

## SUBMISSION : DRAFT CUMBERLAND PLAINS PLAN

PROPOSED E2 BOUNDARY /ZONING – [REDACTED] BRINGELLY, NSW 2556

BASES OF SUBMISSION : - REVIEW OF PROPOSED E2 BOUNDARY –  
[REDACTED]

### Context and Background to Submission

- We [REDACTED] are the current landowners of [REDACTED] Bringelly, NSW 2556
- We purchased the property in December 2010
- At the time of purchase the section 149 Certificate (Environment and Assessment Act 1979) clearly stated that our property is not environmentally affected by “tidal inundation nor flooding”.
- Recent (September 2020) purchase of a current planning certificate under section 10.7 of the Environment Planning and Assessment Act 1979 confirms that the property is not environmentally affected by tidal inundation nor flooding.
- We have not received the letter from the Department ( as received by our neighbours) that our property was affected by a proposed E2 zone. If it wasn't for the people in our community we would still be in the dark about the departments intentions for the Proposed E2 Zoning.

As landowners there has been no indication that our land was affected by riparian corridors as there are no signs of river, stream banks or saturated soils. All of which are indicative traits of riparian corridors. The notion of an E2 zone is totally unexpected.

We have been here for the past 10 Years and have been through several severe storms, in which we have had large amounts of rain. We have never experienced any flooding of any kind, while we have lived here. Our next door neighbour ( No 16) has been there for 30 years and she also stated that she has never seen any flooding on our property during this time.

The only water that comes into our property, is from our neighbours dam (No:20), which when full overflows into our Dam (No:18).

We feel that our property shouldn't be affected by the 2<sup>nd</sup> Order Strahler waterway as shown in Figure 3 on the Northrop Report due to the fact that this is just dam to dam flow, there is no creek or waterway involved in this. All the dams on the neighbouring properties are man made. There is no natural flow of water entering our property, if the dams were to be removed from the property's, there would be no water entering our property.

No [REDACTED] has had the land changed over the years by the previous owners, filling the land and putting in dams, which has then in turn changed the waterflow and allowed the water to run into our dam.

- it is noted that no Department officers accessed our property to assess the land for riparian corridors. We can only deduce that the proposed E2 zonings based on boundaries to protect the stated Level 2 Strahler waterways has been determined from aerial maps only. Given the effects of these boundaries on the future development and utilization of the land, a more thorough analysis is warranted.
- To support our observations, we employed the services of Mal Brown, an independent consultant with riparian management expertise, from Northrop Consulting Engineers.

**Report from Northrop Consulting**

- Attached ( Appendix A) is the report from Northrop Consulting that was prepared and deduced from their aerial analysis and a thorough field inspection.
- The field inspection occurred on the 19th September 2020 which confirmed no active stream processes, with a recommendation that the mapped waterway could be extinguished and removed from the proposed zoning with no loss of waterway values.

We wish to have this report to be included as a part of our official submission to the Draft Cumberland Plain Planning Partnership.

**Outcome being sought**

1. We request due consideration of the attached report along with an on the ground analysis of the property.
2. We seek to have the mapped waterway removed from the proposed zoning of our property  
[REDACTED] BRINGELLY, NSW 2556

I look forward to hearing a response from a member of your team in regards to this matter.

Kind regards,

[REDACTED]

[REDACTED]

[REDACTED]

# APPENDIX A – REPORT FROM NORTHROP

Street

Level 11, 345 George

Sydney NSW 2000

02 9241 4188

sydney@northrop.com.au

ABN 81 094 433 100

30 September 2020

Helen Anderson

██████████  
Bringelly NSW 2556

Dear Helen,

**Re: Draft Cumberland Plain Conservation Plan**  
Riparian Assessment at ██████████ Bringelly

It is my understanding that on behalf of you and your neighbours, you wish to make a submission to the NSW DPIE in relation to the draft Plan which is currently on exhibition.

## Background and context

I am an independent consultant with expertise in riparian management matters. This formed part of my experience when working for NSW Dept of Land & Water Conservation (Ecological Services Unit) in the 1990s, and subsequently as an engineering, water and environment consultant.

You are the Chair of a Committee of landowners in the ██████████ precinct and referred to as the Southern Gateway Precinct in the suburb of Badgerys Creek. The Committee represents 250 landowners in the boundary of the Southern Gateway Precinct – Aerotropolis. This Committee facilitates communications with Government and potential investors.

