

IAIA 2016

The state of environmental offsets in Australia – a national perspective of effectiveness - initial findings

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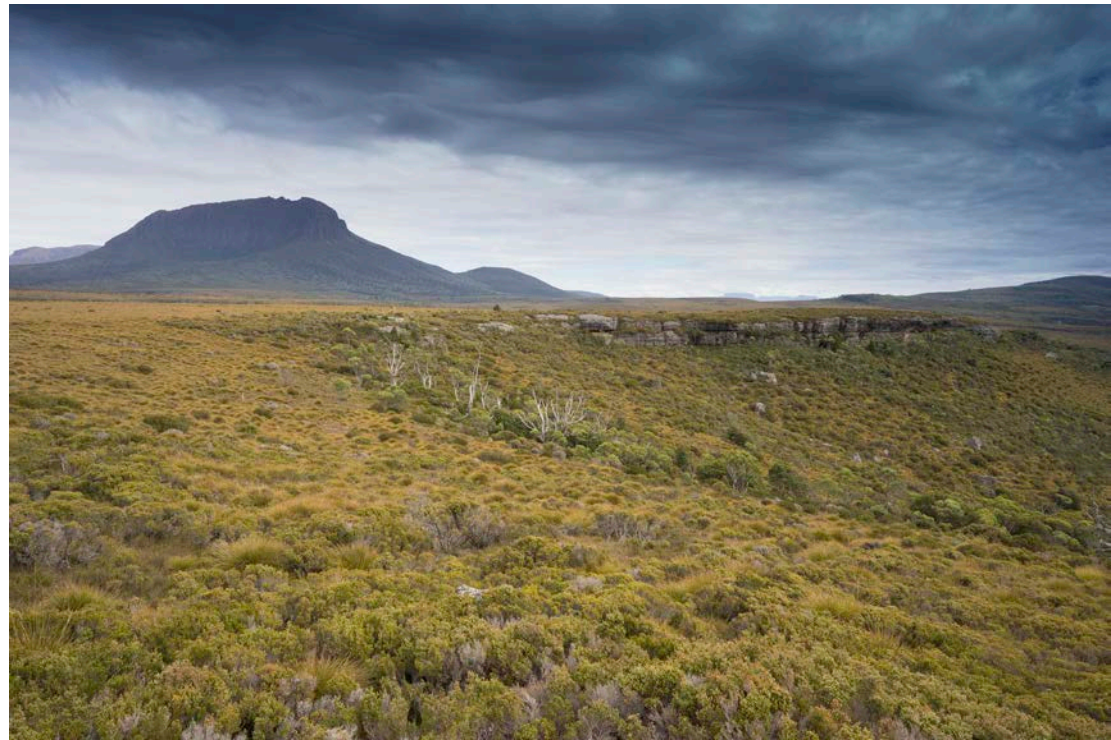
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Context

- Offsets relatively new
- Plenty of perceptions/view little data
- Senate inquiry taking public submissions
 - State of 'perceptions' on offsets



Inquiry overview

- Senate – Commonwealth Upper House of Parliament;
- Environment and Communications References Committee;
 - Government dominated membership – Conservative
 - Labor (left) and Greens minority
- Established inquiry – 5 March 2014
- Reported – 16 June 2014
 - Included minority report – non government
- Government response – December 2014

Terms of Reference

- “... history, appropriateness and effectiveness of the use of environmental offsets in federal environmental approvals in Australia ...”
 - Principles
 - Process
 - Monitoring
 - Other
 - Specific case studies



