

Nature Repair Market  
Department of Climate Change, Energy, Environment and Water  
John Gorton Building, King Edward Terrace  
Parkes ACT 2600  
Cc: Nature Repair Methods Team  
Via email: [naturerepairmarket@dcceew.gov.au](mailto:naturerepairmarket@dcceew.gov.au)

30 June 2026

Dear Nature Repair Market team,

**RE: Submission on the refined scope of the proposed Protect and Conserve method**

The Australian Land Conservation Alliance (ALCA) welcomes the opportunity to make a submission to the Department of Climate Change, Energy, the Environment and Water's (DCCEEW) consultation on the refined scope of the proposed Protect and Conserve method under the Nature Repair Market.

ALCA is Australia's peak body that represents organisations that work to conserve, manage, and restore nature on privately managed land. The conservation efforts of our 22 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.

ALCA has been engaged by DCCEEW to provide ongoing, detailed advice and method-related materials on the private land component of the Protect and Conserve method as part of the Nature Repair Market. Noting this, we have ensured that associated confidentiality considerations have been maintained in the preparation, input, and sharing of this submission. Our members may also make their own submissions.

For clarity, please note that reference to the term 'protection' in this submission refers to securing land through legal or other effective means, whereas Protected Area and Conserved Area refers to NRS-level protection and OECM-level protection respectively.

ALCA is happy for DCCEEW to publish this submission.

## Key Recommendations

ALCA acknowledges the need to carefully balance considerations such as simplicity, integrity, risk, and participation in refining the Protect and Conserve method scope. We appreciate that the revised scope provides a simplified and streamlined approach, and with a reduced overlap with other methods – particularly with the draft Enhancing Native Vegetation method and the proposed Pastoral Rangelands method.

However, we suggest there are several aspects that need consideration and refinement to ensure the revised scope works effectively. These are detailed in our submission, but summarised below:

- **Recognising active management:** In addition to protecting the land, the Protect and Conserve method must ensure the effective management of the project area over the project period. This will require that the method settings and the project certificate identify the ongoing management actions required to maintain ecosystem condition to ensure this is appropriately recognised and valued [Recommendation 5].
- **Managing uncertainty and risk:** When finalising method settings relating to ecosystem condition maintenance, monitoring, and climate change impacts, the method must be transparent regarding uncertainty in data or assumptions, balance residual risks appropriately, retain flexibility to incorporate new data, and clearly identify exogenous threats that are beyond the control of the proponent to manage [Recommendation 6].
- **Regular payments for ecosystem maintenance:** Options should be explored to establish a dedicated funding mechanism that provides regular, predictable payments to support ongoing ecosystem management actions over the life of the project. This would reduce the risk of funding shortfalls compared to reliance on ad hoc commercial negotiations between proponents and certificate buyers [Recommendation 7].
- **Participation of existing Protected and Conserved Areas:** Ensure the Market provides a suite of methods that allow ecosystem condition maintenance and enhancement by existing protected or conserved areas. As previously identified, the current pipeline of methods has spatial and/or activity gaps that do not currently enable this [Recommendation 8].
- **Increasing Commitment to Protection:** To encourage increased security of our Protected and Conserved Area estate, existing Conserved Areas should be eligible to participate under the method if they increase their level of Commitment to Protection (e.g., if they transition to a Protected Area) [Recommendation 9].

- **Differentiating NRS projects:** The Commitment to Protection characteristic must substantially differentiate projects that have National Reserve System (NRS) level security and duration, compared to projects that have only a biodiversity certificate as the basis for their security and duration [Recommendation 12].
- **Project layering:** Layering of projects must ensure additionality and other integrity requirements are met, and there must be strong alignment between methods (e.g., monitoring, reporting, audits) to minimise burden and costs on proponents who wish to layer multiple projects [Recommendation 15].
- While not explicitly referenced in the current consultation, we also reiterate our earlier recommendation regarding the need to align and harmonise the Protect and Conserve method with existing processes of covenanting organisations as much as possible. This may include a set of standards by which existing covenanting programs could be accredited, or similar.

## 1. Shift to a Narrowly-Focused Method – Market Considerations

The revised Protect and Conserve method scope reflects a shift from a ‘broad’ method that enabled both the protection of land and the enhancement of ecosystem condition, to a more narrowly-focused approach focused predominantly on protection (and optionally on enhancement of the Threatened Species characteristic). This shift is a significant one, both for the method and the market more broadly.

A market approach that has narrow methods to reduce overlap or duplication may help reduce confusion for stakeholders about which method to use and also minimise the ability for proponents to select methods simply because they provide the ‘easiest’ way to achieve a certificate for a specified activity. However, for this approach to most beneficial, it will require consistent application across all methods in the Nature Repair Market – both current and proposed. ALCA also notes that, while narrowly-focused methods may reduce duplication, there will always be a level of duplication or overlap between methods via the variable Biodiversity Project Characteristics (characteristics), which also provide options for similar activities to be undertaken under different methods.

Furthermore, if the market approach is to develop narrow methods, it also follows that a greater number of methods will be required to maximise and optimise outcomes (as opposed to a smaller number of broader methods that enable multiple activities). As such, DCCEEV must also ensure an appropriate pipeline and suite of methods is made available to maximise participation and environmental outcomes.

**Recommendation 1:** For maximum benefit and consistency, all Nature Repair methods should have a relatively consistent rationale and approach in terms of scope and focus (e.g., narrow methods that avoid overlap where possible, as per the revised scope of the Protect and Conserve method).

