

# SAVE SYDNEY'S KOALAS



## Submission for and Appin (part) Precinct planning proposals - **Greater Macarthur Growth Area**

- Appin Precinct (Developer: Walker Corporation): 1,284-hectare site for over 12,000 homes.

### **Appin (part) Precinct - [The Greater Macarthur Growth Area Planning](#)**

'Appin koalas are part of the disease free population that extends into Campbelltown and further north. This is reported to be the only disease free population in NSW' ([Wollondilly Shire Council website](#) Nov 2022).

Save Sydney's Koalas goal is to secure the continued growth of the Koala population in Sydney's southwest - the largest recovering Koala population in NSW, in a state where Koalas are on a trajectory to extinction by 2050 - accelerated by the 2019/20 bushfires.

**We object to the fast tracking and rezoning of Appin Village and surrounding areas for more than 12,000 homes.** This development will destroy part of the critically endangered Cumberland Plain Woodland and negatively impact Koalas and other threatened species, as well as endangering the water running into the Nepean and Georges Rivers and drinking water catchments.

This planning proposal is underpinned by the Cumberland Plain Conservation Plan (CPCP) currently being assessed by the federal Department of Climate Change, Energy, the Environment and Water.

The CPCP Assessment Report acknowledges that only approximately 13 percent of the pre-1970 extent of native vegetation in the Cumberland Plain subregion remains intact, with an additional 12 percent occurring as heavily degraded communities (e.g. scattered trees) in disturbed areas. The CPCP will impact 1,753.6 hectares of threatened ecological communities including Cumberland Plain Woodland, Shale Sandstone Transition Forest and River-Flat Eucalypt Forest.

Alarming, the CPCP also notes that "biodiversity loss significantly increases once habitat fragmentation by clearing exceeds 70 per cent of the landscape." This threshold has already been passed and will accelerate if the CPCP is implemented in its current form.

**The Chief Scientist's Second Koala Report (Response to questions about advice provided in the Koala Independent Expert Panel Report 'Advice on the protection of the Campbelltown Koala population')** is also critical of the CPCP's designation of only one east-west koala habitat corridor between the Georges and Nepean Rivers, noting that "the overall east-west connectivity should not rely on one corridor. Multiple corridors must be protected."

To achieve this end, **Mallaty Creek Koala habitat corridor needs to be widened and the Ousedale Creek habitat corridor needs to be extended to connect to the eastern side of this proposed development.**

Save Sydney's Koalas made a detailed submission on the draft Cumberland Plain Conservation Plan (see Appendix A) and detailed our criticisms in a document entitled, *Main Criticisms of the final Cumberland Plain Conservation Plan (CPCP)* which we will upload with this submission.

### **Koala Habitat Corridors**

The Chief Scientist identified one Koala Corridor across Wilton Road south of Appin Village and Ousedale Creek within the Village. The Chief Scientist was also concerned about whether the CPCP's preferred east-west koala habitat corridor - Ousedale Creek - could be properly set aside as a workable koala habitat corridor, noting that its function is dependent on land purchases and restoration that will take an indefinite time to deliver. The Nepean and Georges River are both Primary Corridors but no 425m corridors have been included. The majority of advice given to DPE by the NSW Chief Scientist has not been adequately incorporated in the CPCP.

This planning proposal should be rejected as there is no guarantee that The Koala corridors mapped as part of the CPCP within the Subject Land (shown in Figure 7 on p.42 in the *Biodiversity Assessment*) will be adequately protected. Although Niche has identified 443.84 hectares of Potential Restoration for Koalas and Protected Koala Habitat, there is no guarantee that this will be secured either.

