



## **Wildflower Society of Western Australia (Inc.)**

### **Environmental Offsets Policy**

As passed at 2014 Annual General Meeting.

## **Introduction**

The Wildflower Society of Western Australia Inc. (the Society) is concerned at public policy attempts to use environmental offset conditions in development approvals to implement “no net loss” principle and “net environmental benefit” goal biodiversity outcomes.

The Society considers the clearing of native vegetation communities can only result in a ‘net loss’ of biodiversity conservation in our State that cannot be replicated through rehabilitation or revegetation offsets. The Society does not consider it possible to fully re-establish specific ecosystems due to their complexity and diversity.

However, the Society does consider that an offsets policy could be a valuable instrument to at least partially offset the loss of environmental values from the clearing of native vegetation.

## **Need for a Policy**

Offsets are defined by the Office of Environmental Protection Authority (EPA), Western Australia as “environmentally beneficial activities” undertaken to counterbalance an adverse environmental impact aspiring to achieve “no net environmental loss” or a “net environmental benefit outcome’ (EPA, 2006, p.26).

The whole of government policy released in 2011 defines an offset as:

...an offsite action or actions to address significant residual environmental impacts of a development or activity,...Direct offsets are actions designed to provide for on-ground improvement, rehabilitation and conservation of habitat... Indirect offsets are actions aimed at improving scientific or community understanding and awareness of environmental values that are affected by a development or activity (EPA, 2011, p.2).

There has been an apparent policy shift from the “no net loss” principle to a “net environmental benefit” goal in 2006 and currently “actions to address significant environmental impacts” in the 2011 policy. The Society is very concerned that the current policy lacks the precision and detail of the earlier EPA policies.

With few exceptions, the Society considers the implementation of environmental offsets has been poor.

Specifically:

1. Offsets are failing to be fully implemented due to lack of skills, knowledge, funds and commitment to replace what is being lost;
2. Acquisition of land to be used for offsets is being obstructed by other non environmental Government Departments;

3. Offsets are failing to address the issue of cumulative impacts;
4. Offsets are not being created on a “like for like” basis; and
5. There is a lack of public transparency and accountability concerning the establishment and execution of offsets.

## **Policy Statement**

1. An environmental offset should not be used to attempt to validate ‘no net loss’ of biodiversity;
2. An environmental offset is a last resort environmental management mitigation measure, only to be considered after all other options to prevent or minimise the loss of biodiversity have been exhausted;
3. An environmental offset should be supported by a detailed public environmental assessment conducted by the Environmental Protection Authority of Western Australia (EPA);
4. An environmental offset condition forming part of a development approval should not replace/displace an environmental protection obligation on a proponent recommended by the EPA;
5. If a ‘like for like’ offset cannot be created, the proponent should re-evaluate the proposal or the proposal should not be approved;
6. Any consideration of an offset to mitigate an environmental impact not able to be managed/prevented any other way, should be applied to land that is not part of the subject development; and
7. Any consideration of an offset to purchase private land into the conservation estate should be strategic; to increase flora and fauna corridors between conservation reserves or across climate gradients, and/or targeting threatened ecosystems.

## **Background**

The application of an environmental offset applied to a development approval that involves clearing native vegetation invariably results in a net loss of biodiversity. Therefore there is no net environmental (biodiversity) benefit.

While offsets can potentially improve degraded ecosystems, the Society has seen no evidence that revegetation or attempts at repairing or restoring degraded native vegetation reinstates biodiversity values lost through clearing intact native vegetation. An offset that increases the security of ecosystem assets by transfer into the “Conservation Estate” may have institutional benefits; however, there may still be a net loss of biodiversity.

The concept of offsets was introduced to Western Australia in the 1980s and 1990s, when government agencies began using offsets as an environmental management tool to counter adverse environmental impacts to the Swan Coastal Plain wetlands by creating, conserving and enhancing wetlands elsewhere (EPA, 2006).

## **Government Policies**

### **National Policy**

#### ***Environment Protection and Biodiversity Conservation Act (EPBC Act) 1999*** **Environmental Offsets Policy**

The EPBC Act reviews environmental offset packages when a proposal is likely to have a significant impact on Matters of National Environmental Significance (MNES). The EPBC Act Environmental Offsets Policy lays out the requirements that must be met when formulating an offset package (SEWPAC, 2012).

### **State Policy**

#### **Environmental Offsets Position Statement Number 9**

Position Statement Number 9 defines the concept of “net environmental benefit”. In 2003, the EPA developed the “net conservation benefit” approach in collaboration with other conservation agencies. This approach focused on offsetting the clearing of native vegetation with the addition of another area into the conservation estate. This approach also extended to making contributions towards environmental research, management and other environmentally beneficial activities.

Position Statement Number 9 introduced the “net environmental benefit” approach to achieve a positive environmental outcome from new development or emissions. The Statement sets out principles to guide the EPA’s policies, decisions and advice (EPA, 2006).

## **Guidance Statement Number 19, Environmental Offsets Biodiversity**

The main purpose of Guidance Statement Number 19 is to provide more specific advice than in the previous Position Statement Number 9, particularly in relation to the technical application of biodiversity offsets and the presentation of offsets packages to the EPA. Guidance Statement Number 19 formulates the criteria that must be used to determine if a proposal must consider an offset package, which will be assessed by the EPA against the principles in Position Statement No 9 (EPA 2008a).

## **Environmental Protection Bulletin Number 1, Environmental Offsets Biodiversity**

Environmental Protection Bulletin Number 1 accepts that offsets for biodiversity can be achieved however an offset must achieve 'like for like' and must be 'transparent, publically registered, audited and enforced'. Offsets are a last line of defence after all steps have been taken to minimise development impacts. It reinforces the goal of achieving a "net environmental benefit" (Bulletin Number 1 refers to Position Statement Number 9 and Guidance Statement Number 19 for more detailed information EPA, 2008b).

## **State Government Environmental Offsets Policy**

In 2011, the Western Australian Government released the WA Environmental Offsets Policy (EPA, 2011) presenting a 'whole of government' approach to offsets policy. Previous EPA instruments wrestled with the concepts of "no net loss" and "net environmental benefit" with respect to seeking positive environmental outcomes for biodiversity.

The 2011 policy does not attempt to pursue a "no net loss" goal and appears to have moderated a "net environmental benefit" goal with the principles of "offset a value with a similar, but not identical, value" (p.3) and "Environmental offsets should be proportionate to the significance of the environmental value being impacted with a preference for cost-effective solutions" (p.3). Offsets should address environmental impacts that remain after on-site avoidance and mitigation measures have been undertaken.

The policy states that detailed guidelines will be prepared and provides for an Environmental Offsets Register to increase public transparency and accountability. The Society is not aware of guidelines being developed. An Environmental Offsets Register is accessible by the public through a web site; however its practical value is yet to be proven.

## **References**

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*WSWA (Inc.) Environmental Offsets Policy*  
*As passed at 2014 Annual General Meeting*

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