



Nathaniel Smith MP
Member for Wollondilly



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To whom it may concern,

I write to provide comment on the Draft Cumberland Plain Conservation Plan (the “Draft”).

The Sydney Cumberland Plain extends into my electorate and the Draft recommendations will have a significant impact on many residents, in particular those living near Wilton.

Since March 2019, I have had the privilege of representing the electoral district of Wollondilly in the NSW Parliament which covers 3,327.48 square kilometres. It ranges from Burradoo in the south, Warragamba in the north, Appin in the east and the Nattai wilderness and Burragorang Valley in the west. There are 52 towns and villages, and each has its own unique character and charm.

Since the release of the Draft in August 2020, my Tahmoor office has received a tsunami of correspondence from affected landowners and residents. Some have expressed that the process has left them “shattered”, “terrorized” and “traumatised”.

The common theme throughout the correspondence is that my electorate feels blindsided by a process that has lacked transparency and community consultation. For most landowners, the first they learned their property may be subject to rezoning was when they received a letter in the post from the Department of Planning. This was after the release of the Draft.

The lack of consultation becomes even more egregious when it is discovered that the rezoning in many instances will result in properties becoming virtually worthless. Many residents have invested many decades managing and caring for

their land. The suddenness of the change in rezoning has rightly been poorly received by those directly affected and the wider community.

In addition, the Draft recommendations are inconsistent with the Wilton2040 Plan which was published by the Department a mere 2 years ago. For example, a belt of properties earmarked for E2 zoning are clearly shown in the Wilton2040 Plan as part of the rural residential area. For the Department to disregard their own Plan within just 2 years undermines confidence that the future Cumberland Plains Plan can be relied upon for any significant period of time.

If a Draft is to have the support of all stakeholders, it must engage more with the landowners directly affected by any proposed changes. This must involve site visits and face to face consultations seeking landowner views. It must not be a process of decision making by satellite imagery.

I have repeatedly expressed a vision for Wollondilly as a place that retains its rural character but which embraces a balanced built environment which reflects its natural landscape. I, like most residents in my electorate, understand the increasing population burdens on Sydney and the greater need for land to be opened up for new residential dwellings. I also have empathy for the need to protect our natural environment and to provide havens for flora and fauna to prosper. I also acknowledge that striking a balance is difficult.

The intent of the Draft should be to manage these competing objectives. However, in its zeal to offset the urban growth impacts on biodiversity, the Draft appears to take a strategic approach that benefits the major landholders because they have cleared the most land in recent decades. The smaller landholders, my constituents, who have had little impact on the biodiversity of the region have had their property rights curtailed.

The Department may argue that the affected landholders will be compensated. But these landholders can never be meaningfully compensated for the lost opportunity resulting from their homes becoming locked up. Nor will it compare

to the hundreds of millions to be made by the large developers from the windfall of not having to surrender any of their land to achieve the biodiversity targets.

The simple picture that my community sees from this strategy is that those that have chosen my electorate to live and raise a family on a small rural property are wearing the environmental and financial burden of a planning strategy to provide biodiversity offsets for major development players.

If this is to be a truly strategic approach, then the Department should select the best located biodiversity corridors to offset any future development. This should also include the larger development sites. These sites are better placed to balance their own outcomes. And surely this is a more equitable approach? Why should the families with small landholdings essentially subsidise and add to the profit margin of the large developers?

The last 18 months have been extraordinary. My electorate has seen off drought, bushfires and, most recently, COVID-19. The Christmas bushfires were most humbling. I got to see the best of the community spirit bare out. It also opened my eyes to the disasters that await communities when governments don't plan and manage land use effectively. The communities of Balmoral, Buxton and Bargo, were devastated by fire with the loss of homes and life. Whilst there were many contributing factors it cannot be denied that a failure to manage fuel loads and a decision to construct homes close to E1 zoned areas significantly exacerbated a regular natural event.

Since the Christmas Bushfires, I have consistently stated that we must focus on what we can control: that is, reducing fuel on the ground and creating protection zones around villages and towns. The Draft, however, clearly ignores this necessity. Instead, it creates urbanised enclaves surrounded by properties that are proposed to be rezoned as locked up E2 bushland. Not only would this prevent those rezoned owners controlling vegetation fuel loads to mitigate bushfire damage to their own properties, as they have prudently done for decades, but it exposes nearby R2 properties, which in some cases are just metres away, to a calamitous future disaster.

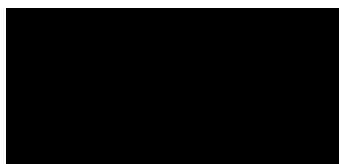
It ought to be apparent to even a recent planning graduate, that the creation of an E2 belt so close to R2 properties is very poor planning. It will not only put property at regular risk from bushfires, but also life.

There are compelling reasons for retaining the existing RU2 zoning of properties. From what I have observed, the existing landowners are already achieving many of the environmental objectives of the Department. It would, therefore, be unnecessary to impose the more restrictive E2 classification. Furthermore, the retention of RU2 preserves the rural character of the region whilst also providing the R2 areas with some protection from regular and naturally occurring bushfires.

The biodiversity dividends achieved on the smaller fragmented lots wrongly earmarked for E2 should be viewed by the Department as an environmental bonus. Moreover, the large property developers that have evidently cleared too much land in recent decades should be made to set aside part of their landholding to meet the biodiversity targets before they build more towns.

From a process perspective, maintaining consistency between the Wilton2040 Plan and the Cumberland Plain Conservation Plan would restore confidence in the decision-making processes of the Department. Existing and future property owners would also have greater certainty in investing in their own futures in the region.

Yours sincerely,



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State member for Wollondilly