RESPONSE TO LEONARD ALLEN'S REVIEW OF FLORA AND FAUNA ISSUES PERTAINING TO A SUBDIVISION APPLICATION OVER LOT 284 DP 806310 SALAMANDER BAY

BY GARRY WORTH 1/06/2010

OVERVIEW

The proposal entails an eight-lot subdivision within a commercial zoning. While the subdivision alone will have minimal impact it was recognised that the outcome of the subdivision would be likely to entail the eventual clearing and development of most of the lots created.

The review appears to have taken the approach that the proposed development does not represent the optimal ecological outcome for this site and it is agreed that the optimal ecological outcome would be the complete retention of all native bushland. This is at variance with the approach required under Part 5a of the EPA Act which recognises that the sterilisation of all land supporting bushland is unworkable and bases an assessment solely on the evaluation of the significance of the impact upon Threatened Species, Endangered Populations and Endangered Ecological Communities, with the level of significance being determined on the basis of the likelihood of a local extinction.

The evaluation undertaken under the CKPoM is different in that the performance criteria are presented as management guidelines and it is seen that is up to Council to determine if non-compliance with these guidelines is acceptable in the light of other considerations.

CKPOM

As stated in the review, the flora and fauna report recognised that the proposal did not comply with the performance criteria of the CKPoM. These criteria are the recommended method of managing the impact of developments on the Koala population. While the waiver provisions were suggested as a possible consideration, Section 6.5 of the flora and fauna report resiled from making a value judgement regarding the relative importance of Koala habitat retention over human needs.

The review discusses the desirable parameters of Koala corridor and patch size at some length with an incorrect reference to McAlpine *et al*, 2007. This publication states that patch sizes should be 50 - 100 ha in area (page 22), although it concedes that 'in Port Stephens patch size appears to be less critical'. It states that movement corridors should ideally be 100's of metres wide (page 29), while there is a general consensus that the wider a corridor the better, the truth is that persistently used Koala corridors may consist of as little as a single intermittent line of trees (Worth and Woodhouse, 2001)**.**

The CKPoM mapping of Koala habitat in the locality (Figure 1), confirmed by aerial photography, shows that the Koala habitat on the site is part of a larger patch with broken connectivity to small habitat areas the north.

Notwithstanding the ideal parameters for a Koala habitat patches and movement corridors, the reality is that the Koala habitat on the site contains less than the 30% of

feed trees regarded by McAlpine as distinguishing between preferred habitat and that of ‘lower-secondary to marginal habitat (page 27). It must also be considered that

