

Submission  
No 142

## INQUIRY INTO DEVELOPMENT OF THE TRANSPORT ORIENTED DEVELOPMENT PROGRAM

**Organisation:** Save Sydneys Koalas

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4th April 2024

## [NSW LC Inquiry into the Development of the Transport Oriented Development Program](#)

### Introduction

Densification is a furphy or smokescreen for what is really happening on the Cumberland Plain in South West Sydney. The carve up of what should have been Sydney's greenbelt and carbon sink is completely reckless. On the one hand the NSW Government has approved the Cumberland Plain Conservation Plan (CPCP) to clear 11,000 hectares of rural land and 1,000 hectares of the critically endangered Cumberland Plain Woodland, and on the other hand it wants to densify around transport hubs. Why are they pursuing both?

Koala corridors are not being protected **now** and we have no guarantee that with increased density from the implementation of the CPCP and the TOD and low to mid-rise housing planning proposals, things would be any better. In fact, they will be much worse. Planning approvals and offsetting have been based on a fixed dwelling number and the Committee should be concerned about any increase in dwelling numbers sort by developers due to the TOD and the low to mid-rise housing planning proposal and we recommend the Committee rules this out.

Increase in population leads to more vehicles on the roads, more noise, more land cleared, more urban runoff – thus putting people closer to koala habitat /bushland and waterways. Koalas already under stress in SW Sydney from the beginning of large developments such as Lendlease's Gilead and Walker corporation's Appin & North Appin Precincts are going to be exposed to more threatening activities. Currently the Campbelltown Koala population is the largest expanding Chlamydia free population in NSW, but with further densification it is likely to lead to their decline and eventual extinction.

On top of this, Koalas may not survive the rise in temperature through climate change.

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SW Sydney is already much hotter than the rest of Sydney. Increased housing developments, with the subsequent loss of vegetation and green space, will raise temperatures further exacerbating the effects of climate change.

Save Sydney's Koalas would like to alert the Committee to the impact that both Transit Oriented Development (TOD) and Low/Mid Rise Planning changes will have on the viability of Threatened Species, including the Koala, to survive in South West Sydney.

There are significant concerns around previous planning approvals. Overlaying TOD and Low/Mid Rise planning changes for more density will further fuel urban sprawl and green field developments as well as increase the effects of Climate Change including urban heat, bushfires and flooding events.

The lack of supporting wildlife protection infrastructure such as connecting wildlife corridors, over and underpasses for hotspot areas on roads and koala friendly fencing also must be considered a red flag.

The NSW Government is attempting to sell its proposals by claiming that "the changes will provide for homes where people want to live and create the climate resilient vibrant communities we want to live in", its premise that increasing density in the inner city will take the pressure off urban sprawl is misleading.

The recently approved Cumberland Plain Conservation Plan, for example, will facilitate the building of around 73,000 new homes by releasing approximately 11,000 hectares of rural land for urban redevelopment.

This area includes southern Campbelltown towards Appin and Wilton, home to the last surviving koala population in Sydney, the critically endangered Cumberland Plain Woodland and numerous other threatened species.

These dwelling numbers are likely to double under the proposed low/mid rise planning changes which includes smaller lot sizes and the reduction of minimum lot sizes for duplexes. The end result will see a doubling and even tripling of the population and associated impacts of urban development on koalas and other wildlife. With the release of the Cumberland Plan Conservation Plan and its recent approval by the Australian Government there will be little protection of the koala habitat corridors identified by the Chief Scientist.

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The Wollondilly Council submission to the TOD highlighted some of these issues;

“We have two state lead growth areas which together will triple our population.

- We have limited or no public transport options servicing the Shire, with the existing rail line not electrified or well serviced.
- There is limited water and wastewater services available to our community, with some towns and villages on septic systems or reliant on trucks to remove wastewater, limiting growth.
- The towns and villages are heavily impacted by bushfire with limited roads to support safe evacuation in event of risk to life.

