

The EPBC Act Environmental Offset Policy: improve or maintain?

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Four recommendations to improve the EPBC Act Environmental Offset Policy

1. A public register of approvals
2. Explicit guidelines for implementing offsets
3. Offsets are a means not an ends
4. Holistic reform must accompany legislative reform

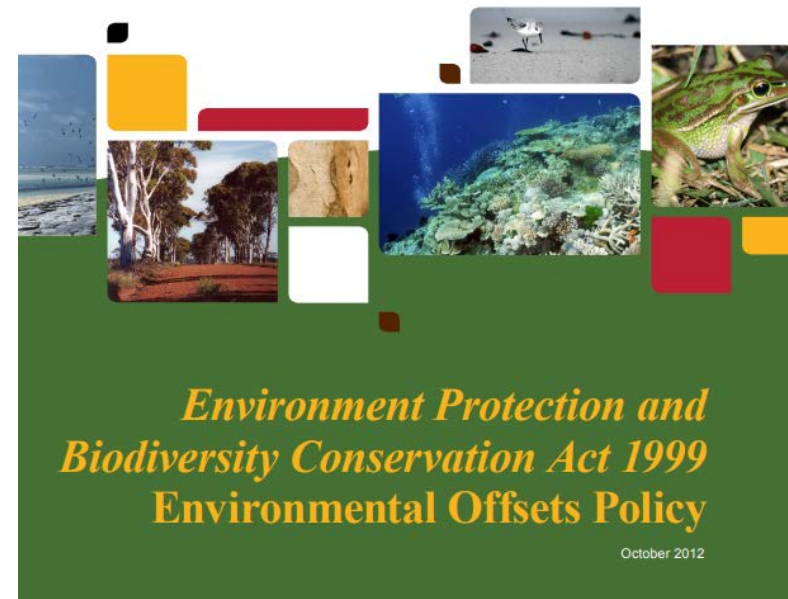
The EPBC Act Environmental Offset Policy

- Since 2012
- Aims to improve or maintain protected matters
- A calculator is used to guide decisions
- “Offsets” not in EPBC Act
- Offsets required as part of most approvals (under Part 9 and Part 10)



Australian Government

Department of Sustainability, Environment,
Water, Population and Communities



Why do we need a public register of approvals?

APPROVAL

Fiona Stanley Hospital Proposal (EPBC 2008/3970)

This decision is made under (Section 133) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Proposed action

person to whom the approval is granted

John Coles
Director General
Department of Housing and Works
Government of Western Australia

proposed action

To construct the Fiona Stanley Hospital at Murdoch, City of Melville, Perth

Approval decision

relevant controlling provisions

The approval has effect for:

- Threatened species and communities (sections 18 and 18(A))

Decision on proposed action: Approved subject to conditions

decision

The proposed action is approved provided it is undertaken in accordance with the conditions set out in this decision.


period of approval

The approval will have effect until 31 December 2015.

Person authorised to make decision

name and position

PETER ROBERT GARRETT
Minister for the Environment, Heritage and the Arts

signature**date of decision**

27/12/08



Published Project View

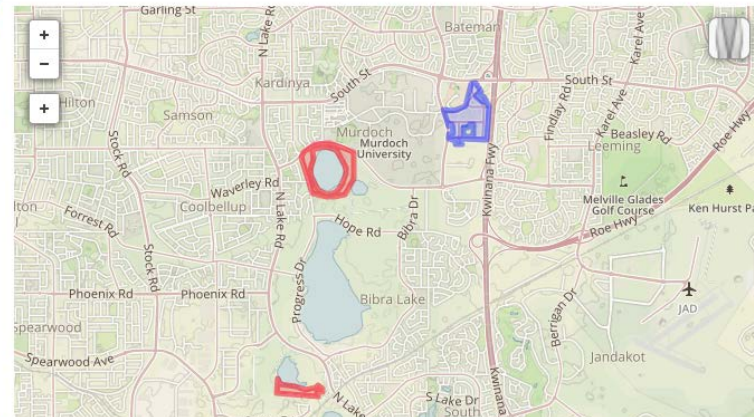
Project Detail

Project number ⓘ	1773/4
Project name ⓘ	Fiona Stanley Hospital
Project status ⓘ	Complete
Proponent(s) ⓘ	Department of Health
Project location ⓘ	LOT 501 ON PLAN 59337 MURDOCH 6150 LOT 500 ON PLAN 59337 MURDOCH 6150 LOT 4994 ON PLAN 40291 MURDOCH 6150 LOT 2 ON PLAN 19489 MURDOCH 6150 LOT 50 ON PLAN 6977 MURDOCH 6150 LOT 51 ON PLAN 6977 LEEMING read more
Approved project area (ha) ⓘ	25.0