You advised me that the *Draft Cumberland Plain Conservation Plan* had been released for public exhibition, identifying proposed E2 zoning in the current R5 (large residential lot) section of the precinct. You advised that 62 properties are affected by the proposed E2 zoning, with 45 linked to 2<sup>nd</sup> Order Strahler mapped waterways. You also stated that Environmentally Significant lands had been mapped.

You asked if I would consider the implications of the 2<sup>nd</sup> Order Strahler riparian zones to determine if I would prepare a submission on behalf of the Committee.

In response, I conducted a high-level desktop assessment to assess the mapped 2<sup>nd</sup> Order Strahler waterways. I concluded that in relation to the precise definition of 2<sup>nd</sup> Order Strahler waterways, that the mapping was accurate, with 20m riparian zones designated either side of the waterways, as per the NSW Guidelines. I then conducted a desk-top assessment of each of the mapped 2<sup>nd</sup> Order waterways using aerial photography. I was able to identify several of the mapped waterways that warranted further exploration. Specifically, I identified that several of the mapped waterways demonstrated no evidence of stream processes or values. I also determined that in two cases there were two parallel waterways in close proximity. The mark-up I provided to you is as shown in Figure 1. I advised you that there may be a case for a submission on the affected properties, and that I would need to conduct field investigations to confirm my findings.

After informing you of my findings, individual affected landowners in the precinct were advised to make contact with me. Any submissions would be on behalf of affected landowners, as opposed to the entire Committee.

I conducted field investigations on Saturday 19<sup>th</sup> September 2020. This was a fine day with no preceding rainfall.

