Significant Environmental Values

Policy proposal for external consultation

Under section 9 of the *Environmental Protection Act 1994* (EP Act), environmental values are defined as the important qualities or physical characteristics of the environment.

These include ecological health, public health, safety or amenity, biodiversity and integrity, intrinsic or attributed scientific value or interest, amenity, harmony and sense of community or another quality of the environment identified or declared under an environmental protection policy or regulation.

Environmental values establish the benchmarks used to assess environmental harm and guide environmental decision-making in Queensland.

Recent amendments to the EP Act will introduce Significant Environmental Values (SEVs). SEVs are intended to clearly identify environmental matters that are a State priority for protection. Section 9A of the EP Act will set out how SEVs are prescribed.

All proposed SEVs relate to matters that would already have been considered through the existing environmental assessment processes.

Section 19 of the EP Act has also been amended to give the Minister authority to allow an activity to be prescribed as an ERA if it may adversely affect a SEV or release harmful contaminants. Together with changes that allow all ERAs to be prescribed through regulation, this framework provides greater flexibility and supports future opportunities to reduce and streamline regulation. There are no proposals to add or remove ERAs.

Identifying SEVs through the EP Act provides several benefits, including:

- consolidating priority environmental matters into a single, clear list;
- supporting risk-based regulation and opportunities for regulatory streamlining where appropriate; and
- improving certainty for industry and government about which environmental matters are most important for decision-making.

SEVs are intended to replace references to category A, B and C environmentally sensitive areas, which will be phased out.

Below is the proposed list of SEVs, which will be prescribed in the EP Regulation.

The SEVs identified are those most relevant to administering the EP Act and broadly align with matters of State environmental significance under both Queensland's State Planning Policy and schedule 2 of the Environmental Offsets Regulation 2014.

The Department of the Environment, Tourism, Science and Innovation (the department) is seeking feedback on the proposed list of SEVs (section below) and whether the descriptions provide sufficient clarity to support consistent interpretation and decision-making. Feedback on potential implementation impacts and opportunities to improve workability is also encouraged.

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Proposed list of significant environmental values (SEVs)

This section outlines the proposed SEVs which has been refined since the version released for consultation during the *Environmental Protection (Efficiency and Streamlining) and Other Legislation Amendment Act 2026* consultation and committee process. Information has been included to explain the proposed SEVs, including relevant definitions and justifications for the proposed SEV.

Detail has been included to demonstrate how each SEV corresponds to matters of State environmental significance (MSES) under both Queensland's State Planning Policy (SPP) and schedule 2 of Environmental Offsets Regulation 2014. Following further policy consideration and stakeholder feedback, the proposed SEV framework has been refined and will not directly align with these approaches. This change ensures that environmentally sensitive areas are adequately captured and that the framework more accurately reflects the State's environmental priorities.

Key definitions for this list will be prescribed to include:

- ***defining bank***, of a watercourse, see the Planning Regulation 2017, schedule 24.
- ***drainage feature*** means a drainage feature under the *Water Act 2000*, schedule 4.
- ***essential habitat***, for threatened wildlife, means essential habitat for the wildlife within the meaning of the *Vegetation Management Act 1999*, section 20AC(2).
- ***essential habitat map*** see the *Vegetation Management Act 1999*, section 20AC(1).
- ***flora survey trigger map*** see the *Nature Conservation (Plants) Regulation 2020*, section 135.
- ***habitat for threatened wildlife*** includes
    - habitat for an animal that is threatened wildlife
    - habitat for plants that are threatened wildlife, or
    - is in a koala habitat area under the Nature Conservation (Koala) Conservation Plan 2017, section 7B; or
    - an area of essential habitat on the essential habitat map for wildlife that is threatened wildlife.
- ***passage***, for fish, means the natural movement patterns of fish species required to maintain the biological integrity of the species.
- ***threatened wildlife*** see the *Nature Conservation Act 1992*, schedule (Dictionary).
- ***undisturbed height***, for native vegetation, means the height to which the vegetation normally grows.
- ***undisturbed predominant canopy***, for native vegetation, means the predominant canopy the vegetation normally has.
- ***vegetation management watercourse and drainage feature map*** see the *Vegetation Management Act 1999*, section 20AB.

