



# Blue Mountains Conservation Society Inc

ABN 38 686 119 087

PO Box 29 Wentworth Falls NSW 2782

Phone: (02) 4757 1872 - E-Mail: [bmcs@bluemountains.org.au](mailto:bmcs@bluemountains.org.au)

Web Site: [www.bluemountains.org.au](http://www.bluemountains.org.au)

**Nature Conservation Saves for Tomorrow**

9 May 2016

To: The General Manager  
Blue Mountains City Council  
Locked Bag 1005  
Katoomba NSW 2780

By Email to: [council@bmcc.nsw.gov.au](mailto:council@bmcc.nsw.gov.au)

Cc: Mayor Greenhill, Councillors Sarah Shrubbs, Michael Begg and Don McGregor

**URGENT: DEVELOPMENT APPLICATION NO. X/509/2014 FOR A DWELLING ON LOT 12, LOT 11, LOT 10, LOT 9, LOT 8 & LOT 7, DP 101048, 398 – 408 GREAT WESTERN HIGHWAY KATOOMBA – AND GRAND CLIFFTOP WALK**

Dear Sir,

The Blue Mountains Conservation Society 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.

I am writing to you in relation to a development application approved by Council at its 29 March 2016 Council meeting (DA No X/509/2014). The development application is for a house on Lot 12 Great Western Highway, Katoomba with the existing Lots 7-12 being consolidated into one lot as part of the development.

The Society supports the development application in terms of the siting of the dwelling, and the accompanying consent conditions including the requirement for lot consolidation. Given the environmental values of the lots we strongly urge Council to closely monitor the development application conditions.

However the Society is deeply concerned that in none of the development application documentation on Council's website or in its approval of the development, did Council consider the impact the development would have on the Grand Clifftop Walk, a section of which crosses the six lots in question. Given this lack of consideration, the Society is deeply concerned about the ongoing future of this section of the Walk especially if the lots are sold into private hands.

The Grand Clifftop Walk is currently signposted from the west along an informal bush track which traverses Lot 12. This is the most visually attractive section for pedestrians between Foy Avenue, Medlow Bath, and the Explorers Marked Tree, Katoomba. Redirection of pedestrians via Explorers Road and Pulpit Hill Road would be totally unacceptable, even though Council has erected pedestrian and bicycle warning signs, since the road carriageways in question are steep, winding and narrow, with poor sight-lines and inadequate verges.

The new pathway from the Medlow/Blackheath direction follows a formed right-of-way that is shared by both routes. At the Explorers Road interchange, the cycling and walking track split, with the Grand Clifftop Walk following closely the Great Western Highway corridor, approximately 10 metres into the intervening native bushland on Lots 7-12. For most of the walking route, the highway is not visible

from the footpath, but vehicle noise can be heard. Depending on fitness this section of the walk takes about 5 minutes, with a couple of very short and steep sections. Most of the way is relatively flat and easy walking, in pleasant bushland. The track ends at the Explorers Tree carpark and recommences on the opposite side. This section of the walking track appears to be completely contained within lots 7-12. Photos 1 and 2 attached show the Council signposts directing the walkers at both ends onto the section of track which goes through the lots in question.

Aerial photography of the lots in question from Council mapping show the track through the bushland (see attached). The Grand Clifftop Walk route is contained in the portions of the lot zoned E2 under Blue Mountains Local Environmental Plan 2015 (see attached). The Society believes the E2 zoning is the appropriate zoning for these sections of the lots, given the environmental values of the land, and as the zoning prohibits most types of development. The continued existence of the track, including ongoing maintenance, is however allowable within an E2 zoning.

The Society understands that the lots are currently Council owned and are classified as Operational Land (see attached map), which allows Council to sell the lots if desired. However, it is unclear from the development application documentation on Council's website or in its approval of the development, whether Council intends to sell the land now the development application is approved.

If the land is sold into private hands, it is unclear what Council plans are to ensure the ongoing future of this section of the Grand Clifftop Walk, including maintenance and upgrade, and what actions it will take to ensure ongoing public access through the lots.

Alternatively, public access could be guaranteed if during the lot consolidation process, a boundary adjustment was also undertaken and Council retained the parts of the lots zoned in E2 where the track is situated.

Lastly, the Society is concerned that the development approval may in fact be invalid as consideration of the track, including ongoing maintenance, retention of public access and impacts on walkers using the track from the new development and vice a versa, were not considered in the application documentation on Council's website or in in the Council Report approving the development.

The Society therefore asks to meet with senior Council representatives to urgently discuss the following issues:

- Why consideration of the track, including ongoing maintenance, retention of public access and impacts on walkers using the track from the new development and vice a versa, were not considered in the application documentation on Council's website or in in the Council Report approving the development.
- What Council's intentions are in terms of retaining or selling the lots in question.
- Council's plans of ensuring the ongoing future of the section of the Grand Clifftop Walk which goes through the lots, either through a public right of way registered on title or through retention in Council ownership of those parts of the lot where the walking track is located (ie the parts of the lots zoned E2).

Please contact me via email or via the phone number below to arrange a meeting.

