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5th December 2007

**Submission on the
“QUEENSLAND GOVERNMENT ENVIRONMENTAL OFFSETS:
DISCUSSION PAPER”**

ATTENTION: ENVIRONMENTAL OFFSETS

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Dear Sir/Madam,

**Submission on Queensland Governments Environmental Offset Policy –
Discussion Paper**

Environmental Defenders Office (Qld) Inc. (“EDO Qld”) and Environmental Defenders Office of Northern Queensland Inc. (“EDO NQ”) welcome the opportunity to provide comments on the proposal for the Queensland Governments Environmental Offset Policy and Green Invest.

A. SUMMARY OF RECOMMENDATIONS FOR QLD ENVIRONMENTAL OFFSET POLICY

1. The focus of any environmental offsets policy should properly be an 'enhancement' of the environment and its values and recognises and reflects the fact that the environment has already been significantly degraded as a result of past human impacts, and that actions are required to reverse the trend.¹

2. Developers adopt the following hierarchy to avoid and minimise to the greatest extent prior to offsetting:
 - a. Avoid adverse environmental impacts.
 - b. Where adverse environmental impacts cannot be avoided, such impacts must be minimised through appropriate and effective mitigation measures.
 - c. 'Environmental offsets' should only be considered only when all steps to avoid and minimise adverse environmental impacts have been taken.
 - d. If the above three-step approach does not achieve a net environmental gain then the relevant development should be rejected.

3. Discretion should be exercised to refuse development proposals where there are unacceptable ecological impacts.

4. Environmental protection measures to avoid and minimise impacts must be undertaken first and extensively demonstrated by developers e.g. environmental management plans, monitoring, mitigation, environmental audits, etc;

5. Offset options may be explored to enhance environmental values, only where:

¹ Western Australia Environmental Protection Authority (2006) *Environmental Offsets. Position Statement No. 9.*

EDO Qld and EDO-NQ

- a. a comprehensive, transparent, peer reviewed scientific methodology has been approved and used to determine the appropriate offset(s); and
 - b. the offset(s) will achieve a 'net environmental *gain*' (i.e. environmental values are 'enhanced' rather than simply 'maintained').
6. Offsets must only be considered after all other options have been exhausted to attempt to:
 - a. Firstly, avoid any adverse environmental impacts; and
 - b. Secondly, mitigate any adverse environmental impacts which cannot be avoided.
7. Offsets must not be used in relation to any site, species or ecologically community that has been designated or listed not appropriate for offsetting (e.g. no offsets for 'endangered' or 'of concern' regional ecosystems or local ecosystems). This includes ensuring that offsetting in no way allows development to proceed in areas which it would presently not be able to proceed.
8. Offsets must be protected in entirety at a level of protection equivalent to Regional Ecosystems or better. Offsets must not be able to offset themselves in the future.
9. Offset areas can only be used if it is unprotected. However, it must take into consideration the ecosystem being cleared and gain the same level of protection as the area being impacted.
10. Environmental Offsets must deliver a 'like for like' ecological equivalence and provide greater environmental quality and quantity. The size of the offset area should be larger than the area to be cleared for development. The offset area must contain the possibility of increasing the habitat and the populations of the affected species.

11. All offset areas must have detailed:
 - a. Environmental management plans that specify how the offset area will achieve the conditions of “Endangered Regional Ecosystems” (“ERE”) or “Of Concern Regional Ecosystems” (“OCRE”)
 - b. Assessment to quantify achievement of ERE or OCRE
 - c. Remedial actions to be undertaken
 - d. Monitoring and evaluation program

12. Environmental offsets should only be used to attempt to secure a beneficial environmental outcome (a ‘net environmental gain’ at an absolute minimum), and under no circumstances should any environmental offset be used to facilitate, or attempt to facilitate, a development outcome.

13. Environmental offsets must be established **before** any proposed development which may result in an adverse environmental impact is undertaken.

B. ENVIRONMENTAL OFFSET POLICY (POSITION OF EDO(Qld) and EDONQ)

Central to Queensland’s environmental protection legislation are fundamental notions of protection and conservation of wildlife:

1. Section 3 of the *Environment Protection Act 1994* (Qld) (“EP Act”) provides that its object is *“to protect Queensland’s environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends (ecologically sustainable development.)”*
2. Section 4 of the *Nature Conservation Act 1992* (Qld) (“NC Act”) provides that its object is *“the conservation of nature”*.