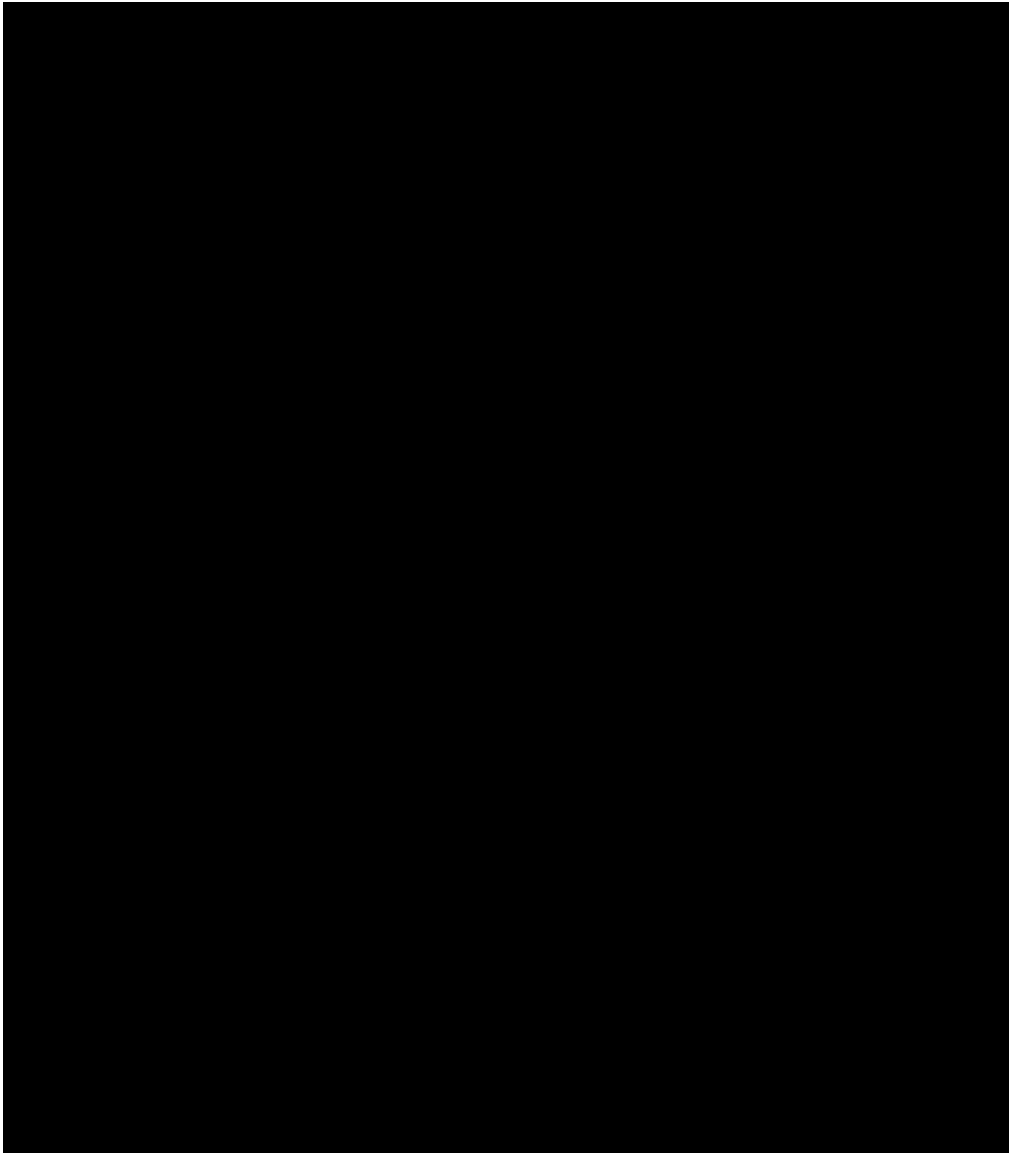


Figure 1: Marked up 2<sup>nd</sup> Order Strahler waterways map showing areas for potential ground truthing

**Findings at** [REDACTED]

On behalf of you and your neighbours in [REDACTED], you have instructed me to provide advice in relation to your situation, shown in Figure 2.

Figure 2: [REDACTED]

The 2<sup>nd</sup> Order Strahler waterway is shown as a blue line in Figure 3. The red line is Badgerys Creek, a 3<sup>rd</sup> Order Strahler waterway.

