



Speech By
Hon. Andrew Powell

MEMBER FOR GLASS HOUSE

Record of Proceedings, 13 February 2014

ENVIRONMENTAL OFFSETS BILL

Message from Governor

Hon. AC POWELL (Glass House—LNP) (Minister for Environment and Heritage Protection) (11.38 am): I present a message from Her Excellency the Governor.

The Deputy Speaker read the following message—

MESSAGE

ENVIRONMENTAL OFFSETS BILL 2014

Constitution of Queensland 2001, section 68

I, PENELOPE ANNE WENSLEY AC, Governor, recommend to the Legislative Assembly a Bill intituled—

A Bill for an Act to provide for environmental offsets to counterbalance significant residual impacts of particular activities on particular matters of national, State or local environmental significance and to establish a framework in relation to environmental offsets, and to amend the Coastal Protection and Management Act 1995, the Currumbin Bird Sanctuary Act 1976, the Duties Act 2001, the Environmental Protection Act 1994, the Fisheries Act 1994, the Marine Parks Act 2004, the National Trust of Queensland Act 1963, the Nature Conservation Act 1992, the Queensland Heritage Act 1992, the Sustainable Planning Act 2009 and the Vegetation Management Act 1999 for particular purposes and to make minor and consequential amendments of the Act mentioned in schedule 1


(sgd)

GOVERNOR

Date: 13 FEB 2014

Tabled paper: Message, dated 13 February 2014, from Her Excellency the Governor, recommending the Environmental Offsets Bill 2014 [[4508](#)].

Introduction

 **Hon. AC POWELL** (Glass House—LNP) (Minister for Environment and Heritage Protection) (11.40 am): Mr Deputy Speaker, I present a bill for an act to provide for environmental offsets to counterbalance significant residual impacts of particular activities on particular matters of national, state or local environmental significance and establish a framework in relation to environmental offsets, and to amend the Coastal Protection and Management Act 1995, the Currumbin Bird Sanctuary Act 1976, the Duties Act 2001, the Environmental Protection Act 1994, the Fisheries Act 1994, the Marine Parks Act 2004, the National Trust of Queensland Act 1963, the Nature Conservation Act 1992, the Queensland Heritage Act 1992, the Sustainable Planning Act 2009 and the Vegetation Management Act 1999 for particular purposes and to make minor and consequential amendments of the act mentioned in schedule 1. I table the Bill and Explanatory Notes, and I nominate the Agriculture, Resources and Environment Committee to consider the Bill.

Tabled paper: Environmental Offsets Bill 2014 [[4509](#)].

Offsets are a component of the state government's assessment process that allows development to proceed. They compensate for unavoidable impacts on significant environmental values by making sure that an equivalent environmental outcome occurs elsewhere. Since they were introduced in the early 1980s, a growing number of specific issue offset policies have been developed. Over time this has led to an inconsistent, complex and onerous regulatory framework with little coordination.

The Newman government is seeking to address this by introducing a new foundation for the state's environmental offsets framework. The Environmental Offsets Bill sets out what an offset is and how it is to be provided. It supports assessment provisions in existing legislation which govern if and when an offset is required as a condition of an approval. Under the former government there were five separate offset policies. This is typical of Labor: they are all about quantity but not about quality. By combining five separate policies into one piece of legislation not only is the Newman government cutting green tape, but we are removing complexity and inconsistency. However, this will not come at a cost to the environment; instead, the new framework will also achieve greater strategic environmental outcomes for Queensland.

Introducing primary legislation that provides a 'head of power' to impose environmental offset conditions demonstrates the Newman government's commitment to protect Queensland's environment while allowing balanced economic growth to support our state's future. The bill supports the government's commitment to growing a four-pillar economy because it provides a single point of truth for proponents. It will end uncertainty and deliver a simpler, more timely and affordable solution for offsets under an integrated regulatory framework.

The environmental impacts of a particular development can currently be assessed multiple times by separate levels of government, each imposing substantially different offset requirements. This inconsistency has led to significant delays and additional cost to industry and is a major roadblock to development. The bill removes the potential for 'double counting' offset requirements across the three levels of government; reduces the number of matters subject to offsets; aligns with the Commonwealth approach of requiring offsets only for significant and unavoidable impacts on a matter of environmental significance; and provides greater flexibility in offset delivery options than the current offset policies. In providing this simpler framework, the government aims to reinstate industry confidence and reduce the unnecessary delays associated with uncertainty.