Australian Federation

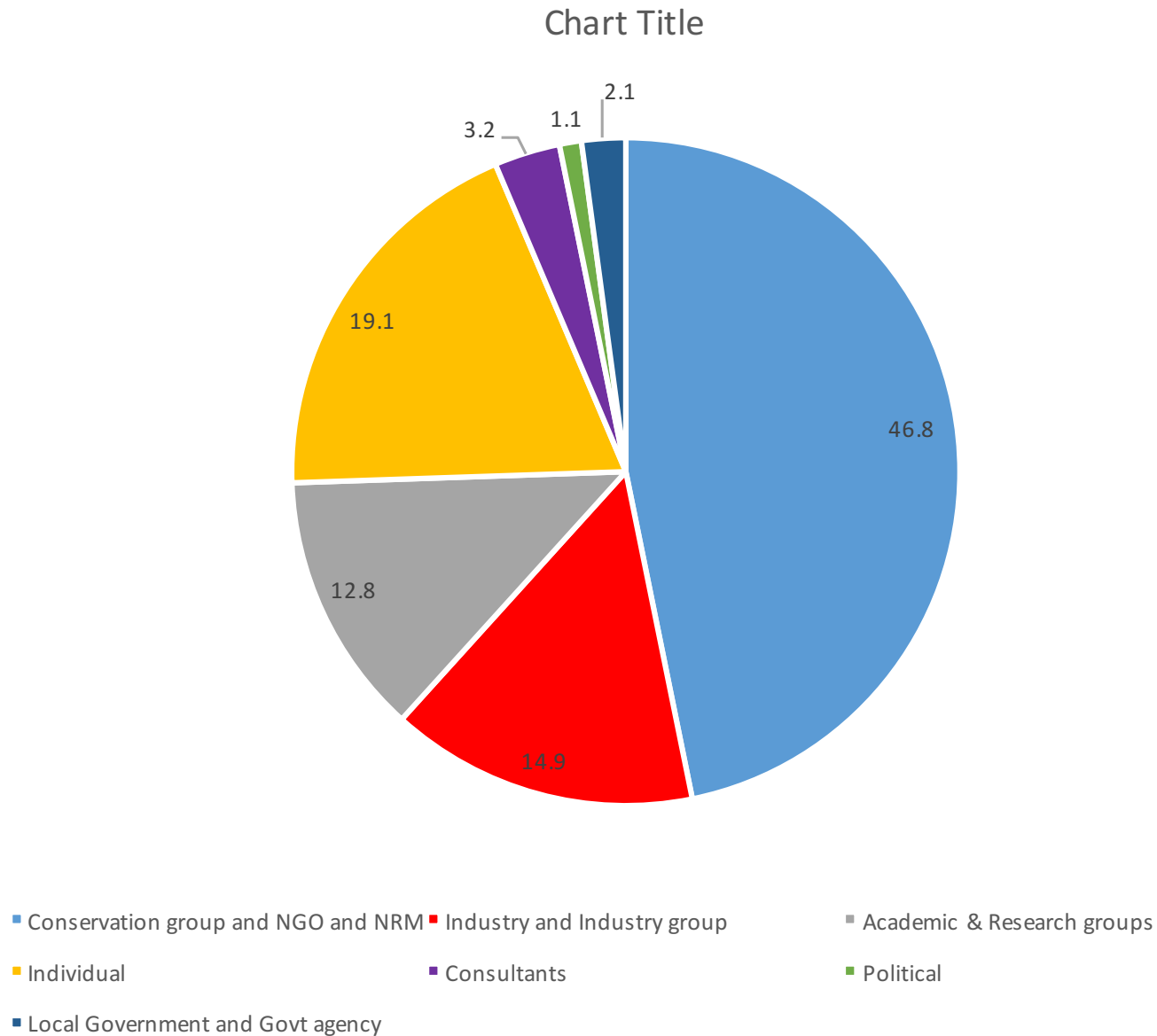
- States primary jurisdiction of EIA
 - Broader meaning of 'environment'
- Commonwealth
 - 'environment' not defined
 - Matters of National Environmental Significance prescribed – MNES
 - Primarily 'green'
 - Threatened species
 - Threatened ecological communities
 - World Heritage – Great Barrier Reef
 - Limited 'blue'
 - No 'brown'



Methodology

- Review submissions and identify themes/concerns
- Compare to committee recommendations and Government response
- Initial findings here
- Maybe - Shameless plug – Great Victoria Desert Biodiversity Trust Fund

Data – N=94



Ten themes from submissions



1. In principle support?

- Many green NGOs opposed in principle
 - Continues loss of biodiversity
- TOs - Traditional Owners - (1st Nations) supportive
- Industry see it as a way to deal with inevitable loss and demonstrate 'net gain'
- Some see offsets as opportunity
 - Research
 - Existing conservation funds

