How to apply for authorisation to disturb koalas during plantation management operations
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Introduction

Koalas (Phascolarctos cinereus) are protected in Victoria under the Wildlife Act 1975 (Wildlife Act) and authorisation from the Department of Environment, Land, Water and Planning (DELWP) is required to disturb them during Blue-gum (Eucalyptus globulus) plantation management operations in some areas of south west Victoria.

Who should apply for authorisation to disturb koalas

Authorisation to disturb koalas during plantation management operations is required by owners and managers of all Blue-gum plantations located in the ‘Koala Zone’ of the Green Triangle Region of Victoria (see map in Appendix 1), if plantation management operations that may impact koalas will be undertaken.

Owners and managers of Blue-gum plantations in the Green Triangle Region of Victoria outside the Koala Zone (see map in Appendix 2) are required to apply for authorisation to disturb koalas if the koala density in the plantation is greater than 1 koala per hectare and plantation management operations that may impact koalas will be undertaken. To determine the koala density in a plantation and therefore whether authorisation may be required, a koala population assessment must be undertaken. A recommended survey methodology is provided in Appendix 4.

Whether the owner or manager of a Blue-gum plantation needs to apply for the authorisation depends on the management arrangements of that particular plantation and who will be disturbing the koalas.

Where the owner of a Blue-gum plantation undertakes the management (harvest planning, harvesting, silviculture, roading etc.) of the plantation, either personally or through directly employed staff or contractors, the plantation owner is responsible for obtaining authorisation to disturb koalas.

Where a Blue-gum plantation owner has leased the plantation to a plantation management company, or outsources the management of the plantation to a plantation management company, the plantation management company (plantation manager) is responsible for obtaining authorisation to disturb koalas.

If you are not sure whether you should apply for authorisation, please contact Andrew Pritchard on Koalas.bsw@delwp.vic.gov.au for further information.

Required application documents

An application to disturb koalas during plantation management operations has four mandatory components which must be submitted in order for the application to be considered by DELWP:

1. Application form
2. Koala Management Plan
3. Koala population assessment results
4. Training materials

The Koala Management Plan must be submitted with the application form and approved by DELWP before authorisation can be granted. The Koala Management Plan must demonstrate how you will meet certain standards, or requirements, which have been set by DELWP to protect the welfare of koalas during plantation management operations.

DELWP has developed a Koala Management Plan template which outlines the requirements for the plan. Further information on completing the template is provided below. The application form and Koala Management Plan template are available from the DELWP website at http://www.delwp.vic.gov.au/environment-and-wildlife/wildlife/koalas/koalas-in-blue-gum-plantations.

Prior to submitting an application, koala population assessments must be undertaken for each plantation where operations will be conducted in the next 12 months. The results of the population assessments must be used when developing the Koala Management Plan, as the density of koalas in a plantation will influence

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1 Please see the definition of plantation management operations in Appendix 3 for further information.
how operations will be planned and conducted. The population assessments must be conducted in accordance with the survey methodology provided in Appendix 4. The results of the population assessments must be submitted as part of the application for authorisation. A record sheet for recording the assessment results is available from the DELWP website at http://www.delwp.vic.gov.au/environment-and-wildlife/wildlife/koalas/koalas-in-blue-gum-plantations.

Copies of the training materials that will be used to train personnel in their role and responsibilities regarding koala management must also be submitted to DELWP for review at the time of application. Training materials must be developed in consultation with a koala welfare expert. Further information on what the training must cover is provided in Appendix 6.

How to complete the Koala Management Plan template

The Koala Management Plan template has been prepared by DELWP to assist applicants to develop a Koala Management Plan that meets the requirements set by DELWP to protect the welfare of koalas during plantation management operations.

The requirements that must be met are embedded in black text in boxes in the six sections of the Koala Management Plan template. The start of each section has one or two objectives, these describe the objectives of this section of the Koala Management Plan and is what should be achieved when each of the individual requirements within the section are met.

Text provided in red italics is guidance information which has been provided to assist you to complete the template. This text should be deleted prior to submitting the plan to DELWP for review.

To fill in the template, type into the blank space underneath the requirements box. You can also add appendices to the document if necessary, insert these in the space provided after Appendix 3 of the Koala Management Plan template.

Before submitting the plan to DELWP for review, delete the red guidance text and update the table of contents so that the page numbers are accurate.