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All references to wildlife or an animal or plant, that is critically endangered, endangered, vulnerable or least concern is a reference to wildlife, or an animal or plant, of that category of wildlife under the *Nature Conservation Act 1992*.

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Proposed list provided during committee processes

Significant environmental values (proposed)	**Context**
1. each environmental value in a protected area under the *Nature Conservation Act 1992*, other than a coordinated conservation area under that Act	Protected areas under the *Nature Conservation Act 1992*, excluding coordinated conservation areas, are recognised as a MSES in both the SPP and schedule 2 of the Environmental Offsets Regulation 2014. The proposed SEV is consistent with both MSES definitions. For clarification, a protected areas under the *Nature Conservation Act 1992* includes: • national parks (scientific); • national parks; • national parks (Aboriginal land); • national parks (Torres Strait Islander land); • national parks (Cape York Peninsula Aboriginal land); • conservation parks; • resource reserves; • special wildlife reserves; and • nature refuges.
2. each environmental value in an area within a marine park under the *Marine Parks Act 2004* that is classified under that Act as a conservation park zone, buffer zone, scientific research zone, marine national park zone or preservation zone	Marine parks under the *Marine Parks Act 2004* are recognised as a MSES in both the SPP and schedule 2 of the Environmental Offsets Regulation 2014. The proposed SEV is consistent with both MSES definitions.
3. an area declared under the *Fisheries Act 1994* to be a fish habitat area	Declared fish habitat areas are recognised as a MSES in both the SPP and schedule 2 of the Environmental Offsets Regulation 2014. The proposed SEV is consistent with both MSES definitions.

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Significant environmental values (proposed)	Context
4. each environmental value in a legally secured offset area under the *Environmental Offsets Act 2014*	Legally secured offset areas are recognised as MSES in both the SPP and schedule 2 of the Environmental Offsets Regulation 2014. The proposed SEV is consistent with both MSES definitions.
5. the environmental attributes, within the meaning of the *Regional Planning Interests Act 2014*, section 11, of a designated precinct in a strategic environmental area	Designated precincts in a strategic environmental area are recognised as a MSES in both SPP and schedule 2 of the Environmental Offsets Regulation 2014. The proposed SEV aligns more with the MSES under Environmental Offsets Regulation 2014, as it references the prevailing Act applicable to designated precincts within strategic environmental areas, rather than the more specific approach taken in the SPP (i.e. referencing specific section of the relevant Regulation). This ensures that designed precincts are considered within the full legislative framework while maintaining a level of protection consistent with both MSES under SPP and the Environmental Offsets Regulation 2014.
6. a wetland in a wetland protection area shown on the map of Great Barrier Reef wetland protection areas	Wetlands in a wetland protection area are recognised as a MSES in both SPP and schedule 2 of the Environmental Offsets Regulation 2014. Both MSES references include wetlands in a wetland protection area as well as wetlands of high ecological significance. For the proposed SEV list, these elements have been separated between SEV 6 and SEV 7. Proposed SEV 6 has been amended in comparison to both MSES definitions to specifically align with the definition of wetland protection areas under the Environmental Protection Regulation 2019 by referring to wetland protection areas shown on the map of Great Barrier Reef wetland protection areas. This clarification ensures it is clear which areas

