



15<sup>th</sup> August 2012

Strategies and Land Release  
Department of Planning and Infrastructure  
GPO Box 39  
SYDNEY NSW 2001

***Re: East Leppington Precinct Plan***

Dear Sir/Madam:

In the *Campbelltown, Camden and Appin Structure Plan 1973*, the proposed precinct was part of the area to be reserved as a protected green space known as the Central Hills Lands.<sup>1</sup> While we understand that this land was subsequently identified as part of the South West Growth Centre, the East Leppington Precinct Plan (Precinct Plan) goes too far in compromising the original objectives of the 1973 Plan and puts at risk what remains of the original Central Hills Lands, known locally as the Scenic Hills, an Environmental Protection Area much loved by residents of Sydney's South West.

**REVIEW OF ORIGINAL PRESERVATION OBJECTIVES**

The reserving of the Central Hills Lands as a protected green space was based on principles of **regional city design, conservation, and the unsuitability of the land for urban development**. The plan stated *"The instability of substantial parts of the Razorback Range and the Central Hills Lands [Scenic Hills] strengthens the case for conserving these areas. The land should remain in its present basically agricultural use and private ownership to ensure a skyline free from urban development."*<sup>2</sup>

These objectives remain as relevant today as they did in 1973, as follows:

**1. Regional city design**

The Central Hills Lands provide a backdrop to the City of Campbelltown, separating it from Liverpool and Camden. Campbelltown City Council has reaffirmed the Hills' role in its current planning, citing a draft Visual Study for its new consolidated Local Environment Plan, *"the landscapes of the Scenic Hills provide the setting for the City of Campbelltown and are what make it a truly unique example of a satellite city."*<sup>3</sup>

Much land designated for the purpose of separating the three Local Government Areas (LGAs) identified above has already been rezoned compromising the original plan. It is critical that what remains is preserved.

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<sup>1</sup> *The New Cities of Campbelltown, Camden, Appin Structure Plan*, State Planning Authority of New South Wales 1973.

<sup>2</sup> *Ibid*, p. 48.

<sup>3</sup> *Submission on the Environmental Assessment for Stage 3 of the Camden Gas Project*, Campbelltown City Council, p. 23.

## 2. Conservation of the Central Hills Lands:

There are at least four reasons to conserve the Central Hills Lands, whose significance should be recognised at state and/or national level for the layers of increasingly **rare and endangered heritage**:

- i. The Scenic Hills are central to a geographical area known as the Yandel’ora “land of peace between peoples”. This was a vast meeting area centred on Mount Annan but including the upper reaches of Bunbury Curran Creek, and the land to the west of Appin Road down to the banks of the Nepean River. At least once in a generation hundreds of thousands of aboriginal people from south eastern Australia gathered, leaving their weapons outside the area, to settle disputes in a peaceable manner, to clarify law and arrange marriages here. Tribes came from as far north as Maroochydore and as far south as Melbourne, but may also have included some from Central Australia and Tasmania. Its significance extends beyond the artefacts and landmarks found here, applying instead to the whole land area and its sense of place.<sup>4</sup> The Yandel’ora has been encroached on by Camden, Narellan, Campbelltown and its suburbs, with the South West Growth Centre encroaching further from the Camden and Liverpool sides. The national importance and symbolism of the Yandel’ora as a place of peace and meeting between people needs to be nationally recognised and preserved before it is too late. The Scenic Hills are an important remnant.
- ii. The South West of Sydney is the birthplace of the Pastoral Industry in NSW. It is historically famous as the Cow Pastures area<sup>5</sup> and the properties located here were romanticised by early 20<sup>th</sup> century architect Hardy Wilson in his now rare book “The Cow Pasture Road”, 1920<sup>6</sup>. This book became the inspiration for a series of tours of the same properties by NSW Historic Houses Trust (HHT) over the last four years.

