

## Gympie Regional Council (00064) Southside TLPI

### Extension of an expired TLPI

#### Overview

The Department of State Development, Infrastructure and Planning (DSDMIP) provided Gympie Regional Council (00064) Southside TLPI to the Environment Planning business unit, Department of Environment and Science (EPBU DES) on 22 November 2019 for review to extend an expired TLPI.

A response is due to DSDMIP as soon as possible as Southside TLPI has expired.

The EPBU has prepared a response for State Interests in relation to State Planning Policy (SPP) – Biodiversity, the only DES State Interest affected by the amendment (attachment 1).

#### Summary of the proposed amendment

##### *General*

DES commented on this draft TLPI in September 2017.

DSDMIP forwarded DES a proposal extend the TLPI to substantially increase the area of Environment and Conservation Precinct (ECP) and areas of koala habitat and was submitted in August 2019. No amendments to the content of the code were proposed.

DES's commented on biodiversity state interests in September 2019. Key issues were:

- Avoiding use of koala habitat terminology
- Providing background material demonstrating that mapping accords with MSES methodology;
- Adopting the avoid / minimise / offset framework; and
- Rationalising the requirements regarding ecological assessment.

DES commented further on 15 October 2019 regarding:

- Adopting the avoid / minimise / offset framework;
- When MSES offsets are triggered; and
- Avoiding use of koala habitat terminology.

DSDMIP responded that this advice seemed to refer to the separate shire wide koala habitat mapping and requested advice specific to Southside. The same advice was provided.

DSMIP forwarded a Council response to DES advice on 4 November explaining the koala habitat mapping methodology. This as advice was forwarded to the BAT team who requested further information and a request to confirm whether this TLPI assessment is tied to the shire wide review of environmental values.

DSDMIP advised on 3 December 2019 that the Southside TLPI separate from the shire wide mapping is imperative as the Southside TLPI has now expired.

The Land use planning team reviewed the Gympie submission and confirmed that the mapping of environmental values was professionally prepared and aligns with the Policy 7 of the Nature Conservation (Koala) Conservation Plan 2006 and Management Program 2006-2016 which was prepared in accordance with section 112 of the Nature Conservation Act 1992. (The MSES Methodology is silent regarding the recommended methodology for mapping koala habitat).

This advice aims to progress the Southside TLPI and resolve how environmental values are mapped at a shire wide process as part of a separate process.

#### Summary of advice to DSDMIP

Whilst recent advice from the Gympie Regional Council has justified the revised extent of the ECP and koala habitat areas, it continues to partially meet the Biodiversity state interest policy 2.

To be consistent with the SPP, the TLPI must be amended to change the emphasis of the text away from enabling vegetation clearing to the avoid/minimise/offset framework. It is also suggested that the intent of the ECP and koala habitat value areas be better articulated.

#### Action

The table in attachment 1 provides detailed response to the TLPI review. Subject to Manager approval, the information will be forwarded to DSDMIP Bundaberg via email.

Peter Rollston  
Scheme reviewer  
Principal Policy Officer  
Environmental Planning  
5 December 2019

Paul Roff  
Approval  
Manager  
Environmental Planning  
6 December 2019

Published on DES Disclosure Log  
RTI Act 2009

<b>Biodiversity</b>				
<b>Amendment section</b>	<b>State interest policy/regional state interest/head of power</b>	<b>Action</b> <i>Action required by local government to demonstrate compliance with state interest</i>	<b>Advice</b> Use if advice is to be provided otherwise the response should be N/A	<b>Reasons</b> Why actions and/or advice should be prescribed

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Mapping			<p>DES acknowledges that all koala habitat mapping has been in accordance with Policy 7 of the Nature Conservation (Koala) Conservation Plan 2006 and Management Program 2006-2016 which was prepared in accordance with section 112 of the Nature Conservation Act 1992. This is an acceptable basis for the extent of the revised extent of the Southside TLPI Environment and conservation Precinct (ECP) and 'koala habitat values' overlay.</p> <p>Whilst DES supports the current intent of the ECP and koala habitat values overlay outside the ECP, more direction is suggested in the code regarding how urban development can maintain connectivity for koalas within these areas. For instance, more advice could be provided regarding appropriate land uses, densities, minimum corridor widths and patterns of development.</p> <p>As a separate process, DES is committed to working with Gympie Regional Council to resolve the extent and content of the of the environmental values overlay as part of the scheme review and consider requests from Gympie Regional Council to revise the extent of MSES – Wildlife Habitat where they are demonstrated to align with MSES methodology.</p>	
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Table 3 , Section 1	SPP Biodiversity (2)	Restructure PO1 to adopt a PO / AO approach similar to the PO1/AO1 approach in the SPP Biodiversity Guideline to ensure that the principle of 'Avoid / Minimise / Offset' is described. Omit reference to offsets if not relevant in Gympie. If avoidance is the key outcome required by Council in certain areas, consider specifying avoidance of clearing in the Environment and Conservation Precinct in PO1. In PO5-PO6, consider adding avoid/minimise terminology to reflect the intent of the koala habitat area precincts.	The terminology of the TLPI is focussed on enabling tree clearing as opposed to protecting biodiversity values.	As previously advised, wording would benefit from alignment with the MES avoid / minimise framework.
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<p>Table 3 , Section 4: PO3.1 and associated AOs</p>		<p>Minor amendments to AO3.1 as follows...</p> <p>Threats to koalas during clearing and construction are mitigated by:</p> <p>(a) ensuring no tree in which a koala is present or a tree with a crown overlapping a tree containing a koala is cleared;</p> <p>(b) incorporates measures to mitigate the risk of death or injury to koalas;</p> <p>(c) undertaking clearing of vegetation in stages, and ensuring:</p> <p>i. no more than 1 ha is cleared per day for sites less than 6 ha in size;</p> <p>ii. no more than 2 ha is cleared per day for sites greater than 6 ha in size;</p> <p>iii. that between each stage there is at least 12 hours where no clearing occurs between 6pm and 6am; and</p> <p>iv. koala habitat is always linked to allow koalas to move out of the site;</p> <p>(d) ensuring suitably qualified and experienced koala spotters and catchers are on site when clearing is being undertaken;</p> <p>(e) preventing domestic dogs and security dogs entering the site; and</p> <p>(f) koalas are excluded from dangerous areas with koala safety fencing.</p>		<p>Amendments seek to align with details in the Planning Regulation regarding clearing of koala habitat. Reasons for amendments are as follows:</p> <ul style="list-style-type: none"> <li>- in the opening sentence, applying planning conditions to the operation of the development are a poor regulatory fit and are most likely unenforceable (how would preventing dogs for entering sites work during the operational phase of a residential house?) These conditions are generally meant to apply to the construction phase of the project and appear as conditions of approval and/or part of the Construction Management Plan.</li> <li>- in (iii), hours when no clearing occurs can be specified.</li> <li>- (f) can benefit from detailing on what the koala fencing is for.</li> </ul>
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# State interest review – Part A (State interests)

Statutory guideline 04/14 Making and amending local planning instruments – Step 6

## Gympie Regional Council Town planning Scheme Temporary Local Planning instrument September 2019

This document has been prepared to enable officers of local and state government to consult on a proposed planning scheme or amendment, to satisfy Chapter 3, Part 5 of the *Sustainable Planning Act 2009* (SPA).

State interests are matters that are articulated through a state planning instrument, including regional plans and the state planning policy (SPP). The Department of Infrastructure, Local Government and Planning (DILGP) is the coordinating agency responsible for overseeing the state interest.

**State interest** as defined by SPA as—

- a designated region's regional plan;
- a state planning regulatory provision;
- the matter about which a state planning policy is written;
- an interest that the Planning Minister considers affects an economic or environmental interest of the state or a part of the state, including sustainable development; or
- an interest that the Planning Minister considers affects the interest of ensuring there is an efficient, effective and accountable planning and development assessment system.

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## Part A—State interests

### Table 3—Planning for the environment and heritage

Biodiversity		
Ref. Number	Policy Elements	Requirement
Environment Natural Assets Mapping	Matters of environmental significance are values and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological integrity	<p><b>Planning Scheme Reference:</b> Table 3 , Section 1</p> <p><b>Action:</b> Restructure PO1 to adopt a PO / AO approach similar to the PO1/AO1 approach in the SPP Biodiversity Guideline to ensure that the principle of 'Avoid / Minimise / Offset' is described. Omit reference to offsets if not relevant in Gympie. If avoidance is the key outcome required by Council in certain areas, consider specifying avoidance of clearing in the Environment and Conservation Precinct in PO1. In PO5-PO6, consider adding avoid/minimise terminology to reflect the intent of the koala habitat area precincts.</p> <p><b>Reason:</b> As previously advised, wording would benefit from alignment with the MES avoid / minimise framework. The TLPI should not conflict with the current Gympie Regional Council Planning Scheme requirements which apply to Conservation Significance Areas.</p>
Proposed PO5 – PO6 and associated AOs	Matters of environmental significance are values and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological integrity	<p><b>Planning Scheme Reference:</b> Table 3 , Section 4: PO5-PO6 and associated AOs</p> <p><b>Action:</b> Delete reference to koala habitat areas. Consider instead applying PO5-PO6 and associated AOs to the entire Southside TLPI area.</p> <p><b>Reason:</b> Koala habitat is MSES and any mapping of koala habitat should be in accordance with MSES methodology. No background material is provided to demonstrate that mapping accords with MSES methodology. Council is invited to forward any request for DES to review the extent of MSES – Essential Habitat mapping based on an MSES compliant ecological assessment.</p> <p>Alternatively, the intent of PO5-PO6 can be achieved without mapping koala habitat areas. The provisions of PO5-PO6 could simply apply to the total TLPI area. This approach would be consistent with PO1 which seems to concede in the Editor's Note that clearing may occur if supported by an ecological assessment. This drafting approach would ensure that any clearing in the Environment and Conservation precinct would comply with PO5-PO6. Alternatively, the Environment and Conservation precinct could be extended to include the koala habitat area as well as the provisions of PO5-PO6, depending on the level of protection sought by Council.</p>

