

From: Irrelevant information del
To: [Redacted]
Cc: [Redacted]
Subject: FW: TLPI-00064 - Temporary Local Planning Instrument 02/19 – Southside Structure Plan Area - Paused
Date: Monday, 11 November 2019 8:11:06 AM
Attachments: [image001.jpg](#)
[2nd pause notice and information request.pdf](#)
Importance: High

Good morning [Redacted]

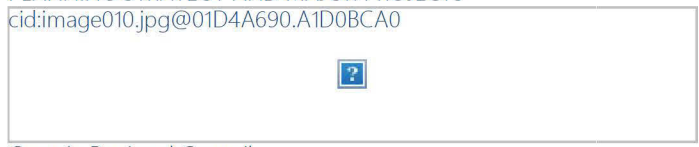
I am just emailing to organise a meeting to discuss the State's concerns mentioned in the second pause notice for the propose TLPI for Southside.

Would this Friday 15th at 1:00pm suit you?

Kind Regards

[Redacted]

Coordinator - Planning Scheme Program
PLANNING STRATEGY AND MAJOR PROJECTS
cid:image010.jpg@01D4A690.A1D0BCA0



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

[Redacted]

[\[Redacted\]@gympie.qld.gov.au](mailto:[Redacted]@gympie.qld.gov.au)

From: DSDMIP Email <noreply@email.dsdmip.qld.gov.au>
Sent: Friday, 8 November 2019 3:47 PM
To: [Redacted]@gympie.qld.gov.au; [Redacted]@gympie.qld.gov.au; [Redacted]@gympie.qld.gov.au; [Redacted]@dilgp.qld.gov.au; [Redacted]@dilgp.qld.gov.au; [Redacted]@dilgp.qld.gov.au; [Redacted]@dilgp.qld.gov.au; [Redacted]@gympie.qld.gov.au
Subject: TLPI-00064 - Temporary Local Planning Instrument 02/19 – Southside Structure Plan Area - Paused

External sender. Be careful with links and attachments.

Dear [Redacted]

TLPI-00064 - TLPI - Temporary Local Planning Instrument 02/19 – Southside Structure Plan Area has been paused by the department. Click [here](#) to view the details or refer to the copy attached.



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This message has been scanned for malware by Forcepoint. www.forcepoint.com



Department of
**State Development,
Manufacturing,
Infrastructure and Planning**

Our ref: TLPI-00064

8 November 2019

Irrelevant information del

Chief Executive Officer
PO Box 155
GYMPIE QLD 4570

Email: Irrelevant information dele@gympie.qld.gov.au

Dear Irrelevant inf

Notice to pause the timeframe under chapter 3, part 3, section 10 of the Minister's Guidelines and Rules (MGR)

I refer to the proposed temporary local planning instrument (TLPI) 02/19 – Southside Structure Plan Area (the proposed TLPI) that was submitted for consideration on 2 September 2019 in accordance with the process described under chapter 3, part 2 of the MGR, and the subsequent information provided on 18 October 2019.

The Department of State Development, Manufacturing, Infrastructure and Planning (the department) has concerns with the proposed TLPI and proposes a meeting to discuss outstanding issues and alternative approaches to delivering the proposed planning provisions.

To facilitate these discussions, under chapter 3, part 3, section 10.1 and 10.2 of the MGR, notice is hereby given that the timeframe for the proposed TLPI has been paused for 10 business days to 22 November 2019. The process will resume at section 8.3 of chapter 3, part 2 of the MGR on 25 November 2019.

1 William Street
Brisbane QLD 4000
PO Box 15009 City East
Queensland 4002 Australia
Telephone +61 7 3452 7100
www.dsdmip.qld.gov.au
ABN 29 230 178 530

If you require further information, I encourage you to contact [Irrelevant information] Principal Planner, Planning Group, in the department, on [Irrelevant information de] or by email at [Irrelevant informati]@dsdmip.qld.gov.au.

Yours sincerely

[Irrelevant information delete]

Manager, Planning – Wide Bay Burnett

From: Irrelevant info
To: [Planning Support](#)
Subject: RE: Gympie TLPI 02/2019 - response to information request received (Plan Making Portal Ref: TLPI-00064)
Date: Friday, 22 November 2019 11:16:00 AM
Attachments: [Koala Habitat Value Biodiversity Overlay.zip](#)
[Koala Habitat Value Map.zip](#)
[sthside conser_prec v5.zip](#)
[Deviations.zip](#)
[Koala Habitat Value \(outside conservation precinct\).zip](#)
[image003.png](#)
[image009.jpg](#)
[image010.jpg](#)
[image011.jpg](#)
[image012.jpg](#)
[image013.jpg](#)
[image014.jpg](#)
[image015.jpg](#)
[image016.jpg](#)
[image017.png](#)
[image019.jpg](#)
[image001.png](#)
[image002.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Hi Irrelevant i

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 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,

Irrelevant informatio

Principal Planner

[Planning and Development Services, Wide Bay Burnett](#)
Department of State Development,
Manufacturing, Infrastructure and Planning

P Irrelevant infor

Level 1, 7 Takalvan Street, Bundaberg QLD 4670
PO Box 979, Bundaberg Qld 4670
www.dsdmip.qld.gov.au

LET'S CONNECT



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

Sent: Monday, 4 November 2019 3:21 PM

To: Irrelevant information deleted in accordance with the Freedom of Information Act 2009 <[redacted]@dsdmip.qld.gov.au>

Cc: Irrelevant information deleted in accordance with the Freedom of Information Act 2009 <[redacted]@des.qld.gov.au>; Irrelevant information deleted in accordance with the Freedom of Information Act 2009 <[redacted]@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 [redacted]

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

Irrelevant information deleted in accordance with the Freedom of Information Act 2009

Principal Policy Officer, Environmental Planning

Sustainable Environment | Environmental Policy and Planning

Department of Environment and Science

Irrelevant information deleted in accordance with the Freedom of Information Act 2009

Level 10, 400 George St, Brisbane QLD 4000

GPO Box 2454, Brisbane QLD 4001



Please consider the environment before printing this email

From: Irrelevant information deleted in accordance with the Freedom of Information Act 2009 <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,

Irrelevant information

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

Irrelevant information

Level 1, 7 Takalvan Street, Bundaberg QLD 4670
PO Box 979, Bundaberg Qld 4670
www.dsdmip.qld.gov.au

LET'S CONNECT



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

Sent: Tuesday, 29 October 2019 8:52 AM

To: Irrelevant information deleted in accordance with the Freedom of Information Act <dsdmip.qld.gov.au>

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

Hi Irrelevant information

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

Feel free to call me to discuss.

Kind regards

Irrelevant information deleted in accordance with the Freedom of Information Act

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

Irrelevant information deleted in accordance with the Freedom of Information Act

Level 10, 400 George St, Brisbane QLD 4000
GPO Box 2454, Brisbane QLD 4001



Please consider the environment before printing this email

From: Irrelevant information deleted in accordance with the Freedom of Information Act <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)

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,

Irrelevant informati

Principal Planner

Planning and Development Services, Wide Bay Burnett

Department of State Development,

Manufacturing, Infrastructure and Planning

Irrelevant informa

Level 1, 7 Takalvan Street, Bundaberg QLD 4670

PO Box 979, Bundaberg Qld 4670

www.dsdmip.qld.gov.au

LET'S CONNECT



From: Irrelevant informat

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.

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,

Irrelevant informatio

Principal Planner

Planning and Development Services, Wide Bay Burnett

Department of State Development,
Manufacturing, Infrastructure and Planning

Irrelevant informa

Level 1, 7 Takalvan Street, Bundaberg QLD 4670

PO Box 979, Bundaberg Qld 4670

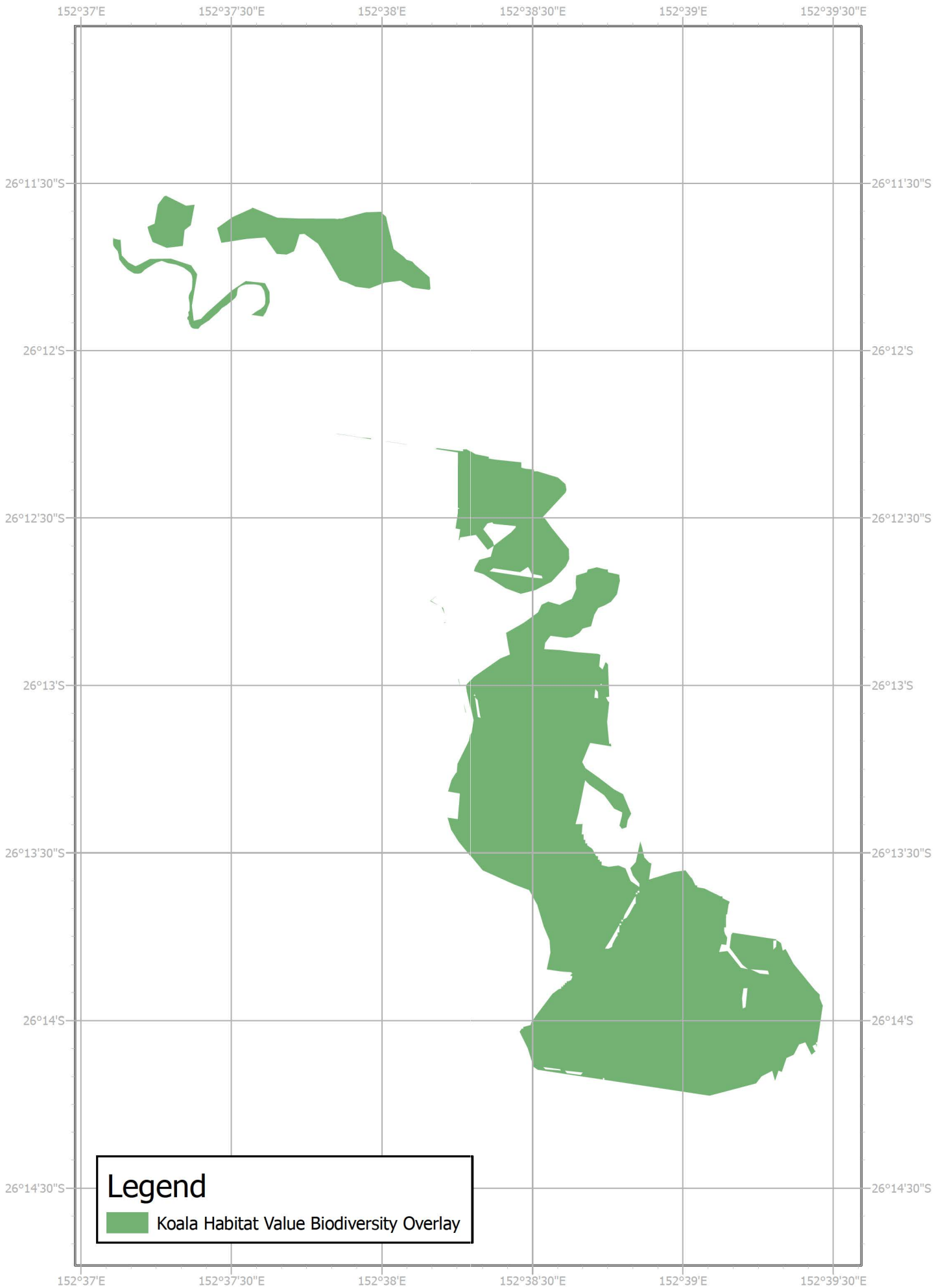
www.dsdmip.qld.gov.au

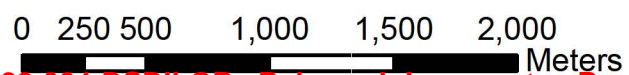
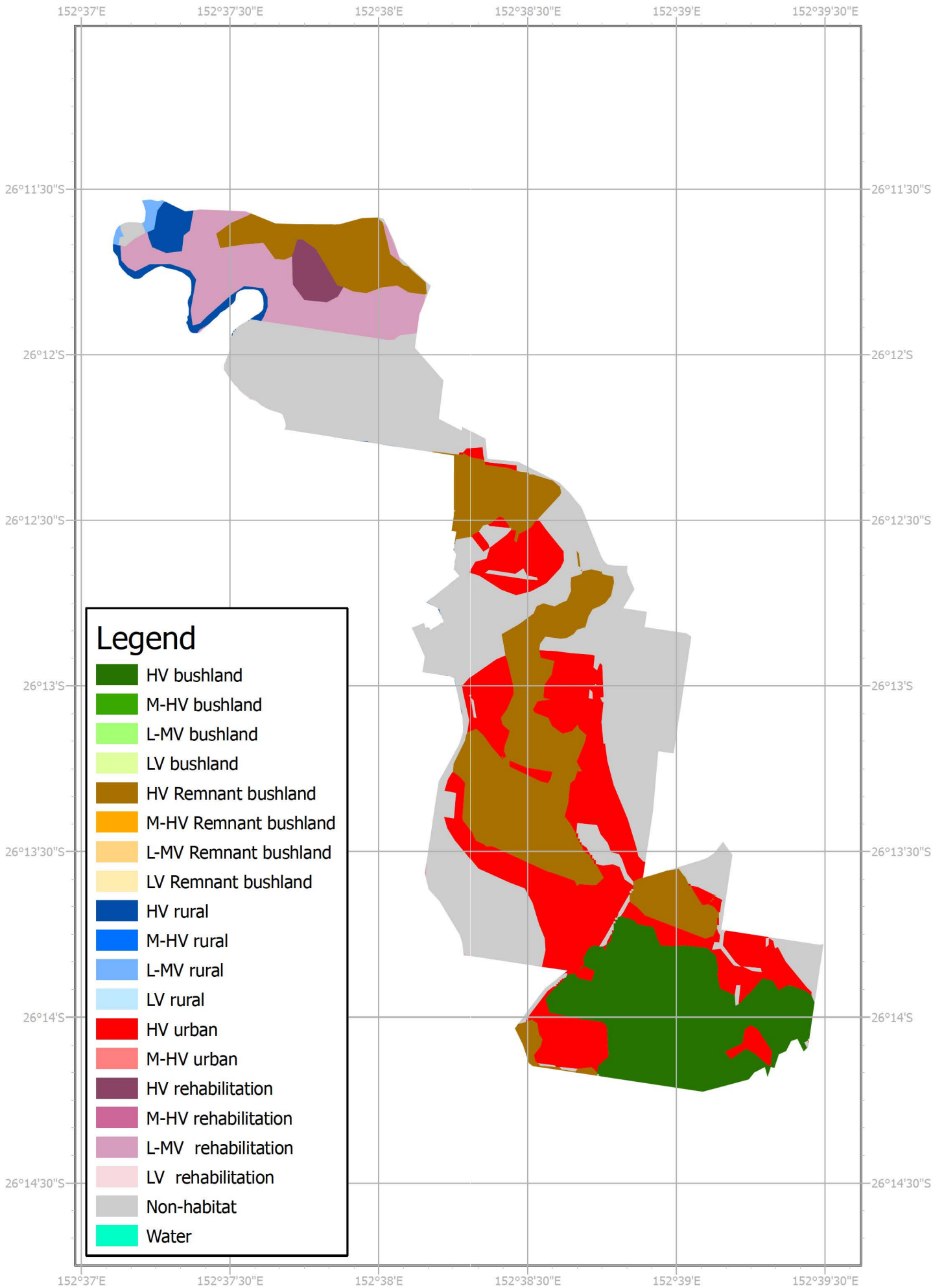
LET'S CONNECT

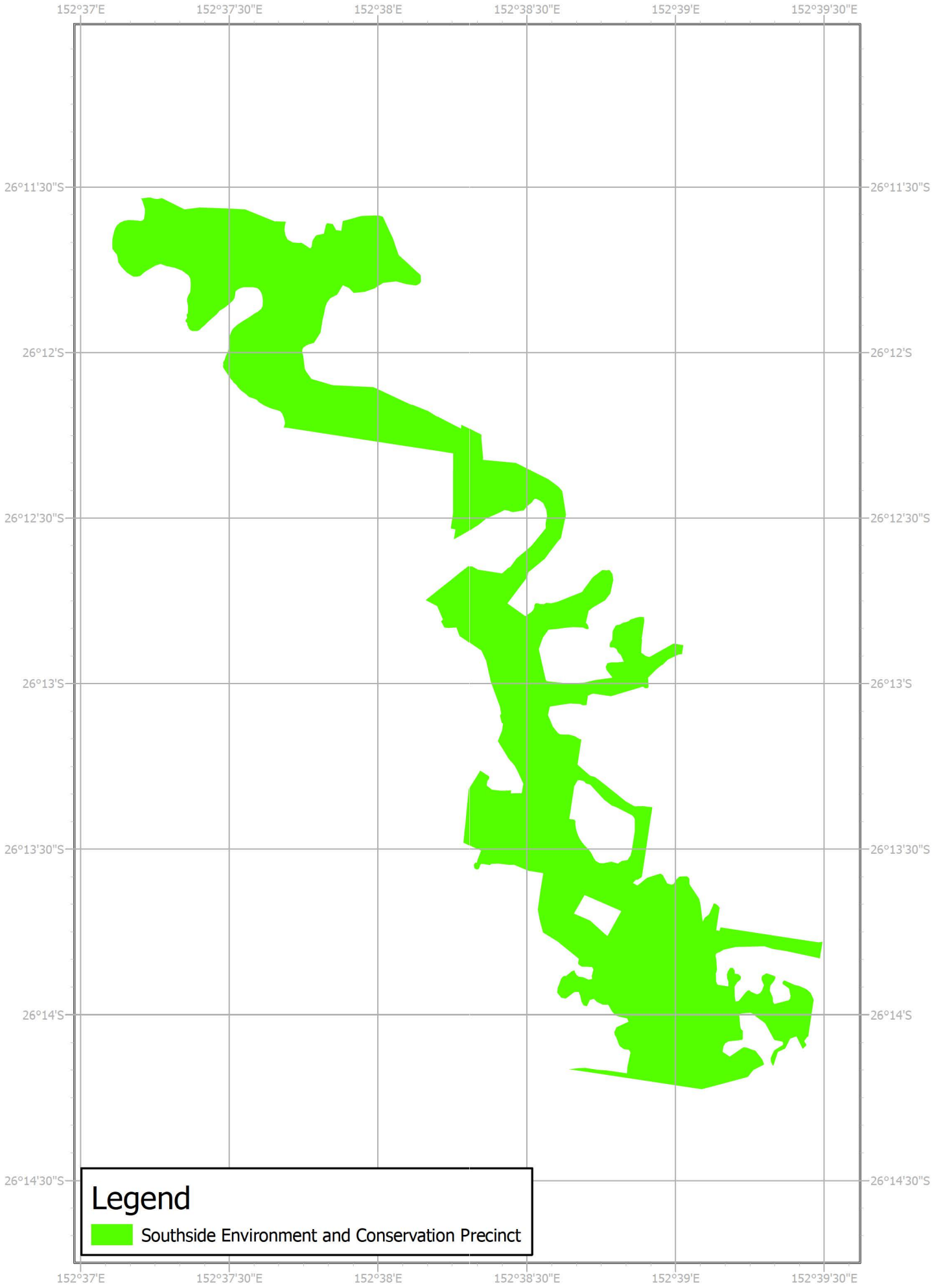


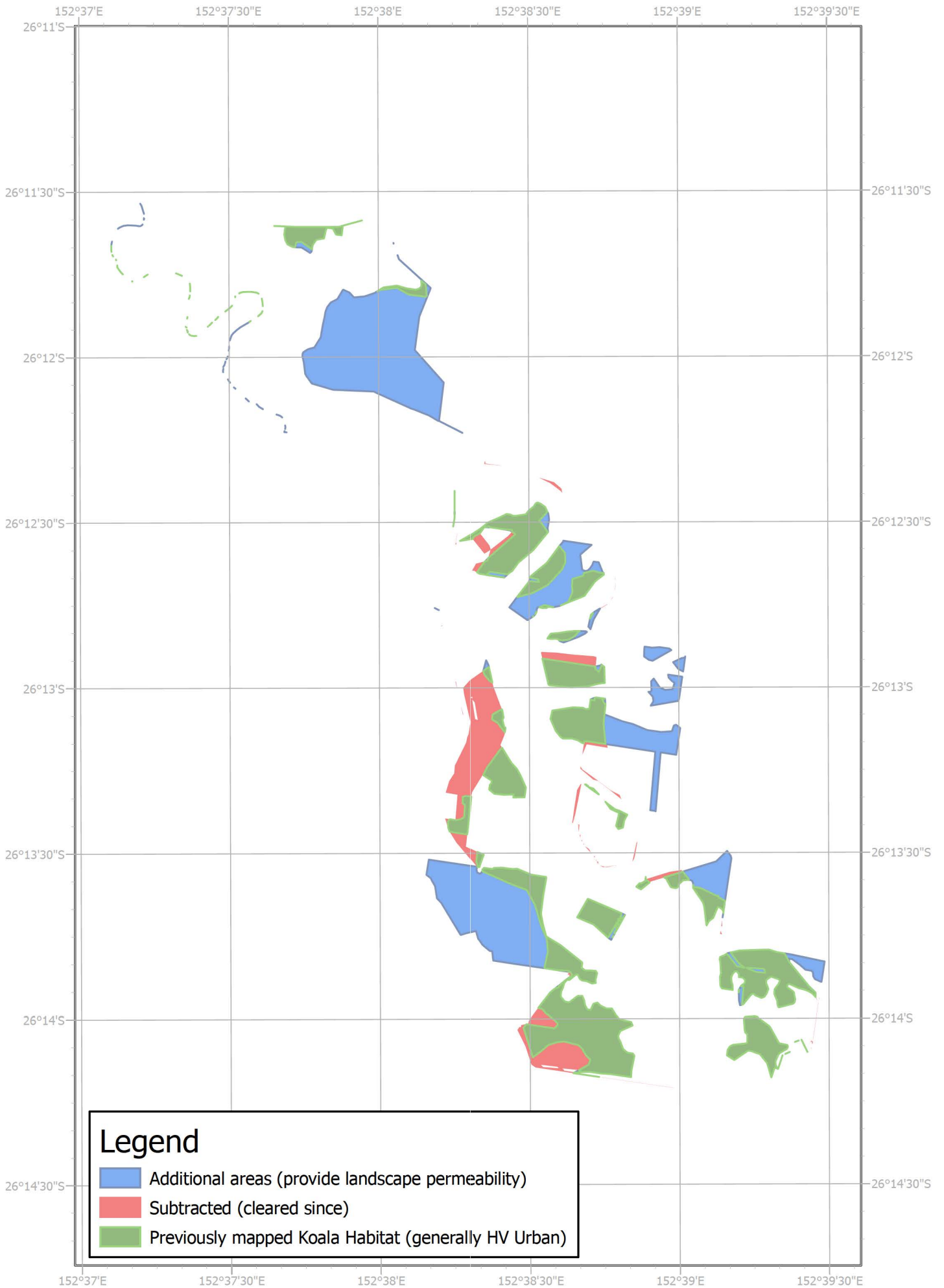
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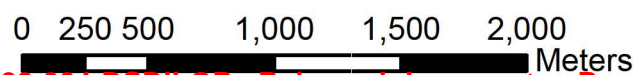
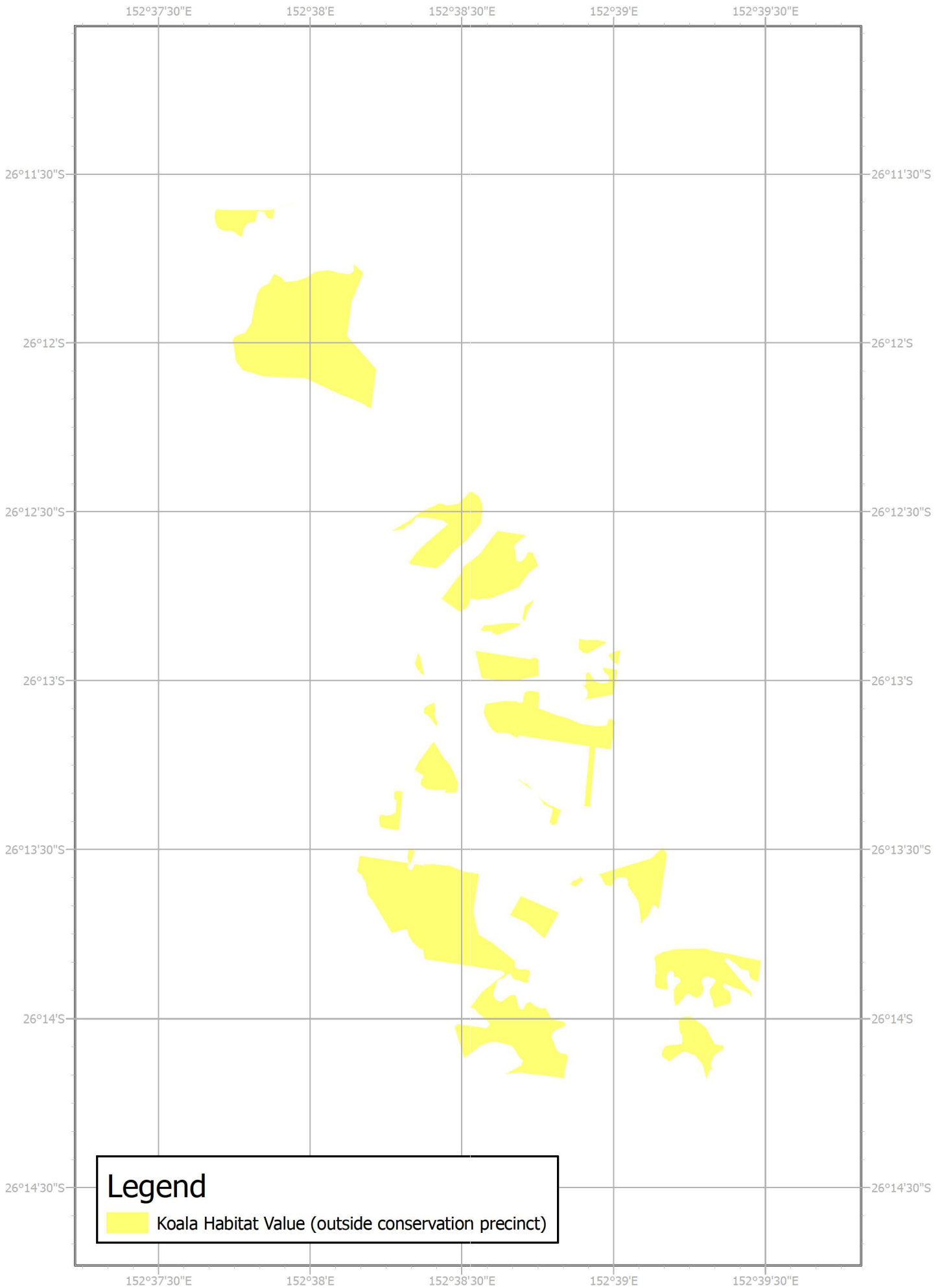


Legend

- Additional areas (provide landscape permeability)
- Subtracted (cleared since)
- Previously mapped Koala Habitat (generally HV Urban)

0 250 500 1,000 1,500 2,000 Meters

N



From: Irrelevant informa
To: [redacted]
Cc: Irrelevant information deleted in accordance with sec
Subject: RE: Southside Structure Plan - meeting to discuss concerns
Date: Friday, 22 November 2019 11:57:03 AM
Attachments: [image001.jpg](#)
[image002.png](#)
[image005.jpg](#)
[image006.jpg](#)
[image007.jpg](#)
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[image010.jpg](#)
[image011.jpg](#)
[image012.jpg](#)
[image013.png](#)
[image004.png](#)
[image016.png](#)
[image017.png](#)

Hi [redacted]

Thanks for sending that through, it is much appreciated.

