

State Environmental Planning Policy (Koala Habitat Protection) 2021

[2021-115]



New South Wales

Status Information

Currency of version

Repealed version for 17 March 2021 to 28 February 2022 (accessed 2 July 2024 at 19:21)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Repeal**

This Policy was repealed by [State Environmental Planning Policy \(Biodiversity and Conservation\) 2021 \(722\)](#), Sch 14, sec 13 with effect from 1.3.2022.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 17 March 2021

State Environmental Planning Policy (Koala Habitat Protection) 2021



New South Wales

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State Environmental Planning Policy (Koala Habitat Protection) 2021



New South Wales

Part 1 Preliminary

1 Name of Policy

This Policy is *State Environmental Planning Policy (Koala Habitat Protection) 2021*.

2 Commencement

This Policy commences on the day on which it is published on the NSW legislation website.

3 Aim of Policy

This Policy aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline.

Editorial note—

Guidelines are being made by the Planning Secretary with the agreement of the Secretary of Regional NSW for the purposes of Parts 2 and 3 of this Policy. When the Guidelines are made this Policy is to be amended to incorporate references to the Guidelines.

4 Definitions

(1) In this Policy—

approved koala plan of management, for land, means a koala plan of management for the land approved in accordance with clause 16.

core koala habitat means—

- (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.

equivalent land use zone—see clause 5.

former Koala SEPP, in relation to land to which this Policy applies, means the following—

- (a) *State Environmental Planning Policy No 44—Koala Habitat Protection*,
- (b) *State Environmental Planning Policy (Koala Habitat Protection) 2019*,
- (c) *State Environmental Planning Policy (Koala Habitat Protection) 2020*.

koala habitat means koala habitat however described in a plan of management under this Policy or a former Koala SEPP and includes core koala habitat.

Planning for Bush Fire Protection means the document referred to in clause 272 of the *Environmental Planning and Assessment Regulation 2000*.

suitably qualified and experienced person means a person who has—

- (a) a tertiary qualification in ecology, environmental management, forestry or other equivalent qualifications, and
- (b) experience in flora and fauna identification, survey and management, including experience in conducting koala surveys.

the Act means the *Environmental Planning and Assessment Act 1979*.

Note—

The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this Policy.

- (2) Notes included in this Policy do not form part of this Policy.

5 Equivalent land use zones

- (1) A non-standard zone is an **equivalent land use zone** to 1 of the following land use zones (a **standard zone**) if the land uses specified for the standard zone are permitted in the non-standard zone—

Land use zone	Permitted land uses
RU1 Primary Production	Primary production, including agriculture and a diverse range of primary industry enterprises
RU2 Rural Landscape	Compatible rural land uses, including extensive agriculture
RU3 Forestry	Forestry land uses and other development compatible with forestry land uses

- (2) The Planning Secretary may declare, by order published in the Gazette, that a non-standard zone is equivalent to a standard zone.
- (3) The order is conclusive that the non-standard zone is an equivalent land use zone to the standard zone.
- (4) In this clause—

non-standard zone means a land use zone in a local environmental planning instrument that was not made in accordance with the relevant standard environmental planning instrument under section 3.20 of the Act.

6 Land to which Policy applies

- (1) This Policy applies to each local government area listed in Schedule 1.
- (2) The whole of each local government area is—
 - (a) in the koala management area specified in Schedule 1 opposite the local government area, or
 - (b) if more than 1 koala management area is specified, in each of those koala management areas.
- (3) Despite subclause (1), this Policy does not apply to—
 - (a) land dedicated or reserved under the [National Parks and Wildlife Act 1974](#), or acquired under Part 11 of that Act, or
 - (b) land dedicated under the [Forestry Act 2012](#) as a State forest or a flora reserve, or
 - (c) land on which biodiversity certification has been conferred, and is in force, under Part 8 of the [Biodiversity Conservation Act 2016](#), or
 - (d) land in the following land use zones, or an equivalent land use zone, unless the zone is in a local government area marked with an * in Schedule 1—
 - (i) Zone RU1 Primary Production,
 - (ii) Zone RU2 Rural Landscape,
 - (iii) Zone RU3 Forestry.

7 Relationship with other environmental planning instruments

In the event of an inconsistency between this Policy and another environmental planning instrument, whether made before or after the commencement of this Policy, this Policy prevails to the extent of the inconsistency.

8 Exempt land

- (1) The objective of this clause is to enable the clearing of koala use tree species to create an asset protection zone as part of the replacement of a lawfully erected dwelling house that has been damaged or destroyed by a bush fire.
- (2) This Policy does not apply to land forming part of an asset protection zone cleared for a dwelling house if—
 - (a) the dwelling house is replacing a lawfully erected dwelling house damaged or destroyed by a bush fire, and
 - (b) the development application for the replacement dwelling house is made to the consent authority no later than 5 years after the day the bush fire caused the damage or destruction, and
 - (c) the asset protection zone is cleared in accordance with Planning for Bush Fire Protection.

