

ORCHARD HILLS NSW 2748

15 September, 2020

Department of Planning, Industry and Environment  
Green and Resilient Places Division  
Locked Bag 5022,  
PARRAMATIA NSW 2124

Dear Sir/Madam,

**RE: Public Exhibition Draft Cumberland Plain Conservation Plan. Property** [REDACTED]

I refer to your letter of 26 August, 2020 where you advised that the Draft Cumberland Plain Conservation Plan is on public exhibition and that my property is affected by the proposed environmental conservation (E2) zoning. The back portion of my property is affected with the conservation zoning where there is trees/bushland. I have attached a copy of your plan for my property that shows the affectation by the various land categories.

When I built my house in 1989 near the Homestead Road frontage I constructed with Council consent/approval to put my septic tank overflow water (which is contaminated water) into the absorption trenches located in the treed area at the back of my property. I have a pump out system from my water holding tank (at the back of my house) and I laid a large water discharge pipe going from the holding tank to the absorption trenches in the treed area. A substantial amount of the treed area is affected at the back of the property due to the absorption trenches. I constructed a track to get in there and there is a large cleared area as required for the absorption trenches to work effectively with no trees. A requirement to have the absorption trenches to work efficiently was to have small trees clear from the edge of the trenches by at least 5 metres or large trees should be about 20 metres away. I have stored building materials in this area which is clear of the absorption trenches as well.

I would say that there is about 4200 square metres of this treed area of my land that has been disturbed by the absorption trenches and left over building materials. The distance back from the start of the trees is 70 metres to the back edge of the absorption trenches.

The treed area around the absorption trenches has a lot of casuarina trees, large wild olive trees, other unwanted small trees and a small number of Cumberland plain woodland trees. In this treed area most of the trees are termite ridden and others are dead or are dying. From aerial photography it is difficult to ascertain the health and condition of the trees. No one from OPIE or their contractors came to my property for an inspection as part of the process otherwise I would have shown them the absorption trenches area to be avoided.

This being the case I would like the absorption trenches area to remain as part of my main property with no environment conservation zoning as the area has been disturbed due to ongoing contaminated water flowing into the absorption trenches that would be affecting the health of the trees. Please note that the absorption trench systems have the potential to contaminate

groundwater and are not recommended in sensitive locations. The absorption trenches form part of the building approval plans for my house that I currently live in as well.

I also found that the Department about 3 years ago mapped a biodiversity conservation zone for NSW following the legislation of the Biodiversity Conservation Act 2016. For the Orchard Hills area the biodiversity conservation zone is a lot different to the currently advertised Cumberland Plain Conservation Plan (Conservation Zone).

The difference between the 2017 biodiversity conservation zone and the currently exhibited biodiversity conservation zone is of concern as there are significant differences. For my property, there was basically no conservation zone but more land was earmarked along the Wentworth Road properties. I have attached a copy of the Biodiversity values map showing the affect on my property 3 years ago. Your Draft Cumberland Plan Conservation Plan does not address the differences. Why wasn't the conservation layer kept on the properties in Wentworth Road such as 177 Wentworth Road and 179 Wentworth Road?

Also, Penrith City Council has recently identified all properties that are flood prone throughout their Local Government Area for the 1 in 100 year plus 0.5 metre freeboard (overland flow flood) being the flood planning level. This was a State Government requirement for all Councils to undertake and notify affected landowners. All affected properties have a notation on their S 149 Certificates for any prospective purchaser to note. My concern is that your mapping does not reflect this throughout the area and needs to be amended to be in line with Councils flood prone areas and with the Biodiversity Conservation Acts mapping requirements. Could you please amend your conservation zone accordingly? I have attached a copy of Penrith Council's flood map for my property and shows flood extents of adjoining properties as well.

In any case, I would like the Department to reconsider the area required for conservation zone for my property as about [REDACTED] square metres of the proposed conservation zone is affected by the absorption trenches and contaminated water. Therefore, I request that this area be taken off the

proposed conservation zone on my property and remain part of my main property holding.

