

Addendum Report

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**REPORTS FROM SUB-COMMITTEES/WORKING GROUPS**

a60 [SUB-TCKAG] Minutes of the Tweed Coast Koala Advisory Group Committee Meeting held Tuesday 26 February 2013

**SUBMITTED BY:** Natural Resource Management



**Caring for the Environment**

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**SUMMARY OF REPORT:**

The Minutes of the Tweed Coast Koala Advisory Group Committee Meeting held Tuesday 26 February 2013 are reproduced in the body of this report for the information of Councillors.

**RECOMMENDATION:**

**That:**

1. **The Minutes of the Tweed Coast Koala Advisory Group Committee Meeting held Tuesday 26 February 2013 be received and noted; and**
2. **The Executive Management Team's recommendations be adopted as follows:**
  5. ***KAG Terms of Reference***

**That Council amends Section 6.2 of the Tweed Coast Koala Advisory Group Terms of Reference as follows:**

1. **Delete the words "The Chair shall be assumed by the Councillor representative"**
2. **Insert the words "The Chair of the Tweed Coast Koala Advisory Group will be elected by the Tweed Coast Koala Advisory Group."**

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**REPORT:**

The Minutes of the Tweed Coast Koala Advisory Group Committee Meeting held Tuesday 26 February 2013 are reproduced as follows for the information of Councillors.

Venue:  
Canvas & Kettle Room – Murwillumbah Civic Centre.

Time:  
1.00pm

Present:  
Cr Katie Milne (TSC), Mark Kingston (TSC), Iain Lonsdale (TSC), Sally Jacka (TSC), Steve Jensen (DP&I), Anita Mudge (community rep), Jennifer Hayes (Team Koala Inc), Rhonda James (community rep), Ralph Kraemer (community rep), Iain Lonsdale (TSC), John Turbill (OEH), Steve Philips (Biolink Ecological Consultants), Douglas Jardine (Biolink Ecological Consultants).

Guests: Helen Boyland (TSC)

Apologies:  
Lorraine Vass (Friends of Koala Inc.)

Minutes of Previous Meeting:

Moved: Jennifer Hayes

Seconded: Rhonda James

RESOLVED that the Minutes of the Tweed Coast Koala Advisory Group Committee meeting held Thursday 20 December 2012 be accepted as a true and accurate record of the proceedings of that meeting (subject to adoption at next Council meeting).

**AGENDA ITEMS:**

1. Revised Draft CKPoM

Steve Philips discussed the draft CKPoM in detail highlighting the following components: 1) background and “front end”; 2) planning and management framework; 3) statutory provisions and; 4) non statutory provisions. Steve P explained that the management framework was based on a hierarchy consisting of two Koala Management Areas (KMAs) with the southern KMA subdivided into three Koala Management Precincts (KMPs) to focus attention on the most important areas of koala habitat. In terms of SEPP 44, the KMPs essentially represent “core koala habitat.”

Much discussion revolved around the stated definition in SEPP 44 of "core koala habitat" and how that has been interpreted within the draft CKPoM. Under SEPP 44 “core koala habitat” is defined as *an area of land with a resident population of koalas, evidenced by attributes such as breeding females (that is, females with young) and recent sightings of and historical records of a population.* Steve P argued that in the case of the Tweed Coast koala population this definition should be broadly interpreted consistent with the objective of SEPP 44 which seeks to *encourage the proper conservation and management of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of population decline.* The main issue is

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whether or not “core koala habitat” can contain marginal habitat, cleared lands and areas of unoccupied bushland that are likely to have historically support koalas. Steve Jensen advised that if the definitions don't fit with the SEPP the Plan is unlikely to be approved. John Turbill advised that we need to clearly justify our interpretation with respect to SEPP44.

Steve Philips explained some of the similarities and differences in the draft Byron KPoM and Tweed CKPoMs He advised the group he is happy to make changes to improve the CKPoM but will not take out any of the key provisions or remove any of the emotion from the document. All agreed that the document should be as succinct as possible whilst being accessible to the entire community. Some discussion followed on how to progress finalisation of the draft CKPOM. Steve Jensen offered to discuss these issues further with Douglas as necessary.

Ralph queried the objectives for the northern KMA. Mark provided some clarification based on feedback contained in Council's previous comments.

Ralph also queried the need for an ongoing advisory group to assist with the Plans implementation. Discussion from various group members pointing out that an advisory group is an important way of engaging with the community especially with respect to the non-statutory components of the plan.

Jen Hayes felt that Team Koala should be specifically represented on any advisory group. Mark indicated that it would be more appropriate for the Plan to identify the type of representation (e.g. a representative from koala conservation group), as specific groups come and go.

Steve Philips briefly outlined various other provisions of the draft plan including the habitat recovery framework which is proposed to be partly resourced through the draft Plans proposal to require financial compensation for loss of native vegetation.

