

22 March 2014

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Agriculture, Resource & Environment Committee
Queensland Parliament House
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BRISBANE QLD 4000

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Dear Sir/Madam

SUBMISSION - ENVIRONMENTAL OFFSETS BILL & POLICY

Thank you for the opportunity to provide comments on the proposed *Environmental Offsets Bill*.

Logan City Council supports the intent of the *Environmental Offsets Bill* however has serious concerns regarding the policy.

Logan City Council would like to provide the following points on the proposed Bill:

The position that the state has adopted is unacceptable on the basis that :

- any current local government offset policy is a transition policy and one that would need to change to the state policy with an update to our scheme;
- utilising a condition based assessment means that a developer is unable to determine the offset consequence of their proposal at the time of undertaking due diligence on a project, with the net consequence being that they may not secure sufficient funds to cover that contingency and will therefore naturally fight for the removal of or reduction in the offset through the development assessment process;
- the policy provides three clear escape provisions to avoid a proper offset and those provisions will be exploited and place assessment managers and politicians under pressure to remove offset provisions or replace them with something less than a commensurate replacement of the lost value. Those escape components are the poor definition of "significant residual impact", the totally unacceptable situation where "other benefits/outcomes" outweigh the environmental harm and the capacity to condition with "alternative offset requirements";
- the policy goes against the long standing position of Councils in SEQ requiring offsets to be applied locally;
- the policy makes no provision for the accreditation of local offsets to comply with both federal and state offsets requirements and as a consequence make the development process smoother. A developer should only need to make one consolidated offset and they should be applied by local government when undertaking the development assessment process and then be applied locally to strategically build local core areas and linkages/corridors;
- it fails to establish a standard for offsets, only an upper limit. As a consequence a myriad of different offsets will apply and this will be a boon for consultants who will be hard pressed to work out a pre-emptive position on what the condition assessment, conducted by the state, may deliver. If the state delegates that work of condition assessment to consultants acting for the developer then local government and the state will have enormous problems determining the credibility of the assessment and be placed in the position of having to conduct their own assessments to verify the work;
- If the state does not delegate that work to the developer's consultant than they are creating more jobs for state government officers and they do not have the capacity for that additional workload. As a consequence time delays will occur and added costs will occur;

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- should the state choose to have brokers undertake the condition assessment the development sector is then burdened by another cost which in many cases can exceed the actual cost of the offset, especially if the broker has to also attempt to secure the offsets site. The procurement of offset sites is the problem and this policy does not address that fundamental issue; and
- the policy places too much emphasis on offsets being acquired on private land which means that there will be a strong possibility that offsets will not occur strategically.

Logan City Council would also like to provide a verbal submission detailing the comments presented above at the scheduled parliamentary hearing scheduled for Wednesday 2 April 2014.

Please do not hesitate to contact Mr Trevor Graham on ph: (07) 3412 5053 or myself on 3412 5311 if you would like to discuss any aspect of this submission.

Once again thank you for this opportunity to comment on the proposed *Environmental Offsets Bill*.

Yours faithfully



Jim McDonnell
Environment & Sustainability Manager
(on behalf of Chris Rose, Chief Executive Officer)