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

27 February 2017

Dear Sir/Madam,

Re: Review of SEPP 44 – Koala Habitat Protection

I refer to your request for feedback regarding the abovementioned.

The following comments are provided:

Definitions of Koala Habitat
Council requests consideration of the "potential" and "core" koala habitat definitions. The current definitions result in unnecessary costs for developers, particularly when the construction site is void of vegetation, but part of the lot contains koala habitat.

For example, an application for a rural shed to be located in the middle of a farm paddock may require a Koala Plan of Management. Most rural properties contain areas of trees together with areas that are cleared of vegetation. If the "land" contains more than 15% of the identified koala feed trees than the definition of "potential" koala habitat applies, even if the construction site for the shed is clear of vegetation and can be some distance from the existing trees on the site.

It is requested that the definitions of "potential" and "core" koala habitat be amended to remove the reference to the percentage of trees on the site as this is not an adequate criteria to determine the impact of the development on koala habitat. The definition should focus on sustainability and enhancement of habitat and whether the development is actually impacting on this habitat or not (i.e. removal of vegetation and proximity of the development to the habitat).

With the increase in the list of tree species, the requirement to prepare a KPOM will be significantly greater if the definitions are not amended.

List of Tree Species & List of Councils
Council has no objection to the increased list of tree species or amended list of Councils.

Development Assessment Process
It is advised that in most regional and rural areas, the availability of suitably qualified people is limited. In some areas, there is no suitably qualified person to undertake an assessment of vegetation. The review should ensure that the vegetation assessment requirements are able to be undertaken by a range of people.

Transfer of Strategic Planning Outcomes to Local Planning Directions
Council has no objection to the transfer of strategic planning outcomes to Local Planning Directions.

If you have any questions regarding this matter, please contact: Council’s Manager Development & Planning, Carolyn Hunt on 6740 2100.

Yours faithfully

Carolyn Hunt
MANAGER DEVELOPMENT & PLANNING

Contact: 02 6740 2122
Reference: 1031718

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