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Significant environmental values (proposed)	Context
	are being considered through the SEVs. Given that the definition under the Environmental Protection Regulation 2019 explicitly references the specified mapping, it was determined judicious to adopt this definition in its entirety, rather than solely referencing through legislation.
7. a wetland of high ecological significance shown on the map of Queensland wetland environmental values	As detailed above, wetlands of high ecological significance are recognised as a MSES in both SPP and schedule 2 of the Environmental Offsets Regulation 2014. It has been separated over two proposed SEVs. Similar to above, proposed SEV 7 has been amended in comparison to both MSES definitions to specifically align with the definition of wetland under the Environmental Protection Regulation 2019. This clarification ensures it is clear which areas are being considered through the SEVs.
8. a wetland or watercourse in high ecological value waters within the meaning of the Environmental Protection (Water and Wetland Biodiversity) Policy 2019	A wetland or watercourse in high ecological value waters, as defined by the Environmental Protection (Water and Wetland Biodiversity) Policy 2019, is primarily recognised as a MSES under the SPP. While similar MSES provisions exist under the Environmental Offsets Regulation 2014, the wording has been derived from the MSES SPP and updated to reflect the current reference for the policy. The proposed SEV ensures consistency across legislative instruments and reinforces the protection of MSES, while providing a clear and contemporary policy basis for assessing development impacts on sensitive aquatic ecosystems.
9. threatened wildlife	Threatened wildlife are recognised as a MSES in both SPP and schedule 2 of the Environmental Offsets Regulation 2014. The proposed SEV will protect biodiversity by safeguarding species, their habitats, and the ecological processes they support. It also promotes overall ecosystem health and resilience by ensuring development avoids or minimises impacts on these critical environmental values.

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Significant environmental values (proposed)	Context
	As mentioned above, threatened wildlife will align with the definition under the *Nature Conservation Act 1992*, which means native wildlife that is prescribed under this Act as— a) extinct wildlife; or b) extinct in the wild wildlife; or c) critically endangered wildlife; or d) endangered wildlife; or e) vulnerable wildlife. During public consultation on EPOLA 2025 an indicative list was released through a Supplementary information document, which included 'special least concern'. During this process concerns were raised about the inclusion of the 'special least concern' category as currently captured within MSES. It was determined that these species are generally widespread across Queensland. As SEVs are intended to identify key areas requiring protection, including 'special least concern' species would effectively extend coverage across most of the state, reducing the overall effectiveness and practical utility of the SEVs framework.
10. habitat for threatened wildlife	Habitat for threatened wildlife is recognised as a MSES in both SPP and schedule 2 of the Environmental Offsets Regulation 2014. The proposed SEV varies from both MSES references to ensure that assessment and decision-making not only consider mapped or known habitat, but also the wider ecological context that supports threatened species.

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Significant environmental values (proposed)	Context
	This approach accounts for habitat connectivity, condition and ecological function thereby strengthening outcomes for threatened wildlife beyond the minimum statutory requirements.
11. a marine plant under the *Fisheries Act 1994*	Marine plants are recognised as a MSES in both the SPP and schedule 2 of the Environmental Offsets Regulation 2014. The proposed SEV reflects the definition of marine plant under these frameworks. While the MSES definition under the SPP excludes marine plants located within an urban area, this exclusion has not been carried forward into the SEVs. The removal of this limitation recognises that marine plants within urban contexts can retain important ecological values, including providing habitat, shoreline stabilisation, water-quality benefits and connectivity for marine and estuarine species. This approach ensures that ecologically functional marine vegetation is appropriately considered in assessment processes, rather than being excluded solely on the basis of surrounding land-use context. It also ensures this value is wholly aligned with the *Fisheries Act 1994.*
12. a waterway providing for passage of fish regulated under the *Fisheries Act 1994*	Waterway for passage of fish are recognised as a MSES in both the SPP and schedule 2 of the Environmental Offsets Regulation 2014. The proposed SEV reflects the definition of waterways providing for fish passage under these frameworks. While the MSES definition under the SPP excludes waterways providing for fish passage located within an urban area, this exclusion has not been carried forward into the SEVs. The removal of this limitation recognises that waterways within urban contexts can retain important ecological values, including providing

