

8 October 2020

Anthony Krilich

[REDACTED]
LUDDENHAM NSW 2745

Director

Department of Planning, Industry and Environment, Green and Resilient Places Division

Locked Bag 5022

Parramatta NSW 2124

DRAFT CUMBERLAND PLAIN CONSERVATION PLAN

Dear Director,

Please find my submission concerning the documents for public comment for the draft Cumberland Plan Conservation Plan, specifically for our property at:

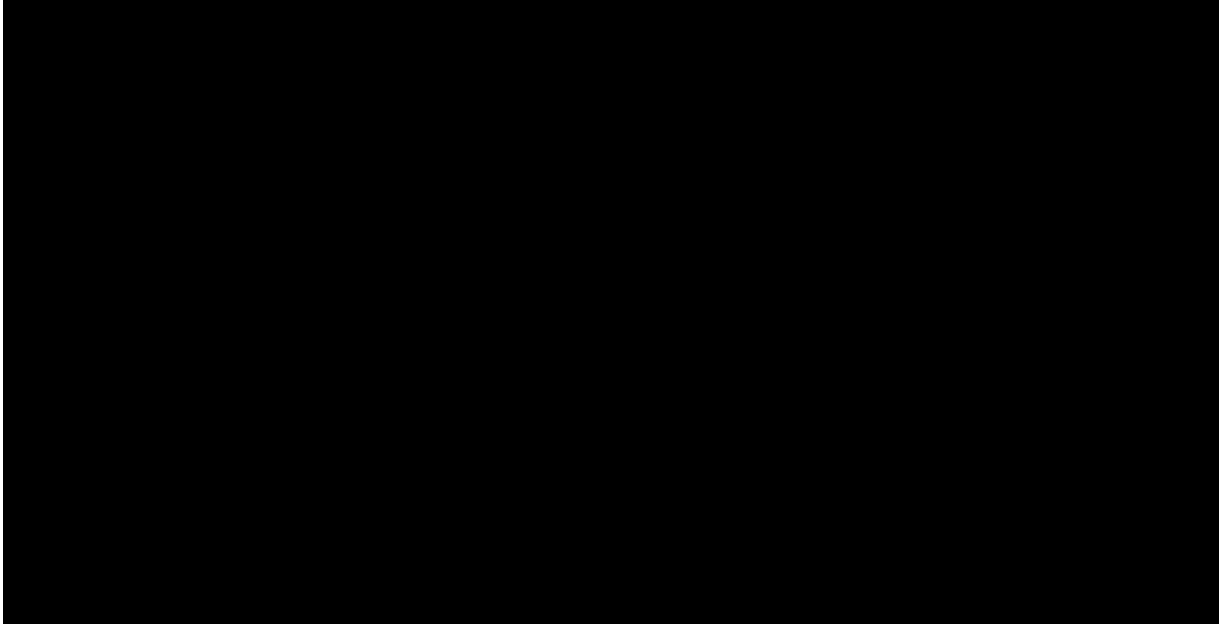
- Lot [REDACTED] Luddenham

The main concerns I have with the draft CPCP are as follows.

It is to be noted, however, in making this submission that "*Rowan*" from the Department made contact with me twice on the 7 October 2020 to clarify and explain some of these matters of concern (which I appreciated).

Proposed E2 zoning over ENZ Environment & Recreation Zoned land

My main concern was how the draft CPCP proposed to re-zone part of our land that is now zoned ENZ – Environment & Recreation. In using the Plan Viewer, the following details are shown for our lot of land:



The Plan Viewer shows that the intended effect is that the area on the land is a 'proposed Environmental Conservation zoning' over part of our land, where a dam / tributary is present.

The Plan Viewer and FAQ sheets state the following:

This spatial viewer allows you to see the following information including:

- *the urban capable land (to be certified) and other land categories including excluded, avoided and strategically assessed transport corridors*
- *planning controls, such as environmental conservation (E2) zoning*
- *vegetation mapping across the Plan Area*
- *important koala habitat*

The FAQ sheet states that:

'The Plan Viewer identifies land that the department proposes to zone for environmental conservation (E2) under the proposed SEPP'.

My call to the Department was to question which zoning would apply for our land, and which SEPP would take precedence over which?

The main concern was that after more than 2-3 years of working out the ENZ zone in the Aerotropolis SEPP, and our land being part zoned ENZ as of the 1 October 2020, why was the Department seeking to change the zoning now to an E2 zone?

Rowan explained that this would **not occur**, and that the land zoned under the Aerotropolis SEPP in the initial precincts (such as the Agribusiness Precinct) and the permissible land uses this zoning entails would apply; **not** the E2 zone.

I am satisfied with his explanation, but I want to state this clearly in writing and I think the Department should confirm this in writing.

