

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

Purpose statement

The purpose of State Code 25 is to ensure development:

1. does not cause an unacceptable impact on **mapped koala habitat areas**;
2. is designed and located to avoid impacts or, where the **matters of state environmental significance** that is **mapped koala habitat area** cannot be reasonably avoided, impacts are reasonably minimised and mitigated;
3. does not result in a **significant residual impact** on a **matter of state environmental significance** that is **mapped koala habitat area** unless the **significant residual impact** is acceptable, and an **offset** is provided.

Using this code

The assessment benchmarks for this code comprise:

- a purpose statement which identifies the overall intent of the code;
- performance outcomes which set benchmarks to achieve the purpose statement of the code;

Development complies with the code where:

- it complies with all the performance outcomes; or
- development does not meet relevant performance outcome(s) and SARA determines, on balance, that the development complies with the purpose statement.

There are no acceptable outcomes for this code.

This code also includes the glossary of terms for definitions relevant to this code and reference documents; including the guideline, **Guideline: State Development Assessment Provisions - State Code 25: Development in koala habitat areas**, which provides direction on how to address this code.

Performance outcomes

Table 25.1: Development and relevant provisions of the code

Aspect of Development	Relevant provisions
Interfering as a result of development that is material change of use, operational work (not in accordance with a development application properly made before 20 September 2024), building work, plumbing or drainage work	Table 25.2
Operational work in accordance with a development application properly made before 20 September 2024	Table 25.3
Reconfiguring a lot that involves interfering as a result of development	Table 25.4

Table 25.2 Interfering as a result of development that is material change of use, operational work (not in accordance with a development application properly made before 20 September 2024), building work, plumbing or drainage work

Performance outcomes
PO1 Siting and design of development supports connectivity between highly connected patches of mapped koala habitat areas .
PO2 Development supports safe koala movement by demonstrating that siting and design prevents fragmentation of patches of mapped koala habitat areas .
PO3 Development within a mapped koala habitat area is undertaken in a way that prevents the risk of injury or death of koalas.
PO4 Development does not compromise safe koala movement through impediments that restrict movements between highly connected patches of mapped koala habitat areas .
PO5 Development is sited and designed to: <ol style="list-style-type: none"> 1. avoid impacts on matters of state environmental significance; or 2. minimise and mitigate impacts on matters of state environmental significance after demonstrating avoidance is not reasonably possible; and 3. provide 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.

Statutory note: For Brisbane core port land, an offset may only be applied to development on land identified as Conservation/Buffer, Open Space or Buffer/Investigation in the [Brisbane Port LUP precinct plan](#).

Table 25.3 Operational work in accordance with a development application properly made before 20 September 2024

Performance outcomes
PO6 Development within a mapped koala habitat area is undertaken in a way that prevents the risk of injury or death of koalas.
PO7 Development does not compromise safe koala movement through impediments that restrict movements between highly connected patches of mapped koala habitat areas .

Table 25.4 Reconfiguring a lot that involves interfering as a result of development

Performance outcomes
PO8 Siting and design of development supports connectivity between highly connected patches of mapped koala habitat areas .
PO9 Development supports safe koala movement by demonstrating that siting and design prevents fragmentation of patches of mapped koala habitat areas .
PO10 Development reasonably maintains connectivity between highly connected patches of mapped koala habitat areas .
PO11 Development within a mapped koala habitat area is undertaken in a way that prevents the risk of injury or death of koalas.
PO12 Development is sited and designed to: <ol style="list-style-type: none">1. avoid impacts on matters of state environmental significance; or2. minimise and mitigate impacts on matters of state environmental significance after demonstrating avoidance is not reasonably possible; and3. provide 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.

Statutory note: For Brisbane core port land, an offset may only be applied to development on land identified as Conservation/Buffer, Open Space or Buffer/Investigation in the [Brisbane Port LUP precinct plan](#).

Reference documents

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

Department of Environment and Science 2022, [Koala-sensitive design guideline](#)

Department of Environment Science, [Regional Ecosystem Technical Descriptions](#)

Glossary of terms

Connectivity means patches of **mapped koala habitat areas** that are linked to each other in a larger network of **mapped koala habitat areas**. Connectivity can be achieved in two different through:

1. physical connections between **mapped koala habitat areas** which includes areas of native vegetation
2. the ability for koalas to safely move between patches of **mapped 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 Housing, Local Government, Planning and Public Works's website.

Essential management see schedule 24 of the Planning Regulation 2017

Note: **Essential management** means clearing native vegetation:

1. for establishing or maintaining a necessary firebreak to protect infrastructure, other than a fence, road or vehicular track, if the maximum width of the firebreak is equal to 1.5 times the height of the tallest vegetation next to the infrastructure, or 20m, whichever is the wider; or
2. for establishing a necessary fire management line, if the maximum width of the clearing for the fire management line is 10m; or
3. necessary to remove or reduce the imminent risk that the vegetation poses of serious personal injury or damage to infrastructure; or

State Development Assessment Provisions v3.2

State Code 25: Development in South-East Queensland koala habitat areas

25-2

4. by fire under the *Fire Services Act 1990* to reduce hazardous fuel load; or
5. necessary to maintain infrastructure (including core airport infrastructure, buildings, fences, helipads, roads, stockyards, vehicular tracks, watering facilities and constructed drains, other than contour banks), unless the clearing is for sourcing construction material; or
6. for maintaining a garden or orchard, other than clearing predominant canopy trees to maintain under plantings established within remnant vegetation; or
7. on land leased under the *Land Act 1994* for agriculture or grazing purposes, to source construction timber to repair infrastructure on the land, if:
 - a. the infrastructure is in need of immediate repair
 - b. the clearing does not cause land degradation
 - c. restoration of a similar type to, and to the extent of, the removed trees is ensured; or
8. on freehold land by the owner of the land to source construction timber to maintain infrastructure on any land of the owner, if:
 - a. the clearing does not cause land degradation
 - b. restoration of a similar type to, and to the extent of the removed trees is ensured.