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Significant environmental values (proposed)	Context
	connectivity for marine and estuarine species into connected waterways and wetlands outside of urban areas. This approach ensures that ecologically functional waterways providing for fish passage are appropriately considered in assessment processes, rather than being excluded solely on the basis of surrounding land-use context. It also ensures this value is wholly aligned with the *Fisheries Act 1994.*
13. native vegetation— a. that is an endangered regional ecosystem, or of concern regional ecosystem, identified in the database known as the 'Regional Ecosystem Description Database' published on the department's website; and either b. if native vegetation is woody dominated, forming the predominant canopy of the vegetation— i. covering more than 50% of the undisturbed predominant canopy; and ii. averaging more than 70% of the vegetation's undisturbed height; and iii. composed of species characteristic of the vegetation's undisturbed predominant canopy; or c. if native vegetation is non-woody dominated, is an area of vegetation that—	Native vegetation is recognised as a MSES in both the SPP and schedule 2 of the Environmental Offsets Regulation 2014. The proposed SEV is intentionally based on the Regional Ecosystem Description Database, rather than the *Vegetation Management Act 1999.* The Regional Ecosystem Description Database is a searchable database managed by the Queensland Herbarium that details vegetation communities based on geology, soil, and landform. Using this database ensures that identification of endangered and of concern regional ecosystems is grounded in the most current, scientifically robust and descriptive ecological information available. Including remnant native vegetation focuses on native vegetation that is fundamental to ecosystem structure, composition and function. The description of forming the predominate canopy is taken from the definition of remnant vegetation under the Methodology for surveying and mapping regional ecosystems and vegetation communities in Queensland.

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Significant environmental values (proposed)	Context
i. has not been cultivated for 15 years; ii. contains native species normally found in the regional ecosystem; and iii. is not dominated by non-native perennial species.	This point works in conjunction with proposed SEV 15 where proposed SEV 14 covers the biodiversity status while proposed SEV 15 addresses the *Vegetation Management Act 1999* data.
14. high value regrowth vegetation within the meaning of the *Vegetation Management Act 1999* that is part of an endangered regional ecosystem, or of concern regional ecosystem, identified in the database known as the 'Vegetation Management Act Regional Ecosystem Description Database'	High value regrowth vegetation is recognised as a MSES under the SPP. However, the MSES under the Environmental Offset Regulation 2014 does not include an equivalent matter. The proposed SEV acknowledges that regrowth vegetation, particularly when forming part of a listed regional ecosystem, plays an important role in restoring habitat structure, supporting biodiversity and maintaining landscape connectivity. Under the *Vegetation Management Act 1999* a high value regrowth vegetation means vegetation located— (a) on freehold land, indigenous land, or land subject of a lease issued under the *Land Act 1994* for agriculture or grazing purposes or an occupation license under that Act; and

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Significant environmental values (proposed)	Context
	(b) in an area that has not been cleared (other than for relevant clearing activities) for at least 15 years, if the area is— i. an endangered regional ecosystem; or ii. an of concern regional ecosystem; or iii. a least concern regional ecosystem. Broadening the proposed SEV to the high value regrowth definition and including the Vegetation Management Act Regional Ecosystem Description Database allows for various aspects of MSES to be captured under one consideration.
15. native vegetation that is within a category R area under the *Vegetation Management Act 1999*	Native vegetation within a category R area is recognised as a MSES under the SPP. However, the MSES under the Environmental Offset Regulation 2014 does not include an equivalent matter. The proposed SEV ensures that native vegetation within category R areas is appropriately recognised for its ecological values, particularly its role in supporting biodiversity, maintaining habitat conditions, and contributing to broader landscape connectivity.
16. native vegetation that— a. is not within a category R area under the *Vegetation Management Act 1999*; and b. is within 10m of a defining bank of a watercourse identified on the vegetation management watercourse and drainage feature map	Additional native vegetation, not with a category R but within a 10-metre area of a defining bank of a watercourse are recognised as a MSES in both the SPP and schedule 2 of the Environmental Offsets Regulation 2014. The proposed SEV ensures further native vegetation is considered beyond that mentioned above by recognising the ecological importance of vegetation immediately adjoining watercourses, regardless of its classification under the *Vegetation Management Act 1999*.

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Significant environmental values (proposed)	Context
	The identification of vegetation within 10 metres of a defining bank aligns with protecting regional ecosystems buffers under the Environmental Offsets Policy.

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