

Draft SEPP no 44 (Koala) Comments

The EIE outlines the key changes to the proposed amendment of SEPP No 44 which in principle appear to be satisfactory. However, it is difficult to determine what impact the proposed amendments are likely to have on Council's planning functions without further detailed information, eg the proposed amendments to the SEPP, updated guidelines and the new s117 direction.

It is noted that the proposed amendments to the SEPP will be supported by updated guidelines that clearly set out the requirements for Councils to prepare comprehensive plans of management. While council considers that it would be desirable to prepare a comprehensive plan of management for all or part of its Local Government Area, this is unlikely to occur if considerable council resources are required to do so. The resources required is the main reason why such plans, currently provided for under the SEPP, have not been prepared to date. Any State Government assistance in this regard, eg vegetation mapping, grant funding, would be beneficial and increase the likelihood of a comprehensive management plan being prepared.

If no support will be given and a comprehensive P.O.M. is not mandatory, it is assumed that Local Government will be required to adhere to standardise guidelines mentioned throughout the EIE and these have not been published for comments or consideration.

It is noted that the proposed amendment to the SEPP includes transferring the strategic outcomes in SEPP No 44 to a Section 117 Local Planning Direction. Clause 15 of the SEPP currently provides that Councils **should** survey land within its area so as to identify areas of potential and core koala habitat and make certain amendments to its LEP and give consideration to preparing an appropriate DCP. Again, given the resources required to carry out such a survey, it is unlikely that such work is likely to be carried out over any extensive area. While transferring the current strategic objectives to a s117 direction is supported in principle, it is difficult to determine the effect that such a direction may have without more information being provided such a, whether the new direction will retain its current advisory (should) wording.

It is stated the amendments are to "simplify the development assessment process". This should include streamlining the development assessment process to remove minor development applications from being subject to the SEPP 44 requirements. That is to say, a development application for a carport or other outbuilding, or extensions/additions to a dwelling should not be required to address the SEPP in s79C assessment, and a report from tree identification expert to such effect required by the SEPP is not necessary. Currently the SEPP does not differentiate between minor buildings and works (e.g. those works associated with established uses) and more significant land use activity.

Clause 6 of the current SEPP triggers the minimum lot size. Is it proposed that this amendment will alter this threshold?

Consideration should be given to a Clause that requires assessment, where it is believed the cumulative effect in that precinct of previous/simultaneous development triggers the need to assess fragmentation and/or loss of the koala habitat.