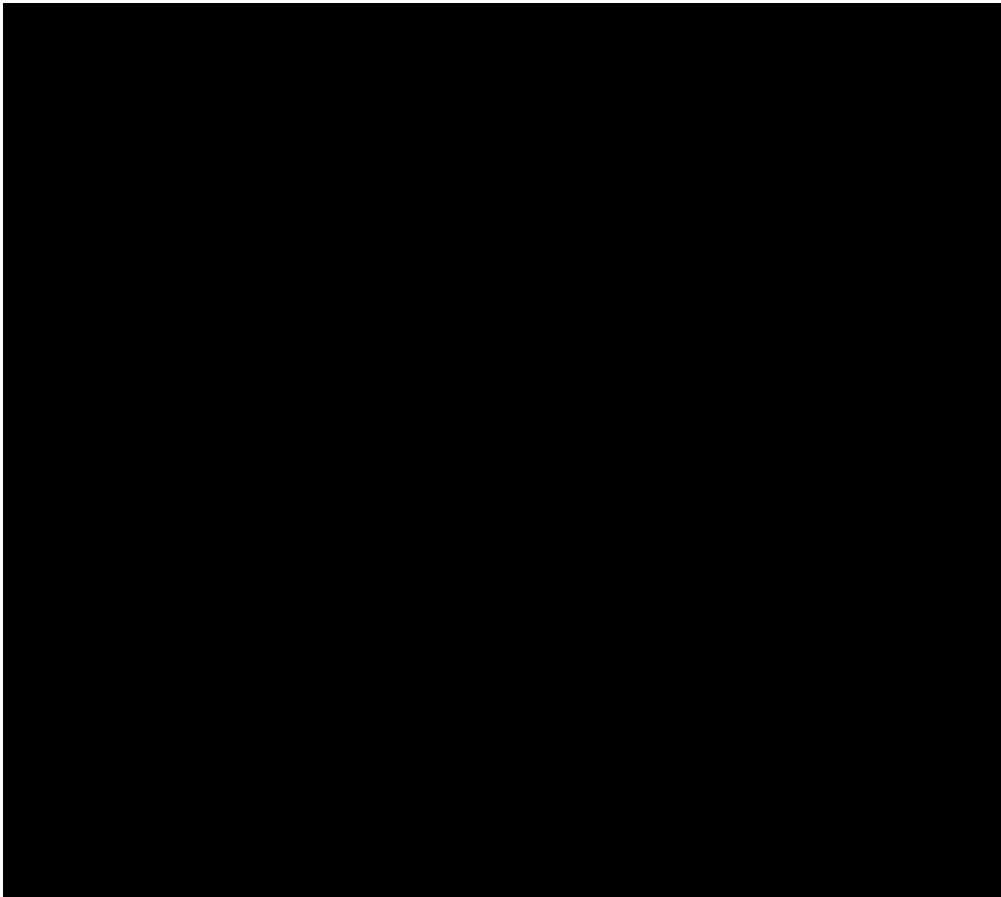
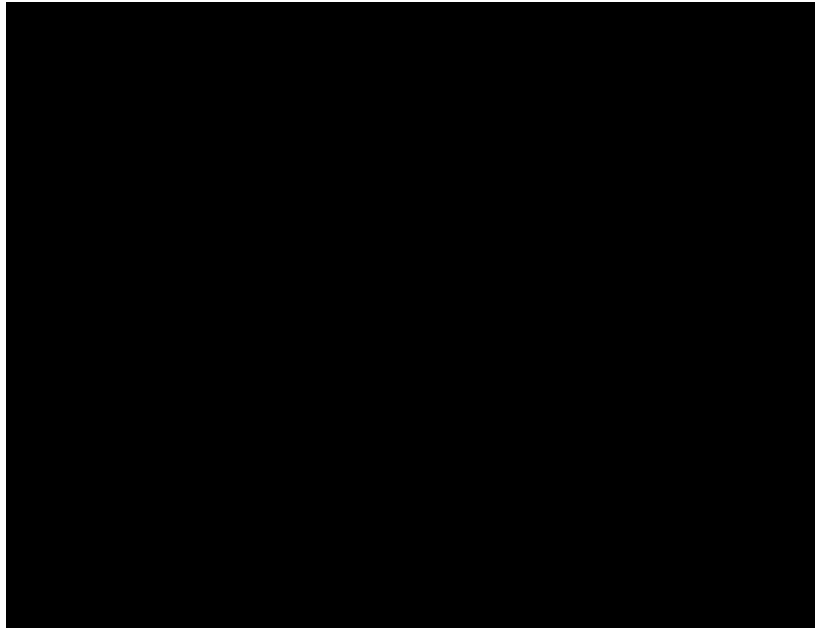
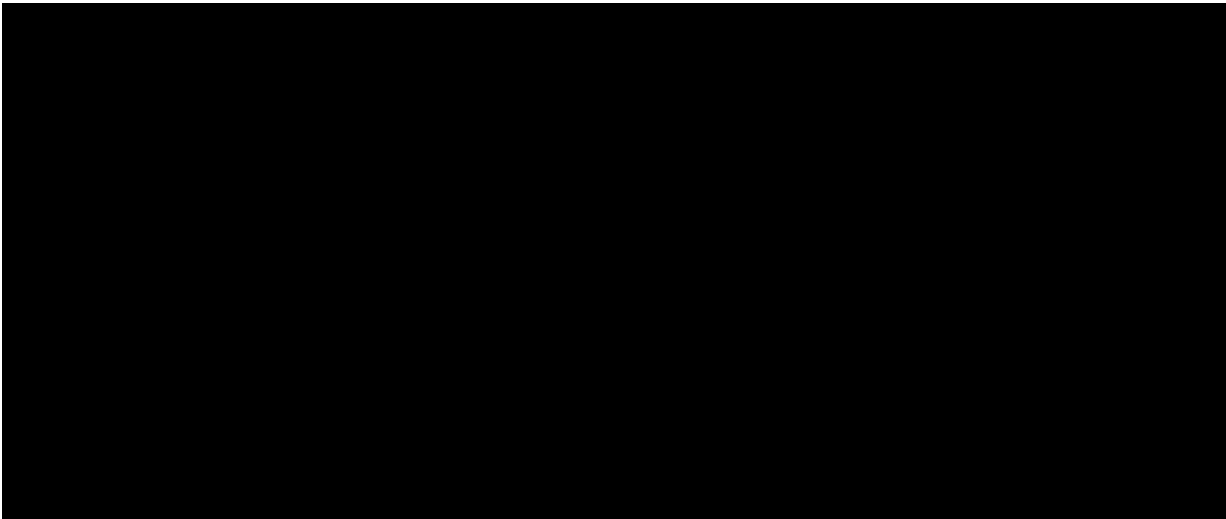


