

VILIMON PTY LIMITED

TRUSTEE for THE HAWKS NEST TRUST

ACN 001 954 687
8 Romford Road
Frenchs Forest NSW 2086

2nd February 2017

NSW OFFICE OF ENVIRONMENT & HERITAGE

KOALA STRATEGY SUBMISSIONS

PO BOX A290

SYDNEY SOUTH NSW 1232

Dear Sir or Madam:

Please find attached a submission on behalf of this Company in respect of the proposed development of a NSW koala strategy.

We trust our submission will add some constructive thoughts to the consideration of this strategy.

Protection of our koala populations is a critical issue today, and all means of ensuring an ongoing sustainable protection strategy should be considered. It is our view that one such means of providing effective protection, and at the same time contributing to solving our critical housing availability need, is to seriously consider the establishment of "integrated developments" where both protected species and residential communities co-exist in harmony. This concept has been shown to work very successfully in developments in NSW.

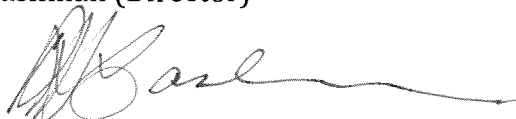
We must make better use of our resources in attacking these issues, whilst at the same time offering even stronger protection to our endangered species.

We are pleased to have the opportunity to contribute to this initiative of the NSW Government.

Sincerely yours

Vilimon Pty Ltd

R.F. Cashman (Director)

A handwritten signature in black ink, appearing to read 'R.F. Cashman', with a long horizontal flourish extending to the right.

Submission February 2017

**SUBMISSION TO THE NSW OFFICE OF ENVIRONMENT &
HERITAGE REGARDING “DEVELOPING A NSW KOALA
STRATEGY” INCORPORATING “SAVING OUR SPECIES
ICONIC KOALA PROJECT (DRAFT)”**

BY VILIMON PTY LTD

DATED: 2ND FEBRUARY 2017



Submission February 2017

SUBMISSION BY VILIMON PTY LTD

**TO THE NSW OFFICE OF ENVIRONMENT & HERITAGE REGARDING
“DEVELOPING A NSW KOALA STRATEGY” INCORPORATING “SAVING OUR
SPECIES ICONIC KOALA PROJECT (DRAFT)”**

DATED: 2ND FEBRUARY 2017

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KOALA STRATEGY SUBMISSIONS

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Dear Sir or Madam:

INTRODUCTION

This submission is made by Vilimon Pty Ltd in response to the request for comments on the proposed amendments by the Office of Environment & Heritage to the NSW Threatened Species Priorities Action Statement on Koalas.

Vilimon Pty Ltd is a landholder in North Hawks Nest, on NSW mid north coast, a known koala habitat area..

Much has been written and spoken about koalas in Australia and the need to protect them as an endangered species, and no one would question that proposition. “Protection” however is a word that needs examination. The term usually defines itself as a form of “isolation” from those elements that provide the greatest threat to the koala existence and long term survival. Isolation of an existing population, small or large, within its current location, on the basis, often assumed, that should that population be exposed to any adjacent commercial or residential development, suggesting intrusion into the habitat environment, then the risks to that colony are increased to an unacceptable level, and therefore such development should not be permitted.

This logic is clearly evident in all current legislation in NSW, which is directed at providing methods of protection for our native animals, particularly those considered to be endangered. This logic has become entrenched in the thinking of protectionist groups, as well as also in the minds of the general public, who see further protection as meaning further isolation, and accept that as being the normal means of ensuring future sustainability.

It appears that the proposed new legislation, the subject of this submission, seeks to further entrench that attitude, although at the same time proposing some welcomed new initiatives for enhancing the ecosystem in both existing and likely habitat areas.

Much, of course, is good about the increasing global awareness of the plight of endangered species, and the recognition that ensuring the future continuation of our unique animal species requires our dedication to ensuring more and improved means of conservation and protection from the constant dangers of expanding commercialization into our forests.

However, a closer examination of some facts strongly suggests that informed consideration of koala protection in Australia needs a more constructive planning approach, and a willingness to expand our thinking, so as to achieve even better outcomes.

The koala is a unique animal in many ways :-

- a) it lives in a selected specie of tree, sleeps in that tree for up to 19 hours a day, only leaves that tree for a better tree, retains a cub in its pouch for up to 6 months ; so its movements from its immediate environment is limited. This situation however is not improved by gradual encroachment on its ecosystem by tree removal.
So it is very location specific.
- b) The kola population in Australia is estimated to be less than 100,000 in the wild, (possibly as low as 43,000), and population has dropped dramatically in less than a decade (source: Australian Koala Foundation web site Jan. 2017).
This could be due to a number of factors, however indications are that current strategies are not working as well as we would want.
- c) Reported sightings in some areas (eg. Myall Coast NSW) over last 3 months are down on last year – 17 compared with 40 (source: Myall Koala & Environment Group, January 2017).
- d) Current koala mapping of North Hawks Nest shows no sightings (source: Australian Koala Foundation January 2017). But actual numbers are not really known.
- e) A viable koala community is a population of 100 or more for long term sustainability (source: Dr Stephen Phillips, Australian koala expert). What are the best options in deciding appropriate colony groups ?.
- f) The koala is very susceptible to disease, attack from feral animals, wildfire incidents, and extreme weather. These factors present just as serious issues that just provision of more trees.

