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Dear Sir/Madam

Submission - EPBC Act Environmental Offsets Policy consultation draft

I wish to make a submission in relation to the current exhibition of the draft EPBC Act Environmental Offsets Policy.

My experience includes preparation of the *Biodiversity Planning Guide for NSW Local Government*, integration of biodiversity issues in local land use strategies and environmental planning instruments, and review of biodiversity offset proposals for a range of development projects.

The submission focuses on the following key matters:

- Principles of environmental offsets
- Integration of biodiversity offsets in land use planning processes
- Security of offsets
- Calculating offsets

It is essential for an offsets policy to clearly articulate principles to help determine where offsets are acceptable. In particular, this may require providing clear criteria for when avoidance or mitigation measures are not appropriate. The current draft policy could be substantially improved in this regard.

The policy would be more helpful if it also provided a national framework for the application of biodiversity offsets in development projects, specifically by adopting offset principles that are consistent with state approaches, such as those applied in NSW.

Environmental offsets should be recognised as a planning tool to facilitate land use outcomes. It is therefore important for a framework to be developed which is at least compatible, and preferably consistent with, state and territory land use planning systems. In this regard, the final

policy should use common terminology which can be applied to land use planning and development assessment processes more generally.

It would be helpful for the policy to include more detail on the security of offsets, and what arrangements are acceptable. This is a key issue ensuring that the objectives of offsetting arrangements are met. In many cases, this will require integration of any offsets with state and local government processes.

There is currently in NSW wide variation in the way offsets are calculated. While it is helpful to develop a calculator to support the evaluation of offset arrangements for the implementation of the EPBC Act, there is potential for this to be inconsistent with offset calculators applied at the state and local levels. It would be preferable to have one accepted framework for calculating offsets which can be applied at the national, state, regional and local levels.

Thank you for the opportunity to comment, and please feel free to contact me if you have any queries in relation to the above matters. The Land & Environment Planning website www.calli.com.au/lep also includes relevant information.

A handwritten signature in black ink that reads "M. Fallding". The signature is written in a cursive, slightly slanted style.

Martin Fallding BTP (Hons), BSc, MSc (Hons)
Principal, Land & Environment Planning

20 October 2011