



The Hon Gabrielle Upton MP  
Minister for Environment  
GPO Box 5341  
Sydney 2001

3 March 2017

Dear Minister,

Thank you for the opportunity to comment on the NSW Chief Scientist & Engineer's Report of the Independent Review into the Decline of Koala Populations in Key Areas of NSW (the report).

The koala population in NSW is in crisis. As the report distressingly highlights, the number of koalas residing in NSW has declined by 26% over the past three koala generations (15-20 years). So far NSW Government efforts to arrest this decline have failed. In the conclusion to their analysis of four koala population case studies profiled in the report, the authors observed that "despite the multiple levels of legislative and policy protection afforded the koala, we still have populations in decline."

We believe that this report should set alarm bells ringing at all levels of government. NSW is now at risk of losing this iconic species. Arguably, the koala is Australia's most beloved animal and a very important economic contributor to the state's tourism. Ironically, the report highlights how the Port Macquarie Koala Hospital has become a major tourist attraction, attracting approximately 10,000 visitors a year. But its future, like that of the area's koalas, is now in jeopardy. High mortality rates for koalas from a combination of road strike, dog attack and disease, points to the likelihood that the once healthy Port Macquarie-Hastings koala population is unsustainable in the long-term.

While we support the report's 11 recommendations, we are concerned that the urgency of addressing the predicament of koalas in NSW isn't more strongly

emphasised in the recommendations. The report includes ample evidence to highlight the crisis facing koalas, but shies away from calling for an emergency response from Government. In our opinion, immediate and decisive action must be taken to arrest the accelerating loss of koalas and their habitats.

We were surprised that the report doesn't recommend more action on mitigating the effects of climate change, especially since it notes that the main threats faced by koalas - habitat loss and fragmentation, vehicle strike, dog attack, fire, disease, drought and heatwave. - "are unlikely to abate and several will be intensified or exacerbated by climate change."

We also note that the release of the report coincides with the enactment of the Biodiversity Conservation Act (2016), which was widely criticised by conservation groups and the public for its weakening of important environmental protections and the relaxation of rules around land-clearing. Unsurprisingly, the introduction a few years back of similar laws in Queensland greatly accelerated land-clearing rates to what many experts believe are unsustainable levels. ([Queensland Government pushes for change as tree clearing rate increases](#) by Nick Wiggins, ABC, 7 August 2016).

The whole-of-government strategic approach to koala recovery recommended in the report does not, in our opinion, put enough emphasis on enlisting the support and cooperation of the federal government in developing strategies to sustain and increase koala populations in NSW and beyond. In 2012, the federal government declared the koala a vulnerable species in NSW, Queensland and the ACT. But we note that the 2014 deadline for finalising a new national koala recovery strategy has inexplicably passed. ([Wildlife Warrior Tim Faulkner leads calls to save koalas from extinction](#) by Matt Taylor, Central Coast Gosford Express Advocate, 31 January 2017).

We believe that the state governments should pressure the federal government to change the status of koalas in the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) from vulnerable to endangered or even critically endangered in certain areas. Such a move would highlight the urgency of addressing the plight of the koalas at a national level, and hopefully release more federal funds to help NSW properly finance many of the initiatives outlined in this report.

Below we provide more detailed commentary on several of the report's recommendations.

## Recommendation 1

***That Government adopt a whole-of-government koala strategy for NSW with the objective of stabilising and then starting to increase koala numbers.***

This recommendation makes sense, especially because we believe that the competing interests of different government departments, complicated by political considerations, have undermined efforts to preserve koala habitat.

The recently enacted Biodiversity Conservation Act, for example, has weakened land-clearing regulations, placing greater emphasis on self-regulation with the stated goal of reducing the regulatory burdens on landholders.

We urge the Government to monitor land clearing closely in light of the legislative changes, and immediately strengthen regulations if land clearing rates accelerate.

We note that our concern about the loss of native animal habitat in general is shared by more than 400 international and Australian scientists, who in 2016 signed a declaration to voice their alarm about the rate of forest loss in Australia. ([Australia needs better policy to end the alarming increase in land clearing](#) by Megan C Evans, The Conversation, 9 August 2016)

The NSW Government is also under pressure from the federal government to release more land to increase the supply of affordable housing. Unfortunately, as the report makes clear, urban encroachment on koala habitat is one of the greatest threats to the future viability of the species. We believe that land for future housing developments should not be released until a thorough and independent investigation has been made of the impact of any proposed green fields developments on koala habitats.

