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INQUIRY INTO KOALA POPULATIONS AND HABITAT IN NSW Supplementary Material Tabled at Coffs Harbour Hearing 4th February 2020

Documents tabled:

Update on recent Clarence Valley developments likely to impact koalas – Two case studies
Compiled by Leonie Blain

Clarence Valley Council Flier: Reporting koalas in the Clarence Valley

NSW Koala Strategy 2018. Priority actions
Highlights of the Plan. Status of 24 Strategy Actions as they affect Clarence Valley koalas.
To Nov 2019
Compiled by Pat Edwards

Document tendered by <u>MS LEONIE BLAIN</u>
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UPDATE ON RECENT CLARENCE VALLEY DEVELOPMENTS LIKELY TO IMPACT KOALAS –TWO CASE STUDIES

CASE STUDY ONE: Residential subdivision of 140 lots and 1 community lot, Hickey Street, Iluka, NSW .

1) Introduction

Iluka is a coastal village on the northern side of the Clarence River. It had a population of 1718 in the 2016 census. This increases substantially during major holiday periods. The village and surrounding area is one of the three Clarence LGA localities covered by the council's 2015 Koala Plan of Management. (The others are nearby Woombah and Ashby which is to the west of the Pacific Highway.)

The Hickey Street development was determined by the Northern Regional Planning Panel as approved on 11 November 2019.

2) Concerns

This subdivision is situated on the northern outskirts of the village opposite the World Heritage Iluka Nature Reserve. The area was previously subject to some sandmining activity in the 1970s but now supports good regrowth including vegetation which forms part of an endangered ecological community, and which provides habitat for threatened species including koalas. A female koala with joey on her back was recorded by the proponent's own ecologist during the fauna survey of the development site.

The decision to approve this development, which will result in the clearing of 14 hectares of valuable bushland, is particularly galling when considering the many recommendations in various plans and strategies - both local and state - which have been ignored when dealing with this project.

Since 2004, Clarence Valley Council has produced the following strategies: Sustainability Initiative, Valley Vision 2020 and Biodiversity Management Strategy. All three documents claim to ensure "ecologically sustainable development". The latter's opening statement claims it aims "to make clear what Council is responsible for and what it plans to do to preserve the biodiversity of the region".

The Mid North Coast Regional Strategy was released in 2009, making a similar range of motherhood statements, including it would: "Protect high value environments, threatened species, vegetation communities, and habitat corridors by ensuring that new urban development avoids these important areas". However, Council's immediate response was to rezone the development site from rural to residential.

The Strategy also claimed it would: "Protect the coast and the character of coastal villages by limiting growth". Iluka is the very embodiment of a "coastal village", and didn't fit any of the Strategy's motherhood statements, yet still the project went ahead.

Finally, the site was part of an area recommended for protection and rehabilitation in 1989 to help halt the decline of Koalas. Clarence Valley Council's Koala Plan of Management assures us that its "primary aims are to ensure that the current extent of koala habitat is maintained and improved, and not reduced".

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3) The Council Meeting

When the subdivision came before Council in August 2019, only Councillor Greg Clancy, one of the seven councillors who were able to vote on the development, expressed concern about it and voted against the recommendation.

His major concerns included:

- The development does not provide for an ecologically sustainable development as the proposed protection of significant areas of EEC, potential threatened flora species and koala food trees is inadequate to sustain these populations into the future.
- The planner's report contains omissions and inaccuracies e.g. the statement that the site is not potential koala habitat is clearly incorrect and misleading as it is core koala habitat.
- The recommendations of the Biodiversity and Conservation Section of the North East Branch of the Department of Planning, Industry and Environment have not been fully addressed.
- The development is inconsistent with the Clarence Valley Biodiversity Management Strategy and Council's Koala Plan of Management adopted by Council in 2015.
(Minutes, Clarence Valley Council Meeting, August 2019)

So why, given all the above directives, and guiding principles, purporting to protect our biodiversity – including what remains of the declining koala population – was this development approved?

4) The Planning Determination Meeting

The Northern Rivers Planning Panel determination meeting proved an eye-opener for those Iluka community members attending. It has been reported that many of them heard members of the panel discussing their approval even before the proceedings started.

Then after the deputations had been heard, it appeared that it would be approved on the spot without any consultation about the deputations they had just heard. However, when one panel member raised the point about possible contamination from the minerals sands tailings, it was decided that it be approved subject to a peer review of the report relating to the contamination. Presumably the Panel had faith in the accuracy of the report on the contamination seeing that they did not require an independent review.

Many of those attending considered the planning panel meeting a complete farce. If this is an example of the way planning panels operate, why would any community members have any respect for the process or the government which has instituted it?

5) **VOICES FOR THE EARTH - Government- Approved Extinction**

This column by John Edwards was published in The Daily Examiner under the title "Plan not enough to save species" on Monday 30th December 2019.

I have no doubt that the NSW Government, despite occasional bouts of insincere 'hand wringing', and non-specific funding announcements, doesn't give a damn about koalas. The failure over many decades to even acknowledge climate change, much less take action to mitigate the impacts, has now led to the incineration of hundreds if not thousands of these iconic marsupials.

The current government also abolished the Native Vegetation Act, opening the flood gates to land clearing on private property. It also changed the Integrated Forests Operations approval, removing some previous koala protections, and allowing the clear-felling of large areas of state forests, some of it core koala habitat.

