



Environmental
Defenders Office

**Submission on the Discussion Paper - A fresh start for
SEQ koalas: Developing a new South East Queensland
Koala Conservation Strategy 2026–2036**

20 March 2026

About EDO

EDO is a community legal centre specialising in public interest environmental law. We help people who want to protect the environment through law. Our reputation is built on:

Successful environmental outcomes using the law. With over 40 years' experience in environmental law, EDO has a proven track record in achieving positive environmental outcomes for the community.

Broad environmental expertise. EDO is the acknowledged expert when it comes to the law and how it applies to the environment. We help the community to solve environmental issues by providing legal and scientific advice, community legal education and proposals for better laws.

Independent and accessible services. As a non-government and not-for-profit legal centre, our services are provided without fear or favour. Anyone can contact us to get free initial legal advice about an environmental problem, with many of our services targeted at rural and regional communities.

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Submitted to:

SEQ Koala Strategy team

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Acknowledgement of Country

The EDO recognises and pays respect to the First Nations peoples of the lands, seas and rivers of Australia. We pay our respects to the First Nations Elders past, present and emerging, and aspire to learn from traditional knowledges and customs that exist from and within First Laws so that together, we can protect our environment and First Nations cultural heritage through both First and Western laws. We recognise that First Nations Countries were never ceded and express our remorse for the injustices and inequities that have been and continue to be endured by the First Nations of Australia and the Torres Strait Islands since the beginning of colonisation.

EDO recognises self-determination as a person's right to freely determine their own political status and freely pursue their economic, social and cultural development. EDO respects all First Nations' right to be self-determined, which extends to recognising the many different First Nations within Australia and the Torres Strait Islands, as well as the multitude of languages, cultures, protocols and First Laws.

First Laws are the laws that existed prior to colonisation and continue to exist today within all First Nations. It refers to the learning and transmission of customs, traditions, kinship and heritage. First Laws are a way of living and interacting with Country that balances human needs and environmental needs to ensure the environment and ecosystems that nurture, support, and sustain human life are also nurtured, supported, and sustained. Country is sacred and spiritual, with culture, First Laws, spirituality, social obligations and kinship all stemming from relationships to and with the land.

A note on language

We acknowledge there is a legacy of writing about First Nations peoples without seeking guidance about terminology. We also acknowledge that where possible, specificity is more respectful. For the purpose of this submission, we have chosen to use the term First Nations. We acknowledge that not all First Nations will identify with that term and that they may instead identify using other terms or with their immediate community or language group.

Executive Summary

The Environmental Defenders Office (**EDO**) welcomes the opportunity to comment on the Queensland Government’s discussion paper “A Fresh Start for South East Queensland Koalas: Developing a new South East Queensland Koala Conservation Strategy 2026–2036.” (**Discussion Paper**). Koalas in South East Queensland (**SEQ**) remain under significant pressure from habitat loss and fragmentation, disease, road mortality, dog attacks and climate change.

The previous SEQ Koala Conservation Strategy (2020–2025) aimed to halt the decline of koala populations, including through habitat protection, restoration, threat reduction, improved monitoring and community engagement. While these objectives were appropriate, koala populations remain under considerable pressure and further, stronger regulatory measures are required to secure their long-term recovery.

EDO firmly supports the development of a new strategy. However, the proposed framework will only be effective if it includes stronger legal protections for habitat, robust planning controls which are consistent across all koala habitat and improved accountability and transparency.

Summary of Recommendations

EDO recommends the following improvements to the proposed SEQ Koala Conservation Strategy:

- 1. Habitat loss and fragmentation remain the primary threats that must be acknowledged and addressed as core priorities of the Strategy**
- 2. Ensure koala mapping provides an accurate depiction of koala populations to protect habitat and track trends**
- 3. A review is needed of how offsets are required and provided for in compensating lost koala habitat, particularly for exempt clearing**
- 4. Planning and development controls must be strengthened**
- 5. Large-scale development should be subject to stronger protection of koalas and accountability to community concern**
- 6. Embed First Nations leadership and knowledge in koala conservation planning and implementation**
- 7. Threat management must be integrated with habitat protection**
- 8. Monitoring, transparency and accountability are essential and must be strengthened to ensure the future of koala populations in Queensland**

- 1. Habitat loss and fragmentation remain the primary threats that must be acknowledged and addressed as core priorities of the Strategy**

Habitat destruction and fragmentation remain the most significant drivers of koala decline in SEQ. Koala populations rely on large, connected landscapes of suitable eucalypt forest, and fragmented patches are known to significantly increase mortality risks from vehicles, dogs and disease. While the discussion paper recognises habitat protection and restoration as issues, the recommendations do not focus on the need to protect existing habitat as a core focus. To be successful the strategy must ensure that existing habitat is truly protected as far as possible before relying on restoration initiatives, including via offsets. Restoration programs are valuable but cannot compensate for ongoing clearing of mature habitat. Without stronger land-use controls, koala conservation measures will be undermined by ongoing urban expansion.