Application process

Applications can be lodged by emailing the completed application form, Koala Management Plan, koala population assessment results and training materials to Koalas.bsw@delwp.vic.gov.au. DELWP will review these documents to determine whether an authorisation to disturb koalas during plantation management operations should be granted.

In order for your application to be granted, the application form must be filled in correctly in full and the Koala Management Plan must demonstrate how you will meet the requirements set by DELWP which are embedded in the template. You must also have completed koala population assessments in accordance with the koala survey methodology in Appendix 1 for all plantations where operations will be conducted in the next 12 months. Your training materials must demonstrate that they meet the requirements listed in Appendix 6 and must have been developed in consultation with a koala welfare expert.

If your Koala Management Plan or training materials do not adequately demonstrate that you will meet the requirements set by DELWP then they will be returned to you for revision and resubmission.

Please allow 6 to 8 weeks for your application to be processed by DELWP. Please note - this is from the time of receipt of a complete application, if DELWP has to request further information in relation to your application, Koala Management Plan, koala population assessment or training materials then additional time will be required to process your application.

If your application is successful you will be notified in writing and provided with a copy of your approved Koala Management Plan and the authorisation under the Wildlife Act to disturb koalas during plantation management operations. All authorisations to disturb koalas during plantation management operations have a common expiry date of 7 April 2018.

It is a requirement under condition 32 of the authorisation that you have access to a person authorised to euthanase koalas. This is a separate authorisation under the Wildlife Act. Please contact Andrew Pritchard at Koalas.bsw@delwp.vic.gov.au to enquire about applying for this type of authorisation.

Application due date

Plantation owners and managers have three months to prepare and submit an application for authorisation. Applications for authorisation, which includes the application form, Koala Management Plan, koala
population assessment results and training materials must be submitted to DELWP no later than 5pm on 7 April 2017.

After 7 April 2017, DELWP will take compliance action against plantation owners or managers that have failed to apply for authorisation to disturb koalas and are found to be undertaking plantation management operations and disturbing koalas.

Note: If your application is lodged prior to 7 April 2017 but you have not yet received an outcome from DELWP then you do not have to cease operations while your application is being reviewed. No compliance action will be taken by DELWP while the application is being reviewed, provided that any operations conducted during this time are conducted in such a way as to minimise impacts to koalas.

**Compliance once authorisation is granted**

Once authorisation is granted, all operations must be conducted in accordance with the conditions of the authorisation and the approved Koala Management Plan. Failure to comply with the conditions of the authorisation or the approved Koala Management Plan may result in your authorisation being suspended, revoked and/or compliance action being taken by DELWP.

The authorisation holder is responsible for ensuring that all staff and contractors are made aware of their responsibilities under the approved Koala Management Plan and the conditions of the authorisation, however, it is important to note that all people involved in plantation management operations which may impact koalas have a personal responsibility for animal welfare under the *Prevention for Cruelty to Animals Act 1986*.

**Amendments to the authorisation and approved Koala Management Plan**

If you require an amendment to the list of authorised plantations on your authorisation and in the approved Koala Management Plan, please contact DELWP on Koalas.bsw@delwp.vic.gov.au to discuss the required amendments. Amendments must be submitted to DELWP at least 7 days prior to operations commencing in the new plantations.

**Further assistance**

For further information or assistance with your application please contact DELWP on Koalas.bsw@delwp.vic.gov.au.
Appendix 1 – Koala Zone Map
Appendix 2 – Green Triangle Region map
Appendix 3 - Acronyms, abbreviations and definitions

The following acronyms, abbreviations and definitions are used in this document, the Koala Management Plan template and the conditions of the authorisation to disturb koalas during plantation management operations.

Acronyms

DELWP – The Department of Environment, Land, Water and Planning.

Abbreviations


Definitions


Authorisation to Disturb Koalas – The written authorisation under section 28A(1A) of the Wildlife Act which may be given by DELWP to an owner or manager of a plantation to disturb koalas, or cause koalas to be disturbed during plantation management operations. An authorisation will only be given where a complete application form is received and a DELWP-approved Koala Management Plan is in place.

Coppice – Stumps of harvested trees left to regenerate.

Coppice management – Any activity which is undertaken on coppice that may impact koalas. At a minimum it includes the application of chemicals (herbicide or pesticide), fire treatment and the mechanical removal or destruction of coppice. This excludes coppice thinning operations where coppice stems are selectively removed.

Coupe – Area designated for harvesting.

Crew – A group of three single grip harvesters working in close proximity in a plantation.