9 Maps

- (1) A reference in this Policy to a named map adopted by this Policy is a reference to a map by that name—
 - (a) approved by the Minister when the map is adopted, and
 - (b) as amended or replaced from time to time by maps declared by environmental planning instruments to amend or replace that map, and approved by the persons making the environmental planning instruments when the instruments are made.
- (2) Any 2 or more named maps may be combined into a single map. In that case, a reference in this Policy to any such named map is a reference to the relevant part or aspect of the single map.
- (3) Any such maps are to be kept and made available for public access in accordance with arrangements approved by the Minister.
- (4) For the purposes of this Policy, a map may be in, and may be kept and made available in, electronic or paper form, or both.

Note—

The maps adopted by this Policy are to be deposited in the head office of the Department of Planning, Industry and Environment and made available for public access.

Part 2 Development control of koala habitats

10 Development assessment process—approved koala plan of management for land

- (1) This clause applies to land to which this Policy applies and to which an approved koala

plan of management applies.

- (2) The council's determination of the development application must be consistent with the approved koala plan of management that applies to the land.

11 Development assessment process—no approved koala plan of management for land

- (1) This clause applies to land to which this Policy applies if the land—
- (a) has an area of at least 1 hectare (including adjoining land within the same ownership), and
 - (b) does not have an approved koala plan of management applying to the land.
- (2) Before a council may grant consent to a development application for consent to carry out development on the land, the council must assess whether the development is likely to have any impact on koalas or koala habitat.
- (3) If the council is satisfied that the development is likely to have low or no impact on koalas or koala habitat, the council may grant consent to the development application.
- (4) If the council is satisfied that the development is likely to have a higher level of impact on koalas or koala habitat, the council must, in deciding whether to grant consent to the development application, take into account a koala assessment report for the development.
- (5) However, despite subclauses (3) and (4), the council may grant development consent if the applicant provides to the council—
- (a) information, prepared by a suitably qualified and experienced person, the council is satisfied demonstrates that the land subject of the development application—
 - (i) does not include any trees belonging to the koala use tree species listed in Schedule 2 for the relevant koala management area, or
 - (ii) is not core koala habitat, or
 - (b) information the council is satisfied demonstrates that the land subject of the development application—
 - (i) does not include any trees with a diameter at breast height over bark of more than 10 centimetres, or
 - (ii) includes only horticultural or agricultural plantations.
- (6) In this clause—

koala assessment report, for development, means a report prepared by a suitably qualified and experienced person about the likely and potential impacts of the development on koalas or koala habitat and the proposed management of those

impacts.

12 Development assessment process—other land

A council is not prevented from granting consent to a development application for consent to carry out development on land if—

- (a) the land does not have an approved koala plan of management applying to the land, or
- (b) the council is satisfied that the land is not core koala habitat.

Part 3 Koala plans of management

13 Preparation of koala plans of management

- (1) A koala plan of management may be prepared for—
 - (a) the whole of a local government area listed in Schedule 1, or
 - (b) a part of a local government area listed in Schedule 1.
- (2) A koala plan of management must be prepared—
 - (a) on behalf of a council by a suitably qualified and experienced person, and
 - (b) having regard to a survey of the land for core koala habitat conducted by a suitably qualified and experienced person.
- (3) A koala plan of management may—
 - (a) be a separate document or be part of another document, and
 - (b) provide for additional matters, whether or not the matters are directly related to the assessment of a development application by the council.
- (4) Land may be identified in a koala plan of management if—
 - (a) the land is identified on the *Site Investigation Area for Koala Plans of Management Map* as an area where this Policy applies, and
 - (b) the land is core koala habitat.
- (5) In this clause—

Site Investigation Area for Koala Plans of Management Map means the *State Environmental Planning Policy (Koala Habitat Protection) 2021—Site Investigation Area for Koala Plans of Management Map*.

14 Consultation on koala plans of management

In preparing a koala plan of management, a council, on behalf of which the plan of management has been prepared, must consult the Chief Executive Officer of Local Land Services and a Public Service employee designated by the Minister for Energy and Environment.

15 Public exhibition of draft koala plans of management

Following the preparation of a draft koala plan of management, the council—

- (a) must publicly exhibit the draft koala plan of management for a minimum period of 90 days, and
- (b) must give public notice on the council's website and in a local newspaper of the places, dates and times for inspection of the draft koala plan of management, and
- (c) must publicly exhibit a copy of the draft koala plan of management at the places, on the dates and during the times set out in the notice, and
- (d) must serve notice of the places, dates and times for inspection of the draft koala plan of management on landholders whose land is identified under clause 12(4) in the draft koala plan of management—
 - (i) by post, or
 - (ii) by email to an email address specified by the landholder for the service of notices by the council, and
- (e) must specify, in the notices referred to in paragraphs (b) and (d), the period during which submissions about the draft koala plan of management may be made to the council (which must include the period during which the draft koala plan of management is being publicly exhibited).