It is worrying that the proponents have already sort to amend the CPCP land zoning to encroach into a Koala habitat corridor for infrastructure and roads. (The GMGA Planning Proposal to Rezone the Appin (part) precinct for urban development 14 Nov 2022: p.206) The Niche Biodiversity Assessment documents the fact that even before this change *approximately 9.56 ha of non-certified land associated with the proposed SP2 Infrastructure zone occurs within a mapped Koala corridor.* (p.38)

As this planning proposal is only for part of the intended development by Walker Corporation Pty Ltd in the Appin area, Save Sydney's Koalas believes it cannot be assessed in isolation, particularly with a predicted total population of 65,000 people (Appin Precinct LVIA Statement p.6). Density by their own admission is likely to increase over time. **The DPE and the Minister for Planning cannot be satisfied that under this planning proposal, the endangered and threatened species including the koala, will survive the cumulative impact of the Appin and North Appin Precincts.**

### **Koala up listing not taken into account**

The Niche *Appin (Part) Precinct Version 1 Plan - Biodiversity Assessment* although revised in October 2022 still has the Koala listed as Vulnerable by both the state and federal governments which is totally unacceptable as the Koala has been up listed to Endangered in both prior to this date. Therefore, this planning proposal should be resubmitted in the light of this up listing and the plans amended to include much stronger koala protections and improve connectivity.

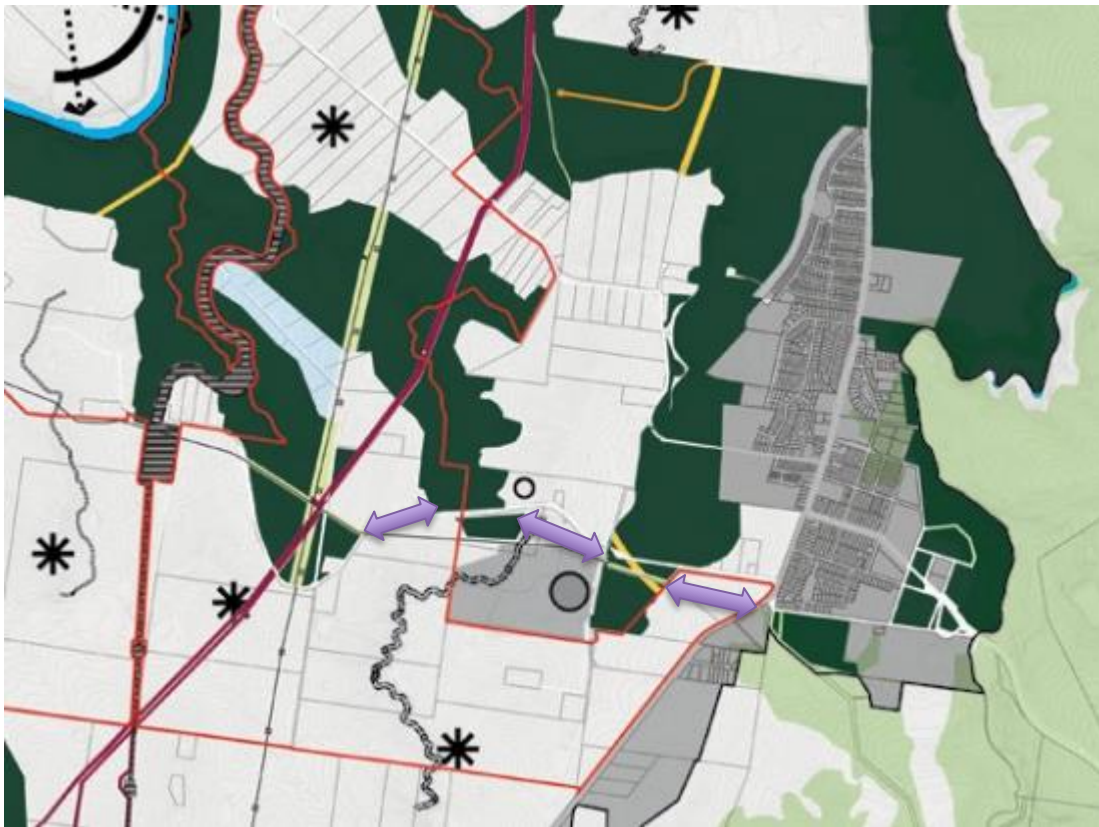


Figure 1 The purple arrows indicate one example of how connectivity needs to be improved.

### Threatened Species

The Niche Biodiversity Assessment identifies three threatened ecological communities (p41) which support the wide range of biodiversity on the Subject land identified in the report. A total of 33 threatened fauna were generated by the PMST search for the Subject Land (Pg 38 Appendix 1).