Similarly, economic considerations and pressure from vested interests have led to approval for mining development applications in environmentally sensitive regions and even in areas where koala populations are at risk. ([Shenhua Watermark coal mine defeats koala campaigners' legal challenge](#), ABC News 19 February 2016).

Going forward, the Government must properly and independently assess whether the detrimental environmental impacts of proposed mining developments outweigh the estimated economic benefits.

## **Recommendation 2**

***That Government initiate a program to improve data on the number, location and occurrence of koalas in NSW, including trends over time, taking advantage of new sensor and communication technologies and data analytics within 12 months of receipt of this report.***

We support this initiative, but again emphasise that time is of the essence with regard to saving NSW's koalas. We believe that many of recommendations highlighted in this report can be effectively implemented before all of the data about koala populations in NSW is collected and analysed.

## **Recommendation 3**

***That Government publish a state-wide predictive koala habitat map within three years of receipt of this report, with immediate priority given to improving coverage of the north coast.***

We agree with the report's acknowledgment that reliable maps of koala habitats are essential for effectively implementing state and local government regulations for koalas. However, we note the concerns of the Australian Koala Foundation (AKF) with regard to the availability of good quality statewide vegetation maps. AFK has argued that the lack of adequate vegetation maps has impeded the efforts of their organisation and others to create reliable koala habitat mapping in NSW. Consequently, AKF believes that estimates of koala population numbers and their colonies in NSW are unnecessarily imprecise. ([Letter to Hon. Gabrielle Upton, Minister for the Environment](#), 3 February 2017).

We concur with the report's findings about the importance of maps in the decision-making process of a range of agencies. It notes, for example, that maps help with:

- "identifying parcels of private land that contain high quality koala habitat, which can improve connectivity between areas of land managed for conservation values and provide refuge from key threats
- identifying management arrangements that would preserve the lands' value to koalas
- ensuring funding mechanisms are available, for example through biodiversity stewardship agreements and biodiversity stewardship payments under the government's Saving Our Species and Private Land Conservation program, to

provide private land holders incentives to manage land in a way that benefits koalas

- identifying parcels of crown land that support connectivity and/or are key to managing threats to a particular population
- transfer of parcels of crown land to the national parks reserve system as appropriate
- identifying areas to target for dog control and other threat mitigation. The maps will also help private landholders to understand where koala habitat is on their land and in combination with an education program, protect the habitat.”

The koala populations on the north coast are in peril, and better map coverage is essential for assessing how any further decline in populations can be arrested. We note that the NSW Government officially declared the Tweed Coast koala population as endangered, and a recent study confirmed that the population could be extinct within 20 years unless its continued decline was reversed. ([Fears for survival endangered Tweed Koala population after bushfire](#) by Samantha Turnbull, ABC North Coast 23 November 2016)

We’re not sure, however, why the report recommends giving immediate priority to improving mapping of koala coverage on the north coast only. Properly identifying koala coverage on the central and south coasts is equally as important. The Port Macquarie-Hastings case study cited in the report, for example, points out that this “nationally significant source population” of koalas is now in decline due to urban encroachment on habitat, and an increase in mortality rates from cars, dog attacks and disease.

The extent of problems facing all koala populations along the whole of the east coast of NSW points to the need to slow down the pace of coastal urban development until proven plans, supported by reliable maps, are put in place to protect and conserve koala habitat. As the report so alarmingly highlights, “A realistic future scenario for koalas in NSW, which illustrates how multiple threats may interact at broad scales, is that koala distributions could contract from the west due to climate change and contract from the east due to urban development and habitat loss.”

#### **Recommendation 4**

***That Government improve outcomes for koalas through changes to the planning system.***

The report cites the Department of Environment and Climate Change (DECC) 2008 Recovery Plan, which noted that “most populations in NSW now survive in

fragmented and isolated habitat and many of the areas in which koalas are most abundant are subject to intense development pressures.”