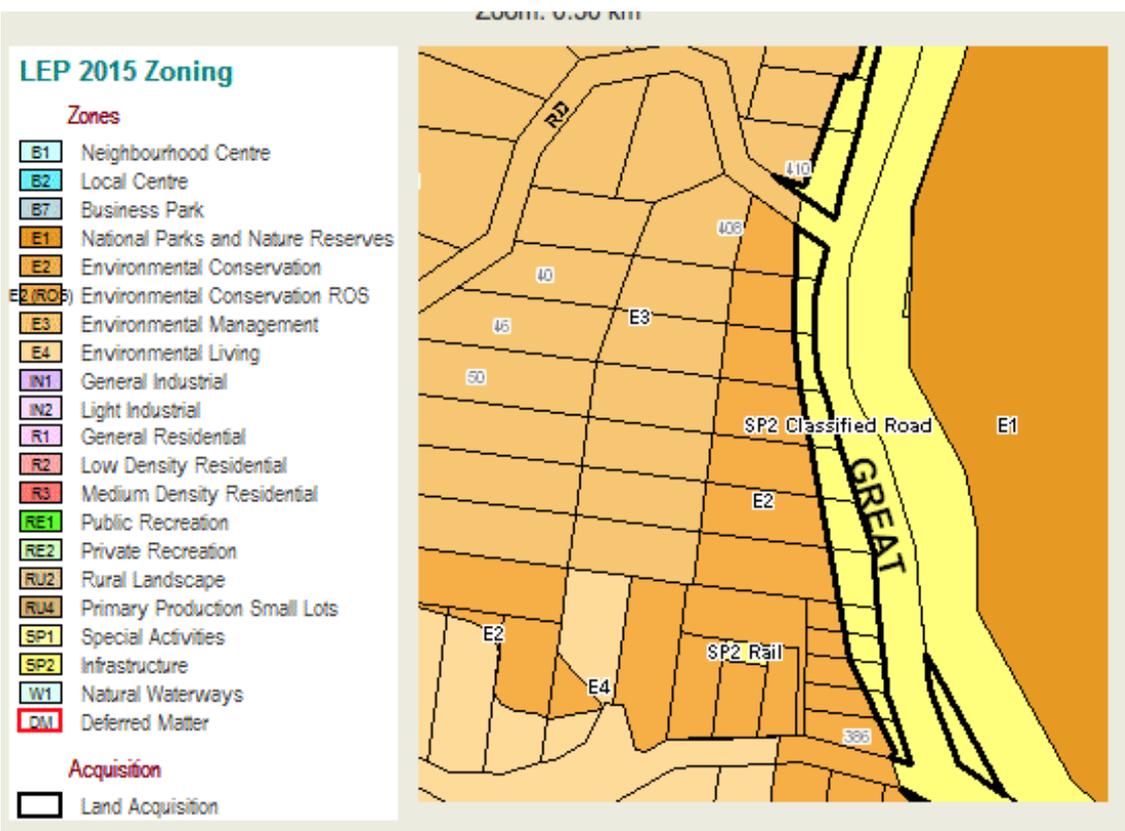
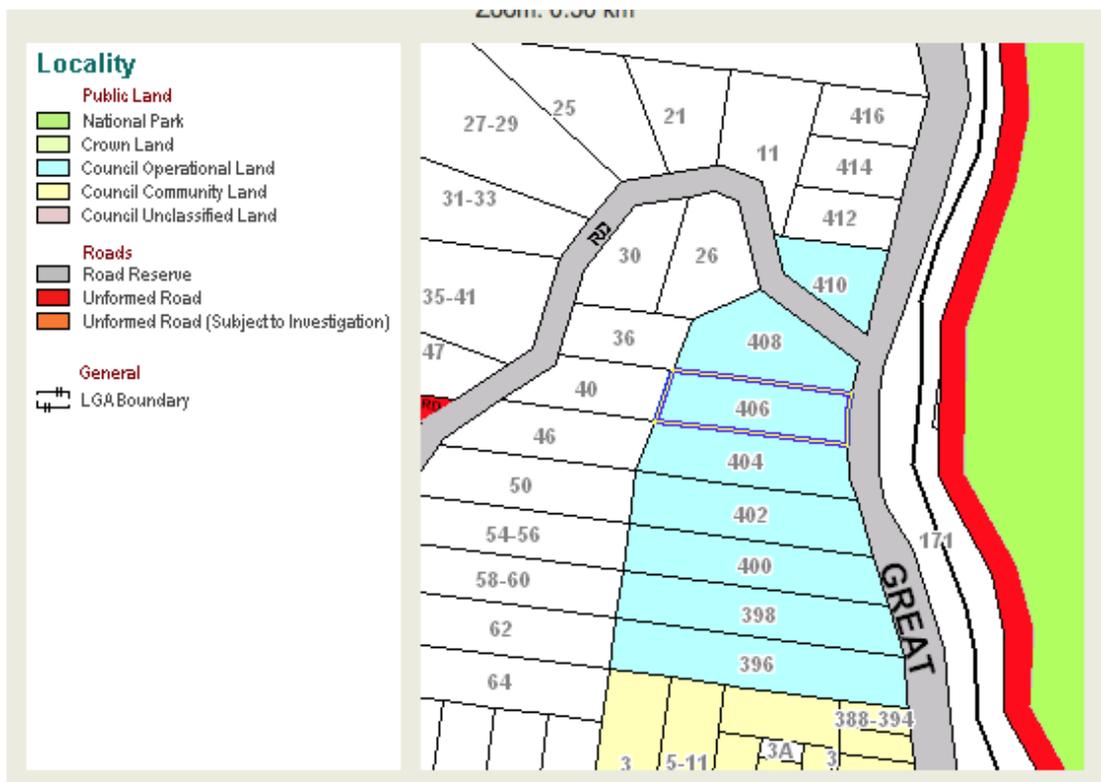
Yours sincerely