Recommendations: Ensure the Strategy prioritises avoidance of habitat clearing, particularly in mapped core habitat areas and through stronger protection of movement corridors and landscape connectivity.

2. Ensure koala mapping provides an accurate depiction of koala populations to protect habitat and track trends, including for koalas outside of SEQ

We understand that changes are proposed to the existing koala habitat maps and feedback is sought on the koala habitat map methodology and improvements of mapping at the local or property level. Changes to mapping should include incorporation of citizen science koala spotting data and gathering data from impact assessment documents and condition requirements that relates to koalas and is of a high quality and integrity.

Further, mapping of koala habitat should be extended across Queensland where we understand significant koala habitat exists, often unprotected, outside of SEQ. Pressures from agricultural related clearing and large-scale developments such as mining activities are particularly apparent in areas outside of SEQ, along with growing demand for large-scale housing developments. Each of these development types can be subject to insufficient regulation and community accountability with respect to impacts to koala habitat.

Recommendation:

- (a) Changes to mapping should include incorporation of citizen science koala spotting data and high-quality data from impact assessment documents and condition requirements that relate to koalas.
- (b) Mapping should extend across Queensland to ensure that all koala populations are well documented and trends tracked to address declining koala numbers.

3. A review is needed of how offsets are required and provided for in compensating lost koala habitat, particularly for exempt clearing

We note that the Discussion Paper suggests 'more strategic, landscape-scale planning of habitat restoration' (p 8, Discussion Paper) and better monitoring of projects. Amendments are suggested to improve the guidance provided to support assessment of performance outcomes and conditioning of offsets for significant residual impacts under State Code 25. More information is needed to understand what is proposed with respect to these amendments.

An overhaul of how the environmental offsets framework is operating in Queensland to date is required, where this framework is overdue for amendments. A review was undertaken in 2020,¹ with some tweaks made to the relevant Environmental Offsets Policy, however no substantive and necessary changes were made to the legislative framework to truly address the flaws in the framework which are jeopardising environmental outcomes.

One particular issue for protecting koala habitat is that currently habitat even in core habitat areas is not required to be offset if it occurs under an exemption. This means that significant total areas of koala habitat can be cleared with no compensation. To implement this change would require notification of proposals to clear koala habitat, to ensure that all clearing is tracked, along with regulation of offset requirements to ensure that the habitat was subject to robust compensation measures.

Recommendations:

- a) Undertake amendments to the *Environmental Offsets Act 2014* (Qld) framework to address key flaws which are failing to lead to environmental outcomes while being used to justify potentially inappropriate impacts.
- b) Require notification of all clearing of core koala habitat undertaken under exemptions, to track the impacts of these exemptions.
- c) Implement offset requirements for clearing undertaken under exemptions, to ensure that the compounding impacts of this clearing of koala habitat do not go uncompensated.

4. Planning and development controls must be strengthened

Current koala habitat protections rely heavily on the planning system and koala habitat mapping. While improvements have been made in recent years, development continues to pose a major threat to koala habitat. The strategy should also explicitly recognise that development pressures are increasing across SEQ, requiring a precautionary and strategic planning approach. The *Decision Post Implementation Impact Analysis Statement Improving South East Queensland's Koala habitat regulations* completed in May 2024 (**2024 Decision Post IAS**) outlines the initial review of the koala habitat regulations and is extrapolated on in the Strategy.

Below we provide our analysis of the changes proposed. In addition to these, we note again that koala protections must be extended to koala populations outside of SEQ, where these populations also face pressures threatening their future and require protection.

Recommendation:

- (a) Strengthen statutory protections for mapped koala habitat, particularly in limiting exemptions, as outlined in the table below in response to the 2024 Discussion Paper IAS and the proposed Strategy.
- (b) Extend koala protections to koala populations outside of SEQ.

¹ https://www.qld.gov.au/_data/assets/pdf_file/0008/141020/review-qld-env-offsets-framework-report.pdf.

