

A new South East Queensland Koala Conservation Strategy 2026 – 2036

# Discussion on proposed amended exemptions for development in SEQ koala habitat areas

21 January 2026

## OVERVIEW

A new South East Queensland Koala Conservation Strategy for 2026 – 2036 is being developed to replace the recently expired Strategy. A [discussion paper](#) has been released. Consultation is open until 15 March 2026.

As part of this consultation, feedback is being sought on regulations for development in SEQ koala habitat areas.

This Insight canvasses the earmarked amendments to current regulations. The amendments differ in some respects from those previously proposed in 2024.

## PROPOSED AMENDED KOALA HABITAT REGULATION PROVISIONS

The Queensland Government is undertaking a broad review of key elements of the state's planning framework. The goal is to reduce complexity, cut costs for both industry and government, and minimise delays to housing and economic development across the State. As part of this review, the Government is examining opportunities to simplify and clarify the koala habitat regulation framework, following findings from the 2024 [Decision Post Implementation Impact Analysis Statement \(Decision Post IAS\)](#). While the SEQ Koala habitat provisions in the *Planning Regulation 2017* have strengthened protection of koala habitat since their introduction in 2020, several components of the framework have not operated as intended.

### What's driving the proposed changes?

The Decision Post IAS identified several areas for improvement within the 2020 koala regulation framework:

- Unnecessary complexity in navigating exemptions, assessment pathways and mapping.
- Higher than intended costs for proponents and government.
- Limited certainty for applicants, leading to delays and inconsistent outcomes.
- Ambiguity in exemptions, which in some cases has:
  - created loopholes enabling unintended clearing of koala habitat
  - reduced the effectiveness of the intended protections.

These issues have made the framework harder to administer and harder for industry to comply with, without necessarily improving ecological outcomes.

### Purpose of the proposed amendments

The proposed amendments are generally not introducing new requirements. Instead, they aim to:

- Clarify the intent of existing regulations.
- Simplify assessment pathways, improving efficiency for both applicants and decision-makers.
- Remove ambiguity, particularly around exemptions and interactions with other legislation.
- Improve practical implementation, including through updates to *State code 25: Development in South East Queensland koala habitat areas* and associated guidance.
- Avoid adverse effects on housing supply or dwelling costs – the Government states no impact is expected.



## Key identified opportunities for simplification

Several opportunities to improve clarity and reduce unnecessary regulatory burden have been identified—

### ➤ Simplifying the koala habitat regulation framework

- Streamlining exempted development rules and thresholds.
- Reducing confusion in how partial exemptions operate.
- Aligning definitions, thresholds and guidance across related legislation.

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

- Clarifying assessment benchmarks.
- Providing stronger guidance for offset for significant residual impacts.
- Ensuring consistent interpretation across the referral agency, local government and industry.

### ➤ Strengthening guidance materials

- New and revised guidance to reduce uncertainty for landowners, developers and assessment managers.
- Clearer explanations of clearing allowances, fire management, and how exemptions apply in practice.

### ➤ Closing loopholes

- Addressing areas where complexity has allowed unintended clearing.
- Ensuring exemptions operate consistently with the original policy intent.

## Proposed amendments

Following is our summary of the proposed amendments.

### 1 New thresholds: Bigger lots, bigger allowance

Currently, one of the ‘exempted development’ circumstance is development (for any purpose) that results in 500m<sup>2</sup> of koala habitat area being cleared of native vegetation since 7 February 2020. The following threshold change is proposed, recognising the genuine operational needs of larger lots (for example, to accommodate wastewater systems).

Lots ≤ 1 hectare:	No change to 500m <sup>2</sup> allowance
Lots > 1 hectare:	800m <sup>2</sup> allowance proposed

Conceivably, the amendments might provide this tiered threshold depends on whether the lot is an an urban area.



## 2 Partial exemptions: Clearing up the grey areas

There has been confusion regarding 'partial' exemptions. Two key clarifications are proposed, aimed at removing ambiguity that arises because of the words 'to the extent' that currently appears in the provisions:

- The total area of clearing must not exceed the threshold, otherwise the total is assessable (or prohibited if in a koala priority area), not just the portion above the threshold. The example is given where 700m<sup>2</sup> of koala habitat is proposed to be cleared, all the 700m<sup>2</sup> is assessable, not just the 200m<sup>2</sup> that exceeds the 500m<sup>2</sup> component.
- Triggers for MCU and ROL will require consideration of consequential clearing, including for fire management, fencing lines, roads and access tracks when calculating the extent of impact as a result of the development.

