

# Biodiversity in Queensland's regional planning framework - some thoughts from DES

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Note: this is not government policy

# Acknowledgement of Country

***'We acknowledge the First Nations people of all nations throughout Australia and the Torres Strait Islands and recognise their continuing connection to land, waters, sky and culture. We pay our respects to their Elders past, present and emerging.'***

The SEQ City Deal will focus on achieving the following outcomes:



**A more liveable SEQ**

**Strategic Investments committed**

- SEQ Liveability Fund
- Resilient Rivers Initiative
- Resource Recovery Infrastructure
- Regional Waste Management Strategy
- First Nations Cultural Centre Business Case
- Green Urban Infrastructure
- Public Art Initiatives
- Blue Heart Sunshine Coast
- Strategic Approach under EPBC Act

**Related investments under the Deal**

- Loganlea-Meadowbrook Infrastructure
- Smart Region Digital Plan
- Brisbane Valley Highway Safety Upgrades

**Building on Existing Investments**

- Recycling Modernisation Fund
- Queensland Waste Levy
- Resilient Rivers Initiative
- Building Acceleration Fund

**Strategic Approach under EPBC Act**

Deal investment: **\$10M**  

The Australian Government and Queensland Government will consider approaches to protect critical habitat and species and create greater certainty for industry.

# City Deal - A strategic approach under the EPBC Act

EPBC Act reforms – proposal for regional planning under the Samuel Review

Review of the SEQ regional plan

Sustainability requirements for the Olympics

COP 15

DES's biodiversity strategy

Housing reform



# The challenge at a strategic level



Land supply and growth challenges in SEQ.



Growing importance of urban biodiversity.



How to provide for population growth while protecting biodiversity.

# The challenge of MES....

- In Queensland, the system of protecting biodiversity is based on the concept of Matters of Environmental Significance (MES) – or the MES framework.
- The State Planning Policy identifies biodiversity as: Matters of National Environmental Significance (MNES), Matters of State Environmental Significance (MSES), and Matters of Local Environmental Significance (MLES).
- While there is an inherent logic in the concept of MES, in practice it is more complex.

## State interest – biodiversity

Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.



All of the following state interest policies must be appropriately integrated in planning and development outcomes, where relevant.

(1) Development is located in areas to avoid significant impacts on matters of national environmental significance and considers the requirements of the *Environment Protection and Biodiversity Conservation Act 1999*.

(2) Matters of state environmental significance are identified<sup>2</sup> and development is located in areas that avoid adverse impacts; where adverse impacts cannot be reasonably avoided, they are minimised<sup>1</sup>.

(3) Matters of local environmental significance are identified and development is located in areas that avoid adverse impacts; where adverse impacts cannot be reasonably avoided, they are minimised<sup>4</sup>.

(4) Ecological processes and connectivity is maintained or enhanced by avoiding fragmentation of matters of environmental significance.

(5) Viable koala populations in South East Queensland are protected by conserving and enhancing koala habitat extent and condition.

# Why is it complex...

- Multiple legislative layers
- It therefore creates a list of matters to be regulated but no mechanism to understand which is most important or why

	MNES	MSES	MLES
Leg	EPBC Act 1999	Nature Conservation Act 1992, Vegetation Management Act Offsets Act 2014, State Planning Policy 1999, Environment Protection Act 1994, Fisheries Act 1994, Planning Act 2016, Environmental Offsets Act 2014, Marine Parks Act 2004	
Biodiversity Matters	<ul style="list-style-type: none"> <li>• world heritage properties</li> <li>• national heritage places</li> <li>• wetlands of international importance</li> <li>• listed threatened species and Communities</li> <li>• listed migratory species</li> <li>• Commonwealth marine areas</li> <li>• the Great Barrier Reef Marine Park</li> </ul>	<ul style="list-style-type: none"> <li>• protected areas</li> <li>• threatened wildlife and special least concern animals</li> <li>• Regulated vegetation under the Vegetation Management Act 1999</li> <li>• wetlands in a wetland protection area or wetlands of high ecological significance</li> <li>• wetlands and watercourses in high ecological value waters</li> <li>• areas within declared fish habitat areas that are management A areas or management B areas</li> <li>• marine plants waterways that provide for fish passage</li> <li>• a designated precinct, in a strategic environmental area under the Regional Planning Interests Regulation</li> <li>• legally secured offset areas</li> <li>• high risk area on the flora survey trigger map</li> <li>• 'marine national park', 'conservation park', 'scientific research', 'preservation' or 'buffer' zones</li> </ul>	<ul style="list-style-type: none"> <li>• local government identify and protect matters of local environmental significance (MLES) where it is not MSES or MNES.</li> </ul>



