

03/10/2020

Elizabeth Irwin

Director Conservation & Sustainability

Green & Resilient Places Division

Re: [REDACTED] Wilton - [REDACTED] [REDACTED]

Dear Elizabeth,

We object to the Draft Cumberland Plain Conservation proposal as it applies to our land for the following reasons:

1. We commissioned and have received a site specific BAM study on our property. A total of 40 hours was spent by the consultant on our [REDACTED] hectare property by comparison Planning NSW has not been on the property and instead is attempting to apply old mapping and non like for like comparisons, which do not show the existing condition and vegetation on the property. It is obvious that Planning NSW has not ground truthed its mapping and the decision to apply a blanket E2 zoning. The repeated failure of Planning NSW to apply thorough land assessment planning regimens has produced too many inconsistencies to relate in this letter. We repeatedly extended invitations to Planning NSW to inspect our property and had you done so your findings could only have reflected those of our BAM.
2. On our property Planning NSW have drawn a line showing proposed urban capable land and proposed E2 land which bisects paddocks, there is absolutely no difference in vegetation on either side of that line, how can that be? This is just one example of an assumption made from taking samples from nearby properties and imposing those results elsewhere and using maps showing shadows of tree canopies to be actual vegetation.
3. This proposed division of urban capable land and E2 land is inconsistently drawn around some infrastructure but not around other approved infrastructures. This indicates that the line is being hand scribed where someone thinks it should be and not taking into account the actual on ground situation. These anomalies can only be addressed by ground truthing the site.
4. Of great concern to us is that Planning NSW's proposed E2 Zoning will not allow us to maintain the 70 - 100m asset protection zones that we have developed for bushfire protection and this places our lives, the lives of our guests and staff, our livestock and our infrastructure in peril.
5. On our property Planning NSW has included 4 hectares of Council approved sheds/dwellings, grazing paddocks, foaling yards, shedding, fire fighting infrastructure, equine sporting facilities, round yards, horse arenas, stables, other fixed equine training equipment and a 33m wide 64 kv power line easement. These structures have been in place for 20 years which is in constant use. It is implausible that this area has or will have any conservation value that warrants an E2 zoning.
6. The power easement has a zero vegetation corridor of 20m either side of its 33m width. As such three hectares of proposed E2 associated with the power line will never be allowed to revegetate above grass/forb level. It is not and never will be E2. Zoning it E2 is incompatible with its current and future use which is a further example of the inadequacy of desk top mapping without ground truthing.

7. Our property is 16 hectares in size and prior to our ownership had been used as a cattle property for over 150 plus year and during the 20 years of our ownership it has been used as a horse agistment property and is currently a licenced Bed & Breakfast facility. We have little issue with the forested sections of our land (approximately 8 hectares) being considered for E2 but are firmly of the opinion that E3 or E4 is a far more realistic and compatible zoning.

8. The power line mentioned earlier splits the property in approximately half. Most of our infrastructure and activity has been carried out on the northern side of the powerline up to the street [REDACTED] area, this has resulted in any very poor pasture and environmental value being present. Most of this area is proposed E2 zoning, has more infrastructure on it and the area is more degraded than other parts of our property that has been proposed Urban Capable.

9. The reason we had our own BAM study done was to investigate the possibility of putting part of our property into a Biodiversity Stewardship arrangement, we had already started this process when we discovered the Planning NSW was undertaking a study over the Wilton area not already assessed privately by the larger developers. We had been in talks with the trust and because we back onto the Nepean River Gorge and the fact that our neighbour is also interested in putting part of her property under stewardship the Trust felt the area involved (approx. 8 ha's each 16 ha's in total) could be a viable proposition.

10. If we are able to put the part of our property indicated by our consultant in her report under Stewardship it will be a much better outcome. We understand you can put E2 land under stewardship but if our land is rezoned E2 as per the draft proposal there will not be the same incentive for us to pursue the stewardship proposal further. That means with existing use rights we can still use our property in the same manner which will not assist with the aim of an E2 zone. If the proposed E2 zone were to basically follow our consultant's report we will be able to continue our usage of our property on the urban capable area and then maintain and improve the area of land under E2 and proposed the Stewardship.

11. We have a solution that will provide a much better environmental outcome than the unsupportable option will have been presented by Planning NSW.

