

Friends of Cudgen Nature Reserve Inc

20 Forest Oak Crescent Bogangar NSW 2488

28th July 2017

Attention: The Secretary of the NSW Departments of Planning & Environment

Re: MODIFICATION TO KINGS FOREST APPROVAL NO. 08_0194 (MOD4)

Our group the Friends of Cudgen Nature Reserve submission to the proposed modification to Kings Forest approval follows.

Please note our group has been active since 1998 and has been working on a regular basis concentrating on restoration works within the Reserve. We have undertaken numerous rehabilitation works as a group and in conjunction with other partners including Tweed Shire Council, NPWS and Conservation Volunteers Australia. We have also facilitated plantings with local school groups and one of our objectives is to create educational opportunities and the advancement of environmental consciousness in the local community. We have currently 30 financial members.

We do not support the proponent's amendment to the Kings Forest Koala Plan of Management and project approval. Our main concerns are detailed below.

1. Koala habitat offsets have been significantly reduced, with the proponent proposing to 1) remove the requirement to create 27ha of koala habitat in Cudgen Nature Reserve; 2) significantly reduce the East-West fauna corridor on site; and 3) propose offsetting in areas on site that already comprise native vegetation or are small, fragmented and therefore ineffective. Friends of Cudgen NR do not support these changes for the following reasons:

- The original Koala Plan of Management and associated offset package approved by the State Government as part of the Concept Plan recognised the significant impact the Kings Forest development would have on the local Koala population, though both direct impacts like vegetation clearing and loss of habitat and indirect impacts like increased risk of dog attack and car strike associated with the development. The scale and intensity of the proposal has not changed, therefore there is no justification to change the comprehensive measures that were set when the development was approved.
- It now appears that there is a proposed increase in the area of koala habitat to be cleared when compared to what was approved under the Kings Forest Concept Plan. It now appears the proponent is proposing to remove approximately 15ha of koala habitat, whilst under the Concept Plan approval, less than 7ha of koala habitat was to be removed. So whilst the proponent would like to double the area of koala habitat they will clear, they would also like to significantly reduce their commitment to create new koala habitat.

- Local, State and Federal Governments continue to commit funding to restore habitat and reduce threats to the Endangered Tweed Coast Koala Population. This funding and works is fully supported by Friends of Cudgen Nature Reserve and we believe also the Tweed community. However these considerable combined efforts by Government and the community towards recovering the Endangered Tweed Coast Koala Population will be seriously diminished if the proposed changes to the Koala Plan of Management and associated offset package are approved.
- Koala habitat creation in Cudgen NR and on the Tweed Coast through the Government funded Koala Connections project and various NSW Environmental Trust funded projects have been highly successful, with koala habitat plantings being used by koalas within two to three years of their planting. This demonstrates the effectiveness of this measure in supporting koala population recovery and threat abatement. Had the proponent already commenced implementation of this required offset measure, it is highly likely that they could have already demonstrated to the community that they were serious about mitigating the impacts of their development.
- The creation of 27ha of koala habitat in Cudgen NR is considered an ideal offset, with this area being managed to reduce other threats facing koalas like bushfire risk, wild dog control and mitigating traffic strike. The proponent argues that there is no nexus between the two areas and koala conservation. We argue that there is very strong nexus between the two areas, with the population at Kings Forest likely connected to the Round Mountain koala population and improved carrying capacity and koala population increase in Cudgen NR in the Round Mountain area, potentially resulting in koalas moving northwards into the Kings Forest area and supplementing the population here. We can confirm that there are large areas of ex-banana plantation that would prove ideal for koala habitat creation. Indeed recent koala habitat plantings undertaken with our groups support in such areas are now well-established and being used by koalas.
- On site koala habitat offsets are not supported in areas already supporting areas of native vegetation. The proponent is already committed to restoring these areas under a numerous array of management plans, therefore claiming these areas as an offset for koala habitat creation is considered 'double-dipping' and not considered acceptable.
- On site koala habitat offsets should also focus on creating primary koala habitat, comprising 40-60% primary koala food trees with the remainder being secondary browse species and some shelter trees. Primary koala habitat is the limited factor for koalas on the Tweed Coast and it seems pointless creating additional areas of 'secondary' koala habitat when the aim is to create high quality and high carrying capacity koala habitat to mitigate the loss of habitat. As mentioned previously, our group has revegetated koala habitat for many years and our experience in getting the best gains out of these works are to concentrate on planting the four primary koala food trees on the coast, supplemented by a range of other local species suited to the conditions.
- According to the Concept Plan approval, the east-west corridor was to be fully revegetated and generally 100m wide and connect to habitat at its eastern and western extremes. The proponent seeks to minimise the east-west fauna corridor by reducing it to 50m in width, reducing its length and not providing a continuous habitat link. This will significantly impact on the functionality of this corridor for a range of fauna, in addition to reducing the available

habitat for fauna. A wider and well-connected corridor would facilitate movement of fauna species more sensitive to disturbance and is vital in such a high impact development.

2. Onsite koala threat abatement measures have been reduced without adequate justification

including removal of permanent koala fencing on roads in southern areas of the development and removal of fauna underpass associated with these roads. Grids are proposed in these areas to stop koalas entering the development site. Friends of Cudgen NR do not support these changes for the following reasons:

- The proponent is responsible for mitigating risks to koalas within the development site, particularly in light of listing of the Tweed Coast Koalas as an Endangered Population in 2016. If roads are not fenced on both sides where they pass through areas of koala habitat or environmental protection zones, there is a significant risk of koalas being hit, injured and killed by vehicles when they attempt to cross roads in these areas. This is not acceptable. These roads must be secured with permanent koala proof fencing on both sides and adequate fauna underpasses must be provided to ensure safe and also effective movement of koalas.
- Grids will not stop domestic dogs entering koala habitat and environmental areas. This means koalas in these areas are at higher risk of attack from dogs, which is also not acceptable.

3. The proponent seeks to redefine 'commencement' which could result in koala habitat being removed without the appropriate offsetting works being undertaken.

It appears that the proponent seeks to tie implementation of koala habitat works to development of the adjacent precinct. Offset works should be staged and so the impact is directly linked to delivery of a measurable and appropriate offset. We believe offsetting works should be substantially established before any removal of koala habitat is undertaken. It appears that the proponent will continue to delay implementing their required obligations rather than accept the impacts of their development and fulfil their obligations to the satisfaction of the community and Government, in order to ensure the ongoing survival of the Tweed Coast koala population and many other local species of flora and fauna. This is highly disappointing and should not be an acceptable outcome.

In conclusion, Friends of Cudgen NR do not support the proposed changes to the Kings Forest Koala Plan of Management. We trust the State Government will uphold the previously approved Kings Forest Koala Plan of Management and the associated comprehensive koala habitat offset package and range of mitigation measures in order to ensure the future survival of the Tweed Coast koalas.

Yours sincerely

John Mc Donagh

President of Friends of Cudgen Nature Reserve

Contact: PH: 0421 657 960 Email: jngmcdonagh@hotmail.com