



EXTINCTING KOALAS

A NORTH-EAST NSW EXAMPLE

Dailan Pugh, North East Forest Alliance, October 2020

Before the 2019/20 fires, north-NSW's Koalas had declined by 50% over 20 years.

They were predicted to become extinct by 2050

THEN, the 2019-20 fires burnt 322,000 ha (29.4%) of Likely Koala Habitat, with 197,000 ha suffering significant canopy loss.

Most Koalas in the firegrounds died

Now the Berejiklian Government has introduced legislation to remove most protection from private lands.

KOALA HABITAT PREFERENCE

NEFA's study area on the Richmond River

Lowlands found:

Koalas need a mixture of Primary Feed Trees:

Small Fruited Grey Gum, Coastal Grey Box,
Forest Red Gum, Slaty Red Gum

Koala's tree use increases with size: ➡

Rarely use trees <20cm diameter

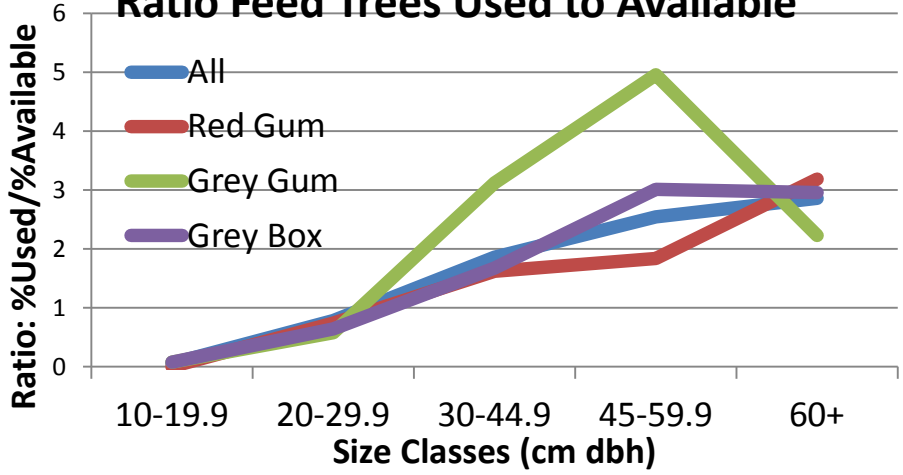
Prefer trees >30cm diameter

(476 scat trees)

Koalas and Loggers Want the Same Trees

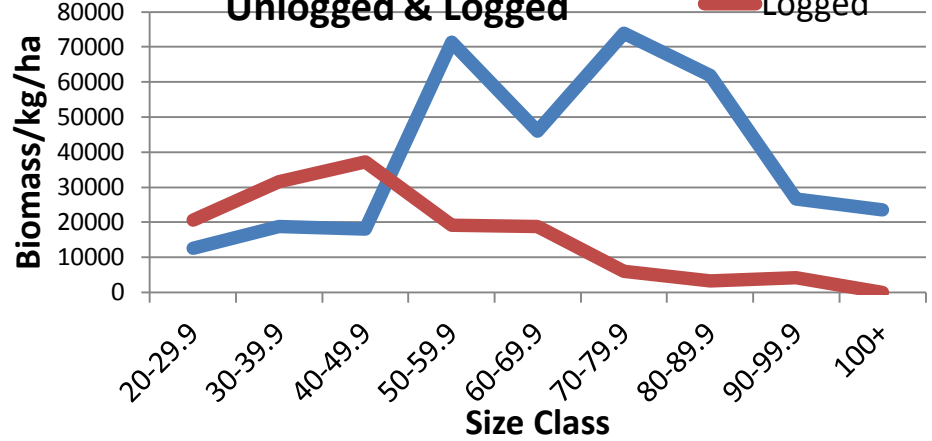


Ratio Feed Trees Used to Available



Logging has removed most larger trees.