# Some thoughts on the MES system outcomes

Information generated does not translate well to

- enable the strategic identification of biodiversity values at a landscape scale
- assist decision makers determine what biodiversity should be protected in urban areas.

But its what we have and the regulated layers of MES provide protection for biodiversity/habitat/species.

# What does best practice biodiversity protection look like?



- The policy frame of the Samuel's review
- Focusing on biodiversity as a system, rather than individual 'bits' and thinking about outcomes

# Focus on functional biodiversity

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*Viability:* sustaining populations and ecosystems over the long term

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*Functioning:* support ecosystem service provision through natural processes and ecosystem function

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*Resilient:* robust in face of future climate & landscape change



# Focus on outcomes

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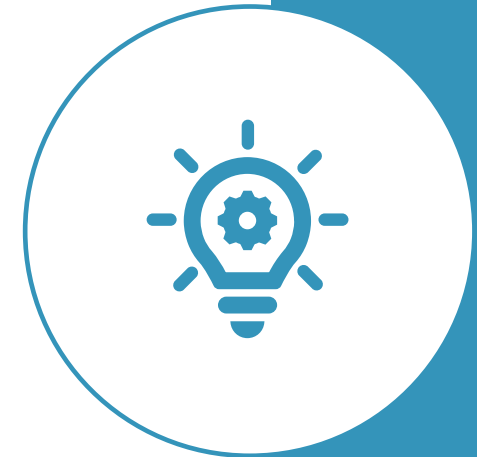
What outcomes do we want to achieve in any specific space? This includes acknowledgement of biodiversity, ecosystem services and development outcomes

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Approach to what is protected is driven by these outcomes.

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This may involve a shift in how we approach biodiversity values in planning.



# The Samuel Review – key themes for consideration

## **Matters of national environmental significance**

The Samuel review highlights the potential of regional planning to address cumulative impacts. Focussing on developing a way to consider biodiversity values at a landscape scale will be critical to meeting this requirement.

## **First Nations engagement, participation, and co-design in decision making processes.**

Any rethinking of how to understand the protection of biodiversity in the landscape must embed authentic First Nations involvement.

## **Improved data and information systems to inform efficient and accurate decision making.**

There is broad agreement that there is plenty of data – but what we need is data that will enable better decision making. This moves beyond the MES – and to find a way to recognise biodiversity as an interrelated system and finding ways to understand the impact on that system of changes in land use. This is something more than simply recognising the scarcity (or otherwise) of an individual species

## **Additional themes highlighted by Samuel**

The importance of restoration as a mechanism to reverse the current, unsustainable, environmental trajectory.

Embedding best practice approaches to comprehensive monitoring, evaluation and reporting on environment outcomes achieved through the methodology.

# Where to from here?

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DES is reviewing how it can embed better biodiversity outcomes in regional planning in general and in the SEQ regional plan in particular.

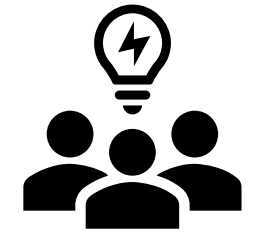
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DES is considering how it can achieve better clarity with regard to outcomes in regional planning – by creating greater upfront certainty about where development can and cannot go based on its impact on biodiversity values.

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DES is discussing with the Commonwealth what this might mean in terms of the recommendations of the Samuel's review – which are scheduled to be released in December 2022.





Questions... comments ...  
discussion

