

24 May, 2024

NSW Koala Strategy Review  
Department of Climate Change, Energy, the Environment and Water

by email: koalasummit@environment.nsw.gov.au

## **RE: Submission NSW Koala Strategy Review**

Sutherland Shire Environment Centre is a not-for-profit community organisation that has been advocating for the environment in the Sutherland Shire and surrounding bio-regions since 1991. Awareness about our local koala population has only become more widely known in the last 5 years, our members and the local community are now committed to supporting the well being of koalas in our local area, and across the rest of NSW more broadly.

Our organisation is a member group of the Sydney Basin Koala Network (SBKN) and the Nature Conservation Council (NCC). In relation to this review we are aware of and support points of concern with the NSW Koala Strategy raised by both groups, and in particular SBKN's point about the use of offsets needing to be limited. We agree the offset system does not provide "like for like and leads to a net loss in appropriate koala habitat for local koala populations."

The NSW Environment Minister Penny Sharpe MLC has noted that koalas face extinction by 2050 unless we start to do things differently. Yet the NSW Labor government has already been given very clear feedback about what needs to change. Much of this advice from environmental advocacy organisations, other expert koala research teams such as Biolink, and the NSW Chief Scientist, has, to date, been ignored.

The main threats to koalas are loss of habitat due to logging and land clearing. To date there has been no substantive change to government policy. The small area in the promised Great Koala National Park now exempt from logging is inconsequential when measured against what is continuing to happen elsewhere. There are also massive housing developments around south west Sydney: the Cumberland Plan Conservation Plan approved the bulldozing of hundreds of hectares of core koala habitat. Other developments there have been given the green light despite key information about wildlife rescue numbers being left out of the decision making process: "in Wollondilly 40% of koala records were missing from that time, and in Campbelltown it was 44% when Gilead was assessed".

<https://www.abc.net.au/news/2024-03-14/missing-bionet-koala-records-concerns-approval-gilead-appin/103583364>

To date there is no evidence that the Strategy as a whole has substantively improved outcomes for koalas across the State. WWF and other groups have been flagging problems with the Strategy since 2018, when WWF has labelled it "ineffective, inadequate and expensive."

<https://wwf.org.au/news/2018/nsw-koala-strategy-ineffective-inadequate-and-expensive/>

The 2018 WWF submission also noted that recommendations made by the NSW Chief Scientist were being ignored. Even now Transport for NSW and Planning both continue to make decisions that set aside that advice, choosing instead to make decisions which lead to poor outcomes for local koala populations. In this manner extinction is being facilitated piecemeal across the state.

Despite our reservations about all these issues we welcome the opportunity to participate in this review of the NSW Koala Strategy. We have no alternative but to hope that with future policy changes the Strategy can make a difference.

In terms of issues impacting directly on our local area, we have four main points of concern: 1. the lack of a Sutherland Shire Koala SEPP; 2. the lack of accurate koala surveys; 3. failure of RFS fire management plans to consider koalas; and 4. the failure of TfNSW to provide effective wildlife mitigation measures in a timely manner.

Each of these four points are discussed in further detail below. We hope you can give the issues we raise due consideration.

The Koala Strategy Review has also been structured in relation to a number of key focus questions. We have included a response to these questions within the discussion of the four specific issues impacting our area, and signalled that response with a double asterisk \*\*

## **1. Koalas in the Sutherland Shire koala are not protected by a Koala SEPP**

It has been valuable liaising with members of our local NSW Koala Strategy team, and they have helped Sutherland Shire Council establish a Koala Steering Committee, which includes representatives from a range of other organisations and agencies. The aim is to provide strategic direction on koala conservation, however Sutherland Council's Koala Management Plan cannot be enforced until the Sutherland LGA Koala SEPP is in place.

Although Sutherland Shire is known as an area of Regional Koala Significance (ARKS), as there is no Sutherland Shire Koala SEPP, Sutherland Council is also unable to apply for State government grants to protect koalas. This in turn will prevent Council from applying for grants to conduct proper koala surveys, and for other funding required for necessary actions to protect them.

\*\* In terms of the focus question of how can the NSW Government better support local councils to identify and protect koala habitat - the answer for our local area is to put in place a local koala SEPP and provide funding so Council can take necessary steps to protect koalas. We have asked a number of government agencies including the NSW Koala Strategy team for an explanation as to the reason for the delay with the Sutherland Shire Koala SEPP; no clear answer has been forthcoming.

