



12 December 2016

The Director  
Planning Frameworks  
NSW Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

Dear Sir/Madam

**Review of State Environmental Planning Policy 44 – Koala Habitat Protection**

Thank you for the opportunity to comment on proposals to amend *State Environmental Planning Policy 44 (Koala Habitat Protection)*. Bathurst Regional Council submits the following comments for the Department's consideration.

1. Council does not raise any objection to the broadening of the tree species list as identified in Appendix 1 of the Explanation of Intended Effect.
2. The current methodology of identifying core Koala habitat is convoluted and not easily understood. A process that would streamline the methodology for the identification of Koala habitat would be welcomed.
3. The current guidelines have only ever been released in draft form.
4. Plans of Management may work theoretically, however in practice it is difficult for Council to manage their ongoing intent. Consideration should be given to the existing Plans of Management at the individual property level and their effect post the SEPP 44 review.
5. Ongoing management of the site post consent is often difficult. Consideration needs to be given of methods to inform subsequent landowners of any existing Plans of Management or any comprehensive Plans of Management that apply to the land.
6. Consideration needs to be given to incorporate model conditions of consent for Councils to utilise in issuing development consents, particularly for the ongoing management of the site and for varying levels of impact on koalas or koala habitat.

Council appreciates that the Department is still finalising the revised guidelines and the Section 117 directions. Council would appreciate a further opportunity to comment on the guidelines and section 117 directions prior to their implementation.

The Director, Planning Framework  
12 December 2016

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If you have any queries please contact Mr Nicholas Murphy of Council's Environmental Planning & Building Services Department on 02 6333 6514.

Yours faithfully



R Denyer

**ACTING DIRECTOR  
ENVIRONMENTAL, PLANNING & BUILDING SERVICES**

Per:

Copy to:

Department of Planning and Environment – Western Region  
[westernregion@planning.nsw.gov.au](mailto:westernregion@planning.nsw.gov.au)