Firebreak means an area that has been cleared and maintained in a low fuel state to either stop or steady wildfire, or back burn against.

Fire management line means a pathway, track or road, including existing property tracks, or fence line clearings, which can be used to access water for firefighting, divide the property into sub-units to allow a fuel reduction burning program to be carried out, or divide the property into sub-units to allow for back burning in the event of a wildfire.

Fragmentation or **fragmenting** means the loss of **mapped koala habitat areas** that results in any of the following:

1. patches of **mapped koala habitat areas** that are separated into one or more smaller patches of isolated habitat;
2. disconnection or isolation of patches of **mapped koala habitat areas** by removal of the vegetated corridor; or
3. disconnection or isolation of patches of **mapped koala habitat areas** that are stepping stones (i.e. corridors that are not continuous); or
4. removal of scattered trees within **mapped koala habitat areas** that connect **mapped koala habitat areas**.

Highly connected patches means **mapped koala habitat areas** that are less than 200 metres apart.

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

Note: As defined under the Planning Regulation 2017.

Interfering as a result of development means:

1. **interfering** with **koala habitat** proposed as part of the development, consisting of any of the following:
 - a. **interfering** to construct **infrastructure** – including buildings, stormwater management systems, water supply and sewerage systems, roads, access routes, vehicular tracks, non-boundary fences or utilities corridors that are proposed as part of the development or that will be required as a condition of approval by the assessment manager; or
 - b. if a material change of use or building work – **interfering** for proposed roads, vehicle parking, vehicle and pedestrian access, utilities corridors, services, fences, **fire breaks** and **fire management lines**; or
 - c. where a reconfiguring a lot – **interfering** for boundary fence lines for each proposed allotment (whether or not the clearing is proposed as part of the application); or
 - d. **interfering** for excavation and filling, for example, where the lots are to be levelled; or
 - e. **interfering** that may not be necessary for developing built **infrastructure** but is associated with the development applied for; or
2. **interfering** with **koala habitat** that will become exempted development under Schedule 21A of the Planning Regulation 2017 if the development application is approved, including:
 - a. where reconfiguring a lot – **interfering** for any purpose up to:
 - i. if the area of the premises is 1ha or less—500m²; or
 - ii. if the area of the premises is more than 1ha—800m²
 for each allotment to be created as a result of the reconfiguring a lot; or
 - b. where a reconfiguring a lot, **interfering** for boundary fence lines for each proposed allotment (whether or not the clearing is proposed as part of the application); or
 - c. **interfering** for **essential management** associated with the approved development including **interfering** to maintain proposed **infrastructure**, facilities, roads, access routes, utilities, services and fences, necessary **firebreaks**, **fire management lines** and **interfering** to maintain the safety of persons and property that will be associated with the development.

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 **mapped koala habitat area**; but
2. does not include destroying standing vegetation by stock, or lopping a tree.

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 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.

Mapped koala habitat area means a koala habitat area under section 7B(1) of the Nature Conservation (Koala) Conservation Plan 2017, which is 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: Mapped koala habitat area is shown on the **DA Mapping System** and is updated from time to time to time.

Matters of state environmental significance for the purpose of this code means a **mapped koala habitat area**.

Note: As included as a **matter of state environmental significance** in the Environmental Offsets Regulation 2014, Schedule 2.

Offset means environmental **offset** under the *Environmental Offsets Act 2014*.

Note: Environmental **offset** means an activity undertaken to counterbalance a **significant residual impact** of a prescribed activity on a **prescribed environmental matter**, delivered in accordance with the environmental offsets framework. The **prescribed environmental matters** assessed under the SDAP are **matters of state environmental significance**.

On-site mitigation measure means a measure undertaken on land to which a **prescribed activity** relates, to mitigate unacceptable impacts on a **prescribed environmental matter**, including but not limited to:

1. rehabilitation; or
2. koala exclusion fencing; or
3. koala friendly fencing.

Prescribed activity see the *Environmental Offsets Act 2014*.

Note: A **prescribed activity** is an activity:

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

Prescribed environmental matters see the *Environmental Offsets Act 2014* but for the purpose of this code is limited to **matters of state environmental significance**.

Note: A **prescribed environmental matter** is any species, ecosystem or other similar matter protected under Queensland legislation for which an **offset** may be provided. A **prescribed environmental matter** may be a matter of national, state or local **environmental significance**, however, assessment criteria in the State Development Assessment Provisions only relate to **matters of state environmental significance**. Each of the **prescribed environmental matters** are listed under 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.