<p>Proposed PO5 – PO6 and</p>	<p>Matters of environmental significance are values and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological integrity</p>	<p><b>Planning Scheme Reference:</b> Table 3 , Section 4: PO5-PO6 and associated AOs</p> <p><b>Action:</b> Amend AO3.1 as follows...</p> <p>Threats to koalas during clearing <b>and construction and operation of the development</b> are mitigated by:</p> <p>(a) ensuring no tree in which a koala is present or a tree with a crown overlapping a tree containing a koala is cleared;</p> <p>(b) incorporates measures to mitigate the risk of death or injury to koalas;</p> <p>(c) undertaking clearing of vegetation in stages, and ensuring:</p> <ul style="list-style-type: none"> <li>i. no more than 1 ha is cleared per day for sites less than 6 ha in size;</li> <li>ii. no more than 2 ha is cleared per day for sites greater than 6 ha in size;</li> <li>iii. that between each stage there is at least 12 hours where no clearing occurs <b>between 6pm and 6am</b>; and</li> <li>iv. koala habitat is always linked to allow koalas to move out of the site;</li> </ul> <p>(d) ensuring suitably qualified and experienced koala spotters and catchers are on site when clearing is being undertaken;</p> <p>(e) preventing domestic dogs and security dogs entering the site; and</p> <p>(f) <b>koalas are excluded from dangerous areas</b> with koala safety fencing.</p> <p><b>Reason:</b> Amendments seek to align with details in the Planning Regulation regarding clearing of koala habitat. Reasons for amendments are as follows:</p> <ul style="list-style-type: none"> <li>- applying planning conditions to the operation of the development are a poor regulatory fit and are most likely unenforceable (how would preventing dogs for entering sites work on house sites during the operational phase of a residential house?). These conditions are generally meant to apply to the construction phase of the project and generally appear as conditions of approval and /or part of the Construction Management Plan.</li> <li>- Hours when no clearing occurs can be specified.</li> <li>- (f) can benefit from detailing on what the koala fencing is for.</li> </ul>
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# Gympie Regional Council, Notification Stage, Amendment Package 3 to the Gympie Regional Council Planning Scheme MA 0004

## State Interest Review

### Overview

The Department of State Development, Infrastructure and Planning (DSDMIP) provided Gympie Regional Council, Amendment Package 3 to the Gympie Regional Council Planning Scheme MA 0004 to the Land Use Planning business unit, Department of Environment and Science (LUP DES) on 1 May 2020 for State Interest review (SIR).

A response is due to DSDMIP by 18 May 2020. Due to the complexity of issues relating to how Gympie Regional Council are addressing koala's in their amendment, an extension has been sought for Wednesday 20 May 2020.

The EPBU has prepared a response for State Interests in relation to State Planning Policy (SPP) – Biodiversity as this is the only DES State Interest affected by the amendment (attachment 1).

### Summary of advice to DSDMIP

#### *Southside Structure Plan*

The Southside area is mostly zoned Future Urban. The proposed Southside Structure Plan Biodiversity Code and mapping seeks to avoid residential development of most of the Future Urban zoned area but overlaying Koala Habitat and Environment and Conservation Precincts.

On 12 February 2020, Gympie Regional Council adopted Temporary Local Planning Instrument 02/19 – Southside Structure Plan Area (TLPI), with an earlier commencement and effective date of 28 August 2019. The TLPI will have effect until 26 August 2021 (unless repealed at an earlier date).

DES reviewed the TLPI three times and has seen much of the planning scheme amendment previously. Since the last November 2019 DES advice, Gympie has adopted DES's advice to adopt a avoid / minimise /offset terminology rather than a vegetation clearing approach.

DES also advised in November 2019 that mapping was accepted as being in compliance with the Policy 7 of the *Nature Conservation (Koala) Conservation Plan 2006 and Management Program 2006-2016*. DES committed to resolving the extent of MSES - Wildlife Habitat layer based on the new Gympie Shire mapping.

#### *Biodiversity Overlay*

##### The Biodiversity Overlay

The Biodiversity Overlay satisfies written DES advice provided to Gympie in December 2017 and April 2018 in that it:

- Adopts landscape based approach such as priority species and corridor connection mapping.
- Identifies existing mapped MSES as a separate mapping layer.
- Builds on the better examples of biodiversity overlay in SEQ (notable Gold Coast and Redland)
- Adopts an avoid / minimise offset framework and frequently requires the avoidance of development in areas of MSES.

- Mostly distinguishes between MNES, MSES and MLES (with a few minor exceptions requiring amendment).
- Koala habitat mapping appears to be in accordance with the *Nature Conservation (Koala) Conservation Strategy 2006*.

DES agreed in principle in December 2017 that compliant Council mapping of koala habitat could refine MSES – Wildlife Habitat mapping once reviewed by DES. On 19 May 2020, the BAT Team agreed to review the methodology for the koala habitat mapping to advise in the results of this review by late June 2020.

On 12 February 2020, Gympie Regional Council resolved to adopt Temporary Local Planning Instrument 2 – Protection of biodiversity values (TLPI), with an earlier commencement and effective date of 25 September 2019.

The TLPI will have effect until 24 September 2021 (unless repealed at an earlier date).

DES reviewed the TLPI once in December 2019 and advised that koala habitat could not be included in the TLPI as MLES.

The content of this planning scheme amendment mirrors the TLPI and seeks to replace it.

A key element of the Biodiversity Code is the adoption of a Priority Species Overlay. This is a landscape based approach which selects twelve fauna and flora species based on expert panel advice and community consultation based on the following criteria:

- specific relevance to the Gympie Region;
- 'species appeal' (anticipated ability to attract community interest);
- ability of habitat to be spatially represented;
- ability of the species to act as a surrogate for the biodiversity which exists within its preferred habitat (e.g. an indicator of general biodiversity or ecological integrity); and
- ability of the species to be assisted through GRC's planning, management and community support activities.

The role of the overlay to act as a surrogate for general biodiversity or ecological integrity is a type of landscaped based approach to protecting biodiversity. The Priority Species Overlay is therefore considered to be MLES as opposed to MSES as it appears as one simple mapped feature 'Priority Species Overlay' and does not purport to map any specific species habitat.

However, there is an opportunity for the scheme to clarify in the tables which the listed species are MNES, MSES and MLES. This would assist applicants in interpreting the draft Biodiversity Offsets Policy which differentiates between local and state priority species.

## Consultation

The BAT Team was consulted and agreed to review the koala habitat mapping.

Insert any internal units and external departments consulted. Remove if no consultation occurred.

## Action

- That the table in attachment 1 be forwarded to DSDMIP

- That a working group complete the review of the Gympie koala habitat mapping and koala habitat extent within the Southside Precinct and an agreed complete process for Council initiated MSES refinement.

Peter Rollston  
Scheme reviewer  
Principal Policy Officer  
Land Use Planning  
20 May 2020

Paul Roff  
Approval  
Manager  
Land Use Planning  
Insert Date

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RTI Act 2009

Attachment 1: Gympie Regional Council, Notification Stage, Amendment Package 3 to the Gympie Regional Council Planning Scheme MA 0004

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<b>Biodiversity</b>				
<b>Amendment section</b>	<b>State interest policy/regional state interest/head of power</b>	<b>Action</b> <i>Action required by local government to demonstrate compliance with state interest</i>	<b>Advice</b> Use if advice is to be provided otherwise the response should be N/A	<b>Reasons</b> Why actions and/or advice should be prescribed
SC6.2.5, Tables 8.12 – 8.13	SPP Biodiversity 1,2,3	The Priority Species approach is supported subject to lists of priority species (ie Table 7.2.1.3.2 , SC6.2.5 Tables 8.12 and 8.13) specifying which species are MNES, MSES and MLES in the Gympie Shire Area.	<p>The Priority Species Overlay approach represents a landscape based approach to the protection of the overlay landscape by creating one layer that amalgamates the habitat requirements of multiple species.</p> <p>Therefore, it is not a mapping product which seeks to distinguish between MSES or MLES.</p> <p>The presence of all the MSES layers elsewhere in the Biodiversity Overlay sourced from the SPP Interactive mapping Tool will clarify for any reader where MSES is in the Shire.</p> <p>However, adding MNES / MSES / MLES status to each species in the Tables and SC6.2.5 would provide valuable clarification to the reader.</p>	

Definitions – MLES			<p>The definition of MLES is supported, including the Editor’s Note which clarifies the status of MNES, MSES and MLES.</p> <p><i>Note: Where species identified in the Planning Scheme are currently Matters of State Environmental Significance or Matters of National Environmental Significance, they are not Matters of Local Environmental Significance despite their listing within the Planning Scheme as Matters of Local Environmental Significance.</i></p> <p>As DES is planning to verify the koala habitat area is MSES, there may be potential in the next state interest check in July 2020 to amend the definition to reflect its status as state - approved MSES.</p>	
7.2.1.3.1 Biodiversity Overlay Code	SPP – Biodiversity 1,2,3	Consider amend to read ‘PO5 Development avoids adverse impacts on koala habitat’.		If the aim of PO5 is to stress the ‘protection’ of koala habitat, this may be better achieved by using the ‘avoid’ word in the avoid / minimise / offset framework. ‘Protect’ could be interpreted to mean the entire avoid / minimise / offset framework.