Those fundamental notions are expanded on and reflected throughout both the EP Act and the NC Act, and both Acts offer detail and guidance as to how those objects are to be achieved².

The idea of this draft policy to offset matters of environmental values (ERE or OCRE), fails to address the underlying issues of conservation and protection of the environment.

The purported aim of the draft policy fails to apply the consistent and transparent use of offset policies that ensures the health, diversity and productivity of the environment is maintained or enhanced. The draft policy lacks detail and it is ambiguous on some key issues. The draft policy introduces a range of flexible considerations and variables on environmental offsets but fails to provide a guarantee of good environmental outcomes. We submit that the conservation and protection of endangered wildlife, habitats, ecosystems and bio-regions, as required by both the EP Act and the NC Act, must not be environmentally offset.

We strongly oppose the clearing of ERE or OCRE because they are listed as endangered and any additional threats or risks may result in irreversible ecological loss.

² S.4: EP Act; and s.5: NC Act.

EDO Qld and EDO-NQ

The replacement of an existing ERE or OCRE will not provide adequate protection or ecological sustainability and it will run the risk of natural habitats becoming extinct. The draft offset policy fails to take into consideration the basic concept of 'endangered' and the adverse environmental costs of re-establishing ERE or OCRE, or indeed attempting to.

The *Vegetation Management Act 1999* (Qld) ("VM Act") clearly expresses how limited ERE (less than 10% of their pre-clearing area remains) and OCRE (less than 30% of their pre-clearing area remains) are in Queensland. The NC Act section 77 states "extinction" as the primary characteristic which endangers wildlife, and that "extinction" results from habitat reduction, resultant decline in population size and other key threatening processes. These reasons clearly demonstrate that offsetting will result in ERE or OCRE extinction, and likely the extinction of species which rely upon those ecosystems.

The idea that adverse impacts upon Queensland's environment can simply be offset is alarming and deeply concerning. In many cases, it is simply not possible to offset adverse environmental impacts on specific unique places and/or species. In addition, majority of the cases will take much time (often many years) to determine whether or not a particular 'environmental offset' has actually been effective, and has assisted in the achievement of the objects of the EP Act.

Offsets for Projects of State-wide Public Benefit

We submit that offsets may be used on occasions to clear ERE or OCRE ecological communities for state-wide public benefit significance stated under section 26 of the *State Development and Public Works Organisation Act 1971* (Qld) ("State Development Act"). However, we strongly oppose developers clearing ERE or OCRE on the provision that offsetting environmental impacts are acceptable, whether within or outside the realm and operation of the State Development Act.

Integrated Planning Act (Qld)

The role and purpose of the *Integrated Planning Act 1997* (Qld) (“IPA”) cannot be ignored in the context of environmental offsets. The purpose of the IPA is “to seek to achieve ecological sustainability”³. The IPA sets out the methods in which ecological sustainability will purportedly be achieved, namely by:

- “(a) *coordinating and integrating planning at the local, regional and State levels; and*
- (b) managing the process by which development occurs; and*
- (c) managing the effects of development on the environment (including managing the use of premises).”*

Taking the above provision into consideration, we submit that ***unless and until*** there is certain scientific evidence to unambiguously show that a purported ‘environmental offset’ successfully offsets any and all adverse environmental impact(s) caused, or potentially caused, by the relevant development(s) then the relevant development which causes that adverse environmental impact should not be allowed to proceed. In other words, “the success of a proposed environmental offset(s) should be extensively demonstrated **before** any relevant development proceeds”.

We therefore strongly recommend that developers must undertake the following where residual adverse environmental impacts exist after all efforts have been made and exhausted to avoid and minimise those impacts (and where developers have clearly demonstrated that all such efforts have been made and exhausted):

1. Identify and secure an appropriate and effective environmental offset(s) which:
 - a. Are determined using a comprehensive, transparent, peer reviewed scientific methodology; and
 - b. Guaranteed to achieve a ‘net environmental gain’;

AND

³ S.1.2.1: IPA

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2. Implement the relevant environmental offset(s) **before** any part of the proposed development which may result in an adverse environmental impact is undertaken;

AND

3. Once the relevant environmental offset(s) is implemented (and **before** any part of the development is commenced which may result in an adverse environmental impact), clearly demonstrate, via appropriate and independent scientific evidence, that the relevant environmental offset is effective in reality in achieving its intended outcome (including, but not limited to, a 'net environmental gain').

