

**Submission  
No 9**

**INQUIRY INTO LOCAL LAND SERVICES AMENDMENT  
(MISCELLANEOUS) BILL 2020**

**Organisation:** Team Koala Inc.

**Date Received:** 4 February 2021

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The Director,  
Portfolio Committee No.7 - Planning and Environment,  
Parliament House,  
Macquarie Street,  
Sydney NSW 2000  
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Dear Portfolio Committee,

Re: Koala State Environmental Planning Policy (SEPP) & Local Land Services (LLS) Amendment  
(Miscellaneous) Bill 2020

On behalf of Team Koala we would like to express our strong objection to this Bill. It opposes the findings of many inquiries into koala populations and would push this species (and many others) on an even more precipitous decline. It would work against other actions for koala recovery making the exercise pointless as disconnected pockets of koala habitat become even more isolated - causing populations to die out.

***The LLS Amendment Bill 2020 must be sent back to this committee for review.***

Team Koala is an incorporated charity and volunteer community group whose main aim is ADVOCACY on behalf of the Tweed Koala to governments at all levels when required, AWARENESS and EDUCATION for the community about the Tweed Koala, its habitat, its endangered status and the threats it faces for its survival in the wild.

Team Koala was formed in 2009 by Jenny Hayes, and her sister Lisa Townsend. Jenny Hayes' background is a school teacher with 30 years' experience. Team Koala has worked for over a decade to conserve koalas and koala habitat in the Tweed region and beyond. The group has over 1800 members and growing, with an enthusiastic and dedicated committee of 7 who meet once a month to plan and coordinate various activities such as assisting Tweed Shire Council with tree plantings at Pottsville Wetlands and Cudgen Nature Reserve and attending schools in partnership with Tweed Council for Koala Awareness education. Team Koala led by Jenny Hayes played an integral role in the creation of the Tweed Coast Koala Plan of Management.

Team Koala President Jenny Hayes, is a community representative on the Tweed Coast Koala Management Committee of the Tweed Shire Council. Team Koala was a winner of the 2019 Tweed Shire Council Sustainability Awards for Wildlife and Habitat Conservation as People's Choice Winner and the Special Recognition Award. Team Koala also received the 2020 Australia Day Award for Community Event of the Year, which was a free Koala Community Fun Day. The event was held in September 2019 in Pottsville and attracted hundreds of local families to have fun and learn about all things Koala. In 2021 Jenny Hayes was awarded Tweed Shire Citizen of Year at the Australia Day Council Ceremony for her dedication and leadership in the community to help save the koala in the wild for future generations.



These amendments could set back what has already been achieved to preserve the endangered Tweed coast koalas – it will almost definitely impede efforts going forward. This population is on the brink of extinction and considerable time and money has been expended for its recovery. Tweed Shire Council has also expressed their “dismay” at the profound implications these amendments will have for the State’s ability to protect the environment of NSW and its koalas.

The Portfolio Committee for Koala Populations & Habitat in NSW has done extensive research into koala protection policies and is highly versed in the performance and effectiveness of these policies.

Deeply concerning impacts of the Bill include the following:

1. Core koala habitat - identified in Koala Plans of Management (KPoMs) - can **no longer be zoned as category 2 lands**. The Tweed operates a Coastal KPoM but this must be extended to the whole shire if koala populations are to survive. This measure severely weakens the legal power of a KPoM to regulate core koala habitat - it would allow core koala habitat to be cleared in rural areas *even if it has been identified in a local KPoM*
2. Private Native Forestry (PNF) will no longer need consent under local environment planning – meaning that core koala habitat could be cleared without consultation or approval. This could happen unintentionally – or could be used to pre-empt urban development. This is particularly worrying as the Tweed region has a large amount of urban expansion in the pipeline. PNF agreements are to be increased from 15 to 30 years - further compounding this problem.
3. As well as KPoMs other Environmental protection policies - SEPPs & Local Environmental Plans (LEP) will no longer have the ability to prevent clearing of native vegetation in rural zones. Consent will no longer be required. Altogether – this effectively takes away *any* legal status for protecting koala habitat in the areas where it most commonly occurs
4. On land that is already zoned as “environmental” (rezoned from ‘rural’) land clearing for certain activities would now be allowed *without assessment or authorisation*. Currently clearing in E-zones requires consent. Unregulated clearing may also be extended to SEPPs which cover other environmental lands (like coastal wetland, littoral rainforest etc).

We recommend that this bill conform with the inquiry into ‘Koala Populations and Habitat NSW’ and at least do the following:

- Retain the zoning of ‘State Sensitive Regulated Land’ for Core Koala Habitat in KPoMs, maintaining current protections from logging and broadscale clearing.
- Include these Regulated Areas in E-zones in Council LEPs
- Retain Councils ability to require consent for logging and clearing in environmental zones
- Ensure PNFs comply with updated codes of practice that include current investigation & knowledge of koala habitat.
- Retain prohibition on logging of koala habitat identified in existing KPoMs in ALL regions where they exist (including Bellingen Shire)
- Mandate the establishment of KPoMs in all Local Government Areas in NSW.



Our group speaks for the majority of the Tweed community in saying it is unacceptable given the enormous habitat loss from recent fires and drought, as well as the future impacts of climate change, that policies such as these are being proposed. It is very hard to see any winners in these policy changes but the loss is clearly for all Australians and for the biodiversity of all wildlife - especially our iconic koalas.

Team Koala strongly suggests that the LLS Amendment Bill (and associated SEPP policy) is sent to the Portfolio Committee – Koalas, for expert review.

Yours sincerely,

Team Koala Inc.  
Tweed, NSW

4<sup>th</sup> February, 2021

N.B. We give permission for our submission to be published in full on the website including our name.