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8.3.5 Southside Structure Plan Area Biodiversity Values Code	SPP Biodiversity 1,2,3	Referring to Koala Habitat Values mapping as MLES is not supported. Koala Habitat areas mapping in the in the Biodiversity Overlay and in the Southside Structure Plan area should be referred to as MSES in the scheme text and indicated as MSES in mapping.	In parallel with this scheme review process, DES is working to validate koala habitat mapping undertaken for the Southside Structure Plan area as compliant with the <i>Nature Conservation (Koala) Conservation Strategy 2006</i> . This process is scheduled for completion in June 2020 prior to the lodgement of the scheme review for state interest check. Once confirmed, DES can proceed to amend MSES – Wildlife Habitat mapping to align with Gympie Shire Mapping in due course (ideally aligning with scheme gazettal timeframes).	
8.3.5 Southside Structure Plan Area Biodiversity Values Code	SPP Biodiversity 1,2,3		The redrafting of the Southside Structure Plan Area Biodiversity Values Code to reflect avoid / minimise / offset framework is supported.	
SC6.4 Planning Scheme Policy 4: Biodiversity Offset	SPP Biodiversity 1,2,3		Be aware that DES is working to endorse koala habitat mapping as MSES - Wildlife Habitat by July 2020 and that this will require consequential amendment of the Biodiversity Offsets Policy to clarify that mapped koala habitat is subject to a state offset.	

SC6.2.2 Ecological Assessment Report SC6.4 Planning Scheme Policy 4: Biodiversity Offset	SPP Biodiversity 1,2,3	Clarify that MLES: 'Priority Local Species' excludes MSES species		
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Department of  
**Environment and Science**

Our Ref: CTS 12678/20

July 21, 2020

Luke Lankowski  
Manager – Planning  
Queensland Treasury  
PO Box 979  
BUNDABERG QLD 4670

Dear Mr Lankowski

In May 2020, Gympie Regional Council (GRC) gave notice to the Honourable Cameron Dick MP, Treasurer and Minister of Infrastructure and Planning that it proposes to proceed with a major amendment of its planning scheme which adds a new biodiversity overlay code and mapping to the Gympie Regional Council Planning Scheme as well as the Southside Local Plan (MA-00044).

The GRC included koala habitat mapping in the draft amendment ('koala habitat values' across the whole Council area and areas of 'core', 'node', 'koala habitat' and 'koala habitat value' in the Southside Structure Plan's *Methodology for mapping the Environment and Conservation Precinct and Koala Habitat Values for Southside TLP*). These areas meet the State Planning Policy (SPP) definition of Matters of State Significance (MSES) where they focus on the protection of existing koala habitat and are not solely for rehabilitation purposes.

The Department of Environment and Science (DES) has reviewed GRC's koala habitat mapping and confirms that it is in accordance with the *Nature Conservation (Koala) Management Program 2006-2016* and *Method for mapping: Matters of state environmental significance for the State Planning Policy 2017*.

DES can proceed to amend MSES – Wildlife Habitat layer in the SPP Interactive Mapping Tool to add GRC's koala habitat mapping subject to the SPP's Biodiversity state interests being satisfied by the final version of the major amendment. DES aims for the timing of the MSES - Wildlife Habitat amendment to coincide with the scheduled gazettal of the major amendment in early-mid 2021. Further details regarding the biodiversity overlay code and its mapping will be resolved during the remaining steps in of the major amendment process.

Should you require any further information, please contact Peter Rollston, Principal Policy Officer, Land Use Planning Team, of the Department of Environment and Science on telephone (07) 33305750 or by email at [peter.rollston@des.qld.gov.au](mailto:peter.rollston@des.qld.gov.au).

Yours sincerely

Dr Liz Young  
**Director**

**Sustainable Environment  
Environmental Policy and Planning**

CC: Chris Engle  
Coordinator – Planning Scheme Program  
Gympie Regional Council  
PO Box 155  
GYMPIE QLD 4570

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RTI Act 2009

Date : 29/10/2019 8:52:13 AM

From : "Planning Support"

To : "Holly Sorohan"

Subject : RE: Gympie TLPI 02/2019 - response to information request received (Plan Making Portal Ref: TLPI-00064

Attachment : DMView\_1572303019919\_26547-

19\_1617726\_Response\_to\_the\_informal\_review\_of\_the\_TLPI\_biodiversity\_from\_Gympie\_Council.docx;image011.png;image012.png;image014.jpg;image015.png;image016.png;image017.jpg;image018.jpg;image019

Hi Holly,

Sorry for the delay. Please find attached DES's advice.

Feel free to call me to discuss.

Kind regards



**Christine Shewell**  
Principal Policy Officer, Environmental Planning  
Sustainable Environment | Environmental Policy and Planning  
Department of Environment and Science  
P 07 3330 5764 F 07 3330 5996  
Level 10, 400 George St, Brisbane QLD 4000  
GPO Box 2454, Brisbane QLD 4001



Please consider the environment before printing this email

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**From:** Holly Sorohan <Holly.Sorohan@dndmip.qld.gov.au>  
**Sent:** Monday, 28 October 2019 3:32 PM  
**To:** Planning Support  
**Subject:** FW: Gympie TLPI 02/2019 - response to information request received (Plan Making Portal Ref: TLPI-00064

Good afternoon DES,

I am just following up on my below email as I did not receive your response by the due date.

As TLPIs have very tight statutory timeframes, can you please provide your response by tomorrow, 29 October 2019.

Kind regards,



**Holly Sorohan**  
Principal Planner  
Planning and Development Services, Wide Bay Burnett  
Department of State Development,  
Manufacturing, Infrastructure and Planning  
P 07 4331 5605  
Level 1, 7 Takalvan Street, Bundaberg QLD 4670  
PO Box 979, Bundaberg Qld 4670  
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LET'S CONNECT



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**From:** Holly Sorohan  
**Sent:** Monday, 21 October 2019 1:29 PM  
**To:** 'planning.support@des.qld.gov.au' <[planning.support@des.qld.gov.au](mailto:planning.support@des.qld.gov.au)>; 'Planning Services South' <[PlanningServicesSouth@dnrme.qld.gov.au](mailto:PlanningServicesSouth@dnrme.qld.gov.au)>  
**Subject:** HPE CM: Gympie TLPI 02/2019 - response to information request received (Plan Making Portal Ref: TLPI-00064

Good afternoon state agencies,

The department issued an information requests for Gympie Regional Council TLPI 02/2019 on 10 September 2019.

The council has provided their response to the information request. The response has been uploaded into Plan Making Portal for your review.

Can you please review the response and advise if you support the proposed TLPI to be approved for adoption.

Please provide your response by Friday 25 October 2019.

If you have any questions, please contact me on the below number.

Kind regards,



**Holly Sorohan**  
Principal Planner  
Planning and Development Services, Wide Bay Burnett  
Department of State Development,  
Manufacturing, Infrastructure and Planning  
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## Informal review - Gympie Regional Council TLPI - biodiversity

Dear Holly,

Thank you for providing the Department of Environment and Science the draft Gympie Regional Council Temporary Local Planning Instrument (TLPI) 2 – Protection of biodiversity values.

The draft TLPI mapping identifies several Matters of State Environmental Significance (MSES) as locally significant matters (as Habitat for Priority species and koalas). This is inconsistent with the State Planning Policy and Offsets framework and terminology should be changed.

There is a process available for Council to submit their mapping methodology and data to the State government for it to be considered as MSES.

Further advice on achieving the State interest for biodiversity in the TLPI is provided in the table below.

If you have any questions please feel free to call me on 07 3330 5764.

Kind regards,

Christine Shewell,  
Principal Planning Officer  
Environmental Policy and Planning

[Planning.support@des.qld.gov.au](mailto:Planning.support@des.qld.gov.au),

**Attachment 1. Detailed advice on Gympie Regional Council Temporary Local Planning Instrument 2  
– Protection of biodiversity values**

Section	Issue / State interest	Advice
PO2.	PO2 requires development to minimise impacts on matters of state environmental significance (MSES). The SPP required development to be located in areas to avoid adverse impacts on MSES and to minimise impacts where they cannot be reasonable avoided.	PO2 should require development in the first instance to <i>avoid</i> adverse impacts on MSES.
PO20	<p>The editors note says the State government will be responsible for any offsets required for significant residual impacts on matters of state environmental significance. This will only occur if the State is involved in assessing the development application against a code that assesses impacts on MSES.</p> <p>It would be more accurate for the note to say offsets will not be sought for matters of state environmental significance under the TLPI. They may be required by the State government.</p>	Amend the first editors note in PO20 to provide clarification
MLES	<p>The TLPI includes several MSES as MLES: namely threatened species (under the Nature Conservation Regulation) habitat including koalas. The SPP and Offsets framework establish that a MLES cannot be the same or substantially the same as a MSES. While they can be protected under the planning scheme as MSES, they cannot be called MLES. Several of the Performance Outcomes are still suitable, however reference to certain species as MLES is inappropriate.</p> <p>Council should note that MLES can cover the same spatial area as MSES if the local values are <i>different</i> to the mapped state values.</p> <p>Council have undertaken specific mapping to identify their priority species habitat including for koalas. This mapping can be considered by the State to become MSES if it meets DES guidelines for mapping MSES.</p>	<p>Amend the MLES definition to ensure MLES does not include MSES.</p> <p>The TLPI should still ensure development <i>avoids</i> and minimises impacts to MSES.</p> <p>Council should submit to the Department of Environment and Science the methodology and data that informed the koala and priority species habitats that are also MSES species for the State to consider it as MSES.</p>

Date : 4/11/2019 3:21:20 PM  
From : "Planning Support"  
To : "Holly Sorohan"  
Cc : "ROFF Paul" , "ROLLSTON Peter" , "Planning Support"  
Subject : FW: Gympie TLPI 02/2019 - response to information request received (Plan Making Portal Ref: TLPI-00064)

