

# Offsets for Net Gain of Koala Habitat in South East Queensland Policy

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Sustainable Communities and Landscapes

Department of Environment and Resource Management

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# 1. Objective and purpose

The objective of this policy is to ensure that environmental offsets for unavoidable impacts on higher quality koala habitat contribute to a net gain in bushland koala habitat in south-east Queensland by 2020.

This policy provides a framework and direction for using environmental offsets to meet that objective.

The use of environmental offsets as described in this policy is determined by:

- Assessment Managers when assessing applications for development against requirements of the South East Queensland Koala Conservation State Planning Regulatory Provisions
- local authorities within the South-East Queensland Koala Protection Area when determining appropriate offsetting framework within local planning instruments for impacts on koala habitat within their local government area
- the Minister responsible for deciding applications for community infrastructure designations within the South-East Queensland Koala Protection Area
- Queensland public sector entities when self-assessing impacts on koala habitat arising from State Government supported community infrastructure activities.

This policy may also be used as a source of information for the consideration of appropriate environmental offsets for koala habitat in circumstances other than those described above.

Guidelines and information on implementing this policy can be sought from the Department of Environment and Resource Management.

Terms used in this policy have the same meaning as in the *Sustainable Planning Act 2009*, South East Queensland Koala Conservation State Planning Regulatory Provisions, State Planning Policy 2/10: Koala Conservation in South East Queensland, and State Government supported Community Infrastructure Koala Conservation Policy.

# 2. Application of this policy

## When policy applies

2.1 This policy is to be applied when determining koala habitat offsets for:

- 2.1.1 applications for development assessed against requirements of the South East Queensland Koala Conservation State Planning Regulatory Provisions where an offset is required under the provisions of the State Planning Regulatory Provision
- 2.1.2 a local planning instrument<sup>1</sup> within the South-East Queensland Koala Protection Area to achieve a net increase in bushland koala habitat within the planning area as required by provisions of the State Planning Policy 2/10: Koala Conservation in South East Queensland
- 2.1.3 applications for community infrastructure designations within the South-East Queensland Koala Protection Area as required by provisions of the State Planning Policy 2/10: Koala Conservation in South East Queensland
- 2.1.4 Queensland Government supported community infrastructure activities within the South-East Queensland Koala Protection Area as required by the State Government Supported Community Infrastructure Koala Conservation Policy.

2.2 Requirements under this policy are in addition to any other requirements of a development approval, other planning scheme requirements, community infrastructure designation decision and community infrastructure delivery.

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<sup>1</sup> Local planning instrument includes local government planning schemes, Structure Plans and Master Plans for Master Planned Areas, Neighbourhood and other Local Area Plans

## Impacts to be offset

- 2.3 This policy focuses on the unavoidable impact of development on the quantity, quality and connectivity of koala habitat.
- 2.4 This policy does not require the provision of offsets for non-habitat impacts arising from development, such as increases in vehicle, dog or disease-related mortality.
- 2.5 Unless otherwise prescribed by the relevant instrument or policy listed in section 2.1, environmental offsets will be required for impacts arising from development on bushland habitat and high and medium value suitable for rehabilitation habitat types.
- 2.6 Koala habitat values are identified in the South East Queensland Koala Protection Area Koala Habitat Values Maps for the State Planning Policy 2/10: Koala Conservation in South East Queensland and are available on the Department of Environment and Resource Management website <[www.derm.qld.gov.au](http://www.derm.qld.gov.au)>
- 2.7 Where the policy is applied, impacts arising from development must provide an environmental offset based upon calculation of the number of non-juvenile koala habitat trees removed.
- 2.8 The application of this policy requires compensation for the unavoidable loss of non-juvenile koala habitat trees once all applicable regulatory requirements are met. It is not a means for non-juvenile koala habitat trees to be removed where not otherwise permitted.

## Relevant offsetting actions

- 2.9 This policy requires that the rehabilitation, establishment and protection of new koala habitat is the only relevant offsetting action that will meet the policy objective.

## Net gain objective

- 2.10 The policy objective can be met by requiring an offset to contribute (through an appropriate delivery option) the equivalent of five new koala habitat trees for every non-juvenile koala habitat tree removed. This is a net benefit ratio of 5:1.

## 3. Determining offset obligation

- 3.1 In order to calculate the number of non-juvenile koala habitat trees to be cleared as a result of the proposed development, trees may be counted manually or estimated.
- 3.2 Estimation may be done by using a Quadrat methodology, Count Sampling methodology (such as the Angle-Count) or other empirically supported estimation methodologies that the Assessment Manager, planning decision maker or department for infrastructure delivery is satisfied will accurately determine the number of non-juvenile koala habitat trees in the area to be cleared.