## 3 Stacking exemptions: The end of unintended loopholes

- It is proposed to tighten the rules around combining or 'stacking' various exempted development circumstances. This includes interaction with 'exempt clearing' in the vegetation management framework. This is in response to the review finding that clearing from using a number of exemptions cumulatively has significantly impacted the extent of koala habitat being cleared. It is not anticipated that all stacking will be ruled out, but rather that inappropriate stacking of various limbs of exempted development be prevented while clarifying which limits can be applied cumulatively.
- Additional clarity is proposed regarding fire management exemptions:
  - they can't be joined together to create wider clearing widths;
  - they apply only to *existing* infrastructure, not proposed infrastructure.

## 4 Fire management: Aligning with existing guidance

The contemplated amendments will align with the Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development's guidance, including:

- fire management exemptions will apply to *existing* infrastructure only;
- 'essential management' will be assessed consistently across both the Planning Regulation and vegetation management frameworks.

## 5 Reducing duplication: Downstream approvals

One of the most practical points of clarification proposed is in relation to staging and aspects of development:

- Subsequent development applications will be able to be made where consistent with a current development approval for an earlier stage, even if mapping changes in the meantime. This will avoid the scenario of works becoming prohibited 'mid-project' due to koala habitat mapping changes.
- Duplicate assessment will be avoided by clarification that if an MCU or ROL application was assessed, subsequent operational works will not trigger assessment (by reason of the koala habitat provisions) if it is consistent with the MCU or ROL development approval.
- Building and plumbing work will not trigger additional koala habitat assessment.



**6 Parent and child lots: No fresh clearing rights following subdivision**

It will be clarified that newly created child lots cannot generate additional koala habitat interference rights for child lots by applying exemptions to the child lots.

**7 Broad-hectare areas: Tightening the intent**

The amendments will clarify that allowances for identified koala broad-hectare areas apply only to land identified for urban purposes, and not whole broad-hectare areas, as was intended in 2020. The koala broad-hectare areas are at Oxley Wedge and Rochedale (Brisbane), Coomera (Gold Coast), Ripley Valley (Ipswich), Kinross Road and South East Thornlands (Redland) and Palmview (Sunshine Coast).

**8 Offsets: Better guidance, clearer assessment and more consistent conditioning**

Updates are proposed to:

- improve guidance on assessing performance outcomes under State code 25;
- support more consistent conditioning of offsets for significant residual impacts.

**Where to from here**

Feedback and submissions are invited until **15 March 2026** via an online question form or email as explained here:

<https://intheLOOP.des.qld.gov.au/seq-koala-conservation-strategy-2026-2036>

Industry, local governments and practitioners are encouraged to contribute constructive insight to ensure the refined framework is clear, workable and efficient. It is worthwhile doing so. Some of the stakeholder consultation feedback on the regulation amendments proposed in 2024 (prior to the last State election) has already been taken onboard. For example, the 2024 proposal to introduce a mandatory habitat interference notification before carrying out development is no longer proposed to be progressed, on the basis of stakeholder feedback that the administrative cost and burden outweighs the potential conservation benefit of such a requirement.

**AUTHOR**



Carolyn Salam  
Partner  
+61 419 716 539  
carolyn.salam@redemont.com

## OUR PLANNING AND ENVIRONMENT TEAM CONTACTS



**Michelle Pennicott**  
Partner  
+61 418716 537  
michelle.pennicott@redemont.com



**Carolyn Salam**  
Partner  
+61 419 716 539  
carolyn.salam@redemont.com



**Vanessa Walsh**  
Special Counsel  
+61 407 279 145  
vanessa.walsh@redemont.com



**Tammy Tye**  
Special Counsel  
+61 432 151 109  
tammy.tye@redemont.com



**Piper Fraser**  
Associate  
+61 447 310 583  
piper.fraser@redemont.com



**Steven Warrington**  
Law Clerk  
+61 5553 9450  
steven.warrington@redemont.com



**Daria Chernova**  
Law Clerk  
+61 7 5553 9479  
daria.chernova@redemont.com



**Dash Reid**  
Law Clerk  
+61 5553 9574  
dash.reid@redemont.com



**Julie Bell**  
Legal Assistant  
+61 5553 9419  
julie.bell@redemont.com



**Christina Geles**  
Legal Assistant  
+61 5553 9595  
christina.geles@redemont.com



**Steve Amundsen**  
Consultant  
+61 410 610 925  
steve.amundsen@redemont.com

- Government
- Corporate
- Private