

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

**Organisation:** NSW Wildlife Information, Rescue and Education Service Inc.  
(WIRES)

**Date Received:** 5 February 2021

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NSW WILDLIFE  
INFORMATION  
RESCUE AND  
EDUCATION  
SERVICE Inc.

1<sup>st</sup> February 2021

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

**Re: Submission to the Inquiry into the Local Land Services Amendment (Miscellaneous) Bill 2020**

Dear Ms Faehrmann and Committee members,

NSW Wildlife Information, Rescue and Education Service Inc. (WIRES) welcomes the opportunity to make a submission to the inquiry into the Local Land Services Amendment (Miscellaneous) Bill 2020 and its potential impact on our native wildlife and their habitat.

WIRES is Australia's largest wildlife rescue organisation and was formed in 1985. Thirty -five years later, WIRES has 28 branches, more than 3,000 members and assists hundreds of thousands of community members annually. WIRES mission is to actively rehabilitate and preserve Australian wildlife and inspire others to do the same.

WIRES dedicated Rescue Office operates 365 days a year, acting as the first point of contact for the community to provide wildlife information, education, emergency rescue advice and assistance for sick, injured and orphaned native animals. We receive around 170,000 calls to our 1300 number annually, including thousands of interstate calls. On average, WIRES assists tens of thousands of native animals each year, manages up to 80% of all wildlife rescue calls in NSW and plays an important role in national community wildlife education.

In addition, WIRES trains hundreds of new volunteers in wildlife rescue and care annually. Over 2,600 people registered for introductory training in 2020 alone and we are dedicated to the ongoing recruitment of new volunteers and the continued upskilling of existing volunteers. This growing network of volunteer rescuers and carers is critical for the rescue and rehabilitation of our unique native wildlife.

After the catastrophic bushfires of last summer, where an estimated three billion animals perished or were displaced, we recognise that we are no longer operating under a 'business as usual' approach. In New South Wales alone, approximately 7% (5.37 million hectares) of land was burnt. This included 37% of the national park estate, 42% of state forests and 4% of freehold land<sup>1</sup>. In addition, a report commissioned by the World Wide Fund for Nature-Australia (WWF Australia) found the 2019-20 bushfires resulted in the loss of about 71% of koala populations in fire affected areas at six locations on the north coast of New South Wales<sup>2</sup>. With this new reality

<sup>1</sup> State of New South Wales and Department of Planning, Industry and Environment. 2020. *NSW Fire and the Environment 2019–20 Summary*. Environment, Energy and Science Department of Planning, Industry and Environment.

<sup>2</sup> Biolink Ecological Consultants. 2020. *Quantifying the impacts of bushfire on populations of wild (Phascolarctos cinereus): insights from the 2019/20 fire season*. Prepared for WWF Australia



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and so much of our natural bushland lost, it is crucial that we reconsider projects resulting in habitat destruction and landscape modification, in order to protect and improve the outcomes for our remaining native species.

WIRES is concerned that the proposed Local Land Services Amendment (Miscellaneous) Bill 2020 will have a severe impact on increasingly vulnerable koala populations across our state. It is likely that these negative impacts will accelerate decline of koala populations by limiting available habitat for food, safety and shelter. It is likely we will see the impacts of this well before 2050.

### Impacts on Threatened Koala Habitat

If the amendments are approved in their current form, they will allow for unregulated land clearing of koala habitat not already identified in rural areas and the prevention of heightened habitat protection on private farmland. This is of great concern to the future of koalas in NSW as it removes any requirement of authorisation for vegetation clearing on core koala habitat, particularly on private land. This will heavily impact koala populations already vulnerable and at risk due to ongoing habitat loss, climate change and the 2019-2020 bushfire disasters.

The amendment suggests Koala Plans of Management (KPoM's) by local councils should no longer be utilised when identifying future environmental zones (e-zones), and that 'allowable activity land' should be introduced to allow unregulated land clearing within e-zones (E2, E3 and/or E4) on private property. On the north coast 61 percent of high-quality koala habitat occurs on private property<sup>3</sup>, and likely koala habitat was identified in E2 and E3 e-zones in the repealed *Koala SEPP 2019*. Allowing further land clearing will drastically isolate and fragment koala colonies, reducing habitat connectivity that is essential for purposes of breeding, finding food and shelter and avoiding danger including in the event of emergencies (eg. bushfire and flood events). As we have witnessed major destruction of habitat from bushfires already, by allowing the removal of further habitat we are significantly limiting the ability for these colonies to recover and persist into the future.

The bill's proposal that koala habitat identified after 6 October 2020 should not be eligible for inclusion as Category-2 Regulated Land not only weakens protections but also prevents any further possibilities of protection as Sensitive Regulated Land. A clear objective of the bill is to facilitate excessive clearing of native vegetation without interference from koala conservation goals, putting at significant risk the security of core koala habitat. With the devastating loss of koala populations in NSW following drought and the 2019-2020 fires, it is alarming that the NSW government is proposing to remove protections on land that might allow the remaining populations the ability to recover. Strengthening legislative protections for current and future koala habitat is critical to ensuring their survival in Australia.