## 4. Interaction with other Queensland Government specific-issue offset policies

- 4.1 This policy does not apply where there is a requirement for the offsetting of impacts to the same biodiversity values that are captured under another Queensland Government specific-issue offset policy.
- 4.2 Where an offset is required by another policy for the purposes of koala habitat, then this policy does not require a koala habitat offset for impacts to those values, where the offset requirement is for the same area.
- 4.3 If an offset is required by another Queensland Government specific-issue offset policy for impacts to values other than koala habitat, as well as under this policy, then an offset package may be used to meet the requirements of both this policy and the other specific-issue offset policy – as long as it meets the requirements of both policies.

## 5. Delivering offsets

### Where offsets may be delivered

- 5.1 The koala offset site must be in an area identified as high value or medium value suitable for rehabilitation habitat.
- 5.2 Koala habitat values are identified in the South East Queensland Koala Protection Area Koala Habitat Values Maps for the State Planning Policy 2/10: Koala Conservation in South East Queensland and are available on the Department of Environment and Resource Management website <[www.derm.qld.gov.au](http://www.derm.qld.gov.au)>
- 5.3 Where an area of high value or medium value suitable for rehabilitation habitat is not available within the area required by provisions below, koala offset sites should be located within low value suitable for rehabilitation habitat, or where appropriate, within bushland habitat to enhance the quality of bushland within the local government area.
- 5.4 Offset plantings may occur either on the development site (as part of enhancement of biodiversity corridors) or on another site. Where offsets are delivered on the development site, they must meet protection requirements as required by this policy.
- 5.5 The koala offset site must be within the same local government area as the development impacting on koala habitat values, except where the impact occurs on koala habitat values within:
  - 5.5.1 the Koala Coast<sup>2</sup> which crosses local government boundaries, in which case, the relevant Assessment Manager, local authority, Minister or State agency may determine an appropriate location within the Koala Coast (in consultation with the relevant local authority)
  - 5.5.2 the Pine Rivers area<sup>3</sup> which is within a larger regional council boundary, in which case, the relevant Assessment Manager, local authority, Minister or State agency may determine an appropriate location within the Moreton Bay Regional Council area, with the priority on the Pine Rivers area and localities immediately adjacent to it.

### Other considerations in determining suitable koala offset site

- 5.6 The following points may also be taken into consideration when selecting koala offset sites and are particularly relevant to the delivery of koala habitat offsets through financial contribution as described in section 6 and consideration of this policy in the making of local planning instruments.
- 5.7 In general terms, the location of koala offset sites should be informed by the needs and status of local koala populations and koala habitat, and the proximity and significance of the impact being offset on local and regional koala populations and koala habitat.
- 5.8 Koala offset sites should form part of, or contribute to, strategic koala habitat networks within the local government area or the South-East Queensland Region (as appropriate).
- 5.9 The location of koala offset sites may also be informed by:
  - the potential benefits arising from the koala offsetting activity to other biodiversity
  - the ability of the koala offset site to complement local and State recreational open space outcomes.

### Protecting koala offset sites

- 5.10 Any koala offset site must be protected from future development impacts on habitat by permanently securing the site for conservation purposes.

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<sup>2</sup> The Koala Coast includes the local government areas of Brisbane, Logan and Redland. The boundary of the Koala Coast is defined in the Koala Conservation SPRP Maps of Assessable Development Areas.

<sup>3</sup> The Pine Rivers area is the extent of the previous Pine Rivers Shire. The boundary of the Pine Rivers area is defined in the Koala Conservation SPRP Maps of Assessable Development Areas.

5.11 Protection required in section 5.10 may be achieved through:

5.11.1 a covenant under the *Land Act 1994* or the *Land Title Act 1994*

5.11.2 a conservation agreement under the *Nature Conservation Act 1992*

5.11.3 inviting declaration of an area of high conservation value under the *Vegetation Management Act 1999* (that identifies vegetation that cannot be cleared)

5.11.4 gifting the area to the State (if acceptable to the Department of Environment and Resource Management (DERM)) or relevant local government to be included in the protected area or parkland estate, where the parkland estate can be secured for conservation purposes in perpetuity.

## **Managing koala offset sites**

5.12 A Koala Offset Site Management Plan must be prepared.

5.13 The Koala Offset Site Management Plan must contain relevant information including:

5.13.1 objectives and outcomes for the koala offset site

- this includes information about the desired koala management objectives to be achieved by the management plan for the site.

5.13.2 details regarding ongoing management and maintenance arrangements

- this includes requirements for the collection of baseline data for the koala offset site at the time it is secured and for future performance monitoring regarding the success of site maintenance
- proposed regimes for management and control of infestations of non-native or non-endemic vegetation both at the time of securing and over the life of the koala offset site.

