and recreation facilities in the Blue Mountains. Indeed, the Lawson Masterplan Background Document opens with the statement: "Council's draft Open Space and Recreation Strategic Plan identifies the former Lawson Golf Course as being investigated for all-weather training and competition opportunities and as having potential for new sports" (p.2). The questionable

claims about inadequate sporting facilities seem to have flowed through to a sports 'overkill' in the 3 Lawson Masterplan options.

There is a conflict between community needs and priorities identified in the resident survey reported in the BMCC draft Open Space and Recreation Strategy and what is provided for in the 3 options/'demonstrations' in the Lawson Masterplan.

In contrast to the questionable underpinnings of the 3 options/'demonstrations' offered for public comment in the Lawson Masterplan, more solid evidence of current resident recreational activity, needs and priorities, found in the draft Open Space and Recreation Strategy, seems to have been ignored. From resident surveys undertaken as part of the development of the draft Open Space and Recreation Strategy, walking for exercise comes out on the top of the list of most popular recreational activities (with bushwalking and hiking second):

4.2 What are we doing?

In preparation of this Strategic Plan, Council undertook extensive consultation with the local community to understand their current recreational behaviour, as well as their satisfaction with and priorities for provision of recreational facilities. A short summary of the different consultation methods and the results follows.

Detailed reports can be viewed on www.bluemountainshaveyoursay/openspace

Residents Open Space & Recreation Strategy Survey

The survey was completed by 442 adult residents who were selected to participate in the random survey. As such the results have a 95% confidence level means that if we conducted a similar poll twenty times, results should reflect the views and behaviour of the overall survey population – in this case "all BMCC adult residents" - to within a +/- 4.6% margin in 19 of those 20 surveys (i.e. 95% of the time).

Key results include:

The 42 activities listed in the survey fell into three groupings; respondents who more often do one of the activities in a group are more likely to often do each of the others. The three activity groups were:

- 'Natural Setting activities' like bushwalking, cycling and camping
- 'Social activities', mostly team sports each done by under 10% of respondents, including soccer, cycling, dancing, tennis, netball and cricket
- 'Fitness activities', more individual activities primarily motivated by the desire to get and remain physically fit, including aerobics, running, and swimming,

The ten most popular activities (also see page 80) undertaken by residents on at least a monthly basis were:

Activity	Daily (%)	Monthly (%)	Total (%)
Walking for exercise	36	32	68
Walking (Bushwalking & Hiking)	6	42	48
Dog Exercise	19	10	30
Aerobic/Fitness	10	19	29
Camping/ Nature Study/ Bird Watching	3	26	29
Swimming/ Aqua-aerobics	3	20	24
Cycling - Road/ Cycle paths	2	14	16
Weight training	2	10	12
Yoga	1	1	11
None apply	7	3	9

52% of the sample report spending 20 hours or less per month on outdoor recreation activities, and 48% report spending more than 20 hours per month.

- 21% with club "approximately 25% of the time"
- 57% participated in informal recreational activities (no club)
- 12% with club "50% of the time"
- 45% felt age or health issues limited their participation
- 25% had a permanent physical impairment which limited their activity
- 30% of people over 65 had a physical impairment which limited their activity
- Suggestions to improve access included improved paths, seating and toilets



Note that in the full listing of activities on p.80 of the draft Open Space and Recreation Strategy outdoor sports requiring fields and courts are way down the list.

In our submission on the draft Open Space and Recreation Strategy the Society noted its concern that, while there were Special Interest Surveys for user groups such as dog off-leash, mountain biking, cliff sports, and sports clubs, there was not a special interest survey for bushwalking. This is very hard to understand and justify given bushwalking is the second most popular recreational activity in the Blue Mountains (after walking for exercise) and despite the existence of well-established and accessible user groups in the form of bushwalking clubs in many Blue Mountains towns. Because of this the Society believes that Council does not understand the current profile of bushwalkers and the usage of bushwalking tracks, and has no information on the needs and views of bushwalkers. This is evidenced by the paucity of information on Walking provided at 6.1 in the draft Strategy. In contrast the Special Interest Survey for off-road cyclers has provided Council with extensive information on the needs and views of cyclers, as outlined as 6.1.