Decision(s):

DECISION 1			Date of decision
Offset	Offset Type ⓘ	Offset Area ⓘ	Offset Status ⓘ
OFFSET 1	Land acquisition	45.0	Complete
OFFSET 2	Rehabilitation	30.0	Complete

Project and Offset Boundaries



OFFSET 1

Condition status: ⓘ Complete

Type(s): ⓘ Land acquisition

Rationale: ⓘ

The purchased property contains 45 hectares of Carnaby's cockatoo habitat. The ratio of the offset area to the clearing area is 1.8:1. This offset directly counterbalances the loss of black cockatoo habitat and meets the requirement that the offset should be the same as, or better than, that of the area of native vegetation being cleared.

Security arrangements: ⓘ

Property is transferred to the Department of Environment and Conservation under freehold title.

Governance arrangements: ⓘ

Offset location: ⓘ

LOT 167 on PLAN 62988 CLACKLINE

Approved offset area (ha): ⓘ 45.0

Bioregion(s): ⓘ Jarrah Forest

Delivery agent: ⓘ

Department of Environment and Conservation

CONDITION MILESTONE 1

Milestone: ⓘ

Condition Milestone 1

10 (a) (iii) The permit holder must provide an offset proposal to the CEO for the CEO's approval prior to undertaking any clearing to which the offset relates, and prior to implementing the offset.

Timeframe: ⓘ

Prior to clearing and prior to implementing the offset.

Analysis of data in WA offset register



Are offsets effective? An evaluation of recent environmental offsets in Western Australia

Jelena May, Richard J. Hobbs *, Leonie E. Valentine

School of Plant Biology, University of Western Australia, Crawley, WA 6009, Australia



- Only 15-22% of offsets reported progress towards goals
- 39% of offsets demonstrated outcomes were met
- 30% of offsets inadequate

Policy needs to be underpinned by explicit guidelines

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PRIMARY RESEARCH ARTICLE

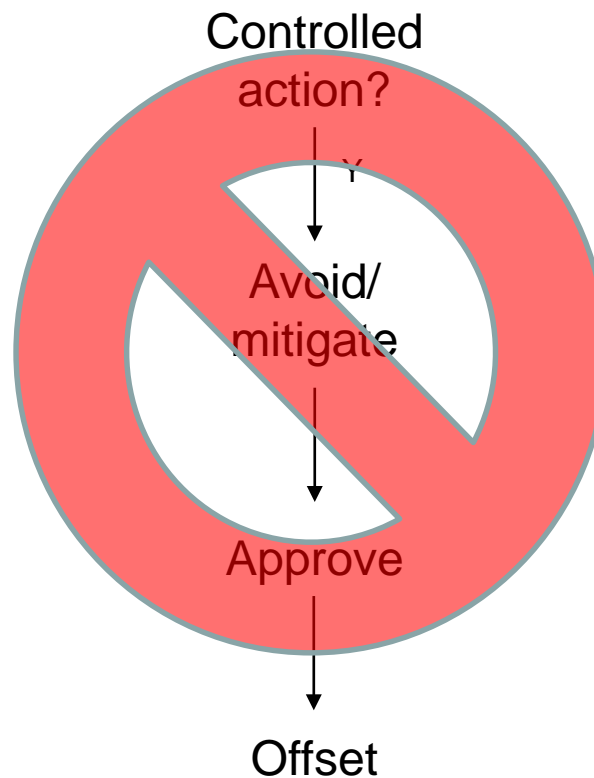
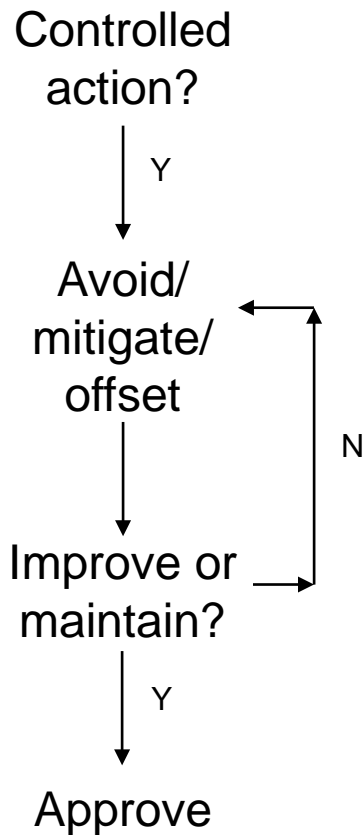
WILEY 

