

Biodiversity offsets legislation will not deliver environmental outcomes

Legislation passed today by the ALP-Green ACT Government will lead to a net-loss of biodiversity.

The biodiversity offsets legislation passed in the ACT Legislative Assembly today does not adequately enforce the 'avoid, mitigate, offset' hierarchy through the development assessment process, where proponents must demonstrate how they have avoided and mitigated impacts on the environment.

'This biodiversity offset legislation will result in a net-loss of biodiversity in the Canberra region, which is already under significant threat from urban development,' Executive Director of the Conservation Council ACT Region Clare Henderson said.

Environmental offset measures compensate for residual environmental impacts caused by development, after avoidance and mitigation measures are taken. The legislation means assessment of the significance of environmental impacts will be determined by ACTPLA, rather the Conservator who has ecological knowledge.

The legislation is part of a package of proposed changes to environmental approvals in the ACT. The changes will give environmental approval responsibilities for all development projects which impact on Matters of National Environmental Significance to the ACT Government. Currently this approval sits with the Commonwealth which utilises the more rigorous *Environmental Protection and Biodiversity Conservation Act 1999* to ensure important places are protected.

The Conservation Council has collected around 400 signatures opposing the transfer of national environmental responsibilities and approvals to the ACT Government.

'This will lead to conflicts of interest, as the ACT Government will be both the proponent and the regulator. This is a backwards step for the environment, as we have seen in other states around Australia where state governments are approving developments which impact nationally significant biodiversity' Ms Henderson said.

The Council is concerned the biodiversity offsets package passed today is geared toward development approvals, rather than biodiversity conservation.

'The Conservation Council believes this legislation will not deliver the intended biodiversity gains,' Ms Henderson said.

'Despite assurances from Minister Rattenbury that there would be public involvement in the development of Offset Management Plans, the legislation does not provide for public input nor does it even require the development of offset management plans.

View our [Comments on the biodiversity offsets components of the Planning and Development \(Bilateral Agreement\) Amendment Bill 2014 relating to referral, assessment and approvals](#)

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