



Hunters Hill Trust Journal

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PLANNING, PUBLIC INVOLVEMENT AND SINCERITY

The Minister for Planning and Environment, Mr John B. Fuller, has sponsored the publication of "Towards a New Planning System for New South Wales", under the requirement in Section 20 of the New South Wales Planning and Environmental Commission Act. This Report has been distributed for comment to groups like the Hunter's Hill Trust.

THE REPORT

Three, possibly four, levels in the decision-making process are detailed:

STATE

"Planning at State level would establish the framework for the development of various regions. This includes planning for the distribution of the State's future population and economic growth; the siting of major works or towns; the co-ordination and review of the plans of the various regions (and through these of local areas); the formulation of general planning policies and procedures; research into all aspects of planning and development; and the dissemination of information to regional and local organizations. The State planning body would collaborate with regional planning bodies in preparing regional plans and is also the appropriate organization to liaise with Federal authorities and to keep in touch with developments in other States and overseas".

REGIONS

The Report proposes the establishment of another tier of government, regional planning bodies which "would act as advisers to the Government on all matters affecting their region....To provide a binding framework for local plans, regional plans would have to be statutory.... The cost of regional planning is likely to be shared between State and local government, with any Federal funds to be channelled through the State Government, so they can be allocated relative to State priorities and regional needs".

LOCAL GOVERNMENT

The aim is "to grant as much responsibility to local government as possible....If local authorities are to assume greater responsibility for local decision, then State planning policies need legislative backing to insure that local planning reflects them....Local council should be responsible not only for their own area, but also to a larger regional group. However, within the constraints of State and regional considerations, local council should have more autonomy for local planning decisions than before".

PUBLIC INVOLVEMENT

The Report suggest "the provisions of information to the public during the planning process; the canvassing of public response and opinion and its use as a major factor in planning decisions; and the making of decisions by the public.... The difficulty of this in practice lies in the danger of undue influence by an articulate minority (blush Trust members),...however, it would be relatively easy to establish a system where a small number of residents or

users, who could all be consulted, could decide on some local matters....legislation may specify these methods, but if it does it runs the danger of being out of date soon after it is enacted. It is probably better to specify the intention and leave the method to those implementing the system."

Trust View

The Hunter's Hill Trust has a special interest in the relationship among levels of decisionmaking. Hunter's Hill Council drafted, with considerable assistance from the Trust, an innovative and environmentally-based Town Plan which the then SPA tailored with Procrustean technique to resemble most other town plans. Thus the intention of local government was blocked for little apparent reason. There was no public involvement at the State level. For this sort of reason, the Trust suggests greater flexibility at the State level and less absolute power.

EDITORIAL

In "Towards a New Planning System for N.S.W.", known as the Green Book, the Minister for Planning and Environment "urges all organizations, governmental and private, and all interested individuals, to put forward their ideas about the future organization of planning".

The Hunter's Hill Trust, consisting of some eight hundred interested individuals, views the matter from the standpoint of a Residents' Group and therefore sees the issue of Public Involvement of one of a major importance. It is deeply disturbed to find apparent inconsistencies in the N.S.W. Government's Actions and writings on this very matter.

Examining the Green Book one sees that, for almost every statement in the document, the reader can find elsewhere an antistatement. For almost every idea canvassed, one can find an opposing slant offered. But perhaps this is not a bad thing; it is not a statement of policy already determined, rather it is a basis for discussion. A White Book is to follow in mid-1975.

However, a few significant sentences obtrude and seem to suggest that some fairly firm opinions already exist about policy. In section 3.6 we find "the danger of undue influence by an articulate minority" emphasised. In practice residents' involvement in any but the most general, State-wide developments will usually come from "articulate minorities" of the total number of State electors. In the same section the "making of decisions by the public" is distinguished as one of the three main levels of involvement but the authors of the Green Book see this as no more than a right to select from same "alternatives" presented on a local level. The public is not, after all, to be invested with "decision-making" powers as that term is understood in government or business circles.

