1. The Queensland Government Environmental Offsets Policy (QGEOP) establishes a framework for using environmental offsets in Queensland. It provides principles and guidelines for applying and developing more detailed specific-issue offsets policies for important environmental values such as vegetation and fish habitat.
2. Under QGEOP, environmental impacts from development must first be avoided and if not avoidable then minimised. Environmental offsets may be used to counterbalance any remaining loss of environmental values. The QGEOP was introduced to ensure that offsets are used consistently and transparently across the State, as a last line of environmental preservation response.
3. To support and clarify the ability of the Government to require an offset (including the ability to condition and enforce the condition) as part of a development approval or other approval for development, the Government proposes amending the following Acts:
	* *Environmental Protection Act 1994*;
	* *Fisheries Act 1994*;
	* *Nature Conservation Act 1992*;and
	* *Sustainable Planning Act 2009*.
4. The Environmental Protection and Other Acts Amendment Bill 2009 (Bill) amends the Environmental Protection Act and the Sustainable Planning Act to insert a conditioning power for environmental offsets which will clarify the ability to use offsets as an enforceable condition on approvals.
5. Approvals for development under the Nature Conservation Act are not generally contained in the Act itself, but in the various conservation plans which are subordinate legislation to the Nature Conservation Act. The Bill will be amended to include a conditioning power for environmental offsets to the conservation plans similar to that inserted into the Environmental Protection Act and the Sustainable Planning Act. However, such an amendment would currently be complicated because, if a conservation plan is amended, consultation is arguably required on the entire plan, not just on the offsets amendment. Accordingly, this Bill also amends the Nature Conservation Act to clarify that public consultation is required for an amended section of a conservation plan only, not on the entire plan.
6. These amendments will ensure that the QGEOP is implemented through appropriate conditions on development.
7. Cabinet approved introduction of the Environmental Protection and Other Acts Amendment Bill 2009 into the Legislative Assembly.
8. *Attachments*
* [Environmental Protection and Other Acts Amendment Bill 2009](Attachments/Bill.pdf)
* [Explanatory Notes](Attachments/ExNotes.pdf)