

DEPARTMENT OF PLANNING,  
INDUSTRY AND ENVIRONMENT

Via email-

[biodiversity@planning.nsw.gov.au](mailto:biodiversity@planning.nsw.gov.au)

ATTENTION: MR STEVE HARTLEY

25 September 2020

Dear Sir,

**RE- Submission on Draft Cumberland Plain Conservation Plan**

Reference is made to the above matter and to the Department of Planning, Industry and Environment's recent public exhibition notice.

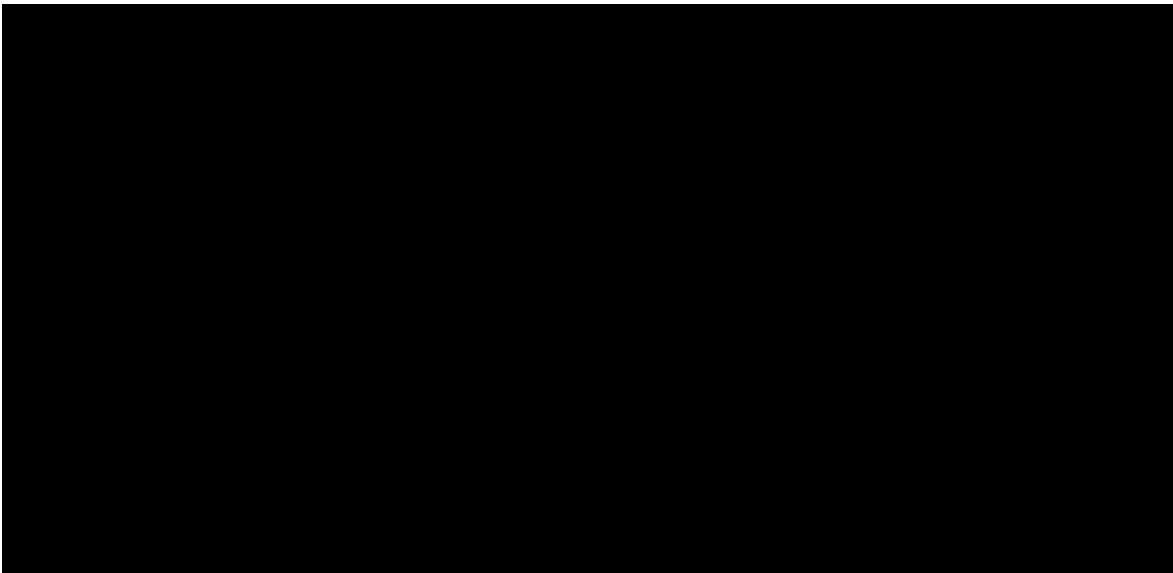
We act on behalf of the owner at [REDACTED] LUDDENHAM NSW 2745 (Family Trosser)

Below, we raise the following contentions regarding the proposed changes.

**Proposed corridor through the property**

My client's object to any mapping notations over their parcel of land.

The land holding is shown below.



*Note: Blue is non-certified and it means environmental zone, and Orange is 'Certified - urban capable'.*

It appears the mapping is to track a tributary line over the property.

The Department incorrectly assumes that the area contains high value biodiversity without carrying out a site visit.

The current tributary line does not contain any high value native vegetation and scattered trees along the tributary line.

Overall, the subject land is not dominated by native vegetation, and what remains however has suffered from disturbance including the introduction of weeds.

We request the mapping notations are removed.

#### **Current condition of the corridor**

The current state and condition of the tributary line over the property has changed due to the construction of the Western Sydney Airport.

The uncontrolled stormwater runoff from the Western Sydney Airport has changed the course of the tributary line regarding its original condition and flow path.

The uncontrolled runoff has now created excessive sediment, erosion and gullying of the tributary line which has resulted in a number of trees collapsing or being washed away and this is shown in the photographs below.



*Current tributary line*

We immediately request that Western Sydney Airport visits the subject land holding and carries out rectification works.

The vegetation which remains represents is considered isolated and remnant and has been affected by the Airport development and its related infrastructure.

### **Ongoing problems with uncontrolled stormwater entering the property**

My client's despite raising a number of objections to the Western Sydney Airport Corporation experience uncontrolled stormwater flows into their property and localised flooding.

The current surface water management system is ineffective.

The amount of uncontrolled stormwater flow is now deemed to be a nuisance and we request that immediate action is taken to reduce the discharge of surface water and rehabilitation of the tributary line is carried out.

### **Lack of information**

The public exhibition period contains limited information about the biodiversity properties of my client's land and incorrect assumptions are made with regard to biodiversity value.

It is our opinion the land contains low biodiversity value for the following reasons:

- The land is regularly maintained i.e. slashed and mowed and is affected by primarily impacts by the current use of the land.
- The land is also used for grazing activities.
- There were numerous weeds present along the tributary line.
- The tributary line is in a poor state and condition since the construction of the Western Sydney Airport which has introduced further sediment, weed and contaminant migration.
- The subject site has limited connectivity between the remnant vegetation on site that remains and adjoining sites which have been cleared for urban development.
- There is a limited understorey and shrub layer over the vegetation contained on the property.
- There was no evidence of habitat-bearing trees at the time of inspection.
- Further exacerbated secondary impacts to the condition and state of the vegetation due to increased surface and sediment runoff from the Western Sydney Airport that have an impact on the floral and faunal diversity on the site.
- Additional potential impacts affecting the ecological values due to increased noise and light pollution because of Western Sydney Airport development.
- Increased population of exotic predators (dogs and cats).

As a result, the affected land does not support any physical characteristics to indicate that the land contains any threatened species, populations or ecological communities, or their habitats at the time of inspection.

### **Changes to Planning Certificates**

There is no discussion concerning planning certificates.

Planning certificates are used to clarify which land parcels in the LGA are subject to biodiversity related planning controls and is always attached to property contracts of sale.

We trust our concerns are reviewed and that Department writes to us about how our concerns are to be addressed satisfactorily.

Should the Department require further information, please contact the undersigned.

Regards,

[REDACTED]  
*BTP (UNSW), MEM (UNSW)*  
*NSW Builder Licence* [REDACTED]

[REDACTED]  
[REDACTED]

CC

**OWNER/OCCUPIER**

[REDACTED]

**LUDDENHAM NSW 2745**