(Continued on page 3)

KELLY'S BUSH IMPACT STUDY

In May, 1974, an Environmental Impact Study was completed by Planning Workshop and presented to Jennings Industries Limited. The Hunters Hill Trust was unable to obtain a copy until February 1975. LOCAL ISSUE, in February, reported on the scarcity in an article "Kelly's Bush --- Or What's Going On in the Shrubbery?"

The Hunter's Hill Trust has assumed that the Study must be very weak indeed, or it would have been publicised. The Trust was perturbed, in addition, to learn that the SPA, while refusing a copy of the Study to environmental groups, had sent a copy to the unions involved in placing a green ban on the area, with a covering letter requesting the lifting of the ban. The SPA (now PEC) holds a bond lodged by the developers, and Hunter's Hill Council in its wisdom has threatened legal action to recover money not yet used in landscaping the lower area.

The Environmental Impact Study

The Study purports to examine the Community Attitude, The Trust's Attitude, the Natural Environment, and Town Planning Considerations, such as zoning, open space, traffic, and public use.

The community attitude was determined by a survey, of which few details are given. It was carried out by an undergraduate Economics student and reports a multiplicity of opinions.

The Hunter's Hill Trust's principles, says the Study, have been satisfied by the acquisition of Clarke's Point (not in fact yet acquired). The Study asserts that only "local" open space is required on the peninsula and that regional open space need not be considered. Therefore, the proposed open space of Clarke's Point brings the peninsula up to the minimum level without even having to include the tennis courts or land owned by Mobil Oil.

For comments on the Natural Environment section, see Vincent Serventy's column, this page.

The Study outlines the problems of private ownership and zoning. Mention is generally not made in development or government circles of the possible fallacy of human ownership being considered exclusively.

The Study suggests that to preserve the quiet, cul-de-sac nature of the area, a road not be put through the site to link Alfred St. with Nelson "Rd". No mention is made of the width of these streets as access to the development.

The Study claims to have solved the major environmental problem posed by putting residential development on Kelly's Bush. It states that "It would be essential to maintain as much of the bushland as is possible within the conspectus of local land-use planning." This is because it is impossible for very small areas of bush to survive. "The area should not be dissected vertically by development or the erection of barriers. These features would prevent movement of animals and seed source, and would alter the ecological processes subject to downslope movement". We are given to understand that the development will be quite all right, that an ecological balance will be preserved as long as a corridor for rainfall, seeds, soil acidity, and animals, including people, is left for downhill traffic. The lower area is marked "Retain Undisturbed with Formal Paths Partially Paved (rustic style) and Drained."

The Hunter's Hill Trust is emphatically not in favour of development on any part of Kelly's Bush, rustic style or no.

A copy of the Study is available to Trust members. Please telephone the Secretary.

COMMENTS by VINCENT SERVENTY, leading Australian naturalist

It is obvious that the firm concerned Planning Workshop were not given a correct brief. The conservation groups involved in trying to preserve Kelly's Bush are doing the basis of the value of small natural reserves in the environment. The reading list indicates that none of the literature on this subject has been consulted or the aid of any environmental education expert sought. This makes the whole study almost meaningless in terms of our case.

BOTANY

The suggestions made vary from sound to ludicrous in terms of keeping a small natural area.

LANDSCAPING

It is again obvious that the Planning study had no idea the natural bush should be kept. It discussed planting species not natural to the area, as well as a whole lot of extras such as play apparatus....

NATURAL AREAS

Although only national parks can keep the whole suite of plants and animal life native to an area, smaller bush areas can keep quite a large proportion of such species.

In addition they act as reservoirs for breeding birds, reptiles and invertebrates which can visit nearby gardens. A web of these small natural areas can keep a large amount of life in the densest populated suburbs.

SCIENTIFIC

Although only 12 acres in area, Kelly's Bush offers a considerable variety of plant and animal life. An important part of the work in environmental science is the study of plant communities and the successions by which one may gradually change into another. The foreshore offers a reef area and here marine life and its zonation can be studied. Educational material on this zone is readily available from the Australian Museum.... As well as the water life on the shore there are predators such as white-faced herons and other birds to observe.