## **2. Lack of accurate surveys in the Sutherland Shire**

\*\* One of the focus questions for this Strategy review seeks an opinion about "doubling the number of koalas in New South Wales by 2050". The goal is admirable, but also ludicrous as we currently have no accurate estimate of current population numbers across the State. Given how much koala habitat is being destroyed around NSW the question seems an example of Orwellian doublespeak.

In our local area koala advocacy groups have to date relied on the work of a small number of committed members of the community to record sightings of koalas they have seen around the local area. While this citizen scientist research has been incredibly valuable, it is not a replacement for more accurate drone surveys that would help protect the local population, provide information about corridors, and accurately guide our Council's Koala Plan of Management decisions.

The Sutherland Shire LGA is estimated to have a population of at least 200 koalas. This is only an estimate. A recent drone survey carried out by Landcare Australia at Lucas Heights Conservation Area, where less than 6 koalas were sighted in previous years, found a population of 21, with another 11 unconfirmed sightings. The survey was conducted over 6 hours, across 105 hectares. It is only via snapshot surveys such as this that we will obtain accurate population estimates.

\*\* This local failure to carry out proper surveys in the Sutherland Shire also speaks to the focus question of "Are the current categories of strongholds, populations for immediate investment and populations to fill knowledge gaps the right ones for koala conservation? Are there other important koala populations that should be identified for conservation management?" Another part of the answer, once again, is that we know that the NSW government is failing to protect known populations. This issue must be addressed, and given primacy. The situation with native forest logging on crown land, and also development in south west Sydney, where huge housing developments have been approved on prime koala habitat without adequate corridors being provided are the most egregious examples.

### 3. Fire management

Accurate surveys of koalas are a key factor in better understanding how to protect them. This issue is also likely responsible for the failure of the local Sutherland Shire RFS to properly account for known koala habitat in their Draft Bush Fire Risk Management Plan. There is some acknowledgement in the plan that the Sutherland Shire contains several areas of Regional Koala Significance (ARKS), but the limited number of areas mentioned in the draft plan do not encompass all koala populations across the Shire.

Informal advice we have received suggests that koalas are likely to have been killed in the huge Holsworthy Defence hazard reduction burn in 2023. There was no transparency on the part of the RFS as to whether animals in that burn area were indeed protected during the burn. No koala surveys were done before or after the burn despite assurances by given to the media by the RFS prior to the burn taking place:

<https://www.abc.net.au/news/2023-09-08/koala-planning-hazard-reduction-burn-holsworthy-barracks/102828020>

Shortly after the Holsworthy burn a koala was hit and killed on a section of Heathcote road adjacent to the burn area. Koalas can be burnt and injured during a burn, and they are also in danger afterwards when they are driven from an area by the need to seek new food sources.

Best practice fire management would take into account these issues. The Sutherland Shire RFS Draft Bush Fire Risk Management Plan fails to do so. As such, koalas in the Sutherland Shire are subject to unacceptable risk. What does the NSW Koala Strategy need to do to ensure the RFS is committed to best practice fire management?

\*\* One of the other focus questions asks "How could a revised Strategy further empower Aboriginal communities? What, if any, are barriers in the current framework?" The answer in relation to our local area is to empower our local Gandangara Aboriginal Land Council to undertake surveys on koala habitat on their land around the Heathcote Rd Mill Creek koala corridor, and implement cool burning fire management practices. Ideally cool burning fire management practices would be rolled out across the rest of the Sutherland Shire and surrounding bushland areas, including land managed by the NPWS.

\*\* Addressing fire management will become even more imperative with climate change. This was another focus question - and in this context it is vital to recall that 95% of the Royal National Park was burnt in 1994. If similar fires go through the Royal and Heathcote National Parks again our small local koala populations will be wiped out.

### 4. Koala road kill and the failure of Transport for NSW (TfNSW) to address this in a timely manner on Heathcote Rd

By far the biggest killer of koalas that we know of to date in the Sutherland Shire is because they are being hit on the roads. Despite our worst kill zone at Deadmans Creek on Heathcote Rd at Sandy Point being the subject of attention from numerous politicians, media, including stories on primetime news, to date TfNSW has failed to address the issue.

Environmental advocacy groups have been calling for roadkill mitigation measures at Deadmans Creek since at least 2018, following the deaths of six koalas there in one year: <https://www.theleader.com.au/story/5681392/outcry-over-koala-deaths-on-heathcote-road/> Representations were made to TfNSW by the National Parks Association Southern Sydney branch in 2019, and the issue was flagged with the "Senior Environment Specialist" at TfNSW. After the NPA met with James Griffin in October 2020, funding was made available, and a consultant was employed by TfNSW to advise on what works would be required.