16 Approval of koala plans of management

- (1) A koala plan of management prepared in accordance with clause 13 has no effect unless it is approved by the Planning Secretary.
- (2) The council on behalf of which the koala plan of management has been prepared must provide the following to the Planning Secretary—
 - (a) a report on submissions received as a result of the public consultation under clause 15,
 - (b) a report on the survey of the land made under clause 13(2)(b),
 - (c) any other documents that informed the preparation of the koala plan of management.

- (3) Before approving a koala plan of management, the Planning Secretary must provide the following to the Chief Executive Officer of Local Land Services and a Public Service employee designated by the Minister for Energy and Environment for comment—
 - (a) a copy of the draft koala plan of management,
 - (b) a copy of the report on submissions,
 - (c) a copy of the report on the survey of the land made under clause 13(2)(b),
 - (d) any other documents that informed the preparation of the koala plan of management.
- (4) Before approving a koala plan of management, the Planning Secretary must obtain the concurrence of the Secretary of Regional NSW.
- (5) Before approving a koala plan of management submitted for approval under this clause, the Planning Secretary may—
 - (a) request that amendments be made to the koala plan of management, and
 - (b) approve the koala plan of management conditional on the making of those amendments.
- (6) To avoid doubt, a koala plan of management conditionally approved under subclause (5)(b) is taken to be approved by the Planning Secretary on the making of those amendments.
- (7) A koala plan of management takes effect on—
 - (a) the day it is approved by the Planning Secretary, or
 - (b) if a later day is specified in the plan of management—the later day.

17 Subsequent koala plans of management

- (1) An approved koala plan of management may be amended or replaced by a subsequent koala plan of management prepared and approved in accordance with this Part.
- (2) The subsequent koala plan of management must be exhibited in accordance with this Part if the council is directed to do so by the Planning Secretary.

Part 4 Savings and transitional provisions

18 Existing development applications

A development application made in relation to land, but not finally determined before this Policy applied to the land, must be determined as if this Policy had not commenced in its application to the land.

19 Documents taken to be koala plans of management

- (1) A plan of management approved under a former Koala SEPP in relation to the whole of a local government area or a part of a local government area and in force immediately before this Policy is taken to be an approved koala plan of management.
- (2) The following documents published on the NSW planning portal are taken to be approved koala plans of management and may be renamed accordingly—
 - (a) *Byron Shire Draft koala plan of management*,
 - (b) *Tweed Shire Draft koala plan of management*.
- (3) An approved koala plan of management under this clause applies to the land specified in the koala plan of management and accordingly clause 10 extends to apply to that land.

20 Documents submitted as plans of management

- (1) This clause applies to a document submitted to the Planning Secretary—
 - (a) for approval as a koala plan of management in relation to the whole of a local government area or a part of a local government area, and
 - (b) before this Policy applied to the local government area.
- (2) Before approving a koala plan of management submitted for approval under this clause, the Planning Secretary may—
 - (a) request that amendments be made to the koala plan of management, and
 - (b) approve the koala plan of management conditional on the making of those amendments.
- (3) To avoid doubt, a koala plan of management conditionally approved under subclause (2)(b) is taken to be approved by the Planning Secretary on the making of those amendments.
- (4) Despite clauses 13–16, the Planning Secretary may approve the document as a koala plan of management for the local government area or part of the local government area.
- (5) To avoid doubt, the Planning Secretary may approve the document as a koala plan of management despite the document not having been prepared in accordance with the provisions of a former Koala SEPP.
- (6) On approval, the document is taken to be an approved koala plan of management.

Schedule 1 Local government areas

(Clauses 6(1), 13(1))

Local government area	Koala management area(s)
Armidale Regional	Northern Tablelands
Ballina	North Coast
Bathurst Regional	Central and Southern Tablelands
Bega Valley	South Coast
Bellingen	North Coast
Berrigan	Riverina
Blayney	Central and Southern Tablelands
City of Blue Mountains *	Central and Southern Tablelands Central Coast
Bourke	Darling Riverine Plains Far West
Brewarrina	Darling Riverine Plains Far West
Byron	North Coast
Cabonne	Central and Southern Tablelands
City of Campbelltown *	Central Coast
Central Coast *	Central Coast
Central Darling	Far West
City of Cessnock	Central Coast
Clarence Valley	North Coast
City of Coffs Harbour	North Coast
Coonamble	Darling Riverine Plains Northwest Slopes
Dungog	Central Coast
Edward River	Riverina
Eurobodalla	South Coast
Federation	Central and Southern Tablelands Far West Riverina
Forbes	Far West