Moving up the slope we find a development of wet forest with its wealth of life including such nesting birds as yellow robin. Then come rock outcrops where the succession from bare rock through to forest can be studied easily. Measurements can be made with reference to permanent marker points so that yearly changes in such successions can be noted. As the years pass such an area becomes more and more valuable, not only educationally but also to ecologists who lack this kind of detailed knowledge of changes brought about in sample areas.

From the rock succession one moves into hanging swamps where freshwater life can be studied, gradually through into forest with a development of eucalypts and finally to land.

Literally all is grist that comes to an environmental mill and a study of the effects of air pollution for example could be measured by a continuous monitoring of the lilies which grow in Kelly's Bush. Even a fire lit by vandals could be turned to educational use by mapping the changes over the ensuing months and years as nature gradually restores the plant growth.

CONSERVATION

There is one other aspect of such a small bushland patch. Many birds which enliven the gardens or urban areas come on such patches of natural bush for nesting places. Kookaburras, deprived of nesting holes must abandon a no matter how plentiful the food. Yellow robins need areas for nesting success.

PERVERTS

The idea that perverts lie in wait in bushland areas is the fallacy that snakes are lying in wait for anyone who steps off a concrete footpath.

KELLY'S BUSH CLEAN-UP
SUNDAY
APRIL 20

THE EXPERT BATTLERS

The Battlers for Kelly's Bush were invited as environmental experts by the Building Trades Group to a meeting with Nigel Ashton of the Department of Planning and Environment.

The Battlers were told by Mr Ashton that Hunter's Hill should be grateful to him for having saved them from having a tank farm in Kelly's Bush. He further stated that Kelly's Bush is finished, is a dead issue.

The Battlers were armed with their files, and produced documents such as Council minutes to refute his generalities. They were enraged to be told that twenty years ago Kelly's Bush was bare paddock, as they had lived nearby for more than twenty years and knew this was untrue of the major portion of the land. Similarly, they felt it necessary to point out to union representatives that photographs done by the PEC were of the Smelting Works area only and were not the area under discussion for residential development, the area principally considered in the Environmental Impact Study.

The PEC's line of argument to the unions, according to the Battlers, was to point out that a foreshore park would be gained if development is allowed on the upper slope (See Vincent Serventy's column P.2)

The Battlers asked if anyone had considered what will happen if the concrete slabs on the reclaimed land are removed? If this is the binding surface, and then landscapers water to grow vegetation, sunken land may result.

Battlers James and Lehany felt that their contribution to the meeting had not been well received by Nigel Ashton. They had expected to be able to offer comments on the Environmental Impact Study, but were given little opportunity.

EDITORIAL CONTINUED FROM PAGE 1.

Two clear suggestions, at least, appear in Section 4, the Summary of the report. One, the "intermediate level of planning responsibility between State and local" government is not likely to be popular with local Councils. It cannot but reduce their scope, and also threatens to make the route of residents to the State Government level one step more arduous, although it must be conceded that there are matters which could benefit from a higher degree of uniformity over areas larger than that of one local council. Furthermore, on a larger scale, it must be recognised that planning by the Department of Urban and Regional Development should be integrated into any new system.

The broadening of the appeals system mentioned in Section 4.2 is certainly something the Hunter's Hill Trust would like to see implemented. However, reference to the volume of Hansard for March 4, 1975 will show why we have said that we are deeply disturbed.

The local Government (Appeals) Amendment Bill, presented to the N.S.W. Parliament by the Deputy Premier and Minister for Local Government appears, according to one speaker in Parliament, to create a Government-appointed Tribunal with powers superior to the Planning and Environmental Commission. It makes no reference to broadening the appeals system as suggested in the Green Book and astonishingly allows for the Tribunal to consist of a single, Government-appointed person. Roman law had a more generous concept of a tribunal 2,000 years ago.

This Bill was presented to, and passed into a second reading by, the N.S.W. Parliament while the P.E.C. was still circulating the Green Book in search of the public's views on planning systems. We repeat that we are deeply disturbed by such apparent inconsistencies.