We met with the TfNSW consultant and other groups at Deadmans Creek on 26 April 2021.

Seven koalas were killed on Heathcote Rd from Oct 2020 to Oct 2021. By Oct 2021 our groups were urging TfNSW to share the consultant's report with recommended mitigation measures so we could review the recommendations:

<https://www.theleader.com.au/story/7396224/koala-deaths-on-heathcote-road-escalate/>

Despite multiple requests from a number of groups concerned with the issue, the report was not released until 6 September 2022, even though it was marked as finalised nine months earlier, in December 2021.

The delayed release of this report reflects our experience of dealing with TfNSW on much needed mitigation works - it has been a case of stonewalling, prevarication, and outright blocking of effective action to prevent koala roadkill.

In the year following the release of the report between Oct 2022 and Oct 2023, another eleven koalas died on Heathcote Rd. TfNSW was not even aware of the kill rate until we notified them and the NSW Koala Strategy team.

(It was at this point we began to realise that even the number of koalas being killed was not being accurately recorded in BioNet. This subsequently led to a SBKN investigation which resulted in BioNet uploading 480,000 missing records across the State from 2019-2022, including approximately 25,000 threatened species records.)

During this period it also became apparent that TfNSW had not taken any substantive action to implement the main recommendations of their report. This simply involved erecting a fence to prevent koalas getting onto the road. The report contained four options: the option TfNSW chose involved lengthy negotiations between Liverpool Council, and Holsworthy Defence Base. This option also required a Review of Environmental Factors report as it proposed putting up the fence through an endangered ecological community. All these complications could have been avoided if TfNSW chose the simpler option of installing the fence on TfNSW land alongside Heathcote Rd.

The extent to which TfNSW failed to prosecute the matter became apparent when in July 2023 we were forced to arrange a meeting between TfNSW and the Department of Defence on site of Deadmans Creek because TfNSW claimed they had been unable to contact Defence to progress any discussion about the proposed works. We met TfNSW and Defence onsite in early August, and saw a dead koala beside the road. During that site inspection we had to show TfNSW the exact locations koalas were being hit on the road, they did not know about these. TfNSW proposed employing another consultant to draw up another report, and flatly refused to install any signs warning motorists that koalas were in the area.

In August 2023 we advised a NSW Koala strategy team member that we were planning to crowdfund koala signs on the road due to TfNSW's refusal to provide these. It was only after our initiatives were disclosed that signs were later funded by the NSW Koala Strategy. These were put in place later that year by TfNSW, but they were static signs (as opposed to variable messages) and were badly placed, away from the locations koalas were being hit on the road. One sign was obscured by a wattle tree, the other on a corner opposite a speed camera out of drivers' direct line of sight. Although we advised the NSW Koala Strategy team of these issues shortly after the signs went up, only one sign was moved, around two months after we notified the team.

Sutherland Shire Environment Centre subsequently spent around \$4,000 on effective signs with brightly coloured variable, engaging messages. We received another \$1,000 in crowd funding

to keep them up, and a further \$5,000 from Symbio Wildlife Park, so \$10,000 in total. Environment groups and members of the public should not have to spend money due to TfNSW's failure to provide effective signage.

In October 2023 Sutherland Shire Environment Centre and twelve other environmental organisations co-signed a letter to the Roads Minister expressing loss of faith in TfNSW to take the issue of koalas being killed on roads seriously. These groups included WIRES, the International Federation for Animal Welfare (Ifaw), and the Total Environment Centre:

Environment and wildlife groups have been raising the alarm for some time but have now lost faith in Transport NSW (TFNSW) to take this issue seriously.

We are frustrated that action to address the risk to people and endangered wildlife only comes via intense effort and lobbying by environment and wildlife groups, case by case. There is no transparency on the decision making process and, it appears, very little interest by TFNSW to resolve issues with the urgency needed, or to adopt best practice when forced to intervene.

It is now over three years since we met the TfNSW consultant on site in April 2021 to discuss the parameters of a fully funded project, and to date, TfNSW has not yet even submitted REF documents to Liverpool Council to put the fence through the endangered ecological community.