C. ANALYSIS OF THE ENVIRONMENTAL OFFSET POLICY PRINCIPLES

The Discussion Paper provides that six proposed “Policy Principles” are being considered to guide the use of environmental offsets⁴. We make the following submissions in relation to those Policy Principles:

Principle 1: Environmental Impacts must be first avoided, and then minimised, before considering use of offsets for any residual impacts

This principle intends that environmental offsets to counterbalance negative residual environmental impact will only be considered after all efforts have been made to avoid or minimise environmental damage.

We support the idea of firstly avoiding and minimising adverse environmental impacts before considering applying any offsets. Efforts to avoid and minimise adverse environmental impacts must always be undertaken and exhausted as the first step, with offset only used as a last resort. In addition to an approach of avoidance and minimisation, we strongly recommend that developers rigorously demonstrate how they have avoided environmental impacts *before* offsets of any impacts are given consideration.

If avoidance and minimisation impacts have been undertaken and offsets are being considered for reducing environmental impacts, then a number of requirements prudently and responsibly follow:

1. appropriate offset goals must be identified using a comprehensive, transparent, peer reviewed scientific methodology, and then clearly articulated;
2. clear guidance is needed to achieve those offset goals;
3. a comprehensive monitoring and enforcement program must be funded and implemented to ensure that those offset goals are achieved.

⁴ Queensland, Environmental Protection Agency and Department of Natural Resources and Water (2007) *Environmental Offsets Policy: Discussion Paper for comment* – Page 6

EDO Qld and EDO-NQ

The primary goal of the offset policy is to ensure that the health, diversity and productivity of the environment is maintained or enhanced. We strongly recommend that the draft policy focus on *enhancing* rather than merely *maintaining* environmental quality. The enhancement of environmental quality will recognise that the environment has been significantly degraded as a result of human impacts and that action is required to stop and reverse this impact.

In order to achieve that primary goal, the offset policy must recognise and consider the limitations on successfully offsetting adverse environmental harm, which it currently fails to do. Amongst other measures, the draft policy must provide clear guidance on the circumstances where the use of offsets can actually achieve their intended goal, and where they cannot. Biodiversity offsets in particular have a number of key limitations in the context of a 'maintain or enhance' goal.⁵ The biodiversity impacts in ERE or OCRE cannot be adequately offset to achieve ecological sustainability or enhancement of environmental quality. The draft offset policy currently fails to consider the limitations in offsetting environmental impacts, and that must be immediately addressed.

The draft offset policy also needs to provide clear and detailed guidance on how the Queensland Government will make their decisions on whether a development has avoided and minimised environmental impacts to the greatest extent possible before considering offsetting proposals.

⁵ Gibbons and Lindenmayer, 2007.

1. *The gain in biodiversity values that can be achieved relative to the loss.*
 - ⌘ Offsets that involve the protection of existing good quality vegetation may result in a loss equivalent to the area impacted.
 - ⌘ Offsets that involve the restoration of habitats are subject to significant scientific uncertainty in terms of the gains that can be achieved.
2. *The difficulty in measuring the equivalency of any gain in biodiversity values relative to the loss.*
 - ⌘ Ecosystems are very complex and biodiversity values are difficult to quantify. No two patches of vegetation have equal biodiversity value.
 - ⌘ Methodologies to quantify biodiversity values must necessarily be relatively simplistic and based on a number of significant assumptions.
3. *The time-lag between losses in biodiversity values and gains: offsets almost always involve a short-term loss in exchange for a long-term gain.*
4. *The difficulty in ensuring compliance: offsets have a poor track record of compliance and considerable resources are required to ensure compliance.*

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Environmental offsets **may** be a useful way of compensating for ‘unavoidable’ adverse environmental impacts, **if and only if** any environmental offsets scheme is administered properly.

Finally, offsets with the highest likelihood of achieving environmental outcomes may have significant costs (for example, protection and management of a significant area in perpetuity). However, cost considerations must not lead to a preference for cheaper and less effective environmental offsets.

Principle 2: Offsets will not be used to allow developments in areas where they could not otherwise occur, or be used for purposes not otherwise allowed.

We strongly oppose any environmental offset policy which allows either:

1. development in areas that are excluded from development purposes; or
2. development that weakens existing environmental standards or regulatory requirements.

We support Principle 2 in the form proposed without amendment or alteration.

Principle 3: Offsets must achieve an equivalent or better environmental outcome.

The draft policy states that offsets should be equivalent where possible or achieve a better environmental outcome⁶. It also states that offsets should be of equal quantity and quality to the area impacted (‘like for like’ principle).