Feller buncher – A harvester that can rapidly cut and gather a number of trees before felling them.

Fire treatment – Any activity which is undertaken using fire. For example, burning coppice or slash.

Harvest zone – The amount of area to be harvested in a shift by either a feller buncher or single grip harvest system.

Incident – Any incident where a koala is physically impacted during plantation management operations, either by trees, machinery, chemicals, fire or people, or where a koala falls from a tree as a result of plantation management operations, or where a juvenile koala is separated from its mother as a result of plantation management operations.

Juvenile koala - A koala joey that is dependent on its mother and is not yet weaned.

(Juvenile koalas start to emerge from their mother’s pouch around 6-7 months of age, when they weigh approximately 300 - 500g. They emerge from the pouch permanently, from 6-12 months of age (700g - 2.2kg), depending on size and habitat conditions, during this time they ride on their mother’s backs and are often referred to as ‘back young’. At this stage, juvenile koalas are still entirely dependent on their mother and consume both milk and eucalyptus leaves. Juvenile koalas are weaned at approximately 12 months of age (2 - 2.5kg), however they will remain close to their mother for a period of time post weaning).

Koala density – The number of koalas per hectare.
Koala Management Plan – The document which details how the owner or manager of a Blue-gum plantation will manage their operations across all plantations to minimise impacts to koalas and protect koala welfare. The plan must be approved by DELWP. Having an approved Koala Management Plan is a condition of an Authorisation to Disturb Koalas.

Manager – A plantation management company that leases a Blue-gum plantation from the owner of the plantation for the purposes of managing the plantation (eg. undertaking harvest planning, harvesting, silviculture, roading etc.), or who has been contracted by the owner of a Blue-gum plantation to undertake the management of the plantation.

Near miss – Any incident where a koala is almost physically impacted during operations, either by trees, machinery, chemicals, fire or people.

New plantings – All activities involved in planting new trees in a plantation.

Owner – The owner of a Blue-gum plantation, this can be either a natural person or a body corporate. (This is not necessarily the landowner).

Personnel – Employees and contractors of the authorisation holder involved in site operations, including the planning of site operations. It does not include visitors to site such as mechanics or couriers.

Plantation – Managed stands of trees planted or sown primarily for timber production purposes. For the purposes of these standards it refers to the Blue-gum plantation in which the plantation management operations will be undertaken.

Plantation management operations – Any activity that poses welfare risk to koalas, at a minimum this includes harvesting, fire treatment, roading, coppice management and new plantings.

Plantation operations plan – A detailed plan for a site that explains where, when, how and by whom an operation will be conducted, and any constraints or prescriptions that apply to the operation. At a minimum, the plan would define the location and timing of the operation, the type of equipment required to do the work, and the management of special values, such as koalas, on that specific site. A Timber Harvest Plan is an example of a plantation operations plan.

Separated juvenile – A juvenile koala that has been, or is suspected of being, separated from its mother.

Silviculture - The science and practice of managing harvesting, forest establishment, composition, and growth, to achieve specified objectives.

Single grip harvester – A harvester that fells, debarks and cuts individual trees.

Slash – Woody debris left after harvest operations.

Spotter – A person trained in spotting koalas in a plantation.

Welfare assessment – An assessment of koala welfare which involves checking the patches that remain in the harvest area for koalas (either in tree or on-ground), and assessing their welfare (injuries and behaviour).
Appendix 4 – Double Count Koala Survey Methodology

This koala survey methodology involves using transect lines and a double count technique within plots to survey for koalas. The survey methodology can be used to provide an estimate of the number of koalas per hectare for each plot.

**Setting plots and transect lines**

Plots are set up with dimensions of 600 meters by 50 meters. Plots should consist of a centre line and two parallel boundary lines, spaced 25m either side of the centre line, and marked out with flagging tape tied to trees directly on each transect line.

A straight line is maintained by positioning flagging tape directly in line with the previous two markers. The centre line is marked with pink and blue tape whilst the boundary lines are marked with pink tape only to facilitate orientation when traversing the plot.

A Global Positioning System (GPS) should be used to determine the end position of each transect line by measuring the distance back to the start of the line.

**Double count technique**

Koala densities are assessed in each plot using the ‘double count’ technique described by Caughley and Sinclair (1994). This involves two observers working independently to search every tree in the plot and record observations of any koalas seen on a field data sheet. The same two observers conduct all plot surveys to reduce variability resulting from differences in the sighting efficiencies or skills of different observers.

