

State code 25: Development in South East Queensland koala habitat areas

25.1 Purpose statement

The purpose of this code is to ensure that development in **South East Queensland**:

1. results in **no net loss of koala habitat area**
2. does not contribute to **fragmentation of koala habitat areas**
3. maintains or improves **connectivity** within and between **koala habitat areas** to ensure **safe koala movement**
4. is constructed and undertaken in such a way that does not increase the risk of injury to, or death of koalas
5. avoids impacts on **matters of state environmental significance**, and where avoidance is not reasonably possible, minimises and mitigates impacts and, provides an **offset for significant residual impacts to matters of state environmental significance that are prescribed environmental matters**.

Notes: Guidance on achieving compliance with the performance outcomes and acceptable outcomes in the code is provided in the Guideline – SDAP State code 25: Development in koala habitat areas, Department of Environment and Science, 2020.

Guidance for determining if development will have a significant residual impact on koala habitat areas is provided in Chapter 2A of the [Queensland Environmental Offsets Policy](#), Department of Environment and Science, 2018.

Guidance for determining if development will have a significant residual impact on all other matters of state environmental significance is provided in the Significant Residual Impact Guideline, Department of State Development, Infrastructure and Planning, 2014.

25.2 Performance outcomes and acceptable outcomes

Development that is building work, operational works, a material change of use or reconfiguring a lot that is **interfering with koala habitat** should demonstrate compliance with the relevant provisions in table 25.2.1.

Table 25.2.1 All development

Performance outcomes	Acceptable outcomes
Retaining koala habitat areas	
PO1 Development interfering with koala habitat (including interfering with koala habitat as a result of material change of use and interfering with koala habitat as a result of reconfiguring a lot) does not occur unless the application demonstrates the interfering with koala habitat has: <ol style="list-style-type: none"> 1. been reasonably avoided; or 2. been reasonably minimised where it cannot be reasonably avoided; and 3. mitigated the impacts of the interfering with koala habitat values. 	No acceptable outcome is prescribed.
Koala sensitive design and connectivity	
PO2 The design and siting of development avoids fragmenting koala habitat areas within the site.	No acceptable outcome is prescribed.
PO3 The design and siting of development does not result in impediments that restrict the movement of koalas by providing for safe koala movement between highly connected patches of retained koala habitat area .	No acceptable outcome is prescribed.

Koala safety from construction activities	
PO4 The construction of the development does not increase the risk of injury or death of koalas.	<p>AO4.1 A koala management plan is provided that includes:</p> <ol style="list-style-type: none"> activities that may cause injury or death of koalas from construction activities; and acceptable measures to avoid and mitigate injury or death of koalas from construction activities <p>Note: To demonstrate compliance with this acceptable outcome, a koala management plan must be prepared by a suitably qualified and experienced person.</p> <p>AND</p> <p>AO4.2 Interfering with koala habitat complies with the sequential clearing and koala spotter requirements under section 10 and 11 of the Nature Conservation (Koala) Conservation Plan 2017.</p>
Matters of State Environmental Significance	
<p>PO5 Development:</p> <ol style="list-style-type: none"> avoids impacts on matters of state environmental significance; or minimises and mitigates impacts on matters of state environmental significance after demonstrating avoidance is not reasonably possible; and provides an offset if, after demonstrating all reasonable avoidance, minimisation and mitigation measures are undertaken, the development results in an acceptable significant residual impact on a matter of state environmental significance that is a prescribed environmental matter. <p>Note: Guidance for determining if development will have a significant residual impact on koala habitat areas is provided in Chapter 2A of the Queensland Environmental Offsets Policy. Guidance for determining if development will have a significant residual impact on all other matters of state environmental significance is provided in the Significant Residual Impact Guideline, Department of State Development, Infrastructure and Planning, 2014.</p>	No acceptable outcome is prescribed.
Category C and R vegetation	
<p>PO6 Development:</p> <ol style="list-style-type: none"> avoids impacts on category C areas of vegetation and category R areas of vegetation; or minimises and mitigates impacts on category C areas of vegetation and category R areas of vegetation after demonstrating avoidance is not reasonably possible. 	No acceptable outcome is prescribed.

25.3 Reference documents

Department of Environment and Science 2019, [Guideline: State Development Assessment Provisions State Code 25: Development in South East Queensland koala habitat areas](#)

Department of Environment and Science 2020, [Koala-sensitive Design Guideline](#)

Department of Environment and Science, [Queensland Environmental Offsets Policy](#)

Department of State Development, Infrastructure and Planning 2014, [Significant Residual Impact Guideline](#)
Department of Environment Science 2018, Regional Ecosystem Technical Descriptions

25.4 Glossary of terms

Built infrastructure includes a building, or other structure, built or used for any purpose.

Note: As defined under the *Vegetation Management Act 1999*.