12. We have attached a plan from our consultant's report together with a copy of the plan sent to us by the Department, this shows a substantial difference and I believe the inaccuracies in the Department's plan. I have also attached a map showing Infrastructure Asset Protection Zones. There is also a video of our property showing some of the inconsistencies in the draft proposal.

Please view the following –

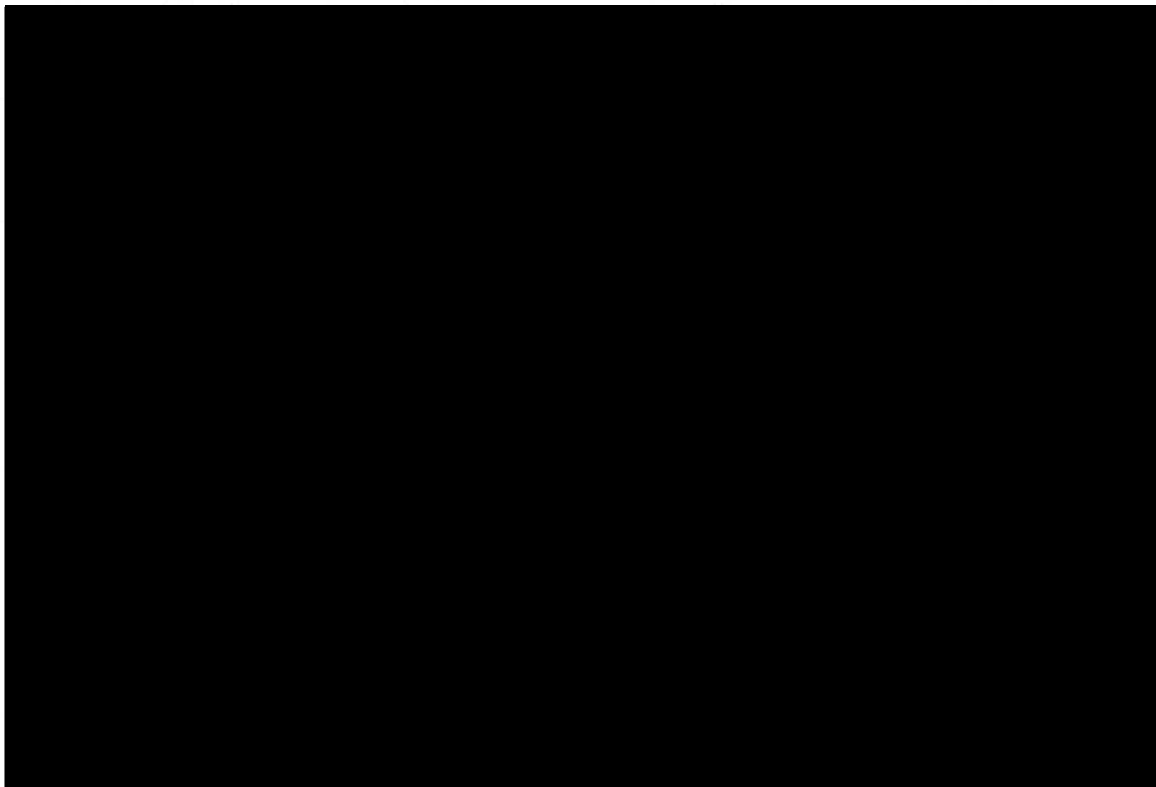
[VIDEO ONE](#)

[VIDEO TWO](#)

[VIDEO THREE](#)

▼ Figure 8 Ecological Constraints Mapping:

The modified cleared community occurs on grassland and on hard compacted areas and covers approximately 7 ha of the subject site. It is indicated in yellow and is mapped as a Low Ecological Constraints area. The Moderate Ecological Constraints area covers approximately 5 ha of the subject site and is comprised of degraded SSTF canopy with little understorey or ground cover. High Ecological Constraints comprises an area of approximately 4 ha and covers remnant and regrowth areas of SSTF and the riparian buffer on the south eastern section of the site.



Legend

-  Low Ecological Constraints-Cleared Grassland with Scattered Trees
-  Moderate Ecological Constraints-Degraded SSTF (predominantly canopy only)
-  High Ecological Constraints- SSTF and riparian

