

Response to the Draft Cumberland Plain Conservation Plan

The property owners of [REDACTED] are shocked to discover that this draft plan proposes to rezone their land and rob them of their ability to enjoy the full benefits of their family homes and properties. The government's proposed plan is misguided due to the:

1. miscategorisation of biodiversity value on Condell Park Road
2. unfairness to homeowners
3. inconsistency in recent planning policy.

The property owners address each of these concerns below in further detail.

We strongly recommend that the plan be reconsidered to either leave the properties as they are currently zoned or match recent planning decisions to categorise the properties as urban capable.

Yours sincerely:

[REDACTED]
Property owner:
[REDACTED]

Wilton, NSW, 2571
[REDACTED]

[REDACTED]
Property owner:
[REDACTED]

Wilton, NSW, 2571
[REDACTED]

1. Miscategorisation of biodiversity value on Condell Park Road

The proposed environmental conservation zone along Condell Park Road, Wilton shows a lack of on-the-ground experience of these properties and a failure to properly assess the current biodiversity value of lots [REDACTED].

The properties contain a mix of exotic gardens and exotic tree species (salix, quercus, prunus spp., photinia, cupressocyparis and many others). The areas not converted to exotic gardens are maintained as lawn or pasture with a mix of agricultural practices related to sheep, alpaca and cattle grazing.

The government's own report commissioned for the [Greater Macarthur Land Release Strategy](#) in 2015 identified the vegetation on Condell Park Road to be of TX Condition / Low. See figure below:

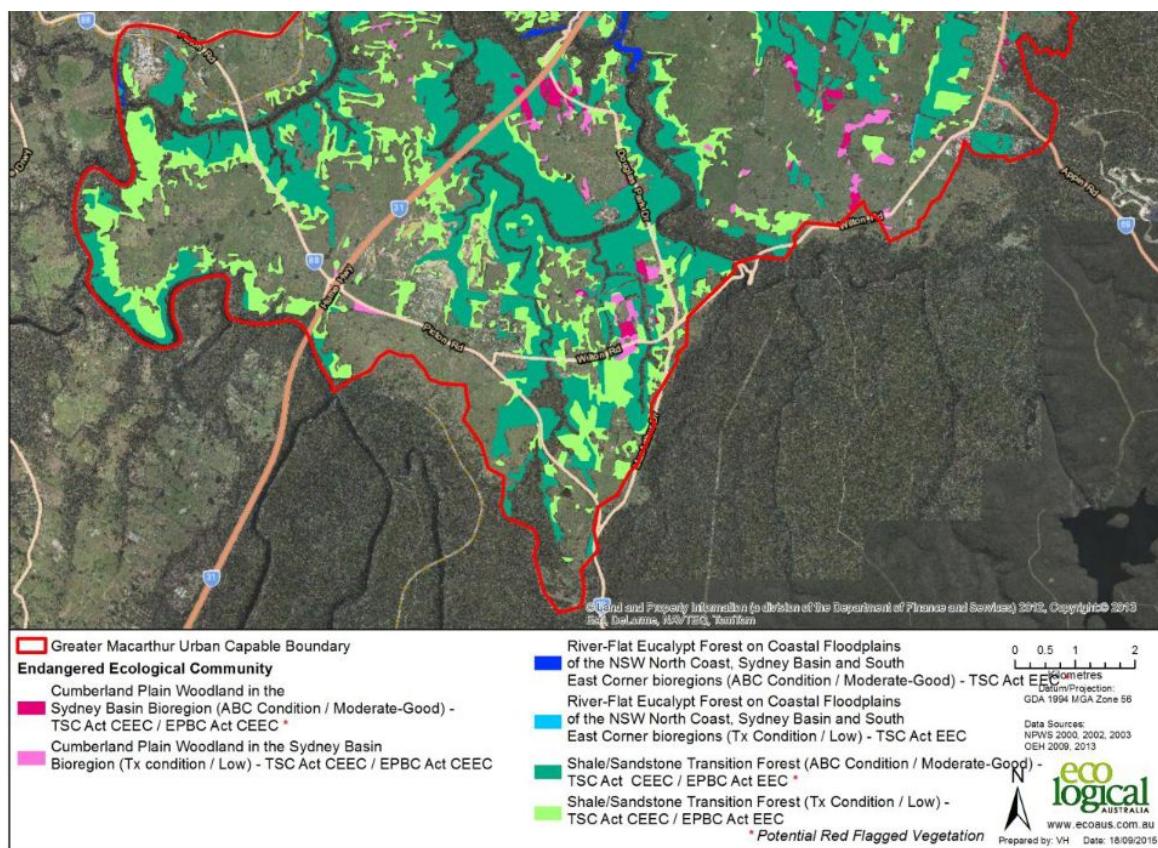


Figure 3: Endangered Ecological Communities

Lack of connection

The patches of degraded vegetation on Condell Park Road are also disconnected from areas of high biodiversity value. The deep gully within the Bingara Gorge development is a different vegetation community and is fragmented by:

- a golf course and associated tree clearing (see figure below)
- low bridge (Fairway drive) and associated tree clearing (see figure below)
- two gas pipeline easements (maintained with no trees)



The disruption to this corridor and the uses of the surrounding land would pose more threat to native fauna due to domestic animal attacks, interactions with golfers, golf carts and cars on crossings.

There is also no destination at the end of this highly fragmented corridor. It terminates at Picton Road and is bounded by land proposed as 'urban capable' in the draft strategy.

The biodiversity corridors identified in the government's own [Greater Macarthur Land Release Strategy](#) in 2015 are more than 2,000 metres away from the edge of the Condell Park Road properties (See two figures below):

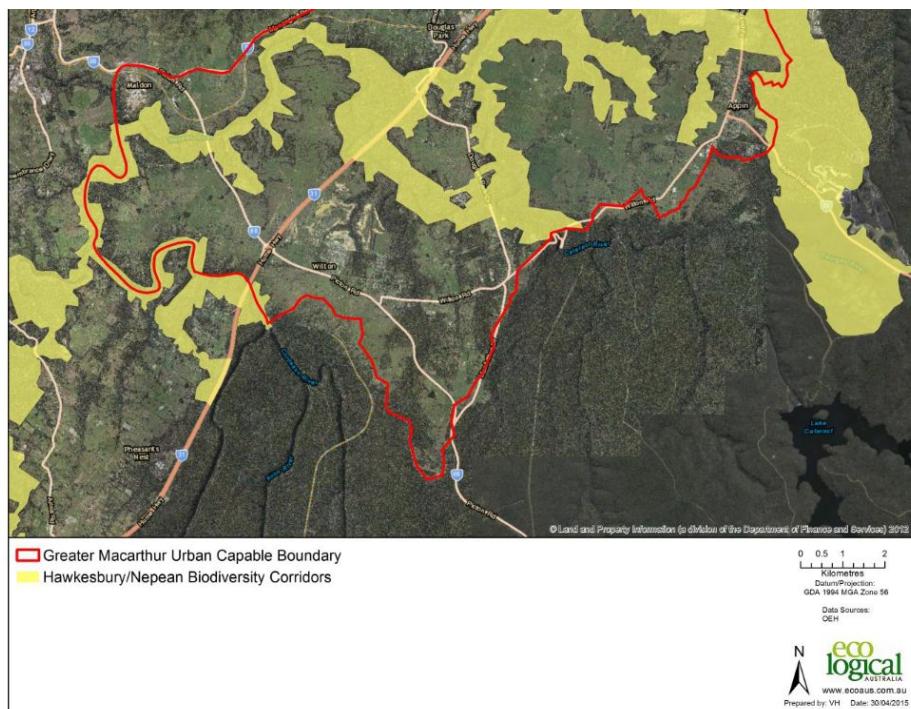
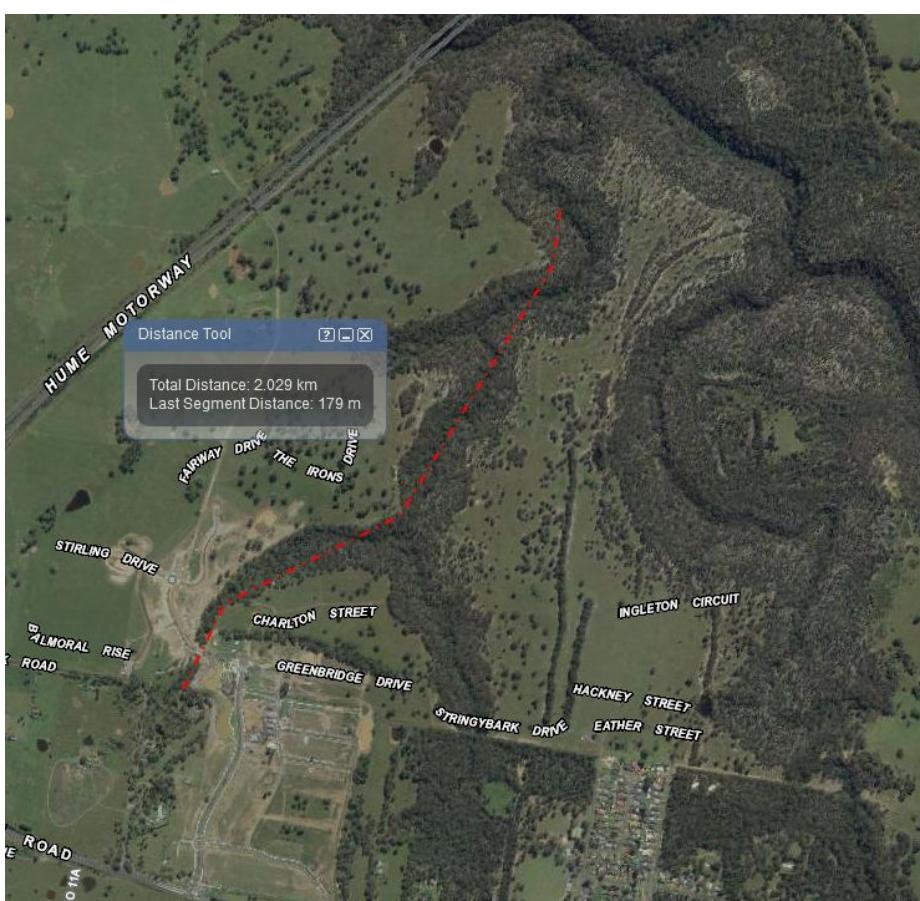