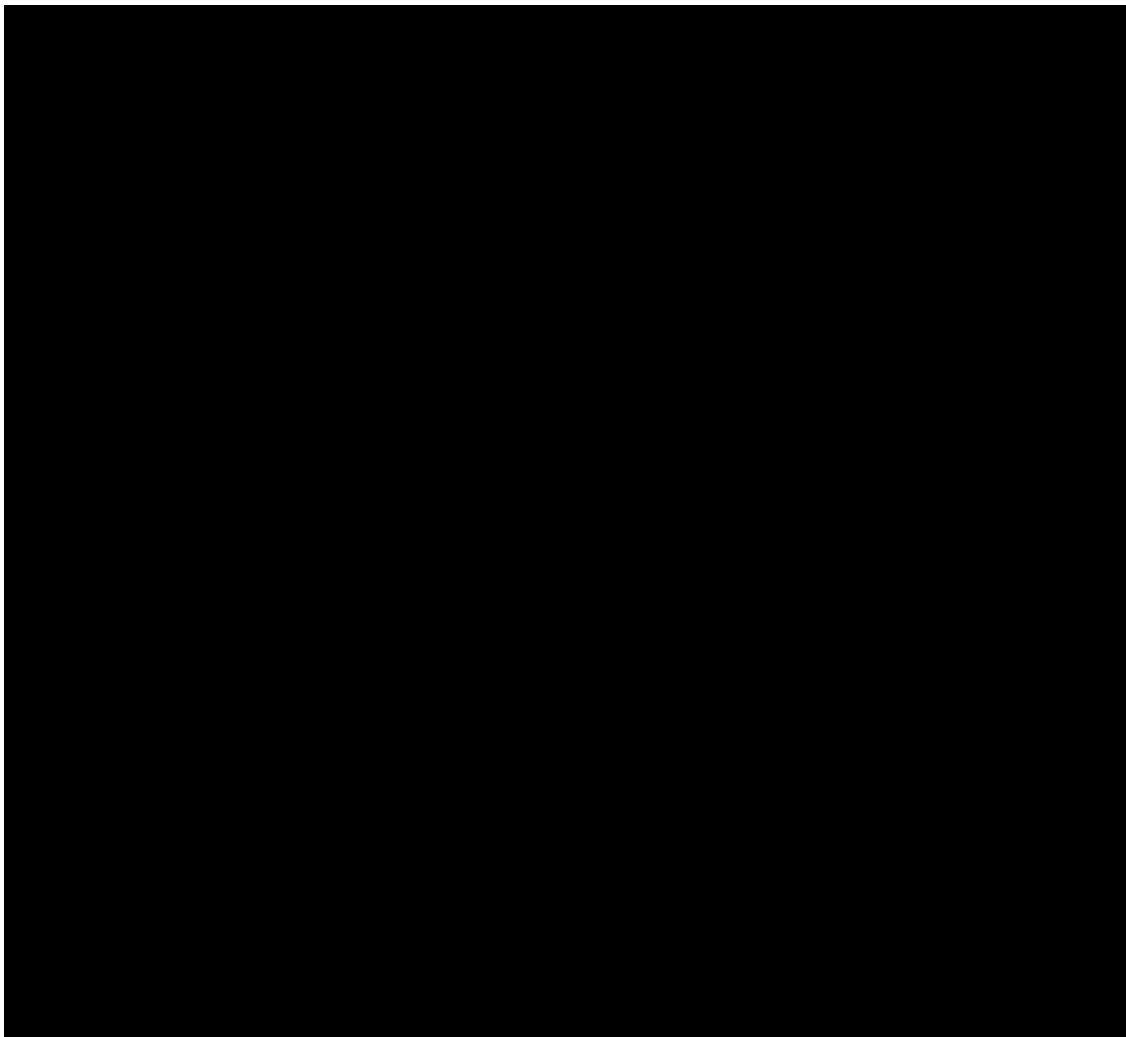
Figure 3: Strahler waterways in the vicinity of [REDACTED]

The 2<sup>nd</sup> Order Strahler waterway flows parallel to Badgerys Creek, coming within 20m of its channel at its closest point. I inspected these waterways with you (at No. 24) and Stuart and Tracey (at No 18). The 2<sup>nd</sup> Order Strahler waterway has been heavily modified where I inspected it (Figures 4 and 5).



There is no evidence of stream processes occurring on the 2<sup>nd</sup> Order Strahler waterway. However, it is not possible to recommend extinguishing this waterway from the zoning due to the fact that it conveys the flow of four 1<sup>st</sup> Order waterways. Flow from the 1<sup>st</sup> Order waterways would need to be provided with a flow path to Badgerys Creek

Given the impact on your properties arising from the proposed zoning, there is merit in consolidating the flow from these 1<sup>st</sup> Order Strahler waterways into the riparian corridor of Badgerys Creek. This would require earthworks and possibly natural channel stabilisation works to connect the waterways, as shown in Figure 6.



Crosses indicate  
where 2<sup>nd</sup> Order  
waterway can be  
extinguished

**Figure 6: Consolidation of waterways at** 

The result of this would be to enable the 2<sup>nd</sup> Order Strahler waterway on your properties to be extinguished from the proposed zoning. This would optimise the developable land in the precinct while still preserving drainage processes in the landscape and waterway values on Badgerys Creek.

I authorise you and your neighbours to use this information as the basis of submissions to NSW DPIE.

Yours faithfully,



**Mal Brown**

Principal | Senior Engineer

Master of Natural Resources; Bachelor of Env'tl Sci (Hons)

On behalf of Northrop Consulting Engineers Pty Ltd