Proposed amendment	Recommendation
<p>A landowner will be able to clear an area of less than 500m² for lots of 1 ha or less (the current exemption).</p> <p>A new exemption will be allowed for clearing an area of less than 800m² for lots greater than 1 ha for any purpose.</p> <p>Other exemptions may still apply, even after the threshold has been met (e.g. firebreaks).</p>	<p>We do not support the current exemption of 500m² for 1ha lots remaining so large, and suggest it be reduced to 200m². The current exemption provides for considerable amounts of clearing without regulation of koala habitat, particularly when coupled with the other exemptions. Otherwise, a preferable approach is simply that the clearing of protected koala habitat require assessment and approval to assess for need.</p> <p>We do not support extending this exemption to 800m² for lots of greater than 1ha. This effectively means that the vast majority of a lot that is just over 1ha can be cleared without the koala protections applying. The current exemption of 500m² should be sufficient for developing dams and other necessities on lots of this size. These exemptions are clear examples of the ‘death by a thousand cuts’ our planning laws are allowing, without any oversight nor any requirement to provide for offsets for this clearing.</p>
<p>The partial exemption will be removed so that the total area of interference with koala habitat must be considered to determine whether development will be classified as prohibited, assessable or exempt.</p>	<p>This is a positive amendment that should reduce the availability of unsustainable and unregulated koala habitat via exemptions from planning laws.</p>
<p>Consequential clearing is proposed to form part of the assessment process. For example, where a development approval is submitted for a material change of use (MCU), the assessment will take into consideration the future need for a necessary fence.</p>	<p>This is a positive amendment proposal that should increase robust impact assessment of the likely impacts from approved development activities.</p>
<p>Duplicate assessment will be removed where the MCU or reconfiguration of a lot (ROL) assessment included assessment of the operational works. Also, subsequent development applications may be made where the development is consistent with an approval in effect for an earlier stage of development, so as to avoid, for example, subsequent development applications</p>	<p>The assessment criteria for MCU and ROL applications must be closely scrutinised to ensure that appropriate assessment of impacts proposed to koala habitat takes place for this proposal to not reduce koala protections.</p> <p>However, this proposal is not supported in so far as the intent is also that subsequent development applications will not then be required to apply mapping changes which</p>

<p>becoming prohibited due to a mapping change.</p>	<p>have occurred since the original development applications. Given the time that can elapse between initial applications and further works, and the increasing scarcity of koala habitat, we do not support the prevention of the application of mapping changes to koala habitat – in these circumstances the original application did not in fact assess the koala impacts at the level of the law applicable at the time the proponent wishes to clear.</p> <p>A solution to this may be that there is a maximum time period under which the removal of the need to obtain operational works approval for clearing habitat would apply.</p>
<p>That various development exemptions will be addressed such that they cannot be stacked, including through interactions with the vegetation management framework.</p>	<p>This is a positive amendment proposal that is strongly supported. More detail is needed to understand what exactly is proposed, to assist in determining if it is adequate to address this major failing of the regulatory framework.</p>
<p>Amendments provide consistency for using exemptions across all vegetation categories. For example, the koala regulations will not regulate clearing in a Category X area if it is otherwise consistent with limits available for Category B areas (remnant vegetation) and Category C areas (regrowth vegetation) under an Accepted Development Clearing Code. A new exemption will also provide equal treatment across vegetation categories for extractive industries, up to 500m².</p>	<p>More information is required to understand how this proposed amendment will function in practice.</p> <p>We note that the provision of further exemptions from assessment of clearing of koala habitat is not coherent with the ambition of improving protections of koala populations.</p>
<p>A new definition to ‘koala safe movement’ is proposed - focused on the safety of koalas by providing opportunities for koalas to feed, disperse, and seek refuge, or reduce the threats to koalas. Koala safe movement measures will be used in the consideration of siting and design. For example, when deciding where to situate a dwelling, the use of existing cleared areas and how to retain any koala habitat will be needed.</p>	<p>This seems positive if it encourages the retention of existing habitat and reduces risks to koalas, however more information is needed to understand this proposed change.</p>
<p>There are changes proposed to fire management exemptions which clarify that clearing exemptions for multiple purposes cannot be joined to create larger clearing widths and that fire management exemptions only apply to existing infrastructure.</p>	<p>On the face of this description this appears to be a positive improvement but more detail is needed to understand its operation.</p>

Reconfiguring a lot to create a child lot from a parent lot will not permit additional habitat interference rights by applying exemptions.	This is a positive and necessary amendment that is supported.
The provisions for broad-hectare areas will be limited to sites that are identified for urban purposes.	More information is needed to understand how this amendment will function.
One of the recommendations of the 2024 Decision Post IAS was for a landowner to provide a mandatory notification when clearing under an exemption. Due to stakeholder opposition, the notification requirement will not be progressed.	We do not support the failure to implement the notification requirements for clearing, as was recommended by the 2024 Decision Post IAS. Simply requiring a proponent to notify their intention to clear koala habitat under an exemption provides clear assistance to the regulator, conservations and the public to understand what clearing of koala habitat is occurring under exemptions. This is an appropriate and simple way of assessing how the exemptions are operating and also keeping better track of how much habitat is being cleared.