In 2000, foreseeing the adverse impact that urbanisation (in particular the South West Growth Centre) could have on this historic area, the NSW Heritage Council commissioned the National Trust to conduct a study. In the ground-breaking report that emerged from this, *Colonial Landscapes of the Cumberland Plain and Camden, NSW*, authors Colleen Morris and Geoffrey Britton<sup>7</sup> wrote:

*“An overriding consideration for this entire study is that there remain within the Cumberland Plain and nearby areas, rural landscapes and landscape features of cultural value on account of their ability to demonstrate important aspects of early European occupation – gardens, vineyards, orchards, paddocks, fences, cemeteries, grant areas, windbreaks and accessways...These early colonial landscapes are, collectively of **exceptional significance** [our emphasis] for their ability to demonstrate the interaction of the early European settlers with the Australian landscape...”*

One of the key recommendations of the report was to adopt “a special category of zoning within the environmental planning framework – such as Environmental Protection Zone 7 –

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<sup>4</sup> Royal Botanic Gardens website: [www.rbgsyd.nsw.gov/annan/the\\_garden/indigenous](http://www.rbgsyd.nsw.gov/annan/the_garden/indigenous)

<sup>5</sup> The Cow Pastures takes its name from an incident occurring within the first years of the colony. In 1788, Captain Arthur Phillip had brought with him on the HMS Sirius, a herd of cattle (two bulls and seven cows). Disastrously, these cattle strayed within five months and despite an extensive search were not found until seven years later, grazing contentedly on open pasture near the Nepean River and now numbering sixty one. As it was presumed that the cattle had understood how to choose the best pasture for themselves, they were left to graze there and were protected by future governors. Not surprisingly, early colonists followed their example and set up their early pastoral holdings in the area. (Note: The specific detail of the above incident varies according to the source.)

<sup>6</sup> Hardy Wilson, *The Cow Pasture Road*, Art in Australia, Sydney, 1920.

<sup>7</sup> Colleen Morris and Geoffrey Britton, *Colonial Landscapes of the Cumberland Plain and Camden, NSW: A Survey of selected pre-1860 Cultural Landscapes from Wollondilly to Hawkesbury LGA*, National Trust, 2000, p. 4.

*especially for the conservation of important cultural landscapes as a whole and large landscape curtilages...”*

The implementation of this report has been less than satisfactory with many of the heritage landscapes lost to inappropriate development under the previous NSW government. What remains is a precious and increasingly rare reminder of our past. The Scenic Hills (Central Hills Lands) are one of the few remaining landscapes where the **context** of these properties remains relatively intact and where colonial views are retained from the important Cowpastures Road (now Camden Valley Way) and Campbelltown Road.

- iii. The Cumberland Plain Woodland in this area is now classified as *critically endangered* with some very old stands of trees identified as 19<sup>th</sup> century.<sup>8</sup> It has been much depleted by farming and urban development, a process that continues with new land releases in the South West Growth Centre despite its classification. The protection of what remains, especially the old stands across the Central Hills Lands, is critical and potentially a source of local variant regeneration.
- iv. The Scenic Hills (Central Hills Lands) is home to birdlife that have been an on-going feature of the Hills from early colonial times when bird-artist John Gould visited the famous explorer, Captain Charles Sturt, at his property Varro Ville in the Scenic Hills in 1838.<sup>9</sup> Local ornithologist Michael Paul has identified 77 species. Birds and other wildlife in the Scenic Hills will be greatly reduced with the further loss of habitat and may never recover.

### 3. Avoidance of instability

This seems to have been ignored in the approval of recent urban release areas and other developments, but the reasons for doing so do not appear to be justified by technological advances. We have had reports of drainage problems, cracking of housing, as well as land slip affecting industrial structures such as occurred with AGL Upstream Gas’s pipeline rupture at Glen Lee in 2009.

## HOW THE PRECINCT PLAN ENDANGERS THESE OBJECTIVES

It is deeply disturbing that issues raised in previous planning documents such as the *Campbelltown, Camden and Appin Structure Plan 1973*, have been ignored as Sydney has moved over the years to ‘developer-driven planning’, and that problems identified as a consequence are still not being addressed.

### 1. Inappropriate sites

The inappropriateness of sites for development - based on stability issues associated with land that is too steep, subject to flooding or mine subsidence, or landlocked from infrastructure - mean that the housing built on these sites is either not affordable, or that costs are held over and borne by unsuspecting home buyers or the wider community at some time in the future. The proposed site contains at least some of these issues, including it seems, development on steep land, possibly mining, and infrastructure problems.

### 2. Coal seam gas mining

AGL currently has a proposal before the Department of Planning & Infrastructure to push the Camden Gas Project (Stage 3) through this area; it has already explored the area, and has a

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<sup>8</sup> Landscape Analysis by Geoffrey Britton for Draft Curtilage Study 2007 commissioned by the current owners of Varro Ville House.

<sup>9</sup> Mrs Napier Sturt, *Life of Charles Sturt*, Elder & Co., London, 1899.