Outcomes from 10 years of biodiversity offsetting

Philip Gibbons¹ | Andrew Macintosh² | Amy Louise Constable² | Kiichiro Hayashi³

- 82% of offsetting via averted loss
- Assumed rate of loss under counterfactual not explicitly defined
- As a consequence, rate of loss over-estimated and delay before no net loss = 146 years

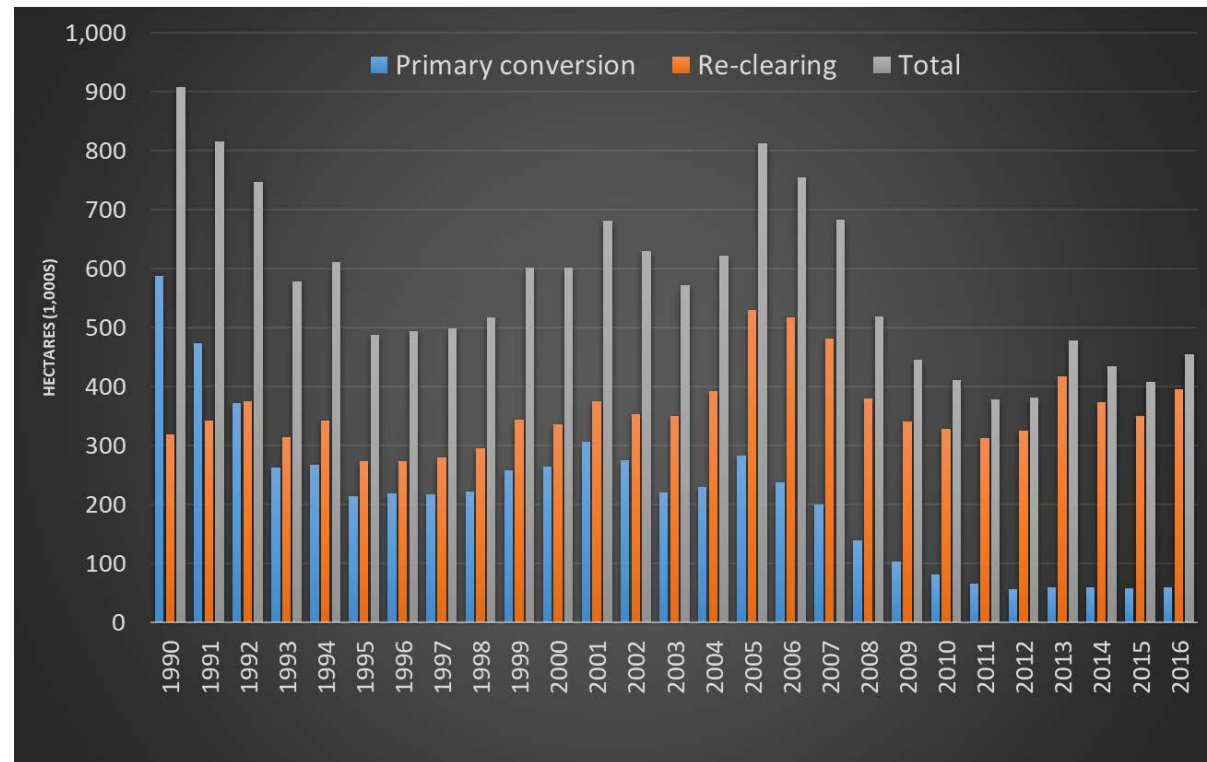
Offsets are a means not an ends



- *The committee recommends that environmental offsets... should be clearly identified prior to approval. (The Senate 2014)*

Changing legislation isn't a silver bullet

- Offsetting hasn't stimulated deforestation (Gibbons et al. 2017) but has stimulated investment in conservation
- Major command-and-control reforms in this space have not endured
- Deforestation over long-term is correlated with macro-economic drivers of development—not policy change (Evans 2016)



Dept of the Environment and Energy 2019

Holistic reform must accompany legislative reform

“Ecosystem degradation can rarely be reversed without actions that address one or more indirect drivers of change”
(Millennium Ecosystem Assessment 2005)

- National vision/leadership for our biodiversity
- Accounting for biodiversity throughout economy
- Create conditions that reduce demand for clearing in the economy
- Greater accountability in govt and private sector around biodiversity outcomes