Residents' groups are aware of a weakness present in most existing planning systems which is not dealt with anywhere else in the Green Book -- namely "Development by Attrition". Some part of the development is frequently authorized to proceed while intense public controversy still surrounds the whole project. Design or construction work proceeds to do some limited extent and thereafter the argument that

Slow Boat

The Save the Harbour Ferries Committee early this year pressed Hunter's Hill Council to join other Council in making a unified effort to retain ferry services. Mosman Council wrote to Hunter's Hill Council asking if it would liaise with the Northside Harbour Council and had not yet received a reply by the time Hunter's Hill Public Transport Advisory Committee sent recommendations to Council at the end of March.

Yet there was a motion by Alderman Merrington that the Committee's recommendations be not adopted until Council should have sent Alderman Jones as a representative to join with the larger body.

An amendment, by Alderman Swain, was passed that Council should approve in principle the recommendation of a public meeting as soon as possible after a report from the meeting (as yet unscheduled) with the Northside Harbour Council.

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Spokesman for Save the Harbour Ferries and member of Hunter's Hill Public Transport Advisory Committee, Joan Croll, said that delay was the worst thing possible. She said that the Public Transport Commission has been asked to review off-peak and weekend ferry services (Feb.12 announcement), and the sooner the wishes of people are made public, the better. While no new time-tables have been printed is the time to strike. Save the Harbour Ferries thinks it essential to have a deputation to meet with the new Minister and if Council continues to defer such decisions, Save Harbour Ferries will not hesitate to organise its own deputation.

Dr Croll asserted that public transport should be recognised as a right, not a privilege; it is people rather than costs which should be interesting Mr Fife. She would like to see the State Government and Council take notice of the experts' opinions and reports, such as the Scott Report. She advocates the use of smaller craft for off-peak travel, and affirms that ferry transport will be essential in the future when roads become even more crowded, petrol short, or we become too old or too poor to drive.

SAVINGS?

The ferry master, engineer and deckhand for the non-existent late ferry are still employed until 12.30 a.m. on 15% overtime, and if someone resigns he is replaced! (Merchant Service Guild information).

"things have gone too far to be reversed" is so often fully effective. Public involvement should serve to control this kind of activity, but it has been seen to be quite ineffective except where other, far more powerful and more controversial influences reinforce it.

What level of public involvement should residents press for? There is almost certain to be a divergence of views on this, so, like the Green Book we present some alternatives:

1. The public, individually or in organised groups, now has the right to express its opinion, but an improvement would result if the public (i.e. representatives from the Coalition of Resident Action Groups, the National Trust, etc.) were allowed representatives not governmentally appointed on the Planning and Environment Commission.

2. The entire public should have direct access to an Appeals Tribunal with equal rights to those accorded to parties with financial interests at stake (i.e. developers).

3. Grants of public money for legal or other expert representation should be available to enable suggestion 2. to be effectively operated.

4. Appeals should be heard by Judicial Tribunals rather than government appointed tribunals.

5. Public involvement should not only be accorded recognition as an influence in shaping planning, but the public should be given specific powers to enable development permission to be withheld while it can be established that public controversy surrounds a case. A State ombudsman might well be the appropriate authority to decide whether an adequate level of controversy has been established.

TRUST ACTIVITIES

TRUST CLEAN-UP

The Hunter's Hill Trust is putting its shovel where its mouth is. Last November, the Trust wrote to Council offering to clean up the Tipperary Falls area, which had fallen into disuse as a recreational reserve -- largely because it had become a dumping ground for motor cars, old tires, and household refuse.

Council accepted the offer, and the Central Ward Progress Association joined with the Trust in organising the first clean-up.

Council arranged with its contractors for a huge refuse container to be on the site, and the clean-up group filled it in the first few hours. By afternoon they had collected enough to fill another.

The Mayor, Alderman Crawley, visited the scene and, thanking those who had taken part, said that he was delighted with the result and that he hoped to take part personally in the next clean-up.

