

From: [Geoff Brown](#)

To: [Penrith Council](#) ; [Steven Chong](#)

Cc: [Ben Goldfinch](#) ; [Clr Greg Davies](#) ; [Clr Jackie Greenow](#) ; [Clr John Thain](#) ; [Clr Karen McKeown](#) ; [Clr Kaylene Allison](#) ; [Clr Kevin Crameri](#) ; [Clr Mark Davies](#) ; [Clr Ross Fowler](#) ; [Jim Aitken](#) ; [Kath Presdee](#) ; [Marko Malkoc](#) ; [Prue Guillaume](#) ; [Robert Ardill](#) ; [Tanya Davies](#)

Sent: Tuesday, July 26, 2011 11:07 AM

Subject: DA11/0284 - Submission opposing approval

Geoff Brown
Western Sydney Conservation Alliance Inc
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DA11/0284, 39-79 Smeeton Rd Londonderry

To whom it may concern,

It has come to our attention that a DA for the subdivision of land on Smeeton Rd is awaiting determination by Penrith Council.

We oppose the DA on the grounds that approval for subdivision will ultimately lead to the clearing of species and ecological communities listed as threatened under the NSW Threatened Species Conservation Act 1995. Land clearing and cumulative impacts resulting from the approval for subdivision with significantly impact Priority Conservation Land (PCL), immediately over the road, which in accordance with the Cumberland Plain Recovery Plan, has the equivalent status of Critical Habitat. The CP Recovery Plan states that its success is built on ensuring the conservation of PCL's

Please note that it is unsure if this DA site is in fact mapped as PCL. It is assumed is not but may well be. Council must investigate if it is PCL with the NSW Govt. In any case Council should be seeking the concurrence of the NSW Govt Environment Dept before determining this DA.

The Deerubbin Local Aboriginal Land Council owns PCL across the road and Penrith Council has allowed this PCL to be zoned RU4. This means it may also be subdivided to 2 ha should the DLALC lodge a DA and get consent from Penrith Council. It is odd that the land immediately east of the DLALC block, part of the same remnant, is zoned E2 Environmental Conservation. The zoning disparity between these two identical blocks of bushland (the same remnant) appears to demonstrate a planning irregularity by Council in that the DLALC gets a future development opportunity whilst its neighbour does not.

This DA if approved by Penrith Council will set a dangerous precedent for the future subdivision of Priority Conservation Lands. Priority Conservation Land owners will then expect the same outcomes from Council as this applicant.

This land supports species found on the adjacent Priority Conservation Lands including listed threatened species and an ecological community. It therefore has significant conservation value. It supports the conservation values of the adjacent PCL.

The Flora and Fauna assessment attached to the DA appears dubious and should be peer reviewed by a reputable ecological consultant. Trevor Hawkeswoods expertise is with insects not plant identification or botany. He somehow thinks this bushland is Cumberland Plain Woodland.

We therefore oppose this DA and call for this matter to come before the full council for determination.

Regards

Geoff Brown
President
WSCA