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Our Ref: N09031

2nd August 2010

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Dear Darryl,

RE: SEPP 44 Assessment for the proposed subdivision of land at the southern end of Fraser Drive, Terranora.

James Warren and Associates have prepared a report "*Response to the Director General's Environmental Assessment Requirements (DGEARS), Flora and Fauna Assessment*" for Lot 1 DP 304649, Lot 1 DP 175235, Lot 1 DP 781687, Lot 2 DP 778727, Lot 1 DP 781697, Lot 1 DP 169490; and Lots 40 & 43 DP 254416" (June 2010).

The following is an assessment, in accordance with the NSW State Environmental Planning Policy No. 44 (SEPP 44) - Koala Habitat Protection, to supplement the above mentioned Flora and Fauna Assessment.

SEPP 44 Koala Habitat Assessment

In response to the state-wide decline of Koala populations, the Department of Planning has enacted SEPP 44 Koala Habitat Protection. The policy aims to "encourage the proper conservation and management of areas of natural vegetation that provide habitat for Koalas, to ensure permanent free-living populations over their present range and to reverse the current trend of population decline."

A number of criteria in the SEPP are to be addressed.

1. Does the policy apply?

Does the subject land occur in an LGA identified in Schedule 1?

The Subject Site occurs in the Tweed Valley LGA, which is listed under Schedule 1.

Is the landholding to which the DA applies greater than 1 hectare in area?

Yes.



2. Is the land potential Koala habitat?

Does the site contain areas of native vegetation where the trees of types listed in Schedule 2 constitute at least 15% of the total number of trees in the upper or lower strata of the tree component?

No Koala food trees were recorded on the site.

3. Is there core Koala habitat on the subject land?

No

4. Is there a requirement for the preparation of a Plan of Management for identified core Koala habitat?

No

If you require any further clarification of this assessment please don't hesitate to contact us.

Yours faithfully,
JAMES WARREN & ASSOCIATES PTY LTD
Per:

James Warren
MANAGING DIRECTOR