An ABC television crew attended, and the Trust clean-up was featured on the news that night, showing professional men and women with their sleeves rolled up working for their environment.

The Trust is now organising, again with the help of Council, a clean-up day for that area of Kelly's Bush under the jurisdiction of Council. This is to be held on Sunday 20th April, beginning at 10:00 a.m. Please bring any implements that you think may be useful, and wear old clothes. Tea will be served for the duration of the clean-up.

Please come for a day in the bush. Cleaning up can be fun in good company.

Professor R.T. Martin, overseas on sabbatical, has resigned from the Committee for a six-month period. The executive now consists of:

Dr. C. Coulman, President, 89-5811
Mrs A. Oppen, Vice President, 89-5175
Mr S. Sheffer, Secretary, 89-1712
Mr A. Dircks, Treasurer, 89-2110

Auxiliary News

The Auxiliary would like to thank the owners of the houses in the November Inspection, the Wilsons, the Hewitts, the Santows, the Colemans, also the Steenbeeks for use of the Gallery, and the many helpers.

The Crolls and the Thurlows are again lending their houses to entertain visitors to a Medical Conference. Such functions not only add to our funds, but publicise Hunter's Hill to visitors.

The Trust Centre, a vital link between the Trust members and visitors, always needs helpers for the roster; phone Valmai King, 89-1617 or Rosemary Manus 89-2604. We are grateful to Diana Coulman, who managed the Centre in 1974.

If you know of a restaurant suitable for a Trust dinner, please ring Kath Lehany, 89-2248. Remember, it is your Trust and we need your enthusiasm to keep it going.

Youth Group

A youth group is now being formed to cater for local residents from 16 to 26. If you are interested in coming to the next meeting, contact David Robinson, 896-2557. Suggestions welcome.

ANNUAL GENERAL MEETING MAY 23

8 p.m.

HUNTERS HILL TOWN HALL

Call for Nominations

Nominations for the Hunter's Hill Trust Committee should be received by the Secretary by May 8th, 1975. Nominations should be signed by two Trust members and the nominee's vigor of the Trust depends on an influx of new members, energy and ideas.

St. Albans Excursion

The Hunter's Hill Trust is arranging an excursion on Sunday, to historic St. Albans on the MacDonald river. It is situated 120 kilometers north-west of Sydney just above Wiseman's Ferry. The area was settled at the turn of the eighteenth century, and because of its isolation, it has not undergone the changes of 'progress'.

The village of St Albans has an Inn built in 1842 which is classified by the National Trust and is considered an excellent example of the architecture of public houses of that period. The town was served by river boats, making it a popular trading post for merchants from Cessnock, Maitland and other northern settlements in the early days of the colony.

A Trust of local farmers capably administers one of the remaining Commons in N.S.W. Covering 4,800 acres, it provides grazing for cattle, and a marsh area and 100 acres sanctuary for many species of water birds, including swans and pelicans. The Common is in danger of being lost as there is a plan to dam the MacDonald river at this point to provide water storage for Gosford.

The Hunter's Hill Trust plans to hold a picnic lunch (bring your own food) at the property of Mr. and Mrs. Shannon. Their house on their property will be open for inspection. The land was part of an original grant made in 1825, which was given to Aaron Walters, a carpenter who came from England in 1814, and later became a captain of the Hawkesbury and MacDonal Rivers. He opened this house for a short time as an inn on what was the main land route north from Sydney. Many old buildings are still standing, including a barn, a blacksmith's shop and a slab dwelling.

For further information on the outing, please telephone Kath Lehany, 89-2248 or Gay Shannon 89-2495.

Are You Financial?

Only current Trust members may vote on May 23rd at the Annual General Meeting. Return your renewal form to the Secretary in the stamped envelope provided, or join at the 8 p.m. meeting at the door of the Town Hall.

MEMBERSHIP FORM

NAME.....TELEPHONE.....

ADDRESS.....P/CODE.....

Type of Membership: SINGLE - \$2.00
FAMILY - \$4.00
PENSIONER - \$1.00
YOUTH - \$1.00

Membership of Auxiliary an additional 50c.