Should you require further information or wish to discuss please call me on [REDACTED]

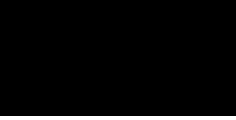
Yours faithfully,

[REDACTED]

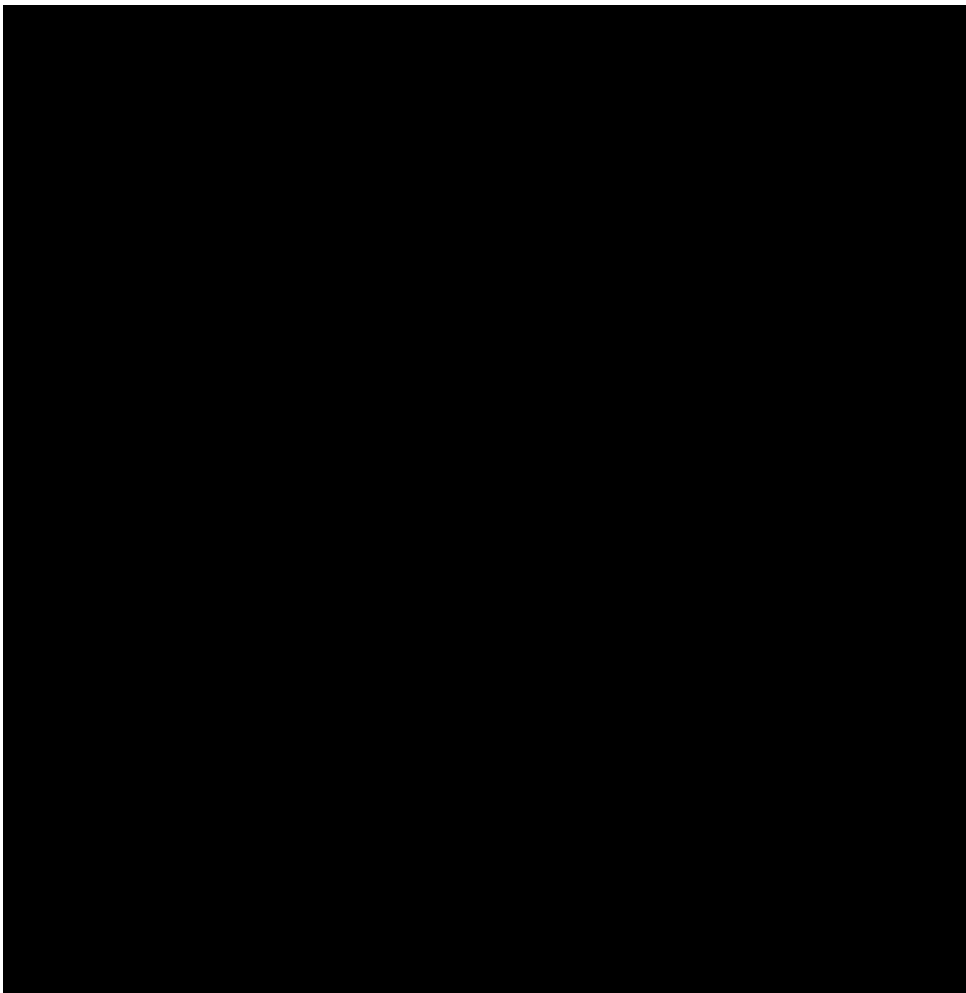
[REDACTED]



Yours sincerely ,



**Elizabeth Irwin**  
Director Conservation and Sustainability  
Green and Resilient Places Division  
Department of Planning, Industry and Environment



**Property Map**



2017

# Biodiversity Values Map and Threshold Tool

Layers

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Filter

Lot

Biodiversity Values

Biodiversity Values

Biodiversity Values (added in the last 90 days)

