

Appendix G:
Port Stephens Council CKPoM Criteria

The performance criteria listed below apply to the following categories of koala habitat:

Preferred Koala Habitat was identified by Lunney *et al.* (1998) as the most important category of koala habitat in the Port Stephens LGA and hence should be afforded the highest level of protection.

Supplementary Koala Habitat is also important to the long term conservation of koalas in Port Stephens (Lunney *et al.* 1998) and thus also requires protection, albeit with less restrictions on development than Preferred Koala Habitat.

Habitat Buffers (as determined by the ecological criteria contained in Appendix 9) can contribute to the long-term survival of Preferred Koala Habitat by ensuring incompatible development or land use does not occur on land immediately adjacent to Preferred Koala Habitat. Habitat Buffers may also afford protection to Preferred Koala Habitat by minimising the detrimental impact of "edge effects" such as nutrient impacts, wind damage and weed invasion. Habitat Buffers also provide for the likely extension of significant koala activity beyond Preferred Koala Habitat. Even Habitat Buffers that extend over Mainly Cleared Land and which contain only scattered trees can perform this latter function. Hence, all Habitat Buffers should also be afforded the highest level of protection and considered for possible restoration where appropriate.

Habitat Linking Areas may provide opportunities for the successful movement of koalas between breeding populations or into areas of vacant habitat. They may also provide for the establishment of koala home range areas, depending upon their size and the quality of habitat they contain. Habitat Linking Areas which overlap with Mainly Cleared Land may still perform such functions. Development may be permitted in Habitat Linking Areas provided it does not compromise the safe use of such areas by koalas. Habitat Linking Areas are to be subject to the same criteria as Supplementary Koala Habitat.

Performance criteria

The following criteria (a-h) apply to all developments (excluding development applications proposing agricultural activities) proposed on sites that contain or are adjacent to Preferred or Supplementary Habitat, Habitat Buffers or Habitat Linking Areas. For the purposes of these criteria, native vegetation is defined as any of the following types of indigenous vegetation: trees (including saplings and shrubs), understorey plants, groundcover or plants occurring in a wetland (as per sections 4 and 6 of the *Native Vegetation Conservation Act 1997*).

Council may waive the provisions of a), b) and c) of these criteria **only** for the purposes of establishing a building envelope and associated works, and **only if** the proponent can demonstrate:

1. That the building envelope and associated works including fire fuel reduction zones **cannot** be located in such a way that would avoid the removal of native vegetation within Preferred or Supplementary Koala Habitat, Habitat Buffers, or Habitat Linking Areas, or removal of preferred koala food trees;
2. That the location of the building envelope and associated works **minimises** the need to remove vegetation as per 1 above;

3. That, in the case of subdivisions, they are designed in such a way as to retain and enhance koala habitat on the site and are consistent with the objectives of this appendix; and
4. That koala survey methods (as per the Guidelines for Koala Habitat Assessment in Appendix 6) have been used to determine the most appropriate location for the building envelope and associated works (so as to minimise the impact on koala habitat and any koala populations that might occur on the site).

The Performance Criteria are as follows:

Proposed development (other than agricultural activities) **must:**

- a) Minimise the removal or degradation of native vegetation within Preferred Koala Habitat or Habitat Buffers;
- b) Maximise retention and minimise degradation of native vegetation within Supplementary Koala Habitat and Habitat Linking Areas;
- c) Minimise the removal of any individuals of preferred koala food trees, where ever they occur on a development site. In the Port Stephens LGA these tree species are Swamp Mahogany (*Eucalyptus robusta*), Parramatta Red Gum (*Eucalyptus parramattensis*), and Forest Red Gum (*Eucalyptus tereticornis*), and hybrids of any of these species. An additional list of tree species that may be important to koalas based on anecdotal evidence is included in Appendix 8
- d) Make provision, where appropriate, for restoration or rehabilitation of areas identified as Koala Habitat including Habitat Buffers and Habitat Linking Areas over Mainly Cleared Land. In instances where Council approves the removal of koala habitat (in accordance with dot points 1-4 of the above waive clause), and where circumstances permit, this is to include measures which result in a "net gain" of koala habitat on the site and/or adjacent land;
- e) Make provision for long term management and protection of koala habitat including both existing and restored habitat;
- f) Not compromise the potential for safe movement of koalas across the site. This should include maximising tree retention generally and minimising the likelihood that the proposal would result in the creation of barriers to koala movement, such as would be imposed by certain types of fencing. The preferred option for minimising restrictions to safe koala movement is that there be no fencing (of a sort that would preclude koalas) associated with dog free developments within or adjacent to Preferred or Supplementary Koala Habitat, Habitat Buffers or Habitat Linking Areas. Suitable fencing for such areas could include:
 - i) fences where the bottom of the fence is a minimum of 200 mm above ground level that would allow koalas to move underneath;

- ii) fences that facilitate easy climbing by koalas; for example, sturdy chain mesh fences, or solid style fences with timber posts on both sides at regular intervals of approximately 20m; or
- iii) open post and rail or post and wire (definitely not barbed wire on the bottom strand).

However, where the keeping of domestic dogs has been permitted within or adjacent to Preferred or Supplementary Koala Habitat, Habitat Buffers or Habitat Linking Areas, fencing of a type that would be required to contain dogs (and which may also preclude koalas) should be restricted to the designated building envelope. Fences which are intended to preclude koalas should be located away from any trees which now or in the future could allow koalas to cross the fence.

- g) Be restricted to identified envelopes which contain all buildings and infrastructure and fire fuel reduction zone. Generally there will be no clearing on the site outside these envelopes. In the case of applications for subdivision, such envelopes should be registered as a restriction on the title, pursuant to the Conveyancing Act 1919; and
- h) Include measures to effectively minimise the threat posed to koalas by dogs, motor vehicles and swimming pools by adopting the following minimum standards.
 - i) The development must include measures that effectively abate the threat posed to koalas by dogs through prohibitions or restrictions on dog ownership. Restrictions on title may be appropriate.
 - ii) The development must include measures that effectively minimise the threat posed to koalas from traffic by restricting motor vehicle speeds, where appropriate, to 40 kph or less.
 - iii) The development must reduce the risk of koala mortality by drowning in backyard swimming pools. Appropriate measures could include: trailing a length of stout rope (minimum diameter of 50mm), which is secured to a stable poolside fixture, in the swimming pool at all times; designing the pool in such a way that koalas can readily escape; or enclosing the pool with a fence that precludes koalas. This last option should include locating the fence away from any trees which koalas could use to cross the fence.

Information to Accompany Applications.

The following information must be submitted with applications for all development (excluding development applications proposing agricultural activities) on **sites that contain** Preferred or Supplementary Habitat, Habitat Buffers or Habitat Linking Areas.