16 November 2009

Ms Yolande Stone  
Director of Policy and Systems Innovation  
Department of Planning  
23-33 Bridge St  
SYDNEY 2000

Dear Ms Stone

Riparian Corridors

Introduction

The Property Council of Australia recently attended a stakeholder workshop at the Department of Planning (DoP) to discuss a range of issues related to riparian corridors.

We thank DoP for initiating this session and for identifying the numerous and complex issues that currently frustrate the definition and management of riparian corridors across NSW.

Although this workshop was a useful discussion forum, DoP did not outline the process for resolving the relevant issues or a desired outcome. The Property Council requests greater certainty in this respect as we are keen to ensure this issue stays on the NSW Government’s agenda and reaches an equitable and speedy conclusion.

The following outlines our major concerns and recommendations to assist DoP clarify the scope and desired outcomes of this initiative:

Definition and land area

The volume of land that may be required for a riparian corridor has direct cost implications for development. The land requirement for riparian corridors can be easily be viewed as a ‘levy by proxy’ on projects.

In particular, the land required to fulfil the Office of Water’s (formerly the Department of Water and Energy’s) recommended definition of riparian corridors is excessive and can have serious implications on the feasibility of development. The definitions used by councils across NSW also differ significantly.

Work should centre on achieving an agreed and equitable definition of riparian corridors to ensure that the volume of land required is appropriate and will not impose unreasonable cost implications on projects or local government.
The area of land identified for any riparian corridor must give objective reference to the hydrological function of the corridor. The current guidelines recommend that Class 2 and Class 3 streams comprise buffer adjacent to buffer adjacent to buffer (i.e. Asset Protection Zone to Vegetation Buffer to Core Riparian Zone).

This land allocation is coupled with significant restrictions on public access, dual use and service infrastructure. This is a hugely inefficient use of land and unsustainable in the long term.

Ownership, land use and management

It is preferable that riparian corridors would be held in public ownership. Although this should predominantly occur at the local government level, in the instance of a large or significant waterway, state government ownership may be appropriate.

Pursuing public ownership requires that issues surrounding funding for the purchase and long term management of riparian corridors to be addressed as an immediate priority. Direction on this issue is needed to prevent development being unnecessarily delayed and to ensure the cost burden does not fall exclusively to project proponents.

Key to the discussion of funding for purchase and long term management should be recognition from DoP and the Office of Water that there is a direct relationship between the cost of management and the amount of land that is required to be set aside for management as a riparian corridor.

The identification of appropriate land uses and associated management regimes should give consideration to the following:

- the ecological role of riparian corridors (i.e. increasing water quality, habitat creation and revegetation etc),
- the social role of riparian corridors (i.e. permitting public access to affect a sense of community ownership and permit dual use for open space and infrastructure works etc), and
- the economic role of riparian corridors (i.e. reducing the excessive area of land required and the cost impost of required works to reduce the maintenance burden on councils).

Conclusion

The Property Council is keen to see this issue progressed to an equitable outcome. We request that DoP clearly outline timeframes for future stakeholder consultation and the release of outputs/recommendations on this issue.

Please contact Kristin Pryce, NSW Policy Advisor on 9033 1951, with regard to any aspect of this letter.

Yours sincerely

Glenn Byres
NSW Deputy Executive Director