We will discuss internally and I will let you know if we have any concerns or particular thoughts we'd like to discuss further with the Department.

Kind Regards

[redacted]

Coordinator - Planning Scheme Program
PLANNING STRATEGY AND MAJOR PROJECTS
cid:image010.jpg@01D4A690.A1D0BCA0



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

[redacted]

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

From: [redacted]@dsdmip.qld.gov.au>
Sent: Friday, 22 November 2019 11:44 AM
To: [redacted]@gympie.qld.gov.au>
Cc: [redacted]@gympie.qld.gov.au>; [redacted] [redacted] [redacted]@dsdmip.qld.gov.au>; [redacted] [redacted]@gympie.qld.gov.au>; [redacted] [redacted]@gympie.qld.gov.au>
Subject: RE: Southside Structure Plan - meeting to discuss concerns
Hi [redacted]

Thank you for providing the additional information, I have passes this on to Department of Environment and Science and am waiting for them to provide an expected timeframe of how long they think the process might take. I will update you on this shortly.

Further to our conversations last week, if we are unable to support the use of the koala habitat mapping the Department has explored other options to still allow some level of protection for koala habitats in the Southside Development Area should the TLPI be able to be approved.

We believe that the TLPI could be amended to remove the koala habitat mapping from the proposed TLPI. The assessment requirements for koala habitat areas would then apply to all vegetation clearing within the Southside Structure Plan Area to still allow for some increased protection for koalas and their habitats. To facilitate this change, as Acceptable Outcome AO5 applies to development that is accepted subject to requirements, AO5 would need to be amended as follows:

AO5 Koala habitat **trees are is**-retained.

This would also then require a definition of koala habitat tress be added to ensure AO5 provides clear requirements with less subjectivity as an acceptable outcome for accepted development. We have recommended the definition from Schedule 24 of the Planning Regulations 2017.

To summarise, we believe the following changes could be made to the proposed TLPI to allow for some

continued protection of koala habitat while ensuring that the state interests are not compromised:

1. Remove Appendix C – Koala habitat areas from the Temporary Local Planning Instrument.
2. Amend Acceptable Outcome AO5 of the Southside Structure Plan Area Code to state:
AO5 Koala habitat trees are retained.
3. Insert a definition of “koala habitat tree” in Appendix E of the Temporary Local Planning Instrument to state:
 - (a) a tree of the *Corymbia*, *Melaleuca*, *Lophostemon* or *Eucalyptus* genera that is edible by koalas; or
 - (b) a tree of a type typically used by koalas for shelter, including, for example, a tree of the *Angophora* genus.

I am happy to discuss these proposed changes further if you would like, particularly the proposed definition for koala habitat trees if you believe this needs refining or reworking.

Kind regards,

Irrelevant informati

Principal Planner

Planning and Development Services, Wide Bay Burnett

Department of State Development,

Manufacturing, Infrastructure and Planning

Irrelevant informa

Level 1, 7 Takalvan Street, Bundaberg QLD 4670

PO Box 979, Bundaberg Qld 4670

www.dsdmip.qld.gov.au

LET'S CONNECT



From: Irrelevant information deleted in accordance with [@gympie.qld.gov.au](mailto:gympie.qld.gov.au)>

Sent: Friday, 15 November 2019 1:38 PM

To: Irrelevant information deleted in accordance with dsdmip.qld.gov.au>

Cc: Irrelevant information deleted [@gympie.qld.gov.au](mailto:gympie.qld.gov.au)>; Irrelevant information

Irrelevant information [@dsdmip.qld.gov.au](mailto:dsdmip.qld.gov.au)> Irrelevant information deleted in accordance with [@gympie.qld.gov.au](mailto:gympie.qld.gov.au)>; Irrelevant

Irrelevant information deleted [@gympie.qld.gov.au](mailto:gympie.qld.gov.au)>

Subject: RE: Southside Structure Plan - meeting to discuss concerns

Importance: High

Hi Irrelev

Thank you again for taking the time today to come down and discuss the TLPI with us, it is much appreciated.

As discussed, please see attached information as requested below. I can also provide confirmation with regards to your last dot point that yes, that is correct.

Kind Regards

Irrelevant information delete

Coordinator - Planning Scheme Program

PLANNING STRATEGY AND MAJOR PROJECTS

cid:image010.jpg@01D4A690.A1D0BCA0



Gympie Regional Council

29 Channon Street (PO Box 155)

Gympie Qld 4570

Irrelevant information

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

From: Irrelevant information deleted in accordance with dsdmip.qld.gov.au>

Sent: Wednesday, 13 November 2019 4:50 PM

To: Irrelevant information deleted in accordance with [@gympie.qld.gov.au](mailto:gympie.qld.gov.au)>

Cc: Irrelevant information deleted [@gympie.qld.gov.au](mailto:gympie.qld.gov.au)>; Irrelevant information deleted in accordance with [@dsdmip.qld.gov.au](mailto:dsdmip.qld.gov.au)>

Subject: RE: Southside Structure Plan - meeting to discuss concerns

Hi Irrelevant information

As you are aware, DES have concerns with the mapping methodology for koala habitats in the proposed TLPI.

The process to change MSES mapping of biodiversity values will take a considerable amount of time and will require input from DNRME and possibly council throughout the process. Additional information is also required including:

- �. 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.
 - o High Value or Medium-High Value Bushland
 - o High Value or Medium-High Value Remnant Bushland
 - o High Value or Medium-High Value Rural
 - o High Value or Medium-High Value Urban

Due to this it is not able to be supported through the TLPI process as it has not been demonstrated that the mapping methodology complies with the SPP.

Kind regards,

Irrelevant information

Principal Planner

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

Irrelevant information

Level 1, 7 Takalvan Street, Bundaberg QLD 4670
PO Box 979, Bundaberg Qld 4670
www.dsdmip.qld.gov.au

LET'S CONNECT



From: Irrelevant information deleted in accordance with [@gympie.qld.gov.au](mailto:gympie.qld.gov.au)>

Sent: Tuesday, 12 November 2019 9:01 AM

To: Irrelevant information deleted in accordance with [@dsdmip.qld.gov.au](mailto:dsdmip.qld.gov.au)>

Cc: Irrelevant information deleted [@gympie.qld.gov.au](mailto:gympie.qld.gov.au)>; Irrelevant information deleted in accordance with [@dsdmip.qld.gov.au](mailto:dsdmip.qld.gov.au)>

Subject: RE: Southside Structure Plan - meeting to discuss concerns

Hi Irrelevant information

Thank you for sending that through. If you could please find out from DES exactly why they believe our koala habitat mapping doesn't comply with MSES methodology that would be a great help for the meeting. Our understanding is that, for the most part within the TLPI area with the exception of a couple of small areas, we have used MSES methodology. If it is just those small areas that are of concern, and not the majority of koala habitat mapping that we have used the MSES methodology for, then that would be great for us to know.

Kind Regards

Irrelevant information deleted

Coordinator - Planning Scheme Program
PLANNING STRATEGY AND MAJOR PROJECTS
cid:image010.jpg@01D4A690.A1D0BCA0



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

Irrelevant information d
@gympie.qld.gov.au

From: Irrelevant information deleted in accordance with @dsdmip.qld.gov.au>

Sent: Monday, 11 November 2019 4:29 PM

To: Irrelevant information deleted in accordance with @gympie.qld.gov.au>

Cc: Irrelevant information deleted @gympie.qld.gov.au>; Irrelevant informati

Irrelevant information @dsdmip.qld.gov.au>

Subject: Southside Structure Plan - meeting to discuss concerns

External sender. Be careful with links and attachments.

Hi Irrelevant

As discussed with Irrelev today, we would like confirm that we can attend the meeting to discuss the department's concerns with the proposed TLPI at 11:00am Friday 15 November at Gympie Regional Council.

The department's concerns relate to the TLPI's ability to comply with the criteria that the Minister must be satisfied has been met under section 23(1) of the *Planning Act 2016*, specifically:

- (a) that there is significant risk of serious adverse cultural, economic, environmental or social conditions happening in the local government area
- (b) the delay involved in using the process in sections 18 to 20 to amend the local planning scheme would increase the risk; and
- (c) the making of the TLPI would not adversely affect State interests.

In relation to the TLPI not adversely affecting state interests, the proposed TLPI has included mapping and assessment requirements in relation to koala habitat which are Matters of State Environmental Significance (MSES). Under the Environmental Offsets Regulation 2014 and the State Planning Policy (SPP), MSES cannot be regulated as Matters of Local Environmental Significance (MLES). A planning instrument can however include requirements for MSES.

The assessment requirements for vegetation clearing involving koala habitat within the proposed TLPI do not result in the proposed TLPI adversely affecting a state interest. However, the mapping for koala habitat does not comply with MSES methodology of the SPP. Mapping of MSES must comply with the methodology requirements of the SPP to ensure it does not adversely affect the biodiversity state interest. To ensure that the proposed TLPI does not adversely affect the biodiversity state interest, the koala habitat mapping would need to be removed from the TLPI. The assessment requirement could remain in the TLPI to be applicable to all vegetation clearing however Acceptable Outcomes AO5 would need to be reworded and additional definitions added.

Please note the Minister cannot include conditions for a TLPI.

As an alternative the department considers the Qualified State Interest Amendment process could be used, given the number of state interests triggered under the proposed TLPI.

We will discuss these matters in more detail at our meeting on Friday.

Kind regards,

Irrelevant informat

Principal Planner

Planning and Development Services, Wide Bay Burnett

Department of State Development,
Manufacturing, Infrastructure and Planning

Irrelevant inform

Level 1, 7 Takalvan Street, Bundaberg QLD 4670
PO Box 979, Bundaberg Qld 4670

LET'S CONNECT



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From: Irrelevant info
To: Irrelevant info@gympie.qld.gov.au; Irrelevant information deleted in accordance w
Subject: TLPI-00064 - Temporary Local Planning Instrument 02/19 – Southside Structure Plan Area - Paused
Date: Friday, 22 November 2019 4:44:00 PM
Attachments: [Pause notice - 13 Dec 19.pdf](#)
[image001.png](#)
[image002.png](#)
[image003.jpg](#)
[image004.jpg](#)
[image005.jpg](#)
[image006.jpg](#)
[image007.jpg](#)
[image008.jpg](#)
[image009.jpg](#)
[image010.jpg](#)

Hi Irrelevant

TLPI-00064 - TLPI - Temporary Local Planning Instrument 02/19 – Southside Structure Plan Area has been further paused by the department.

Please find the pause notice attached.

Please note you may receive another copy of this notice from Plan Making Portal on Monday as we are having some technical issues.

If you have any questions, please let me know.

Kind regards

Irrelevant informatio

Principal Planner

Planning and Development Services, Wide Bay Burnett

Department of State Development,

Manufacturing, Infrastructure and Planning

Irrelevant informa

Level 1, 7 Takalvan Street, Bundaberg QLD 4670

PO Box 979, Bundaberg Qld 4670

www.dsdmip.qld.gov.au

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Department of
**State Development,
Manufacturing,
Infrastructure and Planning**

Our ref: TLPI-00064

22 November 2019

Irrelevant information dele

Chief Executive Officer
Gympie Regional Council
PO Box 155
GYMPIE QLD 4570

Email: Irrelevant information dele@gympie.qld.gov.au

Dear Irrelevant info

Notice to pause the timeframe under chapter 3, part 3, section 10 of the MGR

I refer to the proposed temporary local planning instrument (TLPI) 02/19 – Southside Structure Plan Area (the proposed TLPI) that was submitted for consideration on 2 September 2019 in accordance with the process described under chapter 3, part 2 of the MGR.

The Department of State Development, Manufacturing, Infrastructure and Planning (the department) received Gympie Regional Council's (the council) request to extend the pause period for the proposed TLPI on 19 November 2019. I note the requested extension to this period will facilitate ongoing discussions between the department and the council, and the provision of further advice, and subsequent negotiation, in relation to the biodiversity state interest.

As requested, and in accordance with chapter 3, part 3, section 10.1 and 10.2 of the MGR, notice is hereby given that the timeframe for the proposed TLPI has been paused for a further 15 business days to 13 December 2019. The process will resume at section 8.3 of chapter 3, part 2 of the MGR on 16 December 2019.

To progress the proposed TLPI, any additional information submitted by council should be provided by 6 December 2019, unless otherwise agreed.

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Brisbane QLD 4000
PO Box 15009 City East
Queensland 4002 Australia
Telephone +61 7 3452 7100
www.dsdmip.qld.gov.au
ABN 29 230 178 530

If you require further information, I encourage you to contact [redacted] Principal Planner, Planning Group, in the department on [redacted] or by email at [redacted]@dsdmip.qld.gov.au.

Yours sincerely

[redacted]

Manager, Planning – Wide Bay Burnett

From: Irrelevant inform
To: Irrelevant information deleted in accordance
Cc: Irrelevant infc
Subject: TLPI 02/2019 & TLPI 03/2019
Date: Friday, 7 February 2020 3:56:37 PM
Attachments: [caretaker-period-factsheet.pdf](#)
[image001.png](#)
[image002.png](#)
[image003.jpg](#)
[image004.jpg](#)
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[image006.jpg](#)
[image007.jpg](#)
[image008.jpg](#)
[image009.jpg](#)
[image010.jpg](#)

Hi Irrelevant information delet

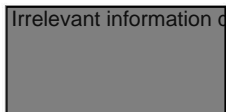
Thank you for your time this afternoon.

I confirm I will provide an update on Monday after my discussions with the Department of Environment and Science, and otherwise look forward to your advice regarding council's decision on the proposed amendment, and any decision relating to delegations for the consideration of TLPI 02/2019 and TLPI 03/2019.

Should you require any further information about the process for seeking an exemption for a major policy decisions during the caretaker period there is information in the factsheet attached which may be of assistance.

Please feel free to contact me on the details below should you require any further information.

Regards,

Irrelevant information d


Manager (Wide Bay Burnett)
Planning and Development Services
Department of State Development,
Manufacturing, Infrastructure and Planning

Irrelevant information deleted in ac
Level 1, 7 Takalvan Street, Bundaberg QLD 4000
PO Box 979, Bundaberg QLD 4670
www.dsdmip.qld.gov.au

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Caretaker period for local government elections

Legislation places limits during the caretaker period before quadrennial local government elections on publishing election material and making major policy decisions. This ensures that there are no significant policy decisions made near the end of a council term that bind future elected councils.

Local government reforms in 2019 have also introduced new limitations to improve accountability and ensure that council resources are not used (or perceived to be used) to promote current councillors standing for re-election.

Timing

The caretaker period starts on the day when the Electoral Commission of Queensland publishes the public notice about holding the election (normally some time in February). The ECQ will also advise when the election has ended for each local government.

Caretaker periods do not apply to by-elections.

Election material

During the caretaker period, a local government or controlled entity must not publish or distribute election material. Election material is anything that could influence an elector about their vote or affect the election result. For example, fact sheets or newsletters that raise the profile of a councillor are prohibited during the caretaker period.

Major policy decisions

During the caretaker period, councillors are prohibited from making decisions:

- ▶ about the appointment, remuneration or termination of a chief executive officer

- ▶ to enter into a contract greater than \$200,000 or 1% (whichever is greater) of the local government's net rate and utility charges (as stated in the local government's audited financial statements included in the local government's most recently adopted annual report)
- ▶ significant procurement activities, such as establishing preferred supplier arrangements, or establishing exceptions to obtaining quotes or tenders when entering into a contract
- ▶ to make, amend or repeal local laws
- ▶ to make, amend or repeal a local planning instrument under the Planning Act 2016 (i.e. a planning scheme, a temporary local planning instrument or a planning scheme policy).

A prohibited policy decision made during a caretaker period will be invalid, unless the Minister's approval has been given prior to making the decision (see below). A person who suffers loss or damage because of the invalidity of a major policy decision during the caretaker period has a right to be compensated by the local government for the loss or damage.

Planning instruments and approvals

During the caretaker period, councils cannot make, amend or repeal local planning instruments.

Councils cannot approve development variation requests or change variation approvals that involve:

- ▶ varying the category of development or category of assessment of consequential development
- ▶ varying the assessment benchmarks or criteria for accepted development that would apply to consequential development
- ▶ facilitating development that would result in a greater demand on infrastructure than the demand anticipated in the council's infrastructure plan.

The amended DA Rules, summary of changes and accompanying guidance material are now available on the Department of State Development, Manufacturing, Infrastructure and Planning website at www.planning.dsdmip.qld.gov.au.

Ministerial approval for decisions in exceptional circumstances

Local governments should prepare for the caretaker period by planning to make major policy decisions before or after the election period.

However, unforeseeable events can result in a local government having to make major policy decisions during the caretaker period. In exceptional circumstances local governments can apply to the Minister for approval if:

- ▶ the need for the decision was unforeseeable
- ▶ the decision is essential to the functioning of the local government
- ▶ the decision cannot wait until the end of the caretaker period
- ▶ the decision is in the public interest.

The Minister will decide on a case-by-case basis whether the decision meets the exceptional circumstances requirement of the *Local Government Act 2009* or the *City of Brisbane Act 2010*. To enable this to happen, all applications should be addressed to the Regional Director (Northern Region) or Regional Director (Southern Region) of the Department of Local Government, Racing and Multicultural Affairs.

Each application should include:

- ▶ details of the proposed major policy decision
- ▶ an explanation of why the decision was unforeseeable
- ▶ an explanation of why the decision cannot wait until the end of the caretaker period
- ▶ an explanation of how the decision is in the public interest.

Discretionary funds

Councillors cannot make any new decisions to allocate money from a councillor discretionary fund after 1 January in the year of a quadrennial local government election. However, discretionary funds that were allocated before 1 January in accordance with legislative requirements may be distributed during the caretaker period.

Leave for candidates and councillors

Local government employees may take paid leave (e.g. accrued annual leave) or unpaid leave for up to eight weeks to contest a local government election.

There is no legal requirement under the *Local Government Electoral Act 2011* for either local government employees or elected councillors to take leave during the caretaker period. However, individual councils may have election period policies covering election leave.

More information

Caretaker provisions are outlined in Chapter 3, Part 5 of both the *Local Government Act 2009* and the *City of Brisbane Act 2010*. For more information about the caretaker period or your council's circumstances contact your nearest regional office of the Department of Local Government, Racing and Multicultural Affairs.

Southern office:

Phone: (07) 3452 6762

Email: southern@dlgrma.qld.gov.au

Northern office:

Phone: (07) 4758 3472

Email: northern@dlgrma.qld.gov.au

For further information about major policy decisions related to the *Planning Act 2016*, contact the Department of State Development, Manufacturing, Infrastructure and Planning by email to bestplanning@dsdmip.qld.gov.au or phone 3452 7662.

For information about local government elections, contact the Electoral Commission of Queensland by email to ecq@ecq.qld.gov.au or phone 1300 881 665.



From: [Executive Services DSDMIP](#)
To: Irrelevant info
Cc: "council@gympie.qld.gov.au"
Subject: Correspondence from the Honourable Cameron Dick MP, Minister for State Development, Manufacturing, Infrastructure and Planning – Our ref: MC19/4632 - Irrelevant information
Date: Tuesday, 11 February 2020 2:31:00 PM
Attachments: [image001.png](#)
[Councillor Irrelevant info.pdf](#)
[image002.png](#)

Good afternoon

Please find attached correspondence from the Honourable Cameron Dick MP, Queensland Minister for State Development, Manufacturing, Infrastructure and Planning.

Please do not respond to this email. If you wish to reply please send your email to statedevelopment@ministerial.qld.gov.au .

Kind regards

Executive Services Unit

Department of State Development,

Manufacturing, Infrastructure and Planning
1 William Street, Brisbane QLD 4000

PO Box 15009, City East QLD 4002
www.dsdmip.qld.gov.au

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The Hon. Cameron Dick MP
Minister for State Development, Manufacturing,
Infrastructure and Planning

Our ref: MC19/4632

Your ref: BS:AE0000141

11 FEB 2020

1 William Street
Brisbane QLD 4000
PO Box 15009 City East
Queensland 4002 Australia
Telephone +61 7 3719 7200
Email statedevelopment@ministerial.qld.gov.au
www.dsdmip.qld.gov.au

Irrelevant information deleted in accordance with the Freedom of Information Act 2009

Mayor
Gympie Regional Council
PO Box 155
GYMPIE QLD 4570

Email: Irrelevant information deleted in accordance with the Freedom of Information Act 2009

Dear

Irrelevant information deleted in accordance with the Freedom of Information Act 2009

Thank you for the letter of 2 September 2019 from the Gympie Regional Council (the council) requesting consideration of the proposed Temporary Local Planning Instrument 02/2019 – Southside Structure Plan Area (the proposed TLPI). I also note the further information provided by the council on 18 October 2019.

I am pleased to advise that I am satisfied that the proposed TLPI complies with section 23(1) of the *Planning Act 2016*, and the council may now proceed to adoption. Additionally, I wish to advise that your request for an earlier effective date has also been approved. As such, the proposed TLPI will be effective from 28 August 2019.

I encourage the council to continue its ongoing and collaborative work with the Department of State Development, Manufacturing, Infrastructure and Planning to finalise the council's proposed planning scheme amendments as a matter of urgency. This will ensure the long-term protection of koala habitat and the significant environmental values in the Southside Structure Plan area.

If you have any questions about my advice to you, please contact my office on Irrelevant information or email statedevelopment@ministerial.qld.gov.au.

Yours sincerely

CAMERON DICK MP
Minister for State Development, Manufacturing,
Infrastructure and Planning

cc:

Irrelevant information deleted in accordance with the Freedom of Information Act 2009

Chief Executive Officer
Gympie Regional Council
Email: council@gympie.qld.gov.au

From: Irrelevant informat
To:
Subject: RE: Temporary Local Planning Instrument 2 – Protection of biodiversity values - Updates in the Plan Making Portal
Date: Tuesday, 11 February 2020 4:47:00 PM
Attachments: [Gympie Regional Council TLPI 03-19 - information request.pdf](#)
[image002.png](#)
[image003.png](#)
[image004.jpg](#)
[image005.jpg](#)
[image006.jpg](#)
[image007.jpg](#)
[image008.jpg](#)
[image009.jpg](#)
[image010.jpg](#)
[image011.jpg](#)
[image012.jpg](#)

Thank you Irrelevant i

For completeness, please find attached the information request. We acknowledge that you are already responded to these matters raised and we are continuing with our assessment.

You do not need to take any further action at this point in relation to the information request.

Kind regards,

Irrelevant informati

Principal Planner

Planning and Development Services, Wide Bay Burnett

Department of State Development,

Manufacturing, Infrastructure and Planning

Irrelevant inform

Level 1, 7 Takalvan Street, Bundaberg QLD 4670

PO Box 979, Bundaberg Qld 4670

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From: Irrelevant information deleted in accordance with p@gympie.qld.gov.au>

Sent: Tuesday, 11 February 2020 2:50 PM

To: Irrelevant information deleted in accordance with p@dsdmip.qld.gov.au>

Cc: Irrelevant information deleted in accordance with p@dsdmip.qld.gov.au>; Irrelevant informati

Irrelevant informati@gympie.qld.gov.au>; Irrelevant information deleted in accordance with p@gympie.qld.gov.au>; Irrelevant informati

Irrelevant informati@gympie.qld.gov.au>

Subject: Temporary Local Planning Instrument 2 – Protection of biodiversity values - Updates in the Plan Making Portal

Importance: High

Good afternoon Irrelev

Thank you for your help today regarding the State's requested amendments to the Koala Habitat Values mapping and *Temporary Local Planning Instrument 2 – Protection of biodiversity values* (TLPI) document where it refers to Koala Habitat Values mapping.

Council has now amended the naming convention in the Koala Habitat Values mapping to be referred to as Critical Wildlife Habitat, and amendments have also been made in track-changes to the TLPI document itself to ensure it refers to Critical Wildlife Habitat rather than Koala Habitat Values.

These two documents, the amended mapset and the TLPI, have now been uploaded to the Plan Making Portal for your review and subsequent approval.

Kind Regards

Irrelevant information delete

Coordinator - Planning Scheme Program
PLANNING STRATEGY AND MAJOR PROJECTS

cid:image001.jpg@01D5C9EB.BE57A490



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

Irrelevant information

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

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Department of
**State Development,
Manufacturing,
Infrastructure and Planning**

Our ref: TLPI-00064

11 February 2020

Irrelevant information deleted

Chief Executive Officer
PO Box 155
GYMPIE QLD 4570

Email: Irrelevant information deleted@gympie.qld.gov.au

Dear Irrelevant information deleted

Notice of request for additional information for a proposed temporary local planning instrument (TLPI) 03/2019 – Protection of biodiversity values under chapter 3, part 2, section 8.2 of the Minister’s Guidelines and Rules (MGR)

I refer to the proposed temporary local planning instrument 03/2019 – Protection of biodiversity values (the proposed TLPI) that was submitted for consideration on 18 December 2019 in accordance with the process described under chapter 3, part 2 of the MGR.

The Department of State Development, Manufacturing, Infrastructure and Planning (the department) has carried out a review of the proposed TLPI and, as discussed with council on 11 February 2020, determined that additional information is required to demonstrate compliance with section 23(1) of the *Planning Act 2016* (the Act).

Under chapter 3, part 2, section 8.2 of the MGR, the following information is required:

State interests

1. The proposed TLPI has included mapping for koala habitat values. As koalas are a matter of state environmental significance (MSES) any mapping of koala habitat must be in accordance with MSES methodology and verified by the Department of Environment and Science (DES). As the mapping of koala habitat values for the proposed TLPI has not been verified by DES, it cannot be used in the TLPI.

Please amend the TLPI and associated overlay maps to remove reference to mapped koala habitat values.

Note: the assessment requirements and protections provided for koala habitat within the Biodiversity Overlay Code of the proposed TLPI are supported however the mapping of MSES habitat cannot be supported. Areas identified to contain

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ABN 29 230 178 530

environments that provided habitat for koalas may remain mapped for protection of those biodiversity values provided they do not specifically reference MSES (koalas).

