

Munibung Musings

No.2 - Autumn 2019

Proposed conservation park has been placed on the market

The Newcastle Herald (9.3.2019) carried the story in the Commercial Property section of Domain, under the headline:

Munibung Hill being sold

by Renee Valentine

"A Speers Point property of around 80 hectares of land at 1A Raymond Street is being marketed by Barry Price, Ray White Newcastle and Lake Macquarie, and John Parnham, of Ray White Commercial.

It has development application approval for 115 residential lots on a small part of the site, which is bordered by Boolaroo, Warners Bay and Macquarie Hills.

The landmark property has been held by its current owners for around 80 years and enjoys extensive views of Lake Macquarie and Mount Sugarloaf.

"It's a very large piece of land and twice the size of most of the suburbs around it," Mr Price said. "It's got some outstanding lake views from many many places and is 800 metres from the shores of Lake Macquarie."

It is being sold through a tender process closing April 12 with keen developer interest expected.

A price guide has not been disclosed due to its nature of being "such a big piece of land with so many different aspects to it".

No mention of conditions

The sale is billed as a developers opportunity now and **into the future**, but makes no mention of the constraints placed on the site as noted in the Lake Macquarie Local Environment Plan (LEP) 2014.

See page 2.

Plans and reports to take into account

Ecological Constraints and Opportunities, Speers Point Quarry, report by RPS Group. 2011.

Precinct Area Plans—Munibung Hill, Speers Point Quarry, LMCC 2014 (See extracts page 2)

What to do about it: See page 3 >

The pitch to developers

'A superb development opportunity now and **into the future.**'

That can only mean a challenge to the current area-Zoned E2 to allow for more streets and housing. That would be another case of "mission creep" and that would mean **in addition** to the approved 115 lots on 11 ha, **another 721 residential lots** on 69 ha, in place of this important conservation and wildlife area. Urban forest destroyed. What a tragedy. Urban sprawl. What a legacy.



Is this what we can look forward to on Munibung Hill in the future as the result of this 80 ha sell off?



DA470/2017 is for 115 house lots in these two quarries with an area of 11ha [27ac].

Members wishing to find out more can search the Lake Mac website. Go to **application tracking** [Click](#) on **I Agree** ... Then enter the address 1 Raymond Street Speers Point ... Search ... Scroll down to **DA490/2017** ... Then click on the symbol in the left hand column ... Then click on **open all** ... If you have any problems logging on please call LMCC for help. 49210333

The for sale ad makes no mention of these ..

protecting wildlife corridors

*threatened species and
conservation areas*

a network of pedestrian trails

***protecting geological
and cultural heritage***

**the Fivefold Vision the
community has for
Munibung Hill**

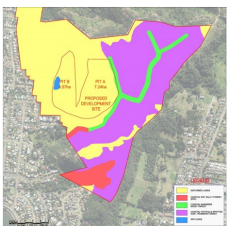
The Munibung Hill Conservation Society has developed a vision that encompasses all the aspects that Munibung Hill is able to provide.

See the website www.munibunghill.com for details, background documents, resources, links and gallery.

**Houses for humans,
what about houses (veteran trees) for
these treasures?**



The White-Bellied Sea Eagle, Powerful Owl and the Squirrel Glider all get kicked out.



< Figure 2, page 6
Vegetation Communities—RPS 2011
To view all the plans click the link
[Precinct Area Plans – Munibung Hill,
Speers Point Quarry](#)

**What to do about it ... spread
the word on social media ...
See contacts on page 3 >**

Precinct Area Plans – Munibung Hill, Speers Point Quarry (see extracts below)

The purpose of the Area Plan for 1A Raymond Street is to provide a strategic and coordinated approach to the development of land located at the former Speers Point quarry.
> taking into account environmental, social and economic issues affecting the site. This Area Plan is to be read in conjunction with the relevant part of Lake Macquarie Development Control Plan (LM DCP) 2014.

2.2 VEGETATION MANAGEMENT Objectives

- a. To protect and enhance biodiversity values within identified native vegetation areas on land zoned E2 Environmental Conservation.
- b. To ensure the riparian areas, wildlife corridors and fauna habitat associated with Munibung Hill are rehabilitated and appropriately managed.
- c. To ensure that the loss of biodiversity arising from development of the land is offset to mitigate the impact of that development.
- d. To provide for the long-term rehabilitation and management of land zoned for conservation.
- e. To ensure biodiversity values, bushfire risk and land contamination issues associated with the conservation lands are appropriately managed.

2.3 CULTURAL HERITAGE Objectives

- a. To acknowledge the value of Munibung Hill to the Awabakal people.
- b. To conserve and interpret Aboriginal and European heritage as part of future development.
- c. To provide guidelines for the protection of Aboriginal and European cultural heritage and culturally significant areas.
- d. To integrate interpretative material with the emerging urban form

2.10 PROVISION OF PUBLIC AREAS Objectives

- a. To provide for safe, attractive and accessible public open spaces with good casual surveillance
- b. To link the public space to other open space areas via walking trails and cycle and pedestrian linkages

E2 land will be identified in a future EPI (Environmental Planning Instrument) as being of high Aboriginal cultural significance.