Attachment :  
image001.png;image021.jpg;image023.png;image025.jpg;image026.jpg;image027.jpg;image028.jpg;image029.jpg;image030.jpg;image031.jpg;image032.jpg;image002.png;image004.png;image005.png;image006.png;image007.png;image008.png;image009.png;image010.png;image011.png;image012.png;image013.png;image014.png;image015.png;image016.png;image017.png;image018.png;image019.png;image020.png;image022.png;image024.png;image026.png;image027.png;image028.png;image029.png;image030.png;image031.png;image032.png;image033.png;image034.png;image035.png;image036.png;image037.png;image038.png;image039.png;image040.png;image041.png;image042.png;image043.png;image044.png;image045.png;image046.png;image047.png;image048.png;image049.png;image050.png;image051.png;image052.png;image053.png;image054.png;image055.png;image056.png;image057.png;image058.png;image059.png;image060.png;image061.png;image062.png;image063.png;image064.png;image065.png;image066.png;image067.png;image068.png;image069.png;image070.png;image071.png;image072.png;image073.png;image074.png;image075.png;image076.png;image077.png;image078.png;image079.png;image080.png;image081.png;image082.png;image083.png;image084.png;image085.png;image086.png;image087.png;image088.png;image089.png;image090.png;image091.png;image092.png;image093.png;image094.png;image095.png;image096.png;image097.png;image098.png;image099.png;image100.png;image101.png;image102.png;image103.png;image104.png;image105.png;image106.png;image107.png;image108.png;image109.png;image110.png;image111.png;image112.png;image113.png;image114.png;image115.png;image116.png;image117.png;image118.png;image119.png;image120.png;image121.png;image122.png;image123.png;image124.png;image125.png;image126.png;image127.png;image128.png;image129.png;image130.png;image131.png;image132.png;image133.png;image134.png;image135.png;image136.png;image137.png;image138.png;image139.png;image140.png;image141.png;image142.png;image143.png;image144.png;image145.png;image146.png;image147.png;image148.png;image149.png;image150.png;image151.png;image152.png;image153.png;image154.png;image155.png;image156.png;image157.png;image158.png;image159.png;image160.png;image161.png;image162.png;image163.png;image164.png;image165.png;image166.png;image167.png;image168.png;image169.png;image170.png;image171.png;image172.png;image173.png;image174.png;image175.png;image176.png;image177.png;image178.png;image179.png;image180.png;image181.png;image182.png;image183.png;image184.png;image185.png;image186.png;image187.png;image188.png;image189.png;image190.png;image191.png;image192.png;image193.png;image194.png;image195.png;image196.png;image197.png;image198.png;image199.png;image200.png;image201.png;image202.png;image203.png;image204.png;image205.png;image206.png;image207.png;image208.png;image209.png;image210.png;image211.png;image212.png;image213.png;image214.png;image215.png;image216.png;image217.png;image218.png;image219.png;image220.png;image221.png;image222.png;image223.png;image224.png;image225.png;image226.png;image227.png;image228.png;image229.png;image230.png;image231.png;image232.png;image233.png;image234.png;image235.png;image236.png;image237.png;image238.png;image239.png;image240.png;image241.png;image242.png;image243.png;image244.png;image245.png;image246.png;image247.png;image248.png;image249.png;image250.png;image251.png;image252.png;image253.png;image254.png;image255.png;image256.png;image257.png;image258.png;image259.png;image260.png;image261.png;image262.png;image263.png;image264.png;image265.png;image266.png;image267.png;image268.png;image269.png;image270.png;image271.png;image272.png;image273.png;image274.png;image275.png;image276.png;image277.png;image278.png;image279.png;image280.png;image281.png;image282.png;image283.png;image284.png;image285.png;image286.png;image287.png;image288.png;image289.png;image290.png;image291.png;image292.png;image293.png;image294.png;image295.png;image296.png;image297.png;image298.png;image299.png;image300.png;image301.png;image302.png;image303.png;image304.png;image305.png;image306.png;image307.png;image308.png;image309.png;image310.png;image311.png;image312.png;image313.png;image314.png;image315.png;image316.png;image317.png;image318.png;image319.png;image320.png;image321.png;image322.png;image323.png;image324.png;image325.png;image326.png;image327.png;image328.png;image329.png;image330.png;image331.png;image332.png;image333.png;image334.png;image335.png;image336.png;image337.png;image338.png;image339.png;image340.png;image341.png;image342.png;image343.png;image344.png;image345.png;image346.png;image347.png;image348.png;image349.png;image350.png;image351.png;image352.png;image353.png;image354.png;image355.png;image356.png;image357.png;image358.png;image359.png;image360.png;image361.png;image362.png;image363.png;image364.png;image365.png;image366.png;image367.png;image368.png;image369.png;image370.png;image371.png;image372.png;image373.png;image374.png;image375.png;image376.png;image377.png;image378.png;image379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Hi Holly,  
The Council response to item 3 document states that Gympie Regional Council (GRC) commissioned O2 Ecology in 2015 to undertake Koala habitat area mapping for the Gympie Region for State Government approval to include in a local government map as a Matter of Local Environmental Significance (MLES). It is not clear whether Council have sent this report to the State for consideration, however as Council's map is different to state mapping I assume it has not been provided before. The assessment will determine if the habitat is a matter of state environmental significance (MSES), as the koala is a MSES. It cannot be mapped as MLES in the planning scheme. Our Biodiversity Mapping Team (BAT) are currently looking through the mapping methodology report. They need further data from Council in order to analyse the information to determine if Council's mapping meets state mapping methodology for MSES for koalas.

Can Council please provide the following:

- Shapefile of the data used to develop figures 3 and 4 in the Council response to item 3 document;
- Layerfile to allow our data analysis to colour-up;
- Layerfile of the data representing the MSES; and
- Confirmation that the koala habitat values below on page 5 of the Council response to item 3 document are those Council are seeking to be Koala Habitat Value Biodiversity Overlay Map.

Koala habitat values extracted and merged for the Biodiversity overlay map included;

- High Value or Medium-High Value Bushland
- High Value or Medium-High Value Remnant Bushland
- High Value or Medium-High Value Rural
- High Value or Medium-High Value Urban

It will take a considerable amount of time for the State to review the mapping and get an endorsed response, as DNRME will also be involved. There may also need to be further consideration by Council if there are differences in the State's assessment and Council's mapping (i.e., if the State only approves some areas and not others).

As Council have provided mapping for the entire local government area all of the koala habitat values will be reviewed for meeting the criteria as MSES.

In regards to the TLPI, Council can either:

- wait until the koala habitat values assessment has been finalised by the State and they are satisfied with any State amendments to their map. They can then include it in the TLPI as MSES koala habitat; or
- proceed with the TLPI by removing Council's koala habitat mapping and replacing it with current State mapped MSES koala habitat. They may wish to make a further amendment to the TLPI to include any updated MSES koala habitat once the koala habitat mapping assessment has been completed.

Feel free to call me if you have any questions.

Kind regards



**Christine Shewell**  
Principal Policy Officer, Environmental Planning  
Sustainable Environment | Environmental Policy and Planning  
Department of Environment and Science  
P 07 3330 5764 F 07 3330 5996  
Level 10, 400 George St, Brisbane QLD 4000  
GPO Box 2454, Brisbane QLD 4001



Please consider the environment before printing this email

From: Holly Sorohan <Holly.Sorohan@dsmip.qld.gov.au>

Sent: Thursday, 31 October 2019 4:32 PM

To: Planning Support

Subject: RE: Gympie TLPI 02/2019 - response to information request received (Plan Making Portal Ref: TLPI-00064)

Good morning,

Thank you for sending your comments through. I will pass them on to Gympie Regional Council for consideration.

There seems to be a bit of confusion between the TLPI 02/2019 submitted for approval to adopt and the draft TLPI requesting early informal review and comments.

Your comments were in relation to the draft TLPI that was provided for informal review. We appreciate these comments and will pass them on to Council however my below emails relate to the TLPI 02/2019 that was submitted for approval to adopt (Plan Making Portal Ref: TLPI-00064).

We urgently need your comments about the councils response to the requested information for Draft TLPI 02/2019.

If you have any questions, please let me know.

Kind regards,



**Holly Sorohan**  
Principal Planner  
Planning and Development Services, Wide Bay Burnett  
Department of State Development,  
Manufacturing, Infrastructure and Planning  
P 07 4331 5605  
Level 1, 7 Takalvan Street, Bundaberg QLD 4670  
PO Box 979, Bundaberg Qld 4670  
[www.dsmip.qld.gov.au](http://www.dsmip.qld.gov.au)

LET'S CONNECT



LEARN MORE ABOUT HOW WE'RE INVESTED IN QUEENSLAND

From: Planning Support <Planning.Support@des.qld.gov.au>

Sent: Tuesday, 29 October 2019 8:52 AM

To: Holly Sorohan <Holly.Sorohan@dsmip.qld.gov.au>

Subject: RE: Gympie TLPI 02/2019 - response to information request received (Plan Making Portal Ref: TLPI-00064)

Hi Holly,

Sorry for the delay. Please find attached DES's advice.

Feel free to call me to discuss.

Kind regards



**Christine Shewell**  
Principal Policy Officer, Environmental Planning  
Sustainable Environment | Environmental Policy and Planning  
Department of Environment and Science  
P 07 3330 5764 F 07 3330 5996  
Level 10, 400 George St, Brisbane QLD 4000  
GPO Box 2454, Brisbane QLD 4001



Please consider the environment before printing this email

From: Holly Sorohan <Holly.Sorohan@dsmip.qld.gov.au>

Sent: Monday, 28 October 2019 3:32 PM

To: Planning Support

Subject: FW: Gympie TLPI 02/2019 - response to information request received (Plan Making Portal Ref: TLPI-00064)

Good afternoon DES,

I am just following up on my below email as I did not receive your response by the due date.