Gilgandra	Northwest Slopes
Glen Innes Severn Shire	Northern Tablelands
Goulburn Mulwaree	Central and Southern Tablelands
Greater Hume Shire	Central and Southern Tablelands Far West Riverina
Gunnedah	Northwest Slopes
Gwydir	Northwest Slopes
City of Hawkesbury *	Central Coast
Hilltops	Central and Southern Tablelands Far West
Hornsby *	Central Coast
Inverell	Northern Tablelands Northwest Slopes
Kempsey	North Coast
Ku-ring-gai *	Central Coast
Kyogle	North Coast
City of Lake Macquarie	Central Coast
Leeton	Far West Riverina
City of Lismore	North Coast
City of Lithgow	Central and Southern Tablelands
City of Liverpool *	Central Coast
Liverpool Plains	Northwest Slopes
Lockhart	Central and Southern Tablelands Far West
City of Maitland	Central Coast
Mid-Coast	North Coast
Mid-Western Regional	Northwest Slopes
Moree Plains	Northwest Slopes
Murray River	Far West Riverina
Muswellbrook	Central Coast
Nambucca Valley	North Coast

Narrabri	Northwest Slopes
Narrandera	Far West Riverina
Narromine	Darling Riverine Plains Far West
City of Newcastle	Central Coast
Northern Beaches *	Central Coast
Oberon	Central and Southern Tablelands
Parkes	Far West
Port Macquarie-Hastings	North Coast
Port Stephens	Central Coast
Queanbeyan-Palerang Regional	Central and Southern Tablelands
Richmond Valley	North Coast
City of Shoalhaven	Central and Southern Tablelands South Coast
Singleton	Central Coast
Snowy Monaro Regional	Central and Southern Tablelands
Snowy Valleys	Central and Southern Tablelands
Tamworth Regional	Northern Tablelands
Tenterfield	Northern Tablelands
Tweed	North Coast
Upper Hunter Shire	Northwest Slopes
Upper Lachlan Shire	Central and Southern Tablelands
Uralla	Northern Tablelands
City of Wagga Wagga	Central and Southern Tablelands Far West
Walcha	Northern Tablelands
Walgett	Darling Riverine Plains Northwest Slopes
Warren	Darling Riverine Plains
Warrumbungle Shire	Northwest Slopes
Weddin	Central and Southern Tablelands Far West

Wentworth	Far West Riverina
Wingecarribee	Central and Southern Tablelands Central Coast
Wollondilly *	Central and Southern Tablelands Central Coast
City of Wollongong	South Coast
Yass Valley	Central and Southern Tablelands

Schedule 2 Koala use tree species

(Clause 11)

Central and Southern Tablelands koala management area

Scientific name	Common name(s)
<i>Eucalyptus agglomerata</i>	Blue-leaved Stringybark
<i>Eucalyptus albens</i>	White Box
<i>Eucalyptus amplifolia</i>	Cabbage Gum
<i>Eucalyptus blakelyi</i>	Blakely's Red Gum
<i>Eucalyptus bosistoana</i>	Coast Grey Box
<i>Eucalyptus bridgesiana</i>	Apple Box
<i>Eucalyptus camaldulensis</i>	River Red Gum
<i>Eucalyptus conica</i>	Fuzzy Box
<i>Eucalyptus cypellocarpa</i>	Monkey Gum
<i>Eucalyptus dalrympleana</i>	Mountain Gum
<i>Eucalyptus dealbata</i>	Tumbledown Red Gum
<i>Eucalyptus dives</i>	Broad-leaved Peppermint
<i>Eucalyptus elata</i>	River Peppermint
<i>Eucalyptus eugenioides</i>	Narrow-leaved Stringybark
<i>Eucalyptus fibrosa</i>	Broad-leaved Red Ironbark
<i>Eucalyptus globoidea</i>	White Stringybark
<i>Eucalyptus goniocalyx</i>	Bundy
<i>Eucalyptus macrorhyncha</i>	Red Stringybark
<i>Eucalyptus maidenii</i>	Maiden's Blue Gum
<i>Eucalyptus mannifera</i>	Brittle Gum

<i>Eucalyptus melliodora</i>	Yellow Box
<i>Eucalyptus microcarpa</i>	Western Grey Box
<i>Eucalyptus nortonii</i>	Large-flowered Bundy
<i>Eucalyptus obliqua</i>	Messmate
<i>Eucalyptus oblonga</i>	Stringybark
<i>Eucalyptus paniculata</i>	Grey Ironbark
<i>Eucalyptus pauciflora</i>	White Sally, Snow Gum
<i>Eucalyptus piperita</i>	Sydney Peppermint
<i>Eucalyptus polyanthemos</i>	Red Box
<i>Eucalyptus punctata</i>	Grey Gum
<i>Eucalyptus quadrangulata</i>	White-topped Box
<i>Eucalyptus radiata</i>	Narrow leaved Peppermint
<i>Eucalyptus rossii</i>	Inland Scribbly Gum
<i>Eucalyptus rubida</i>	Candlebark
<i>Eucalyptus sclerophylla</i>	Hard-leaved Scribbly Gum
<i>Eucalyptus sideroxylon</i>	Mugga Ironbark
<i>Eucalyptus sieberi</i>	Silvertop Ash
<i>Eucalyptus tereticornis</i>	Forest Red Gum
<i>Eucalyptus viminalis</i>	Ribbon Gum