Since this recovery plan was formulated, just over eight years ago, the development pressures on koalas have become even more acute. Consequently, we recommend that the Government immediately place a moratorium on all future development in areas identified as having koala habitats. It should not be removed until a comprehensive and robust program to protect the koalas is put in place. Given NSW’s sorry history of protecting koalas over the last twenty years, we believe that the time has come to put the *interests of koalas first*.

While we are not opposed to prioritising areas for koala conservation, we believe that proposals for mining and housing developments should not be approved if they have the potential to negatively impact on existing koala populations irrespective of where they are located.

Interestingly, the report cites Campbelltown as an area where a low density population of koalas (100 to 150 individuals) is persisting - an example that highlights the value of maintaining even small populations of koalas wherever possible. We note, however, that this vital koala population is currently under threat because of a development proposal to clear 29.6ha of known koala habitat to make way for 355 new homes. We urge the Government to intervene and stop this development from going forward. ([Community defends site of koala colony against development](#) by Kirstie Chlopicki, Daily Telegraph, 23 January 2017).

We agree with the report’s recommendation that the Government considers the impact of high intensity native forest harvesting on koalas. The report notes that the koalas can cope to some extent with low density harvesting on native and plantation forests. These outcomes need to be studied further, so ways can be found to sustain koala populations in forests already designated for logging.

## **Recommendation 5**

***That Government improve outcomes for koalas through the Biodiversity Conservation Bill and associated Regulations.***

The Government needs to rethink its biodiversity offset policy in relation to koala habitat. The proposed change to the SEPP 44 - ie. its recommendation that the number of eucalypt species protected be increased from 10 to 65 - is recognition of growing scientific knowledge about the place-specific, discerning eating habits of koalas. Their ‘home’ habitat cannot be easily duplicated in the other areas.

Evidence provided by [Wildcare Australia Inc](#) further confirms the territorial nature of koalas: “Koalas tend to be faithful to their home ranges and will attempt to return if moved out of them. The relocation of older animals that are healthy, in good body condition and who are coping well with their current home range should be discouraged unless the destruction or loss of habitat is a recent event.”

We support the report’s recommendation that when developments are assessed “consideration be given to including *impacts on the koala as a serious and irreversible impact*” (our emphasis). This would prevent non-major projects from being approved if they in any way jeopardise or damage koala habitat.

We do not believe that the consent authority for State Significant Development (SSD) or State Significant Infrastructure (SSI) should apply a biodiversity offset scheme for koala habitats impacted by the proposed development. Rather, such projects should be modified or rethought if they impact on existing koala habitats. Further, if biodiversity offsets are ever permitted, any land acquired to offset environmental damage must remain under conservation orders in perpetuity. In recent year, we have witnessed too many instances where mining companies have sought development approval to mine on land originally set aside as a biodiversity offset. ([Warkworth Mining Limited v Bulga Milbrodale Progress Association Inc](#), EDO April 2013

We believe that biodiversity offsetting must be built on the principle of ‘like for like’ only, and that the land used as a biodiversity offset be in close proximity to the area damaged by the development.

## **Recommendation 6**

***That Government investigate models for guiding and incentivising collaborative best practice for new development and ongoing land use occurring in areas of known koala populations across tenures, industries and land users.***

The report notes that koala populations need large areas of connected habitat to maintain their viability, but that “even small reserves can provide important ‘stepping stones,’ connecting habitat and allowing koalas to move and disperse through more extensive but fragmented landscapes.”

This observation highlights the need for careful planning across all levels of government. All future development projects should be guided by the goal of creating viable koala corridors in as many areas as possible throughout NSW.

The report notes that protection measures, such as biobanking and conservation agreement, have been effective in preserving or restoring koala habitat. We believe these initiatives should be expanded and properly funded. The budgets for the Private Land Conservation Program and the Save Our Species Program strike us as too low given the severity of the decline in the koala population. As mentioned previously, we believe that upgrading the status of all koalas from 'vulnerable' to 'endangered' at the federal level and from 'threatened' to 'endangered' at the state level will help to facilitate the release of more funding.

Ideally, a strong combination of effective regulation and long-term financial incentives is needed. We urge the NSW Government to work closely with the federal government to come up with a workable, attractive and widely available carbon credit program. As a starting point, we recommend that the NSW Government pressures the federal government to expand its [Carbon Farming Initiative](#) with extra incentives offered to farmers to stop deforestation and encourage regeneration of native forests and wildlife habitats. A meaningful price on carbon will enable landholders to generate income from sequestering carbon alongside their farm businesses. A similar type of program could also be extended to include new housing estates.