As TLPIs have very tight statutory timeframes, can you please provide your response by tomorrow, 29 October 2019.

Kind regards,



**Holly Sorohan**  
Principal Planner  
Planning and Development Services, Wide Bay Burnett  
Department of State Development,  
Manufacturing, Infrastructure and Planning  
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LEARN MORE ABOUT HOW WE'RE INVESTED IN QUEENSLAND

From: Holly Sorohan

Sent: Monday, 21 October 2019 1:29 PM

To: 'planning.support@des.qld.gov.au' <planning.support@des.qld.gov.au>; 'Planning Services South' <PlanningServicesSouth@dnrme.qld.gov.au>

Subject: HPE CM: Gympie TLPI 02/2019 - response to information request received (Plan Making Portal Ref: TLPI-00064)

Good afternoon state agencies,

The department issued an information requests for Gympie Regional Council TLPI 02/2019 on 10 September 2019.

20-237

File A

Page 24 of 37

The council has provided their response to the information request. The response has been uploaded into Plan Making Portal for your review. Can you please review the response and advise if you support the proposed TLPI to be approved for adoption. Please provide your response by Friday 25 October 2019.

If you have any questions, please contact me on the below number.

Kind regards,



Queensland  
Government

**Holly Sorohan**  
Principal Planner  
Planning and Development Services, Wide Bay Burnett  
Department of State Development,  
Manufacturing, Infrastructure and Planning  
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LEARN MORE  
ABOUT HOW WE'RE

INVESTED IN QUEENSLAND

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RTI Act 2009

Date : 19/12/2019 2:56:56 PM

From : "Planning Support"

To : "Holly.Sorohan@dilgp.qld.gov.au"

Cc : "Planning Support" , "ROLLSTON Peter" , "SHEWELL Christine"

Subject : FW: TLPI-00067 - Gympie Regional Council - TLPI - Temporary Local Planning Instrument 2 - Protection of biodiversity values - State interest review comment request

Attachment : image001.png;image002.png;image003.jpg;

Dear Holly,

Thank you for sending through Gympie Regional Council draft TLPI 00067 for DES review.

I have noted that Council have made some changes to the TLPI code and I am satisfied that the code addresses the SPP biodiversity policies. Council have provided additional data and reports so DES can start to assess biodiversity values mapped by Council. These include habitat mapping for MSES species including the koala and species within Council's Priority Species layer. However this will need to be assessed by DES biodiversity assessment team and could take up to 3 months to review. It is likely to also require liaison with Council if DES needs to clarify the methodology used to mapped areas.

Until the review is completed DES does not support the release of the TLPI with mapping layers for:

- Koala habitat; and
- Essential habitat (for species that are MSES (listed species under the *Nature Conservation Act 1992*)).

If Council are seeking to release the TLPI soon DES recommends that the TLPI should refer to State MSES mapping only. Additional area mapped as koala habitat and 'essential habitat species' (that are MSES spp) should be removed.

Other 'essential habitat species' that are not MSES can be MLES, and can be mapped by Council.

Council can also map ecological linkages as MLES.

Christine Shewell, Principal Policy Officer who has been working on this proposed TLPI will be out of the office until 6 January. If you have any general questions you can contact Peter Rollston however Christine will be able to provide you with more detail on her return.

Regards

Paul



**Paul Roff**

Manager, Environment Planning

Sustainable Environment | Environmental Policy and Planning

Department of Environment and Science

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Level 10, 400 George St, Brisbane QLD 4000

GPO Box 2454, Brisbane QLD 4001



I acknowledge Aboriginal and Torres Strait Islander people as the Traditional Owners of this country, and their connection to land, sea and community. I pay my respect to all Traditional Owners, and to the Elders past, present and emerging.

From: DSDMIP Email <noreply@email.dsdmip.qld.gov.au>

Sent: Wednesday, 18 December 2019 4:34 PM

Subject: TLPI-00067 - Gympie Regional Council - TLPI - Temporary Local Planning Instrument 2 - Protection of biodiversity values - State interest review comment request

A request for state interest review has been received from Gympie Regional Council for a temporary local planning instrument. Click [here](#) to view the details of the request and provide your comments.

□



Department of  
**Environment and Science**

Our Ref: CTS 12678/20

July 21, 2020

Luke Lankowski  
Manager – Planning  
Queensland Treasury  
PO Box 979  
BUNDABERG QLD 4670

Dear Mr Lankowski

In May 2020, Gympie Regional Council (GRC) gave notice to the Honourable Cameron Dick MP, Treasurer and Minister of Infrastructure and Planning that it proposes to proceed with a major amendment of its planning scheme which adds a new biodiversity overlay code and mapping to the Gympie Regional Council Planning Scheme as well as the Southside Local Plan (MA-00044).

The GRC included koala habitat mapping in the draft amendment ('koala habitat values' across the whole Council area and areas of 'core', 'node', 'koala habitat' and 'koala habitat value' in the Southside Structure Plan's *Methodology for mapping the Environment and Conservation Precinct and Koala Habitat Values for Southside TLPI*). These areas meet the State Planning Policy (SPP) definition of Matters of State Significance (MSES) where they focus on the protection of existing koala habitat and are not solely for rehabilitation purposes.

The Department of Environment and Science (DES) has reviewed GRC's koala habitat mapping and confirms that it is in accordance with the *Nature Conservation (Koala) Management Program 2006-2016* and *Method for mapping: Matters of state environmental significance for the State Planning Policy 2017*.

DES can proceed to amend MSES – Wildlife Habitat layer in the SPP Interactive Mapping Tool to add GRC's koala habitat mapping subject to the SPP's Biodiversity state interests being satisfied by the final version of the major amendment. DES aims for the timing of the MSES - Wildlife Habitat amendment to coincide with the scheduled gazettal of the major amendment in early-mid 2021. Further details regarding the biodiversity overlay code and its mapping will be resolved during the remaining steps in of the major amendment process.

Should you require any further information, please contact Peter Rollston, Principal Policy Officer, Land Use Planning Team, of the Department of Environment and Science on telephone (07) 33305750 or by email at [peter.rollston@des.qld.gov.au](mailto:peter.rollston@des.qld.gov.au).

Yours sincerely

sch4p4(6) Personal in

Dr Liz Young  
**Director**

Date : 15/10/2019 3:59:32 PM

From : "Planning Support"

To : "Holly Sorohan" , "Planning Support"

Cc : "ROFF Paul" , "ROLLSTON Peter"

Subject : RE: Gympie Regional Council proposed TPLI (Plan Making Portal Ref: TLPI-00064) Mapping Methodology for MSES (Koala Habitat) in TLPI 02/2019

Attachment : DES response\_to\_informal\_review\_Gympie

RC\_TLPI\_biodiversity.docx;image001.png;image002.png;image003.jpg;image004.png;image005.png;image009.jpg;image010.jpg;image012.jpg;image013.jpg;image014.jpg;image015.jpg;image016.jpg;image017.jpg;ir

Hi Holly,

Please find attached DES's manager endorsed comments on Gympie Regional Council's draft TPLI.

Kind regards



**Christine Shewell**

Principal Policy Officer, Environmental Planning  
Sustainable Environment | Environmental Policy and Planning  
Department of Environment and Science

P 07 3330 5764 F 07 3330 5996  
Level 10, 400 George St, Brisbane QLD 4000  
GPO Box 2454, Brisbane QLD 4001



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From: Holly Sorohan <Holly.Sorohan@dsmip.qld.gov.au>

Sent: Tuesday, 15 October 2019 9:22 AM

To: Planning Support

Cc: ROFF Paul; ROLLSTON Peter

Subject: FW: Gympie Regional Council proposed TPLI (Plan Making Portal Ref: TLPI-00064) Mapping Methodology for MSES (Koala Habitat) in TLPI 02/2019

Thank you Christine for providing these comments.

I just wanted to confirm if DES will be provided further comments to provide back to Gympie Regional Council as I need to get back to them as soon as possible.

Kind regards,



**Holly Sorohan**

Principal Planner  
Planning and Development Services, Wide Bay Burnett  
Department of State Development,  
Manufacturing, Infrastructure and Planning

P 07 4331 5605  
Level 1, 7 Takalvan Street, Bundaberg QLD 4670  
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[www.dsmip.qld.gov.au](http://www.dsmip.qld.gov.au)

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From: Holly Sorohan

Sent: Tuesday, 15 October 2019 9:16 AM

To: [planning.support@des.qld.gov.au](mailto:planning.support@des.qld.gov.au)

Cc: 'Paul Rice' ([Paul.Rice@frasercoast.qld.gov.au](mailto:Paul.Rice@frasercoast.qld.gov.au)) <[Paul.Rice@frasercoast.qld.gov.au](mailto:Paul.Rice@frasercoast.qld.gov.au)>; ROLLSTON Peter <[Peter.Rollston@des.qld.gov.au](mailto:Peter.Rollston@des.qld.gov.au)>

Subject: FW: Gympie Regional Council proposed TPLI (Plan Making Portal Ref: TLPI-00064) Mapping Methodology for MSES (Koala Habitat) in TLPI 02/2019

Thank you Christine for providing these comments.

I just wanted to confirm if DES will be provided further comments to provide back to Gympie Regional Council as I need to get back to them as soon as possible.