Category C areas means areas of high value regrowth vegetation under the *Vegetation Management Act 1999* that are shown on the regulated vegetation management map as **category C areas**.

Category R areas means regrowth watercourse and drainage feature areas under the *Vegetation Management Act 1999* that are shown on the regulated vegetation management map as **category R areas**.

Connectivity means the extent to which individual patches of **koala habitat areas** are functionally linked to each other in a larger network of **koala habitat areas**. Connectivity can be achieved in two different ways:

1. structural connectivity which refers to physical connections between **koala habitat areas** which includes areas of native vegetation;
2. functional connectivity which refers to the ability for koalas to safely move between patches of **koala habitat areas** without increasing the risk of injury or death of a koala.

DA Mapping system means the mapping system containing the Geographic Information System mapping layer kept, prepared or sourced by the state that relate to development assessment and matters of interest to the State in assessing development applications.

Note: The **DA mapping system** is available on the Department of State Development, Manufacturing, Infrastructure and Planning's website.

Exempted development means exempted development as defined under Schedule 24 of the Planning Regulation 2017.

Fragmentation or fragmenting means the loss of **koala habitat areas** used by koalas to move through the landscape that results in either:

1. a patch of intact habitat being separated into one or more smaller patches of isolated habitat;
2. corridors being disconnected or isolated from another **koala habitat area** by removal of the vegetated corridor; or
3. patches of **koala habitat area** that are connected via vegetation acting as stepping stone(s) (i.e. corridors that are not continuous) being disconnected or isolated from the other patch by the removal of the stepping stone(s).

Highly connected patches means **koala habitat areas** that are less than 200 metres apart. In-between areas should contain areas where **koala habitat** has been rehabilitated or cleared land with **koala habitat trees** and free from physical impediments such as roads, fences, and urban development such as residential or industrial development.

Impediments means a physical structure that koalas cannot pass through, under, or over easily or at all. Examples include, but are not limited to a fence or wall, a road, a constructed waterway.

Interfering (with koala habitat) means:

1. to remove, cut down, ringbark, push over, poison or destroy vegetation in any way including by burning, flooding or draining, native vegetation in a koala habitat area; but
2. does not include destroying standing vegetation by stock, or lopping a tree.

Note: For the purpose of assessment of a material change of use or reconfiguring a lot application, any reference to **interfering with koala habitat** includes **interfering with koala habitat as a result of the material change of use** or **interfering with koala habitat as a result of the reconfiguring a lot**.

Interfering with koala habitat as a result of a material change of use means:

1. **interfering with koala habitat** that will result from the change in use, consisting of any of the following:

- a. to construct **built infrastructure**, including buildings, stormwater management systems, water supply and sewerage systems – that are proposed as part of the material change of use application
 - b. for roads, vehicle parking, vehicle and pedestrian access, utilities corridors, services, fences, **fire breaks** and **fire management lines**
 - c. that may not be necessary for developing infrastructure but is associated with the use applied for.
2. **interfering with koala habitat** that is **exempted development**. See Schedule 24 of the Planning Regulation 2017 for exemptions for material change of use.

Interfering with koala habitat as a result of reconfiguring a lot means:

1. **interfering with koala habitat** that will result from reconfiguring a lot, consisting of any of the following:
 - a. for boundary fence lines for each proposed allotment (whether or not the it is proposed as part of the application);
 - b. to construct **built infrastructure**, including stormwater management systems, water supply and sewerage systems, roads, access routes or utilities corridors that are proposed as part of the reconfiguring a lot application or that will be required as a condition of approval by the assessment manager;
 - c. for excavation and filling, for example, where the lots are to be levelled.
2. **interfering with koala habitat** that is **exempted development**. See Schedule 24 of the Planning Regulation 2017 for exemptions to for reconfiguring a lot.

Koala habitat means:

1. an area of vegetation where koalas live; or
2. a partially or completely cleared area used by koalas to cross from an area of vegetation where koalas live to another; or
3. an area of vegetation where koalas do not live, if the area primarily consists of **koala habitat trees** and is reasonably suitable to sustain koalas.

Note: As defined under Nature Conservation (Koala) Conservation Plan 2017.

Koala habitat area means an area shown on the Koala Conservation Plan Map that the chief executive of the *Nature Conservation Act 1992* has determined to be a **koala habitat area** due to the combination of biophysical measures and suitable vegetation of the area.

Note: As defined under Nature Conservation (Koala) Conservation Plan 2017.

Koala habitat tree means:

1. a tree of the *Corymbia*, *Melaleuca*, *Lophostemon* or *Eucalyptus* genera that is edible by koalas; or
2. a tree of a type typically used by koalas for shelter, including, for example, a tree of the *Angophora* genus.

Note: As defined under Nature Conservation (Koala) Conservation Plan 2017.