Threatened fauna records obtained from BioNet include the following within the Subject Land: Cumberland Plain Land Snail, Grey-headed Flying Fox, Dusky Woodswallow, Powerful Owl, Large Bent-winged bat, Koala, Southern Myotis and Varied Sittella.

The future of all these animals is at risk with the size and scale of this and future planning proposals for Appin. It is hard to see how the proponent could possibly achieve the stated design principle 1 namely:

*Appin is located amongst the Cumberland Plain woodlands and framed by the gorges of the Nepean and Cataract rivers. This woodland will be protected for Koala corridors, and biodiversity will be enhanced.* (The GMGA Planning Proposal to Rezone the Appin (part) precinct for urban development 14 Nov 2022: p136)

While the Niche report raises some important direct impacts to Koalas (4.4.1 page 46), there is no assurance that the proponents will be compelled to mitigate these. There needs to be a mandatory component to ensure the proponent employs a koala expert to design and implement, such measures as koala “bridges” before

approval is given and built before the development starts. (*The proponent should work with local koala experts to ensure best practice.* Page 181) Without a mandatory component, the proponent may not fulfil the ecologist's recommendations as happened with the promised open space at the Appin Vale estate. (We believe, Walkers originally were going to leave open space for koala movements but subsequently built 10 houses there.)

The Niche report has documented *Potential Restoration for Protected Koala Habitat* (Table 9) however there is no guarantee that the proponent will do this.

Many of the maps and plans in the Planning Proposal\_v1 are indicative and as the document points out 'indicative plans have no statutory weight' (Page 19). Do the residents of NSW really know what they are going to get in the end?

The sheer size and scale of the Appin and North Appin Precincts combined must impact the creeks and rivers. [Help Save Appin and its Surrounds](#) identified the pollution in the waterways as a result of the Appin Rise development because storm water goes directly into Kennedy Creek and then into the Georges River.

Save Sydney's Koalas is very concerned about the potential pollution into the Ousedale Creek from storm water runoff and other human impacts. Ousedale Creek as mentioned previously is the preferred Koala habitat corridor by the Chief Scientist. If this creek is polluted the future of the Koalas will be seriously jeopardized.

**Save Sydney's Koalas calls upon the government to halt this process and insist that a full EIS be applied giving assurance that no impact will come to the flora and fauna that have been identified on the Appin and North Appin Precincts' land.**

## **Public Interest**

**Appin (part) precinct should be rejected outright.** During an extinction crisis and human induced climate change, why would we put at risk the survival of all these threatened species? A recent study by European Commission scientist Giovanni Strona and Flinders University professor, Corey Bradshaw, found that *found that one extinction caused a cascade of extinctions that have been coined "co-extinctions"*. ([ABC News 17<sup>th</sup> Dec 2022](#)) Professor Bradshaw said that "if we save more species, we're going to have more capability in reducing climate change over the next century or so." Surely, we can supply homes without taking essential habitat and exacerbating the effects of climate change.

The people of NSW do not want to see Koalas become extinct in the wild and, therefore, their protection is in the public interest. Save Sydney's Koalas collected 20,977 signatures for an e-petition (see Appendix B) which called upon the NSW Parliament to, amongst other things, stop the rezoning of Stage 2 of the Gilead development and review the approval of Stage 1. This was one of the few e-petitions to achieve the 20,000 signature threshold to have it tabled in the NSW Parliament and trigger a debate, clearly demonstrating the public concern over the threats to this important Koala population.

## Aboriginal Heritage

The importance of the Aboriginal heritage has been identified by the listing of the massacre site on the NSW Heritage Register.

In their petition, [No development at Appin Massacre Area](#), the Dharawal and Gundungurra family groups are calling on the NSW Government to protect the Appin massacre site from future development. “This area should never be built on. It’s a place of trauma, great sorrow and death. Development on this land will yet again trigger that trauma for our communities.”



The massacre site should be preserved in its entirety.