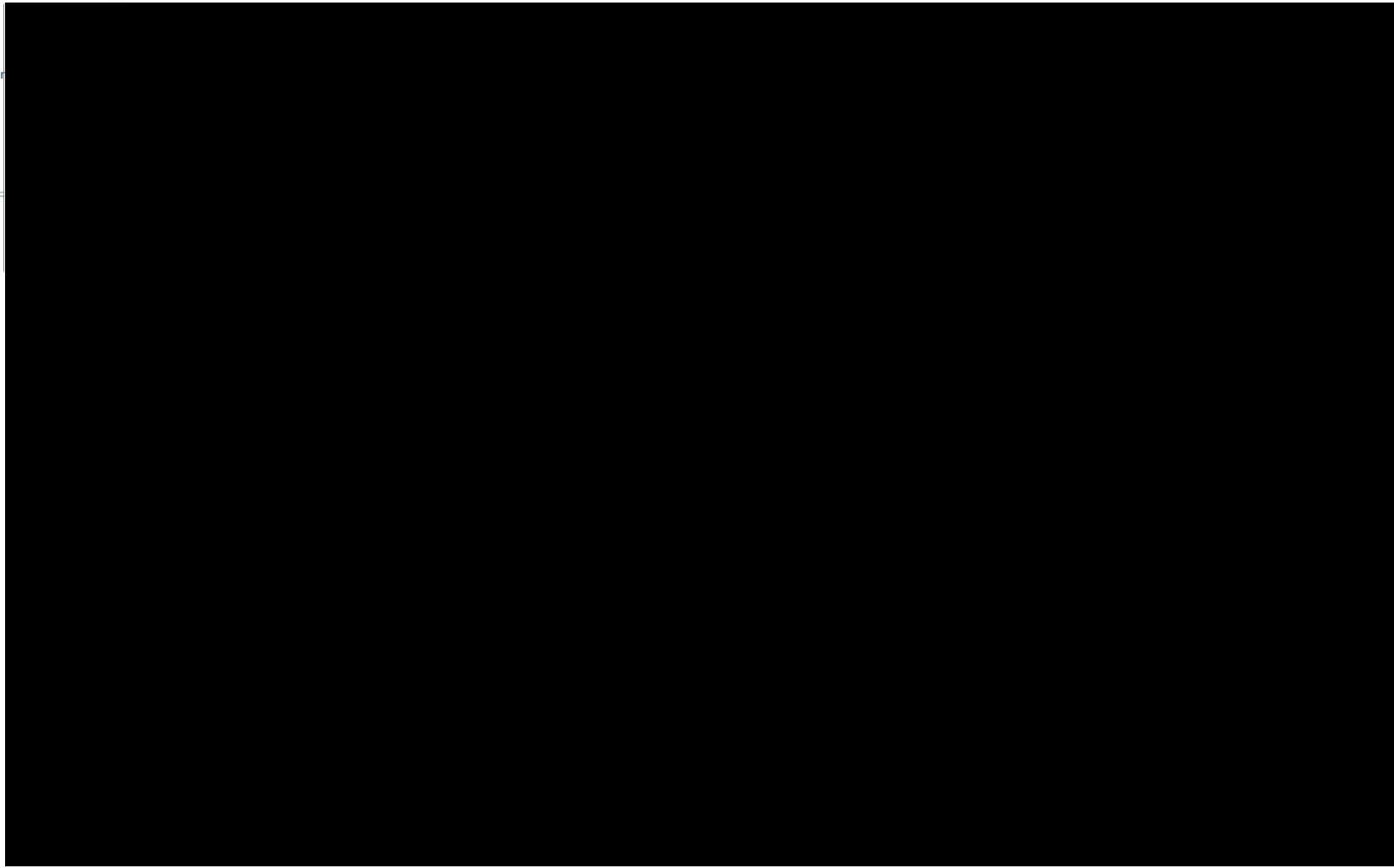
Minimum LotSize

Local Government Area

DPEBasemap

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# PENRITH CITY COUNCIL

## Orchard Hills - Flood Planning Area (1 In 100 Overland Flow Flood + O.Sm) Map