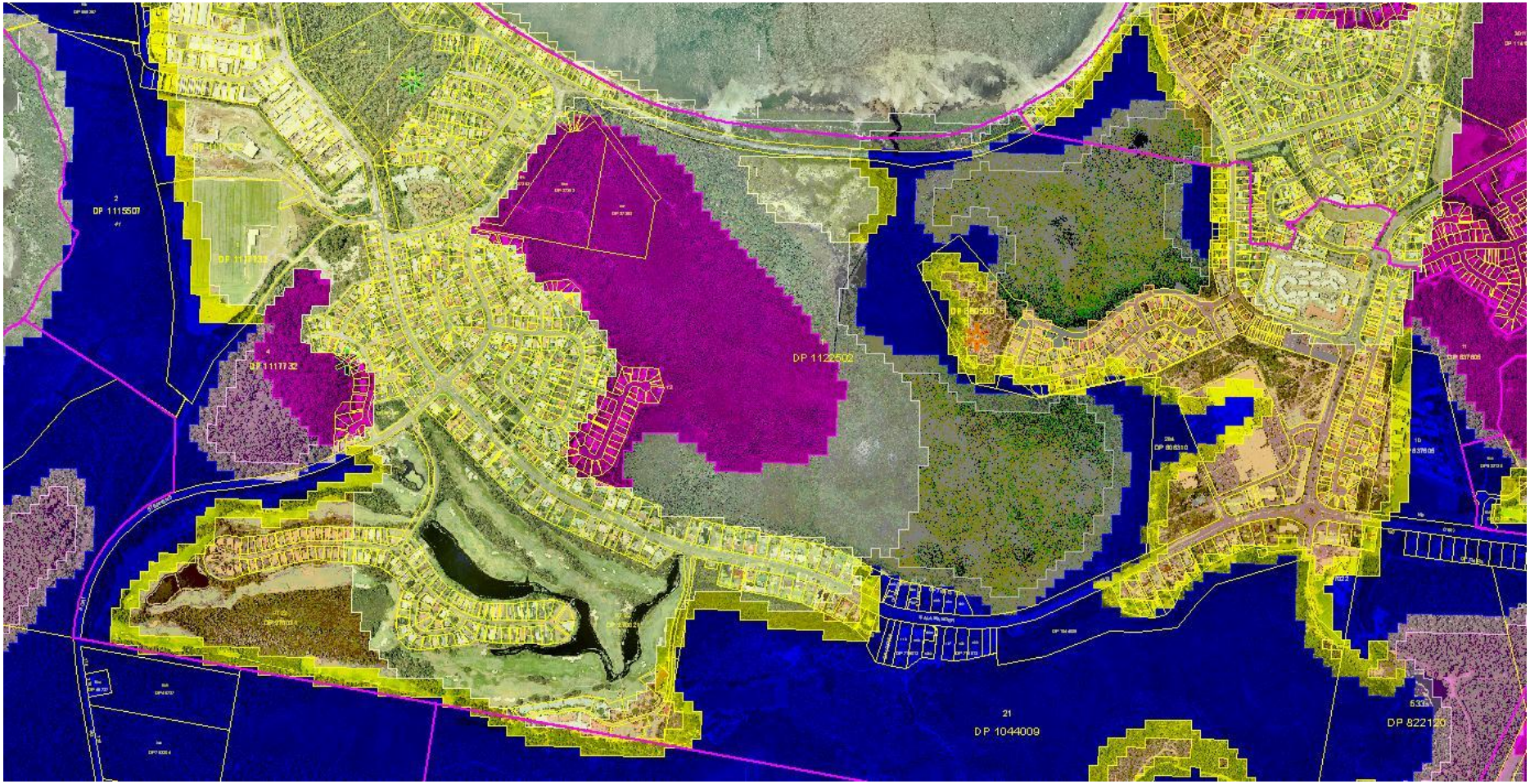

Figure 1 – Map of preferred Koala habitat (blue) in Salamander Bay

many of the feed trees present, and being used, have been planted around the existing development.

SEVEN-PART TEST

The conclusion reached by the Seven-part Test was that there would not be a significant impact upon any of the Threatened Species, Endangered Populations or Endangered Ecological Communities. It is not seen that any other conclusion can be reached considering that the benchmark for determining significance is whether a viable local population or community likely to be threatened with extinction.

The evaluation of the significance of the impact on the EEC, Swamp Sclerophyll Forest, was based on its on its occurrence on the whole of the Tomaree Peninsula (Figure 2). This community is present as a feature of the part of this peninsula representing a contiguous geomorphological landscape, known as the inter-barrier depression. It is suggested that a lesser area be considered as the 'locality'. The suggested Salamander Bay, Soldiers Point and Anna Bay suburbs as the locality is an artificial definition that does not represent any edaphic, floristic or geographic precinct. In any case, the extent of the EEC in these catchments (Taylors Beach included as being surrounded by them) is mapped on the GIS system as being approximately1,200 ha. The total area of the EEC used in the Seven-part Test was about 1,450 ha. Since only 250 ha of EEC lies outside of the reduced locality it is not seen that any different conclusion could be reached other than that a local extinction was totally unlikely.

OFFSETS

It is reiterated that the provision of offset habitat was not a determining factor in deciding that the impact of the proposal was not significant. The offsets were always seen to be a means of ensuring a better ecological outcome for a development that was approvable under current legislation.