If you require further information, I encourage you to contact [Irrelevant information] Principal Planner, Planning Group, Department of State Development, Manufacturing, Infrastructure and Planning, on [Irrelevant information deleted] or by email at [Irrelevant information]@dsdmip.qld.gov.au.

Yours sincerely

[Irrelevant information deleted]

Manager, Planning – Wide Bay Burnett

From: Irrelevant informatio
To: [Redacted]
Cc: [Planning Support](#)
Subject: RE: Gympie TLPI - protection of biodiversity values
Date: Wednesday, 12 February 2020 2:18:15 PM
Attachments: [image002.png](#)
[image012.png](#)
[image013.jpg](#)
[image014.png](#)
[image015.png](#)
[image017.jpg](#)
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[image023.jpg](#)
[image024.jpg](#)
[image025.jpg](#)
[image026.png](#)
[image027.png](#)

That fine. I understand Gympie want to progress as soon as possible.

Re my earlier comment, Council may have contacted us early when they were starting to review the scheme. Can you not relay the yellow highlighted comment (below) to Council, but let them know we are happy to meet with them in a couple of months when our koala expert has returned.

cheers

Irrelevant information de

Principal Policy Officer, Environmental Planning

Sustainable Environment | Environmental Policy and Planning

Department of Environment and Science

Irrelevant information deleted in acc

Level 10, 400 George St, Brisbane QLD 4000
GPO Box 2454, Brisbane QLD 4001



Please consider the environment before printing this email

From: Irrelevant information deleted in accor@dsdmip.qld.gov.au>
Sent: Wednesday, 12 February 2020 1:53 PM
To: Irrelevant information dele
Subject: RE: Gympie TLPI - protection of biodiversity values

Thanks Irrelevant inf
Appreciate you getting back to us so quickly.

Kind regards,

Irrelevant informatio

Principal Planner

Planning and Development Services, Wide Bay Burnett

Department of State Development,

Manufacturing, Infrastructure and Planning

Irrelevant informa

Level 1, 7 Takalvan Street, Bundaberg QLD 4670
PO Box 979, Bundaberg Qld 4670
www.dsdmip.qld.gov.au

LET'S CONNECT



From: Irrelevant information deleted in accordance with [@des.qld.gov.au](mailto:des@des.qld.gov.au)>

Sent: Wednesday, 12 February 2020 1:32 PM

To: Irrelevant information deleted in accordance with [@des.qld.gov.au](mailto:des@des.qld.gov.au)>

Cc: Planning Support <Planning.Support@des.qld.gov.au>; Irrelevant information

Irrelevant information deleted in accordance with [@des.qld.gov.au](mailto:des@des.qld.gov.au)>

Subject: RE: Gympie TLPI - protection of biodiversity values

Hi Irrelevant

We've had a look at the changes made to the map and code by Council. We believe that with the changes in terminology, the pressing need for the TLPI to be release and the temporary nature of the planning instrument, the TLPI can be taken as having addressed DES's issues.

We strongly recommend that Council contact DES and work with us if they are seeking to include updated MSES mapping in their planning scheme earlier rather than when submitting a scheme amendment for State Interest Review. We are still available to meet / teleconference with Council in a couple of months' time when our koala biodiversity expert is back from leave.

Irrelevant information de

Principal Policy Officer, Environmental Planning

Sustainable Environment | Environmental Policy and Planning

Department of Environment and Science

Irrelevant information deleted in accordance with

Level 10, 400 George St, Brisbane QLD 4000
GPO Box 2454, Brisbane QLD 4001



Please consider the environment before printing this email

From: Irrelevant information deleted in accordance with [@des.qld.gov.au](mailto:des@des.qld.gov.au)>

Sent: Wednesday, 12 February 2020 8:30 AM

To: Irrelevant information del

Cc: Planning Support

Subject: Gympie TLPI - protection of biodiversity values

Hi Irrelevant in

Further to our conversation yesterday, Gympie Regional Council have agreed to change the TLPI to update the name of the koala habitat mapping and references to it within the TLPI to be non-

specific to koala habitats.

They have referred to it as critical wildlife habitat. The acceptable outcomes and performance outcomes still include specific requirements for koala habitats but do not reference mapping specific to koala habitats.

Can you please review the attached changed maps and TLPI and confirm if this addresses the concerns.

Sorry for the short notice but this is now quite urgent so could you please get back to me today.

Please let me know if you have any questions.

Thank you,

Irrelevant informatid

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

Irrelevant informa

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1.0 Short title

This Temporary Local Planning Instrument (TLPI) may be cited as *Temporary Local Planning Instrument 2 – Protection of biodiversity values*.

2.0 Purpose

The purpose of this TLPI is to protect and enhance ecological linkages, priority species habitat, [critical wildlife habitat and](#) koala habitat, matters of State and local environmental significance and wetlands and waterways.

3.0 Application

This TLPI applies to development within the Biodiversity Overlay mapping, identified by the maps within *Appendix F – Biodiversity Overlay mapping*.

4.0 Effect of this Temporary Local Planning Instrument

Appendix A – Categories of development and assessment – Biodiversity Overlay, prescribes the:

- category of development and assessment for the Biodiversity Overlay
- additional requirements for accepted development; and
- additional assessment benchmarks for assessable development.

Accepted development subject to requirements and assessable development is to be assessed against the requirements and assessment benchmarks contained in *Appendix B – Biodiversity overlay code* as well as any requirements under the Gympie Regional Council Planning Scheme 2013. Where impact assessable under *Appendix A*, development, clearing of vegetation, and operational work (other than for vegetation clearing) will be assessed against the TLPI and the whole of the Gympie Regional Council Planning Scheme 2013. *Appendix D – Ecological Assessment Report* and *Appendix E – Biodiversity offset* provide information that may be required or requested to accompany a development application, and includes guidance on how to satisfy the assessment benchmarks within *Appendix B – Biodiversity overlay code*.

To the extent of any inconsistency between Council's current planning scheme and the TLPI, the TLPI prevails.

However, if development is identified as having a different category of development or category of assessment under a zone in the Gympie Regional Council Planning Scheme 2013 than under

Appendix A in this TLPI, the highest category of development or category of assessment applies as follows:

- (a) accepted development subject to requirements prevails over accepted development not subject to requirements;
- (b) assessable development requiring code assessment prevails over accepted development subject to requirements and accepted development not subject to requirements; and
- (c) assessable development requiring impact assessment prevails over assessable development requiring code assessment, accepted development subject to requirements and accepted development not subject to requirements.

Note: Where species identified in this Temporary Local Planning Instrument 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 Temporary Local Planning Instrument as Matters of Local Environmental Significance.

5.0 Interpretation

Terms exclusive to this TLPI have been defined in *Appendix C – Definitions*. All other terms are to have the same meaning as in the *Planning Act 2016* or the Gympie Regional Council Planning Scheme 2013.

Appendix A. – Categories of development and assessment – Biodiversity Overlay

Table 1 – Categories of development and assessment – Biodiversity Overlay

Category of development and assessment	Additional assessment benchmarks for assessable development and requirements for accepted development
Accepted development	
Clearing of vegetation, within an area shown on the Biodiversity Overlay Mapping, that is <i>accepted vegetation clearing</i> .	Not applicable
Accepted development subject to requirements	
Material change of use or building work for a Dwelling house	Biodiversity overlay code – Section 1
Code assessment	

Category of development and assessment	Additional assessment benchmarks for assessable development and requirements for accepted development
<p>Clearing of vegetation within an area shown on the Biodiversity Overlay Mapping, other than clearing of vegetation on land subject to the Biodiversity Overlay Map (ii) Wetlands and Waterways or in a Core ecological linkage, that is not accepted vegetation clearing in:</p> <ul style="list-style-type: none"> a) an urban zone; or b) Rural Residential Zone; or c) Sport and Recreation Zone; or d) Open Space Zone; or e) Community Purposes Zone; or f) Limited Development (Constrained Land) Zone; g) Environmental Management and Conservation Zone; or h) Extractive Industry Zone. 	Biodiversity overlay code
<p>Clearing of vegetation on land subject to the Biodiversity Overlay Map (ii) Wetlands and Waterways</p>	Biodiversity overlay code
<p>Material change of use or building work for a Dwelling house where:</p> <ul style="list-style-type: none"> a) not complying with the requirements for Accepted development; and b) not located within the Core ecological linkages. 	Biodiversity overlay code
<p>Material change of use, other than for a Dwelling house, if not located within the Core ecological linkages.</p>	Biodiversity overlay code
<p>Reconfiguring a lot, if not located within the Core ecological linkages.</p>	Biodiversity overlay code
Impact assessment	
<p>Clearing of vegetation in the Core ecological linkages that is not <i>accepted vegetation clearing</i> in:</p>	The planning scheme

Category of development and assessment	Additional assessment benchmarks for assessable development and requirements for accepted development
a) an urban zone; or b) Rural Residential Zone; or c) Sport and Recreation Zone; or d) Open Space Zone; or e) Community Purposes Zone; or f) Limited Development (Constrained Land) Zone; or g) Environmental Management and Conservation Zone; or h) Extractive Industry Zone.	
Material change of use or building work for a Dwelling house if located within the Core ecological linkages.	The planning scheme
Material change of use, other than for a Dwelling house if located within the Core ecological linkages.	The planning scheme
Reconfiguring a lot if located within the Core ecological linkages.	The planning scheme

Table 2 – Categories of development and assessment – Biodiversity Overlay – Operational work other than Operational work for vegetation clearing

Zone	Development	Categories of development and assessment	Additional assessment benchmarks for assessable development and requirements for accepted development
All zones	Any operational work, other than operational work for vegetation clearing, that is on a site located within the Biodiversity Overlay Mapping.	No change to the categories of development and assessment	Biodiversity overlay code

Appendix B. – Biodiversity overlay code

Purpose

The purpose of the biodiversity overlay code is to protect and enhance core ecological linkages, ecological linkages, priority species habitat, [critical wildlife habitat](#), koala habitat values, wetlands and waterways, and matters of state environmental significance.

The purpose of the code will be achieved through the following overall outcomes:

- (a) development maintains and improves the functionality, connectivity, diversity and viability of core ecological linkages, ecological linkages, matters of state environmental significance and habitat for priority species identified in Table 7.2.1.2.2 Priority species;
- (b) development protects [critical wildlife habitat](#), koala habitat values and movement corridors, and minimises adverse impacts on koalas;
- (c) development protects and enhances the functionality and ecological value of core ecological linkages, and degraded areas are rehabilitated;
- (d) development within core ecological linkages is located in areas of lowest ecological value over other areas, and is located and designed to minimise intrusion into identified linkages, providing continuous connected linkages of sufficient dimensions and characteristics that will enable safe and unimpeded movement of fauna through the site;
- (e) development does not adversely impact on the physical and hydrological integrity, water quality or ecological functions and values of waterways and wetlands;
- (f) management strategies and appropriate clearing practices are implemented to ensure any priority species impacted by development activities are managed and protected during works; and
- (g) any significant residual impact caused by development is offset, where appropriate and agreed to by Council.

Editor's Note – In addition to the requirements of this planning scheme, obligations for the protection of matters of environmental significance are established by the Commonwealth and Queensland Government. Additional approvals or referrals may be required.

Editor's Note – An ecological assessment report prepared in accordance with Appendix D is considered an appropriate way to demonstrate compliance with the code.

7.2.1.2 Biodiversity Overlay Code assessment benchmarks for assessable development and requirements for accepted development

Table 7.2.1.2.1 Biodiversity overlay code

Performance outcome	Acceptable outcomes
Section 1 For accepted development subject to requirements	
<p>PO1</p> <p>Dwelling houses:</p> <ul style="list-style-type: none"> a) are located in existing cleared areas, or areas of lowest ecological value over other areas; b) are located and designed: <ul style="list-style-type: none"> i. to minimise intrusion into identified core ecological linkages and ecological linkages, providing continuous connected linkages of sufficient dimensions and characteristics that will enable safe and unimpeded movement of fauna through the site; ii. maintain, and not fragment, the regional connectivity of Core ecological linkages; c) are constructed without having an adverse impact on biodiversity values; d) minimise the total footprint within which all buildings, structures, driveways and other works are contained. 	<p>AO1.1</p> <p>Dwelling houses are:</p> <ul style="list-style-type: none"> a) not located within core ecological linkages; and b) constructed without clearing of vegetation.
Section 2 For all assessable development	
Priority species habitat, ecological linkage and matters of state environmental significance	
<p>PO2</p> <p>Development avoids and minimises impacts on the physical integrity, ecological integrity and biodiversity value of matters of state environmental significance.</p>	<p>AO2.1</p> <p>No acceptable outcome specified.</p>
<p>PO3</p> <p>Development does not adversely impact on priority species or their habitat. Priority species are identified in Table 7.2.1.2.2 – Priority species.</p>	<p>AO3.1</p> <p>No acceptable outcome specified.</p>
<p>PO4</p> <p>Development within ecological linkages maintains or reinstates a vegetated setback to core ecological linkages to minimise risk of edge effects and other adverse impacts.</p>	<p>AO4.1</p> <p>No acceptable outcome specified.</p>

Performance outcome	Acceptable outcomes
<p>The reinstatement of a vegetated setback to core ecological linkages is vegetated:</p> <ul style="list-style-type: none"> (a) with priority species habitat; (b) at a density appropriate to the location; (c) with a mix of trees, shrubs and groundcovers. 	
<p>Koala habitat values Critical wildlife habitat</p>	
<p>PO5</p> <p>Koala habitat is protected.</p>	<p>AO5.1</p> <p>Development:</p> <ul style="list-style-type: none"> (a) retains koala feed trees, koala shelter trees and koala habitat trees; and (b) is not located within the tree protection zone of koala feed trees, koala shelter trees and koala habitat trees. <p>Editor's note: Building envelopes can be submitted as part of applications demonstrating compliance with this acceptable outcome. Building envelopes may also need to consider bushfire mitigation works which are required by zone and development codes.</p> <p>Editor's note: The method for determining the tree protection zone is included within Appendix D.</p> <p>Editor's note: Koala feed trees, koala shelter tree's and koala habitat tree's found in the Gympie region and relevant to the outcomes in this code are identified within Appendix D.</p>
<p>PO6</p> <p>Development:</p> <ul style="list-style-type: none"> (a) provides for safe, practical, unobstructed koala movement across the site; (b) incorporates measures to mitigate the risk of death or injury to koalas; and (c) incorporates planting that improves food and shelter for koalas. <p>Editor's note: Applicants can refer to the <i>Koala-sensitive Design Guideline, A guide to koala-sensitive design measures for planning and development activities, 2012, DEHP</i> for further guidance.</p>	<p>AO6.1</p> <p>No acceptable outcome specified.</p>
<p>PO7</p>	<p>AO7.1</p>

Performance outcome	Acceptable outcomes
<p>During any clearing and construction phases, measures are incorporated to protect koalas from death or injury.</p>	<p>Threats to koalas during clearing and construction are mitigated by:</p> <ul style="list-style-type: none"> (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) undertaking clearing of vegetation in stages, and ensuring: <ul style="list-style-type: none"> 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; and iv. koala habitat is always linked to allow koalas to move out of the site; (c) ensuring suitably qualified and experienced koala spotters and catchers are on site when clearing is being undertaken; (d) preventing domestic dogs and security dogs entering the site; and (e) using koala safety fencing. <p>Editor's note: Clearing of vegetation is only contemplated where compliance with the other performance outcomes of the code can be achieved. In circumstances where compliance can be achieved, this performance outcome and acceptable outcome applies.</p> <p>Editor's note: A description of suitably qualified and experienced spotter catchers is included within Appendix D.</p>
Core ecological linkage	
<p>PO8</p> <p>Development is located wherever possible outside of core ecological linkages and where proposed within a core ecological linkage:</p> <ul style="list-style-type: none"> a) is located in existing cleared areas, or areas of lowest ecological value over other areas; b) is located and designed to: <ul style="list-style-type: none"> i. minimise intrusion into identified core ecological linkages and ecological linkages, 	<p>AO8.1</p> <p>No acceptable outcome specified.</p>

Performance outcome	Acceptable outcomes
<p>providing continuous connected linkages of sufficient dimensions and characteristics that will enable safe and unimpeded movement of fauna through the site;</p> <p>ii. maintains, and not fragment, the regional connectivity of core ecological linkages;</p> <p>c) is constructed without having an adverse impact on biodiversity values;</p> <p>d) minimises the total footprint within which all buildings, structures, driveways and other works are contained.</p> <p>Editor's note: In this provision 'development' includes clearing of vegetation but does not include planting native vegetation.</p> <p>Editor's note: Building envelopes can be submitted as part of applications demonstrating compliance with this acceptable outcome. Building envelopes may also need to consider bushfire mitigation works which are required by zone and development codes.</p>	
<p>PO9</p> <p>Disturbed, cleared or degraded areas within mapped core ecological linkages are reinstated, enhanced and rehabilitated with vegetation that:</p> <p>a) is consistent with the pre clear regional ecosystem for the site;</p> <p>b) includes a mix of trees, shrubs and groundcovers.</p> <p>Editor's note: Enhancement and rehabilitation may include but is not limited to planting of native vegetation or removal of pest species.</p>	<p>AO9.1</p> <p>No acceptable outcome specified.</p>
<p>PO10</p> <p>The operation of the development minimises impacts on the physical integrity, ecological integrity and biodiversity value of core ecological linkages.</p>	<p>AO10.1</p> <p>No acceptable outcome specified.</p>
<p>Wetlands and Waterways</p> <p>Editor's note- some mapped habitat areas are also waterways or wetland areas. In these circumstances, all relevant priority species habitat, koala habitat valuescritical wildlife habitat, core ecological linkages, ecological linkages and waterways and wetlands acceptable outcomes or performance outcomes apply.</p>	
<p>PO11</p> <p>Development maintains waterway and wetland habitat areas and does not create impediments to the connectivity of that habitat.</p>	<p>AO11.1</p> <p>No acceptable outcome specified.</p>

Performance outcome	Acceptable outcomes
<p>PO12</p> <p>Development provides and maintains a buffer to wetlands and waterways, in order to:</p> <ul style="list-style-type: none"> (a) protect or enhance ecological processes and values; (b) protect water quality and aquatic conditions; (c) provide unimpeded movement of fauna along waterways or around wetlands; and (d) improve bank stability and prevent soil erosion. 	<p>AO12.1</p> <p>Development is setback:</p> <ul style="list-style-type: none"> (a) 50 metres from the outermost part of a wetland; (b) 25 metres from the top of the outer bank of a waterway with a stream order 1 or 2; (c) 50 metres from the top of the outer bank of a waterway with a stream order 3 or 4; and (d) 100 metres from the top of the outer bank of a waterway with a stream order 5 or greater.
<p>PO13</p> <p>Development does not alter the location, storage or natural functions of surface and ground water of wetlands and waterways.</p>	<p>AO13.1</p> <p>No acceptable outcome specified.</p>
<p>Other matters</p>	
<p>PO14</p> <p>Development is designed and located to maintain and enhance connectivity between areas of priority species habitat, matters of state environmental significance, koala habitat values, critical wildlife habitat, core ecological linkages and ecological linkages on and adjacent to the site.</p> <p>Editor's Note: Where development is proposed to cross priority species movement paths, fauna friendly movement solutions developed in accordance with the <i>Queensland Government Fauna Sensitive Road Design Manual Volume 2: Preferred Practices</i>; and the <i>QLD Government Koala- Sensitive Design Guidelines</i> should be incorporated to provide for the safe movement of fauna through the site and to adjoining sites.</p>	<p>AO14.1</p> <p>No acceptable outcome specified.</p>
<p>PO15</p> <p>Where development occurs, it is designed and sited to minimise adverse impacts, and protect the physical and ecological integrity and biodiversity values of matters of local environmental significance by:</p>	<p>AO15.1</p> <p>No acceptable outcome specified.</p>

Performance outcome	Acceptable outcomes
<ul style="list-style-type: none"> (a) minimising the total footprint within which all activities, buildings, structures, driveways and other works are contained; (b) ensuring development is located in existing cleared areas or areas of lowest ecological value over other areas; (c) incorporating measures to protect and retain ecological values and ecosystem processes. 	
<p>PO16</p> <p>Development does not result in the introduction of pest species (plant or animal), that pose a risk to ecological integrity or disturbance to native flora and fauna.</p>	<p>AO16.1</p> <p>No acceptable outcome specified.</p>
<p>PO17</p> <p>Development minimises potential for disturbance of fauna from the impacts of noise, light, vibration or other sources.</p>	<p>AO17.1</p> <p>No acceptable outcome specified.</p>
<p>PO18</p> <p>Where development involving clearing of vegetation occurs:</p> <ul style="list-style-type: none"> (a) fauna is safely relocated by suitably qualified and experienced spotter catchers to appropriate, safe alternative locations that contain a similar habitat structure; (b) the sequence of habitat clearing and/or disturbance ensures that fauna is not isolated from adjoining areas of habitat to allow for the safe and practical movement of fauna to areas of habitat not proposed to be cleared (c) impacts from construction and ongoing use on native fauna and flora are minimised; (d) any cleared vegetation is reused, recycled or disposed of safely; (e) measures are implemented to prevent soil degradation, erosion, slippage and sedimentation. <p>Editor's note: Clearing of vegetation is only contemplated where compliance with the other outcomes of this code can be achieved. In circumstances where compliance can be achieved, this performance outcome and acceptable outcome applies.</p>	<p>AO18.1</p> <p>No acceptable outcome specified.</p>

Performance outcome	Acceptable outcomes
<p>Editor's note: A description of suitably qualified and experienced spotter catchers is included within Appendix D.</p>	
<p>PO19 Development retains natural landforms, including steep land and gullies.</p>	<p>AO19.1 No acceptable outcome specified.</p>
<p>Offsets</p>	
<p>PO20 Any significant residual impact on priority species habitat, wetlands or waterways, core ecological linkages, or ecological linkages caused by development is offset in accordance with Appendix E Biodiversity offsets.</p> <p>Editor's note: Offsets will be sought for matters of local environmental significance in accordance with the <i>Queensland Environmental Offsets Act</i>. The State government will be responsible for any offsets required for significant residual impacts on matters of state environmental significance including koala habitat.</p> <p>Editor's note: A guideline to assist in determining if an impact is a significant residual impact has been included within Appendix D.</p>	<p>AO20.1 No acceptable outcome specified.</p>

Table 7.2.1.2.2 Priority species

Column 1 Identified priority species (fauna)	Column 2 Identified priority species (flora)
Brush-tailed Phascogale (<i>Phascogale tapoatafa</i>)	Australian Teak (<i>Flindersia australis</i>)
Eastern Yellow Robin (<i>Eopsaltria australis</i>)	Blue Gum (<i>Eucalyptus tereticornis</i>)
Feathertail Glider (<i>Acrobates pygmaeus</i>)	Blue Quandong (<i>Elaeocarpus grandis</i>)
Great Barred Frog (<i>Mixophyes fasciolatus</i>)	Broad-leafed Paperbark (<i>Melaleuca quinquenervia</i>)
Koala (<i>Phascolarctos cinereus</i>)	Cabbage Tree Palm (<i>Livistona australis</i>)
Mary River Cod (<i>Maccullochella mariensis</i>)	Gympie Messmate (<i>Eucalyptus cloeziana</i>)
Noisy Pitta (<i>Pitta versicolor</i>)	Gympie Nut (<i>Macadamia ternifolia</i> and <i>Macadamia integrifolia</i>)
Ornate Rainbowfish (<i>Rhadinocentrus ornatus</i>)	Hoop Pine (<i>Araucaria cunninghamii</i>)
Platypus (<i>Ornithorhynchus anatinus</i>)	Kauri (<i>Agathis robusta</i>)
Sugar Glider (<i>Petaurus breviceps</i>)	Rusty Tulip Oak, Copper Booyong (<i>Argyrodendron</i> sp. Kin Kin)
Topknot Pigeon (<i>Lophoaimus antarcticus</i>)	Swamp Grasstree (<i>Xanthorrhoea fulva</i>)
Wompoo fruit dove (<i>Ptilinopus magnificus</i>)	Wallum Sun Orchid (<i>Thelmitra purpurata</i>)

Appendix C. – Definitions

Table SC1.5 Administrative terms and definitions

Column 1 Term	Column 2 Definition
Accepted vegetation clearing	<p>Clearing of vegetation under the following circumstances –</p> <ul style="list-style-type: none"> (a) vegetation clearing undertaken by a statutory authority on land other than freehold land; (b) vegetation clearing undertaken by the Council in the exercise of its power under the <i>Local Government Act 2009</i>; (c) vegetation clearing undertaken by or on behalf of the Council on Council owned or controlled land; (d) clearing of a plant defined as a prohibited or restrictive biosecurity matter under the <i>Biosecurity Act 2014</i>; (e) vegetation clearing that is reasonably necessary for carrying out work that is: - <ul style="list-style-type: none"> i. authorised or required under legislation; or ii. specified in a notice served by Council or another regulatory authority; (f) vegetation clearing in accordance with a current development permit for: <ul style="list-style-type: none"> i. material change of use, reconfiguring a lot or other operational work; or ii. building work associated with a dwelling house; (g) vegetation clearing in accordance with a current permit or other approved plan granted under a local law; (h) vegetation clearing where: <ul style="list-style-type: none"> i. a person is acting to control an immediate threat to life or property; ii. no other lawful action is reasonably available to the person to avoid the immediate threat to life or property; iii. no reasonable opportunity exists for an application to be made to clear the vegetation; and iv. Council is provided details in writing as soon as practicable after the action has been taken; (i) vegetation clearing within 5 metres of a lawful building or structure (excluding fences), unless the vegetation is otherwise required to be retained in accordance with a development approval; and (j) clearing that is for essential management under the Planning Regulation 2017. <p>Editor's note: <i>vegetation clearing</i> which is defined as <i>accepted vegetation clearing</i> for the purposes of the planning scheme may be subject to assessment under State and/or Federal legislation.</p> <p>Editor's note: exemptions for clearing for fences under the Planning Regulation 2017 also apply. Please refer to these exemptions in the relevant State legislation.</p>
Clearing , for vegetation	Has the same meaning as the <i>Vegetation Management Act 1999</i>
Core ecological linkages	Core ecological linkages are identified on the Biodiversity Overlay – Ecological linkages mapset.