[https://agendasandminutes.wollondilly.nsw.gov.au/Open/2024/02/CO\\_20240227\\_ATT\\_2474\\_EXCLUDED.PDF](https://agendasandminutes.wollondilly.nsw.gov.au/Open/2024/02/CO_20240227_ATT_2474_EXCLUDED.PDF)

Wollondilly is delivering housing in excess of that identified in the Wollondilly Local Housing Strategy. However, it has not been supported by appropriate and timely infrastructure which has led to the current Infrastructure Crisis and associated affordable Living Challenges.

The notion that unplanned growth will be supported by current contributions plans or the Housing Productivity Contribution is poor policy and is a misuse of planned funds and will cause further distrust in the planning system. State Agencies are struggling to plan for, let alone deliver, infrastructure in Wollondilly.

Vast areas of land within Wollondilly currently suffer from a crippling lack of infrastructure. In fact, existing appropriately zoned land has not experienced the expected uptake due to the lack of infrastructure including basic utilities.

Intensifying development in areas with a lack of necessary social, healthcare, employment, and telecommunications infrastructure will exacerbate social disadvantage.”

Successive governments have failed to create liveable suburbs because they have failed to implement effective planning controls to combat the heat island effect particularly in Sydney's western and south west Sydney.

Mattheos Santamouris, a professor at UNSW and a globally recognised expert on the building of cooler cities, believes that without action to help residents adapt to hotter summers, "many places" in Western Sydney will be abandoned over the next 20 to 30 years.

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Apart from the loss of critical habitat for the koalas, the Government is placing more housing in an area that records temperatures up to 10 Celsius warmer than suburbs further east due to its exposure to the hot westerly winds and lack of access to the cooling effect of sea breezes. Campbelltown, for example, recorded 22 days above 40C in the summer of 2018-19.

We encourage the Committee to examine the undue and ongoing influence of the property industry on state governments. According to Prof Randolph of UNSW's City Futures, the main reason why the successive state governments have failed to prioritise sustainability is because both the Department of Planning and the property industry is fixated on growth at all cost: "The prime criteria for both is the development numbers. It's not sustainable or liveable."

Save Sydney's Koalas believes that pressure from the property industry has lead the NSW Government encouraging large-scale greenfield development to commence before biodiversity offsets and essential infrastructure like roads, schools and community facilities are properly planned and delivered first (For other examples of the consequences of this misguided approach to the delivery of essential community infrastructure, see [No schools and no services but houses keep going up](#), by Jordan Baker, Sydney Morning Herald, 15 October

Concerningly there also is a systemic failure of the NSW Biodiversity Offset Scheme to guarantee the timely delivery of required biodiversity offsets, see the report of the [Legislative Council's Inquiry into Integrity of the NSW Biodiversity Offsets Scheme](#), 22 November 2022.)

It is impossible to understand the full impact that the proposed low and mid-rise planning changes as well as Transit Oriented Development (TOD) will have on the koalas of south west Sydney without first understanding the enormity of issues associated with the existing planning process.

Save Sydney's Koalas has for some time, tried to alert decision makers about the serious problems with the integrity of the development approval processes that were put in place to facilitate the rapid release of land earmarked for urban development in South West Sydney. We would be very concerned with the implementation of TOD and Low/Mid rise planning changes exacerbating this problem.

In its [press release](#) of March 2023, Australian Ethical accused both Lendlease and the Department of Planning (DPE) of deliberately misleading the public about how Lendlease's proposed conservation measures would guarantee the protection of the Campbelltown Koala population:

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As we have seen with the Lendlease Gilead development in Campbelltown, concerns were raised about the way the reports from the OCSE were being interpreted by the NSW Department of Planning & Environment (DPE) and Lendlease and the lack of transparency around public consultation to date...The public weren't given the full picture. Our fear is that with the implementation of the TOD / and Low/Mid-rise planning changes this problem will be exacerbated and the NSW OCSE reports will be relegated to the dustbin of history and Koalas pushed further to the edge of extinction.

