

Environmental Offsets

Frequently asked questions relating to koala protection and the planning framework

FACT SHEET

Can a local government prescribe koala habitat as a matter of local environmental significance (MLES)?

No. Any vegetation that is habitat for a koala is a matter of state environmental significance (MSES) under the *Environmental Offsets Regulation 2014* (EO Regulation). The EO Regulation specifies that MLES cannot be a MSES or a matter of national environmental significance (MNES).

Can a local government impose environmental offsets for koala habitat?

Yes. The South East Queensland (SEQ) Koala Conservation State Planning Regulatory Provisions (Koala SPRP) still exists.

The *Environmental Offsets (Transitional) Regulation 2014* allows a local government to continue to assess development in areas identified in the Koala SPRP and if appropriate/required, impose an offset condition for impacts on koala habitat under the Koala SPRP.

However, any offsets imposed under the Koala SPRP must be calculated in accordance with the *Environmental Offsets Act 2014*, EO Regulation and the *Queensland Environmental Offsets Policy* (EO Policy).

For financial settlement offsets required by a local government under the Koala SPRP, the payment amount must be no greater than what would have been required if calculated in accordance with the Financial Settlement Offset Calculation Methodology (Appendix 4, EO Policy).

Will the Koala SPRP continue to exist under the state's planning reform agenda?

No. The proposed Planning and Development Bill provides that SPRPs will no longer be a state planning instrument. However, other mechanisms will still be available to

achieve the same (if not better) level of koala protection. The State government is currently considering the options available to ensure that the Koala SPRP is appropriately transitioned.

How will koala habitat be protected outside the Koala SPRP areas?

The State government is committed to providing for the long-term retention of viable koala populations in SEQ. The State planning Policy (SPP) currently supports koala protection outcomes state-wide as part of the SPP state interest for biodiversity.

Koala habitat is prescribed as MSES across the state. The SPP requires local governments to protect and enhance MSES generally, and to locate development in areas that avoid or mitigate significant adverse impacts on these matters. The koala species is also a MNES and is protected under the *Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)*.

Options are being considered to transition the Koala SPRP in the context of the planning reform agenda. Local governments will continue to play a key role in working with the State to ensure the ongoing protection of koalas in SEQ.

How can a local government in SEQ achieve a 'net gain' in koala bushland habitat (as required by the SPP) outside Koala SPRP areas?

The State interest review of draft planning scheme content will include some flexibility in respect of the 'net gain' requirement stated in the SPP, whilst ensuring that what is proposed in the planning scheme still assists in the long-term retention of viable koala populations in SEQ.

Is there still a requirement for a local government to include a Koala Conservation Strategy in their local planning scheme?

No. The requirement under former State Planning Policy 2/10: Koala Conservation in SEQ to include a Koala Conservation Strategy when submitting a local government planning scheme for state interest review, is no longer required.

Where can I obtain further information regarding offsets and the planning framework?

For further information on environmental offsets in the context of the planning framework please contact:

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