Recently we learned that Comprehensive Koala Plans of Management (CKPOM), that councils are required to formulate, are “*frozen for years in a sea of red tape*”. Plans designed to protect koalas and their habitat across NSW are taking years to be approved by the State Government.

Claims these delays are the result of developers’ lobbying may well be true but, given local experience, one wonders just how effective those CKPOMs are. Just two months ago, developers were granted approval to bulldoze 14 hectares of forest at Iluka, containing core koala habitat and providing a vital fauna movement corridor.

In that case a CKPOM was already approved, and states: “*The primary aims of this Plan are to ensure that the current extent of koala habitat is maintained and improved, and not reduced; and to mitigate processes which are limiting koala occupancy rates and/or population sizes*”.

We are also assured in the Plan objectives that Council would: “*minimise the potential for adverse impacts and disturbances to current and future areas of koala habitat; protect koala habitat in order to, as a minimum, maintain koala populations across their current range*”, and “*create, manage and/or restore koala habitat linkages and corridors*”.

All of these were ignored by Clarence Valley Council's Planners, the majority of Councillors, the Federal Minister for the Environment, and finally the Joint Regional Planning Panel, all of whom gave the development their tick of approval.

This is government-approved extinction in action.

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CASE STUDY TWO: Tree Clearing at Woombah Woods Caravan Park

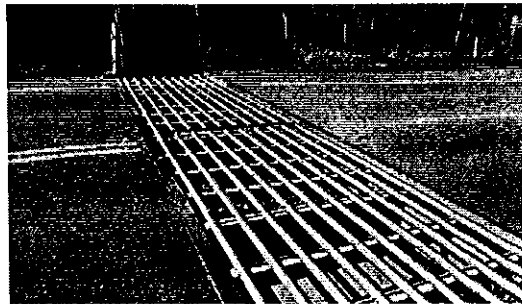
1) Woombah Woods Caravan Park is located just east of the Pacific Highway on the Iluka Road and not far from the village of Woombah. Early in 2019 the Caravan Park was bought by developer William Wu who has plans for its expansion. He has been relying on an earlier DA to justify his plans to clear most of the trees on the property. For more information see “Stopwork: Council probes clearing amid koala concerns”, The Daily Examiner14-8-19, which is printed below.)

2) As I understand it, there has been no further clearing following the two days of clearing in August. It appears that the developer may be required to submit another DA. Whether there will be any penalties for what appears to have been illegal clearing of important habitat trees is another matter.

3) According to one of the nearby residents, the RMS spent quite a large amount to protect koalas from highway traffic and provide connectivity as part of its Pacific Highway upgrade. This included special fencing, a koala grid on the Iluka Road not far from the caravan park and two highway underpasses just to the north of the Iluka Road entrance from the highway. The underpasses were apparently designed to allow connectivity across the highway from the Bundjalung National Park north of the Iluka Road to Mororo Nature Reserve west of the highway. Further west is the Ashby koala population.



Koala Grid – looking east along Iluka Road. Woombah Woods Caravan Park is on the right beyond the brow of the hill.



STOPWORK: Council probes clearing amid koala fear

by Jarrard Potter The Daily Examiner. 14th August 2019

RESIDENTS have vowed to fight the planned development of the Woombah Woods Caravan Park.

Clarence Valley Council was forced to issue a stop-work notice to the owner of the park on Tuesday last week after a number of trees were cleared on the property.

Emma Mills, who lives next to the caravan park, said she was devastated to learn a large number of trees on the eastern side of the park had been removed.

"We're concerned over the manner of clearing, the destruction of natural habitat and the loss of the natural feel of Woombah," she said.

"We are also worried that the owner will continue with land clearing regardless of anything that council does. We're literally on watch to call them if we hear or see anything. The clearing started without any regard to rules, regulations or the Woombah community."

Ms Mills said she was also concerned about the loss of wildlife habitat, especially for a local koala population.

Woombah Residents Association president Kerry Wilsmore said the association was opposed to the development.

Mr Wilsmore said the association's vision was to maintain a bushland setting and ensure that the diverse flora and fauna were protected from overdevelopment.

"We will advocate on any issues that may have an undesirable impact on the future of Woombah as a clean, healthy, safe, natural environment," he said.

Woombah Woods owner William Hu claimed a development application from 1984 permitted the expansion of the park. He said he wanted to attract interstate and overseas tourists.

Mr Hu said he planned to clear all trees from the site to make way for an additional 30 cabins.

Clarence Valley Council director of environment, planning and community Des Schroder said council was investigating the tree clearing.

"The owner has been advised to cease works until the investigation is finished," he said.

"The owner has agreed to this and it is council's understanding equipment used to remove trees has been taken away from the site. Council has not ignored, nor is it currently ignoring, any responsibility to ensure the owner complies with necessary requirements."

Council would not comment on a 1984 development application for the caravan park.

<https://www.dailyexaminer.com.au/news/residents-up-in-arms-over-caravan-park-tree-cleari/3804776/#/1>

Posted 9 Aug 2019, 11:11am



Photo:

Council approval to develop the site was granted in the 1980s. (Supplied: Emma Mills)

<https://www.abc.net.au/news/2019-08-09/trees-tumble-as-developer-tries-to-reactivate-council-approval/11396396>