

Draft Terms of Reference

Advice regarding the protection of koala populations associated with the Cumberland Plain Conservation Plan

Following the report 'Advice on the protection of the Campbelltown koala population' released by the Deputy Chief Scientist & Engineer in August 2020, advice is sought on how to consider that report's recommendations in relation to the Cumberland Plain Conservation Plan (the CPCP).

The CPCP operates over a greater geographic area and within a different context to the original report.

The CPCP is seeking to avoid and minimise impacts to biodiversity and offset residual impacts on biodiversity from development in the Wilton and Greater Macarthur Growth Areas, the Western Sydney Aerotropolis and the Greater Penrith to Eastern Creek Urban Investigation Area, as well as parts of several major Western Sydney Transport Corridors. Koala habitat has been mapped in Wilton and Greater Macarthur Growth Areas and as such provides the scope for this Terms of Reference.

The CPCP is based on taking a landscape approach to offsetting these impacts, and includes a range of koala specific measures such as establishing the Georges River Koala Reserve, providing connectivity by protecting and restoring vegetation on public and private lands, reducing hazards from cars and predators by installing koala-exclusion fencing and by working with the community to promote actions that improve koala health and welfare.

There is further advice about the CPCP and its koala specific measures as an attachment to this Terms of Reference and a briefing will be provided for you by the Department of Planning, Industry and Environment and Transport for NSW.

Development and infrastructure impacts will occur on koalas in Greater Macarthur and Wilton Growth Areas through the CPCP, noting strong upfront avoidance of biodiversity values has occurred. The CPCP aims to improve condition of koala habitat, maintain connectivity between koala sub-populations, manage threats and ensure the koala population in South Western Sydney persists by avoiding, minimising, and offsetting these impacts through a strategic landscape-scale conservation program.

Advice is sought regarding the adequacy of the CPCP's koala specific measures in supporting a long-term strategic landscape-scale outcome for koalas across Wilton and the Greater Macarthur Growth Areas.

The advice should take into account constraints and risks including:

- a. existing development and infrastructure
- b. physical constraints such as the Sydney Water Canal and necessary major infrastructure such as the OSO2 Transport Corridor
- c. increased corridor width into cleared land currently proposed for development which may result in trade-offs that lead to vegetation degradation or loss in other areas
- d. loss of upfront conservation land through the negotiations underway with Walker Corporation for a Voluntary Planning Agreement if changes required to urban capable footprint.

The advice is requested by 30 April 2021 to be provided jointly to the Minister for Planning and Public Spaces and the Minister for Energy and Environment.

Following the CPCP advice, further advice is subsequently requested by 14 May 2021 to be provided jointly to the Minister for Planning and Public Spaces and the Minister for Energy and Environment, regarding:

1. Principles for consent authorities to apply in considering site by site applications in light of the CPCP advice, including how this applies to the Technical Assurance Panel process for the Appin precincts in the Greater Macarthur Growth Area.
2. Spatial application of the advice to the Greater Macarthur Growth Area leading to amendment of the Greater Macarthur Plan