Steve Jensen will provide comments specific to the draft CKPoM as he believes there are a few "show stoppers" that will limit the likelihood of the plan being adopted, one of which was the ability of the Plan to raise a levy as required by the compensatory provisions.

Mark noted that the draft Plan provides for a TPO and queried if this was possible under a SEPP 44 CKPOM. Steve Jensen indicated that he had similar concerns. Mark agreed with the need to maintain TPO provisions in one form or another and suggested that it may be possible to frame something in terms of “koala habitat” which is something SEPP 44 seeks to protect.

Mark asked whether the intent of section 5.6 of the draft Plan relating to “non-conforming development” was to prevent both the entry of koalas into development zones and of dogs from development zones into koala habitat. Steve P agreed that this was the intent.

Steve Philips is concerned about the lengthy process and suggests it needs to be sped up as it is taking too long to implement.

Mark suggested that Council staff “road test” the statutory aspects of the draft Plan and report back to the next KAG meeting

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Moved: Mark Kingston

Seconded: Anita Mudge

RESOLVED that Council staff “road test” the statutory aspects of the draft Plan and report back to the next KAG meeting.

### 2. LEP Update

Iain advised that approximately 1500 submissions were received and Council were in the process of evaluating them for inclusion in the April or May Council report.

SEPP44 requires councils to consider land identified as “core koala habitat” for inclusion in an environmental zone. The draft KPOM recommends environmental zoning for remnant bushland within identified KMPs on Council and private lands. While it is possible to provide specific development controls for “core koala habitat” without the area being zoned environmental the main advantage of environmental zoning under the new Standard Instrument LEP was that such zoning allows Council to maintain existing control tree clearing in koala habitat.

Mark suggested that the KAG could make a recommendation to Council on the zoning issue prior to finalisation of the draft Plan. This would allow it to feed into the LEP process without delay. Mark indicated however that council staff would need to consider the recommendation further and report back to the group. Some potential issues include the type of environmental zone (E2, E3, etc) and planning complexities arising from sites within the future urban footprint which need to be considered holistically.

Moved: Mark Kingston

Seconded: Rhonda James

RESOLVED that Council staff will consider draft recommendation regarding a Environmental Protection zoning and report to the next meeting for discussion with a view to providing a recommendation to Council on the issue

Moved: Mark Kingston

Seconded: Rhonda James

RESOLVED that Iain will provide Mark with forewarning if the KAG is likely to miss out on an opportunity to provide comments regarding Environmental Protection zones.

### 3. Timetable for Completion

Mark provided the group with an indicative timetable for completion which indicated that, given, internal review, consultation with Council, public exhibition and review of submissions, it was unlikely that the KPOM could be presented to the DP&I for approval prior to November 2013.

### 4. Koala Connections Update

Sally outlined progress on getting landholders on-board to plant koala food trees and advised that while many were supportive some had concerns regarding the signing management agreements and that planting on their farmland will limit their future farming options.

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Strategies to encourage landholders to commit to revegetation works were discussed. A Podcast of a farmer demonstrating that revegetation works and farming can occur concurrently was suggested.

### 5. KAG Terms of Reference

In the past, the Councillor Representative has automatically been the Chairperson. In accordance with the minutes of the previous KAG meeting the Terms of Reference for the Group needs to be changed to say that the chairperson can be chosen by the Advisory Group.

#### RECOMMENDATION:

Moved: Katie Milne

Seconded: Jen Hayes

That Council amends Section 6.2 of the Tweed Coast Koala Advisory Group Terms of Reference as follows:

1. Delete the words "The Chair shall be assumed by the Councillor representative"
2. Insert the words "The Chair of the Tweed Coast Koala Advisory Group will be elected by the Tweed Coast Koala Advisory Group."

### 6. Endangered Population Nomination

Mark emailed the NSW Scientific Committee to enquire if Council's nomination had been considered yet. Date for determination is still not known.

#### GENERAL BUSINESS:

### 7. Koala Tracker

Based on a widely circulated email, Katie asked if Council could contribute sightings to the Koala Tracker database. Mark advised there are numerous websites for this but Council logs sightings with Friends of the Koala. *FOK advise that the Federal environment department is in discussion with the **Atlas of Living Australia** to determine whether/how it can be used to produce a national koala database.*

Meeting Closed

Meeting closed at 4:00pm.

Next Meeting

Thursday 4 April 2013.

#### EXECUTIVE MANAGEMENT TEAM'S COMMENTS:

Nil.

#### EXECUTIVE MANAGEMENT TEAM'S RECOMMENDATIONS:

### 5. *KAG Terms of Reference*

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**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice.

Terms of Reference - adopted 20 April 2010

**b. Budget/Long Term Financial Plan:**

Not applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

**Inform** - We will keep you informed.

**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

- 4 Caring for the Environment
- 4.2 Conserve native flora and fauna and their habitats
- 4.2.1 Promote the protection of native vegetation and wildlife habitat of high conservation value, social or cultural significance in Tweed Shire

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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