5. Large-scale development should be subject to stronger protection of koalas and accountability to community concern

We note that there are no changes proposed to regulating the clearing of koala habitat or impacts to koalas from larger scale development areas, such as development in priority development areas and resource activities. Large scale housing developments and resource activities can have significant impacts on koalas without being subject to normal protections and accountability to community input at a state or local level. Further these developments are subject to limited accountability to the public even where federal approval is required under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

Recommendation: Amendments are needed across relevant development laws to provide for community accountability mechanisms and to ensure that large-scale development is subject to higher level assessment of impacts to koala habitat in reflection of their need for greater protection, including the *Economic Development Act 2014* (Qld), the *Planning Act 2016* (Qld), the *Environmental Protection Act 1994* (Qld) and the *State Development and Public Works Organisation Act 1979* (Qld).

6. Embed First Nations leadership and knowledge in koala conservation planning and implementation

The Strategy should ensure meaningful involvement of First Nations peoples in koala conservation. Many First Nations people hold strong cultural connection to koalas and their role in broader cultural landscapes. This Strategy is an opportunity to ensure not only biodiversity outcomes but also restoration of cultural ecology, particularly to heal the impacts of fragmentation across Country.

Further, First Nations peoples hold deep knowledge of landscapes and ecological processes that should inform koala habitat protection and restoration. The Strategy is an opportunity to provide for stronger involvement of First Nations in local restoration outcomes like habitat monitoring, cultural burning and other culturally informed practices across the state, and ultimately long-term stewardship.

Recommendations:

- a) Recognise the connection between koalas, koala habitat and cultural rights, and the impact of ineffective planning laws that fail to protect koalas and koala habitat on First Nations peoples' connection to Country and Cultural Heritage.
- b) Meaningfully embed consultation with First Nations peoples in the development of the Strategy, as well as in decision-making frameworks regarding koala conservation and related planning and environmental laws going forward, to properly implement the principles of the Universal Declaration of the Rights of Indigenous Peoples which Australia has endorsed since 2009 and uphold the obligations on public entities under s 28 of the *Human Rights Act 2019* (Qld).
- c) Consider and implement opportunities for co-management arrangements with First Nations people wherever possible.
- d) Support for First Nations-led conservation initiatives.

7. Threat management must be integrated with habitat protection

The discussion paper proposes actions to reduce threats such as vehicle strikes, dog attacks and disease. These actions are important but must be integrated with landscape-scale habitat planning.

Recommendations:

- a) Road mortality mitigation measures such as fauna crossings, speed reductions and signage should be required where roads intersect koala habitat. Similarly, urban development should incorporate design requirements that minimise interactions between koalas and domestic dogs.
- b) Threat mitigation programs should also be mandatory for new infrastructure and development projects, rather than voluntary or ad hoc initiatives.

8. Monitoring, transparency and accountability are essential and must be strengthened to ensure the future of koala populations in Queensland

Improved monitoring and reporting is an element of the proposed strategy which is strongly supported. However, stronger mechanisms are needed to ensure transparency and accountability. In recent years there has been a notable decline in monitoring and reporting of the health and trends in koala populations, which makes it difficult to then assess the functioning elements and failures of the existing protection frameworks. This information is essential to inform a strategy going forward that is relevant to the current state of threats and

opportunities in ensuring ongoing protection of koala populations. Clear and measurable recovery targets should also be established so progress can be objectively assessed.

Recommendations:

- a) Regular independent review of the strategy's effectiveness, with publicly accessible reporting on koala population trends and habitat loss and transparent reporting of koala mortality data (e.g. road strikes, dog attacks).
- b) To support accurate data of koala populations and key threats, all clearing of koala habitat must be notified and publicly recorded, as noted above.

Conclusion

Koalas are an iconic species and an integral part of Queensland's natural heritage and First nations cultural heritage. Despite previous conservation initiatives, koala populations remain vulnerable due to continued habitat loss, urban expansion and increasing environmental pressures.

The new SEQ Koala Conservation Strategy provides an important opportunity to reset the trajectory of koala conservation in the region. However, achieving meaningful recovery will require stronger legal protections for habitat, improved planning controls, and greater transparency in monitoring and reporting.

EDO looks forward to continuing to engage with the Queensland Government to ensure the strategy delivers robust and lasting protections for koalas and their habitat.