Column 1 Term	Column 2 Definition
Ecological linkages	Ecological linkages are identified on the Biodiversity Overlay – Ecological linkages mapset.
Koala habitat values Critical wildlife habitat	Koala habitat values Critical wildlife habitat are identified on the Biodiversity Overlay – Koala habitat values Critical wildlife habitat mapset.
Linkages	Linkages refer to ‘Core ecological linkages’ and ‘Ecological linkages’.
Matters of local environmental significance (MLES)	<p>The following are matters of local environmental significance (MLES) for the Gympie region:</p> <ul style="list-style-type: none"> • Priority species habitat; • Core ecological linkage; • Ecological linkage; • Wetlands and waterways and associated buffers; • Koala habitat values Critical wildlife habitat. <p>Gympie Regional Council’s MLES are identified in the Biodiversity Overlay Mapset.</p>
Non-juvenile koala habitat tree	Has the same meaning as the <i>Planning Regulation 2017</i> .
Priority species habitat	Priority species habitat is identified on the Biodiversity Overlay – Priority species habitat mapset.
Urban zone	<p>For the purpose of this TLPI, an urban zone refers to the following zones:</p> <ul style="list-style-type: none"> • Residential Living • Residential Choice • Character Residential • Township • Tourist Accommodation • Low Impact Industry • Medium Impact Industry • High Impact Industry • Waterfront and Marine Industry • Industry Investigation • Principal Centre • District Centre • Local Centre • Specialised Centre

Column 1 Term	Column 2 Definition	
Waterway	A waterway is: <ul style="list-style-type: none"> • identified on the Biodiversity Overlay - Wetlands and Waterways overlay mapset; or • a watercourse as defined under the <i>Water Act 2000</i>. 	
Wetland	Areas of permanent or periodic/intermittent inundation, whether natural or artificial, with water that is static or flowing, fresh, brackish or salt, including areas of marine water, the depth of which at low tide does not exceed six metres.	

Appendix D. Ecological Assessment Report

SC6.2.1.1 Purpose of the policy

- (1) The purpose of this policy is to outline the minimum requirements of an ecological assessment report that may be required to support a development application where subject to the Biodiversity overlay code. It's intended that applicants who follow this guideline will provide Council with enough information to:
 - (a) assess the ecological impacts of proposed development;
 - (b) assist in demonstrating compliance with the performance outcomes of the Biodiversity overlay code; and
 - (c) determine if an ecological impact is a significant residual impact.

Applicants are encouraged to discuss with Council about additional information that would assist in the assessment of ecological impacts.

SC6.2.2 What is a significant residual impact?

For the purposes of the Biodiversity overlay code, a significant residual impact (SRI) is an impact on a matter of local environmental significance (MLES) that is likely to:

MLES: Priority Local Species

An action will have a significant residual impact on priority local species habitat if the action is likely to:

- reduce the extent of the occurrence of a priority local species
- reduce the extent of vegetation required for priority local species survival
- lead to a decrease in the size of the local population of a priority local species
- fragment habitat or an existing population for a priority local species
- result in genetically distinct populations forming as a result of habitat isolation
- introduce disease that may cause a priority local species population to decline
- interfere with the recovery of a priority local species
- cause disruption to ecologically significant locations (breeding, feeding, nesting, migration or resting sites) of a priority local species.

MLES: Wetlands and waterways, including buffer areas

An action will have a significant residual impact on a wetlands or waterway if it is likely that the action will result in environmental values being affected in any of the following ways:

- areas of the wetland or waterway being degraded or artificially modified;
- a measurable change in water quality of the wetland or waterway; for example, a change in the level of the physical and/or chemical characteristics of the water, including salinity, pollutants, or nutrients in the wetland or waterway, to a level that exceeds the water quality guidelines for the waters;
- any impact resulting in a change to the habitat or lifecycle of native species, including invertebrate fauna and fish species, dependent upon the wetland or waterway;

- any impact resulting in a change in the volume, timing, duration and frequency of ground and surface water flows in either a wetland or waterway.

MLES: Core ecological linkages and ecological linkages

An action will have a significant residual impact on core ecological linkages and ecological linkages if it is likely that the action will result in environmental values being affected in any of the following ways:

- vegetation clearing results in the physical separation (any clearing that would result in the separation of an otherwise intact area of vegetation) of vegetation within the Core ecological linkages or ecological linkages and on adjoining sites;
- development that is located in an area on the site that creates a physical barrier, causes fragmentation and loss of connectivity;
- permanent modification of vegetation within the corridor boundaries;
- vegetation clearing results in loss of stepping stones or connectivity to habitat nodes;
- vegetation clearing isolates wildlife populations and their habitat resources;
- the installation of physical barriers that prevent wildlife movement and dispersal;
- any impact resulting in edge effects that degrade the values of the corridor;
- any impact resulting in the reduction of the width of the core ecological linkages.

SC6.2.3 Who is qualified to prepare an ecological assessment report?

An ecological assessment report must be prepared by a specialist with a tertiary qualification in environment science, botany, ecology, zoology or other related discipline, and with demonstrated experience in undertaking flora and fauna surveys and environmental assessment.

SC6.2.4 Contents of an ecological assessment reports

The minimum information to be contained within an ecological assessment report is outlined in the sections below.

SC6.2.4.1 Description of methodology

The methodology used to complete the ecological assessment report must be provided, including:

- (a) desktop methodology that was used;
- (b) field survey techniques and methodology that was used; and
- (c) any assumptions that were made.

SC6.2.4.2 Assessment area

The assessment area is to include the maximum area that is likely to be affected by the construction and ongoing operation of the proposed development, including potential offsite impacts.

SC6.2.4.3 Identification of physical characteristics and ecological features

The physical characteristics of the site and existing local natural values must be described, including:

- (a) Regional ecosystems, geology and soils;
- (b) hydrology, water quality (surface and groundwater) and stream health indicators;
- (c) topography, slope and landform;
- (d) waterbodies and wetlands;
- (e) connectivity; and
- (f) existing buildings and infrastructure.

The ecological features and functions of the site (the assessment area) must be identified and detailed, including:

- (a) location, size and extent of ecological features;
- (b) presence of flora, fauna, and vegetation communities (remnant, regrowth and any other vegetation on site) including those listed as threatened under Commonwealth legislation or State legislation;
- (c) presence of priority flora and fauna species (including suitable habitat) described in section 6.2.5 (these are the same species as those identified in the Biodiversity overlay code);
- (d) habitat features and requirements, movement paths/connectivity, breeding and dispersal behaviours;
- (e) ecologically significant areas of the site and identify measures required to maintain their viability; and
- (f) presence of weed species, including their status under relevant legislation.

Fauna surveys used to inform point (1)(b) above must be fit for purpose depending on species within the target area. Suggested survey techniques are outlined in Table SC6.55 below.

All threatened and priority fauna sightings data is to be submitted to Council as part of the Ecological Assessment Report. Preferable format is a GIS layer or a spreadsheet with eastings and northings.

Table SC6.55 – Fauna survey techniques

Fauna survey techniques	
• Diurnal search	• Pitfall traps
• Opportunistic records	• Spotlighting
• Elliot and wire cage traps	• Bird surveys
• Targeted feed tree search	• Camera traps
• Hair tubes	• Targeted ground search
• Targeted bird surveys	• Harp traps
• Electronic bat detectors	• Arboreal trapping

Fauna survey techniques

- Nocturnal voice playback and call recording

SC6.2.4.4 Description of proposed works

An overview of the site and proposed works must be provided, including:

- (a) the location of existing or approved dwellings, buildings or structures;
- (b) all associated on site works including but not limited to earth works and vegetation removal likely to have an environmental impact. A map is to be submitted showing all proposed works including a GIS layer;
- (c) methods that will be used by suitably qualified and experienced spotter catchers to relocate fauna, including the likely relocation destinations;
- (d) a statement of reasons for the clearing and any relevant factors associated with the purpose of the proposed clearing;
- (e) potential impacts to water quality from the proposed works;
- (f) identification of potential impacts from noise and light during and post development;
- (g) an outline of how the vegetation clearing will affect ecological values and how the assessment benchmarks of the Biodiversity overlay code are met;
- (h) methods for avoiding, minimising and mitigating impact to ecological values, including any offsets that may be required;
- (i) details of fauna friendly movement solutions which are developed in accordance with the *Queensland Government Fauna Sensitive Road Design Manual Volume 2: Preferred Practices* and the *QLD Government Koala-Sensitive Design Guidelines*;
- (j) particulars of how vegetation to be retained will be protected during works in accordance with *Australian Standard AS4970-2009 – Protection of trees on development sites*; and
- (k) a staging plan for clearing vegetation, if clearing is proposed.

If works are proposed near vegetation, impacts to vegetation should also prevent intrusions into the tree protection zone. Methods for identifying the tree protection zone are included within section 6.2.6.

A vegetation management plan and wildlife habitat management plan may be required to support the ecological assessment along with any other relevant site surveys and management plans (e.g. traffic), as determined by the values identified in the report.

- (a) A Vegetation Management Plan must clearly identify the vegetation to be retained on site and vegetation that is proposed to be cleared and should include:
 - (i) a tree management plan that demonstrates how retained trees are to be protected during construction (in accordance with Australian Standard 4970-2009 Protection of trees on development sites);
 - (ii) details of the proposed landscaping and revegetation areas, including proposed species palettes and relevant ecosystem services that landscaping and revegetation is to provide (for example stormwater management or enhancing safe fauna movement); and

(iii) details of how weeds are to be managed on the site, by identifying any existing weed infestations and proposed actions to prevent weed incursion during construction.

(b) Wildlife Habitat Management Plan

(1) A wildlife habitat management plan must be prepared by an ecologist with suitable experience and should address the survival and ongoing access to habitat during construction and operation of the development. This plan should indicate the broad range of fauna expected on the site, the proposed site preparation and construction methods (e.g. how the vegetation is to be cleared), as well as a summary of future on-site operations and any expected constraints. The plan should:

(i) identify habitat trees, including standing trees with hollows, ground logs and bush rocks, to be retained wherever possible;

(ii) clearly identify vegetation to be removed to ensure minimal disturbance to the existing native vegetation; and

(iii) details on how fauna will be managed during construction (for example, engaging an accredited spotter and ensuring clearing is undertaken sequentially).

SC6.2.4.5 Evaluation of threats and potential impacts and mitigation

All threatening processes and potential impacts must be evaluated, and mitigation measures appropriate to the scale of the impact must be detailed (for example landscape effects, biodiversity loss, edge effects etc.).

SC6.2.4.6 Who is a suitably qualified and experienced spotter catcher?

When causing damage to vegetation, including the removal of vegetation, it is important to ensure fauna will not be adversely impacted on. This is particularly important because the damaged vegetation is likely to be habitat for a variety of fauna species. The roll of a spotter catcher is to identify fauna before, during and after works have been undertaken and to implement suitable mitigation strategies.

For the purpose of satisfying SC6.2.4.4(1)(c) above and performance outcomes and acceptable outcomes of the Biodiversity overlay code, a suitably qualified and experience spotter catcher is a spotter catcher who has been licensed by the Department of Environment and Science.



Spotter catchers are to be on site in the following circumstances:

- (a) prior to booking a pre-start meeting to undertake the pre-clearing fauna spotter catcher report;
- (b) at the pre-start meeting;
- (c) immediately prior to the commencement of works;
- (d) for daily pre-clearance inspections;
- (e) as stated in any conditions of approval; and
- (f) for clearing or disturbance of stockpiled vegetation.

SC6.2.5 Priority species

SC6.2.5.1 Priority fauna species

Table SC6.56 – Priority fauna species

<p>Brush-tailed Phascogale (<i>Phascogale tapoatafa</i>)</p>	
<p>Description: A small hollow-dwelling marsupial that is little known but extremely striking. Populations are highly sensitive to changes in the environment. Females have home ranges of 20 – 40 hectares, and males 100 hectares. Males live less than one year and die after mating season. Females live for 3 years.</p>	 <p><i>Brush-tailed Phascogale – DES</i> (https://apps.des.qld.gov.au/species-search/details)</p>
<p>Eastern Yellow Robin (<i>Eopsaltria australis</i>)</p>	
<p>Description: Found in a range of habitats from dry woodlands to rainforests, this bird is an excellent indicator of good environmental condition. They have habitat patches of 1 hectare or more and are a species that returns to restored habitat areas once re-established. A favourite of the Gympie’s backyards and bush patches.</p>	 <p><i>Eastern Yellow Robin – DES</i> (https://apps.des.qld.gov.au/species-search/details)</p>

Feathertail Glider (*Acrobates pygmaeus*)

Description:

A tiny glider weighing 10-15 grams but capable of gliding up to 28 metres. They are named for their unusual tail, which is flat with stiff fringed hair, and used to steer and brake as they glide. These gliders live in large communal groups, in a range of habitats that support hollows and other nesting sites.



Feathertail Glider - DES
(<https://apps.des.qld.gov.au/species-search/details>)

Great Barred Frog (*Mixophyes fasciolatus*)

Description:

Closely related to the Giant Barred Frog and grows to the same size (11.5cm). It is found in forests and woodlands and usually near permanent running water. They kick the eggs from the stream once fertilised, where they develop in moist leaf litter nearby. Adequate vegetated stream buffers are important for their life cycle.



Great Barred Frog - DES
(<https://apps.des.qld.gov.au/species-search/details>)

Koala (*Phascolarctos cinereus*)

Description:

An Australian icon, koalas are found throughout the Gympie Region, in open forest and woodland habitats where a select group of food trees are located. As koala populations in South East Queensland compete for space with a rapidly growing human population, Gympie Region's populations become increasingly important for sustaining genetic diversity and healthy populations.



Koala - Widgee

Mary River Cod (*Maccullochella mariensis*)

Description:

Once more widespread throughout river systems in South East Queensland, it is now found exclusively in the Mary River catchment. The ideal cod habitat is thought to be deep, shaded, slow flowing pools with plenty of log-piles.

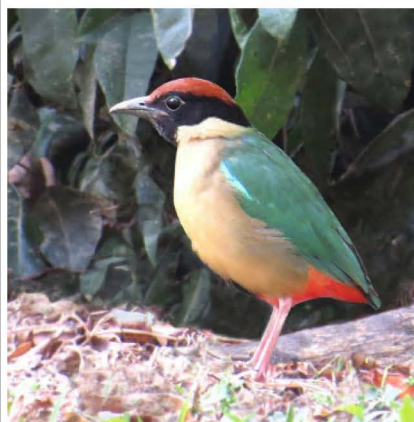


Mary River Cod by Gunther Schmida

Noisy Pitta (*Pitta versicolor*)

Description:

A colourful local that is found in Gympie Region's rainforests and also in nearby forests, woodlands and mangroves. It is known to use stones as 'anvils' for cracking open the shells of snails and insects.



Noisy Pitta by Graham Winterflood (CC BY-SA)

Ornate Rainbowfish (*Rhadinocentrus ornatus*)

Description:

A species sporting striking colours. This fish exhibits a range of colour variations, indicating unique populations occurring in different wallum creeks, streams and perched lakes. Each population contributes to the genetic diversity of the species. The greatest genetic diversity occurs in the Gympie Region.



Ornate Rainbowfish - DES
(<https://apps.des.qld.gov.au/species-search/details>)

Platypus (*Ornithorhynchus anatinus*)

Description:

Usually shy, they are an iconic Australian species that inhabits the creeks and watercourses of the Mary River catchment. Regarded as one of the Gympie Region's local attractions. In recent times they have suffered population declines from being caught in unattended yabby traps.



Platypus - DES
(<https://apps.des.qld.gov.au/species-search/details>)

Sugar Glider (*Petaurus breviceps*)

Description:

These charismatic animals live in large groups during winter and disband during summer months. They are able to thrive in remnant patches of vegetation, with home ranges of between 0.5 and 7 hectares, eating insects, honeydew, nectar and pollen.



Sugar Glider by DES
(<https://apps.des.qld.gov.au/species-search/details>)

Topknot Pigeon (*Lopholaimus antarcticus*)

Description:

Also known as the flock pigeon, it is a large, fruit-eating pigeon found in Gympie Region's rainforests, but can be seen wheeling in flocks across open areas to feed in rainforest patches. Once hunted for food, populations have declined across its range, and some of the largest flocks can now be seen in the Gympie Region. It should not to be confused with the ground foraging crested pigeon.

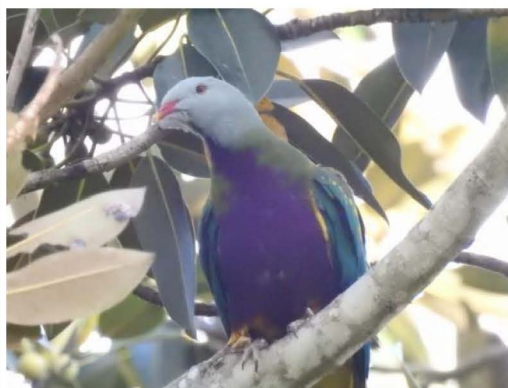


Topknot Pigeon by Gary Brookes (CC BY)

Wompoo fruit dove (*Ptilinopus magnificus*)

Description:

A spectacular fruit dove displaying bright colouration, but easily overlooked as it forages high in rainforest canopies. It's distinctive 'wompoo' call gives the bird its name.



Wompoo fruit dove by Liz Scott (CC BY)

SC6.2.5.2 *Priority flora species*

Table SC6.57 – Priority flora species

Australian Teak (*Flindersia australis*)

Description:

A forest tree that has showy cream flowers from September to February, decorative seed pods and is sought after as a durable timber.



Flindersia australis by Craig Hodges (CC BY)

Blue Gum (*Eucalyptus tereticornis*)

Description:

One of the koala's preferred food trees, the blue gum grows in a range of environments across Gympie. Many river frontage environments across its range were cleared for agriculture, mining and plantation forests. The wood is hard and durable, and used for construction in heavy engineering, including railway sleepers.



Eucalyptus tereticornis by Megan (1) and John Barkla (2) (CC BY NC/4.0)

Blue Quandong (*Elaeocarpus grandis*)

Description:

Known for its colourful fruit and cabinet timber qualities, the blue quandong is a fast growing rainforest timber that reaches 50 metres in height. The blue colour of the fruit is caused by refracted light, rather than by blue pigment.

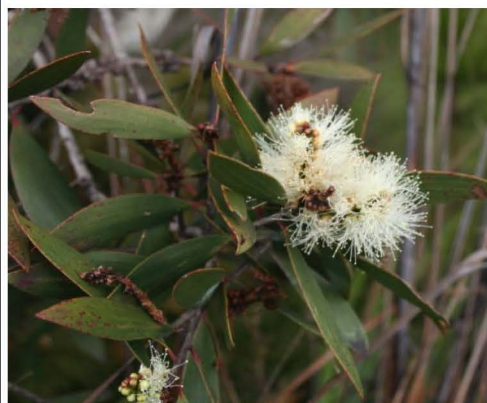


Elaeocarpus grandis by Ian McMaster (CC BY)

Broad-leafed Paperbark (*Melaleuca quinquenervia*)

Description:

A small tree that defines many vegetated wetlands in the Gympie Region and is from western parts to the coast. Much of its habitat was historically been cleared for pine plantations.



Melaleuca quinquenervia by Ian McMaster (CC BY)

Cabbage Tree Palm (*Livistona australis*)

Description:

This palm grows at a range of altitudes (0-1000 metres), in moist areas of open forest, swamp forest, along stream banks and in rainforests. It can form large colonies, like that seen in The Palms locality.



Livistona australis by Ian McMaster (CC BY NC/4.0)

Gympie Messmate (*Eucalyptus cloeziana*)

Description:

This tree grows best within the Gympie Region, where some forest trees attain heights of nearly 60 metres. Elsewhere the trees may reach only 15 metres. One of the major hardwood plantation species in southern Queensland.



Macadamia (*Macadamia* spp. (*M. ternifolia* and *M. integrifolia*))

Description:

Macadamia ternifolia

This species of macadamia is confined to the first line of significant hills West of the Pacific Ocean. A small, multi-stemmed tree which grows up to 8 metres tall with distinctive pink flowers. Unlike other macadamias, the Gympie Nut is toxic and inedible.

Macadamia integrifolia

A small to medium sized tree to about 15 metres with a bushy habit. Flowers are white and usually occur in winter and spring. It has proved to be hardy in a range of climates and soils but prefers good drainage and rich soils on South facing slopes. This is the edible variety of the Macadamia Nut and is planted commercially.



Macadamia ternifolia by Macadamia Conservation Trust



Macadamia integrifolia by Ian McMaster (CC BY NC/4.0)

Hoop Pine (*Araucaria cunninghamii*)

Description:

The Hoop Pine is a striking timber tree that can live up to 450 years and grow to a height of 60 metres. This species has seen extensive historical clearing for logging and agriculture and is now valuable as a revegetation species in landslip prone areas due to its extensive root system. It is often grown commercially in timber plantations.



Kauri (*Agathis robusta*)

Description:

An emergent of lowland tropical rainforests. The Queensland Kauri occurs in two separate localities; a southern population is located in the Wide Bay area, and a northern population is located on the Atherton Tableland in North Queensland. This tree was heavily logged in the past, making large specimens rare in the wild.



Agathis robusta by Charmaine Thomas (CC BY)

Rusty Tulip Oak, Copper Booyong (*Argyrodendron* sp. Kin Kin (W.D Francis AQ 81198)

Description:

This tree has a distinctive deep coppery colour on the underside of leaves. It is found in rainforests on less fertile or drier soils from Caboolture to Gladstone. A rainforest cabinet timber.



Swamp Grasstree (*Xanthorrhoea fulva*)

Description:

This grasstree does not develop a trunk and is found in wet sandy soils. Ground Parrots cut thin stems of this grasstree to line their nests at ground level in the Cooloola wallum country.



Xanthorrhoea fulva by John Barkla (CC BY NC/4.0)

Wallum Sun Orchid (*Thelymitra purpurata*)

Description:

A ground orchid found in the Cooloola area in wallum heath. It is known for its stunning flower colour and is sought after as a collectors' item by plant enthusiasts.



Thelymitra purpurata by Gordon Deans (CC BY)

SC6.2.6 Tree protection zone

SC6.2.6.1 Description

The tree protection zone (TPZ) is an area around a tree that contains vital root and crown structures necessary for maintaining tree health. Preventing work within the TPZ is one method for minimising damage to trees during development.

SC6.2.6.2 Measuring the TPZ

The TPZ is represented as a radius around the tree and is calculated by measuring the trunk diameter at 1.4m above the ground and multiplying it by 12. This is represented as:

$$TPZ = DBH \times 12$$

Where:

TPZ = tree protection zone

DBH = diameter at breast height

An example the TPZ based on DBH is included in Table SC6.2.5.2 and an illustration demonstrating how to measure the TPZ is provided in Figure SC6.2.5.2 below.

Table SC6.58 Example of the TPZ

Diameter at breast height (DBH)	Tree protection zone (TPZ)
10cm	1.2m
2cm	2.4m
40cm	4.8m
75cm	9m
100cm	12m

Figure SC6.59 Example of TPZ calculation

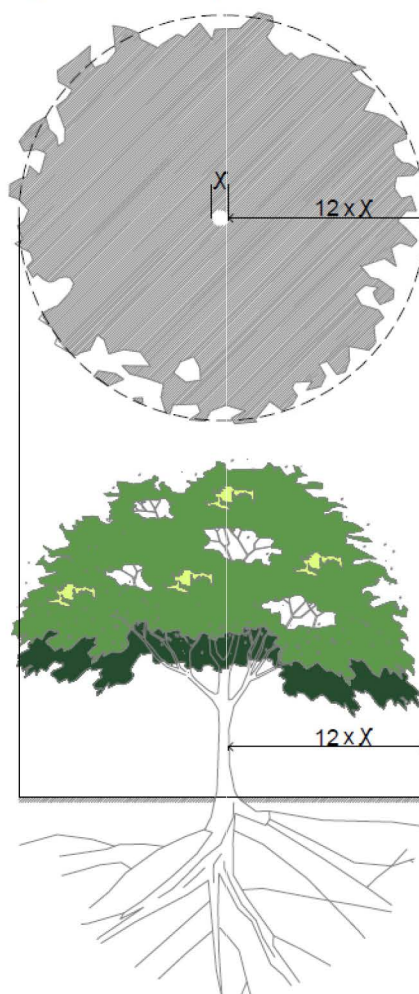


Table SC6.59 Major koala food, shelter and habitat trees in the Gympie region

Species	Common Name	Usual Habitat
Primary		
<i>Eucalyptus bancroftii</i>	Tumbledown Gum	Sandy soils in coastal areas (dry heath)
<i>Eucalyptus major</i>	Grey Gum	Low ridges
<i>Eucalyptus microcorys</i>	Tallowwood	Fertile, well drained slopes and gullies
<i>Eucalyptus propinqua</i>	Small-fruited Grey Gum	Mid-lower slopes & valleys
<i>Eucalyptus robusta</i>	Swamp Mahogany	Swampy areas on coastal lowlands
<i>Eucalyptus tereticornis</i>	Blue / Forest Red Gum	Alluvial flats - also on some fertile slopes
Secondary		
<i>Corymbia citriodora</i> ssp <i>variegata</i>	Spotted Gum	Ridges
<i>Eucalyptus crebra</i>	Narrow-leaved Ironbark	Hilly terrain at lower altitudes (dry areas)
<i>Eucalyptus grandis</i>	Flooded Gum / Rose Gum	Fertile soils along creeks / gullies & rainforest margins
<i>Eucalyptus longirostrata</i>	Grey Gum	Hilly loam to clay soils
<i>Eucalyptus moluccana</i>	Gum-topped Box	Alluvial soils (not close to waterways)

Species	Common Name	Usual Habitat
<i>Eucalyptus racemosa</i>	Scribbly Gum	Deep sandy soils on coastal lowlands - can occur in hinterland
<i>Eucalyptus resinifera</i>	Red Mahogany / Messmate	Sandy or well drained acidic soils (good soil moisture)
<i>Corymbia intermedia</i> *	Pink Bloodwood	A wide range of soils and conditions
<i>Eucalyptus acmenoides</i> *	Yellow Stringybark	Slopes & ridges with sandy or stony soils
<i>Lophostemon confertus</i> *	Brush Box	Variety of habitats - well drained soils
Supplementary		
<i>Corymbia tessellaris</i>	Moreton Bay Ash	Sandy soil or well drained slopes
<i>Eucalyptus burturbinata</i>	Grey Gum	Fertile soils at higher altitude
<i>Eucalyptus carnea</i>	Broad-leaf White Mahogany	Hills & ridges on shallow soil
<i>Eucalyptus fibrosa</i>	Broad-leaf Ironbark	Sandy or stony soils
<i>Eucalyptus latisinensis</i>	Broad-leaf White Mahogany	Poorly drained sandy or loamy soils
<i>Eucalyptus pilularis</i>	Blackbutt	Sandy, well drained soils in coastal areas
<i>Eucalyptus siderophloia</i>	Grey Ironbark	Stoney slopes & ridges (or alluvial flats)
<i>Lophostemon suaveolens</i>	Swamp Box	Swamps, alluvial flats & poorly drained sites
<i>Melaleuca quinquenervia</i>	Paperbark Tea tree	Swamps in coastal or sub-coastal areas
Other potentially useful species found uncommonly in the region		
<i>Eucalyptus dura</i>	Smooth branched Ironbark	Dry ridges
<i>Eucalyptus eugeniodes</i>	Thin-leaf Stringybark	Mountainous areas with basalt soils
<i>Eucalyptus exserta</i>	Qld Peppermint	Rocky sites with skeletal soils
<i>Eucalyptus melanoleuca</i>	Yarraman Ironbark	
<i>Eucalyptus melanophloia</i>	Silver-leaf Ironbark	Undulating ridges & slopes (drier inland areas)
<i>Eucalyptus melliodora</i>	Yellow Box	High altitude fertile soils (e.g. basalt)
<i>Eucalyptus montivaga</i>	High elevations	
<i>Eucalyptus salignus</i>	Sydney Blue Gum	One site only (Munro logging area)
<i>Eucalyptus sideroxylon</i>	Red Ironbark	Poor shallow soils in western areas
<i>Eucalyptus tindaliae</i>	Qld White Mahogany	Sandy, acidic soils at low altitudes
<i>Eucalyptus populnea</i> **	Poplar Box	
<i>Eucalyptus cloeziana</i> **	Gympie Messmate	

* upgraded from supplementary to secondary post field surveys

** included as supplementary post field surveys

Appendix E. Biodiversity offset

SC6.4.1 Purpose of the policy

The purpose of *Appendix E* is to assist applicants to adequately address the assessment benchmarks in the Biodiversity Overlay Code relating to offsets for matters of local environmental significance.