2. Tenure of offsets

- NGOs and academics concern not in perpetuity (security)
- Industry – may want future access
- 'Soft' offsets - land with little chance of being developed



3. Monitoring

- Consensus
 - Need for better monitoring,
 - Transparency and reporting
 - Data base
- Need for learning



4. Restoration

- Consensus
 - Multiplier ratios and additionality unclear & inconsistent
- NGOs
 - restoration unproven
 - Like for like and local
- Industry
 - Want rehabilitation of 'temporary' clearing recognised
- Academics
 - More research needed
 - Marine offsets to be treated differently

5. Timing of offsets

- No about the time-lag
- Approval and implementation
- NGOs
 - Agreed and implemented upfront prior to commencement
- Industry
 - Staged approval and implementation depending on timing of offsets



6. Every impact can be offset?

- Consensus – some impacts so significant & can't be offset – critical assets
- Disagreement on threshold
- Industry – want strategic approach to identifying critical assets
- Research –funding from offsets?

7. Indirect offsets

- Response to risk of impact as well as additionality
- Green NGOs have concerns
 - want the biodiversity
 - Accountability of funds
 - Audit effectiveness?
- TOs supportive
- Industry supportive – also want accountability of funds
- Research and exiting funds supportive
- Industry - flexibility with 90% rule

8. Independence of advice on offsets

- NGOs concern about proponent driven process – want independent assessment
- Extent (how much) and nature (like for like and likelihood of success)