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To Whom it May Concern

**Re: Objection to Draft Cumberland Plain Conservation Plan:**

Save Sydney's Koalas goal is to secure the continued growth of the Koala colony in Sydney's south west - the largest recovering Koala colony in NSW, in a state where Koalas are on a trajectory to extinction by 2050 - accelerated by the 2019/20 bushfires. **Fundamental flaws in the Draft Cumberland Plain Conservation Plan will fail to protect Koalas in South West Sydney.**

Koalas were appearing, albeit in small numbers all around the edge of the Sydney basin - Kuring-gai, Arcadia, Kurrajong and even Mulgoa before the recent bushfires devastated surrounding areas. The bushfires, however, left the colonies in South West Sydney relatively unaffected, and the growth in Koala sightings south of Sydney from Menai to the Royal National Park appear to be the result of Koalas radiating out from the healthy Campbelltown and Wilton colonies. This is the brightest spot on the otherwise depressing trajectory of Koalas in NSW.

Protecting Cumberland Plain woodland protects Koalas. Koalas can survive in sandstone country, as they have on the Holsworthy Military but they thrive on the nutrient rich Cumberland Plains shale geology. Koala numbers per hectare and their general health reflect the nutrient richness of the soil<sup>1</sup>. The Campbelltown colony only substantially increased when

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<sup>1</sup> Stalenberg, E., Wallis, I. R., Cunningham, R. B., Allen, C., & Foley, W. J. (2014). Nutritional correlates of koala persistence in a low-density population. *PLoS one*, 9(12), e113930. <https://doi.org/10.1371/journal.pone.0113930>

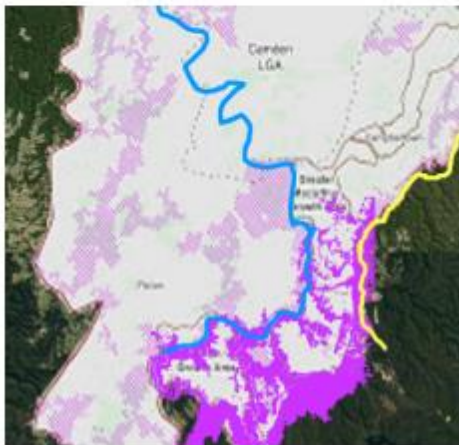
it moved to the Sandstone Shale Transition Forest along the western bank of the Georges River.

The long-term survival of Koalas and the Cumberland Plain Woodland, both rely on the maintenance of large habitat patch areas and connectivity, this is the fundamental basis for conservation worldwide. As the NSW Chief Scientist pointed out in 2016.

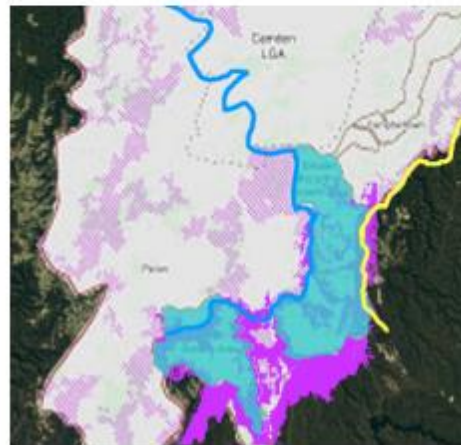
*'Koala populations need large areas of connected habitat to maintain their viability. Habitat loss and fragmentation has resulted in population decline and has been identified as a significant threat to the species persistence in NSW.'*<sup>2</sup>

While the CPCP's landscape scale and focus on biodiversity connectivity is welcome, it appears as a plan to make property development easier rather than to ensure Koala survival. Our deep reservations about the intent, sincerity and practicality of the Department of Planning's plan are these:

1. The Department of Planning's new housing **growth areas for Greater Macarthur and Wilton land almost directly on top of NSW largest recovering Koala colonies.** This is inexplicable and has created a Koala crisis where there was none. **The Department of Planning must reverse this decision.**