SC6.4.2 Application

Appendix E applies to assessable development providing a biodiversity offset for the significant residual impact on matters of local environmental significance. A biodiversity offset applies when the impact is a significant residual impact as defined in SC6.4.3.

SC6.4.3 Significant residual impact

A significant residual impact (SRI) is an impact on a matter of local environmental significance (MLES) that is likely to:

MLES: Priority Local Species

An action will have a significant residual impact on priority local species habitat if the action is likely to:

- reduce the extent of the occurrence of a priority local species
- reduce the extent of vegetation required for priority local species survival
- lead to a decrease in the size of the local population of a priority local species
- fragment habitat or an existing population for a priority local species
- result in genetically distinct populations forming as a result of habitat isolation
- introduce disease that may cause a priority local species population to decline
- interfere with the recovery of a priority local species
- cause disruption to ecologically significant locations (breeding, feeding, nesting, migration or resting sites) of a priority local species.

MLES: Wetlands and waterways, including buffer areas

An action will have a significant residual impact on a wetlands or waterway if it is likely that the action will result in environmental values being affected in any of the following ways:

- areas of the wetland or waterway being degraded or artificially modified;
- a measurable change in water quality of the wetland or waterway; for example, a change in the level of the physical and/or chemical characteristics of the water, including salinity, pollutants, or nutrients in the wetland or waterway, to a level that exceeds the water quality guidelines for the waters;
- any impact resulting in a change to the habitat or lifecycle of native species, including invertebrate fauna and fish species, dependent upon the wetland or waterway;
- any impact resulting in a change in the volume, timing, duration and frequency of ground and surface water flows in either a wetland or waterway.

MLES: Core ecological linkages and ecological linkages

An action will have a significant residual impact on core ecological linkages and ecological linkages if it is likely that the action will result in environmental values being affected in any of the following ways:

- vegetation clearing results in the physical separation (any clearing that would result in the separation of an otherwise intact area of vegetation) of vegetation within the core ecological linkages or ecological linkages and on adjoining sites;
- development that is located in an area on the site that creates a physical barrier, causes fragmentation and loss of connectivity;
- permanent modification of vegetation within the corridor boundaries;
- vegetation clearing results in loss of stepping stones or connectivity to habitat nodes;
- vegetation clearing isolates wildlife populations and their habitat resources;
- the installation of physical barriers that prevent wildlife movement and dispersal;
- any impact resulting in edge effects that degrade the values of the corridor;
- any impact resulting in the reduction of the width of the core ecological linkages.

Editor's note: Council will be utilising the EHP Landscape Fragmentation and Connectivity tool during the assessment of applications.

This reflects the State guidelines used to assess significant residual impacts on matters of state environmental significance (MSES), adapted to apply to MLES.

Offsets are not always suitable and must only be applied where it has been demonstrated that clearing cannot be practicably avoided and any impacts have been minimised. An application must comply with all assessment benchmarks in the Biodiversity Overlay Code in order to comply. There may be instances where an offset is not sufficient to warrant approval.

SC6.4.4 State and Federal government offset policies

Offset policies exist under State and Federal government legislation. *Appendix E* will not apply to those matters of environmental significance which have been conditioned to be offset under a State or Federal government policy (unless otherwise allowed for under the *Environmental Offsets Act 2014*). Guidance on satisfying offset requirements for Matters of State Environmental Significance (MSES) can be found on the [State government's offsets website](#).

SC6.4.5 Biodiversity offset principals

The following principles apply to a biodiversity offset:

- (a) A biodiversity offset is not to replace or undermine existing environmental principles or regulatory requirements;

- (b) A biodiversity offset is not to be used to facilitate development in areas otherwise identified as being unacceptable through the planning scheme or legislation;
- (c) Environmental impact is first to be avoided, then minimised and mitigated before considering the use of offsets for any remaining significant residual impact;
- (d) A biodiversity offset is to produce a better environmental outcome and deliver a net ecological gain at maturity;
- (e) A biodiversity offset is to be provided in a strategically important location;
- (f) The time-lag between the impact and the delivery of the biodiversity offset is to be minimised by commencing the offset prior to the vegetation clearing;
- (g) Biodiversity offset sites must be provided with permanent protection as conservation land;
- (h) A biodiversity offset is to be the responsibility of the applicant for the development or the vegetation clearing, including the payment of all costs associated with securing and managing a biodiversity offset.

SC6.4.6 Calculating offset requirements

Offset areas and costs are calculated using the [State government financial settlement offset calculator](#). Offsets are to be calculated on the basis of the following:

For impacts on Priority species habitat, Wetlands and waterways (including buffer areas)	State offset calculator ratio 2:1
For impacts on Ecological linkages and Core ecological linkages	State offset calculator ratio 3:1

SC6.4.7 Biodiversity offset delivery options

There are two types of biodiversity offsets that may be provided in accordance with the *Offsets Act*:

- (a) Financial settlement (calculator is provided on the [State government's offsets website](#));
- (b) Land-based offsets that is proponent driven.

A biodiversity offset can also be delivered as a combination of financial settlement and land-based offset.

SC6.4.7.1 Financial settlement offset

An applicant may choose to pay a financial contribution to Gympie Regional Council to undertake the offset on the applicant's behalf. Funds received by Gympie Regional Council will be accumulated and spent strategically through the purchase and protection of suitable cleared or degraded land for offsets restoration works and ongoing maintenance.

Financial settlement offsets are calculated using the State offset calculator as identified in **SC6.4.6** above.

SC6.4.7.2 Land-based offset (proponent driven)

A proponent driven offset is delivered entirely by the applicant. This includes sourcing and acquiring of the offset site, implementation of the offset planting and ecological restoration, ongoing maintenance, monitoring, auditing and any required reporting. This land is required to be protected in perpetuity. Offsets may be provided on the same site as the significant residual impact is occurring, or on a suitable strategic offset receiving site.

SC6.4.8 Biodiversity offset areas

Offsets must be located within the Gympie Regional Council boundary and may constitute an entire lot or be a defined area within one or more lots. A biodiversity offset receiving site:

- (a) Is to be located on land:
 - i) That is suitable for the direct planting of vegetation;
 - ii) That has the same or very similar underlying geology, soils, aspect and drainage to re-establish (offset) the vegetation subject to clearing;
 - iii) That is strategically important in its location.
- (b) Achieves the following standards:
 - i) Is designed and delivered to minimise edge effects;
 - ii) Is designed and managed to attain and maintain habitat functionality and ecological connectivity, and achieve remnant vegetation status over time;
 - iii) Where feasible, be like for like. The site is to be managed in a way which contributes towards a comparable vegetation community in comparable condition to the site where the impact is occurring.
 - iv) An offset receiving site capable of being planted with the same regional ecosystem, or of the same broad vegetation type, as the impact site is preferred.
 - v) Be able, over time, to achieve equivalent ecological outcomes in relation to vegetation community, habitat, species, ecosystems, landscape, hydrology and physical area;
 - vi) The offset enhances and contributes to the Biodiversity Overlay areas, as identified on the **Biodiversity Overlay mapsept**.

SC6.4.9 Agreed delivery arrangement

The applicant is required to enter into an agreed delivery arrangement with Gympie Regional Council for each biodiversity offset. The State government provides a series of forms that can be used for MLES offsets to assist applicants to work through and enter into an agreed delivery arrangement with Gympie Regional Council.

SC6.4.10 Offset delivery and management plan

Where land-based proponent driven offsets are proposed (either on private land or public land), a biodiversity offset delivery and management plan is to be prepared by a competent person and submitted to Council for approval, which includes details (including costing) specifying:

- (a) Land holder details and signature;
- (b) The proposed offset area with associated Lot on Plan, GPS reference points, including any areas subject to specific management actions;
- (c) The proposed vegetation clearing and environmental values impacted, as determined by an ecological assessment report prepared by a suitably qualified person;
- (d) Table of existing flora/fauna on the offset receiving site, as determined by the ecological assessment report prepared by a suitably qualified person;
- (e) Details of surrounding land uses;
- (f) Restoration and rehabilitation of the land is to be informed by the principles detailed within the SEQ Ecological Restoration Framework Guideline and Manual;
- (g) The management objectives and outcomes expressed as measurable and achievable criteria (including key performance indicators) for the biodiversity offset area on which the performance of the floristic and structural re-vegetation components can be assessed annually over at least five-years;
- (h) At the end of the 5-year maintenance period, a report is prepared by a suitably qualified person and delivered to Council certifying that the offset planting has achieved a survival rate of a minimum of 90% and not more than 5% weed cover across the site;
- (i) The density and diversity of species reflecting the target regional ecosystem and how this is to be achieved by either planting, natural regeneration from seed stock, or reliance upon natural encroachment into the site;
- (j) Identification and detailed mitigation strategies for possible risks to the offset site (including, but not limited to; pest threats, domestic animal threats, risks associated with natural hazards);
- (k) How weeds and pests will be removed and prevented from re-infestation
- (l) Any failed biodiversity offsets are to be rectified or replaced;
- (m) Schedule of maintenance activities to be undertaken for a period of five-years following the offset establishment phase;
- (n) Details of regular monitoring, auditing and reporting to be undertaken by the proponent;
- (o) A template monitoring and evaluation checklist that identifies how the key performance measures are being met (e.g. vegetation coverage, plant survival rates and weed eradication rates), that is to be utilised in all annual monitoring reports;
- (p) The estimated management costs associated with achieving the offset management objectives, actions and outcomes;
- (q) Details of the proposed protection mechanism to be placed over the offset receiving site.

The proponent for a land-based proponent driven offset is responsible for all:

- (a) administrative costs including but not limited to costs associated with reconfiguration, surveying, transfer of ownership to the local government (if transfer of ownership is agreed to by Council) and protection of the offset site;

- (b) rehabilitation costs that include, but are not limited to, revegetation, weed and pest management, monitoring, auditing and reporting for a period of five-years.

Environmental offset receiving sites must become secure land managed for conservation purposes.

SC6.4.11 Securement of biodiversity offsets

Securement of a land-based biodiversity offset is to be achieved through one or more of the following:

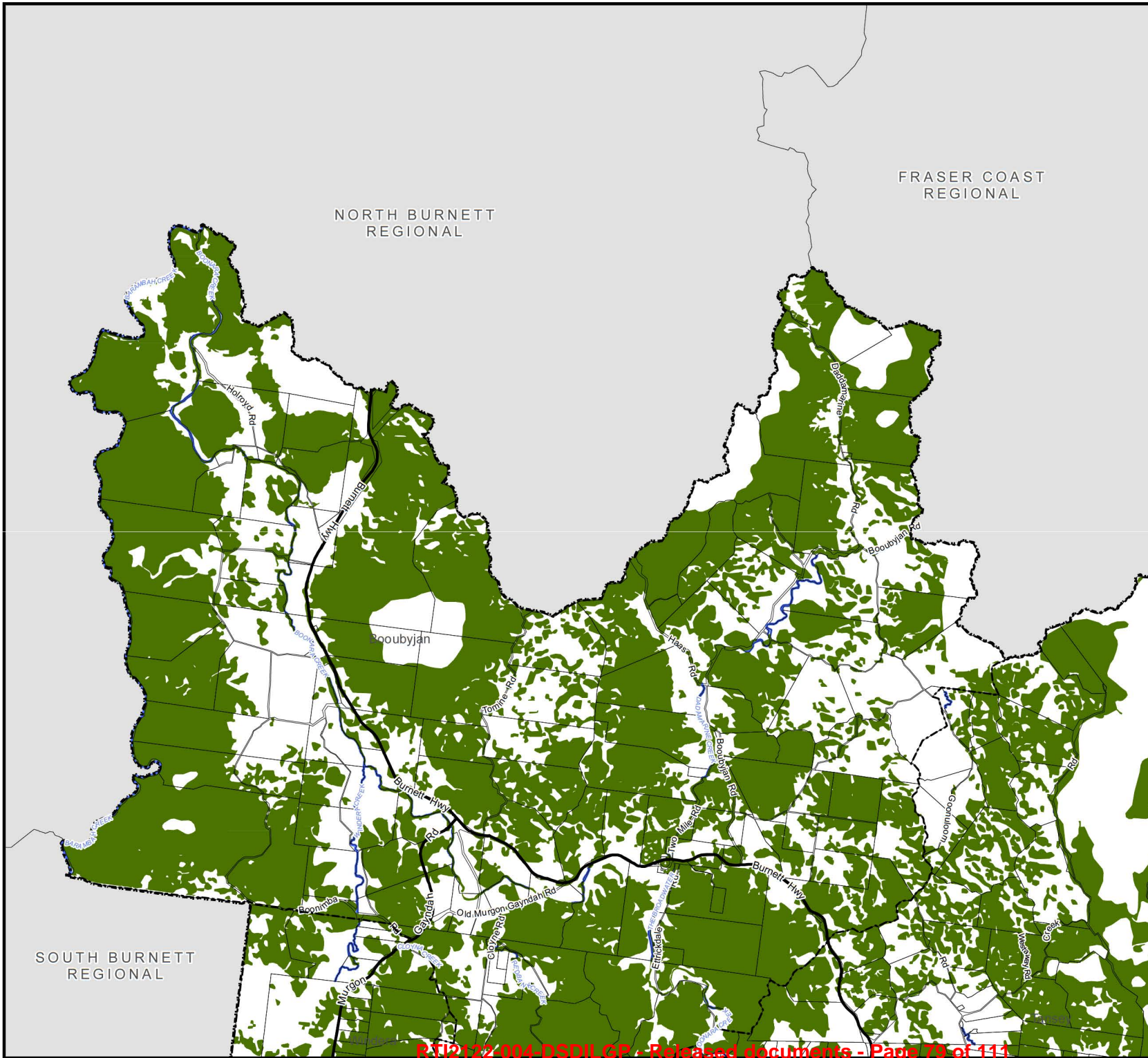
- (a) Environmental Covenant;
- (b) A reserve for environmental purposes under the *Land Act 1994*;
- (c) A nature refuge under the *Nature Conservation Act 1992*;
- (d) Utilising (by agreement) land held by Gympie Regional Council that is located in a strategically important area.

SC6.4.12 Register of offset sites

Gympie Regional Council will maintain a register of biodiversity offsets to:

- (a) Record income from financial contributions and expenses of acquiring and rehabilitating offset land;
- (b) Maintain a database of locations of:
 - i. Land-based proponent driven offsets;
 - ii. Financial settlement offsets.

Appendix F. Biodiversity Overlay mapping



Environment

Critical Wildlife Habitat

Advisory

Southside Local Plan Area

Cadastre

- Proposed State Road
- State Controlled Roads
- DCDB ver. February 2018
- Suburb or Locality Boundary
- Local Government Boundary
- Waterbodies & Waterways

Disclaimer

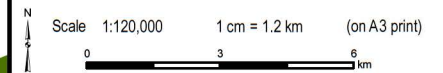
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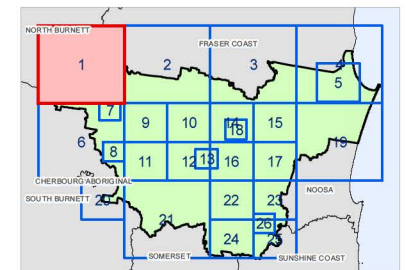
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CRITICAL WILDLIFE HABITAT OVERLAY MAP OVERVIEW



Critical Wildlife Habitat Overlay Map 1

Version 3 Date: dd-mm-yyyy



FRASER COAST
 REGIONAL

Environment

Critical Wildlife Habitat

Advisory

Southside Local Plan Area

Cadastre

- Proposed State Road
- State Controlled Roads
- DCDB ver. February 2018
- Suburb or Locality Boundary
- Local Government Boundary
- Waterbodies & Waterways

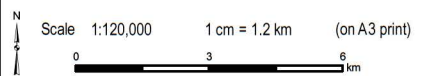
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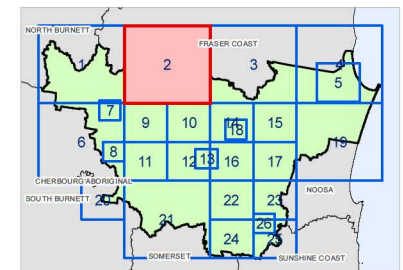
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CRITICAL WILDLIFE HABITAT OVERLAY MAP OVERVIEW



Critical Wildlife Habitat Overlay Map 2

Version 3 Date: dd-mm-yyyy



Environment

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Southside Local Plan Area

Cadastre

- Proposed State Road
- State Controlled Roads
- DCDB ver. February 2018
- Suburb or Locality Boundary
- Local Government Boundary
- Waterbodies & Waterways

FRASER COAST
REGIONAL

Disclaimer

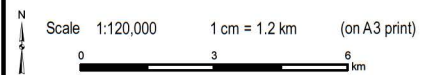
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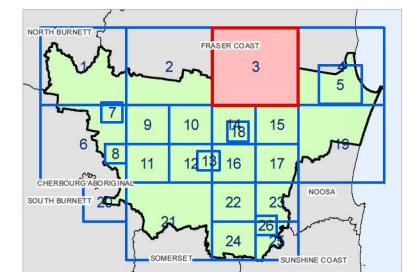
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CRITICAL WILDLIFE HABITAT OVERLAY MAP OVERVIEW



Critical Wildlife Habitat Overlay Map 3

Version 3 Date: dd-mm-yyyy



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Southside Local Plan Area

Cadastre

- Proposed State Road
- State Controlled Roads
- DCDB ver. February 2018
- Suburb or Locality Boundary
- Local Government Boundary
- Waterbodies & Waterways

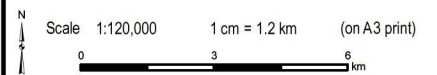
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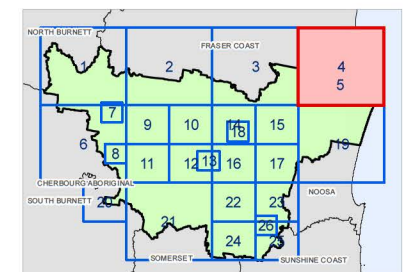
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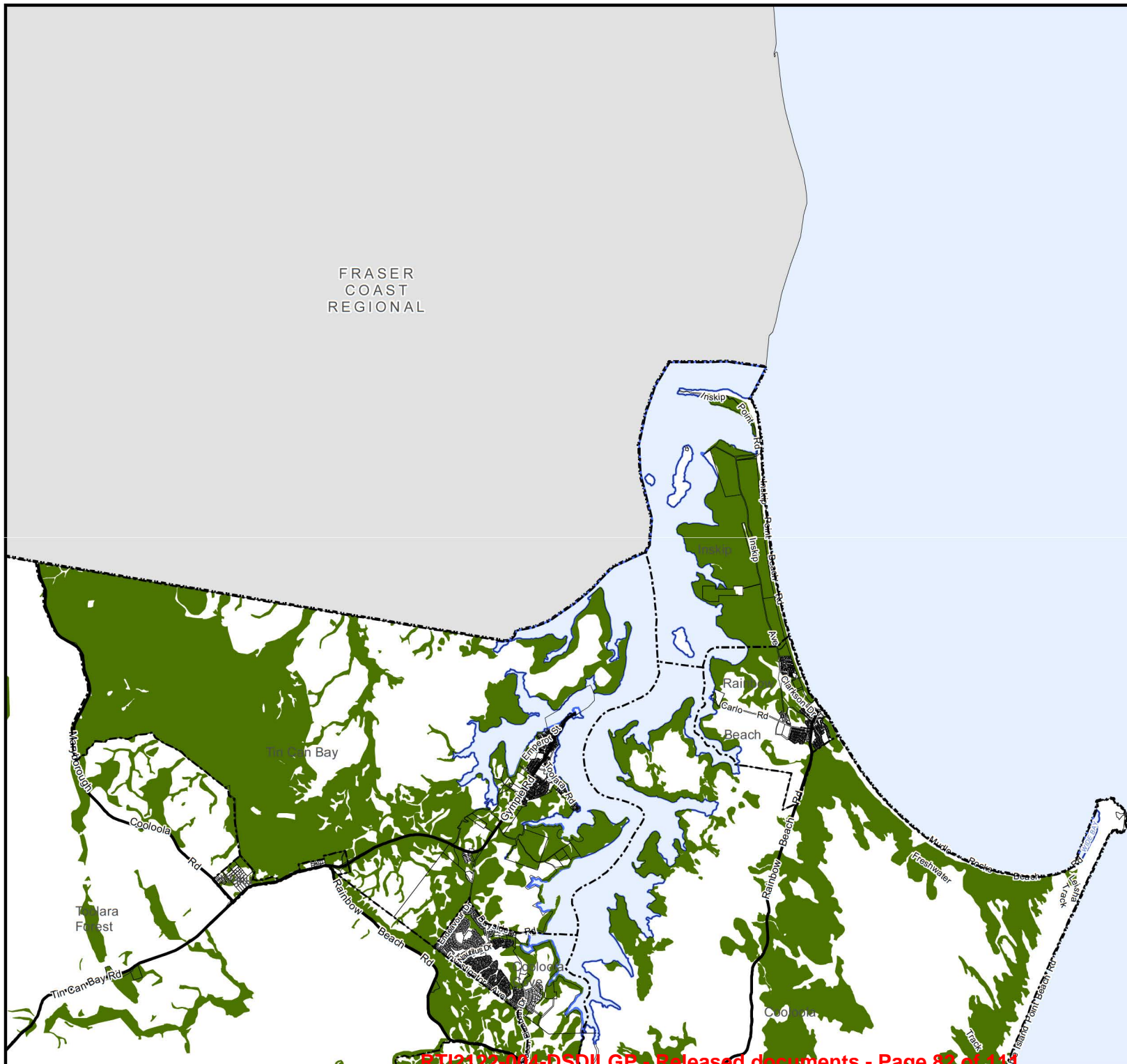
CRITICAL WILDLIFE HABITAT OVERLAY MAP OVERVIEW



Critical Wildlife Habitat Overlay Map 4

Version 3 Date: dd-mm-yyyy

FRASER
 COAST
 REGIONAL





**Gympie Regional Council
Planning Scheme
Biodiversity Overlay Map (i)
Critical Wildlife Habitat**

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Cadastre

- Proposed State Road
- State Controlled Roads
- DCDB ver. February 2018
- Suburb or Locality Boundary
- Local Government Boundary
- Waterbodies & Waterways

Disclaimer

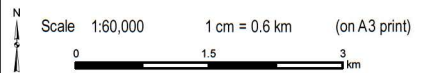
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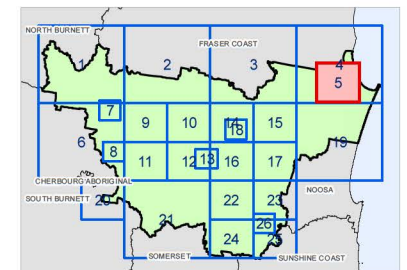
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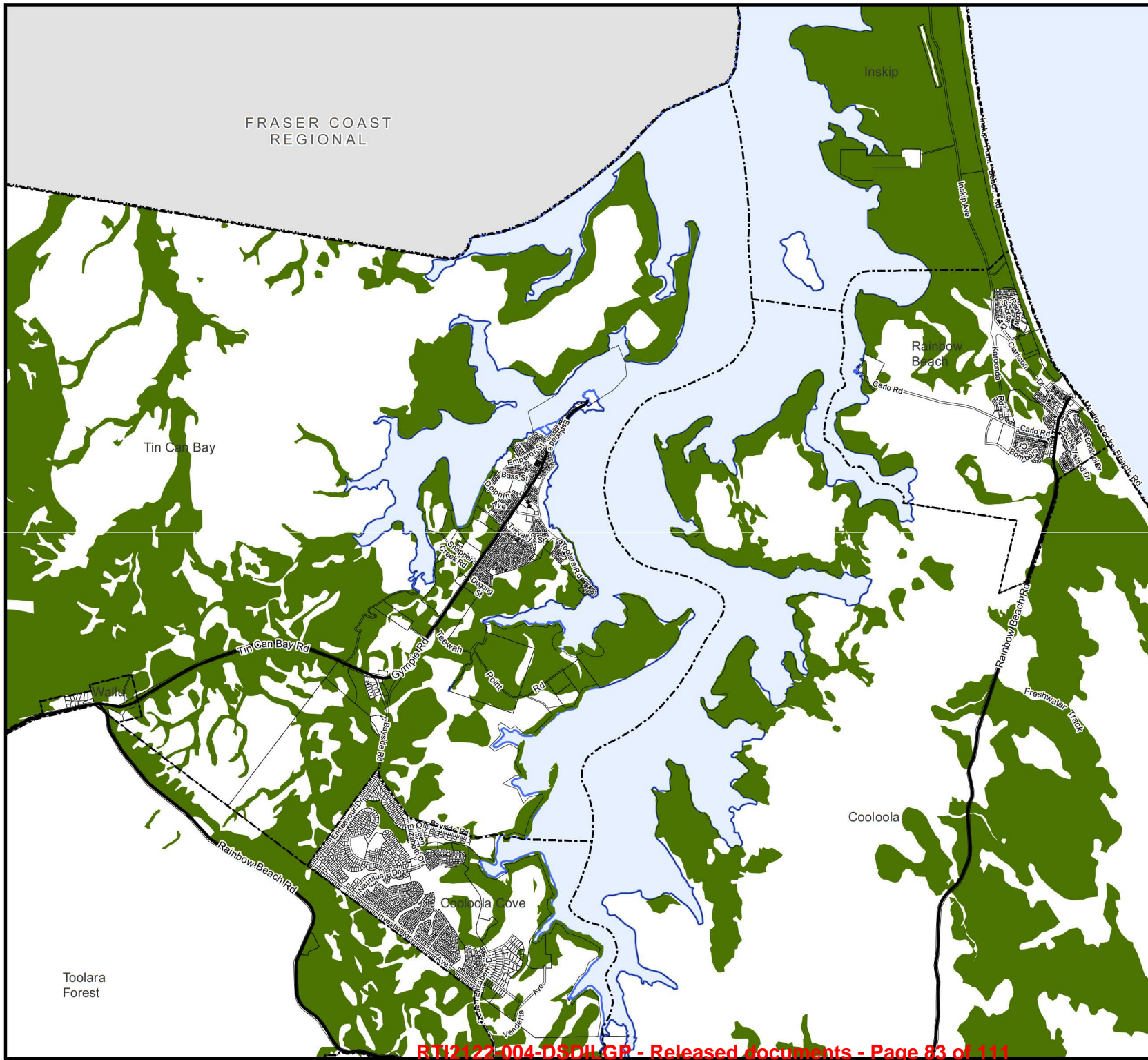


