

## Submission

### Nature Repair Market Exposure Draft

Biodiversity Market Team  
Department of Climate Change, Energy, the Environment and Water

By: Website Submission

Dear Biodiversity Market Team

#### Re: Nature Repair Market Exposure Draft

The Australian Association of Bush Regenerators is a national NGO whose objects include promotion of best practice environmental restoration. We have extensive experience in working with community, government and business in the design and delivery of programs. AABR appreciates the opportunity to comment on the Nature Repair Market Exposure Draft. We broadly support the related submission provided to you by the Restoration Decade Alliance but would like to make particular emphasis on the issues below and highlight one differing view.

1. While AABR supports a rigorous and evidence-based market based instrument to help drive biodiversity restoration, this is only one of a number of approaches that *have* to be used in concert by the government to reverse the biodiversity crisis.

Along with this market-based approach, AABR also supports the government's move to reform biodiversity related legislation, and is engaged with the Places You Love alliance on this issue to help ensure that the legislative and regulatory changes are fit for purpose and avoid perverse outcomes.

However, these two areas of reform need to work coherently with a range of other mechanisms, such as incentives and disincentives, better government adherence to international agreements, law reform to criminalise certain activities that negatively impact biodiversity, more government investment through grants, subsidies and rebates and targeting these more strategically and avoiding poor restoration practices, better coordination with the States and Territories to coinvest on strategic outcomes, and using their legislation, such as on-title protection of areas, to ensure permanence of biodiversity improvements.

2. The 25 year "permanence" period, while it will help to ensure a trajectory of ecological restoration, is not sufficient to ensure lasting ecological improvement. Most degraded ecosystems will still be undergoing significant transitional recovery at this time, and while it is likely that many sites will be "self improving" after 25 years, needing only minimal human interventions, full ecological recovery, and hence full "value" of the certificates, can take decades more than this.

3. AABR has concerns that the market will favour sites for biodiversity certificate generation that are already in good to very good condition, as the generation of certificates in highly degraded areas would be prohibitively expensive for a voluntary purchaser, at least if the intent is to have the generation of certificates result in tangible and long lasting environmental gains.

It is these highly degraded (whether totally cleared lands such as in agricultural areas) or highly weed infested ecosystems (such as the Camphor Laurel infested rainforests of Northern NSW) that need to be the major focus of any attempt to reverse overall biodiversity decline. The government needs to consider how these areas could be prioritised through the market or how the market could integrate with other mechanisms to tackle biodiversity decline in these areas.

4. The methodologies and practices that will be allowable under the scheme are critical, as are the knowledge base, skill and experience in those carrying out the works to generate certificates. While there are many low skilled activities that can result in biodiversity improvement and ecological restoration, many of the activities require an expert skill base, such as site assessment, determining ecosystem resilience, plant identification, triggering of regeneration from the seed bank, adaptive management, assessing and manipulating successional trajectories and measuring success.

As the Australian Government does not have a great track record of driving high quality restoration through its grants programs (as identified through its own evaluations of the NHT/NLP), AABR has concerns that this historical lack of understanding of best practice restoration could be reflected across into this program.

5. The certification of credits needs to be verified via actual measured improvement outcomes, not via undertaking actions. Those giving technical advice to the program need to be ecological restoration practitioners and restoration ecologists, not just ecologists. Works undertaken and workers need to be fit for purpose, and the program needs to set standards for these.
6. AABR believes that the terminology and language in the proposed legislation and program needs to be unambiguous and new terms or interpretations of words should not be used where there are already clearly defined and understood definitions within the *SERA National standards for the practice of ecological restoration in Australia*. These standards have been endorsed and adopted by all major restoration NGOs and the Australian Government.

Where the legislation or program uses terminology consistent with other legislation or International Agreements, that terminology should be clearly defined against accepted definitions from the standard, or if none exist, the government should work with SERA to include definitions in the standard.

7. *Part 6. Purchase of Biodiversity Certificates by the Commonwealth*. [NOTE: This opinion differs from that of the RDA submission]. AABR does not support the Commonwealth purchasing biodiversity certificates. AABR's opinion is that the Commonwealth's investment in biodiversity improvement should be in those areas where the market does not work, or where it fails, and that that Commonwealth investment in biodiversity management should be through other mechanisms such as grants, loans and subsidies.

AABR believes that the involvement of the Commonwealth in purchasing certificates could result in perverse outcomes. It is likely that early adopters to the system will be those who are wanting to monetise their involvement, rather than environmental altruists; and guaranteed government investment in a supply constrained

environment could permanently skew the market, resulting in artificially high certificate costs, which could in turn limit the number of willing, voluntary purchasers.

Substantial government investment and associated purchasing policies that prioritise ROI could also result in market dominance which has the potential to result in artificially low prices, potentially resulting in other purchasers being unwilling to provide sufficient capital to cover the cost of biodiversity restoration.

This was the case in NSW with their Biobanking program in the Cumberland Plain, where government investment in generating and purchasing credits resulted in a highly manipulated and expensive market, and in other cases where the Biodiversity Conservation Trust's involvement has driven some parts of the market so low that it has discouraged new entrants to the market.

We look forward to further development of this program and would be more than happy to be contacted for further information or input at any time.

Peter Dixon



President  
3 March 2023