Director, Planning Frameworks  
NSW Department of Planning and Environment  
GPO Box 39  
Sydney NSW 2001

Dear Sir/Madam,

Re: Proposed amendment of State Environmental Planning Policy 44 – Koala Habitat Protection (SEPP 44).

Thank you for the opportunity to provide feedback on improving the policy framework for the State Environmental Planning Policy 44 – Koala Habitat Protection (SEPP 44).

Narrabri Shire Council (NSC) have reviewed the “Explanation of Intended Effect: State Environmental Planning Policy No 44 – Koala Habitat Protection” document dated November 2016, and make the following comments for your consideration:

1. At present, the policy manages koala habitat through a series of interlinked steps, including the identification of ‘potential’ and ‘core’ koala habitat on land greater than one hectare in area that is subject to a development application within a listed council. As NSC is a listed council, and has many parcels of land within it’s Shire over one hectare in size, NSC currently considers SEPP 44 in most applications for development consent. However, NSC finds that many allotments over one hectare within the Shire are void of vegetation and finds the consideration of SEPP 44 in these instances onerous.

2. NSC requests that further deliberation be given to the triggers of consideration of SEPP 44 (currently clause 6 of the SEPP) to ensure that the intent to simplify the development assessment process is able to be achieved.

3. NSC considers the proposed updating of the definitions of core koala habitat and potential koala habitat by identifying the characteristics of plant communities which make up koala habitat and if there is evidence that koalas are present, and also the updating of the tree species that reflects current scientific knowledge, to be beneficial.

4. NSC also considers it advantageous to update the guidelines to better direct the preparation of koala plans of management and instruct development assessment. NSC requests that the proposed associated strategy has a link to the SEPP to assist Council’s when determining Development applications. E.g. once the associated strategy is adopted it needs to be given direction from the SEPP.

5. NSC further requests that the associated strategy considers possible incentives for farmers and landholders to provide koala refuges on their land in circumstances where evidence suggest koala populations to be present. The associated strategy should also give consideration to other implicating factors on koala habitats such as; heat, drought and land clearing.

Narrabri Shire Council appreciates the opportunity to review and comment on the policy framework for State Environmental Planning Policy 44 – Koala Habitat Protection (SEPP 44) and trusts that these comments will be considered in the current revision of the policy framework.

27 February 2017
I trust this information is to your satisfaction. If you require any further clarification please do not hesitate to contact Mrs Cara Stoltenberg, Town Planner, of Council’s Development and Economic Growth Department on (02) 67996855 or caras@narrabri.nsw.gov.au.

Yours faithfully,

Mr Tony Meppem
DIRECTOR DEVELOPMENT AND ECONOMIC GROWTH