We have made it clear to TfNSW on a number of occasions now that our groups do not support the option of putting the fence through an endangered ecological community as a mitigation measure and that we regard it as an excuse for further prevarication and delay. From discussions we have had with Liverpool Council we do not believe they are in favour of this option either.

It currently appears that the required fence to prevent koalas accessing the road will not be built for at least another year, and four years after the project was originally approved. It is one fence, and it is hard to understand how one department could be so incompetent. Yet recent correspondence to the MP for Holsworthy Mrs Tina Ayyad from the Minister for Roads was an ongoing litany of prevarication:

Transport for NSW is in the final stages of engaging a consultant to progress the planned fencing around Deadmans Creek. This will help direct koalas to existing safe crossing locations under the bridge. The new Heathcote Road Bridge over the Woronora River is complete and includes new koala fencing on either side of the bridge. Underbridge fauna passage allowances and possible fencing at Holsworthy is being developed as part of the upgrade. I am advised no other koala vehicle strike hotspots have been identified on Heathcote Road.

Transport for NSW will work with the NSW Department of Climate Change, Energy, Environment and Water (DCCEEW), Sutherland Shire Council and Liverpool City Council on redeployment of the variable message signage for the 2024-25 koala dispersal season.

Through all our discussions with TfNSW on the issue of signage TfNSW appeared only focused on making the point that signs do not work. This somehow set aside the fact that there are koala road signs around the State. It also raises questions about TfNSW's efforts last year with sign placement and messaging. After our brightly coloured signs went up only one koala was killed on Heathcote Rd, and motorists appear to have become far more aware of the need to watch out for passing animals, especially at dawn and dusk. (From monitoring social media we know that a number of motorists were able to stop and guide koalas away from the road.) Overall the impression we were left with after this signage business was that TfNSW simply did not want to let people know that koalas used the road in case that raised community awareness of their failure to install koala mitigation measures in a timely manner.

Although we have also focused in this submission on TfNSW failures in relation to Deadman's Creek, the situation at Appin is worse. That koala crossings will only be installed there 12 months after road fencing is completed is unconscionable. Given what we know of TfNSW delays it is entirely possible this 12 month estimate will stretch out far longer. Koalas will be trapped in a development zone while habitat is destroyed.

\*\* In answer to the key focal question of what else can the NSW Government do to better mitigate vehicle strike - we believe that as a priority responsibility for wildlife vehicle strike mitigation projects should be taken away from TfNSW as soon as possible.

It was shocking to find out that this agency is primarily responsible for vehicle strike mitigation across the state. TfNSW should be tasked with service delivery, not design or decision making. Protecting koalas from being killed on the road is clearly not a core function of TfNSW, or a priority.

\*\* This also relates to the focus question of "What changes should be made to the koala research plan to make sure it delivers research that directly benefits koala conservation?" Research into mitigation measures should be carried out by a NSW Koala Strategy team whose core function and priority is to ensure koala roadkill is minimised, with this research integrated into design and decision making plans for mitigation measures across the State. This research needs to encompass research into known routes koalas follow as they move around the landscape.

\*\* The TfNSW failure to provide mitigation works in a timely manner also speaks directly to the focal question of what can be done to better support wildlife carers. After liaising with a number of other wildlife advocacy groups whose members include carers, and after speaking to carers themselves, it has become apparent that these volunteers are bearing the brunt of TfNSW's failures to act.

The work volunteer carers and rescuers do is traumatic, emotionally taxing, stressful, and can be dangerous. This has especially been the case on Heathcote Rd where there are few places to pull over safely when looking for injured and dead animals. In October 2023 we put forward a motion at the Nature Conservation Council (NCC) to address the issue. This motion was supported unanimously, and as such has the support of all 190+ NCC's member groups. The motion called for electronic signs to be installed in known koala vehicle strike zones across NSW, for the speed limit in these areas to be cut to 60kms in locations where there are delays in Transport NSW installing effective mitigation measures. We also asked for speed cameras to be installed to enforce the reduced speed limits.

At the NSW Koala Strategy Summit at Taronga the TfNSW representative on the Vehicle Strike Table prevented this motion even being noted in the table's minutes.

To make it clear, currently unpaid volunteer wildlife carers and rescuers are bearing the brunt of TfNSW's failures to act. This is an issue which must be addressed by the NSW Koala Strategy as a priority.

Thank you for your time, and for considering the issues raised in this submission. We hope these can be addressed in a revised NSW Koala Strategy.

Kind regards,



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Sutherland Shire Environment Centre