

Emissions Reduction Fund Policy and Governance  
Department of Industry, Science, Energy and Resources  
CANBERRA, ACT 2601  
By email: [emissions-reduction@industry.gov.au](mailto:emissions-reduction@industry.gov.au)

17 March 2022

Dear ERF Policy and Governance team,

**RE: Submission on the Proposed amendments to the *Carbon Credits (Carbon Farming Initiative) Rule 2015* relating to excluded offsets projects**

The Australian Land Conservation Alliance (ALCA) welcomes the opportunity to provide a submission to the Federal Government's consultation on the *Proposed amendments to the Carbon Credits (Carbon Farming Initiative) Rule 2015 relating to excluded offsets projects*.

Please note that ALCA is happy for this submission to be published in full.

#### About the Australian Land Conservation Alliance

ALCA represents Australia's leading land restoration and conservation organisations working with landholders on privately owned and managed land across Australia. Together, ALCA's members represent a substantial and growing voice in Australia's land management sector. Our eleven members are:

- Australian Wildlife Conservancy
- Biodiversity Conservation Trust NSW
- Bush Heritage Australia
- Greening Australia
- Landcare Australia
- Nature Foundation
- Queensland Trust for Nature
- South Endeavour Trust
- Tasmanian Land Conservancy
- The Nature Conservancy Australia
- Trust for Nature (Victoria)

ALCA land conservation efforts stretch across over 3 million square kilometres with more than 3,000 landholders. We have over 50,000 supporters and our combined annual turnover exceeds \$200 million. Together we work to support some of the most pressing conservation issues across the country – including invasive species and managing national environmental biosecurity threats, restoring endangered ecosystems, mitigating the impacts of climate change, and building the protected area estate.

Through their active land management, ALCA member organisations are deeply embedded in regional communities and economies, providing jobs, securing significant regional investment, and safeguarding remaining native habitat for the local community with its many positive spillover effects for agriculture.

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.

## Summary

ALCA supports the retention of the existing list of excluded offsets projects (the ‘negative list’ referred to in the consultation document) given their critical role in safeguarding biodiversity, local communities, employment, and water availability, and helping to prevent perverse outcomes in the carbon market.

**If the Government were to consider any substantive changes to the negative list, ALCA and its members would expect, at minimum, a full, proper, and open consultation on the detail of those proposed changes prior to them being finalised or promulgated.**

The improvement of ecosystem and biodiversity outcomes is a core principle of the private land conservation sector. It is ALCA’s view that the Government should always err on the side of a precautionary approach if it were to consider any changes that may in any way further diminish or undermine Australian biodiversity outcomes.

## Recommendations

### General

1. ALCA supports amendments which lead to an administrative streamlining of subordinate legislation under the *Carbon Credits (Carbon Farming Initiative) Act 2011*, **insofar as they do not in any way diminish the integrity of Australia’s carbon markets or otherwise undermine biodiversity outcomes.**
2. Noting that there have been no specific changes actively proposed to the excluded offsets projects within the consultation paper, **ALCA and its members would not support any substantive changes without first being consulted on their detail, particularly where any such changes would further undermine Australia’s biodiversity outcomes.**
3. ALCA reiterates its view that it does not support the proposed amendments within the earlier consultation entitled *‘Proposed new requirements for native vegetation regeneration projects under the Emissions Reduction Fund’*. ALCA would not support attempts to replicate those proposed amendments within this latest consultation and amendment process as they pose a salient risk to improving Australia’s biodiversity and carbon emission reduction outcomes.

### Excluded offsets projects

1. ALCA strongly supports the retention of a ‘negative list’ (as referred to in the consultation document) due to its critical importance in protecting the integrity of Australia’s carbon markets as well as safeguarding biodiversity outcomes.
2. The entirety of the negative list should be included at the broader Rule level, rather than any of the excluded project types on that list being shifted to methodology determinations with narrower application, as a precautionary approach, and to ensure clarity as to the legislative intent.
3. Noting the complexity of the issues, ALCA is open to supporting future, separate and detailed consultation on the following considerations regarding the negative list:
  - a. Greater specificity in the definition of ‘weeds’ regarding “[w]here the species being planted are known weeds in that area”; and
  - b. How owners of land that was previously illegally cleared by unrelated entities might be exempt from the excluded offsets projects provisions, particularly where the new owners were charitable organisations with conservation being a primary purpose or private individuals willing to place a conservation covenant on title, **provided there is a high level of confidence that perverse outcomes would not be inadvertently supported.**



Thank you again for the opportunity to contribute to the Federal Government’s consultation on the *Proposed amendments to the Carbon Credits (Carbon Farming Initiative) Rule 2015 relating to excluded offsets projects*.

ALCA looks forward to an ongoing engagement with Government to maintain and enhance the integrity of Australian carbon markets to deliver better outcomes for carbon and Australian biodiversity.

**Australian Land Conservation Alliance**