



Gladstone Ports Corporation

Growth, Prosperity, Community.

Our Ref: #1039694

21 March 2014

The Research Director
Agriculture, Resources and Environment Committee
Parliament House
George Street
BRISBANE QLD 4000

Email: AREC@parliament.qld.gov.au

Dear Sir/Madam

WRITTEN SUBMISSION ON THE ENVIRONMENT OFFSETS BILL 2014

The Gladstone Ports Corporation (GPC) welcomes the opportunity to review and make comment on the Environment Offsets Bill 2014.

In this regard, please find attached GPC's written submission.

We note the Queensland Ports Association (QPA) will be making a submission on behalf of its member Ports. Although GPC has chosen to make a separate submission, it has actively contributed to the QPA's submission and supports its recommendations.

We look forward to working with the State Government as the Bill is developed further and implemented.

Kind regards

CRAIG DOYLE
CHIEF EXECUTIVE OFFICER



Gladstone Ports Corporation

Growth, Prosperity, Community.

Gladstone Ports Corporation Submission on Environment Offsets Bill 2014

Gladstone Ports Corporation (GPC) appreciates the opportunity to review and comment on the Environment Offsets Bill 2014.

GPC is disappointed that none of the ports corporations operating in the priority port development areas identified in the Queensland Ports Strategy appear to have been included in the targeted consultation which was undertaken in developing this Bill. The provision of marine offsets is a substantial component of the environmental responsibilities of these corporations, particularly as they undertake further development. This omission is reflected in the content of the Bill which appears to have a greater focus on the provision of terrestrial offsets. The delivery of marine offsets can be more problematic than terrestrial offsets and further consideration needs to be given to ensure the Bill effectively addresses their determination, management and delivery.

GPC supports the objective of the Bill as it is an organisation that has been subject to requirements to provide offsets and is likely to face similar requirements in the future. We appreciate any measures designed to reduce the complexity of the offsets process, specifically giving effect to: a whole-of-government coordinated approach; reducing the confusion arising from multiple policies and avoiding duplication of requirements and effort. GPC supports formalisation of arrangements for the state government to carry out assessments on behalf of both levels of government. However, we question whether the approach outlined in the Bill will assist in projects where bilateral agreements do not have application (e.g. channel duplication). While GPC is not averse to dual assessment of a project, its preference is for a single aligned approval and associated conditions.

The ability for proponents to decide how they wish to deliver an offset obligation provides a level of flexibility that should enable more effective decision making and more efficient delivery of offsets. GPC supports the initiative to align offsets with direct benefit management plans. We believe that this will help to reduce administrative wastage associated with delivery of offsets programs and direct greater effort to the offset. A focus on matters of national and state environmental significance is warranted and supported. However, in implementing such an approach, we need to realise that meaningful offsets may be geographically distant from the point of impact to deliver the greatest overall environmental benefit.

In circumstances where a proponent elects to fulfil its offsets obligations by way of a financial contribution, accountability for offsets funds will be important. Open and transparent communications to the public, and the proponent providing the offset, will be needed to ensure that all parties are confident with how financial contributions are being spent. The provision of appropriate offsets is an important part of an organisation's social license to operate. We need to ensure that the approach to offsets delivery provides opportunities for proponents to get public credit for environmental initiatives delivered as offsets.

Further clarification is needed about the ongoing obligations of parties electing the financial contribution option. Specifically detail about when the proponent's responsibility or accountability ends e.g. when they hand over the money or when the funding is secured in an offset. There could be a risk to the proponent if the funding is not spent on specified environmental offsets.

The Bill appears to take a more sensible approach in determining obligations on proponents whose impacts are negligible. The primary focus on activities giving rise to "significant residual impact" appears to be pragmatic. However further clarification is needed about how significance will be determined. The proposed definition in s8 does not provide sufficient clarity about what is "significant".

The Bill provides an example which describes an environmental offset as:

- Carrying out work to maintain viability of a prescribed environmental matter
- Preparing a plan about a prescribed environmental matter
- Conducting scientific research or an education program

However, the rest of the Bill seems to be primarily focused on the offset being land and not a plan, research or program. Again this suggests a primary focus on terrestrial offsets.

Through its delivery of the Western Basin Dredging and Disposal Project and specifically the Ecosystem Research and Monitoring Program (ERMP) and Biodiversity Offset Strategy (BOS), GPC now has considerable experience in implementing offsets involving plans, research and education programs. There have been valuable learnings from the ERMP and BOS which show the importance of these offset programs but also the need for an aligned approach from Government. We believe this experience will be of benefit in fine tuning the proposed offsets legislation. GPC staff are readily available to discuss the exercise of the marine offsets program with staff from the Department of Environment and Heritage Protection.

Moving Forward

GPC welcomes the opportunity to work in consultation with the state government as the Environment Offsets Bill 2014 is developed further.