



BALLINA'S KOALAS POLICY

ISSUE: The Woolgoolga to Ballina Pacific Highway Upgrade is the final link in the 20-year project to make the Pacific Highway a four lane divided highway. Approval by the NSW and Federal governments, subject to a range of management conditions, was granted during 2014.

Section 10, from Broadwater to Coolgardie, will bisect a koala population located in the south of the Ballina local government area which is estimated to comprise about 200 animals and is assessed as nationally significant in terms of the Federal *Environment Protection and Biodiversity Conservation Act 1999*.

Scientific evidence indicates that the approved route's current design will displace approximately 30-40% of the koala population to the east, potentially triggering a localised extinction event that in the longer term will compromise the survival of the larger population cell to the west.

The Federal Minister requires the [NSW] Roads and Maritime Services (RMS) to demonstrate that the route's impact will be acceptable before construction of Section 10 can commence.

RMS must undertake a Population Viability Analysis (PVA), for a 50-year timeframe to demonstrate the long-term viability of the Ballina Koala population, "...taking into account the impacts resulting from the road upgrade in Section 10. This modelling should consider the current proposed route and any proposed avoidance or mitigation measures as appropriate," which will form the basis of the Ballina Koala Plan.

POLICY POSITION: THE NATIONAL KOALA ALLIANCE:

- (a) Supports the Federal Minister's legal obligation to ensure the longterm viability of the Ballina Koala population.
- (b) Supports the intent of conditions 5 to 7* imposed on his approval of EPBC Act referral 2012/6394.
- (c) Holds grave concerns for the independence, transparency and robustness of the processes associated with conditions to 5 to 7.
- (d) Is committed to bringing shortcomings to the Federal Minister's attention directly and in the public arena.
- (e) In the interests of the Project's timely completion, urges the NSW government to instruct RMS to identify an alternative route for Section 10 which does not impact on the Ballina Koala population.
- (f) Will consider further measures (e.g. supporting legal proceedings, direct action) should processes associated with conditions 5 to 7 be compromised.

* Conditions relevant to the **Ballina Koala population** attached to the proposed approval of EPBC Act referral 2012/6394. pp.2-3:

5. In order to ensure the long-term viability of the **Ballina Koala population**, the **approval holder** must engage a **suitably qualified expert** to undertake viability modelling of the **Ballina Koala population** over a time period of no less than 50 years, taking into account the impacts resulting from the road upgrade in **Section 10**. This modelling should consider the current proposed route and any proposed avoidance or mitigation measures as appropriate.
6. The **approval holder** must have the modelling required by Condition 5 peer reviewed by a second **suitably qualified expert**.
7. In addition to the Koala Management Plan(s) required by **NSW approval conditions** D8 and D9, to ensure that an unacceptable impact will not occur to the **Ballina Koala population**, the **approval holder** must submit for the **Minister's** approval, a Ballina Koala Plan no less than 3 months prior to **commencement** of **Section 10**. The **Minister** will only approve the plan and the **commencement of Section 10** of the action, if the impacts to the **Ballina Koala population** are demonstrated to be acceptable within the Ballina Koala Plan.

The Ballina Koala Plan must include:

- (a) the modelling required by Condition 5 and the results of this modelling, and the peer review required by Condition 6.
- (b) discussion of the future viability of the **Ballina Koala population**.
- (c) in the context of relevant environmental social and economic considerations, any additional avoidance, mitigation or offsets, beyond those required by the NSW approval conditions, proposed to minimise the impacts to the Ballina Koala population, and
- (d) evidence that any additional avoidance and mitigation measures proposed have been considered in the modelling required in Condition 5.

The **approval holder** must not **commence section 10** unless the Ballina Koala Plan has been approved by the **Minister**. The approved Plan must be implemented. Conditions 8-10 are consequential to approval of the Ballina Koala Plan.9