

## Sarah Ng

---

**From:** [REDACTED]  
**Sent:** Thursday, 22 October 2020 12:07 PM  
**To:** DPE PS Biodiversity Mailbox; mulgoa@parliament.nsw.gov.au  
**Subject:** [REDACTED] ORCHARD HILLS | Further submissions

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Sirs/Madam,

I provide further submissions below as to the unsuitability of the above property being zoned E2 below. These images are submitted in line with a request from Mr Hartley at the meeting on 19 October where it was suggested that images be provided to assist in the assessment of the site.

These submissions support and extend those made in the ecology report provided that there is little ecological value in zoning this land as E2.

The submissions are based on historical photographs of the land held by the NSW Government and can be viewed here.

<https://portal.spatial.nsw.gov.au/portal/apps/webappviewer/index.html?id=f7c215b873864d44bccdda8075238cb>

The historical photographs indicate that the land was clear felled from the 1940's. there was little vegetation on the property and supports the statement in the report that vegetation is actually regrowth and not virgin bush.

There are images that detail the extensive earthworks carried out in the area proposed to be zoned E2 that are incompatible with the claim that the area would have ecological value. These earthworks with the movement of significant volumes of earth to facilitate the creation of a motor cross track over most of the property and in particular in and around the man made dam which is at the centre of the area proposed to be zoned E2. Significant earthworks are visible on the dam banks with the build up of approximately 2-3 m high earth banks to facilitate the track. In support of this are the images from around 2005/5 they clearly show the extent of the race track and the impact of the track on the vegetation.

Further the images since the 1940's illustrate that there is no creek on the property but are confirmatory of the fact stated in the ecological report that the land experiences overland flow without bed and banks. In fact there are no "bed and banks" until you get to within close proximity to the Northern Road. The dam west of the property is also artificial and was part of the DA submitted to build the house in the property behind us as the excavated earth from the dam was used with council permission as the fill to level the earth pad for the construction of the neighbours house. There can be no suggestion that there is any form of natural riparian corridor in this area.

In conclusion the images available in the spatial portal confirm that any compliance with any legislated test that the land has any ecological value would not be capable of being sustained in the appropriate forum. For these reasons we respectfully suggest that the proposed E2 zoning is inappropriate for any part of the land situated at 35 Cross road Orchard Hills. Further if there was ecological value in terms of biodiversity value then the vegetation to the south and west of the land should have been included in the zoning to maintain connectivity. As stated by Mr Hartley at the meeting in St Mary's on the 19 October biodiversity does not follow property boundaries. However in our case only the vegetation within our boundary has been nominated and again this is incongruous with the legislated tests as to what constitutes vegetation that has value in terms of biodiversity. Again the historical use of the area renders the nominated vegetation of little value and as is nor does the area lend itself to any form of remediation, which in our properties case would probably require significant earthworks to return the property to a natural state in terms of removing the imported soil from the other parts of the property used for the motor cross tracks.

Please consider the above submission in conjunction with our previous submission and contact us before any decision affecting our property is made.

Regards

[REDACTED]

**Sarah Ng**

---

**From:** [REDACTED]  
**Sent:** Monday, 2 November 2020 1:25 PM  
**To:** DPE PS Biodiversity Mailbox; ElectorateOffice Mulgoa;  
mulgoa@parliament.nsw.gov.au  
**Subject:** [REDACTED] Orchard Hills

 [\\_20201101\\_122112.jpg](#) 

Dear All,

Further to the other two submissions we wish to provide the following photos of the area that is alleged to be a creek taken over the last week during the rain event. Please note that I mowed this area yesterday in between down pours to show that there is no such thing as a creek in the area at all. The photos support the submission that it is overland groundwater that flows through the area it is not a creek.