Our list of serious concerns about the current environmental approval process, as discussed below, is lengthy but not exhaustive.

We think legitimate questions should be asked about why state governments are seemingly so obsequious in their dealings with property developers.

The potential of large-scale projects like the Mount Gilead housing estate to generate jobs and growth and increase the housing supply is obviously important.

But accelerating development approvals to meet these objectives should never come at the expense of the public interest in securing good long-term planning and environmental outcomes, especially in such environmentally sensitive areas.

### **Case Study of Planning Approval Concerns Mount Gilead Stage 2**

Biodiversity Certification Assessment Report and Biodiversity Strategy which will be further impacted by Low/Mid Rise Housing Changes in particular..

The previous public consultation on the development is redundant from a biodiversity perspective because the public hasn't been given the full picture. Our fear is that this development will be approved without proper public consultation on the environmental impacts. As it stands, we cannot be confident that this koala colony will survive the developments proposed for the area. [Australian Ethical divests from Lendlease claiming 'lack of transparency' about koala corridors](#) by [Tim Fernandez](#), ABC, 13 March 2023

Lack of transparency and conflicting advice about whether the proposed Koala habitat corridors on Mount Gilead Stage 2 (MGS2) are in line with recommendations made by the Office of the Chief Scientist and Engineer (OCSE) is a concern we have repeatedly raised..

This example, perhaps more than any other, puts a spotlight on the fault lines in the development approval processes reveals a disturbing pattern of discounting and/or misinterpreting the OCSE advice both in the MGS2 [Biodiversity Certification Assessment Report and Biodiversity Strategy](#) 15

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November 2022 (BCAR&BS) and in a number of the review documents prepared by divisions within the Department of Planning (DPE) or the Campbelltown City Council.

This problem has been exacerbated by what looks like a willingness within some sections of DPE and the Campbelltown Council to either too readily trust documentation provided by the proponent or to gloss over the absence of required and important information.

Back in 2019, the NSW DPE 2019 report, [Conserving Koalas in the Wollondilly and Campbelltown Local Government Areas](#), provided a very frank assessment of how the Koala population will likely fare from the planned massive urbanisation of the GAs:

Notwithstanding the implementation of measures to avoid, minimise and reduce impacts, major residential development in the GAs would result in:

- the direct loss of core and supporting koala habitat, and potentially habitat fragmentation, resulting from the upgrade of existing principal roads into the new residential areas, as well as from new roads and other urban development
- an increased urban interface with koala populations
- increased traffic volumes
- increased indirect impacts to koala habitat through more frequent fire, weed incursion, feral pests, domestic animals, light spill, noise and rubbish dumping.

The importance of protecting this still healthy and expanding Koala population was subsequently highlighted in the [Legislative Council's Inquiry into Koala populations and habitat in NSW](#) and the OCSE reports commissioned by the previous state government.

The OCSE's first report, [Advice on the protection of the Campbelltown Koala population Koala Independent Expert Panel 30 April 2020](#) (OCSE First Koala Report), for example, noted the increasing comparative importance of the Campbelltown population to the survival of the species in NSW:

The Macarthur region is host to a historically continuous population of koalas, known as the Campbelltown population. The population of between 250 and 500 individuals is surviving in a landscape that is predominantly native bushland that is connected to rural farmland or peri-urban environment in the vicinity of the Greater Macarthur area. The Campbelltown population is one of the few remaining populations in the Sydney region. The population is considered to be healthy and uniquely Chlamydia free. The impact of the

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widespread 2019/20 bushfires across NSW has increased the comparative importance of this koala population.



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Please note the following documents are attached to this submission:

1. Letter to Penny Sharpe 26 May 2023
2. SSK Media Release CPCP 18th March 2024

Thank you for the opportunity to make a submission to your inquiry.

Maria Bradley

President