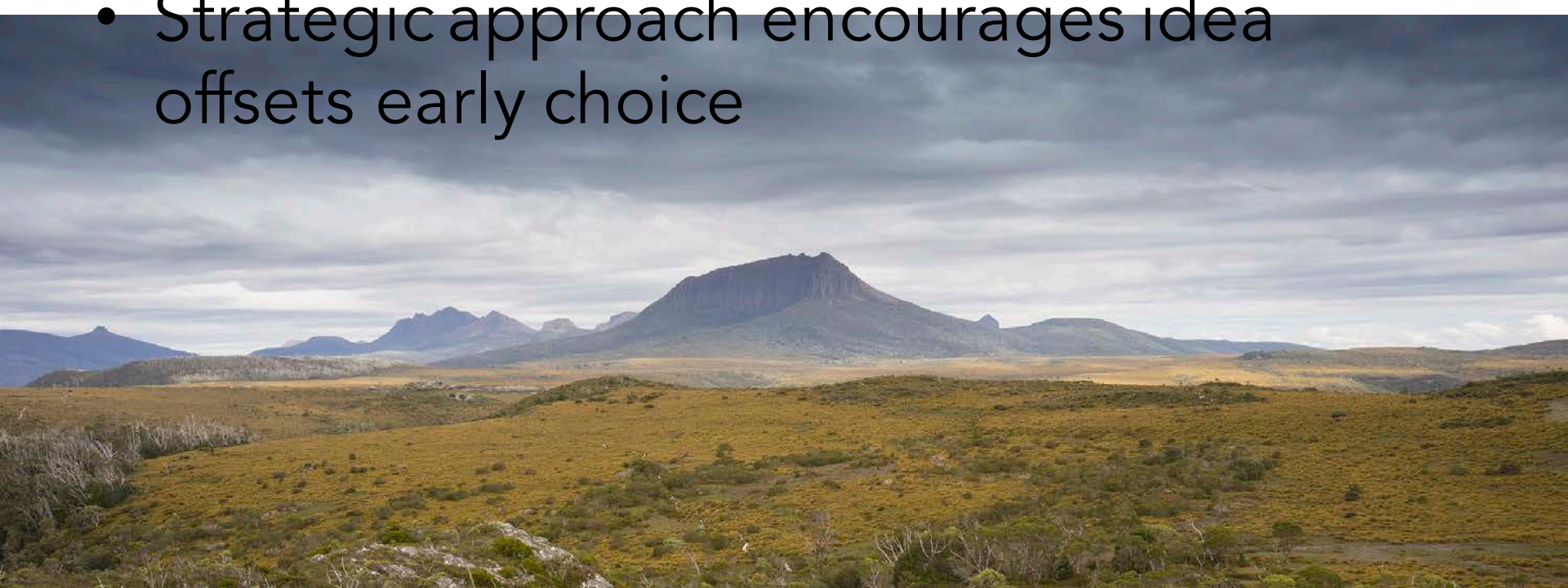


9. Strategic approach

- Consensus – strategic landscape approach preferred to case-by-case
- Some concern over achieving like for like and biodiversity loss
- Many local green NGOs want local like-for-like offsets
- Advanced offsets

10. Mitigation hierarchy

- Consensus – offsets last report
- Green NGO perception offsets early choice
- Strategic approach encourages idea offsets early choice