We submit that there various inadequacies in this offset principle.

⁶ Queensland, Environmental Protection Agency and Department of Natural Resources and Water (2007) *Environmental Offsets Policy: Discussion Paper for comment* – Page 11

EDO Qld and EDO-NQ

For example, the draft policy fails to provide how the equal quantity and quality will be assessed and how it will ensure that the gains in environmental quality will be equivalent or greater than the losses. The draft policy fails to apply scientific methods to determine the scale and quality of environmental offsets. Without application of scientific methods, the assessment of equivalent environmental outcome will be based on ad hoc, discretionary manner which will inevitably produce poor environmental outcomes.

We strongly recommend the adoption and inclusion of a fundamental principle that all environmental offsets must achieve a *greater* value to the original values being lost. In particular, matters of State environmental protection and conservation of ERE and OCRE under the EP Act must achieve a significantly larger offset environmental value.

In circumstances where:

1. developers are not required to implement and demonstrate the success of any environmental offset *before* any part of the relevant development proceeds which may cause adverse environmental impacts (contrary to our recommendation); and
2. developers are unable to clearly and unambiguously demonstrate (using a comprehensive, transparent, peer reviewed scientific methodology) that the relevant environmental offset(s) will achieve its intended (and clearly articulated) goals;

THEN

3. as a form of compensation for the uncertainty in the ability of the relevant environmental offset(s) to achieve its intended goals, developers must implement environmental offsets which are reasonably anticipated to deliver larger offset values than those lost (e.g. where an offset comprises the rehabilitation of low quality habitat to compensate for impacts on an high quality habitat, the offset ratio should be large to reflect the high risk that rehabilitation will not result in the same quality habitat that is being lost).

Jurisdictions such as New South Wales and Victoria have developed sophisticated methodologies to assess a range of variables, which generally provide a more objective,

EDO Qld and EDO-NQ

comprehensive, and transparent method for determining the adequacy of environmental offsets.⁷ Assessment tools are also being developed and used to determine offset ratios, factoring in variables such as the conservation significance of a protected matter to be impacted and the risk of failure of the offset. Having said that, we strongly recommend that developers must be required to clearly demonstrate the actual (cf: theoretical) success of environmental offsets in achieving their goal(s) before *any* part of a proposed development which may cause adverse environmental impacts is allowed to proceed.

In any event, in the absence of a transparent, scientific methodology, application of an environmental offsets policy in a discretionary manner and without ensuring that there is a clear net environmental gain at a bare minimum will more often than not yield poor environmental outcomes.⁸

Principle 4: Offsets must provide environmental values as similar as possible to those being lost.

As noted above, the 'like for like' principle is a key issue in relation to the use of offsets, and how it is implemented is fundamental to the reliability of the offset scheme.

We submit that all environmental offsets must provide a 'like for like' environmental equivalence including 'no adverse ecological impact' as a mandatory requirement. The application of a 'like for like' principle, without having the 'no adverse ecological impact' principle a mandatory requirement, will result in regional ecosystems being unintentionally damaged and degraded over time, especially biodiversity and ecosystems. In other words, impacts to vegetation should not only be offset with similar vegetation, but also the rehabilitation of species that were dependent on the vegetation and re-establishment of natural habitat or niche which the species required for survival.

⁷ We note the assessment methodology for the NSW Bio-banking scheme is still being finalised.

⁸ For example, flexibility on 'like for like' under the US Wetlands Mitigation scheme resulted in perverse outcomes whereby complex wetlands would be impacted, and offset by less complex ponds that were easier and more cost-effective to recreate.

Principle 5: Offsets must be provided with a minimal time lag between the impact and the offset.

The draft policy states that environmental offsets should be provided as soon as possible to ensure that no additional environmental impacts occur.

As most development impacts are on-going, in most cases offsets will need to be protected and managed in perpetuity. We submit that the draft policy fails to consider the long-term viability costs and funding associated with the management of offset sites. It also fails to deal with offset sites that will suffer unavoidable impacts into the future as a result of major infrastructure projects and developments.