Figure 6: Hawkesbury/Nepean Biodiversity Corridors



Lack of valuable avian biodiversity

The lack of a native understory and nearby development have allowed noisy miners (*Manorina melanocephala*) and common mynas (*Acridotheres tristis*) to dominate the landscape and drive out most native birds.

A number of birds common in suburbia are able to persist against the aggression of the miners and mynas on the properties, including:

- magpies (*Gymnorhina tibicen*)
- magpie-larks (*Grallina cyanoleuca*)
- red-rumped parrots (*Psephotus haematonotus*)
- grey butcherbirds (*Cracticus torquatus*)
- masked lapwing (*Vanellus miles*)
- Australian wood duck (*Chenonetta jubata*)
- rosellas and king parrots are present intermittently, especially when prunus bear fruit.

Lack of mammalian biodiversity

There have been very few native mammals observed on the properties including flying foxes and bush rats. There have been no sightings of koalas, possums, wallabies, echidna or wombats on the properties in the past 15 years. This is further indication that the area does not support the broader ecologically functioning landscape.

Riparian land around an unnamed creek

The creek (Strahler order 2) listed on the plan runs adjacent to Condell Park Road. It has been highly modified with three man-made dams which were in place before subdivision. These dams have been planted with exotic waterlilies and crops of exotic lotus (*Nelumbo nucifera x lutea*). The banks of the creek are planted to ornamental exotic plants or maintained as lawn/pasture.

The development on Walker Corp lands (south of Picton Road) is approved to direct the runoff from more than 40 hectares of urban land into the creek. This development will turn the dry creek into a stormwater channel. This cannot be treated as a simple vegetated riparian corridor.

The works required to slow the water and provide all-weather vehicle access should be contributed by Walker Corp.

2. Fairness for homeowners

The strategy intends to offset the environmental impact of multi-billion dollar developments at Wilton with the primary residences of mum and dad homeowners. In the cases of lots [REDACTED], the whole property would be rezoned to E2 conservation land. This is not at all comparable to the small percentage of developable land being locked away for the likes of Bradcorp, Lend Lease, Walker Corp or Governors Hill.

To maintain an equitable planning system in NSW, the large property holders should be required to remediate their own land, rather than stealing the whole property from under the families living on Condell Park Road. Especially seeing as the Condell Park Road properties would require extensive remediation to be of medium or high biodiversity value.