5.13.3 monitoring and reporting requirements

- ongoing monitoring and reporting is required to ensure the management plan is able to restore and protect the offset area until it becomes mature koala bushland habitat. Progress monitoring should occur no less than every 12 months from the date of securing the koala offset site until the objectives and outcomes for the koala offset site are achieved, including appropriate habitat characteristics being present on site
- progress monitoring information is to be supplied to the Assessment Manager, local authority, Minister or State agency . Where relevant, reports are required to be received by the Assessment Manager, local authority, Minister or State agency by an agreed timeline.

5.13.4 name and contact details of landholder for the koala offset site

5.13.5 lot on plan property description and postal address for the koala offset site

5.13.6 maps of the koala offset site

5.13.7 any other supporting documentation necessary for the management of the koala offset site.

5.14 A Koala Offset Management Plan must be signed by the applicant and approved by the Assessment Manager, local authority, Minister or State agency. . If the site owner is not the applicant, then the owner must also sign the plan.

5.15 A Koala Offset Management Plan may be made available to the public and the department administering this policy (the Department of Environment and Resource Management), if and when requested.

5.16 Information recorded in Koala Offset Management Plans may be used for reporting on the achievement of this policy objective.

## **Species mix suitability**

5.17 Koala habitat trees to be established as an offset must be reflective of:

- the pre-clearing regional ecosystem on the koala offset site
- the range of species cleared, where being delivered on the site
- the range of species present on the koala offset site.

## 6. Options for offset obligation delivery

6.1 Three offset delivery options are supported by this policy:

- direct delivery
- delivery through an offset broker, such as *ecoFund*
- payment of a financial contribution for offset delivery.

6.2 This approach acknowledges the need for flexible approaches to offset delivery in order to achieve this policy's net gain objective.

6.3 All offset delivery options are bound by the requirements of this policy.

6.4 All offset obligations must be delivered within a maximum timeframe no greater than 12 months from the time of approval, with a preference for delivery prior to impacts being realised. Relevant approvals must be conditioned to include this maximum timeframe and approving authorities (where relevant) must ensure compliance with any such condition.

### Direct delivery

6.5 The offset obligation may be delivered by the relevant applicant. Direct delivery may include, for example, land owned by the relevant applicant, land owned by another person or entity, the relevant applicant contracting the required revegetation and maintenance works, or the relevant applicant undertaking the required revegetation and maintenance works themselves.

6.6 The applicant is responsible for all costs associated with providing a 'direct delivery' koala habitat offset, including any costs associated with securing the offset.

### Delivery through an offset broker

6.7 Applicants may choose to engage the services of a third party offset broker to discharge their offset for them, such as the Queensland Government's preferred offset broker, *ecoFund*.

6.8 The offset broker will be responsible for delivery of the required offset when an offset agreement is entered into between the offset broker, the applicant and the relevant approval authority (if required).

6.9 The offset agreement does not transfer legal responsibility for compliance with conditions of approval or this policy. The relevant applicant maintains responsibility for compliance with an offset condition and requirements of this policy.

6.10 The applicant is responsible for all costs charged by the offset broker for providing the offset as agreed between the applicant and the offset broker.

6.11 Offset providers must demonstrate that they have the capacity, experience and ability to deliver offsets for koala habitat in accordance with this policy. This must be demonstrated to the relevant approval authority.

### Delivery through financial contribution

6.12 Applicants can meet their offset requirements by providing a financial contribution based on a standardised dollar amount per non-juvenile koala habitat tree lost through development as determined by the application of this policy.

6.13 The amount to be used at the commencement of this policy is \$920 per tree for each non-juvenile koala habitat tree lost.

6.14 This financial contribution figure is based on the estimated average cost of acquiring land outside the urban footprint in the South-East Queensland Koala Protection Area on a per-hectare basis plus the costs of planting and maintaining these trees until they are established, divided by an average density for bushland habitat – being 250 trees per hectare. The figure may be updated periodically using actual costs.

6.15 In the case of offset obligations incurred through:

- applications for development assessed against requirements of the South East Queensland Koala Conservation State Planning Regulatory Provisions where an offset is required under the provisions of the State Planning Regulatory Provision:
  - the financial contribution will be provided to the relevant Assessment Manager

- where the Assessment Manager is the State, the financial contribution will be provided to DERM or DERM's agent as required.
  - applications for community infrastructure designations within the South-East Queensland Koala Protection Area as required by provisions of the State Planning Policy 2/10: Koala Conservation in South-East Queensland:
    - the financial contribution will be provided to DERM or DERM's agent as required.
  - a self assessment of State supported community infrastructure activities within the South-East Queensland Koala Protection Area as required by the State Government Supported Community Infrastructure Koala Conservation Policy:
    - the financial contribution will be provided to DERM or DERM's agent as required.
- 6.16 Once the full financial contribution for a development impact has been paid, the applicant has met the offset requirements under this policy for that application.