Central Coast koala management area

Scientific name	Common name(s)
<i>Allocasuarina littoralis</i>	Black She-oak
<i>Allocasuarina torulosa</i>	Forest Oak
<i>Angophora bakeri</i>	Narrow-leaved Apple
<i>Angophora costata</i>	Smooth-barked Apple
<i>Angophora floribunda</i>	Rough-barked Apple
<i>Casuarina glauca</i>	Swamp Oak
<i>Corymbia eximia</i>	Yellow Bloodwood
<i>Corymbia gummifera</i>	Red Bloodwood
<i>Corymbia maculata</i>	Spotted Gum

<i>Eucalyptus acmenoides</i>	White Mahogany
<i>Eucalyptus agglomerata</i>	Blue-leaved Stringybark
<i>Eucalyptus albens</i>	White Box
<i>Eucalyptus amplifolia</i>	Cabbage Gum
<i>Eucalyptus beyeriana</i>	Beyer's Ironbark
<i>Eucalyptus blakelyi</i>	Blakely's Red Gum
<i>Eucalyptus bosistoana</i>	Coast Grey Box
<i>Eucalyptus botryoides</i>	Bangalay
<i>Eucalyptus camaldulensis</i>	River Red Gum
<i>Eucalyptus camfieldii</i>	Camfield's Stringybark
<i>Eucalyptus canaliculata</i>	Large-fruited Grey Gum
<i>Eucalyptus capitellata</i>	Brown Stringybark
<i>Eucalyptus carnea</i>	Thick-leaved Mahogany
<i>Eucalyptus consideniana</i>	Yertchuk
<i>Eucalyptus crebra</i>	Narrow-leaved Ironbark
<i>Eucalyptus cypellocarpa</i>	Monkey Gum
<i>Eucalyptus deanei</i>	Mountain Blue Gum
<i>Eucalyptus eugenioides</i>	Narrow-leaved Stringybark
<i>Eucalyptus fibrosa</i>	Broad-leaved Red Ironbark
<i>Eucalyptus glaucina</i>	Slaty Red Gum
<i>Eucalyptus globoidea</i>	White Stringybark
<i>Eucalyptus grandis</i>	Flooded Gum
<i>Eucalyptus haemastoma</i>	Broad-leaved Scribbly Gum
<i>Eucalyptus imitans</i>	Eucalyptus imitans
<i>Eucalyptus largeana</i>	Craven Grey Box
<i>Eucalyptus longifolia</i>	Woollybutt
<i>Eucalyptus macrorhyncha</i>	Red Stringybark
<i>Eucalyptus melliodora</i>	Yellow Box
<i>Eucalyptus michaeliana</i>	Brittle Gum
<i>Eucalyptus microcorys</i>	Tallowwood

<i>Eucalyptus moluccana</i>	Grey Box
<i>Eucalyptus oblonga</i>	Stringybark
<i>Eucalyptus paniculata</i>	Grey Ironbark
<i>Eucalyptus parramattensis</i>	Parramatta Red Gum
<i>Eucalyptus pilularis</i>	Blackbutt
<i>Eucalyptus piperita</i>	Sydney Peppermint
<i>Eucalyptus propinqua</i>	Small-fruited Grey Gum
<i>Eucalyptus punctata</i>	Grey Gum
<i>Eucalyptus quadrangulata</i>	White-topped Box
<i>Eucalyptus racemosa</i>	Narrow-leaved Scribbly Gum
<i>Eucalyptus resinifera</i>	Red Mahogany
<i>Eucalyptus robusta</i>	Swamp Mahogany
<i>Eucalyptus saligna</i>	Sydney Blue Gum
<i>Eucalyptus scias</i>	Large-fruited Red Mahogany
<i>Eucalyptus sclerophylla</i>	Hard-leaved Scribbly Gum
<i>Eucalyptus siderophloia</i>	Grey Ironbark
<i>Eucalyptus sideroxylon</i>	Mugga Ironbark
<i>Eucalyptus sieberi</i>	Silvertop Ash
<i>Eucalyptus signata</i>	Scribbly Gum
<i>Eucalyptus sparsifolia</i>	Narrow-leaved Stringybark
<i>Eucalyptus squamosa</i>	Scaly Bark
<i>Eucalyptus tereticornis</i>	Forest Red Gum
<i>Eucalyptus umbra</i>	Bastard White Mahogany
<i>Eucalyptus viminalis</i>	Ribbon Gum
<i>Melaleuca quinquenervia</i>	Broad-leaved Paperbark
<i>Syncarpia glomulifera</i>	Turpentine

Darling Riverine Plains koala management area

Scientific name	Common name(s)
<i>Callitris glaucophylla</i>	White Cypress Pine
<i>Eucalyptus albens</i>	White Box