CRITICAL WILDLIFE HABITAT OVERLAY MAP OVERVIEW



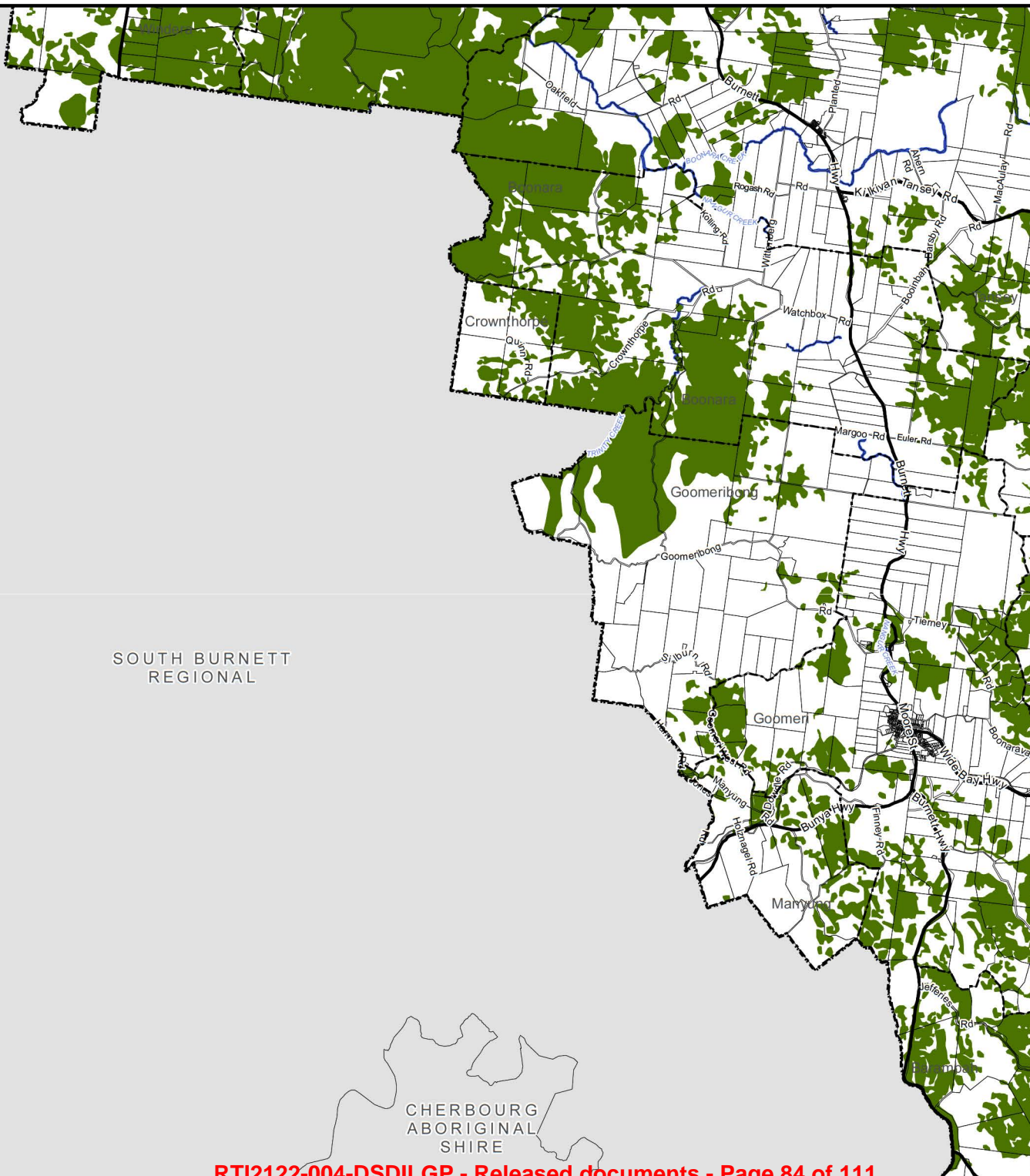
Critical Wildlife Habitat Overlay Map 5

Version 3 Date: dd-mm-yyyy





**Gympie Regional Council
Planning Scheme
Biodiversity Overlay Map (i)
Critical Wildlife Habitat**



SOUTH BURNETT
REGIONAL

CHERBOURG
ABORIGINAL
SHIRE

Environment

Critical Wildlife Habitat

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Southside Local Plan Area

Cadastre

- Proposed State Road
- State Controlled Roads
- DCDB ver. February 2018
- Suburb or Locality Boundary
- Local Government Boundary
- Waterbodies & Waterways

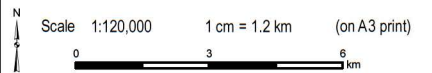
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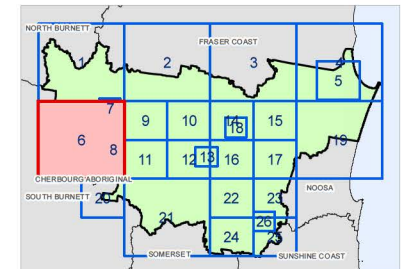
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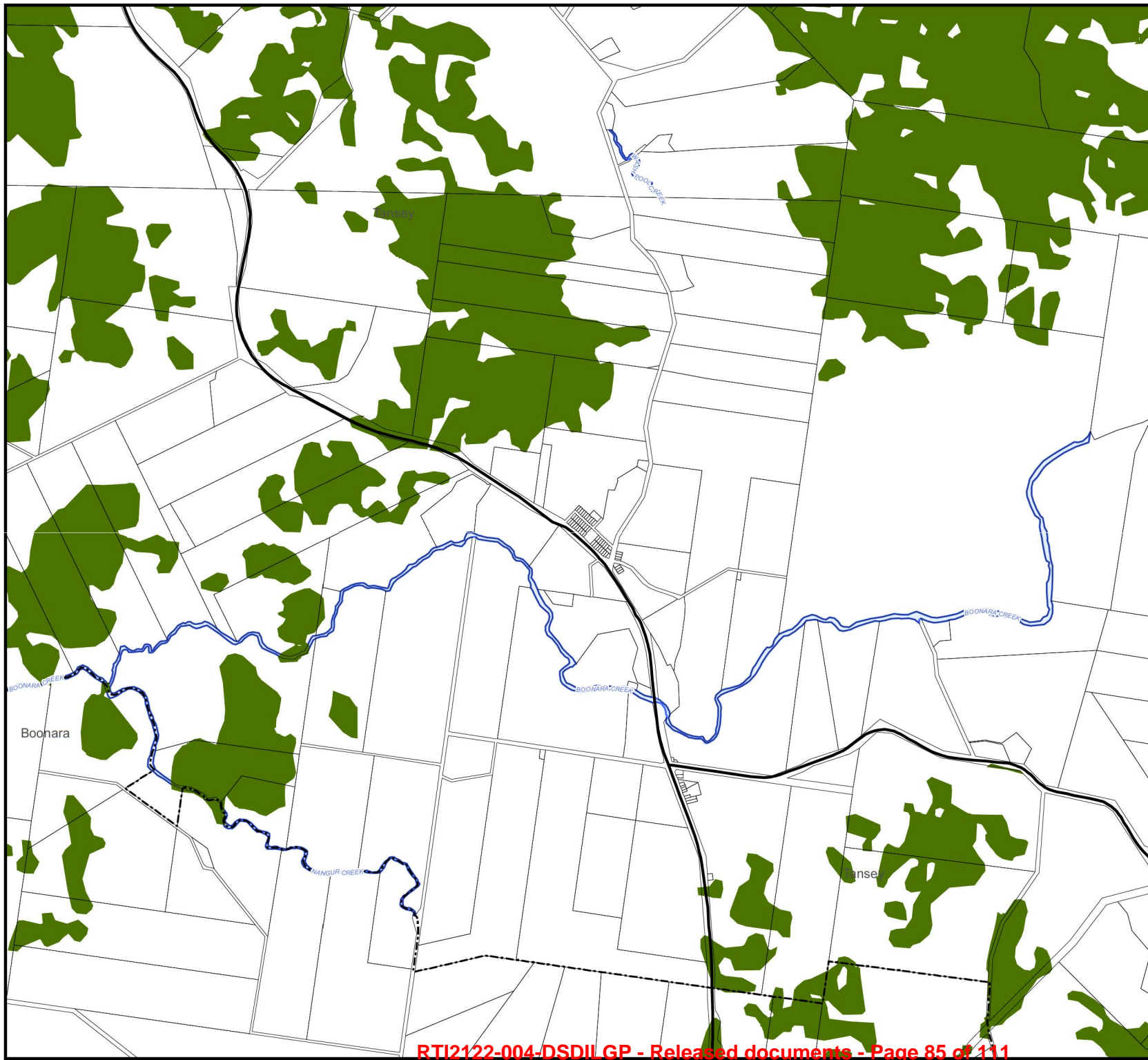


CRITICAL WILDLIFE HABITAT OVERLAY MAP OVERVIEW



Critical Wildlife Habitat Overlay Map 6

Version 3 Date: dd-mm-yyyy



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Cadastre

- Proposed State Road
- State Controlled Roads
- DCDB ver. February 2018
- Suburb or Locality Boundary
- Local Government Boundary
- Waterbodies & Waterways

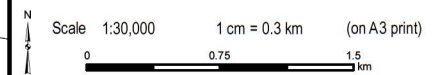
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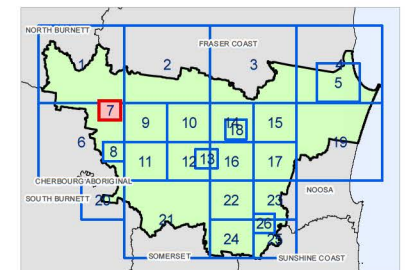
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CRITICAL WILDLIFE HABITAT OVERLAY MAP OVERVIEW



Critical Wildlife Habitat Overlay Map 7

Version 3 Date: dd-mm-yyyy



**Gympie Regional Council
Planning Scheme
Biodiversity Overlay Map (i)
Critical Wildlife Habitat**



Environment

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Southside Local Plan Area

Cadastre

- Proposed State Road
- State Controlled Roads
- DCDB ver. February 2018
- Suburb or Locality Boundary
- Local Government Boundary
- Waterbodies & Waterways

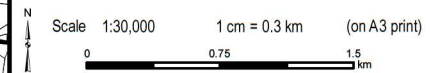
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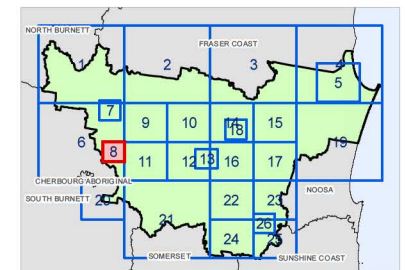
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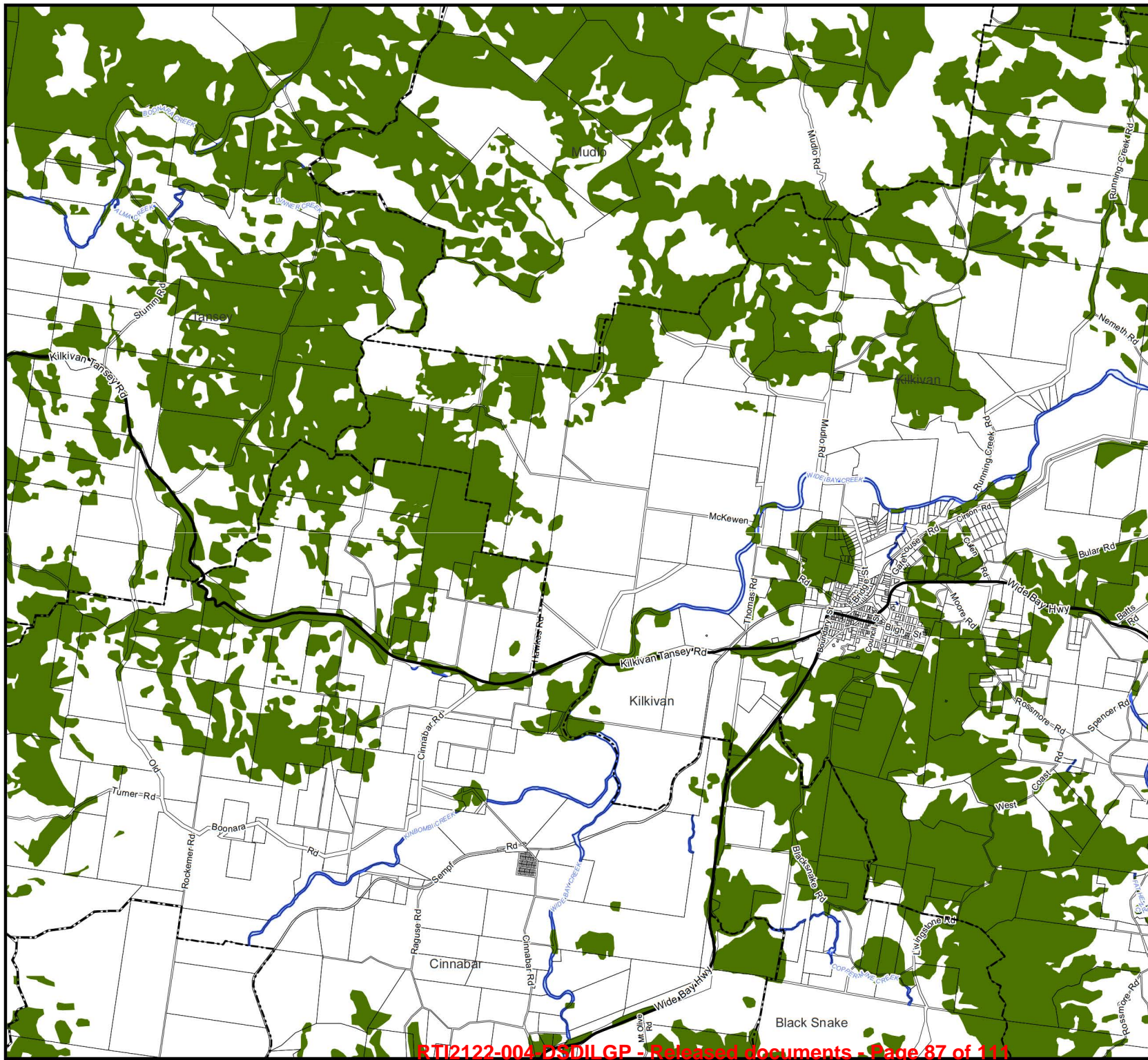


CRITICAL WILDLIFE HABITAT OVERLAY MAP OVERVIEW



Critical Wildlife Habitat Overlay Map 8

Version 3 Date: dd-mm-yyyy



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Southside Local Plan Area

Cadastre

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- State Controlled Roads
- DCDB ver. February 2018
- Suburb or Locality Boundary
- Local Government Boundary
- Waterbodies & Waterways

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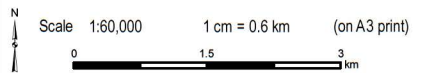
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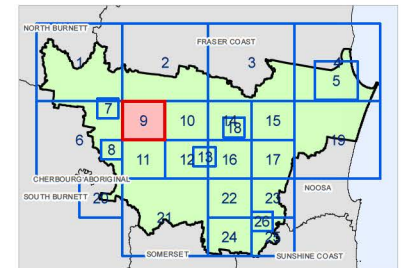
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CRITICAL WILDLIFE HABITAT OVERLAY MAP OVERVIEW



Critical Wildlife Habitat Overlay Map 9

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Cadastre

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- State Controlled Roads
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- Suburb or Locality Boundary
- Local Government Boundary
- Waterbodies & Waterways

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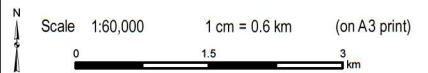
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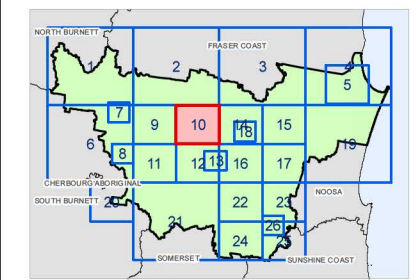
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CRITICAL WILDLIFE HABITAT OVERLAY MAP OVERVIEW

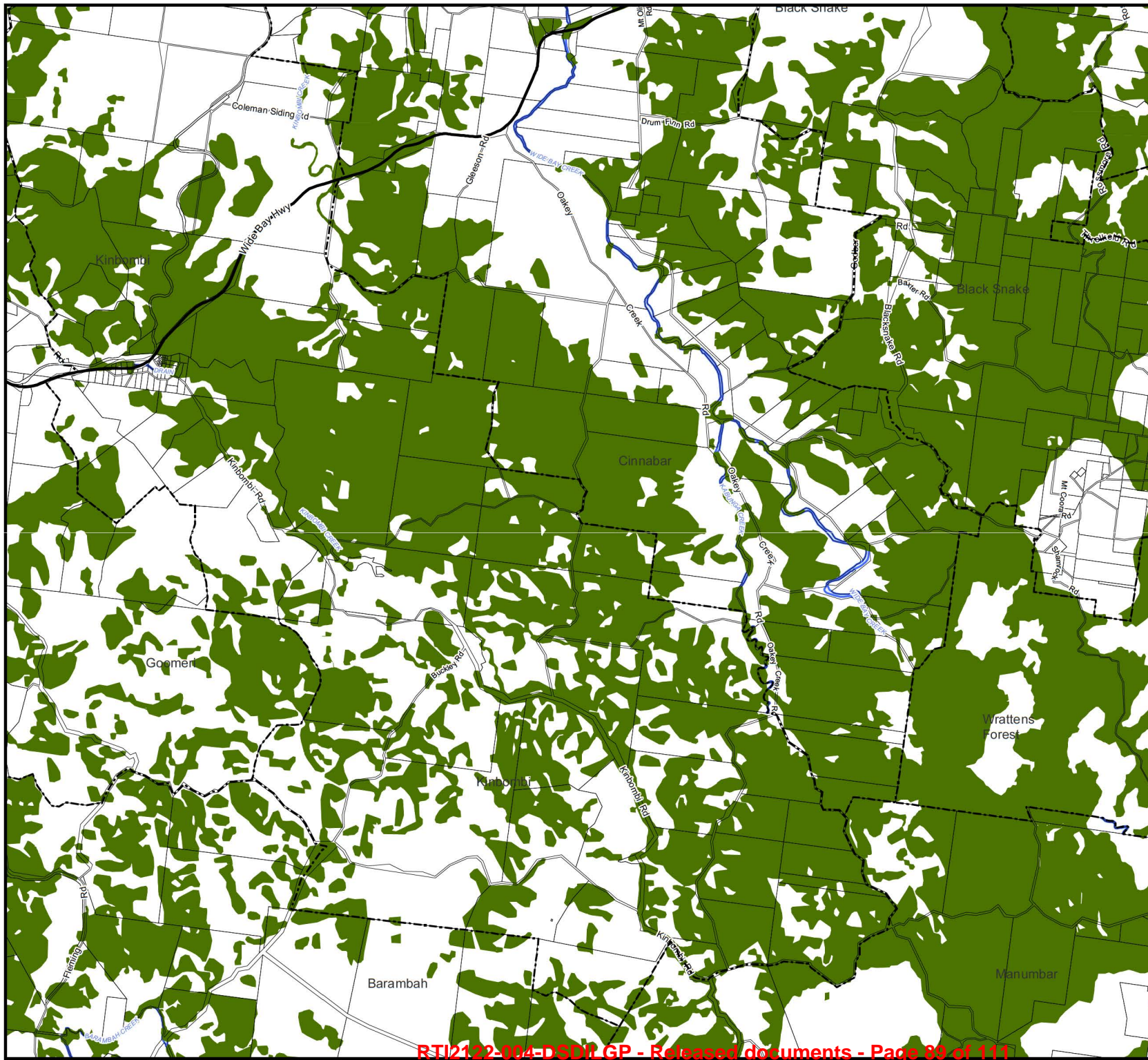


Critical Wildlife Habitat Overlay Map 10

Version 3 Date: dd-mm-yyyy



**Gympie Regional Council
Planning Scheme
Biodiversity Overlay Map (i)
Critical Wildlife Habitat**



Environment

Critical Wildlife Habitat

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Southside Local Plan Area

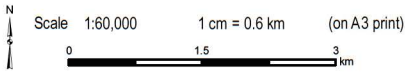
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- Proposed State Road
- State Controlled Roads
- DCDB ver. February 2018
- Suburb or Locality Boundary
- Local Government Boundary
- Waterbodies & Waterways

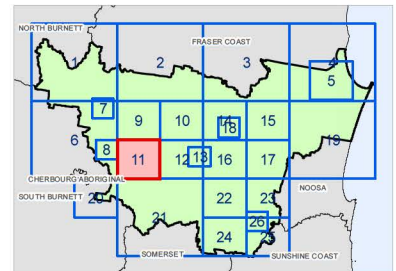
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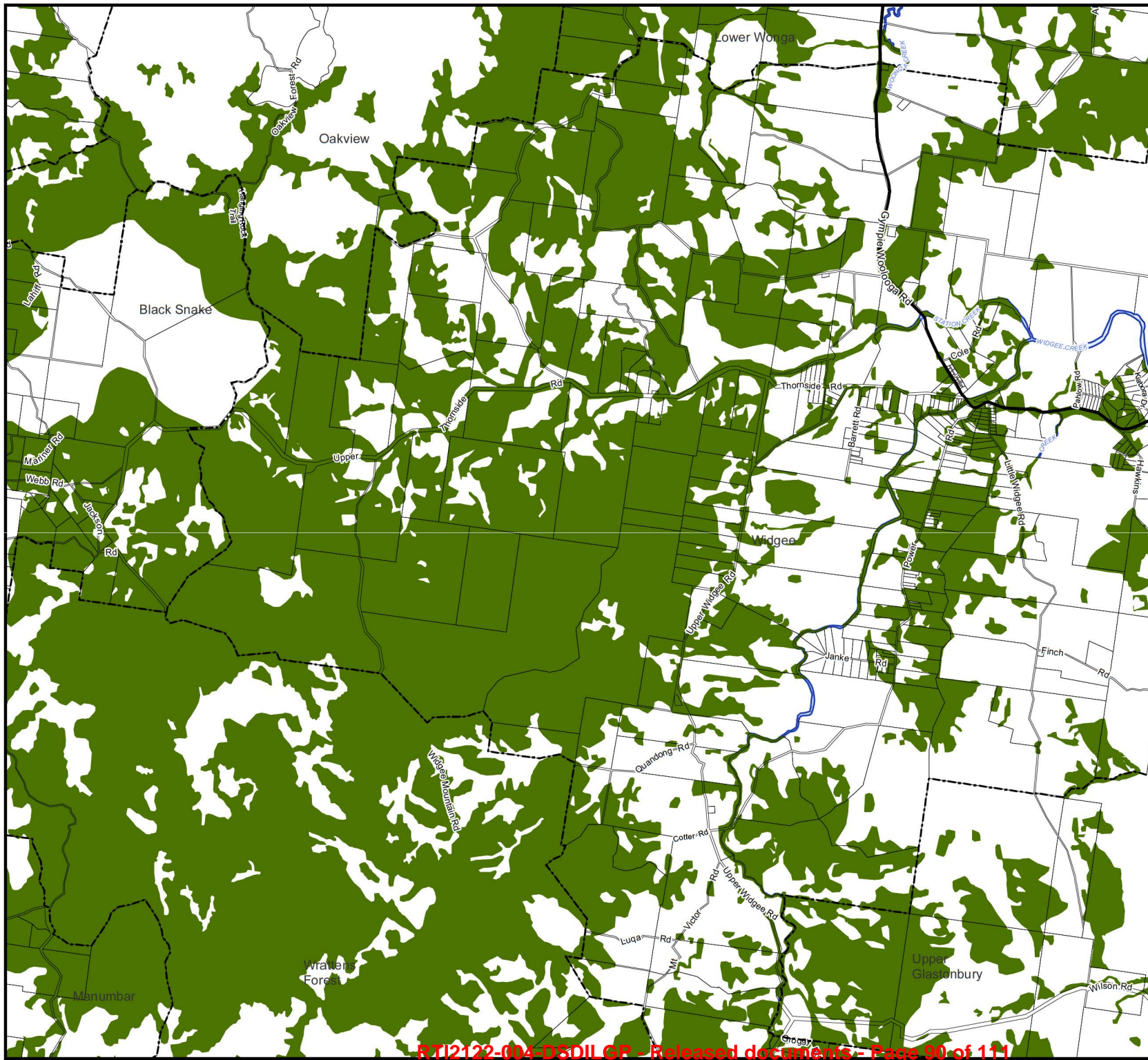


CRITICAL WILDLIFE HABITAT OVERLAY MAP OVERVIEW



Critical Wildlife Habitat Overlay Map 11

Version 3 Date: dd-mm-yyyy



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Southside Local Plan Area

Cadastre

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- State Controlled Roads
- DCDB ver. February 2018
- Suburb or Locality Boundary
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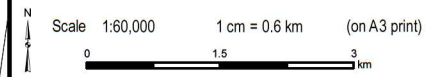
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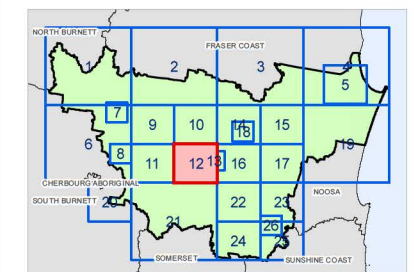
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CRITICAL WILDLIFE HABITAT OVERLAY MAP OVERVIEW