We also find the same inadequacies in the Lawson Masterplan Background Document where the relative popularity of residents' recreational activity is not reflected in the 3 options provided for public comment. Further, it does not accord with the priorities nominated by residents (p.33 draft Open Space and Recreation Strategy):

The random resident survey showed residents considered the following aspects in the management of open spaces, parks and bushland reserves to be the most important:

- Walking tracks (45%)
- Clean public toilets (32%)
- Dog off-leash area (29%)
- Mown grass and neat presentation (23%)
- Good range and quality of play equipment (22%)
- Bike tracks/trails (22%)

Respondents priorities nominated for Council future investment in open space and recreation were:

- Walking tracks and bike tracks (bushland) 63%;
- Bushland reserves (49%),
- Sealed bike paths (30%),
- More or better playground equipment (28%), and
- Dog off-leash areas (22%),
- Swimming pools (21%)
- Facilities at sportsgrounds (18%)
- More outdoor training equipment (14%)
- Sports courts and nets and fields (14%)
- More specialist facilities (5%), and
- Do not invest more (5%).
- Bushland reserves were a particular priority for those over 65 years of age;
- Walking tracks and bike tracks more important for those 55-64 years of age;
- Improved play equipment more important for females and those aged 35-44 years of age;
- 18-34 years of age prioritised outdoor fitness equipment and organised activities.

2 COMMUNITY

The following facilities are suggested for investigation:

- Four to six football fields (two to three cricket ovals) & associated training facilities;
- Up to five multi-purpose courts;
- Dog park, including off-leash area;
- Disc Golf course (could overlay fields & informal open space areas & be time managed);
- Walking track/fitness track exercise area (could border field complex);
- Bike tracks: cross country/bmx pump (could be bike park or skirt the park);
- Open air event/ performance venue (could comprise the playing fields and adjoining area);
- Accessible trail connection to walking tracks /nature trails in South Lawson Park;
- Informal park areas & attention to transition between managed/mown & creek vegetation;
- Potential commercial recreation development such as:
 - Adventure sports facility: climbing walls, bikes, flying fox, etc.
 - Camping Area/ Caravan Park
 - Indoor sporting complex – with multi use indoor facilities including children’s’ play;
 - Other commercial uses (recreation, tourism)
 - Residential

The completion of the Lawson town centre post GWH construction has enlivened this small centre that is now busy throughout the week and at night. Existing community facilities include:

- Mid Mountains Community Centre
- Lawson Mechanics Institute
- Lawson Library
- Lawson Pool
- Lawson Public School
- Wilson Park
- Gloria Park
- South Lawson Park
- North Lawson Park
- Bellevue Park – Skate Park
- Queen of Oaks Park – Tennis Courts
- Honour Avenue & Douglas Square
- Lawson Town Centre – Table Tennis
- Waterfall walk
- Lawson BMX Track
- Lawson Oval
- Lawson Dog off Leash Park
- Lawson Community Pre- School
- Our Lady of Nativity School
- Lawson Public School

2.4 Community needs

Open space and recreation

In the research for the draft Open Space and Recreation Strategy residents considered the following to be most important:

- Walking tracks (45%)
- Clean public toilets (32%)
- Dog off-leash area (29%)
- Mown grass and neat presentation (23%)
- Good range and quality of play equipment (22%)
- Bike tracks/trails (22%).

Respondents priorities for Council future investment in open space and recreation were:

- Walking tracks and bike tracks (bushland) 63%
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- Facilities at sportsgrounds (18%)
- More outdoor training equipment (14%)
- Sports courts and nets and fields (14%)
- More specialist facilities (5%).

Housing

Given the ageing population there is a need for accessible and low maintenance housing (such as apartments and seniors housing).

The disconnect between the identified ‘community needs’ and ‘facilities suggested for investigation’ is graphically illustrated on p.12 of the Lawson Masterplan Background Document:

In conclusion, the Society cannot understand the basis on which the 3 options (particularly Demonstration 1 and 3) were developed, as they do not accord with the identified recreational activities, needs and priorities of residents identified in the surveys reported in the draft Open Space and Recreation Strategy.

The Society is very concerned that providing organised sports facilities has seemed to trump all other uses and users of the Lawson Crown Lands. We therefore reject all 3 options and call for a better alignment of identified community recreational activities, needs and priorities with the concept plans for the area.

Site for Society Nursery

One aspect the Society is very supportive of is that one option identifies space for a community nursery. This would provide an ideal permanent home in the mid mountains for the Society's community native plant nursery. This option also includes a proposal for community allotments. The Society has concerns about what is proposed in terms of the allotments (is it for small scale vegetable gardens only?), and whether the allotments will be privately leased to individuals leading to privatisation of some of the site and limited community access, or is the intent for community gardens.