Kind regards,



**Holly Sorohan**

Principal Planner  
Planning and Development Services, Wide Bay Burnett  
Department of State Development,  
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From: Planning Support <[Planning.Support@des.qld.gov.au](mailto:Planning.Support@des.qld.gov.au)>

Sent: Friday, 4 October 2019 1:06 PM

To: Holly Sorohan <[Holly.Sorohan@dsmip.qld.gov.au](mailto:Holly.Sorohan@dsmip.qld.gov.au)>; Planning Support <[Planning.Support@des.qld.gov.au](mailto:Planning.Support@des.qld.gov.au)>

Cc: ROLLSTON Peter <[Peter.Rollston@des.qld.gov.au](mailto:Peter.Rollston@des.qld.gov.au)>; ROFF Paul <[Paul.Roff@des.qld.gov.au](mailto:Paul.Roff@des.qld.gov.au)>

Subject: RE: Gympie Regional Council proposed TPLI (Plan Making Portal Ref: TLPI-00064) Mapping Methodology for MSES (Koala Habitat) in TLPI 02/2019

Hi Holly,

Peter's away at the moment – returning Tuesday.

I've looked at Council's response and think it's partially OK but would like to talk to Paul, my manager and Peter before confirming.

One point that Council say below is that the mapping would become MLES. I believe that the mapping would become MSES, not MLES. The way Council have written their draft code they'd be able to apply the same provisions anyway and they're not asking for offsets for MLES which are MSES which is also good.

Council would have to submit the full methodology to the state for it to be considered as MSES, as we get our biodiversity mapping assessment team to review the method and datasets.

I've also picked up that Council's MLES mapping covers other MSES – namely the Mary River Cod (MNES) and the platypus. The process for identifying these matters as MSES or MNES will need to be followed.

I'll provide you with more definitive feedback on Tuesday after talking to Paul and Peter.

Cheers



**Christine Shewell**

Principal Policy Officer, Environmental Planning  
Sustainable Environment | Environmental Policy and Planning  
Department of Environment and Science

P 07 3330 5764 F 07 3330 5996  
Level 10, 400 George St, Brisbane QLD 4000  
GPO Box 2454, Brisbane QLD 4001



Please consider the environment before printing this email

From: Holly Sorohan <[Holly.Sorohan@dsmip.qld.gov.au](mailto:Holly.Sorohan@dsmip.qld.gov.au)>

Sent: Friday, 4 October 2019 10:31 AM

To: Planning Support

Cc: ROLLSTON Peter

Subject: FW: Gympie Regional Council proposed TPLI (Plan Making Portal Ref: TLPI-00064) Mapping Methodology for MSES (Koala Habitat) in TLPI 02/2019

Good morning Peter,

I am just following up on my below email. Can you please advise if you have any concerns with the proposed mapping methodology so that I can let Council know.

Thank you,



**Holly Sorohan**

Principal Planner  
Planning and Development Services, Wide Bay Burnett  
Department of State Development,  
Manufacturing, Infrastructure and Planning

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LEARN MORE ABOUT HOW WE'RE INVESTED IN QUEENSLAND

From: Holly Sorohan

Sent: Thursday, 26 September 2019 1:24 PM

To: [planning.support@des.qld.gov.au](mailto:planning.support@des.qld.gov.au)

Cc: ROLLSTON Peter <[Peter.Rollston@des.qld.gov.au](mailto:Peter.Rollston@des.qld.gov.au)>

20-237

**Subject:** Gympie Regional Council proposed TLPI (Plan Making Portal Ref: TLPI-00064) Mapping Methodology for MSES (Koala Habitat) in TLPI 02/2019

Good afternoon Peter,

Gympie Regional Council have provided further explanation in the below email about the methodology used for preparation of the Koala Habitat Mapping for the proposed TLPI.

Council have advised that they will provide a more detailed explanation in their response to the information request but wish to confirm at this stage that their understanding of the process is correct.

Can you please review their comments and advise if the information they are proposing to provide will address the concerns with the mapping methodology that you raised in your state interest comments. Could you please get back to me by 2 October 2019.

Thank you,



**Holly Sorohan**  
Principal Planner  
Planning and Development Services, Wide Bay Burnett  
Department of State Development,  
Manufacturing, Infrastructure and Planning  
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LET'S CONNECT



**From:** Shayne McCormick <[shayne.mccormick@gympie.qld.gov.au](mailto:shayne.mccormick@gympie.qld.gov.au)>

**Sent:** Tuesday, 24 September 2019 2:10 PM

**To:** Holly Sorohan <[Holly.Sorohan@dsdmip.qld.gov.au](mailto:Holly.Sorohan@dsdmip.qld.gov.au)>

**Cc:** Amy Whitfield <[amy.whitfield@gympie.qld.gov.au](mailto:amy.whitfield@gympie.qld.gov.au)>

**Subject:** RE: Mapping Methodology for MSES (Koala Habitat) in TLPI 02/2019

Hi Holly,

Thank you for following that up for us I appreciate it.

We've reviewed the document that you have sent through from DES and discussed this internally with our environmental planning team however it is our understanding that the mapping methodology for MSES contained within that document does not actually provide the method for mapping koala habitat. Instead it shows subsets or queries of existing Queensland State Government mapping datasets to represent MSES.

Koala habitat mapping for the Gympie region was undertaken by O2 Ecology in 2015 in accordance with Policy 7 of the Nature Conservation (Koala) Conservation Plan 2006 and Management Program 2006-2016 which was prepared in accordance with section 112 of the *Nature Conservation Act 1992*. Policy 7 sets out guidelines for Koala habitat assessment and mapping for State Government approval to include in a local government map.

Currently MSES mapping of koala habitat is represented by Essential Habitat Mapping as Gympie Regional Council lies outside the SEQ district and is hence excluded from current MSES Koala habitat mapping. MSES Essential habitat mapping is of coarse resolution and under-represents actual koala habitat in the Gympie Region. This has been proven by multiple records of koala sightings being located well outside of MSES Essential habitat mapping.

Hence, Gympie Regional Council (GRC) commissioned O2 Ecology in 2015 to undertake Koala habitat area mapping for the Gympie Region for State Government approval to include in a local government map as a Matter of Local Environmental Significance. The mapping methodology undertaken was in accordance with Policy 7 of the Nature Conservation (Koala) Conservation Plan 2006 and Management Program 2006-2016 which was prepared in accordance with section 112 of the *Nature Conservation Act 1992*.

Policy 7 - Koala Habitat assessment and Mapping (pg.78) of the Nature Conservation (Koala) Conservation Plan 2006 and Management Program 2006-2016) states that the purpose is to;

- provide direction to local governments on koala habitat assessment and mapping;
- outline the methodology for koala habitat assessment and mapping;
- achieve consistency in the identification of koala habitat; and
- identify the requirements and process for obtaining endorsement of a local government koala habitat map.

If our interpretation and understanding of the above policy documents is not correct, we're happy to discuss this further prior to Council lodging our formal response to the Minister.

In the drafting of our response to the additional information requested by the Minister (which we are hoping to have finalised and submitted to you through the portal in the coming weeks), we will expand on the above in great detail and provide detailed information about methodology etc.

Kind Regards

**Shayne McCormick**

Coordinator - Planning Scheme Program  
PLANNING STRATEGY AND MAJOR PROJECTS



Gympie Regional Council  
29 Channon Street (PO Box 155)  
Gympie Qld 4570  
(07) 5481 0413

[Shayne.McCormick@gympie.qld.gov.au](mailto:Shayne.McCormick@gympie.qld.gov.au)

**From:** Holly Sorohan <[Holly.Sorohan@dsdmip.qld.gov.au](mailto:Holly.Sorohan@dsdmip.qld.gov.au)>

**Sent:** Tuesday, 17 September 2019 4:23 PM

**To:** Shayne McCormick <[shayne.mccormick@gympie.qld.gov.au](mailto:shayne.mccormick@gympie.qld.gov.au)>

**Subject:** Mapping Methodology for MSES (Koala Habitat) in TLPI 02/2019

External sender. Be careful with links and attachments.

Hi Shayne,

Further to our conversation last week, Department of Environment and Science (DES) have provided the attached guideline for mapping MSES.

DES has asked if you are able to articulate the how this methodology has been followed to create the Koala Habitat mapping for the proposed TLPI.

Hope this helps.

Kind regards,



**Holly Sorohan**  
Principal Planner  
Planning and Development Services, Wide Bay Burnett  
Department of State Development,  
Manufacturing, Infrastructure and Planning  
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## Informal review - Gympie Regional Council TLPI - biodiversity

Dear Holly,

Thank you for providing the Department of Environment and Science the draft Gympie Regional Council Temporary Local Planning Instrument (TLPI) 2 – Protection of biodiversity values.

The draft TLPI mapping identifies several Matters of State Environmental Significance (MSES) as locally significant matters (as Habitat for Priority species and koalas). This is inconsistent with the State Planning Policy and Offsets framework and terminology should be changed.

There is a process available for Council to submit their mapping methodology and data to the State government for it to be considered as MSES.

Further advice on achieving the State interest for biodiversity in the TLPI is provided in the table below.

If you have any questions please feel free to call me on 07 3330 5764.

