

# Information sheet

Planning Act 2016

## Planning controls for South East Queensland koala habitat

This information sheet provides a simple explanation of the new planning controls introduced to protect koala habitat in SEQ. The coloured areas on the infographic below represent different mapped areas (i.e. koala priority area, koala habitat area, key resource area and identified koala broad-hectare area). The numbers represent a proposed development. Table 1 describes the proposed development and the planning control that applies to the proposed development.

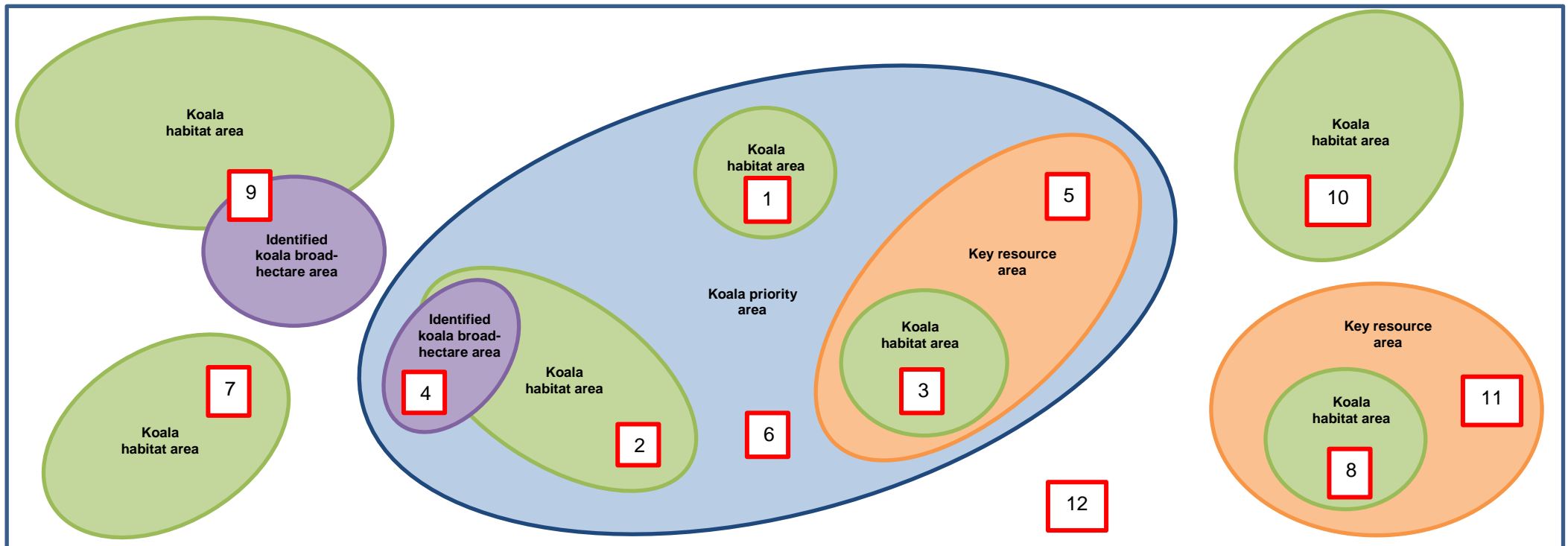


Table 1 – Koala planning controls for each scenario of proposed development depicted in the infographic

Proposed development	Description of proposed development	Planning controls	Enforcement authority
<b>Inside koala priority area</b>			
1	<ul style="list-style-type: none"> <li>• Inside koala priority area</li> <li>• Inside koala habitat area</li> <li>• Development (operational works, MCU, ROL) that <b>involves</b> interfering with koala habitat</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Prohibited development</b> under Schedule 10, Part 10, Division 2, section 16A (1) Planning Regulation (i.e. development for which a development application cannot be made)</li> <li>• Some exemptions apply as described in Schedule 10, Part 10, Division 2, section 16A (2) Planning Regulation</li> </ul>	Local government
2	<ul style="list-style-type: none"> <li>• Inside koala priority area</li> <li>• Inside koala habitat area</li> <li>• Development (building works, operational works, MCU, ROL) that <b>does not involve</b> interfering with koala habitat</li> <li>• Development is assessable development under the local planning scheme</li> </ul>	<ul style="list-style-type: none"> <li>• The <b>assessment benchmarks</b> in <b>Schedule 11, Part 2</b> Planning Regulation apply to development applications (as per Schedule 10, Part 10, Division 5, Table 1, Item 2 Planning Regulation)</li> <li>• Some exemptions apply as described in Schedule 11, Part 1, section 1 and Part 2, section 3 (2) Planning Regulation</li> <li>• Assessed by <b>local government</b></li> </ul>	Local government
3	<ul style="list-style-type: none"> <li>• Inside koala priority area</li> <li>• Inside koala habitat area</li> <li>• Inside key resource area</li> <li>• Development (operational works, MCU, ROL) that is for extractive industry and <b>involves</b> interfering with koala habitat</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Assessable development</b> under Schedule 10, Part 10, Division 4, section 16C (1) Planning Regulation (i.e. development for which a development approval is required)</li> <li>• Some exemptions apply as described in Schedule 10, Part 10, Division 4, section 16C (2) Planning Regulation</li> <li>• Development applications assessed against <b>SDAP State Code 25</b></li> <li>• Assessed by the <b>State</b> (i.e. State Assessment Referral Agency)</li> </ul>	Department of Environment and Science (nominated by Department of State Development, Manufacturing, Infrastructure and Planning)
4	<ul style="list-style-type: none"> <li>• Inside koala priority area</li> <li>• Development in a koala broad-hectare area</li> </ul>	<ul style="list-style-type: none"> <li>• The <b>assessment benchmarks</b> in <b>Schedule 11, Part 3</b> Planning Regulation apply to development</li> </ul>	Local government