<i>Eucalyptus camaldulensis</i>	River Red Gum
<i>Eucalyptus chloroclada</i>	Dirty Gum
<i>Eucalyptus conica</i>	Fuzzy Box
<i>Eucalyptus coolabah</i>	Coolibah
<i>Eucalyptus crebra</i>	Narrow-leaved Ironbark
<i>Eucalyptus dealbata</i>	Tumbledown Red Gum
<i>Eucalyptus dwyeri</i>	Dwyer's Red Gum
<i>Eucalyptus largiflorens</i>	Black Box
<i>Eucalyptus melanophloia</i>	Silver-leaved Ironbark
<i>Eucalyptus melliodora</i>	Yellow Box
<i>Eucalyptus microcarpa</i>	Western Grey Box
<i>Eucalyptus pilligaensis</i>	Narrow-leaved Grey Box
<i>Eucalyptus populnea</i>	Bimble Box, Poplar Box
<i>Eucalyptus sideroxylon</i>	Mugga Ironbark

Far West koala management area

Scientific name	Common name(s)
<i>Angophora floribunda</i>	Rough-barked Apple
<i>Callitris glaucophylla</i>	White Cypress Pine
<i>Casuarina cristata</i>	Belah
<i>Eucalyptus albens</i>	White Box
<i>Eucalyptus blakelyi</i>	Blakely's Red Gum
<i>Eucalyptus camaldulensis</i>	River Red Gum
<i>Eucalyptus chloroclada</i>	Dirty Gum
<i>Eucalyptus coolabah</i>	Coolibah
<i>Eucalyptus crebra</i>	Narrow-leaved Ironbark
<i>Eucalyptus dealbata</i>	Tumbledown Red Gum
<i>Eucalyptus intertexta</i>	Gum Coolibah
<i>Eucalyptus largiflorens</i>	Black Box
<i>Eucalyptus melanophloia</i>	Silver-leaved Ironbark
<i>Eucalyptus melliodora</i>	Yellow Box

<i>Eucalyptus microcarpa</i>	Western Grey Box
<i>Eucalyptus moluccana</i>	Grey Box
<i>Eucalyptus pilligaensis</i>	Narrow-leaved Grey Box
<i>Eucalyptus populnea</i>	Bimble Box
<i>Eucalyptus sideroxylon</i>	Mugga Ironbark
<i>Geijera parviflora</i>	Wilga

North Coast koala management area

Scientific name	Common name(s)
<i>Allocasuarina torulosa</i>	Forest Oak
<i>Angophora floribunda</i>	Rough-barked Apple
<i>Corymbia gummifera</i>	Red Bloodwood
<i>Corymbia henryi</i>	Large-leaved Spotted Gum
<i>Corymbia intermedia</i>	Pink Bloodwood
<i>Corymbia maculata</i>	Spotted Gum
<i>Eucalyptus acmenoides</i>	White Mahogany
<i>Eucalyptus amplifolia</i>	Cabbage Gum
<i>Eucalyptus bancroftii</i>	Orange Gum
<i>Eucalyptus biturbinata</i>	Grey Gum
<i>Eucalyptus campanulata</i>	New England Blackbutt
<i>Eucalyptus canaliculata</i>	Large-fruited Grey Gum
<i>Eucalyptus carnea</i>	Thick-leaved Mahogany
<i>Eucalyptus crebra</i>	Narrow-leaved Ironbark
<i>Eucalyptus eugenoides</i>	Narrow-leaved stringybark
<i>Eucalyptus fibrosa</i>	Broad-leaved Red Ironbark
<i>Eucalyptus glaucina</i>	Slaty Red Gum
<i>Eucalyptus globoidea</i>	White Stringybark
<i>Eucalyptus grandis</i>	Flooded Gum
<i>Eucalyptus laevopinea</i>	Silver-top Stringybark
<i>Eucalyptus largeana</i>	Craven Grey Box
<i>Eucalyptus microcorys</i>	Tallowwood

<i>Eucalyptus moluccana</i>	Grey Box
<i>Eucalyptus nobilis</i>	Forest Ribbon Gum
<i>Eucalyptus pilularis</i>	Blackbutt
<i>Eucalyptus placita</i>	Grey Ironbark
<i>Eucalyptus planchoniana</i>	Bastard Tallowwood
<i>Eucalyptus propinqua</i>	Small-fruited Grey Gum
<i>Eucalyptus psammitica</i>	Bastard White Mahogany
<i>Eucalyptus punctata</i>	Grey Gum
<i>Eucalyptus resinifera</i>	Red Mahogany
<i>Eucalyptus robusta</i>	Swamp Mahogany
<i>Eucalyptus rummeryi</i>	Steel Box
<i>Eucalyptus saligna</i>	Sydney Blue Gum
<i>Eucalyptus scias</i>	Large-fruited Red Mahogany
<i>Eucalyptus seeana</i>	Narrow-leaved Red Gum
<i>Eucalyptus siderophloia</i>	Grey Ironbark
<i>Eucalyptus signata/Eucalyptus racemosa</i>	Scribbly Gum/Narrow-leaved Scribbly Gum
<i>Eucalyptus tereticornis</i>	Forest Red Gum
<i>Eucalyptus tindaliae</i>	Stringybark
<i>Eucalyptus umbra</i>	Bastard White Mahogany
<i>Melaleuca quinquenervia</i>	Broad-leaved Paperbark

