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The Research Director  
Agriculture, Resources and Environment  
Committee  
Parliament House  
George Street  
Brisbane QLD 4000  
AREC@parliament.qld.gov.au

**Re: Queensland Environmental Offsets Bill**

Dear Director,

Sea Turtle Foundation is a non-profit, non-government organisation based in Queensland that works to protect sea turtles, their habitats and migration routes. We have some major concerns about the proposed Queensland Environmental Offsets bill, outlined below.

- The bill seems to accept that offsets are one of the best ways to reconcile development and environmental protection. The concept of an offset, as outlined in both the State and Commonwealth governments' Strategic Assessment Reports, is only to be used as a last resort, when "avoidance or mitigation are not possible". The first two options are *always* possible; the offset framework needs to address what situations warrant an offset or it will simply become a tool to bypass environmentally responsible action and rubberstamp development (which, frankly, seems to be the real purpose of the legislation).
- One of the three acceptable offsets outlined in the bill is a "financial payment"—under what circumstances is a financial payment acceptable? Financial payments should not be used to justify or balance environmental damage. We cannot buy more habitat for endangered species, for example. Where are the parameters on what type of offset is acceptable in what situations?
- There are no thresholds or triggers outlined for when an offset is acceptable, as opposed to mitigation (and no threshold outlining when mitigation would be acceptable over avoidance.) There is a serious concern that the Department of Development is going to be deciding whether an impact deserves avoidance, mitigation, or just a payoff in the form of an offset. This is a classic example of the fox guarding the henhouse. The Department of Environment and Heritage Protection should be making environmental decisions and the bill should mandate that advice from EHP must be considered when deciding whether an offset is appropriate for a given impact.
- How will cumulative impacts be addressed? If small or moderate impacts are not deemed necessary for offsetting, or if a financial payment is deemed sufficient, will those small impacts be cumulatively assessed, and if so, how will they be addressed?
- With regard to financial offsets—where does that money go? If financial compensation for environmental damage is not going into the affected community or ecosystem, the offset is of no benefit to those stakeholders and should not be allowed.
- Where are the related documents such as the Environmental Offsets Policy and the marine offsets calculator that is under development? It is difficult to judge the efficacy of the bill when the supporting regulations are not yet available.
- The bill specifically excludes large-scale projects like the Abbot Point port expansion. This seems to be a major gap in the legislation, and there needs to be more definition about why such projects would be excluded and what measures are in place to deal with them.



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- In the event that the “one-stop shop” for environmental approvals comes to fruition, will the State’s less rigorous policy supersede the more stringent requirements of the EPBC Act? The more stringent legislation should always take precedence in environmental decisions, as dictated by the precautionary principle.

There are some fundamental flaws with the bill as proposed, and Sea Turtle Foundation, on behalf of our members and supporters, requests that the issues above be addressed before progressing with the legislation.

Yours sincerely

Julie Traweek  
Project Manager  
Sea Turtle Foundation