

Offsets Review team
Department of the Environment, Tourism, Science and Innovation
Level 27, 400 George Street
Brisbane Qld 4000
Via email: offsetsreview@detsi.qld.gov.au;
Cc: Legislation@detsi.qld.gov.au

11 September 2026

Dear Offsets Review team,

RE: Submission on the exposure draft *Environmental Offsets Amendment Bill 2026*

The Australian Land Conservation Alliance (ALCA) welcomes the opportunity to provide a submission to the Queensland Department of Environment, Tourism, Science and Innovation (DETSI) on the exposure draft of the *Environmental Offsets Amendment Bill 2026*.

ALCA represents organisations that work to conserve, manage, and restore nature on privately managed land. The conservation efforts of our 23 member organisations have influenced over 9.3% of Australia with more than 4,000 landholders; we have over 70,000 supporters and our combined annual turnover exceeds \$400 million.

Together, ALCA and our members address some of the most pressing conservation issues across the country, by restoring endangered ecosystems, building the protected area estate, tackling invasive species, expanding private conservation finance, and deploying nature-based solutions to mitigate climate change.

ALCA is happy for our submission to be published.

ALCA's submission builds on our earlier submission to the Review of Queensland's Environmental Offset Framework¹. The key recommendations from that submission that should be applied throughout the Bill are as follows:

- Offsets must be 'like for like' or better
- Financial settlement offsets should only be allowed if there are reasonably deliverable by Government
- Financial settlement offsets are only to be used as a last resort (excepting low-monetary value offsets)
- Long-term (99 years +) or in-perpetuity protection be applied to all on-ground offsets

Whilst adhering to the principles above:

- Ensure that that offsets delivered via the Offsets Account can include the acquisition (and contribution to acquisition) of land for conservation

ALCA recommends that the Bill be amended to give effect to these above recommendations; we have not provided detailed amendments for this below, but rather, focused on additional issues.

¹ <https://www.alca.org.au/news-insights/article/submission-to-the-review-of-queenslands-environmental-offsets-framework>

Key recommendations

1. That the definition of the mitigation hierarchy be retained in the final Bill; this is consistent with offsets legislation in other Australian jurisdictions.
2. That the Principle for administering the Act (s3A) be strengthened to beyond merely 'having regard' – in other Australian jurisdictions, it is a requirement that the mitigation hierarchy **be applied**.

For example, s50(1)(a), *Biodiversity Act SA (2025)*, “[the Clearance Assessment Committee] *be satisfied that the mitigation hierarchy has been applied...*”; s6.3.A, *Biodiversity Conservation Act 2016* (NSW), “the proponent of the action... takes all reasonable measures [to apply the mitigation hierarchy]”. On this basis, ALCA strongly recommends that Queensland adopt the same approach, but, failing a strict requirement within the body of the Act to *apply* to the mitigation hierarchy, at minimum strengthen s3A as follows (amendments in **bold**):

This Act is to be administered ~~having regard to~~ **consistent with** the mitigation hierarchy.” [alternatively, ‘**in accordance with**’]

3. That merely “*preparing a plan about a prescribed environmental matter*” should not itself constitute an example of an activity for an environmental offset – it is hard to see how a plan that is not implemented could ever be an offset. However, *implementing* an approved plan may, in certain circumstances, be sufficiently connected to delivery of an offset to constitute an activity. The notes in s6B(1) should therefore be amended as follows (amendments in **bold**):

Examples of an activity for subsection (1)—

- carrying out work to maintain the viability of a prescribed environmental matter
- **preparing implementing** a plan about a prescribed environmental matter

4. Environmental offsets should not include activities that deliver social, cultural and economic benefits, excepting where that activity also delivers an **environmental benefit**. Environmental offsets are about compensating for environmental damage, not supporting activities unrelated to the environment – and to do so would irreparably undermine the integrity of Queensland’s environmental offsetting system. s6B(2) should therefore be amended as follows (amendments in **bold**):

- (2) However, an environmental offset for a prescribed environmental matter that is a protected area, other than a special wildlife reserve or nature refuge, may include carrying out any activity that provides an **social, cultural, economic** ~~or~~ environmental benefit to any protected area.