We repeat our submission that developers must undertake the following where residual adverse environmental impacts exist after all efforts have been made and exhausted to avoid and minimise those impacts (and where developers have clearly demonstrated that all such efforts have been made and exhausted):

1. Identify and secure an appropriate and effective environmental offset(s) which:
 - a. Are determined using a comprehensive, transparent, peer reviewed scientific methodology; and
 - b. Guaranteed to achieve a 'net environmental gain';

AND

2. Implement the relevant environmental offset(s) **before** any part of the proposed development which may result in an adverse environmental impact is undertaken;

AND

3. Once the relevant environmental offset(s) is implemented (and **before** any part of the development is commenced which may result in an adverse environmental impact), clearly demonstrate, via appropriate and independent scientific evidence, that the relevant environmental offset is effective in reality in achieving its intended outcome (including, but not limited to, a 'net environmental gain'). (i.e. developers must be required to clearly demonstrate the actual (cf:

EDO Qld and EDO-NQ

theoretical) success of environmental offsets in achieving their goal(s) before *any* part of a proposed development which may cause adverse environmental impacts is allowed to proceed).

Principle 6: Offsets must provide additional protection to values at risk or additional management actions to improve environmental values.

The draft policy principle requires that, in addition to offsetting adverse environmental impacts, there must be existing environmental protection or other mechanisms in place to further protect the environmental values. It states that an offset should provide more than a counterbalance of adverse environmental impacts.

We strongly support this policy.

One major and critical area which the draft policy fails to address is that of monitoring, audit and compliance of the implementation and success of environmental offsets.

Adequate monitoring, audits and compliance by developers is vital to ensure that:

1. environmental offsets are implemented;
2. environmental offsets actual achieve their intended goal(s). including a net environmental gain;
3. developers continue to maintain those offsets, their integrity and the achievement of their goals

In order to be effective, any monitoring, auditing or compliance measures or programs must be sufficiently funded and resourced, as those measures or programs are vital to the success of any environmental offsets policy achieving its intended goals. Without a well funded and well resourced program of monitoring, audit and compliance there is a very real risk that purported environmental offsets will fail to achieve their goals.

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The importance of compliance has been highlighted by studies of the United States' wetland mitigation banking scheme, which have showed that lack of compliance has contributed to the decrease in wetland quality and quantity in the US.⁹

The draft policy fails to discuss and provide clear guidance on important considerations such as:

- ? The general period over which monitoring will be required.
- ? The funding for monitoring to be undertaken.
- ? The circumstances where remedial actions will be required.
- ? The types of remedial actions that may be appropriate, including additional offsets.
- ? Liability issues regarding failed offsets.

In short, proponents of developments which will deliver adverse environmental impacts must responsibly and equitably bear the costs of any monitoring, auditing and compliance programs or measures associated with any environmental offsets (should they be deemed to be appropriate in all of the circumstances), and the costs of any required remediation or rehabilitation works.

⁹ Race, M. and Fonseca, M. (1996) Fixing compensatory mitigation: what will it take? *Ecological Applications* 6(1) 94-101

D. USE OF “INDIRECT” OFFSETS

We support the primary offsets¹⁰ set out in the draft policy, which the policy states (at page 12) are to “provide lost environmental values that directly address the values that are impacted.” In particular, the importance of land management, restoration, or rehabilitation measures to improve environmental values in primary offsets is acceptable on face value.

We do not support the secondary offset type set out in the draft policy. It fails to provide any certainty that rehabilitation, restoration or remediation of the adversely impacted areas will in fact be undertaken, therefore resulting in net environmental loss which is unacceptable. We submit that if secondary offsets are required, then a mandatory approval criteria (including the application of substantial financial and regulatory burdens) must be imposed on developers to act as deterrent for considering secondary offsets as an option.

Use of “Financial” Offsets

We do not support developers being able to ‘financially offset’ adverse environmental impacts. Under no circumstances will financial contributions be able to offset the loss of ecological sustainability and biodiversity of environmental impacts. Also, financial contributions cannot offset time lags between environmental impacts and the implementation of research outcomes or other financial outcomes, therefore resulting in an overall net environmental loss. Net environmental loss is unacceptable.

We submit that environmental offsetting from financial contributions will be strongly viewed by developers as an “easy fix solution”, with the majority of contribution being absorbed by administration processes and therefore not generating a net environmental gain. Financial contributions by developers to environmental offsets may not necessarily

¹⁰ Queensland, Environmental Protection Agency and Department of Natural Resources and Water (2007) *Environmental Offsets Policy: Discussion Paper for comment* – Page 12

EDO Qld and EDO-NQ

be invested where most needed (proximity to the impact area) and therefore a net environmental gain cannot be assured.