What is an LEP?

A **local environmental plan (LEP)** is a legal document prepared by Council and approved by the State Government to regulate land use and development. LEPs guide planning decisions for local governments.

What is a DCP?

A development control plan provides detailed planning and design guidelines to support the planning controls in the LEP and is used by applicants and Council to guide the preparation and assessment of development applications.

Outstanding questions remain:

1. What does the existing LEP mean for the development?
- 2a. How easily can the LEP and the DCP be changed?
 - b.. And what would that mean for Munibung Hill?
3. When will community consultation take place?

Clarification of Zone E2

The area up for sale on Munibung Hill is comprised of two lots totalling 80ha. 11 ha is zoned R2 and R3. It has a DA470/2017 with an approval for 117 residential house lots. **69 ha is zoned E2. It is this area that is of greatest concern.**

Zone E2 Environmental Conservation

1 Objectives of zone

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.
- To conserve, enhance and manage corridors to facilitate species movement, dispersal and interchange of genetic material.
- To encourage activities that meet conservation objectives.
- To enhance and manage areas affected by coastal processes.

Reprinted here is a response from Council to an enquiry from MHCS regarding certainty of land zoned environmental—E2.

Thank you for your enquiry about the sale of 1A Raymond Street, SPEERS POINT (Lot 21 DP 790637).

The objectives, permissible uses, and other matters related to E2 and E4 zoned land can be located in the **Lake Macquarie Local Environmental Plan 2014**. The **Precinct Area Plan – Munibung Hill, Speers Point Quarry** provides a strategic and coordinated approach to the development of land located at the former Speers Point quarry.

Should the site be sold to a new developer and their intent is to expand the developable area beyond that currently stated within the Precinct Area Plan, they would need to submit a new Planning proposal to Council. Discussion should take place with Council's Integrated Planning Department as this land falls outside of the currently approved zoned land for subdivision and residential development, and would need to be assessed and approved by Council and the State Planning department.

Any future Planning proposal including relevant studies would need to be assessed by council staff, submitted to Council to endorse, and sent to the Planning department for a Gateway Determination. If endorsed by the Planning department, the department would then advise of the period of exhibition. During the exhibition phase, you would be welcome to submit any comments, concerns, or queries about the proposal before the Council determines whether the Planning proposal should be approved or refused.

In addition to the above, any proposed changes to the currently approved subdivision layout may need a further approval from Council.

LMCC, Planning Department. 13 March 2019

You can't do that

Some members of the MHCS have been told they can't have an opinion about what should take place at Munibung Hill because this is the sale of private land.

As it turns out all land was private back in the days of colonisation, because the British government annexed Australia and deemed it to be the property of the Crown.

Parcels of land were handed out to various people according to their status or position within the hierarchy and if you were one of the privileged few you 'acquired' large lots of land gratis—for nothing.

Aboriginal people were non citizens and the land was unoccupied or terra nullius, according to the British, who literally became the landlords, so it was open slather for squatters. That's how the land became private—it was taken by force from the original inhabitants, human and non-human.

Most of the land that is now public *community* land, held in *common* by the people (through one of the three arms of governance) has been bought back or gifted to the community by generous patrons or in some cases given back because the owners didn't want to take care of it, as required by the land class or zoning—in this case environmental conservation—E2.

This is a good reason to have an understanding of history—bigger than European history—at least as big as indigenous history and preferably deep time history that takes in earth and cosmos time. We need to re-establish our deep connections with the land which lies at the core of our being.

It was Albert Einstein who from experience said:

*Look deep into nature,
then you will understand everything better.*

MHCS will take its cues from and continue to speak on behalf of the earth and the non-human earth community.



Intergenerational equity

Let's look back to 175 years ago. No one who was in charge of land and how it might be used, no one who was employed by the authorities of that time, is around today.

Now let's look forward 175 years from now. No one who is currently on Council, no one who is currently employed at Lake Macquarie City Council (LMCC) will be around then.

It follows that the responsibility for those who come after us, rests with this generation. The decisions we make today are effectively being made on behalf of others yet unborn. These decisions today, will have wide ranging consequences that extend many hundreds—even thousands—of years into the future.

Knowing what we know, with our levels of education and understanding, it would be unwise to keep repeating past errors of judgment that are not delivering good outcomes in terms of intergenerational equity.

A finite planet requires its most recent species to act with compassion to the source of its well-being. Our children deserve nothing less than a commitment to grow our understanding within a steady state circular economy that respects earth laws. These include the rights of ecological communities, in which human society is bedded, to be viable and to remain intact as they have done for millions of years.

"You can't just sit around waiting for hope to come,"
Swedish school student,
Greta Thunberg
2019-02-21 in Brussels.
<https://www.fridaysforfuture.org/>

Circulate this newsletter to your networks and write:

Write to: council@lakemac.nsw.gov.au; Write to Mayor Kay Fraser and Councillors and Greg Piper; Write to the [Newcastle Herald](#); [The Newcastle Star](#); Phone / Text: [1233 ABC Newcastle](#), [2NUR-FM](#).