These facts demonstrate that protection of koala populations and the halting of declining numbers requires much more than planting more trees or widening the area of occupation; such as providing an alternative environment free of other dangerous influences, together with means of maintaining essential on-going management and monitoring, to ensure the sustainability of that environment.

It can be said that the strategies employed to date have shown little or questionable improvements in ensuring the future growth in koala numbers. So we put forward the suggestion that protection of a threatened species and its environment can be solely achieved by isolation from the community at large, and the inevitable increase of human population and housing demand, is clearly not supportable.

What is even more critical in considering koala protection, is the necessity to provide protection, whilst at the same time delivering the land resources so urgently needed for residential growth with affordable housing.

Critical habitat and threatened species need protection and biodiversity needs to be maintained, but we also need to live somewhere. A balance is needed between conservation and development. Animals may live in trees and caves but our increasing population cannot.

RESPONSE TO THE PROPOSED 'PRIORITIES ACTION STATEMENT'

In respect of the proposals in the Statement, we generally support the proposals outlined in the Table 1 of the draft "Saving Our Species Iconic Koala Project". They generally propose :

- a) planting to restore and increase habitat
- b) agreements with covenants that promote protection where koalas are present
- c) habitat studies and mapping
- d) identify mortality black spots
- e) awareness campaigns of animal attacks, fire protection methods
- f) improved understanding of koala diseases, heat stress, effects of climate change and the like
- g) engaging the community in koala conservation.

These proposals are all good and valuable in progressing our overall objectives, but do not provide for the essential factor of establishing permanent on-going management of these issues.

These proposals need not stand alone, but can also very satisfactorily be included in the concept of an "integrated residential development", as later described. The added value in this scenario would be that the type of actions suggested in Table 1 can more effectively be created, monitored and maintained within this form of development approval by the incorporation of appropriate actions and covenants.

Experience has demonstrated that 'isolation' of a known habitat does not provide in itself any real guarantee of effective ongoing protection from feral animals, fire danger, disease and the like. Neither does it ensure ongoing rehabilitation or management and monitoring of koalas in the protection strategies.

The proposed objectives in Table 1 include increased protection via actions such as reducing vehicle strikes, eliminating domestic and feral animal presence, dealing with disease, etc. These are essential actions, however the implementation of the required means of achieving these is not so easy. Often many of these actions are then left to caring action groups and the general public to provide.

It is not reasonable however, as suggested in Table 1, that private landholders simply be made responsible for re-vegetation, management and in-perpetuity monitoring of habitats, at considerable cost to them. Especially where no koala populations currently exist but considered a likelihood. Nor that their land be taken without compensation to augment existing areas. Any agreements with landholders, as suggested, must open up the opportunity for discussion and negotiation with landholders and developers on methods by which these objectives can be achieved through all available means, including integrated developments which embody them in approved development approvals and management plans.

An important recommendation of the Independent Review Into Decline of Koala Populations is that "Government make clear choices and invest resources where it is most likely to make a difference". That should include a readiness to examine new concepts that would offer solutions across the board.

THE CONCEPT OF "INTEGRATED DEVELOPMENT"

Government is confronted with a number of critical issues today – high among them is providing new housing by opening up more land, together with better use of that land. To achieve this outcome we must consider the potential for fresh initiatives. One such initiative is to develop communities which can also incorporate adjacent environmentally sensitive areas, such as koala communities. This can be achieved so that even better protections are provided, whilst at the same time having the critical need for those protections into the future, established and ensured as part of development approvals.

Residential communities existing side by side with endangered koala population is not a new concept. It already exists in a number of areas in NSW, although still a relatively new initiative.

There are now a number of examples in NSW of developments that have integrated residential populations with koala populations in a practical and highly successful manner. Previously critically endangered populations can now co-exist with housing communities, with significant improvements in protection

and enhancement of the koala populations, due to sympathetic and clever planning.

Examples of such successful developments include Salt Village in Kingscliff and Koala Beach Resort in Pottsville.

Whilst accepting that current strategies can offer some desirable outcomes, this submission is focused on presenting the proposition that even better outcomes can be achieved through more consideration to the planning of integrated protection/development communities, using the examples of numerous successful cases, that would allow sustainable developments to occur, whilst also opening up more appropriate land for housing.