The first observer walks the transect line. When a koala is sighted, notes must be taken on the distance along the transect, side and perpendicular distance from the centre line, tree species in which it is located, its position and height in the tree, and whether any back young are present.

The second observer starts the survey 10 minutes after the first so that observations were independent of each other. At the end of each plot, data collected by each observer were compared to identify those koalas seen by the first observer but missed by the second, those seen by the second observer but missed by the first, and those seen by both.

The plots are then surveyed again by both observers together, in order to confirm the results by checking the koalas each observer saw.

**Correction factor**

As it is unlikely that all koalas in a plot will be found by observers on every occasion, a correction factor is required to account for those koalas that may not have been found. This is based on the sighting probability of each observer and is applied in the below formula.

The following formula is to be used to calculate the number of koalas in each plot:

\[
N = \frac{(B + S_1 + 1)(B + S_2 + 1)}{B + 1} - 1
\]

Where, \( N \) = population size

\( S_1 \) = Number of koalas seen by observer 1 but missed by observer 2

\( S_2 \) = Number of koalas seen by observer 2 but missed by observer 1

\( B \) = Number of koalas seen by both observers

The sighting probabilities for each observer (P1 and P2) are calculated as:

\( P_1 = \frac{B}{B + S_2} \)

\( P_2 = \frac{B}{B + S_1} \)

*Source: Caughley and Sinclair (1994)*
Accounting for back young

To account for back young on koalas that were not seen during the survey, the number of back young in the population is required to be estimated by multiplying the proportion of adults carrying back young in each plot by the population value calculated for each plot using the above formula. This value is then added to the adult population value to give an estimate of the total koala population.

Koala Density

An estimate of density in terms of the number of koalas per hectare for each plot should be calculated by dividing the population value as calculated above by the area of the plot.
Koala Population Density Field Data Sheet

NOTE THAT EACH KOALA SURVEY WILL HAVE TWO DATA SHEETS: OBSERVER 1 AND 2.
ENTER FULL DATA FROM ONE OBSERVER, THEN ADDITIONAL SIGHTINGS ONLY FROM SECOND.

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<th>Site / Transect*</th>
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<td>Observer 1</td>
<td>Observer 2</td>
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<th>Koala no.</th>
<th>Distance along transect (m)</th>
<th>Left or right of transect (L / R)</th>
<th>Distance perpendicular to transect</th>
<th>Y if beyond 25 m</th>
<th>Height in tree (m)</th>
<th>Y if back young present</th>
<th>Tree species code</th>
<th>Seen by other observer? (1/0)</th>
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Species: BG = Blue Gum (*Euc. globulus*)
n/a = unknown or other
Appendix 5 – Minimum requirements for koala spotters

Note: The safety of personnel should always come first. Companies should consider their obligations under the Occupational Health and Safety Act 2004, the Occupational Health and Safety Regulations 2007 and any other requirements set by WorkSafe Victoria when implementing these procedures.

1. Spotters must be used at the commencement of harvesting and coppice management. If, after five working days of harvesting or coppice management, the number of koalas does not exceed the thresholds set in point 2, then spotters may be removed.

2. In areas where spotters have previously been removed, spotters must be introduced where the density of koalas is greater than:
   a. For a single grip harvester:
      i. Two koalas in the area to be harvested by a single machine in that shift; or
      ii. Three koalas in the area to be harvested by a crew of single grip harvesters in that shift
   b. For a feller buncher, any koalas in the area to be harvested in that shift
   c. For coppice management, any koalas in the area to be managed in that shift.

3. Where a threshold to require a spotter is reached, spotters must be used for a minimum of five working days. If after five working days the threshold has not been reached again the spotter may be removed.

4. Spotter requirements:
   a. All spotters must have completed appropriate training
   b. In densities of less than 20 koalas per harvest zone, one spotter can spot for up to three single grip harvesters, or one feller buncher. Areas must have been checked by the spotter prior to harvesting and must be continuously monitored.
   c. Once koala numbers are greater than 20 per harvest zone, or where koalas are highly mobile between trees in the area to be harvested in that shift, then spotters must be increased to: one spotter per one single grip harvester or two spotters per one feller buncher. Areas must have been checked by the spotter within one hour prior to that area being harvested and must be continuously monitored.
   d. For coppice management, one spotter is required per operation.
   e. Koala location must be communicated to machinery operators.