The procedure in determining a financial contribution towards an environmental offset must be realistic and reflect the priceless value of our natural environment (for example, remaining urban bushlands, endangered habitats and ecosystems). Therefore, any financial contributions towards an environmental offset must be of a magnitude that reflects the actual environmental cost of the impact (not just now, but also into the future) and actively discourages developers by being prohibitively expensive.

Overall our main concerns with the use of indirect offsets are:

1. It is very difficult or indeed impossible to measure the gains in environmental quality achieved by many types of indirect offsets against the loss to environmental quality caused by developments. To achieve a 'maintain or enhance' goal, the gains achieved by an offset must be greater than the loss caused by a development. Of course, such gains and losses must be measurable with a reasonable level of certainty in order for any such comparison to be possible, or indeed worthwhile.
2. The link between many types of indirect offsets and a gain in environmental quality is too uncertain and dependent upon too many outside factors (e.g. new research may increase knowledge, but any outcomes must be implemented to achieve a gain in environmental quality, which is dependent on adequate funding).
3. It is questionable whether many indirect offsets would deliver a conservation outcome that would not otherwise be achieved (i.e. the outcome may not be 'additional').
4. The indirect offsets will be strongly viewed by developers as an "easy fix solution".

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Exchange Service

We strongly oppose the exchange service proposed. The exchange service contemplates, and seems to encourage, situations where adverse environmental impacts which result from a particular development will not be immediately and directly offset (in the event that they are absolutely and clearly unable to be avoided or mitigated through the hierarchal approach proposed earlier in this submission).

The very idea that adverse environmental impacts, or the measures which are proposed to offset them, may be exchanged and/or traded is deeply concerning, and runs contrary to the effective achievement of environmental protection in Queensland, which is the responsibility of the agencies involved.

Investment Service

Similar to the proposed exchange service, we do not support the investment service proposal. The proposed investment service promotes, encourages and facilitates the notion that provision of funds may effectively offset any adverse environmental impacts which may result from a particular development, and that developers can buy a right to cause environmental harm.

Overall, both these services will diminish vital funds that are required to be injected into other aspects of any successful environmental offset policy or scheme by creating environmentally-unnecessary and environmentally-ineffective administration processes and burdens. More funding needs to be directed towards ensuring that ***actual*** environmental protection and promotion is achieved.

CONCLUSION

The draft environmental offset policy is flawed and gives developers 'soft options' in offsetting environmental impacts. The draft policy lacks sufficient detail, and the proposed principles are vaguely worded and open to broad and ambiguous interpretation. The current case by case approach to offsetting lacks transparency and fails to provide for a scientific methodology to explain the principles. The draft policy appears to present more problems than what it solves, and does not fully adopt the various State legislations (mentioned earlier) view of protection and conversation of areas of environmental significance shown in relevant legislation from various States. The draft offsets policy works for developers rather than developers working for offsets.

Any draft offset policy should act as a significant financial and regulatory hurdle that:

1. discourages the use of environmental offsets; and
2. encourages (and even requires) a focus on avoiding and minimising environmental impacts as the first step in any approach to deal with adverse environmental impacts caused by proposed developments.

Summary of concerns

We strongly reiterate our concerns regarding the Queensland Government's approach towards adverse environmental impacts as a result of developments, and environmental offsets, namely that:

1. The idea that adverse impacts upon Queensland's unique environment can simply be 'offset' is alarming and deeply concerning.
2. In many cases, it is simply not possible to offset adverse environmental impacts on specific unique places and/or species.
3. In majority of the cases it will take much time (often many years) to determine whether or not a particular 'environmental offset' has actually been effective, and has assisted in effective environmental protection.

EDO Qld and EDO-NQ

4. There seems to be a presumption that, from the outset, 'environmental offsets' (whether unilaterally imposed or imposed by agreement) *will* be effective and *will* achieve a 'net environmental gain' without there being any factual or indeed scientific basis for such a presumption.

Should you have any queries and/or need clarification of any part of this submission please do not hesitate to contact us on the above address.

Thank you for the opportunity to provide feedback and comments on Queensland Environmental Offset Policy – Discussion Paper.

Yours faithfully

**Environmental Defenders Office (Qld) Inc. and
Environmental Defender's Office of Northern Queensland Inc.**

A handwritten signature in blue ink, appearing to be 'Adam Millar', written over a light blue circular stamp or watermark.

**Jo-Anne Bragg
Principal Solicitor
EDO Qld**

**Adam Millar
Principal Solicitor
EDO NQ**

(signed for and on behalf of EDO Qld, with approval)

To provide feedback on EDO services, write to us at the above address