Kind regards,

Christine Shewell,  
Principal Planning Officer  
Environmental Policy and Planning

[Planning.support@des.qld.gov.au](mailto:Planning.support@des.qld.gov.au),

**Attachment 1. Detailed advice on Gympie Regional Council Temporary Local Planning Instrument 2  
– Protection of biodiversity values**

Section	Issue / State interest	Advice
PO2.	PO2 requires development to minimise impacts on matters of state environmental significance (MSES). The SPP required development to be located in areas to avoid adverse impacts on MSES and to minimise impacts where they cannot be reasonable avoided.	PO2 should require development in the first instance to <i>avoid</i> adverse impacts on MSES.
PO20	<p>The editors note says the State government will be responsible for any offsets required for significant residual impacts on matters of state environmental significance. This will only occur if the State is involved in assessing the development application against a code that assesses impacts on MSES.</p> <p>It would be more accurate for the note to say offsets will not be sought for matters of state environmental significance under the TLPI. They may be required by the State government.</p>	Amend the first editors note in PO20 to provide clarification
MLES	<p>The TLPI includes several MSES as MLES: namely threatened species (under the Nature Conservation Regulation) habitat including koalas. The SPP and Offsets framework establish that a MLES cannot be the same or substantially the same as a MSES. While they can be protected under the planning scheme as MSES, they cannot be called MLES. Several of the Performance Outcomes are still suitable, however reference to certain species as MLES is inappropriate.</p> <p>Council should note that MLES can cover the same spatial area as MSES if the local values are <i>different</i> to the mapped state values.</p> <p>Council have undertaken specific mapping to identify their priority species habitat including for koalas. This mapping can be considered by the State to become MSES if it meets DES guidelines for mapping MSES.</p>	<p>Amend the MLES definition to ensure MLES does not include MSES.</p> <p>The TLPI should still ensure development <i>avoids</i> and minimises impacts to MSES.</p> <p>Council should submit to the Department of Environment and Science the methodology and data that informed the koala and priority species habitats that are also MSES species for the State to consider it as MSES.</p>

Date : 6/12/2019 10:47:01 AM

From : "Planning Support"

To : "Holly Sorohan" , "Planning Support"

Cc : "ROFF Paul" , "SHEWELL Christine" , "JACKSON Evan"

Subject : RE: HPE CM: FW: HPE CM: RE: Gympie TLPI 02/2019 - response to information request received (Plan Making Portal Ref: TLPI-00064)

Attachment :

image001.png;image008.jpg;image019.jpg;image025.jpg;image026.jpg;image027.jpg;image028.jpg;image029.jpg;image030.jpg;image031.png;image033.jpg;image002.png;image003.png;image004.png;image005.png;image006.png;image007.png

Holly,  
DES feedback regarding the Southside TLPI is as follows:

#### ADVICE

**Mapping**  
DES acknowledges that all koala habitat mapping has been in accordance with Policy 7 of the Nature Conservation (Koala) Conservation Plan 2006 and Management Program 2006-2016 which was prepared in accordance with section 112 of the Nature Conservation Act 1992. This is an acceptable basis for the extent of the revised extent of the Southside TLPI Environment and conservation Precinct (ECP) and 'koala habitat values' overlay. Whilst DES supports the current intent of the ECP and koala habitat values overlay outside the ECP. More direction is suggested in the code regarding how urban development can maintain connectivity for koalas within these areas. For instance, more advice could be provided regarding appropriate land uses, densities, minimum corridor widths and patterns of development.

As a separate process, DES is committed to working with Gympie Regional Council to resolve the extent and content of the of the environmental values overlay as part of the scheme review and consider requests from Gympie Regional Council to revise the extent of MSES – Wildlife Habitat where they are demonstrated to align with MSES methodology.

#### ACTION

##### Adopt Avoid / Minimise / Offset Framework

Restructure PO1 to adopt a PO / AO approach similar to the PO1/AO1 approach in the SPP Biodiversity Guideline to ensure that the principle of 'Avoid / Minimise / Offset' is described. Omit reference to offsets if not relevant in Gympie. If avoidance is the key outcome required by Council in certain areas, consider specifying avoidance of clearing in the Environment and Conservation Precinct in PO1. In PO5-PO6, consider adding avoid/minimise terminology to reflect the intent of the koala habitat area precincts.

#### REASON

As previously advised, wording would benefit from alignment with the MES avoid / minimise framework.

#### ACTION

Minor amendments to AO3.1 as follows...

Threats to koalas during clearing and construction are mitigated by:

- (a) ensuring no tree in which a koala is present or a tree with a crown overlapping a tree containing a koala is cleared;
- (b) incorporates measures to mitigate the risk of death or injury to koalas;
- (c) undertaking clearing of vegetation in stages, and ensuring:
  - i. no more than 1 ha is cleared per day for sites less than 6 ha in size;
  - ii. no more than 2 ha is cleared per day for sites greater than 6 ha in size;
  - iii. that between each stage there is at least 12 hours where no clearing occurs between 6pm and 6am; and
  - iv. koala habitat is always linked to allow koalas to move out of the site;
- (d) ensuring suitably qualified and experienced koala spotters and catchers are on site when clearing is being undertaken;
- (e) preventing domestic dogs and security dogs entering the site; and
- (f) koalas are excluded from dangerous areas with koala safety fencing.

#### REASON

Amendments seek to align with details in the Planning Regulation regarding clearing of koala habitat. Reasons for amendments are as follows:

- in the opening sentence, applying planning conditions to the operation of the development are a poor regulatory fit and are most likely unenforceable (how would preventing dogs for entering sites work during the operational phase of a residential house?) These conditions are generally meant to apply to the construction phase of the project and appear as conditions of approval and/or part of the Construction Management Plan.
- in (iii), hours when no clearing occurs can be specified.
- (f) can benefit from detailing on what the koala fencing is for.

Please call if you have any queries.



**Peter Rollston**  
Principal Policy Officer  
Land Use Planning  
Department of Environment and Science  
P 07 3330 5750  
Level 10, 400 George St, Brisbane QLD 4000  
GPO Box 2454, Brisbane QLD 4001



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From: Holly Sorohan <Holly.Sorohan@dsdmip.qld.gov.au>

Sent: Tuesday, 3 December 2019 4:41 PM

To: Planning Support

Subject: RE: HPE CM: FW: HPE CM: RE: Gympie TLPI 02/2019 - response to information request received (Plan Making Portal Ref: TLPI-00064)

Hi Peter,

It is likely to be two to four people. It will be Council's two ecologists and possibly the Strategic Planning Manager and Director of Planning.

Thanks,



**Holly Sorohan**  
Principal Planner  
Planning and Development Services, Wide Bay Burnett  
Department of State Development,  
Manufacturing, Infrastructure and Planning  
P 07 4331 5605  
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From: Planning Support <Planning.Support@des.qld.gov.au>

Sent: Tuesday, 3 December 2019 2:32 PM

To: Holly Sorohan <Holly.Sorohan@dsdmip.qld.gov.au>

Subject: RE: HPE CM: FW: HPE CM: RE: Gympie TLPI 02/2019 - response to information request received (Plan Making Portal Ref: TLPI-00064)

Hi Holly – can you advise how many Gympie representatives there will be?



**Peter Rollston**  
Principal Policy Officer  
Land Use Planning  
Department of Environment and Science  
P 07 3330 5750  
Level 10, 400 George St, Brisbane QLD 4000  
GPO Box 2454, Brisbane QLD 4001



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From: Holly Sorohan <Holly.Sorohan@dsdmip.qld.gov.au>

Sent: Tuesday, 3 December 2019 2:15 PM

To: ROLLSTON Peter

Cc: Planning Support

Subject: FW: HPE CM: FW: HPE CM: RE: Gympie TLPI 02/2019 - response to information request received (Plan Making Portal Ref: TLPI-00064)

Hi Peter,

Further to a conversation between my manager Luke Lankowski and Paul Ruff, I have been advised to forward my below email to you in Christine's absence.

We are trying to facilitate a meeting between DES and Gympie Regional Council to discuss the Koala habitat mapping.

Are you able to help us organise a meeting. Gympie Regional Council have indicated that they are happy to travel to Brisbane to attend a meeting if required.

Also would you be able to advise of a rough timeframe of how long it may take for DES to finalise the assessment of the Koala habitat values understanding that it may not be a short process.

Please let me know if you have any questions.

Thank you,



**Holly Sorohan**  
Principal Planner  
Planning and Development Services, Wide Bay Burnett  
Department of State Development,  
Manufacturing, Infrastructure and Planning  
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PO Box 979, Bundaberg Qld 4670  
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From: Holly Sorohan
Sent: Monday, 2 December 2019 1:03 PM
To: Planning Support <Planning.Support@des.qld.gov.au>
Subject: HPE CM: FW: HPE CM: RE: Gympie TLPI 02/2019 - response to information request received (Plan Making Portal Ref: TLPI-00064)

Hi Christine,
I am following up on my below email.
Just wondering if you are able to advise of an approximate timeframe that it may take to finalise the assessment of the Koala habitat values and if you or the Biodiversity Mapping Team would like to meet with council's ecologists to discuss the matter in person as they would be happy to accommodate any further discussions if it will help the process.
Please let me know if you have any questions or need any additional information.

Thank you,
Holly Sorohan
Principal Planner
Planning and Development Services, Wide Bay Burnett
Department of State Development, Manufacturing, Infrastructure and Planning
P 07 4331 5605
Level 1, 7 Takalvan Street, Bundaberg QLD 4670
PO Box 979, Bundaberg Qld 4670
www.dsdmip.qld.gov.au



From: Holly Sorohan
Sent: Friday, 22 November 2019 11:17 AM
To: Planning Support <Planning.Support@des.qld.gov.au>
Subject: HPE CM: RE: Gympie TLPI 02/2019 - response to information request received (Plan Making Portal Ref: TLPI-00064)

Hi Christine,
Thank you for your consideration of the proposed Gympie TLPI 02/2019.
After further discussion with Gympie Regional Council they would like Department of Environment and Science to continue the koala habitat values assessment for the proposed Southside Development Area. Council has provided the attached additional information you have requested and have confirmed that the koala habitat values on page 5 of the Council response to item 3 document are those the council are seeking to be Koala Habitat Value Biodiversity Overlay Map, specifically:

- High Value or Medium-High Value Bushland
• High Value or Medium-High Value Remnant Bushland
• High Value or Medium-High Value Rural
• High Value or Medium-High Value Urban

Are you able to advise of an approximate timeframe that it may take to finalise the assessment of the Koala habitat values.
Council have also asked if you or the Biodiversity Mapping Team would like to meet with their ecologists to discuss the matter in person as they would be happy to accommodate any further discussions if it will help the process.
Please let me know if you have any questions or need any additional information.

