Environmental offset obligations

*Environmental Offsets Act 2014*

Financial settlement offset checklist

*This checklist is designed to assist administering agencies in the assessment of a financial settlement offset, and to determine whether it adequately meets the requirements of the Environmental Offsets Act 2014.*

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| --- | --- |
| **Application/Authority Reference Number:** |  |
| **Individual/Company Name** |  |
| **Stage (if applicable):** |  |
| **Related Notice of Agreement Reference Number** |  |
| **Location of impacts to prescribed environmental matter(s):** |  |
| **Details of the proposed activity and impacts to prescribed environmental matter(s):** | |
|  | |

The questions in the table below relate to the requirements for a financial settlement offset under the *Environmental Offsets Act 2014* (EO Act)*, Environmental Offsets Regulation 2014* (EO Regulation) and Queensland Environmental Offsets Policy (EO Policy).

Where an answer to a question is “NO” or there is not enough information to make a decision, it may be appropriate to issue a [Notice advising that the notice of election requires amendment](http://portal:6004/sites/PR/Register/Business/All%20Departments/notice-advising-that-the-notice-of-election-requires-amendment.docx).

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| --- | --- | --- | --- |
| **Legislative Requirement** | **Checklist** | | **Assessment Officers Comments** |
| **Authority** | | | |
| Is the notice of election being submitted before the authority has been granted in accordance with section 18(1) and 19A of the EO Act?  *If YES, please note that the entity* *must not pay any amount under a financial settlement offset until after the authority is granted.* | YES | NO |  |
| Was the activity assessed under the *State Development and Public Works Organisation Act 1971*?  *If YES, please note that the Coordinator General is not bound by the offsets framework but there may be stated conditions or a pre-approved offset delivery plan relating to how the offset is to be delivered.* | YES | NO |  |
| **Notice of Election** | | | |
| If the authority was, or will be, conditioned to allow the impact and offset to be undertaken in stages, does the notice of election include an analysis of the following:   1. For the forthcoming stage – the estimated significant residual impacts to each prescribed environmental matter; and 2. For the previous stage, if applicable – the actual significant residual impacts to each prescribed environmental matter, to date*.* | YES | NO |  |
| Does the notice of election include the relevant approved forms completed correctly?  *The approved forms for a financial settlement offset are:*   * *EOD1 – Environmental Offsets Delivery Form 1: Notice of Election and Advanced Offset Details* * *EOD4 - Environmental Offsets Delivery Form 4: Financial Settlement Details* * *EOD6-Environmental Offsets Delivery Form 6: Staged Offset Details* | YES | NO |  |
| **Financial Settlement Offset** | | | |
| **Prescribed Environmental Matter(s)** | | | |
| Has the proponent provided a copy of the mandatory supporting information, including:   * Financial Settlement Offsets calculation result; and * CSV data | YES | NO |  |
| What has the proponent calculated as the financial settlement amount? | $ | |  |
| What is the administering agency’s calculated amount of the financial settlement? Verify that the proponent’s calculated amount is correct by using the financial settlement offset calculator.  *For financial settlement offsets, the financial settlement payment amount must be calculated in accordance with the Financial Settlement Offset Calculation Methodology, which is outlined in Appendix 4 of the* [*Queensland Environmental Offsets Policy*](https://www.qld.gov.au/environment/pollution/management/offsets/legislation)*. This methodology has also been incorporated into the web-based financial settlement offsets calculator available at*  [*http://apps.des.qld.gov.au/offsets-calculator/*](http://apps.des.qld.gov.au/offsets-calculator/)  *All separate prescribed environmental matters should be listed in the authority’s offset condition unless they are restricted by section 15 of the Environmental Offsets Act 2014. Guidance on the concept of matters that may be the same or substantially the same impact and matter and section is provided in section 3.2.1 of the* [*General guide for the Queensland Environmental Offsets Framework.*](https://environment.des.qld.gov.au/__data/assets/pdf_file/0018/90180/offsets-policy-general-guide.pdf)  *An impact area may have more than one prescribed environmental matter located on it and each prescribed environmental matter should be listed on the offset condition. Where a prescribed environmental matter cannot be co-located or where there is a requirement to account for each matter separately, the area that contains the matter is identified as a distinct matter area in the calculation. Each distinct matter area is counted separately in the calculation. Refer to Appendix 4 and Distinct Matter Area of the Queensland Environmental Offsets Policy.* | $ | |  |
| Do both the proponent’s calculated amount, and the administering agency’s calculated financial settlement offset amount agree?  If not, review the input data to ascertain the difference in amounts. Discuss with the proponent if needed, and issue the agreed delivery arrangement with the correct amount (see section 19 of the *Environmental Offsets Act 2014*). | YES | NO |  |

**Evidence Attachments:**

* Proponent’s completed EOD1 – Environmental Offsets Delivery Form 1: Notice of Election and Advanced Offset Details
* Proponent’s completed EOD4 - Environmental Offsets Delivery Form 4: Financial Settlement Details
* Proponent’s Environmental offsets calculator results email with Environmental offsets calculator results email attachment (offset-data.csv)
* DNRME’s Environmental offsets calculator results email with Environmental offsets calculator results email attachment (offset-data.csv)
* Approved offset condition:
  + Development Approval Decision Notice ref [     ]
* Human Rights Checklist

**Attachments for nominee consideration, approval and signature:**

* Draft Notice of Agreement
* Draft Agreed Delivery Arrangement

[OR]

* Draft Notice advising that the Notice of Election requires amendment

Assessment Officer:

Reviewing Officer:

Date:      

Recommendation:       (e.g., the financial settlement has been calculated correctly and the appropriate forms have been amended or resubmitted that an agreed delivery arrangement may be entered into).