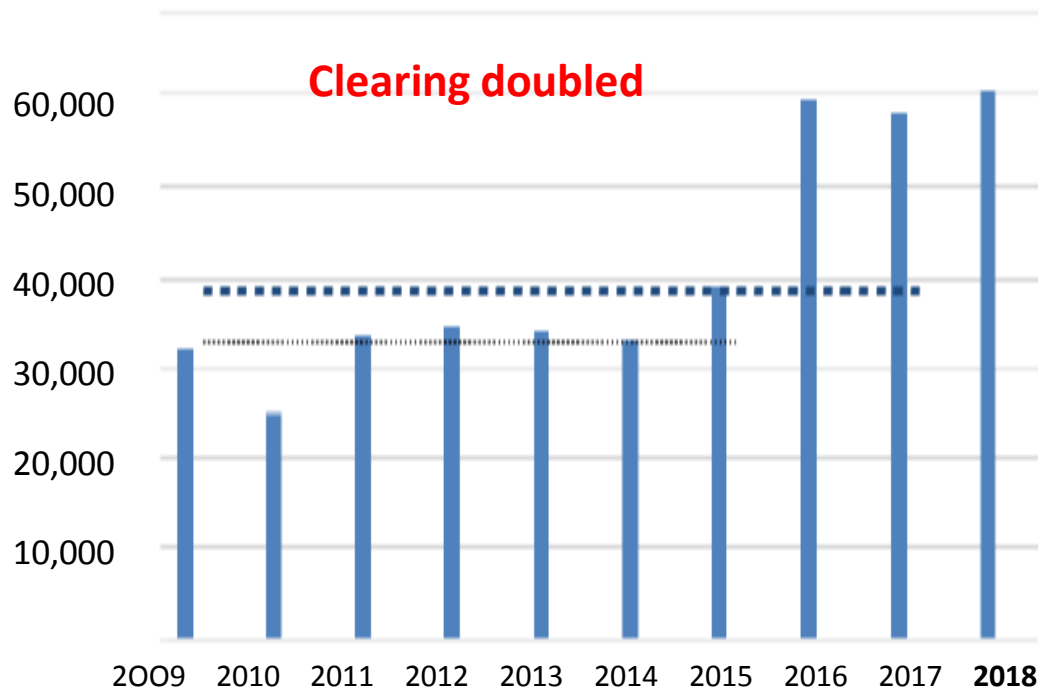
Biomass Change between Unlogged & Logged



Logging has reduced biomass by 265 t/ha (58%),
reduced Carbon by 132 t/ha.
Carbon Sequestration Potential is 484 t CO₂/ha.

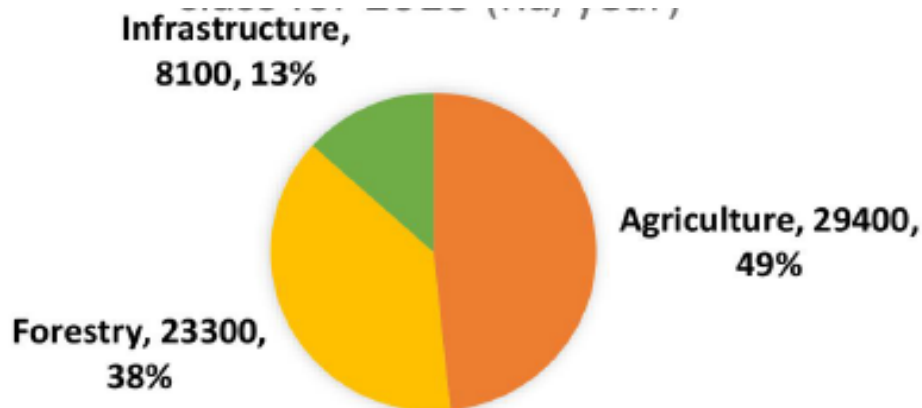
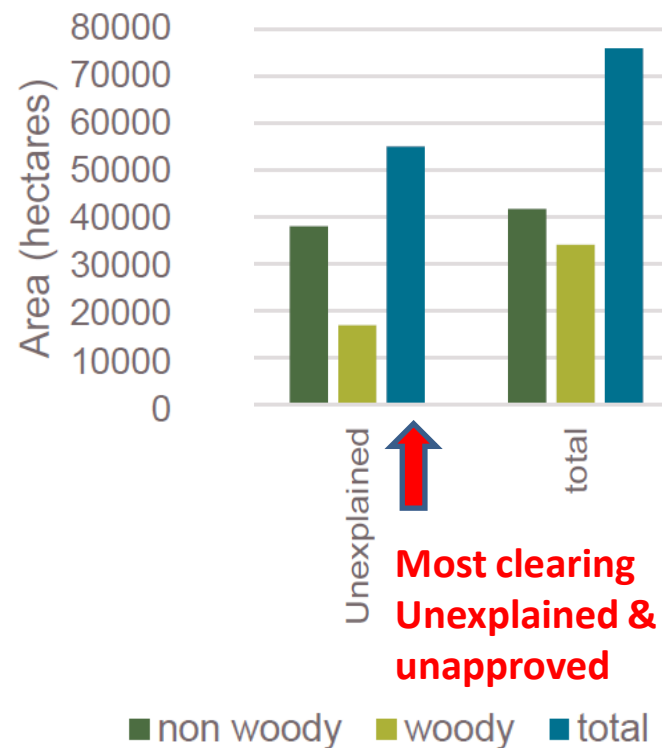
BUSH CLEARING