5. In plantations where the spotter has been removed, machinery operators must undertake 3 hour checks of the area being harvested to locate koalas. These checks must be recorded.

6. During harvesting, machinery operators must monitor koalas that may have moved or not been identified during pre-harvest checking, particularly if spotters are not being used.

7. Where koala spotting is being undertaken at night, a torch with sufficient power to clearly illuminate koalas in the tops of trees must be used.
Appendix 6 – Koala management training for personnel

Condition 12 of the authorisation to disturb koalas during plantation management operations requires that all personnel must receive training relevant to their role and responsibilities regarding koala management, including koala behaviour, detection, welfare assessments, euthanasia and handling of koalas.

It is important to note that not all personnel need to receive training in all of the aspects of koala management identified above. The training they receive must be relevant to the role they are expected to undertake in relation to koala management.

For example, a staff member who is not expected to undertake koala welfare assessments would not need to receive training in that aspect of koala management. However, you may wish to train as many staff as possible in all aspects of koala management so that you have more trained staff to draw on during operations.

The following information is a list of topics that your training must cover for each aspect of koala management. If your training materials do not adequately demonstrate that you have covered the following topics then it will be returned to you for revision. Your training must be developed in consultation with a koala welfare expert and evidence of this must be provided to DELWP with your training materials.

Koala behaviour

All personnel involved in plantation management operations should receive training in koala behaviour. The following topics must be covered:

- General koala biology
- Typical behaviour
- Abnormal behaviour which may indicate injury or illness

Koala detection

Only personnel who are required to detect koalas need to be trained in koala detection. At a minimum this will be koala spotters and machinery operators.

Although machinery operators are not generally required to detect koalas, they are required to check for koalas in circumstances were spotters have been removed and are also required to watch for koalas that may have been missed by spotters or who may have moved into the path of machinery.

The following topics must be covered:

- The company’s spotter procedure, or other approved detection methodology, and responsibilities
- Thresholds for requiring additional spotters and who to notify that the threshold has been met
- Tree/stump marking procedure
- Tree/stump retention requirements
- Procedure for detection of koalas in felled timber with retained foliage
- Koala detection at night
- OHS requirements
- Procedure when a koala incident or near-miss occurs
- Record keeping requirements

Koala welfare assessments

Only personnel expected to undertake koala welfare assessments need to be trained in koala welfare assessments. The following topics must be covered:

- The company’s koala welfare assessment procedure and responsibilities
- Typical injuries found in plantations and symptoms to look for
- Who to contact if an injured or orphaned koala is found
- Record keeping requirements
Koala handling

Koala handling training should be given to all personnel who may need to handle koalas. It is a requirement under condition 33 of the authorisation that at least one person trained in koala handling is on site at all times. The personnel undertaking koala welfare assessments must be trained in koala handling.

The following topics must be covered:

- Appropriate techniques for handling adult koalas
- Appropriate techniques for handling juvenile koalas
- Appropriate koala handling and transport equipment for adult koalas
- Appropriate koala handling and transport equipment for juvenile koalas
- OHS requirements

Euthanasia

Please note, training in euthanasia must be conducted in consultation with a registered veterinary practitioner and should only be provided to staff authorised to euthanase koalas. It is a requirement under condition 32 of the authorisation that there is 24hr access to someone who is trained and authorised to euthanase koalas.

- The following topics must be covered:
- Authorisation requirements
- Appropriate euthanasia methods
- Appropriate euthanasia equipment
- Record keeping requirements
Appendix 7 – Koala handling and transport equipment

Condition 33 of the authorisation to disturb koalas during plantation management operations requires that authorisation holders must have appropriate koala handling and transport equipment on site at all times.

The information below has been provided to assist you to comply with the conditions of your authorisation and to ensure the welfare of koalas requiring handling or transport. This information is taken from *The Management of Koalas in Forestry Plantations, Operational Code of Practice* and has been reproduced with permission. Photos provided by Tracey Wilson.

Koala capture and handling must only be undertaken by trained personnel.

Koala rescue kits

1. Heavy duty wool blankets for capturing koalas, see Figure 1. The koala can be placed straight into a transport basket with the blanket. This type of blanket can also be used to cover the transport basket in winter.

![Figure 1 – Wool blanket for capturing koalas.](image)

2. A minimum of two koala transport ‘cages’ that can be quickly assembled from two washing baskets and an octopus strap, see Figure 2. Where possible, use baskets which have handles that can interlock, see Figure 3.