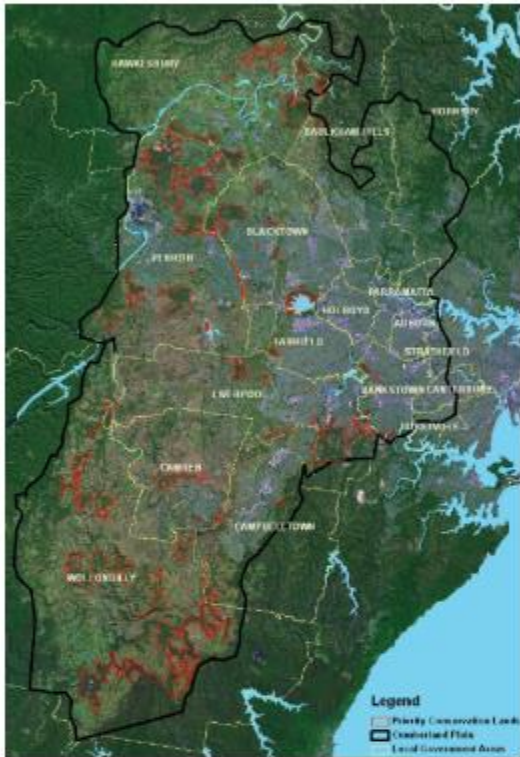
At the bottom of the CPCP area (the grey areas), Koala habitat and corridors have been identified by OEH (highlighted in deep purple)



The Greater Macarthur Growth Area (top right aqua area) and the Wilton Growth Areas (bottom left area) have been placed almost directly over the identified Koala habitat and corridors.

<sup>2</sup> NSW Chief Scientist & Engineer (December 2016) Report of the Independent Review into the Decline of Koala Populations in Key Areas of NSW

2. **The 2011 Cumberland Plain Recovery Plan is still relevant and should be enforced.** If the 2020 Cumberland Plain Conservation Plan, has only been created so that the 2011 Plans identified Priority Conservation Land can be developed, which is what Walkers Macquariedale and SE Wilton developments are doing, on the Allens Creek and Ousedale Creek koala corridors, then what credibility do these plans have.



The **2011 Cumberland Plain Recovery Plan** - 268,789 Ha, was created to show how the impact on the Cumberland Plain would be minimized. As new housing growth areas of the **South West** and **North West** were released. (shown in mauve in the adjacent diagram)

This Recovery Plan identified priority conservation lands (PCLs areas outlined in red in adjacent image) a total of 11,754 ha of the targeted threatened ecological communities (Cumberland Plain Woodland, Shale Sandstone Transition Forest) and a network of corridors on the Cumberland



The **2020 draft Cumberland Plan Conservation Plan** - 198,789 ha, is smaller than the previous 2011 plan the NW growth area has been removed. Conservation areas in the north have been dramatically lowered, since the 2011 plan .

And four new development growth areas have been added. The Western Sydney Aerotropolis, Greater Penrith Eastern, Wilton and the Greater Macarthur Growth Area. The number of PCL areas now called Strategic conservation areas (SCA - purple hatching), have increased in the areas south west of the Nepean.



Plan. This plan was an offsets/biobanking plan to be sourced using the \$530 million Growth Centre Conservation Fund in Western Sydney surrounds.

The targeted conservation areas of the 2011 plan have yet to be achieved, many are now lost under the new proposed growth areas.