Petroleum Exploration License to explore well beyond. We consider that this makes this site inappropriate for development. It is hard to see how home buyers could be expected to buy any property in this area when the impacts on health, lifestyle, property (subsidence) and future property values remain under a cloud.

### **3. Infrastructure and Traffic**

We are deeply concerned that traffic will pour down Denham Court Road, endangering further heritage in the area (such as Denham Court House) and cause further traffic problems on the already overburdened F5, the major route between Sydney and Canberra. We are even more concerned that St Andrews Road will be eventually opened up, not only exacerbating this problem but further endangering the peace and tranquillity of the Scenic Hills and the viability of wildlife in the area.

### **4. Lack of appropriate buffer zones**

It is well known from other developments in the area, such as at the historic Belgenny Farm, that allowing development to encroach right up to the boundary of land zoned for other purposes, such as for environmental protection or rural activities, compromises that land and its on-going land use. As such, it is only a matter of time before that compromise is used to justify the development of adjoining land once its alternative land use is compromised. The following are some of the issues identified at Belgenny:

- Complaints from residents on adjoining land about obstructed views, or incompatible use of land, sometimes leading to vandalism;
- Incursions onto adjoining land by residents and/or their pets – e.g. cats and/or dogs, trail bike riders, etc. endangering stock and wildlife.

Buffer zones are always best when they are defined naturally or with regard to existing structures. We believe that the Upper Canal, a heritage listed water channel that is also *critical public infrastructure* should have been the boundary to development encroachment from the South West Growth Centre into the Scenic Hills Protection area. There is an opportunity to get this right before it is too late. At the moment there is only one buffer zone, which is in one corner of the development classified as Scenic Protection. The rest of the development goes right up to the boundaries of neighbouring properties.

If left as it stands, the community could be forgiven for seeing this Precinct Plan as a Trojan Horse to further development in the South West's Scenic Hills.

### **5. Destruction of Cumberland Plain Woodland and associated wildlife**

Since Cumberland Plain Woodland is already critically endangered, this should be protected at all costs. Where it adjoins a large green space such as the Scenic Hills Protection Area, this is the best place to conserve it. There is an opportunity to link the Scenic Hills with the Western Sydney Parklands to provide a wildlife corridor. If this development and others in Leppington go through *as is*, this opportunity will be lost. *We urge the NSW Government to consider this option before it is too late.*

### **6. Preserving Scenic Hills Landscape from key roads and viewpoints throughout the Hills**

It is critical that the landscape views of the Scenic Hills be preserved from public roads such as Campbelltown Road, Denham Court Road, St Andrews Road and Camden Valley Way.

However it is *equally* essential that they be preserved from key viewing points *within* the Hills themselves. This is frequently omitted from studies. It is well known that the landscape and view

lines change dramatically and in unexpected ways within the Hills. If the Hills are to remain viable in their role now, or in the future for tourism and recreation, then the development within this precinct and elsewhere should not be able to be seen from *within the properties within the Hills*. If this work has not been done, then it must be commissioned and actioned.

## 7. Potential destruction of heritage

We are generally concerned with the way in which the Morris and Britton study commissioned by the Heritage Council (referred to earlier) has **not** been implemented. The switch to developer-driven planning has allowed developers to engage their own consultants and provide *terms of reference* to consultants that are limited to achieving outcomes favourable to development. The Heritage Office has been so reduced in staff that it has not been in a position to properly implement this report and provide a check on this practice. The Office was further limited until recently by being subordinated within the Department of Planning. We urgently request that time and resources be provided to the Heritage Office to examine the terms of reference for this project and consider properly both the impact on heritage that might **not** have been considered, as well as the domino effect on the Scenic Hills Protection area as a whole.

We note that archaeological evidence of other early developments, bushranger activities etc. are mooted or appear in studies commissioned by proponents of large industrial developments (e.g. in the recent Environmental Assessment by AGL for Stage 3 of the Camden Gas Project) but otherwise remain undocumented and unprotected on private land.

## In conclusion

We urge the NSW Government through the NSW Department of Planning & Infrastructure and Office of Heritage & Environment, to re-assess this and associated developments with regard to broader planning issues for Sydney, and with particular emphasis on seizing opportunities to preserve Sydney's, NSW's and Australia's important natural and cultural heritage while there is still time.

Yours sincerely

Ms Jacqui Kirkby

Fr. Greg Burke

Cc. The Hon. Robyn Parker, Minister for the Environment & Heritage