![Figure 2 – Baskets and strap to make a transport cage.](image)

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3. Clean towels for lining the baskets, two towels are recommended per basket, one folded in the bottom of the basket to absorb urine, see Figure 4.

4. Fresh Blue-gum leaves should be placed into the basket with the koala, see Figure 5. A fully constructed transport cage with towels and leaves is shown in Figure 6.
5. Blankets and sheets for covering the cage during transport to reduce stress on the koala, see Figures 1 and 7.
Additional equipment required for juvenile koalas

6. Artificial ‘pouches’ of varying sizes, these should be made of natural fibres such as cotton or cotton flannelette, see Figure 8.

![Figure 8 – Pouches of various sizes for juvenile koalas](image)

7. A minimum of two Rio/picnic basket which can be used to transport juvenile koalas, see Figure 9. When transporting juvenile koalas, they must be placed inside a suitable sized pouch which is then placed into a transport basket. The basket must be covered during transport.

![Figure 9 – Rio basket for transporting juvenile koalas.](image)

Transport of koalas

Koalas must be transported on the back seat of an air-conditioned vehicle or on the floor of a covered van. The internal vehicle temperature should be kept at 22°C. Koalas must not be transported in the back of an open utility. Transport baskets must be secured to prevent movement and must remain covered during transport.
Appendix 8 – Summary of offences under the Wildlife Act 1975 and the Prevention of Cruelty to Animals Act 1986

Plantation owners and managers should be aware of the below key offence provisions in both the Wildlife Act 1975 and the Prevention of Cruelty to Animals Act 1986 (POCTA).

Please note, this is not an exhaustive list of offences under the Wildlife Act or POCTA. Plantation owners and managers should obtain their own legal advice regarding offences or obligations that may be relevant to their situation.

Section 28B – Wildlife Act 1975

A person to whom an authorisation under section 28A has been granted must comply with the conditions, limitations or restrictions of the authorisation. The penalty for non-compliance is 50 penalty units.

Section 58 – Wildlife Act 1975

(1) Any person who-
   (a) wilfully molests or injures protected wildlife or wilfully causes protected wildlife to be molested or injured;
   (b) wilfully disturbs, chases or herds protected wildlife or wilfully causes protected wildlife to be disturbed, chased or herded;
   (c) wilfully separates protected wildlife from its young or causes it to be so separated
       Shall be guilty of an offence under this Act. The penalty for non-compliance is 20 penalty units.

(2) Subsection (1) does not apply to a person who is disturbing wildlife or causing wildlife to be disturbed-
   (i) who holds an authorisation under section 28A(1) that authorises the person to disturb wildlife or cause wildlife to be disturbed, when that person is acting in accordance with the authorisation.

Section 9 - POCTA

(1) A person who:
   (a) wounds, mutilates, tortures, overrides, overdrives, overworks, abuses, beats, worries, tortments, or terrifies an animal; or
   (b) does, or omits to do an act with the result that unreasonable pain or suffering is caused, or is likely to be caused, to an animal; or
   (c) drives, conveys, carries or packs an animal in a manner or position or in circumstances which subjects or subject, or is likely to subject, it to unnecessary pain or suffering; or
   (i) is the owner or person in charge of a sick or injured animal and unreasonably fails to provide veterinary or other appropriate attention or treatment for the animal.

Commits an act of cruelty upon that animal and is guilty of an offence and is liable to a penalty of not more than, in the case of a natural person, 246 penalty units or imprisonment for 12 month, or in the case of a body corporate, 600 penalty units.

Section 10 - POCTA

(1) A person who commits an act of cruelty upon any animal which results in the death or serious disablement of the animal commits an act of aggravated cruelty upon that animal and is guilty of an offence and is liable to a penalty of not more than, in the case of a natural person, 492 penalty units or imprisonment for 2 years or, in the case of a body corporate, 1200 penalty units.

(2) A person who is guilty of an offence under subsection (1) may be liable to the penalty for that offence in addition to or instead of any other penalty to which the person is liable under section 9.

Note: Penalty units are set by the Department of Treasury and Finance each financial year. As at 1 July 2016, 1 penalty unit equals $155.46.

Under Section 6 (1B) of POCTA, the offences above do not apply to activities done in accordance with the Wildlife Act 1975, therefore as long as the conditions of the authorisation to disturb koalas and the associated approved Koala Management Plan are met, the authorisation holder will not be in breach of POCTA.