Northwest Slopes koala management area

Scientific name	Common name(s)
<i>Angophora floribunda</i>	Rough-barked Apple
<i>Callitris glaucophylla</i>	White Cypress Pine
<i>Casuarina cristata</i>	Belah
<i>Eucalyptus albens</i>	White Box
<i>Eucalyptus blakelyi</i>	Blakely's Red Gum
<i>Eucalyptus bridgesiana</i>	Apple Box
<i>Eucalyptus caleyi</i>	Drooping Ironbark
<i>Eucalyptus caliginosa</i>	Broad-leaved Stringybark

<i>Eucalyptus camaldulensis</i>	River Red Gum
<i>Eucalyptus canaliculata</i>	Large-fruited Grey Gum
<i>Eucalyptus chloroclada</i>	Dirty Gum
<i>Eucalyptus conica</i>	Fuzzy Box
<i>Eucalyptus coolabah</i>	Coolibah
<i>Eucalyptus crebra</i>	Narrow-leaved Ironbark
<i>Eucalyptus dalrympleana</i>	Mountain Gum
<i>Eucalyptus dealbata</i>	Tumbledown Red Gum
<i>Eucalyptus dwyeri</i>	Dwyer's Red Gum
<i>Eucalyptus exserta</i>	Peppermint
<i>Eucalyptus fibrosa</i>	Broad-leaved Red Ironbark
<i>Eucalyptus goniocalyx</i>	Bundy
<i>Eucalyptus laevopinea</i>	Silver-top Stringybark
<i>Eucalyptus largiflorens</i>	Black Box
<i>Eucalyptus macrorhyncha</i>	Red Stringybark
<i>Eucalyptus mannifera</i>	Brittle Gum
<i>Eucalyptus melanophloia</i>	Silver-leaved Ironbark
<i>Eucalyptus melliodora</i>	Yellow Box
<i>Eucalyptus microcarpa</i>	Western Grey Box
<i>Eucalyptus moluccana</i>	Grey Box
<i>Eucalyptus nobilis</i>	Forest Ribbon Gum
<i>Eucalyptus parramattensis</i>	Parramatta Red Gum
<i>Eucalyptus pauciflora</i>	White Sally, Snow Gum
<i>Eucalyptus pilligaensis</i>	Narrow-leaved Grey Box
<i>Eucalyptus polyanthemus</i>	Red Box
<i>Eucalyptus populnea</i>	Bimble Box/Poplar Box
<i>Eucalyptus prava</i>	Orange Gum
<i>Eucalyptus punctata</i>	Grey Gum
<i>Eucalyptus quadrangulata</i>	White-topped Box
<i>Eucalyptus sideroxylon</i>	Mugga Ironbark

Eucalyptus viminalis Ribbon Gum

Northern Tablelands koala management area

Scientific name	Common name(s)
<i>Allocasuarina littoralis</i>	Black She-oak
<i>Angophora floribunda</i>	Rough-barked Apple
<i>Callitris glaucophylla</i>	White Cypress Pine
<i>Eucalyptus acaciiformis</i>	Wattle-leaved Peppermint
<i>Eucalyptus albens</i>	White Box
<i>Eucalyptus amplifolia</i>	Cabbage Gum
<i>Eucalyptus biturbinata</i>	Grey Gum
<i>Eucalyptus blakelyi</i>	Blakely's Red Gum
<i>Eucalyptus bridgesiana</i>	Apple Box
<i>Eucalyptus brunnea</i>	Mountain Blue Gum
<i>Eucalyptus caleyi</i>	Drooping Ironbark
<i>Eucalyptus caliginosa</i>	Broad-leaved Stringybark
<i>Eucalyptus camaldulensis</i>	River Red Gum
<i>Eucalyptus campanulata</i>	New England Blackbutt
<i>Eucalyptus crebra</i>	Narrow-leaved Ironbark
<i>Eucalyptus dalrympleana</i>	Mountain Gum
<i>Eucalyptus dealbata</i>	Tumbledown Red Gum
<i>Eucalyptus eugenioides</i>	Narrow-leaved Stringybark
<i>Eucalyptus laevopinea</i>	Silver-top Stringybark
<i>Eucalyptus macrorhyncha</i>	Red Stringybark
<i>Eucalyptus melanophloia</i>	Silver-leaved Ironbark
<i>Eucalyptus melliodora</i>	Yellow Box
<i>Eucalyptus michaeliana</i>	Brittle Gum
<i>Eucalyptus microcorys</i>	Tallowwood
<i>Eucalyptus moluccana</i>	Grey Box
<i>Eucalyptus nicholii</i>	Narrow-leaved Black Peppermint
<i>Eucalyptus nobilis</i>	Forest Ribbon Gum