REFERENCES

McAlpine, C., Rhodes, J., Peterson, A., Possingham, H.,Callaghan, J., Curran, T., Mitchell, D. and Lunney, D. (2007) *Planning guidelines for Koala conservation and recovery.* Australian Koala Foundation, Brisbane

Worth, G. and Woodhouse, J. (2001) *Potential Koala Habitat and Koala Activity in the Urban Area of Tea Gardens, NSW.* Paper presented at the Australian Koala Foundation Conference on the Status of the Koala in 2001, Canberra, November 2001

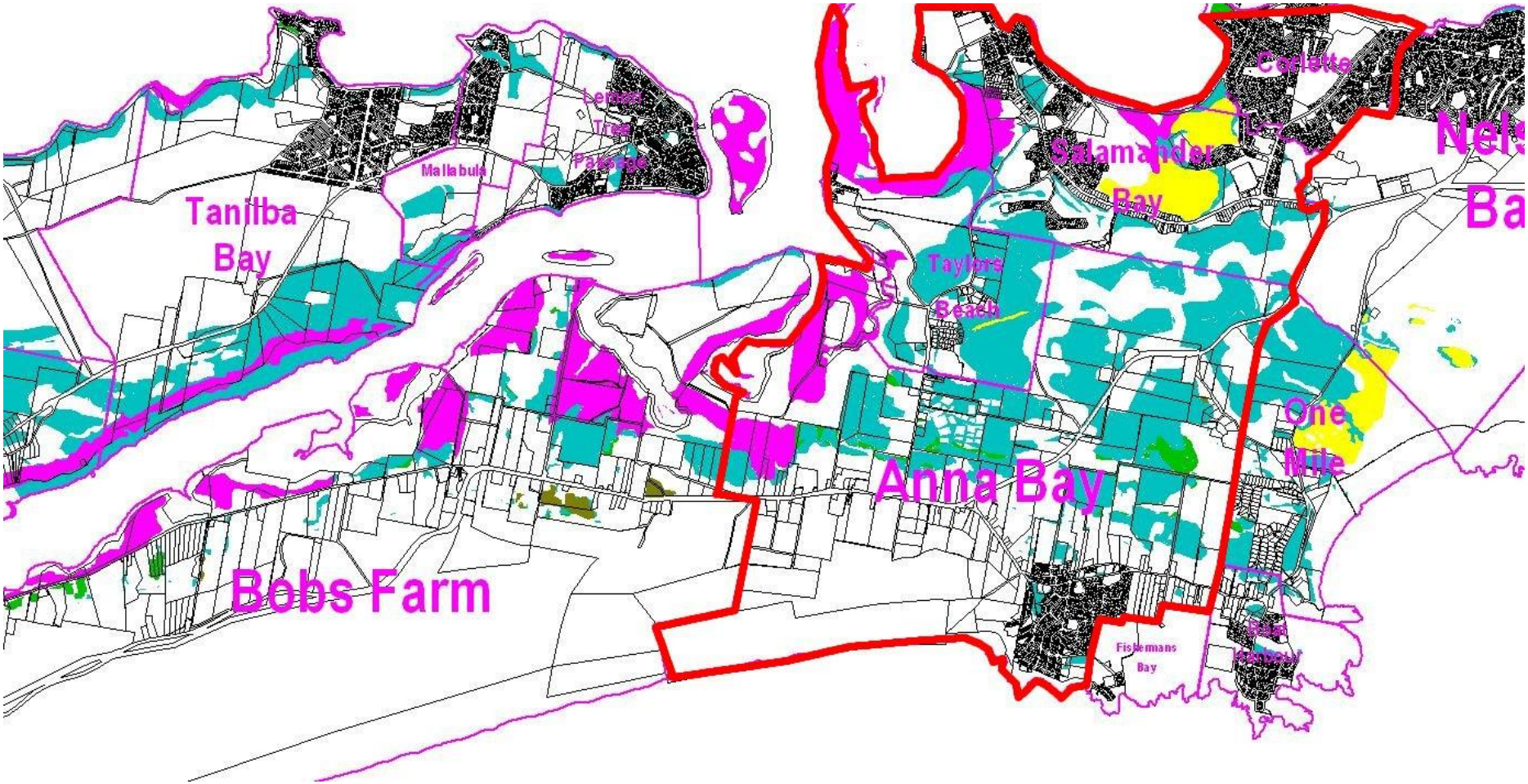

Figure 2 – Swamp Sclerophyll Forest (blue) on the Tomaree Peninsula. Reduced 'locality' area shown in red.