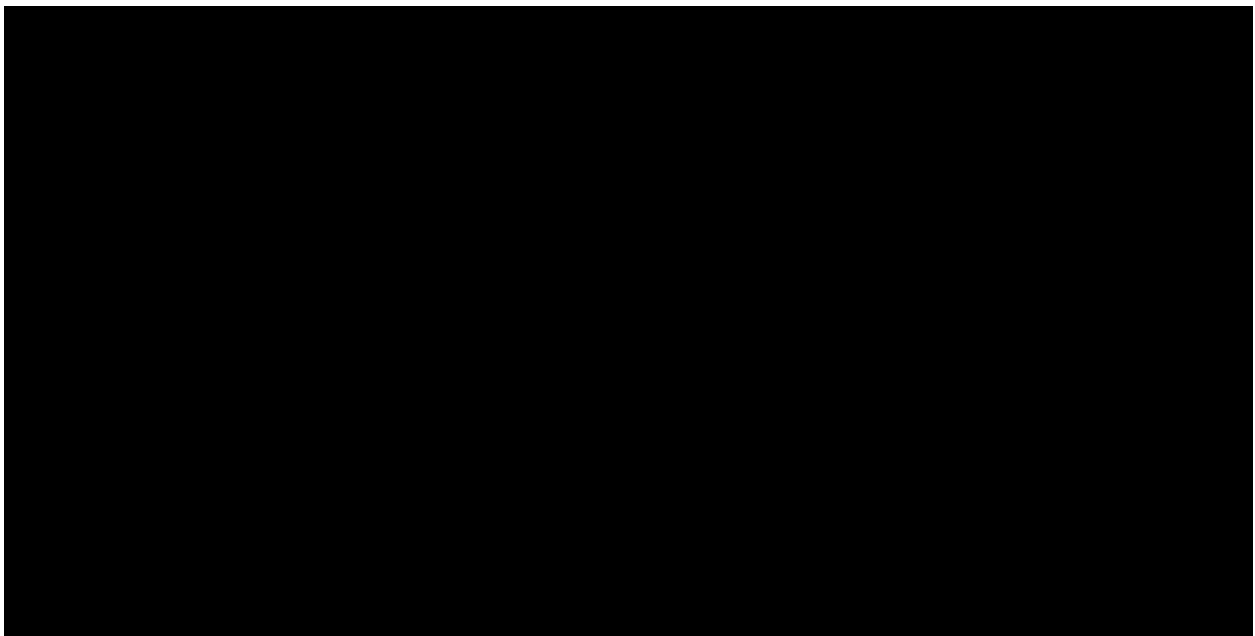
I would and other landholders within my area (such as members of the Luddenham Landholders Consortium, which we are part of) would **totally object** if the zoning was changed from ENZ Environment & Recreation to E2 Environment Conservation.

I believe that this particular matter is also very misleading, and the draft CPCP should not have been exhibited this way. Discussions with many landowners has highlighted this ambiguity, and how the CPCP SEPP applies vis-à-vis the Aerotropolis SEPP zoning.

Overhead transmission line easement areas – Excluded land

Part of our land has an easement for ‘overhead’ power lines. I believe that the Department should take a view that this area can potentially be developed as part of future precinct planning under the Structure Plan, and that such easements could be altered on future. This is particularly highlighted as the nature of this easement is ‘overhead’, with development at ground level still potentially possible. The land characteristics at the ground level are the same as the surrounding ‘certified-urban capable’ land.

I therefore think that this part of the land should be changed to ‘certified-urban capable’ land.



The current planning portal extract for our land is also attached at the end of this letter.

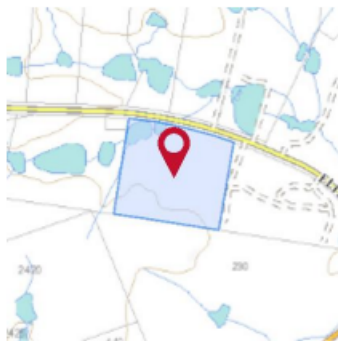
Regards

Anthony Krilich



Property Report

LUDDENHAM 2745



Property Details

Address: [REDACTED] LUDDENHAM
2745
Lot/Section /Plan No: [REDACTED]
Council: LIVERPOOL CITY COUNCIL

Summary of planning controls

Planning controls held within the Planning Database are summarised below. The property may be affected by additional planning controls not outlined in this report. Please contact your council for more information.

Local Environmental Plans
Land Zoning

Liverpool Local Environmental Plan 2008 (pub. 24-10-2014)
AGB - Agribusiness: (pub. 11-9-2020)
ENZ - Environment and Recreation: (pub. 11-9-2020)