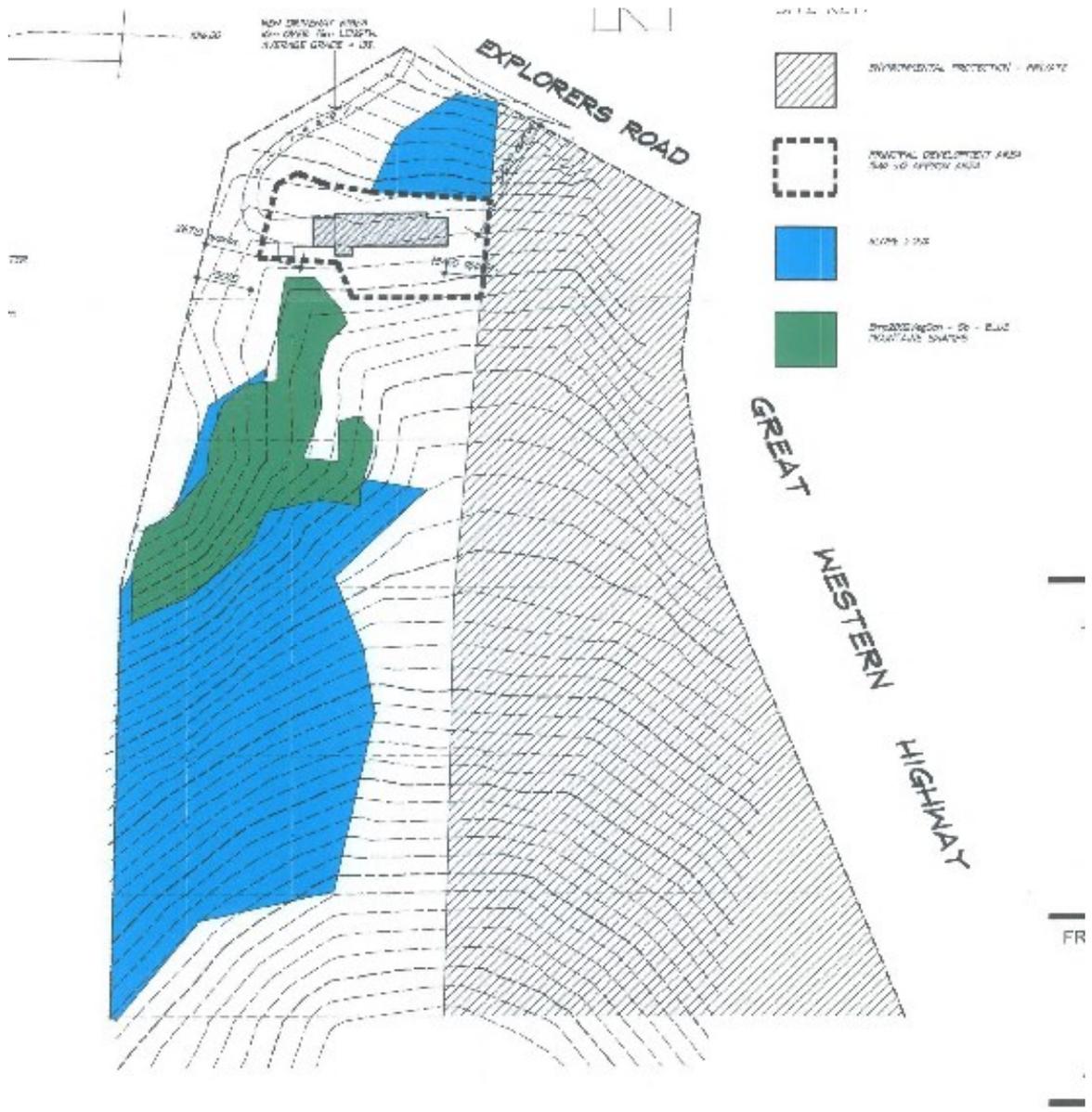
Don Morison  
President  
Blue Mountains Conservation Society

[president@bluemountains.org.au](mailto:president@bluemountains.org.au)  
Phone: 02 8230 2116 (message)

Photo 1 and 2: Council signs directing walkers to use the walking track on 398-408 Great Western Highway, at both the Explorers Red, Medlow Bath end and the Explorer’s Tree carpark end.









DA1