Thank you,
Holly Sorohan
Principal Planner
Planning and Development Services, Wide Bay Burnett
Department of State Development, Manufacturing, Infrastructure and Planning
P 07 4331 5605
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PO Box 979, Bundaberg Qld 4670
www.dsdmip.qld.gov.au



From: Planning Support <Planning.Support@des.qld.gov.au>
Sent: Monday, 4 November 2019 3:21 PM
To: Holly Sorohan <Holly.Sorohan@dsdmip.qld.gov.au>
Cc: ROFF Paul <Paul.Roff@des.qld.gov.au>; ROLLSTON Peter <Peter.Rollston@des.qld.gov.au>; Planning Support <Planning.Support@des.qld.gov.au>
Subject: FW: Gympie TLPI 02/2019 - response to information request received (Plan Making Portal Ref: TLPI-00064)

Hi Holly,
The Council response to item 3 document states that Gympie Regional Council (GRC) commissioned O2 Ecology in 2015 to undertake Koala habitat area mapping for the Gympie Region for State Government approval to include in a local government map as a Matter of Local Environmental Significance (MLES). It is not clear whether Council have sent this report to the State for consideration, however as Council's map is different to state mapping I assume it has not been provided before. The assessment will determine if the habitat is a matter of state environmental significance (MSES), as the koala is a MSES. It cannot be mapped as MLES in the planning scheme.
Our Biodiversity Mapping Team (BAT) are currently looking through the mapping methodology report. They need further data from Council in order to analyse the information to determine if Council's mapping meets state mapping methodology for MSES for koalas.

- Can Council please provide the following:
• Shapefile of the data used to develop figures 3 and 4 in the Council response to item 3 document;
• Layerfile to allow our data analysis to colour-up;
• Layerfile of the data representing the MSES; and
• Confirmation that the koala habitat values below on page 5 of the Council response to item 3 document are those Council are seeking to be Koala Habitat Value Biodiversity Overlay Map.
Koala habitat values extracted and merged for the Biodiversity overlay map included:
• High Value or Medium-High Value Bushland
• High Value or Medium-High Value Remnant Bushland
• High Value or Medium-High Value Rural
• High Value or Medium-High Value Urban

It will take a considerable amount of time for the State to review the mapping and get an endorsed response, as DNRME will also be involved. There may also need to be further consideration by Council if there are differences in the State's assessment and Council's mapping (i.e., if the State only approves some areas and not others).

As Council have provided mapping for the entire local government area all of the koala habitat values will be reviewed for meeting the criteria as MSES.
In regards to the TLPI, Council can either:
• wait until the koala habitat values assessment has been finalised by the State and they are satisfied with any State amendments to their map. They can then include it in the TLPI as MSES koala habitat; or
• proceed with the TLPI by removing Council's koala habitat mapping and replacing it with current State mapped MSES koala habitat. They may wish to make a further amendment to the TLPI to include any updated MSES koala habitat once the koala habitat mapping assessment has been completed.

Feel free to call me if you have any questions.
Kind regards

Christine Shewell
Principal Policy Officer, Environmental Planning
Sustainable Environment | Environmental Policy and Planning
Department of Environment and Science
P 07 3330 5764 F 07 3330 5996
Level 10, 400 George St, Brisbane QLD 4000
GPO Box 2454, Brisbane QLD 4001



From: Holly Sorohan <Holly.Sorohan@dsdmip.qld.gov.au>
Sent: Thursday, 31 October 2019 4:32 PM
To: Planning Support
Subject: RE: Gympie TLPI 02/2019 - response to information request received (Plan Making Portal Ref: TLPI-00064)
Good morning,

Thank you for sending your comments through. I will pass them on to Gympie Regional Council for consideration.
There seems to be a bit of confusion between the TLPI 02/2019 submitted for approval to adopt and the draft TLPI requesting early informal review and comments.
Your comments were in relation to the draft TLPI that was provided for informal review. We appreciate these comments and will pass them on to Council however my below emails relate to the TLPI 02/2019 that was submitted for approval to adopt (Plan Making Portal Ref: TLPI-00064).

We urgently need your comments about the councils response to the requested information for Draft TLPI 02/2019.
If you have any questions, please let me know.
Kind regards,

Holly Sorohan
Principal Planner
Planning and Development Services, Wide Bay Burnett
20-237



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**From:** Planning Support <[Planning.Support@des.qld.gov.au](mailto:Planning.Support@des.qld.gov.au)>  
**Sent:** Tuesday, 29 October 2019 8:52 AM  
**To:** Holly Sorohan <[Holly.Sorohan@dsdmip.qld.gov.au](mailto:Holly.Sorohan@dsdmip.qld.gov.au)>  
**Subject:** RE: Gympie TLPI 02/2019 - response to information request received (Plan Making Portal Ref: TLPI-00064)  
Hi Holly,  
Sorry for the delay. Please find attached DES's advice.  
Feel free to call me to discuss.

Kind regards



**Christine Shewell**  
Principal Policy Officer, Environmental Planning  
Sustainable Environment | Environmental Policy and Planning  
Department of Environment and Science  
P 07 3330 5764 F 07 3330 5996  
Level 10, 400 George St, Brisbane QLD 4000  
GPO Box 2454, Brisbane QLD 4001



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**From:** Holly Sorohan <[Holly.Sorohan@dsdmip.qld.gov.au](mailto:Holly.Sorohan@dsdmip.qld.gov.au)>  
**Sent:** Monday, 28 October 2019 3:32 PM  
**To:** Planning Support  
**Subject:** FW: Gympie TLPI 02/2019 - response to information request received (Plan Making Portal Ref: TLPI-00064)  
Good afternoon DES,  
I am just following up on my below email as I did not receive your response by the due date.  
As TLPIs have very tight statutory timeframes, can you please provide your response by tomorrow, 29 October 2019.  
Kind regards,



**Holly Sorohan**  
Principal Planner  
Planning and Development Services, Wide Bay Burnett  
Department of State Development,  
Manufacturing, Infrastructure and Planning  
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LEARN MORE ABOUT HOW WE'RE **INVESTED IN QUEENSLAND**

**From:** Holly Sorohan  
**Sent:** Monday, 21 October 2019 1:29 PM  
**To:** 'planning.support@des.qld.gov.au' <[planning.support@des.qld.gov.au](mailto:planning.support@des.qld.gov.au)>; 'Planning Services South' <[PlanningServicesSouth@dnrme.qld.gov.au](mailto:PlanningServicesSouth@dnrme.qld.gov.au)>  
**Subject:** HPE CM: Gympie TLPI 02/2019 - response to information request received (Plan Making Portal Ref: TLPI-00064)  
Good afternoon state agencies,  
The department issued an information requests for Gympie Regional Council TLPI 02/2019 on 10 September 2019.  
The council has provided their response to the information request. The response has been uploaded into Plan Making Portal for your review.  
Can you please review the response and advise if you support the proposed TLPI to be approved for adoption.  
Please provide your response by Friday 25 October 2019.  
If you have any questions, please contact me on the below number.  
Kind regards,



**Holly Sorohan**  
Principal Planner  
Planning and Development Services, Wide Bay Burnett  
Department of State Development,  
Manufacturing, Infrastructure and Planning  
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# State interest review – Part A (State interests)

Statutory guideline 04/14 Making and amending local planning instruments – Step 6

## Gympie Regional Council Town planning Scheme Temporary Local Planning instrument September 2017

This document has been prepared to enable officers of local and state government to consult on a proposed planning scheme or amendment, to satisfy Chapter 3, Part 5 of the *Sustainable Planning Act 2009* (SPA).

State interests are matters that are articulated through a state planning instrument, including regional plans and the state planning policy (SPP). The Department of Infrastructure, Local Government and Planning (DILGP) is the coordinating agency responsible for overseeing the state interest.

**State interest** as defined by SPA as—

- a designated region's regional plan;
- a state planning regulatory provision;
- the matter about which a state planning policy is written;
- an interest that the Planning Minister considers affects an economic or environmental interest of the state or a part of the state, including sustainable development; or
- an interest that the Planning Minister considers affects the interest of ensuring there is an efficient, effective and accountable planning and development assessment system.

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## Part A—State interests

### Table 3—Planning for the environment and heritage

Biodiversity		
Ref. Number	Policy Elements	Requirement
Environment Natural Assets Mapping	Matters of environmental significance are values and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological integrity	<p><b>Planning Scheme Reference:</b> Table 3 , Section 1: PO1</p> <p><b>Action:</b> Restructure PO1 to adopt a PO / AO approach similar to the PO1/AO1 approach in the SPP Biodiversity Guideline to ensure that the principle of 'Avoid / Minimise / Offset' is described. The current draft in approach jumps from 'protect' in the purpose and to 'clear' in the PO.</p> <p>In consultation NRM, consider clarifying the role of environmental offsets for areas mapped as MSES, including an Editor's Note referring to the <i>DILGP Significant Residual Offsets Guideline</i>.</p> <p><b>Reason:</b> EHP has no objection to the proposal to enforce vegetation clearing via a TLPI and recommends liaison with NRM regarding the technical detail on how a vegetation clearing code is drafted and how to refer to environmental offsets where MSES exists.</p> <p>The TLGI should not conflict with the current Gympie Regional Council Planning Scheme requirements which apply to Conservation Significance Areas.</p>