Koala habitat values means **koala habitat** that:

1. includes **koala habitat trees** which allows koalas to feed, rest and move around;
2. achieves permeability for koalas through the landscape to ensure the safe movement of koalas within and across a site; and
3. reduces threats to resident and transient koalas.

Matters of state environmental significance includes:

1. prescribed regional ecosystems (as defined in the Environmental Offsets Regulation 2014) that are:
 - a. endangered regional ecosystems;
 - b. of concern regional ecosystems;
 - c. regional ecosystems that intersect with an area shown as a wetland on the vegetation management wetlands map;
 - d. regional ecosystems that are located within a defined distance from the defining banks of a relevant watercourse (as defined in the Environmental Offsets Regulation 2014);
 - e. areas of essential habitat on the essential habitat map for an animal that is endangered wildlife or vulnerable wildlife or a plant that is endangered wildlife or vulnerable wildlife; or
 - f. connectivity area (as defined in the Environmental Offsets Regulation 2014).
2. wetlands:
 - a. in a wetland protection area; or
 - b. of high ecological significance shown on the map of referable wetlands.
3. wetlands and watercourses in high ecological value waters;

4. designated precincts in a strategic environmental area;
5. an area that is shown as a high risk area on the flora survey trigger map and that contains plants that are endangered wildlife or vulnerable wildlife;
6. an area that is not shown as a high-risk area on the flora survey trigger map, to the extent the area contains plants that are endangered wildlife or vulnerable wildlife;
7. habitat for an animal that is endangered wildlife, vulnerable wildlife or a special least concern animal;
8. **koala habitat areas** under the *Nature Conservation (Koala) Conservation Plan 2017*;
9. protected areas;
10. highly protected zones of State marine parks;
11. fish habitat areas under the *Fisheries Act 1994*;
12. waterways providing for fish passage;
13. marine plants within the meaning of the *Fisheries Act 1994*; or
14. legally secured offset areas.

Note: As defined under Environmental Offsets Regulation 2014, Schedule 2.

Note: Most **matters of state environmental significance** can be found on the **DA Mapping System**.

Matters of state environmental significance that are prescribed environmental matters see the Environmental Offsets Regulation 2014, section 5(2) and 5(3).

No net loss means that the total amount of **koala habitat** area remains at least the same across **South East Queensland**. No net loss can be achieved by ensuring:

1. loss, impacts and degradation to **koala habitat areas** are completely avoided; or
2. loss, impacts and degradation to **koala habitat areas** are avoided, mitigated and **offset** to fully counterbalance any loss (noting that an **offset** can only be provided in some instances).

Note: Extent of koala habitat areas can be found on the **DA Mapping System**.

Offset means an activity undertaken to counterbalance a **significant residual impact** of a **prescribed activity** on a **prescribed environmental matter** (as defined under *Environmental Offsets Act 2004*).

Prescribed activity [under the *Environmental Offsets Act 2014*] is an activity:

1. the subject of an authority under another Act ; and
2. for which an offset condition may be imposed under the other Act on the authority; and
3. that is prescribed under a regulation.

Note: As defined under section 9 of the *Environmental Offsets Act 2014* and Schedule 1 of the Environmental Offsets Regulation 2014.

Prescribed environmental matters means any species, ecosystem or other similar matter protected under Queensland legislation for which an environmental **offset** may be provided. A prescribed environmental matter may be a matter of national, state or local environmental significance, however, assessment criteria in the SDAP only relate to **matters of state environmental significance**. Each of the prescribed environmental matters are listed under section 5 of the *Environmental Offsets Regulation 2014*.

Note: As defined under section 10 of the *Environmental Offsets Act 2014* and section 5 of the Environmental Offsets Regulation 2014.

Safe koala movement means the ability for koalas to move safely across an area in a way that does not increase the risk of injury or death.

Significant residual impact means an impact, whether direct or indirect, of a **prescribed activity** on all or part of a **prescribed environmental matter** that remains, or will or is likely to remain, (whether temporarily or permanently) despite on-site mitigation measures for the **prescribed activity** is, or will or is likely to be, significant.

Note: As defined under *Environmental Offsets Act 2014*.

Guidance for determining if development will have a **significant residual impact** on **koala habitat areas** is provided in Chapter 2A of the Queensland Environmental Offsets Policy. Guidance for determining if development will have a **significant residual impact** on all other **matters of state environmental significance** is provided in the Significant Residual Impact Guideline, Department of State Development, Infrastructure and Planning, 2014.

South-east Queensland means the local government areas of:

1. Brisbane
2. Gold Coast
3. Ipswich
4. Lockyer Valley

5. Logan
6. Moreton Bay
7. Noosa
8. Redland
9. Scenic Rim
10. Somerset
11. Sunshine Coast
12. Toowoomba (the parts located in black on maps SEQ RP16 and SEQ RP21, dated August 2017 and published on the Department of State Development, Manufacturing, Infrastructure and Planning's website).