5. That the new provisions relating to setting statutory guidelines for the environment offset policy, and financial settlement offsets, are retained in the final Bill.
6. With regard to s29(1)(a)(id) [*“land to which a recorded voluntary environmental agreement under the State Development and Public Works Organisation Act 1971, section 76U(7) relates”*], this should be removed from the list of mechanism for legally securing an offset area **unless** such voluntary agreements are all legally enforceable.
7. In line with longstanding Federal offsets policy, the default approach to offsets on private lands is a conservation covenant. **This presumption should carry through to the legislation, i.e. that a conservation covenant (such as a nature refuge) is**

preferable where it is possible. The most relevant parts of the Federal policy are as follows:

*Environment Protection and Biodiversity Conservation Act 1999 Environmental Offsets Policy (2012)*²:

*“Averting the loss of a protected matter or its habitat is considered to deliver a conservation gain where there is an immediate threat of destruction or degradation, and the risk of loss of that particular site is averted by securing its future for conservation purposes (for example **through a conservation covenant on the title of the land**).”*

“Legal mechanisms, such as conservation covenants, exist in each state and territory to enable the protection of land that is set aside for environmental purposes on a permanent or long-term basis. Suitable mechanisms for a particular offset must be built around the principles outlined [below]:

Offsets on private lands

- should be legally secured for conservation purposes for at least the duration of the impact*
- the securing scheme should actively monitor for compliance, with covenant requirements enforced*
- any change in legal status should require Ministerial or statutory approval.”*

The updated draft *Policy Position Paper: National Environmental Standard for Environmental Offsets (2026)*³

“...confidence that the offset remains secure over time so that it is legally, practically or administratively (in order of preference) protected so that there is high certainty that outcomes will be achieved and maintained.”

“...security measures must consider the available legal and regulatory protection options in the area where the offset will be delivered. Where possible and appropriate (e.g., for land-based offsets), strong legal instruments such as covenants on land titles should be used to secure the offset.”

ALCA looks forward to engaging further with the Department on this submission.

Australian Land Conservation Alliance

² https://www.dcceew.gov.au/sites/default/files/documents/offsets-policy_2.pdf

³ https://storage.googleapis.com/files-au-climate/climate-au/p/prj3c651deace7f562c53750/page/20260506_Policy_Position_Paper_National_Environmental_Standard_for_Environmental_Offsets.pdf

About the Australian Land Conservation Alliance

The Australian Land Conservation Alliance is the peak national body representing organisations that work to conserve, manage, and restore nature on privately managed land. We represent our members and supporters to grow the impact, capacity, and influence of private land conservation to achieve a healthy and resilient Australia.

Our twenty-three member organisations are:

- Arid Recovery
- Australian Wildlife Conservancy
- Biodiversity Conservation Trust NSW
- Biodiversity Legacy
- Bush Heritage Australia
- EcoGipps
- GreenCollar
- Greening Australia
- Landcare Australia
- Nari Nari Tribal Council
- National Landcare Network
- Nature Foundation
- North Australian Indigenous Land and Sea Management Alliance
- NRM Regions Australia
- Odonata
- Queensland Trust for Nature
- Rainforest Rescue
- South Endeavour Trust
- Tasmanian Land Conservancy
- The Nature Conservancy Australia
- Trust for Nature (Victoria)
- Wildlife Bank Trust
- World Wildlife Fund - Australia

ALCA member land conservation efforts have influenced over 9.3% of Australia with more than 4,000 landholders. We have over 70,000 supporters and our combined annual turnover exceeds \$400 million. Together ALCA and its members address some of the most pressing conservation issues across the country, including restoring endangered ecosystems, building the protected area estate, tackling invasive species, expanding private conservation finance, and deploying nature-based solutions to tackle climate change.

Through their active land management, ALCA member organisations are deeply embedded in rural communities and economies, providing jobs, securing significant regional investment, and safeguarding remaining native habitat, with its many positive spillover effects for community, wellbeing, and food security. We seek to demonstrate the role and value of private land conservation as a cornerstone of the Australian economy.

Some ALCA members are statutory entities; the views expressed in this submission do not necessarily represent the views of the Government administering those statutory entities.