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<sup>3</sup> Shand, A. 2020. 'NSW Liberals betray koalas and back down to the National Party.' Byron Echo National News. <https://www.echo.net.au/2020/10/nsw-liberals-betray-koalas-and-back-down-to-national-party/>





Continued land clearing will further decrease suitable habitat for koalas, particularly concerning in a time when available habitat is more crucial than ever. The Koala SEPP 2019 was introduced because it was made clear that protections under the Koala SEPP 1994 had not been significantly effective at protecting koala habitat. Since 1995, only 6 councils have mapped a total of 5,000 hectares of core Koala habitat<sup>4</sup>. By revamping the SEPP there was hope that local Councils would start to fulfil their obligations regarding mapping koala habitat and allowing protections and approval requirements to be followed through. Reverting to mapping criteria from 1995 demonstrates a considerable misunderstanding of species conservation. An example of this is the 123 feed and use trees identified in the Koala SEPP 2019, compared to the 10 identified in the SEPP 1994. Proposed changes will undo many of the protections introduced over the last 25 years and will create an alarming inability to protect future koala populations.

### Impact on Wildlife Carers

In 2020 alone, more than 110 injured koalas were taken into care by WIRES carers across NSW. Release is the end goal of all our carers, and finding secure habitat is important for ensuring rehabilitated animals have the best chance at survival. Consequently, releases will be increasingly difficult if potential habitat becomes less available and less reliable, due to constant risk of near-future destruction. Areas of stability in our protective legislation will enable carers to make more reliable decisions when releasing koalas which will in turn help safeguard these populations into the future.

Koala forests are also home to numerous other native species that we see in our care every year. Removal of koala habitat will not only impact koalas, but also the numerous species that also rely on this habitat, including threatened species such as the Yellow-Bellied Glider, Regent Honey-Eater, Southern Brown Bandicoot and Eastern Bent-Wing Bat. A report from WWF-Australia in 2018 estimated that tree-clearing in NSW contributed to the deaths of 87 million animals between 1998-2015, with 4.9 million deaths on average annually<sup>5</sup>.

### Recommendations

1. "Allowable activity land" should not supercede environmental zoning (E2, E3, and/or E4), as this will further impact fragmented koala populations in NSW.
2. Current core koala habitat as identified under the Koala SEPP 2020 should be classified as Category-2 Sensitive Regulated Land or as Areas of Outstanding Biodiversity Value. This includes maintaining existing classification for core Koala habitat identified in Bellingen Shire's KPoM, and ensuring Koala habitat already identified in draft KPoMs in Port Macquarie-Hastings (Coastal, 2018), Clarence Valley (Ashby, Woombah & Iluka localities, 2015), Byron (Coastal, 2016) and Tweed (Coastal, 2015) Local Government

<sup>4</sup> NSW Legislative Council Portfolio Committee No. 7 – Planning and Environment *Koala populations and habitat in New South Wales*, June 2020, available at <https://www.parliament.nsw.gov.au/committees/inquiries/Pages/inquiry-details.aspx?pk=2536#tab-reportsandgovernmentresponses>.

<sup>5</sup> World Wildlife Fund-Australia. 2019. *Native animals lost to tree-clearing in NSW 1998-2015*. Report prepared by WWF-Australia, Sydney.





Areas is included as State Sensitive Regulated Land, and that Councils are allowed and encouraged to include it in environmental zones (E2).

3. Retain the requirement that core Koala habitat identified in Koala PoMs be identified as State Sensitive Regulated Land under the Local Land Services Act, with current protections from logging and broadscale clearing maintained.
4. Future koala habitat should remain eligible for identification as Category 2-regulated land.
5. Ensure Council Koala PoM's continue to be taken into account when identifying future e-zones.
6. Retain the ability of Councils to prohibit, or require consent for, logging and clearing in environmental zones.
7. Do not extend logging approvals from 15 to 30 years, or at the very least ensure that they are required to comply with updated and contemporary Codes of Practice that take into account new knowledge (not just those given at the time of approval).

As an organisation, we witnessed the outpouring of response across Australia and overseas for the plight of Australian wildlife, including Koalas, during the bushfire emergency of 2019-20. We strongly believe that protection of native wildlife is a core value held by many Australians. Taking into account the above information, WIRES encourages the committee to consider our recommendations in this instance as we cannot support the proposed Local Land Services Amendment (Miscellaneous) Bill 2020 in its current format. I hope you will take these matters into consideration and plan for longevity of threatened ecosystems and the wildlife dependent on them.

Yours sincerely,

Leanne Taylor, WIRES CEO