The existing use protection in the legislation is complex and expensive to defend when challenged. It will lead to uncertainty for the current owners and infringe on their peaceful enjoyment of their dream homes and properties.

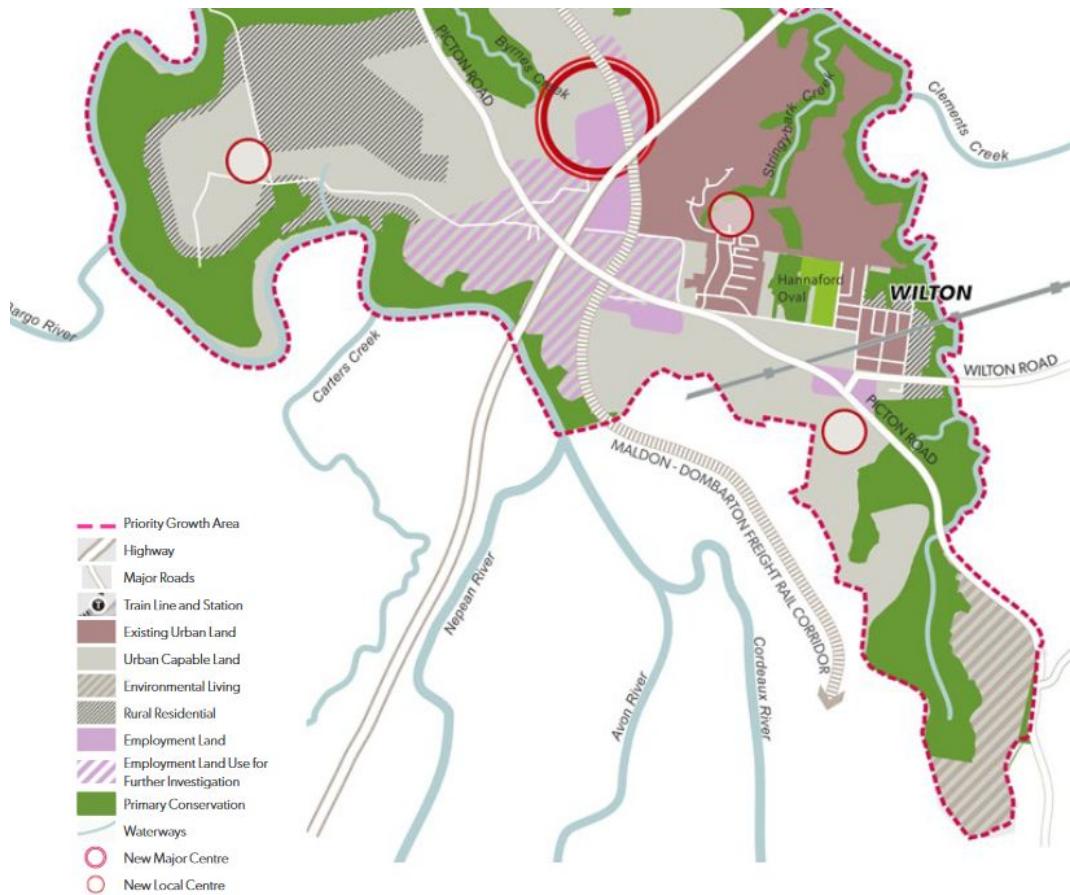
These are also the single largest investments these families have made for their future. Conservation zoning (E2) is likely to make these properties harder to sell and return less value when a family needs to relocate or downsize.

Potential remedies for this unfairness could be a value sharing arrangement with developers. This would ensure that the returns per hectare of urban capable land are shared equally per hectare of Condell Park Road land that is conserved.

An alternative would be the option to sell to the developers or the NSW Government at the market rate for two hectares of urban capable land in Wilton. This would also turn over the land to owners with the ability and resources to conduct extensive remediation.

3. Consistency in planning policy

The Wilton Interim Land Use and Infrastructure Implementation Plan was made and finalised less than 3 years ago and was meant to “guide the growth of this new community over the next 20 to 30 years.” The Plan was also meant to identify “sensitive environmental areas that will be protected as the community grows.” The Plan included a [land use plan](#) that very clearly marked the Condell Park Road properties as urban capable (see figure X below):



The backflipping and contradictory plans for the Wilton area would pose a threat to current and future investment in this priority growth area. Who will invest in and develop this land for the people of NSW if our government is unstable and unreliable?