The Society's nursery is a community not for profit nursery run by volunteers, which provides affordable locally grown and sourced native plants to the general public through sales at community markets. Nursery volunteers also undertake community education, through Hut News and at the markets, on local native plants. A large number of people volunteer at the nursery, providing physical, cultural and social benefits to the volunteers who participate. The nursery also contributes to the physical, cultural and social development of the wider community by providing community education and low cost locally sourced native plants for use in resident's gardens and by bushcare groups.

The Society has been attempting to find a location to re-open its nursery in the mid mountains for a number of years. However, the nursery site proposed in the option developed by Council, adjacent to the creekline and away from the existing local road network, is not suitable. The Society's preferred site for a community nursery, as identified by community members during the Community Forum on March 24th, is where the old clubhouse is currently located.

The Society believes the old clubhouse site within the Lawson Crown Land precinct is an ideal location for a community nursery, for the following reasons:

- The Society needs a nursery site in the mid Mountains as the milder climate allows for extended growing seasons and enables the propagation of plants suitable for the mid and lower Mountains.
- The old club house site is readily accessed from the existing local road network (meaning the construction of new roads is not required).
- The old club house site has existing connections to services including water, sewer and electricity. As well the existing building will provide access to toilet and kitchen facilities.
- The Society's community nursery would only require a small amount of storage space in the building (if at all). We imagine the existing building would be shared with other community and not for profit organisations and bodies.

- The site is flat minimising the requirement for any earthworks and soil disturbance, and is already developed so does not require vegetation removal.
- The site is also located away from the creekline minimising risks to water quality.
- The Society would need an area to accommodate shade house(s) (around 20 metres by 10 metres), a lockable shed for tools, a covered area for wet weather for the volunteers and a small area to construct a soil bay. The Society believes these requirements could be accommodated at the old club house site and surrounds.
- The site has an existing car park which is ideal as car parking for several cars (volunteers and general public) would also be needed.

In terms of infrastructure, the Society would supply all nursery related infrastructure as outlined above. The one outstanding item would be a security fence with lockable gates surrounding the nursery area, which may cost up to \$10,000 to install. The Society would be keen to discuss with Council how this piece of infrastructure could be funded. Some minimal site works such as bunding or stormwater management works may also be required.

The Society's previous community nursery at Lawson sold plants on-site on Wednesday and Saturday mornings to the general public. The Society would be keen to continue offering sales to the general public at the proposed Lawson location.

An issue has arisen about whether a community nursery is permissible under the current zoning of the site. The site is currently zoned RE1 Public Recreation under LEP 2015. Development permitted with consent within a RE1 Zone include "Community facilities". A community facility is defined in the LEP as

a building or place:

(a) owned or controlled by a public authority or non-profit community organisation, and

(b) used for the physical, social, cultural or intellectual development or welfare of the community,

but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

However a "plant nursery" (defined in the LEP as "a building or place the principal purpose of which is the retail sale of plants that are grown or propagated on site or on an adjacent site") is not a development that is permissible within a RE1 zone.

The Society believes that the Society's community nursery – as a volunteer based nursery owned and run by a not for profit community organisation which provides physical, social and cultural benefits to the volunteers who participate and to the wider community – is consistent with the definition of a community facility within the LEP. Therefore we believe the proposed location of the nursery is compatible with the current RE1 zone.

The only issue which may be incompatible with an RE1 zoning is the proposed sale of plants to the general public from the nursery. While the Society would argue that selling plants on site is not incompatible with the definition of community facility, as the nursery is operating on a not for profit basis, the Society would be keen to discuss this issue further with Council. If sales on site are incompatible with the definition of a community facility one option, while not preferred by the Society, is not to retail from the site. The


other option is for Council to consider rezoning the old club house site to allow for the use of a plant nursery. The Society notes that if some of the re-development proposals for the Lawson Crown Land precinct proceed, Council would need to pursue re-zoning of at least part of the site.

Masterplan or Plan of Management?

The Society has a query as to whether the current process will lead to a formal legislated Plan of Management under the *Local Government Act* for the Lawson Crown Land precinct, or a non-legislated Masterplan.

Thank you for the opportunity to make a submission. If you have any queries or wish to discuss our submission please contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read "Madi Maclean". The signature is fluid and cursive, with a small flourish at the end.

Madi Maclean
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