Critical Wildlife Habitat Overlay Map 12

Version 3 Date: dd-mm-yyyy



Environment

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Southside Local Plan Area

Cadastre

- Proposed State Road
- State Controlled Roads
- DCDB ver. February 2018
- Suburb or Locality Boundary
- Local Government Boundary
- Waterbodies & Waterways

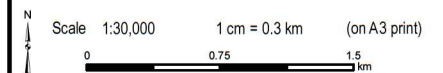
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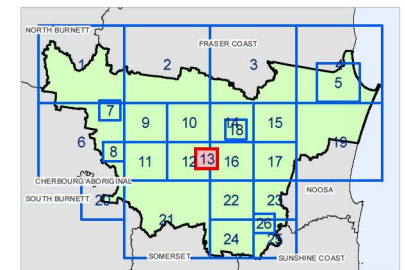
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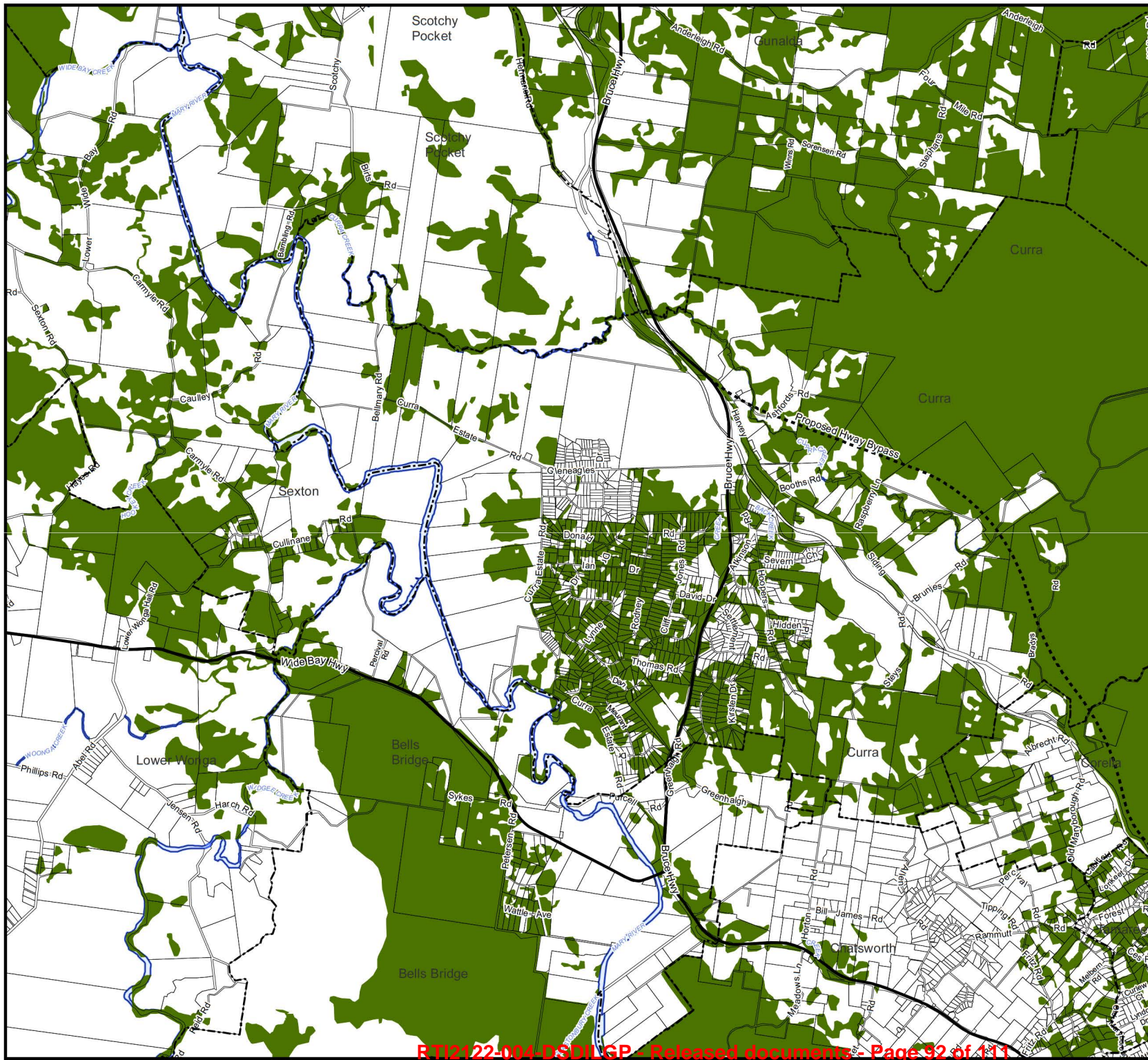


CRITICAL WILDLIFE HABITAT OVERLAY MAP OVERVIEW



Critical Wildlife Habitat Overlay Map 13

Version 3 Date: dd-mm-yyyy



Environment

Critical Wildlife Habitat

Advisory

Southside Local Plan Area

Cadastre

- Proposed State Road
- State Controlled Roads
- DCDB ver. February 2018
- Suburb or Locality Boundary
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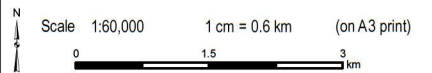
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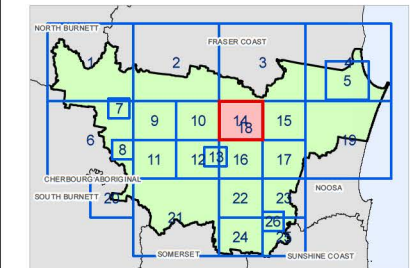
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CRITICAL WILDLIFE HABITAT OVERLAY MAP OVERVIEW

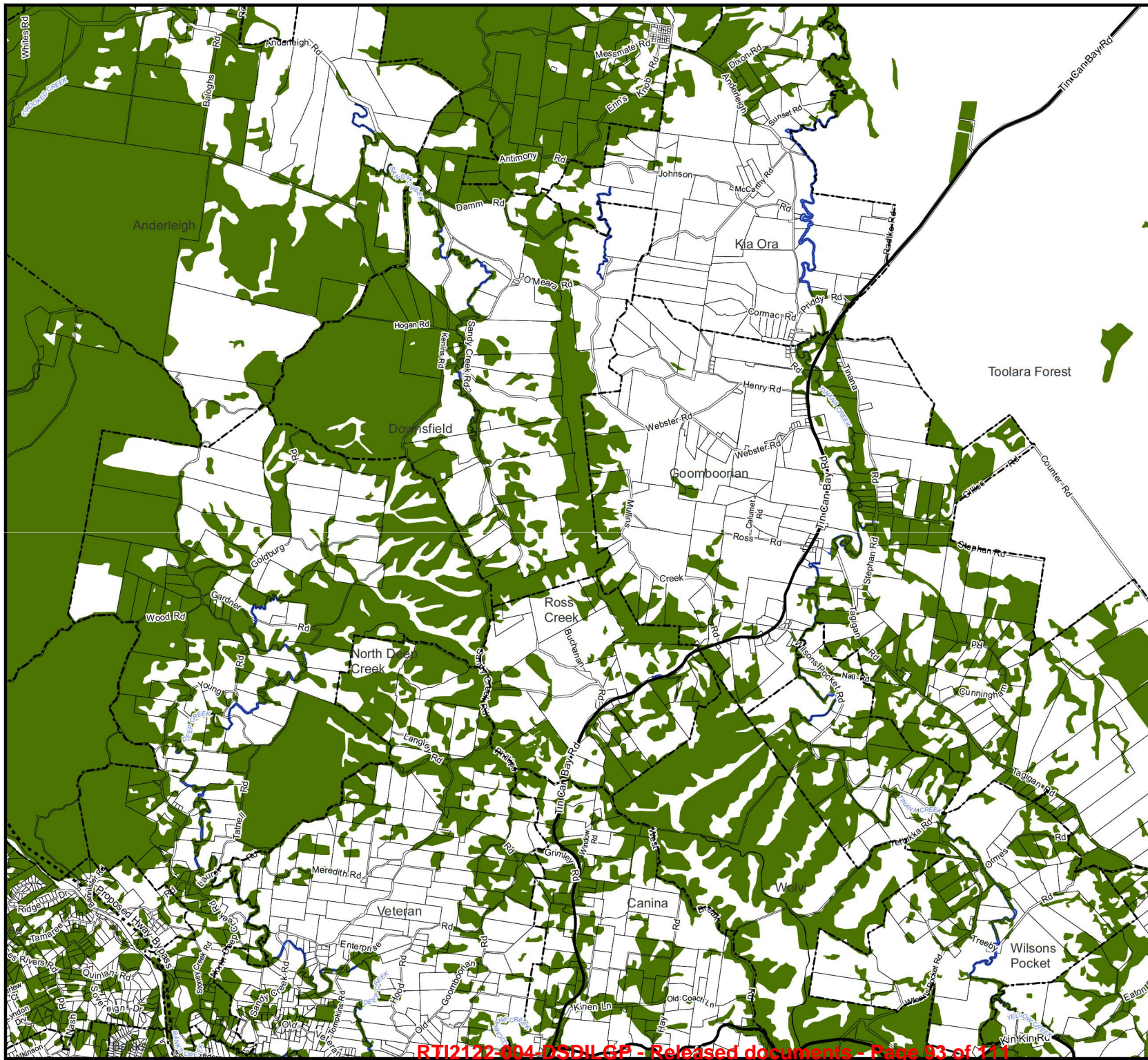


Critical Wildlife Habitat Overlay Map 14

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**Gympie Regional Council
Planning Scheme
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- State Controlled Roads
- DCDB ver. February 2018
- Suburb or Locality Boundary
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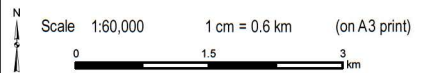
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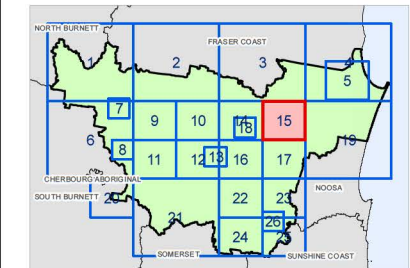
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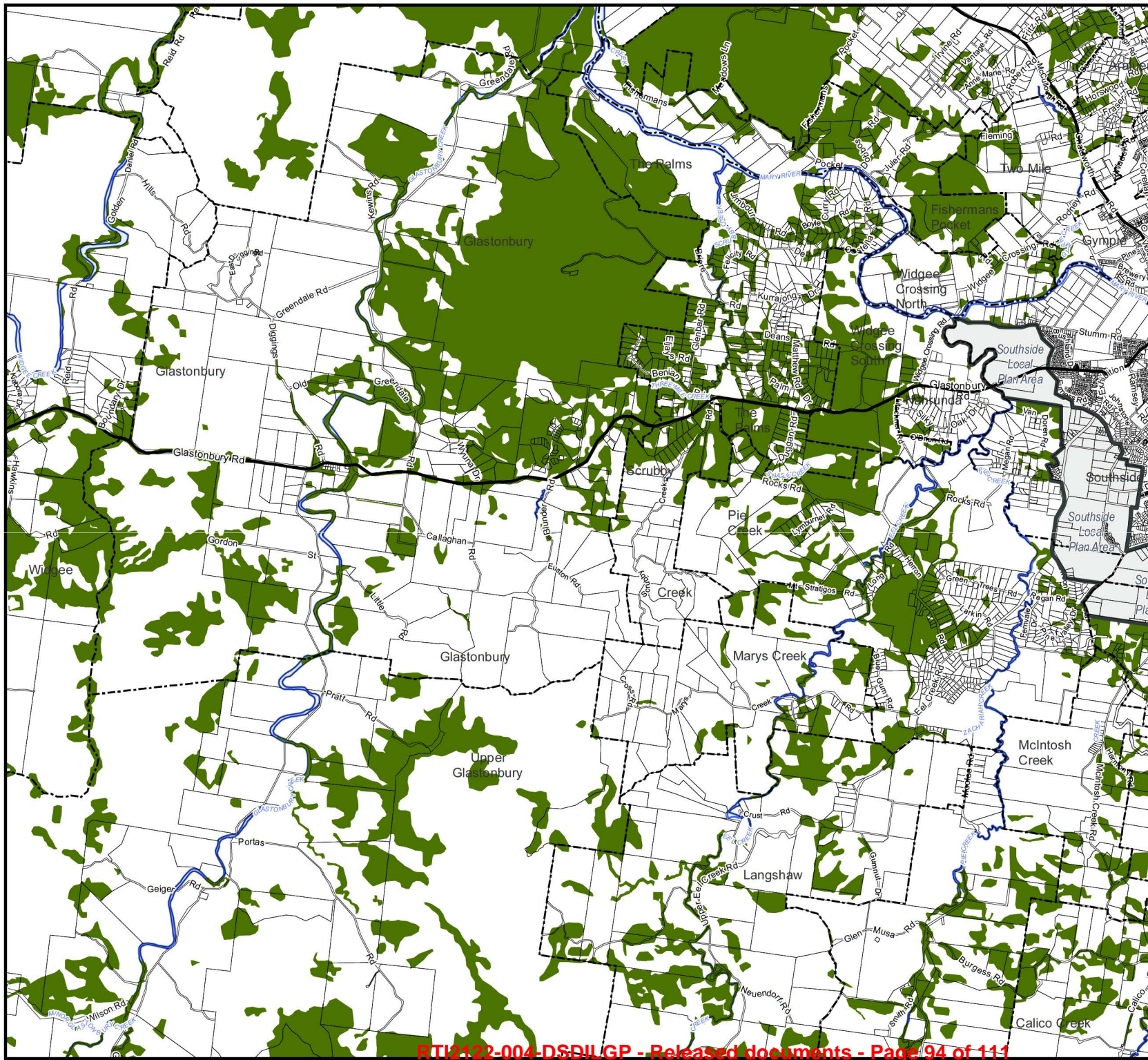


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Local Government Boundary

Waterbodies & Waterways

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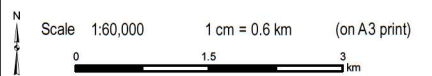
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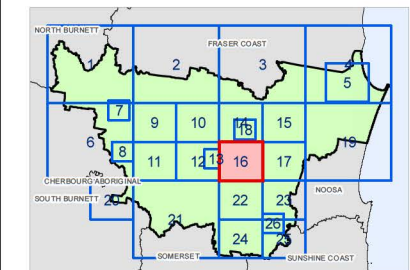
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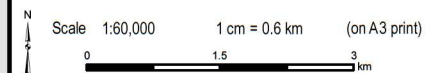
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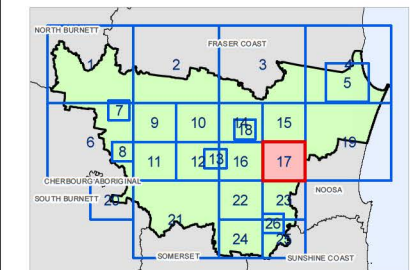
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CRITICAL WILDLIFE HABITAT OVERLAY MAP OVERVIEW

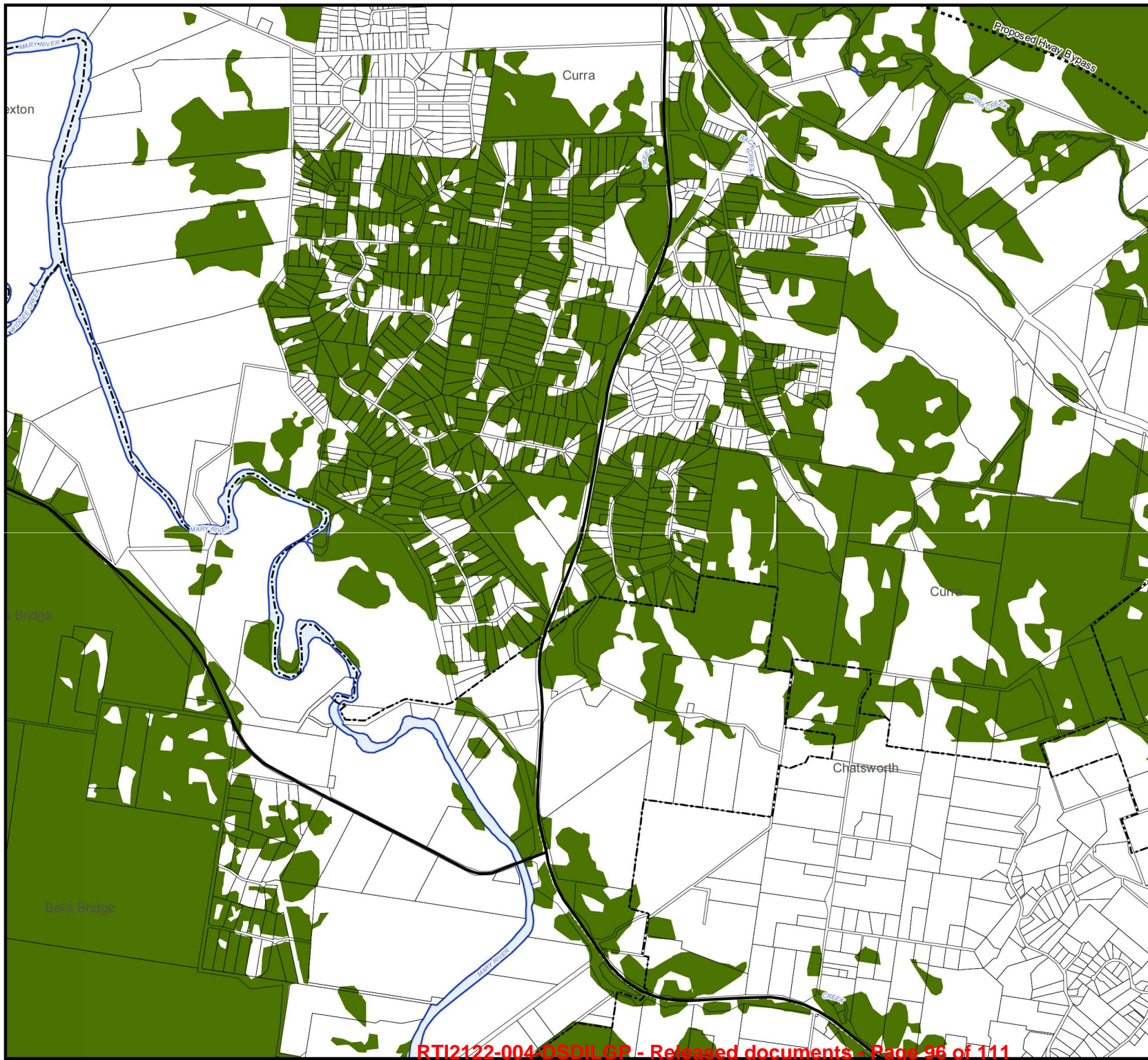


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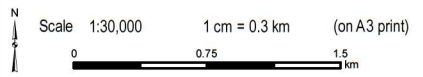
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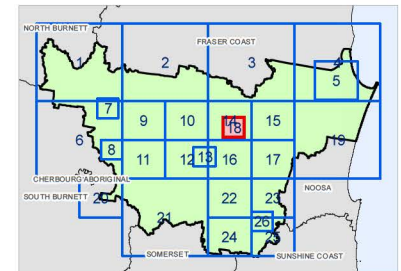
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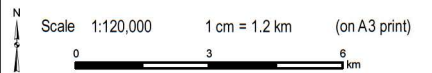
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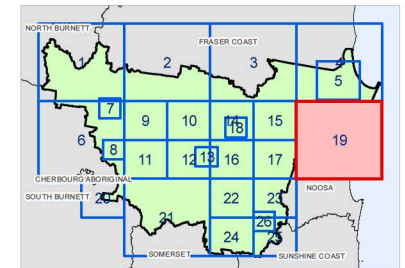
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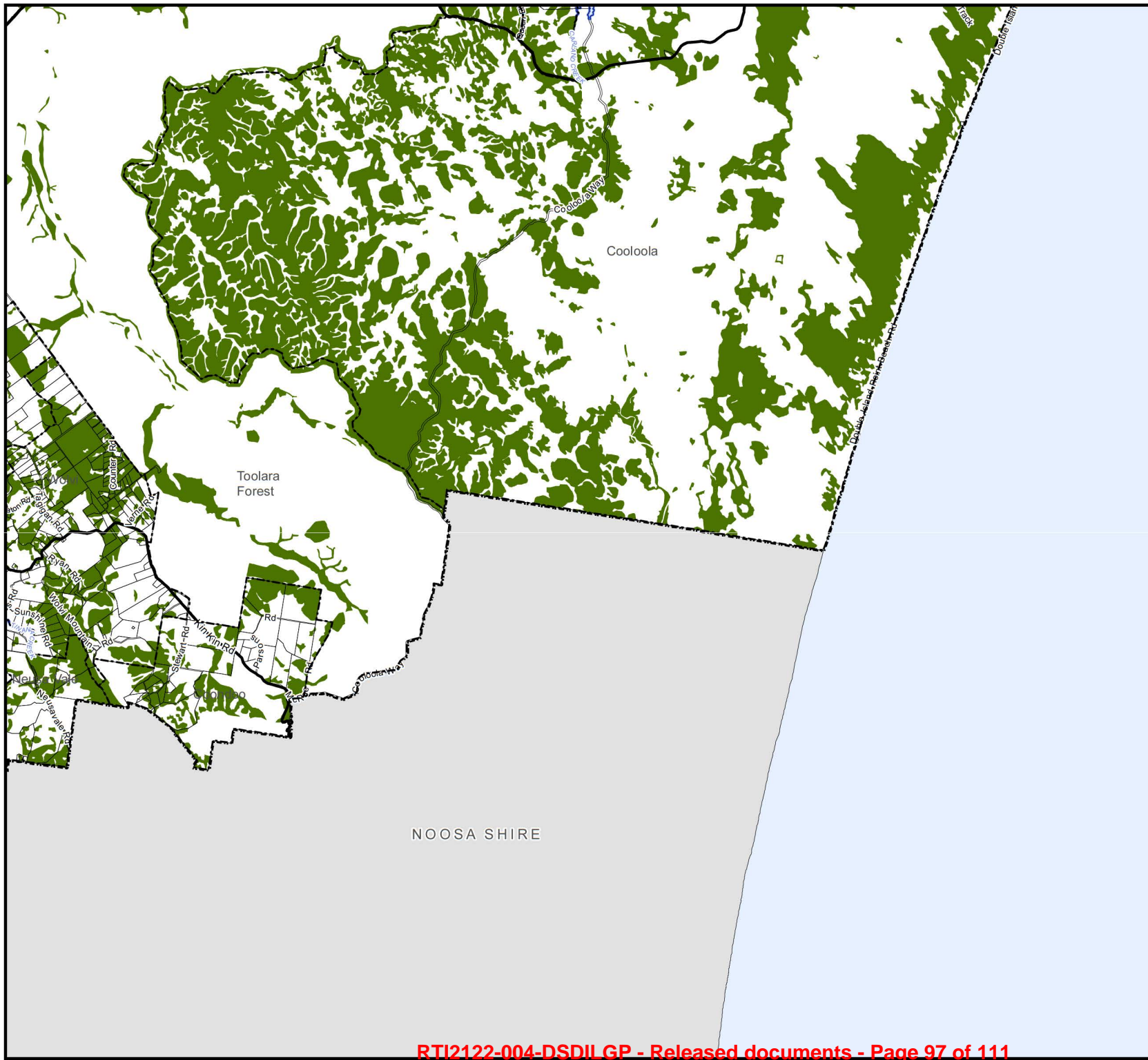


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CHERBOURG
ABORIGINAL
SHIRE

SOUTH BURNETT
REGIONAL



**Gympie Regional Council
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Critical Wildlife Habitat**

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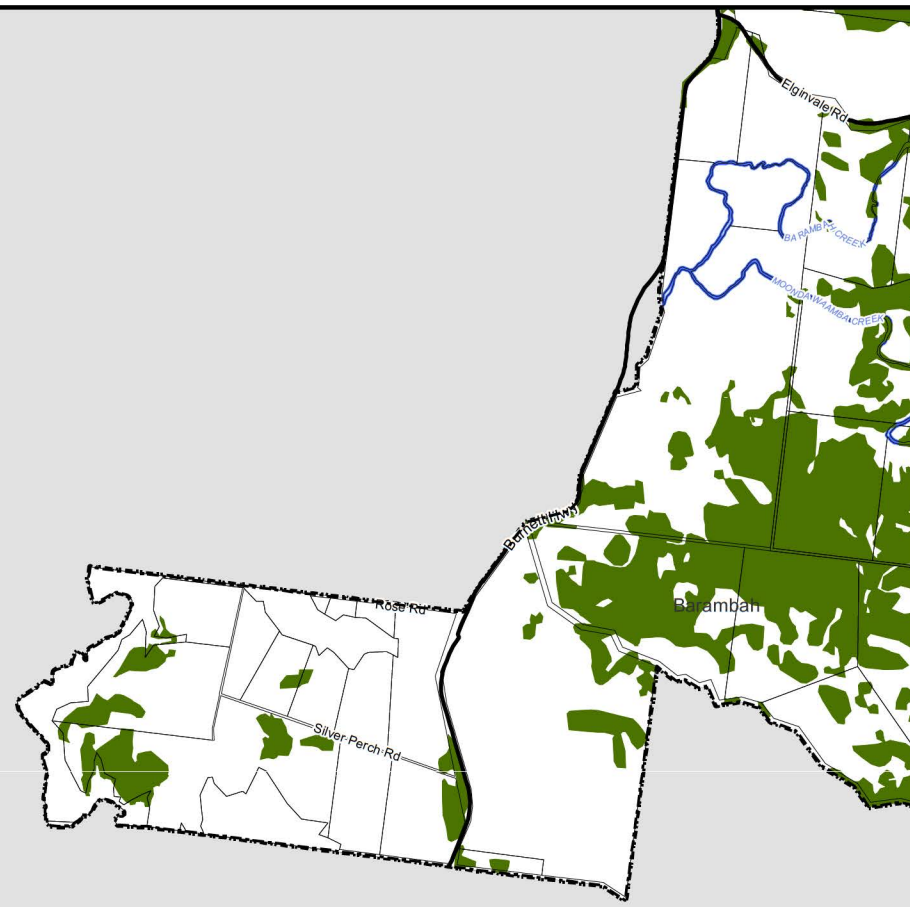
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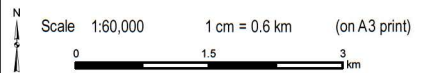