Statewide trends in woody vegetation loss



**2018:
60,800 ha woody
vegetation cleared.
Most agricultural
clearing unexplained.**

2018 Rural Regulated Land cleared



Private Native Forestry

On the north coast **61% of high quality Koala habitat occurs on private property**

As of 13 Jan 2020 there was **467,341 ha approved for PNF** in NSW, with 95% of this on the north coast.

The NSW Government found that on the North Coast there is a significant overlap between highly suitable koala habitat and PNF forests with high timber values, with **"highly suitable koala habitat" comprising:**

- 55% of areas with very high timber values**
- 38% of areas with high timber values**

Koalas and Loggers Like the Same Trees in the Same Forests

In 2019-20 over **45% of north coast PNF areas were burnt**, though there is no contingency in the rules for fires, and has been no changes to the logging rules to reduce impacts on burnt forests or streams.

PNF approvals are tied to the logging rules in place at the time they are issued, **increasing approvals to 30 years is intended to stop new information being applied to limit future logging.**



Koala SEPP

Since 1995 Koala State Environment Planning Policy (**SEPP 44**) has required Councils to:

- prepare Koala Plans of Management (KPoM)
- to identify **Core Koala Habitat**.

When Core Koala Habitat is identified:

- **Forest operations are not permitted** within any area identified as 'core koala habitat' within the meaning of SEPP 44 – Koala Habitat Protection (PNF Code)
- it is designated **Category 2 - Sensitive Regulated Land** under the *Local Land Services Act 2013* and therefore cannot be cleared under the exempt code, **requiring approval** of the Native Vegetation Panel **before clearing**.

6 KPoMs prepared in 25 years,

- 1 per 4 years
- 15,809 ha core Koala Habitat
- **6,922 ha protected as Sensitive Regulated Land**
- **200 properties** in Core Koala Habitat **approved for logging**

KPoM	Area of Core Koala Habitat (Ha)	Area classed Sensitive Regulated Land (Ha)
Ballina	2159	2023.5
Bellingen	1133	899.6
Coffs Harbour	2794	278.8
Kempsey	1310	745.6
Port Stephens	7553	2304.1
SE Lismore	860	670.5
Total	15809	6922.1

2019-20 Koala Inquiry

The bipartisan inquiry **Koala populations and habitat in New South Wales** found:

Upon its introduction, the 1994 SEPP was a key piece in the government's suite of actions to protect koalas. However, the overwhelming evidence presented to the Committee is that whilst the intentions and principles of the 1994 SEPP were admirable, its implementation has fallen well short. Nowhere is more apparent than in the low approval rate of CKPOMs by the department.

To hear that in the 25 years of the 1994 SEPP's operation, only 6 CKPOMs were approved by the department shocked and angered the committee. The committee empathises with the frustration felt by both local councils who prepared these plans, and residents of these local council areas who sought better protection for koalas. The committee was displeased by the department's failure to provide a clear reason for its low approval rate and inexplicable delays of CKPOMs.

