

19<sup>th</sup> April 2024

Jackson Environment and Planning Pty Ltd  
Att: Chloe Rich  
[chloe@jacksonenvironment.com.au](mailto:chloe@jacksonenvironment.com.au)

Dear Chloe,

**RE: Proposed development at 2 & 10 Bowman Road, Moss Vale – SEPP (Biodiversity and Conservation) 2021: Chapter 4 - Koala Habitat Protection 2021**

The following assessment addresses Chapter 4 of *SEPP (Biodiversity and Conservation) 2021* in relation to the proposed development.

***Does Koala habitat protection 2021 apply?***

Landholding is within an LGA listed in Schedule 1 and is not zoned RU1, RU2, or RU3.	Yes
Exemption under Section 6.	No

Yes – Koala Habitat Protection 2021 applies.

***Does Part 4.2 Development control of koala habitats apply?***

Development Site is on land to which an approved koala plan of management applies.	No
Development Site is on land which has an area of at least 1 hectare (including adjoining land within the same ownership).	Yes

Yes – Part 4.2, Clause 4.9 applies.

***Presence of koalas or koala habitat***

Wingecarribee LGA is assigned in the SEPP to both the 'Central and Southern Tablelands' and the 'Central Coast' koala management areas (KMAs).

The dominant canopy tree recorded within the subject land is *Eucalyptus radiata*, which is listed as a Koala use tree for the Central and Southern Tablelands KMA. The subject land, therefore, provides potential koala habitat.

The subject land is part of an ongoing dairy farming operation and consists of exotic pasture with occasional isolated trees. There are only six live or partially live Koala use trees within the subject land, as shown on Figure 1. Photos are provided below.

Targeted surveys for Koalas were not conducted in accordance with the DPE guidelines prepared for the *Biodiversity Assessment Method (BAM)* (2022). There were not required under the BAM for this project. However, the scattered trees present were inspected for Koalas or signs of use. There was no evidence for use of the land by Koalas.

There are no previous or historic Koala records for the subject land or from within the 1500m radius assessment area used for the Biodiversity Assessment Method (Bionet sightings, 19<sup>th</sup> April 2024). The nearest sighting is approximately 2.5km to the southeast, from within the town of Moss Vale, from 2004 (20 years ago).

The Koala is a distinctive and well-known animal that would usually be reported if sighted near towns and busy roads. The lack of records is indicative of absence.

It is extremely unlikely that Koalas use the subject land. There is a theoretical possibility that a widely dispersing individual could venture onto the subject land.

#### *Impacts of the proposed development*

The proposed development would result in loss of up to six scattered (and mostly dead) Koala use trees. This would be a minor impact relative to the extent of the local patch of trees in the north (4 hectares) which extends across the subject property and onto adjacent lands.

The loss would not prevent Koala dispersal or movement through the region, and would not materially increase indirect impacts or threats to Koalas. Any individual that did make its way to the development site would be deflected by the development but would be able to travel through the area via alternative open areas and scattered trees across the subject property and on adjacent lands.

The development would have a low or no impact on potential koala habitat.





Figure 1 Location of Koala use trees within the subject land.



Tree 1



Tree 2



Tree 3



Tree 4



Tree 5



Tree 6

No photo available. Tree appears to be *Eucalyptus polyanthemos*, planted within a predominantly exotic windbreak adjacent to the dairy sheds.

### ***Council may grant consent***

Under Clause 4.9(3), Council may grant consent to a development application where Council is satisfied the development is likely to have low or no impact on Koalas or Koala habitat.

Additionally, under Clause 4.9(5)(a)(ii), Council may grant development consent if the applicant provides to Council information that Council is satisfied demonstrates that the subject land is not 'core koala habitat'.

'Core koala habitat' is defined under the Part 4.1 of the SEPP as:

- (a) an area of land which has been assessed by a suitably qualified and experienced person as being highly suitable koala habitat and where koalas are recorded as being present at the time of assessment of the land as highly suitable koala habitat, or*
- (b) an area of land which has been assessed by a suitably qualified and experienced person as being highly suitable koala habitat and where koalas have been recorded as being present in the previous 18 years.*

Koalas were not present in the study area at the time of the habitat assessment, and have not previously been recorded on the subject property or adjoining properties (Bionet sightings, 19<sup>th</sup> April 2024). The land does not constitute 'core koala habitat' for the purpose of the SEPP.

### ***Summary***

The subject land supports potential Koala habitat. It is theoretically possible that an individual Koala could occur on the land on occasions. However, Koalas were not present on the subject land at the time of the habitat assessment and there is no evidence of a resident population. The land is not 'core koala habitat'.

The proposed development would result in loss of up to six scattered (and mostly dead) Koala use trees. The loss would not prevent Koala dispersal or movement through the region, and would not materially increase indirect impacts or threats to Koalas. The development would have a low or no impact on potential koala habitat.

Council may grant consent to the development application on the basis of either or both:

- \* The development would have a low or no impact on Koalas or Koala habitat; and
- \* The subject land is not 'core koala habitat'.

### ***Conclusion***

Chapter 4 *Koala habitat protection 2021* of *SEPP (Biodiversity Conservation) 2021* is relevant to the subject land and Part 4.2 *Development control of koala habitats* applies. The development would have a low or no impact on Koalas or Koala habitat. The subject land is not 'core koala habitat'. Council may grant consent to the development application.

Please do not hesitate to contact me with any queries.

Kind regards,



Rebecca Hogan  
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Accredited BAM Assessor (BAAS17090)  
Principal, Hayes Environmental

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