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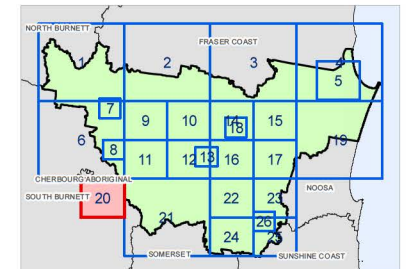
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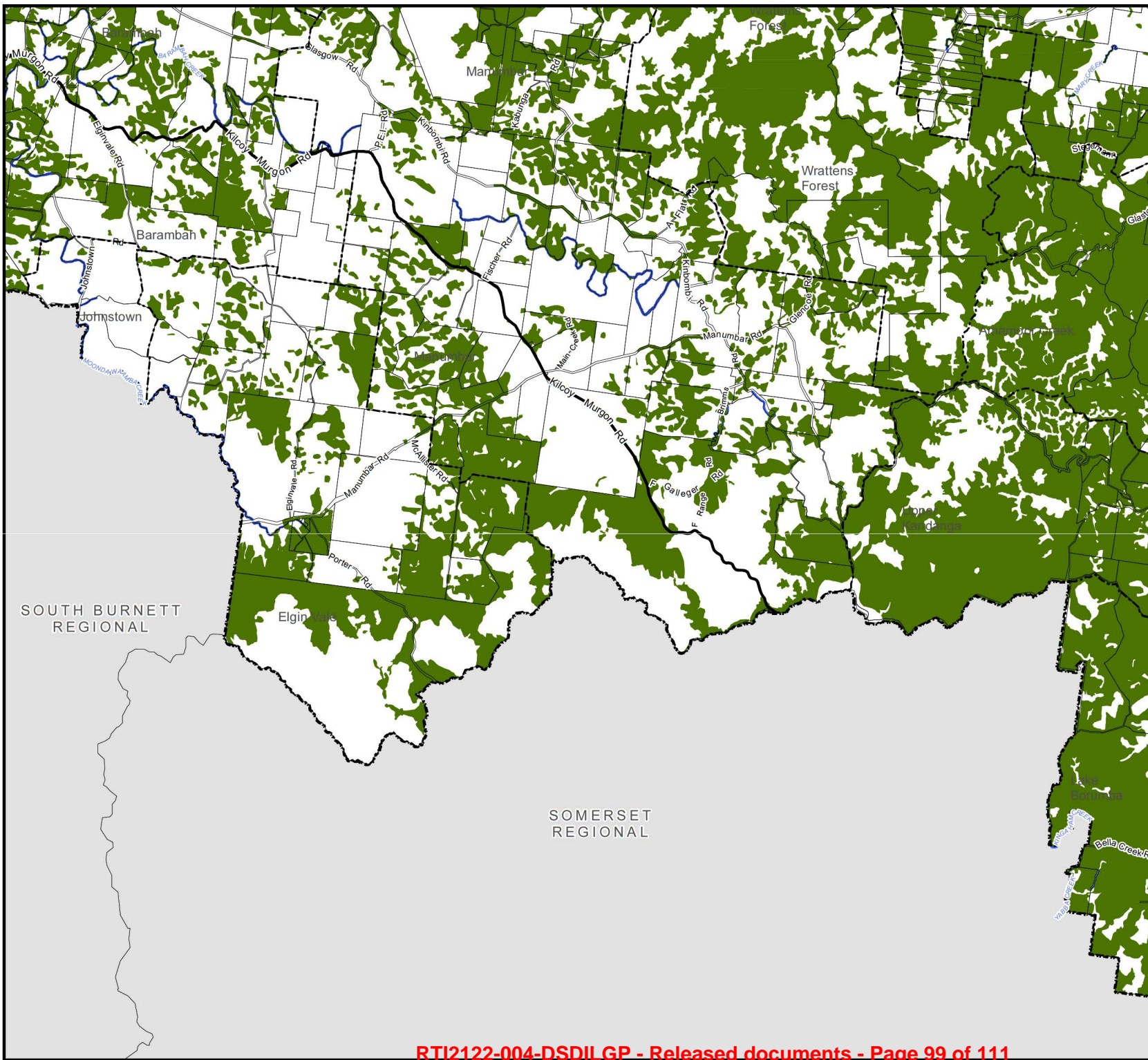


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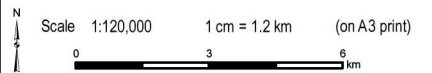
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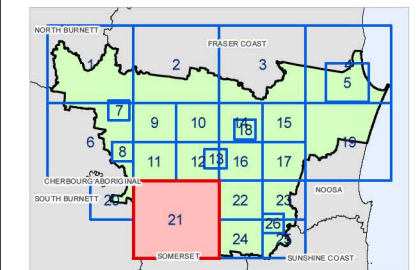
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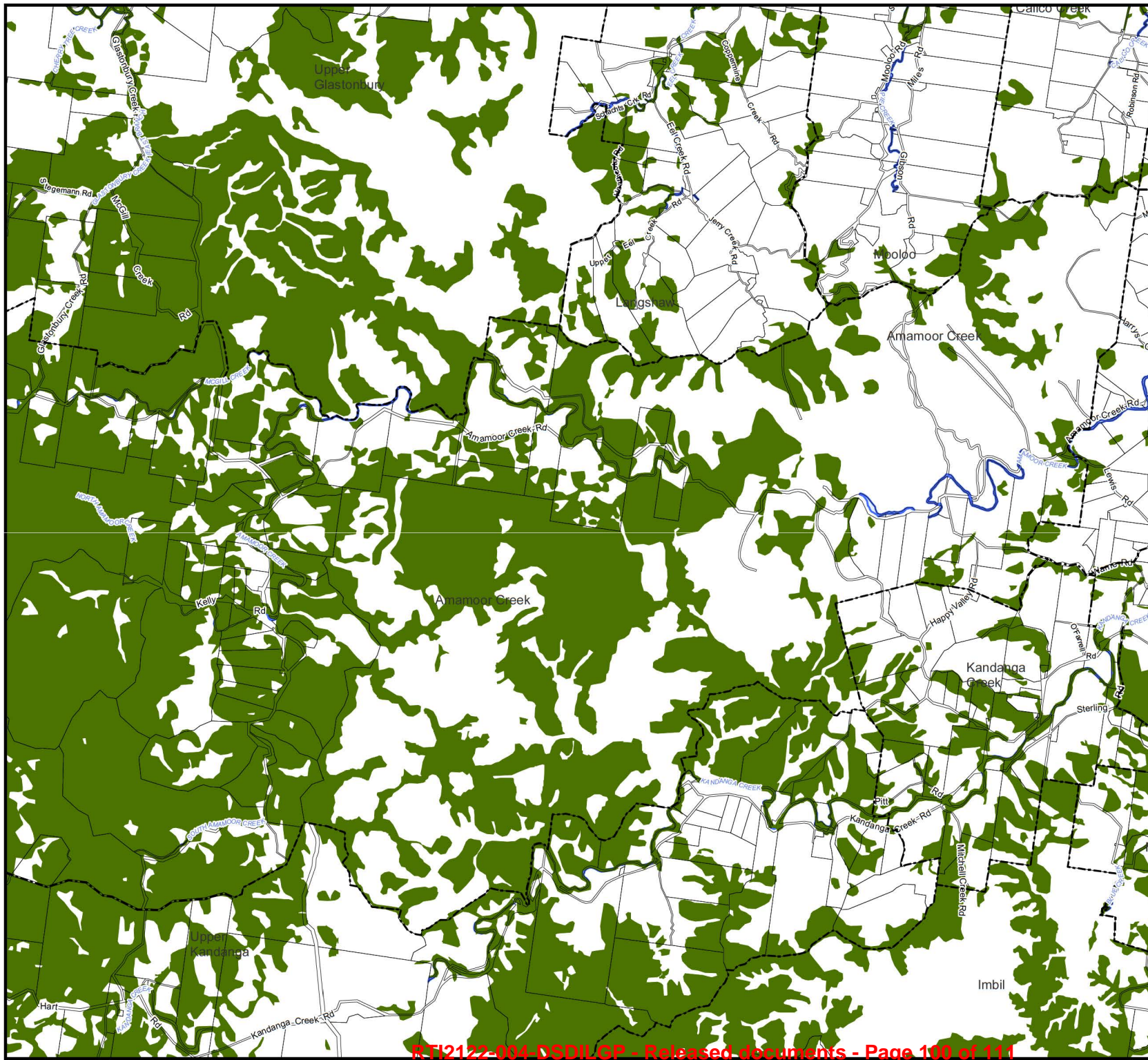


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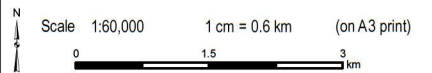
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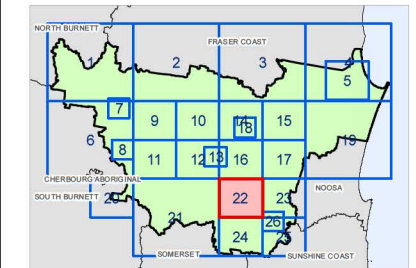
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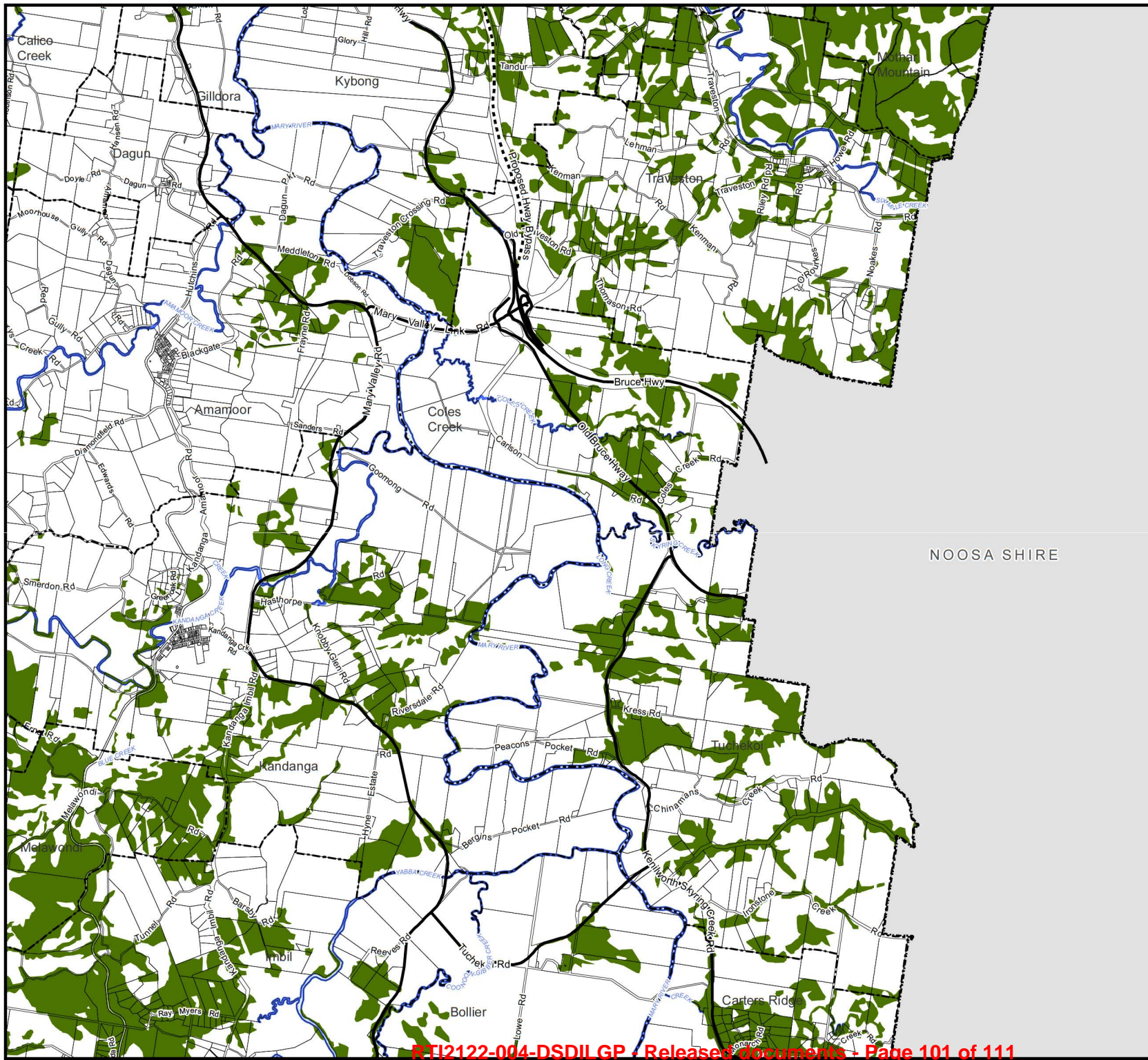


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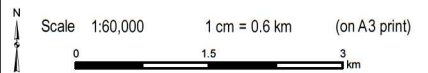
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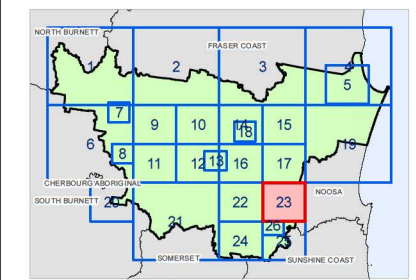
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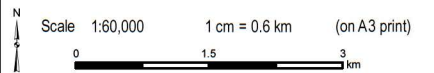
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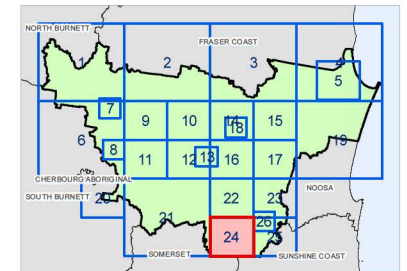
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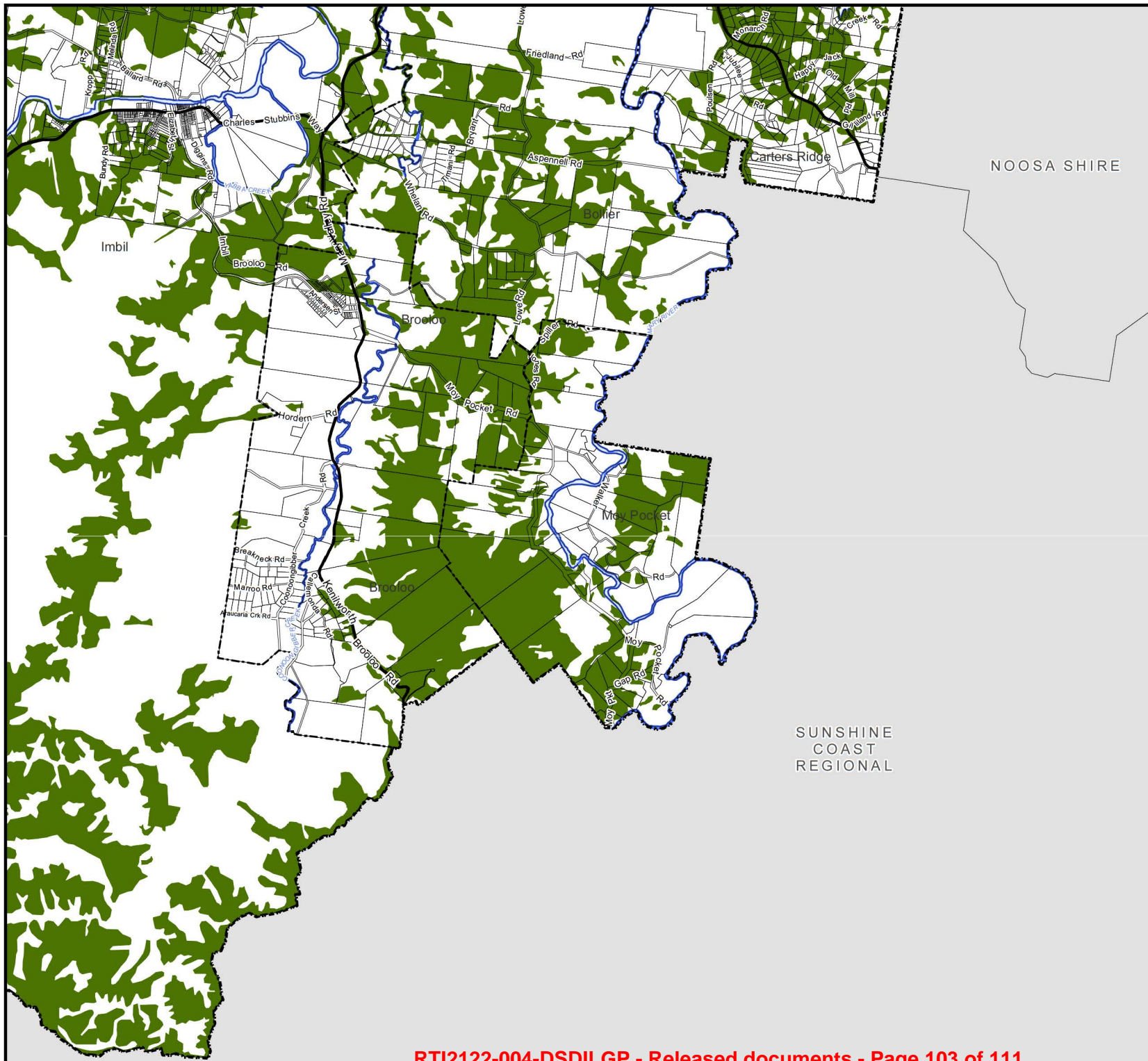


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NOOSA SHIRE

SUNSHINE
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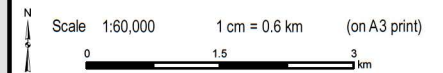
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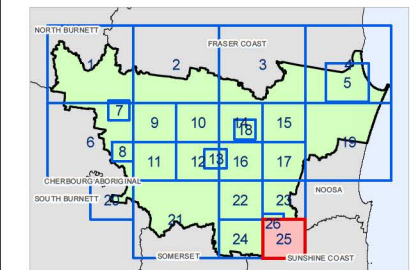
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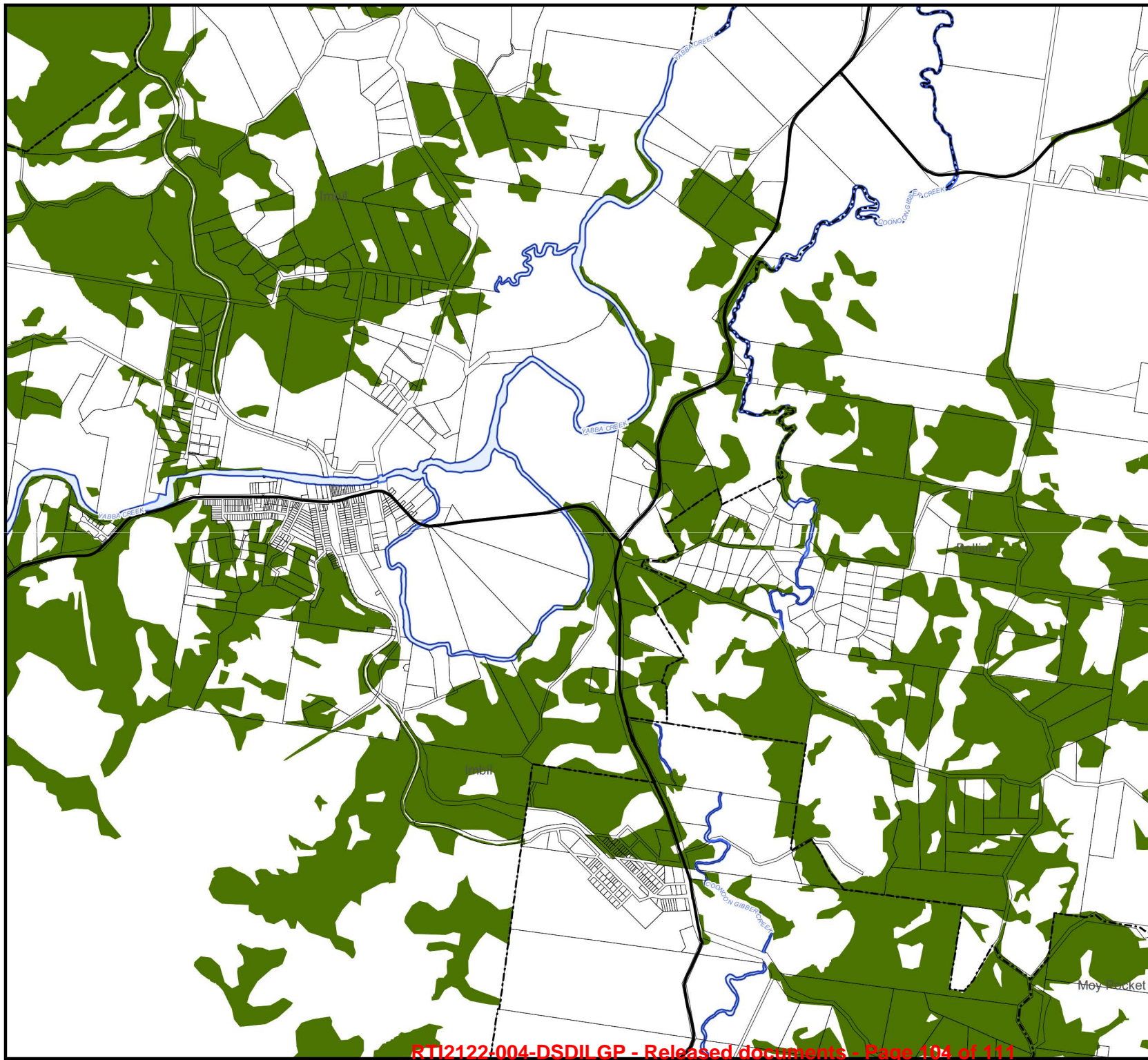


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- Southside Local Plan Area

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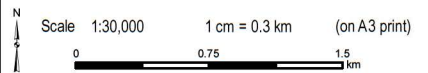
- Proposed State Road
- State Controlled Roads
- DCDB ver. February 2018
- Suburb or Locality Boundary
- Local Government Boundary
- Waterbodies & Waterways

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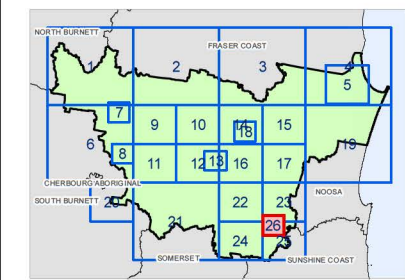
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Map Grid of Australia (MGA) Zone 56 Geodetic Datum of Australia (GDA) 1994

Note: The Gympie Regional Council Planning Scheme was adopted on 12 June 2013 and took effect 1 July 2013



CRITICAL WILDLIFE HABITAT OVERLAY MAP OVERVIEW



Critical Wildlife Habitat Overlay Map 26

Version 3 Date: dd-mm-yyyy

From: Irrelevant information de
To: Irrelevant information de
Cc: Irrelevant information de
Subject: TLPI for Biodiversity matters
Date: Thursday, 20 February 2020 12:24:51 PM
Attachments: [image001.jpg](#)

Hi Irrelevant information de

Is there a time early next week (Monday/Tuesday) that suits you to have a quick teleconference with Irrelevant information de and I to discuss the TLPI for Biodiversity Matters?

We were wanting to discuss two things; how the TLPI is progressing, and also in terms of process for adoption and commencement what your thoughts are on the resolution that Council made on this item and our understanding of the below.

In regards to the TLPI for Biodiversity Matters, Council at its Ordinary meeting resolved:

RECOMMENDATION

1. That following information requested from the Department of Environment and Science, the title of the "Koala Habitat Values" mapping and any associated references in the *Temporary Local Planning Instrument 2 – Protection of biodiversity values*, be amended to "Critical Wildlife Habitat."
2. That subject to notice of approval for *Temporary Local Planning Instrument 2 – Protection of biodiversity values (TLPI)* from the Minister for State Development, Manufacturing, Infrastructure and Planning, Council adopts and commences implementation of the TLPI, with a backdated effective date of 25 September 2019 (incorporating references to "Critical Wildlife Habitat" in place of "Koala Habitat Values").

Ultimately this means Council has actioned item 9.1 of Chapter 3, Part 2 of the Minister's Guidelines and Rules. Under the *Planning Act 2016* Part 3 item 2a it states that (summarising) a TLPI that is made substantially in compliance with the process in division 2 (Making or amending TLPIs) is valid as long as the noncompliance does not restrict the Minister's opportunity to consider whether the TLPI would adversely affect State interests.

Given the resolution above endorses the adoption and commencement of the TLPI 'subject to notice of approval' from the Minister, it is considered by Council that the 'noncompliance' in terms of the Council 'decision' before the approval notice does not restrict the Minister's ability to consider whether the TLPI would adversely affect State interests. Should the Minister issue a refusal, the resolution would fall away as such.

Based on the above, it is our understanding that following approval from the Minister, Council would move straight to releasing the public notice notifying of adoption and commencement of the TLPI, and subsequently sending the Minister the certified copy and supporting required material. This means that we would not be seeking approval from the Minister for LG during caretaker period as we had previously discussed as Council has already made the decision to adopt and commence, as per the resolution above.

We'd love to hear your thoughts on this.

Kind Regards

Irrelevant information de

Coordinator - Planning Scheme Program
PLANNING STRATEGY AND MAJOR PROJECTS

cid:image001.jpg@01D5C9EB.BE57A490



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

Irrelevant information

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

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From: [Planning Support](#)
To: Irrelevant information
Subject: RE: Gympie TLPI 02/2019 - response to information request received (Plan Making Portal Ref: TLPI-00064)
Date: Tuesday, 29 October 2019 8:55:08 AM
Attachments: [image011.png](#)
[image012.png](#)
[image014.jpg](#)
[image015.png](#)
[image016.png](#)
[image017.jpg](#)
[image018.jpg](#)
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[image024.jpg](#)
[image025.png](#)
[DMView_1572303019919_26547-19_1617726_Response_to_the_informal_review_of_the_TLPI_biodiversity_from_Gympie_Council.docx](#)

Hi Irrelevant information

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

Feel free to call me to discuss.

Kind regards

Irrelevant information deleted

Principal Policy Officer, Environmental Planning

Sustainable Environment | Environmental Policy and Planning

Department of Environment and Science

Irrelevant information deleted in accordance with the Freedom of Information Act 2009

Level 10, 400 George St, Brisbane QLD 4000

GPO Box 2454, Brisbane QLD 4001



Please consider the environment before printing this email

From: Irrelevant information deleted in accordance with the Freedom of Information Act 2009 <[redacted]@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,

Irrelevant information deleted

Principal Planner

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

Irrelevant informat

Level 1, 7 Takalvan Street, Bundaberg QLD 4670
PO Box 979, Bundaberg Qld 4670
www.dsdmiq.qld.gov.au

LET'S CONNECT



From: Irrelevant informat

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.

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,

Irrelevant informat

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

Irrelevant informa

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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Informal review - Gympie Regional Council TLPI - biodiversity

Dear [Irreleva]

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 [Irrelevant informa]

Kind regards,

[Irrelevant information de]

Principal Planning Officer
Environmental Policy and Planning

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>