<i>Eucalyptus nova-anglica</i>	New England Peppermint
<i>Eucalyptus obliqua</i>	Messmate
<i>Eucalyptus pauciflora</i>	White Sally, Snow Gum
<i>Eucalyptus prava</i>	Orange Gum
<i>Eucalyptus radiata</i>	Narrow leaved Peppermint
<i>Eucalyptus saligna</i>	Sydney Blue Gum
<i>Eucalyptus sideroxylon</i>	Mugga Ironbark
<i>Eucalyptus stellulata</i>	Black Sally
<i>Eucalyptus subvelutina</i>	Broad-leaved Apple
<i>Eucalyptus tereticornis</i>	Forest Red Gum
<i>Eucalyptus viminalis</i>	Ribbon Gum
<i>Eucalyptus williamsiana</i>	Eucalyptus williamsiana
<i>Eucalyptus youmanii</i>	Youman's Stringybark

Riverina koala management area

Scientific name	Common name(s)
<i>Callitris glaucophylla</i>	White Cypress Pine
<i>Casuarina cristata</i>	Belah
<i>Eucalyptus albens</i>	White Box
<i>Eucalyptus camaldulensis</i>	River Red Gum
<i>Eucalyptus intertexta</i>	Gum Coolibah
<i>Eucalyptus largiflorens</i>	Black Box
<i>Eucalyptus melliodora</i>	Yellow Box
<i>Eucalyptus microcarpa</i>	Western Grey Box
<i>Eucalyptus populnea</i>	Bimble Box

South Coast koala management area

Scientific name	Common name(s)
<i>Allocasuarina littoralis</i>	Black She-oak
<i>Angophora floribunda</i>	Rough-barked Apple
<i>Corymbia gummifera</i>	Red Bloodwood
<i>Corymbia maculata</i>	Spotted Gum

<i>Eucalyptus agglomerata</i>	Blue-leaved Stringybark
<i>Eucalyptus baueriana</i>	Blue Box
<i>Eucalyptus bosistoana</i>	Coast Grey Box
<i>Eucalyptus consideniiana</i>	Yertchuk
<i>Eucalyptus cypellocarpa</i>	Monkey Gum
<i>Eucalyptus elata</i>	River Peppermint
<i>Eucalyptus eugenioides</i>	Narrow-leaved Stringybark
<i>Eucalyptus fastigata</i>	Brown Barrel
<i>Eucalyptus globoidea</i>	White Stringybark
<i>Eucalyptus longifolia</i>	Woollybutt
<i>Eucalyptus maidenii</i>	Maiden's Blue Gum
<i>Eucalyptus muelleriana</i>	Yellow Stringybark
<i>Eucalyptus obliqua</i>	Messmate
<i>Eucalyptus paniculata</i>	Grey Ironbark
<i>Eucalyptus pilularis</i>	Blackbutt
<i>Eucalyptus piperita</i>	Sydney Peppermint
<i>Eucalyptus punctata</i>	Grey Gum
<i>Eucalyptus saligna</i>	Sydney Blue Gum
<i>Eucalyptus sclerophylla</i>	Hard-leaved Scribbly Gum
<i>Eucalyptus sieberi</i>	Silvertop Ash
<i>Eucalyptus tereticornis</i>	Forest Red Gum
<i>Eucalyptus tricarpa</i>	Mugga (Red) Ironbark
<i>Eucalyptus viminalis</i>	Ribbon Gum

Schedule 3 Amendment of State Environmental Planning Policy (Koala Habitat Protection) 2020

[1] Clause 5

Omit the clause. Insert instead—

5 Land to which Policy applies

(1) This Policy applies to land in the following land use zones, or an equivalent land

use zone, in a local government area specified in Schedule 1 of *State Environmental Planning Policy (Koala Habitat Protection) 2021*, but not if the local government area is marked with an * in that Schedule—

- (a) Zone RU1 Primary Production,
- (b) Zone RU2 Rural Landscape,
- (c) Zone RU3 Forestry.

(2) In this clause—

equivalent land use zone has the same meaning as it has in *State Environmental Planning Policy (Koala Habitat Protection) 2021*.

[2] Clause 12 Preparation of plan of management

Omit clause 12(1). Insert instead—

(1) A plan of management may be prepared for—

- (a) all land to which this Policy applies in a local government area,
- (b) a part of that land, including an area of land that is the subject of a development application.

[3] Clause 13 Consultation

Omit the clause.

[4] Clause 16 Surveys, environment protection zones and development control plans

Omit “listed in Schedule 1” from clause 16(1).

Insert instead “in which there is land to which this Policy applies”.

[5] Clause 16(1)(a)

Omit “within its area”.

[6] Schedule 1 Local government areas

Omit the Schedule.