The Newman government is committed to being Australia's best-practice environmental regulator, and this innovative approach to environmental offsets will demonstrate this. The legislation also gives proponents the option to stage offsets in accordance with on-the-ground impacts and allows a financial settlement determined in accordance with a scientifically based offset calculator or a proponent-driven offset that replaces the impacted environmental matter. This simplified and scientifically-based approach to determining an offset obligation and flexibility in offset delivery options will provide greater certainty. This is a clear improvement on current policy approaches, where offsets can take years to find.

For the first time ever the state government will be able to take a big picture approach to the future protection of Queensland's environment. Through strategic investment corridors and direct benefit management plans, Queensland will no longer have a patchwork quilt of areas set aside; instead, the government can direct offsets to locations that will deliver the greatest environmental outcome. By working with industry and not against them, we will achieve greater environmental benefits than the current ad hoc and piecemeal outcome. This will also provide opportunities for landholders to receive income in return for voluntarily agreeing to manage their land, or part of their land, as an offset under a legally binding agreement.

In addition, the bill amends legislation for other matters. The Coastal Protection and Management Act 1995 and the Environmental Protection Act 1994 will be amended to address specific unintended operational problems with the application of these acts. Amendment to the Coastal Protection and Management Act is necessary following a recent court decision associated with the Gold Coast Light Rail project. This decision highlighted an error in legislation that brought into doubt the validity of previous tidal works approvals made under the Sustainable Planning Act 2009 and the repealed Integrated Planning Act 1997. The proposed amendments will validate these decisions. These amendments will clarify when operational works within a coastal management district, including within a tidal watercourse, are tidal works under the Coastal Protection and Management Act 1995 and referred to by the Sustainable Planning Act 2009 and repealed Integrated Planning Act 1997.

Amendments are also required to address a separate matter in relation to dredge management plans. The amendments provide clarification to transitional provisions for dredge management plans made in 2011 to ensure that royalties remain payable for the commercial removal of material under such plans.

The National Trust of Queensland Act 1963, Currumbin Bird Sanctuary Act 1963, Queensland Heritage Act 1992, and the Duties Act 2001 will be amended to allow Currumbin Wildlife Sanctuary and the National Trust of Qld to relinquish their statutory status and transition to a single company, independent of government. This reflects the approach taken in other jurisdictions and is consistent with government's commitment to reducing red tape and regulation for business. The Currumbin Wildlife Sanctuary—the largest and most visited property belonging to the National Trust—will continue as a not-for-profit organisation, reinvesting revenue back into conservation-based research, public education and caring for injured wildlife through the Currumbin Wildlife Hospital. The National Trust is keen to undertake these reforms which provide greater autonomy and improved opportunities to seek corporate sponsorship and support for its heritage and conservation activities.

The Environmental Offset Bill is the product of a whole-of-government review, and there has been significant and ongoing engagement with industry, government, natural resource management and conservation sectors in development of the offsets framework. This engagement occurred from July 2012 through to January 2014 and included robust testing of the framework and calculator on actual projects to ensure that the cost savings and simplification objectives of the review are real and tangible outcomes.

I thank those who have been involved in the development of this important environmental reform. Your involvement has ensured that we have developed a fair and simplified offset framework that helps build Queensland's four-pillar economy whilst retaining a focus on environmental protection.

First Reading

Hon. AC POWELL (Glass House—LNP) (Minister for Environment and Heritage Protection) (11.48 am): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Referral to the Agriculture, Resources and Environment Committee

Mr DEPUTY SPEAKER (Dr Robinson): Order! In accordance with standing order 131, the bill is now referred to the Agriculture, Resources and Environment Committee.

Portfolio Committee, Reporting Date

Hon. AC POWELL (Glass House—LNP) (Minister for Environment and Heritage Protection) (11.49 am), by leave, without notice: I move—

That under the provisions of standing order 136 the Agriculture, Resources and Environment Committee report to the House on the Environmental Offsets Bill by 28 April 2014.