Committee comment

7.91 Based on the evidence received, the committee believes that the regulatory framework for private native forestry does not protect koala habitat on private land. In fact, the 'number of quite stringent protections for koalas' that government witnesses asserted the PNF Code contains are weakened substantially, or indeed non-existent, when practically applied. **The committee finds it unacceptable that land identified as core koala habitat can be cleared because of departmental delays.**

7.92 The committee concludes that many of the issues with the Private Native Forestry Codes of Practice stem from their reliance on protections under SEPP 44. **Once again, the committee reiterates its disappointment at the systemic failure to approve koala plans of management under SEPP 44. Because of this failure, it is clear that protection of 'core koala habitat' under the Private Native Forestry Codes of Practice is not occurring as the NSW Government claims it is in its submission.**

The Koala Inquiry recommended:

- **Recommendation 15:** That the NSW Government urgently investigate the utilisation of core koala habitat on private land and in State forests to replenish koala habitat lost in the bushfires.
- **Recommendation 25:** That the NSW Government urgently approve comprehensive koala plans of management previously submitted to the Department of Planning, Industry and Environment in a timely and transparent manner.
- **Recommendation 33:** That the NSW Government amend the Local Land Services Act 2013 to reinstate legal thresholds so that its application improves or maintains environmental outcomes and protects native vegetation of high conservation value.
- **Recommendation 34:** That the NSW Government review the impact on koala habitat of the application of regulated land and self-assessment frameworks under the Local Land Services Act 2013.

As an example of hypocrisy, National Party representative on the inquiry, Ben Franklin, now claims *“we recognise that a wider range of forestry and agricultural activities may be compatible with the protection of koala habitat than are currently available... the decoupling process does not harm or remove protections for koalas on regulated rural lands; they were there all along”*

Making Koalas Extinct

If passed the **Local Land Services Amendment (Miscellaneous) Bill 2020** will:

- stop core Koala habitat identified in draft and future council Koala Plans of Management from being included as Sensitive Regulated Land, and thereby require approval for broadscale clearing, as well as removing prohibition on logging.
- allow up to 6,000 ha of core Koala habitat identified as Sensitive Regulated Land in the Ballina, Coffs Harbour, Kempsey, Lismore and Port Stephens LGAs to remain, though remove 900 ha of core Koala habitat identified in the Bellingen LGA
- stop Councils being able to include core Koala habitat in environmental protection zones*.
- create the concept of 'allowable activity land', which is land that at some time has been rezoned from rural zoning to environmental zoning, and permits clearing for 'allowable activities' (including buffers) without approval in these E zones (i.e. allowable activities include construction timber, farm forestry, gravel pits, grazing, powerlines, water and gas pipelines, fire breaks, fences, roads, tracks, sheds, tanks, dams, stockyards, bores, pumps, water points or windmills).
- prevent local environment plans from requiring development consent for Private Native Forestry (PNF)
- double the duration allowed for PNF plans from 15 years to 30 years.

* "e-zones will not be created in relation to any koala plans of management" Ben Franklin



Gutting the Koala SEPP

The Koala SEPP has already been changed:

- The Koala Development Application Map has been removed. This is the pink map the Nationals focused on and misrepresented, despite the Government deciding to remove it months ago* –as the Nationals knew.
- The definition of Core Koala Habitat has been altered to only apply to “highly suitable koala habitat” where Koalas have been recorded within the past 18 years, removing “an area of land where koalas are present”.
- Councils are now required to consult with the Chief Executive Officer of Local Land Services when developing a Koala PoM

The Koala Habitat Protection Guideline has been changed:

- landholders can ‘stop the clock’ to request an additional 60 days to object to proposed core koala habitat on their land, which has to be reassessed at Council’s expense.

•28 May 2020 Koala Strategy Board Meeting informed, Stokes wrote to Barilaro 21 August that the 'Pink DA map' would be removed and they would 'revert to a survey process which existed under SEPP 44'.

WHY WOULD ANY COUNCIL GO THROUGH THE EXPENSIVE AND PROTRACTED PROCESS OF IDENTIFYING CORE KOALA HABITAT ANYMORE?

- The SEPP only applies to activities requiring development consent from councils under Part 4 of the EP&A Act.
- The SEPP does not apply to State Significant Development and State Significant Infrastructure
- If Councils identify core Koala habitat they apparently can’t zone it for environmental protection, and must approve it for logging
- If a landowner doesn’t like the mapping, then Council has to pay for it to be remapped
- If the Government doesn’t like a Koala Plan of Management they refuse to approve it.
- Then the developer can use the Biodiversity Offsets Scheme to clear it anyway.

BY GUTTING THE KOALA SEPP AND REMOVING PROTECTION FOR CORE KOALA HABITAT THE BEREJIKLIAN GOVERNMENT IS HASTENING THE EXTINCTION OF KOALAS