Properly considered planning of this nature would incorporate koala education centres, disease research and care centres, protection awareness programmes for children, artificial water resources, associated tourist information centres, and other similar ideas, appropriately located within an associated residential community. Integrated developments are a superior way of ensuring that these will produce a more informed community and a better protected animal.

THE CASE FOR NORTH HAWKS NEST

Areas exist in NSW where land is located adjacent to environmentally sensitive areas, and which has the potential to be made available for residential communities.

This submission directs the following remarks specifically to the area of the mid-north coast of NSW, which has existing populations of koalas, and which provides a classic example of the suitability for the “integrated development” concept .

These koala populations are generally small and scattered over the existing developed community of Hawks Nest, and appear to also occur in small pockets of the **North** Hawks Nest area, which is, and has been, essentially previously sand mined but remains undeveloped. Within the existing developed community to the south, koalas already generally co-exist reasonably well with residential development. A recent sighting was in a tree behind a pharmacy.

This **North** Hawks Nest area however has been treated by Council and the Department of Planning as posing particular environmental difficulties. Despite many years of environmental studies by Council, extensive consideration of proposed planning options between Council, OEH and landholders, as yet the area has no documented strategic vision for the protection and enhancement of koala habitat. Its controversial history will be known to the Department.

The existence of koala habit in this **North** area has been assessed as located generally west of the main road, and in already protected wetlands. However any population is known to be quite small; perhaps ten or less in number over an area of around 700 hectares. But in reality the numbers are unknown at this moment, strengthening the proposals for more accurate data.

Beyond the northern boundary of the area begins the Myall National Park, which provides a migration corridor.

This **North** Hawks Nest area presents the perfect opportunity to develop an “Integrated Development Concept”, and to design a sustainable development in which endangered koala habitat can live side by side with a mixed residential, commercial and/or tourist style development, incorporating the ultimate in conservation objectives, including sustainably managed habitat protection and ongoing monitoring and research. Meeting all the objectives of a Koala Strategy.

In meeting these conservation objectives, such a development would offer the opportunity to lift the current rate of affordable residential land availability in this area from about zero to a level that goes some way to help meet the desperate need in NSW; and as well correct the shameful performance of the Mid Coast Council (formerly Great Lakes) over recent decades in dealing with this issue.

For the record, in the 1994 ‘Hunter Coastal Urban Settlement Strategy’, the Minister for Planning stated that the current projections indicated that in respect of Hawks Nest – “based on completed environmental studies, Hawks Nest has the capability to accommodate an additional population of 4,500 by 2016”. These predictions cover a period of 25 years. Council had predicted even higher numbers.

However, the actual growth figures have been significantly lower. In the case of Hawks Nest the actual increase has been essentially zero growth. The obvious conclusion from these facts is that Council has ignored this issue and has failed to achieve the needed targets, through apparent negligence and an indifference to the needs of the State and the local community. There is a case to put that a pre-occupation with poorly based environmental issues has clouded its other obligations.

This failure by Council is even more amplified by the fact that for at least the past 22 years land owners in NHN, acting as a unified group, have struggled to find common ground with Council for achieving an outcome for common sense environmental protections that also opens up the opportunity for new affordable housing land stock. As recently as November 2016 the Council decided to take no further action in regard to continuing a dialogue with the landholders.

Only now is Council recognizing the dire need to “breathe new life into the seaside town (of Hawks Nest)” with some proposed initiatives for improving the life for the 1200 population. The general community however is not hopeful that much will be achieved.

This attitude flies in the face of achievements of the booming city of Newcastle, only some 160 kms. away, over recent years. One can see the obvious need for this area to expand north to the mid north coast in the near future..

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Landholders in North Hawks Nest strongly believe in the capability of this area to achieve needed koala protection, and at the same time allow needed developable land area. They would welcome the opportunity to discuss the potential of a integrated development as described above for this area.

It has long been the aim of the landholders to achieve such a unique outcome for the area.

CONCLUSIONS

The principal object of this submission is three-fold:

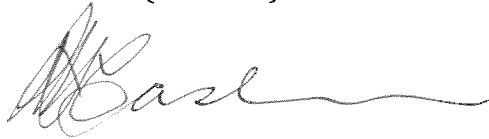
1. to offer support for the aims and objectives of the Strategy.
2. to present the view that protection methods for our eco system and endangered species, notably the koala, should also provide for the incorporation of viable concepts, such as integrated developments where habitats and human population can co-exist in a properly planned and sustainable way
3. to suggest that the area of North Hawks Nest on the NSW coast offers the perfect opportunity to develop this concept.

In doing so we trust we also have contributed some worthwhile comments in respect of the proposed development of a NSW Koala Strategy.

Sincerely Yours

Vilimon Pty Ltd

R.F. Cashman (Director)

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