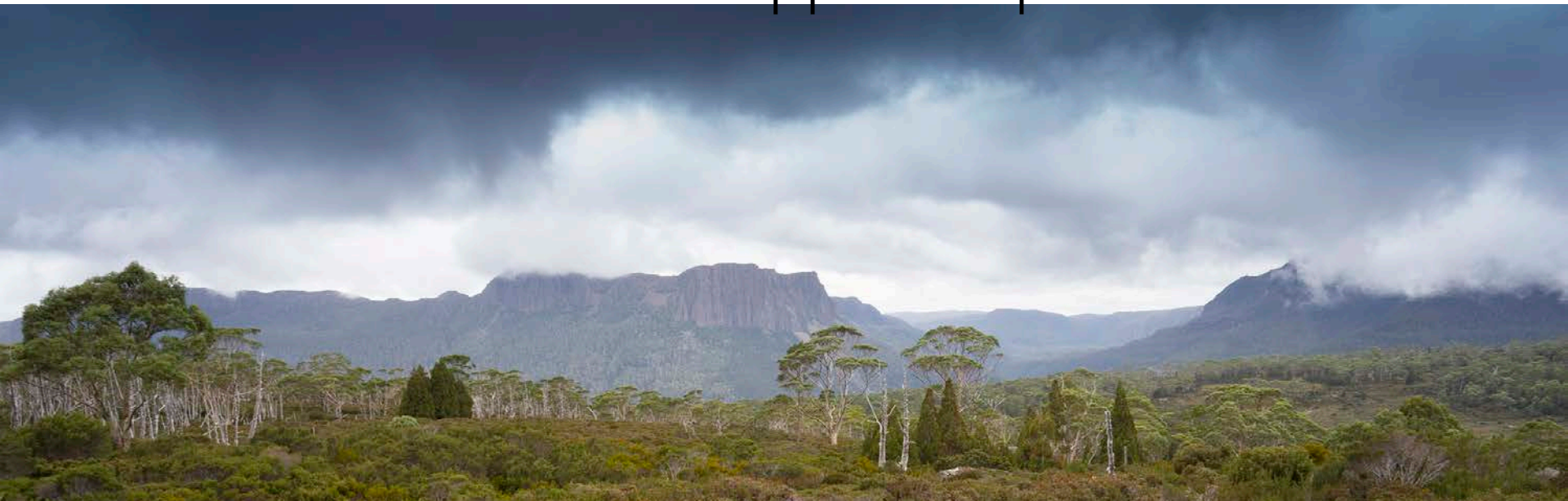


Committee recommendations

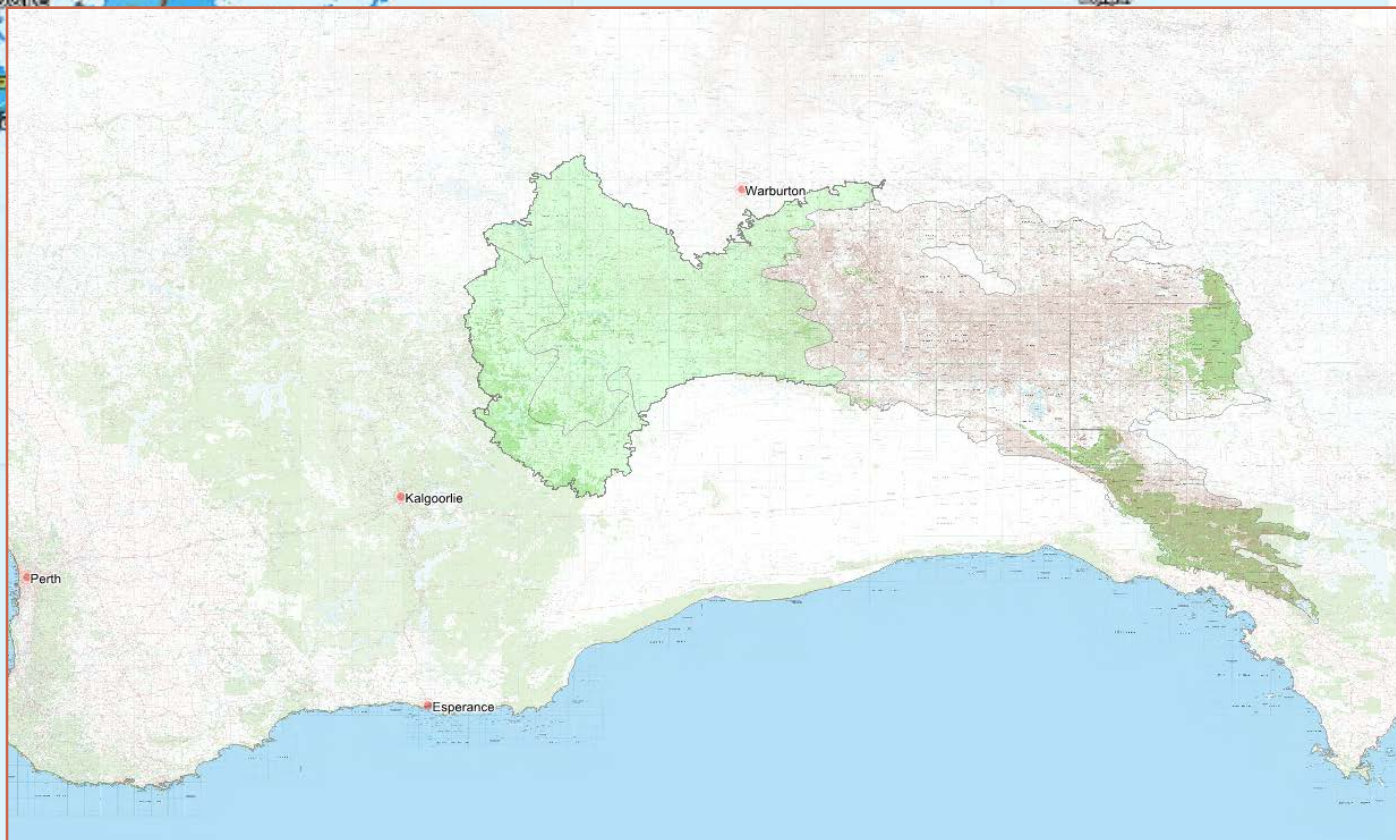
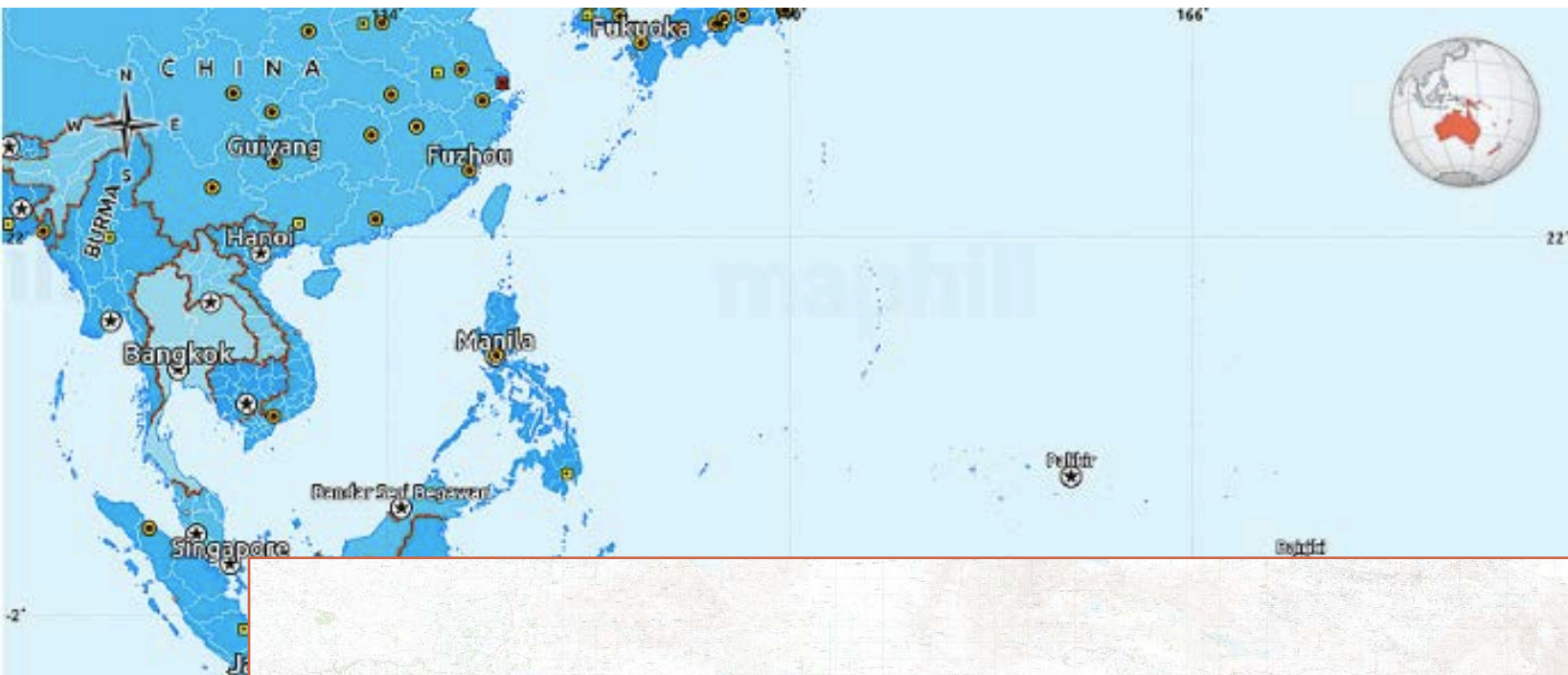
- 21 – red highlight - government disagreed
 - Provide clarity on additionality
 - mitigation hierarchy be rigorously implemented, with a greater emphasis on avoidance and mitigation
 - Greater guidance on what are critical assets
 - Want offsets defined up-front
 - Better public reporting of offsets – register
 - Technical review of policy supported
 - Department to better resource monitoring and extent compliance auditing to offsets
 - 5 year review

Committee recommendations

- Separate approach for marine offsets
- Strong support to secure offsets in perpetuity including management
- Supports strategic approach & advanced offsets
- Not to accredit State approvals processes



Theme	Committee recognition	Government decision
In principle support	Support continued use	Support continued use
Tenure of offsets	Support in perpetuity for offsets	Disagreed
Monitoring	Support greater transparency and more resources	Agreed
Restoration	Mostly ignored although support that marine is different	Agreed with Committee
Timing of offsets	Agreed that these should be agreed to upfront	Agreed in principle
Every impact can be offset?	Wanted critical assets defined	Disagreed
Indirect offsets	Not covered	Not covered
Independence of advice on offsets	Not covered	Not covered
Strategic approach	Supported	Agreed in principle
Mitigation hierarchy	Supported	Noted





Establishment of Trust

- AngloGold Ashanti Australia gold mine
- Risk of impact on threatened species
- Indirect offset
 - Establish and fund Trust Fund
 - Research and on-ground works
 - TOs involvement critical
- Outcomes to date
 - Better knowledge of three key threatened species
 - Partnership to do landscape adaptive planning