

25 November 2016

NSW Department of Planning and Environment  
GPO Box 39  
Sydney NSW 2001

**Attention: Director, Planning Frameworks**

**Re: Draft Koala Habitat Protection SEPP (SEPP - 44)**

I write in response to your email dated 18 November 2016 seeking comments for an amendment to State Environmental Planning Policy No. 44 - Koala Habitat Protection. Council thanks you for providing us with the opportunity to provide feedback on the proposed amendment.

Council Officers support the decision to move the planning direction functions away from the SEPP and into the Section 117 Directions. This will ensure that the consideration of koala habitat is adequately considered at the preliminary stages of a planning proposal or LEP amendment.

The species list in the current version of the SEPP is widely regarded as incomplete by ecological consultants; and many already consider a broader list of tree species within their SEPP 44 assessments. The amended list would introduce consistency to the species considered, bringing all consultants in line with the more thorough approach already adopted by some. This aspect of the amendment is supported.

The Explanation of Intended Effects (EIE) is ambiguous regarding the proposed amendments to the definition of koala habitat. The SEPP currently utilises the terms 'potential koala habitat' and 'core koala habitat'. Page 11 of the EIE indicates that *'an amended definition of koala habitat will include any area where koalas are present, regardless of the tree species'*. It is recommended that clarification is provided regarding whether this is proposed to replace the definition of 'core koala habitat', or intended to introduce a new term. It has been assumed that it is intended to replace the definition of 'core koala habitat', which would be supported.

Should you require any further information on this matter, please do not hesitate to contact Ian Stendara, Strategic Planner, on 9821 9246.

Yours sincerely



**Bruce Macnee**

Manager Strategic Planning Customer Service Centre Ground floor, 33 Moore Street, Liverpool NSW 2170, DX 5030 Liverpool

All correspondence to Locked Bag 7064 Liverpool BC NSW 1871 Call Centre 1300 36 2170

Fax 9821 9333 Email [lcc@liverpool.nsw.gov.au](mailto:lcc@liverpool.nsw.gov.au)

Web [www.liverpool.nsw.gov.au](http://www.liverpool.nsw.gov.au) NRS 13 36 77 ABN 84 181 182 471