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Proposed development	Description of proposed development	Planning controls	Enforcement authority
	<ul style="list-style-type: none"> <li>Development is assessable development under the local planning scheme</li> </ul>	<ul style="list-style-type: none"> <li>application (as per Schedule 10, Part 10, Division 6, Table 1, Item 2 Planning Regulation)</li> <li>Some exemptions apply as described in Schedule 11, Part 1, section 1 and Part 3, section 5 (2) Planning Regulation</li> <li>Assessed by <b>local government</b></li> </ul>	
5	<ul style="list-style-type: none"> <li>Inside koala priority area</li> <li>Inside key resource area</li> <li>Outside koala habitat area</li> <li>Any development</li> </ul>	<ul style="list-style-type: none"> <li>No koala planning controls</li> </ul>	N/A
6	<ul style="list-style-type: none"> <li>Inside koala priority area</li> <li>Outside koala habitat area</li> <li>Any development</li> </ul>	<ul style="list-style-type: none"> <li>No koala planning controls</li> </ul>	N/A
<b>Outside koala priority area</b>			
7	<ul style="list-style-type: none"> <li>Outside koala priority area</li> <li>Inside koala habitat area</li> <li>Development (operational works, MCU, ROL) that <b>involves</b> interfering with koala habitat</li> </ul>	<ul style="list-style-type: none"> <li><b>Assessable development</b> under Schedule 10, Part 10, Division 3, section 16B (1) Planning Regulation (i.e. development for which a development approval is required)</li> <li>Some exemptions apply as described in Schedule 10, Part 10, Division 3, section 16B (2) Planning Regulation</li> <li>Development applications assessed against <b>SDAP State Code 25</b></li> <li>Assessed by the <b>State</b> (i.e. State Assessment Referral Agency)</li> </ul>	Department of Environment and Science (nominated by Department of State Development, Manufacturing, Infrastructure and Planning)
8	<ul style="list-style-type: none"> <li>Outside koala priority area</li> <li>Inside koala habitat area</li> <li>Inside key resource area</li> <li>Development (operational works, MCU, ROL) that is for extractive industry and <b>involves</b> interfering with koala habitat</li> </ul>	<ul style="list-style-type: none"> <li><b>Assessable development</b> under Schedule 10, Part 10, Division 4, section 16C (1) Planning Regulation (i.e. development for which a development approval is required)</li> <li>Some exemptions apply as described in Schedule 10, Part 10, Division 4, section 16C (2) Planning Regulation</li> </ul>	Department of Environment and Science (nominated by Department of State Development, Manufacturing, Infrastructure and Planning)

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Proposed development	Description of proposed development	Planning controls	Enforcement authority
		<ul style="list-style-type: none"> <li>Development applications assessed against <b>SDAP State Code 25</b></li> <li>Assessed by the <b>State</b> (i.e. State Assessment Referral Agency)</li> </ul>	
9	<ul style="list-style-type: none"> <li>Outside koala priority area</li> <li>Development in a koala broad-hectare area</li> <li>Development is assessable development under the local planning scheme</li> </ul>	<ul style="list-style-type: none"> <li>The <b>assessment benchmarks</b> in <b>Schedule 11, Part 3</b> Planning Regulation apply to development application (as per Schedule 10, Part 10, Division 6, Table 1, Item 2 Planning Regulation)</li> <li>Some exemptions apply as described in Schedule 11, Part 1, section 1 and Part 3, section 5 (2) Planning Regulation</li> <li>Assessed by <b>local government</b></li> </ul>	Local government
10	<ul style="list-style-type: none"> <li>Outside koala priority area</li> <li>Inside koala habitat area</li> <li>Development <b>does not involve</b> interfering with koala habitat</li> </ul>	<ul style="list-style-type: none"> <li>No controls for koala protection</li> </ul>	N/A
11	<ul style="list-style-type: none"> <li>Outside koala priority area</li> <li>Inside key resource area</li> <li>Outside koala habitat area</li> <li>Any development</li> </ul>	<ul style="list-style-type: none"> <li>No koala planning controls</li> </ul>	N/A
12	<ul style="list-style-type: none"> <li>Outside koala priority area</li> <li>Outside koala habitat area</li> <li>Any development</li> </ul>	<ul style="list-style-type: none"> <li>No controls for koala protection</li> </ul>	N/A

**Disclaimer**

While this document has been prepared with care, it contains general information and does not profess to offer legal, professional or commercial advice. The Queensland Government accepts no liability for any external decisions or actions taken on the basis of this document. Persons external to the Department of Environment and Science should satisfy themselves independently and by consulting their own professional advisors before embarking on any proposed course of action.

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**Version history**

Version	Effective date	Description of changes
1.00	24 FEB 2020	First version approved.