The Government must also develop new initiatives to encourage conservation of koala habitats. It could, for example, offer meaningful accreditation for landholders who adopt koala friendly land management practices. This accreditation could be used as a marketing tool for selling produce to wholesalers, exporters and supermarkets. Farmers who receive organic or biodynamic certification, for example, typically receive higher produce for their produce, as consumers are generally willing to pay a higher price for 'clean' and environmentally friendly food and wine.

Similarly, developers of new housing estates could be eligible for accreditation as 'koala friendly' developments. Preserving koala friendly reserves in urban settings offer the added benefit of reducing the intensity of heat waves and providing shade and water for both humans and koalas. They also encourage bushwalking and other outdoor pursuits that improve the health outcomes of housing estate dwellers. Developers should also be encouraged to facilitate the safe movement of koalas between fragmented habitats.

## **Recommendation 7**

***That Government agencies identify priority areas of land across tenures to target for koala conservation management and threat mitigation.***

The report notes that conservation efforts to protect koalas require measures on both private and public lands.



We believe that identifying koala populations and habitats on crown lands should be a priority, especially since recently enacted reforms to the legislation governing crown lands gives the Lands Minister the power to hand over control of crown land to other government agencies if deemed to be in the public interest.

We agree with the report's recommendations with respect to crown lands, specifically:

- “ensuring that crown land with prime koala habitat currently held by the state is retained in state ownership either by the current land manager managing that land for koala conservation or by transferring to the national parks estate
- ensuring state government agencies that have land identified as excess to their needs should assess whether the land contains koala habitat prior to any sale or transfer, and, if so, transfer the land to another agency or council to manage for koala conservation (our note: To ensure that koala habitats are properly maintained in perpetuity, the Government should financially assist councils and other agencies which accept responsibility for crown lands.)
- as part of the review of the NSW Forest Agreements, Forest Corporation NSW work collaboratively with OEH on a state-wide process to identify uneconomic state forests with koala populations and habitat, and to *transfer those parcels to OEH as a priority*” (our emphasis)

## **Recommendation 10**

***That Government facilitate the exchange of information among land managers, local government, the research community and the broader community.***

In preparing research for this submission, we were both surprised and pleased to learn about the significant number of not-for-profit conservation groups, community organisations, universities and other entities actively assisting koala populations and advocating for their protection. We also believe the public has considerable goodwill towards koalas but is unaware of their desperate circumstances!

We urge the Government to adequately fund both grassroots and national koala research, care and advocacy organisations. Facilitating their communication with relevant government departments, land managers and the local councils is also very important for improving information flow and idea sharing. Koala recovery point persons could be designated in every relevant government department to promote greater levels of cooperation.

The respective ministers for environment, planning and mining should also consider setting up an independent koala recovery taskforce to guide and review policy settings and program initiatives. Such an initiative would demonstrate to the public that the Government is very serious about maintaining and recovering koala populations.

We also advocate for a NSW Government funded media campaign with the goal of creating more community pressure on the federal government, business and industry to develop and support initiatives to save the koalas.

### **Recommendation 11**

***That Government draws on knowledge and shares information with local community members through a program that supports localised engagement between liaison people and residents and industry.***

We believe that the Government needs to work harder to convince landholders and property developers that preserving and restoring natural habitat is a benefit instead of a cost of doing business.

If necessary, a dollar value should be placed on each and every koala. If koalas do indeed contribute billions of dollars to tourism then surely every koala is worth at least a million dollars each? This kind of exercise would put a spotlight on the real value of protecting and conserving koala habitat in NSW.

Just as an increasing number of the world's biggest businesses are now advocating for more to be done to address climate change, vested interests like the big agribusinesses, property developers and the miners can be made to see the substantial economic and environmental benefits of saving one Australia's and the world's favourite animal. ([Investors pushing businesses to avoid a carbon bust](#) by Clancy Yates, Sydney Morning Herald, 25 February 2017)

Thank you for considering our submission. If you have any questions, please don't hesitate to get in touch.

Regards,

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on behalf of Keep Sydney Beautiful  
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