

## EPOLA passes Parliament

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On Tuesday, the Queensland Parliament voted to pass the Environmental Protection and Other Legislation Amendment Bill 2014 (EPOLA Bill), which makes changes to the Environmental Offsets Act 2014 (EO Act).

Over the past two years, the Property Council has worked closely with the Department of Environment and Heritage Protection (DEHP) on the development of the Environmental Offsets Framework, which came into effect on 1 July 2014.

There are a number of positive elements for the industry in the new framework, particularly the simplification of five offsets policies being condensed into a single framework which applies to both the State Government and local governments. There are, however, significant concerns remaining regarding the potential for duplication to continue between offset requirements imposed by different levels of government.

The changes introduced as part of the EPOLA Bill aim to clarify the operation of the legislation. While some elements are clearer, and local governments will be permitted to charge less than the capped amount, we continue to hold concerns regarding the decision to exclude Commonwealth decisions of 'not a controlled action' and 'not a controlled action- particular manner' from the framework. By intentionally excluding these decisions, many proponents will continue to see duplication of offsets across levels of government.

Additionally, the wording of Section 14 of the EO Act (regarding when an administering agency may impose an offset condition) opens the door for multiple offsets to be imposed on the one area of land.

The Property Council will continue to work with DEHP and the Department of State Development Infrastructure and Planning to ensure further amendments to the Environmental Offsets Regulation 2014 and the Environmental Offsets Policy further the Government's policy intent of removing the duplication of offsets across the three levels of government.

The EPOLA Bill can be found [here](#). The amendments to the Bill can be found [here](#).