3. The CPCP relies on Biobanking for Biodiversity goals, however, **Biobanks standards are so lax that they have little meaning as biodiversity offsets.** Lendleases Gilead stage one development saw the Department of Planning approve Koala offsets that were zoned rural not environmental, and were applied to an existing Council Bush Reserve (Noorumba and Beulah), Bushland that the DPIE was planning to stop Koalas getting to with their exclusion fencing! **Koalas need additional/accessible bushland when they lose bushland.**
4. **Biobank negotiations cannot ensure connectivity.** Connectivity needs an underlying structure that can be enforced. The only ones that have worked are vegetated riparian setbacks demanded by Water NSW. Koalas too use riparian corridors as identified in the Campbelltown Koala Plan of Management (CKPoM) and the Chief Scientists 2020 Koala report (CS2020KR). **Absolute setbacks of 450m for Koala corridors must relate to the strahler riparian scale with the widest reserved for rivers and creeks, and be applied right across Wilton and the Greater Macarthur Growth Areas.**
5. **The Department of Planning does not enforce Koala corridors when inconvenient to development.**
  - a. In Lendleases Gilead stage one - red flagged habitat was left isolated and unconnected within the middle of the development.
  - b. The Department of Planning advocates for exclusion fencing all the way from Campbelltown to Appin to stop East-West Koala migration and to stop Koalas getting into development sites. Despite the CKPoM and the CS2020KR.
  - c. The state governments Landcom - Newbrook is building over the Smiths Creek Koala corridor in Airds, one of the most successful Koala corridors.
6. **The Department of Planning gives greater emphasis to their own internal and developers Koala assessments, rather than independent assessments.** The Department of Planning wrote the Conserving Koalas in Campbelltown and Wollondilly report, which said no East-West connections between the Georges and Nepean rivers were required, this echoed an earlier Lendlease Assessment. This is despite the CKPoM and the CS2020Koala Report saying they were essential. **Independent assessments need to have greater weight than Developer commissioned reports.**

7. Under a Bilateral agreement with the Federal government the NSW Department of Planning would be in charge of Biodiversity Certification, this would be a disaster for Koalas, as Koalas evidently play second fiddle to housing development for the DPEI. **The Federal Government must continue to play an oversight role**, and the state needs a **Koala Commissioner or Koala Recovery Team to be the final approval authority** for any development in the CPCP that affects Koalas.
  
8. **The Department of Planning ignores/plays down Biodiversity Certification** against the long-term interests of Koalas
  - a. For Lendleases Gilead the Department of Planning used their own Conserving Koalas Report to approve it.
  - b. For Walkers SEWilton development DPIE created a new zoning regime and did not require Biocertification.
  - c. For Walkers Macquariedale, the project is once again being fast tracked.
  
9. The **Campbelltown Koala Plan of Management** and the **Chief Scientists 2020 Koala** reports must be adopted in full within the CPCP.
  
10. A **Wollondilly Koala Plan of Management** written by Council, the Department of the Environment and the Koala Commissioner must be approved before any land is rezoned or developed.
  
11. **All the recommendations of the 2020 NSW Upper House Koala Inquiry** that are applicable to CPCP need to be adopted.

While the NSW Department of Planning must start taking its role in stopping the extinction of the Koala seriously, so far there is little on the ground evidence that they do, this must change.

## **APPENDIX B - Save the Koalas of Sydney – NSW Parliament e petition**

To the Honourable the Speaker and Members of the Legislative Assembly of New South Wales, this Petition of certain citizens of New South Wales notes that:

Macarthur's Campbelltown Koalas are uniquely Chlamydia free and the largest recovering Koala population in the Sydney basin, indeed NSW. The NSW government must stop approving the loss of Koala habitat and corridors in Macarthur (Airds, Campbelltown, Appin and Wilton).

Gilead is the shortest wildlife corridor between the Georges and Nepean Rivers, providing an escape from fire and a pathway to recolonise habitat. Losing Gilead will fragment this local population and push this colony, and with it NSW Koalas, towards extinction.

NSW Planning must apply their own Koala protections (SEPP 44 - Campbelltown Koala Plan of Management - minimum 425m wide Koala corridors along creeks & rivers with Appin Road Koala crossings), rather than rely on 'developer Koala reports' to approve (rezone/biocertify) as they have for Lendlease's Gilead development and are doing for Walker at Appin and SE Wilton.

The Cumberland Plain Conservation Plan must apply the Chief Scientist's Campbelltown Koala Advice (2020) - min. 450m wide koala corridors, keep EPBC oversight of biobanks and set up an independent Koala Recovery Team to approve Koala management plans.

### **We ask the Legislative Assembly to:**

1. Declare an Upper Georges River Koala National Park
2. Stop the rezoning of Stage 2 of the Gilead development and review the approval of Stage 1
3. Build 5 effective Koala crossings on Appin Road
4. Implement min. 450m wide Koala corridors across the rivers and creeks of Macarthur

Appendix XX Appin (Part) Precinct – DRAFT (11.11.2022)