## 2. 100-Year Permanence Periods Only

ALCA recognises and promotes the importance of long-term secure protection for Protected and Conserved Areas. Noting the legislative issue with extinguishment of project certificate after the 25-year permanence period, ALCA is supportive of removing the 25-year permanence period option, which means all projects under the method must commit to a 100-year permanence period.

On a point of clarity, we note that the 25-year option for Conserved Areas under the Protect and Conserve method was intended to reflect and align with the OECM Framework. And as such, it was for exceptional circumstances only, relating to cases “[w]here there are underlying legal or land tenure restrictions or other constraints to securing in-perpetuity conservation, there should be a *formal or legal* commitment of at least 25 years” and that importantly this must be “coupled with a *long-term conservation management* commitment of at least 99 years”. It is important that this requirement for a long-term management commitment is not lost in the broader discourse related to OECMs.

That said, the removal of the 25-year permanence period may result in some land tenure types being restricted, or unable to participate under the method. For most leasehold lands, on-title, in-perpetuity conservation covenants are still possible, which would enable the 100-year permanence period to be met. An exception to this is pastoral leasehold lands in Western Australia, for which covenants are currently incompatible with lease requirements. As such, this land tenure is unlikely to be eligible to participate in the method. While beyond the remit of the method itself, this highlights the need for the Western Australian Government to reform its *Land Administration Act 1997* to ensure that the Act is not incompatible with conservation covenants over pastoral leases. Western Australia is the only state in Australia without a clear pathway for conservation covenants on pastoral leases.

We also acknowledge the feedback to date from First Nations groups, calling for shorter, more flexible permanence periods under the method and the market more broadly, in alignment with cultural governance protocols and to enable inter-generational self-determination. Ensuring market opportunities are developed that enable equity of participation by First Nations groups is critical and may require further consideration.

**Recommendation 2:** Ensure the suite of methods under the Nature Repair Market provides equity of participation by First Nations groups in a manner that aligns with cultural protocols – including shorter or more flexible permanence periods.

**Recommendation 3:** While beyond the remit of the method itself, the Western Australian Government should be supported to reform its *Land Administration Act 1997* to ensure that the Act is not incompatible with NRS-level conservation covenants over pastoral leases.

### 3. Security of Nature Repair Market projects

The security of biodiversity certificates is a key consideration relevant to the integrity of the Nature Repair Market. For private land in particular, potential legal issues for long-term projects under the Nature Repair Market have been identified and will need to be addressed as the Market evolves. As pointed out by Brugler et al 2026<sup>1</sup>, “*As biodiversity certificates constitute personal property and lack a direct proprietary connection to land (i.e., they do not run with the land), there is a potential regulatory gap in ensuring enduring conservation outcomes*”. While this is relevant to all projects, it is particularly so for projects that are seeking to secure environmental offsets and/or be counted towards Australia’s protected and conserved area (e.g., under the Protect and Conserve method).

As the consultation paper notes, conservation covenants used for Private Protected Areas are registered on title and stay with the land. However, for other types of projects that contribute to 30 by 30 and/or are offset projects, and which may rely entirely on the Nature Repair Market obligations for their long-term security, it will be imperative that the market stewardship and enforcement mechanisms are clear and comprehensive, and the details of how they will work in practice are made publicly available.

**Recommendation 4:** The Protect and Conserve method, and the Nature Repair Market more broadly, must ensure legal mechanisms are in place that ensure long-term durability of biodiversity certificates, particularly in terms of the security and persistence of biodiversity

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<sup>1</sup> Brugler *et al* (2026). ‘Will the Nature Repair Market deliver long term protection on private land?’ Law Society Journal online, 5 June 2026.

outcomes. This may require further consideration of options for on-title security particularly for offsets and projects intended to contribute to 30 by 30.

#### 4. Requirement to Maintain Ecosystem Condition

For the Protect and Conserve method to be considered effective, it must not only enable protection of high conservation value lands, but **the long-term effective management of these lands**. The ongoing, effective management of protected and conserved lands is a critical component of our protected area strategy, and is often, unfortunately, under-resourced and undervalued. As identified on page 3 of the consultation paper, maintenance of condition “*will require project proponents to implement activities*” over the project period – for example, regular weed, pest and feral management. Given this requirement, **the method settings and the information available for the project certificate MUST appropriately reflect the activities required and the benefit of these in order for the project to be appropriately valued by market buyers.**

DCCEEW's consultation paper does not include the details of how this will be achieved. We suggest that using a method setting such as the Ecosystem Condition counterfactual (e.g. enabling a declining counterfactual/s) is perhaps the clearest way that the benefit of the activities undertaken by the proponent to maintain condition can be calculated and recognised. If counterfactuals are not used in this way, alternative method settings must be utilised to enable this.

Similarly, further details are required relating to how ‘maintenance of ecosystem condition’ will be defined (e.g., maintenance of the starting state condition, or maintenance relative to the counterfactual, and how climate change impacts will be considered in the condition assessment etc.), as well as details of the range of permissible values for ecosystem condition. The key principles that must be considered in finalising these method settings are:

- transparency in the method regarding a) the degree of uncertainty in underpinning data and/or assumptions, and b) how this uncertainty will be managed;
- residual risks associated with any uncertainty in the method, as above, are appropriately balanced between the market, the proponents, and the buyers;
- the method has flexibility to incorporate new data as it comes available and to enable adaptive management (while managing flow-on implications for calculation of project benefit and certificate issuance, both for existing and new projects under the method);
- there is appropriate balance between the impacts that are defined as within the control of a proponent, and those which are defined as “*external impacts that are*

*outside [the proponent's] control'* (page 3 of DCCEEW's consultation paper). For example, untangling how and to what degree climate change impacts on threats such as weeds, ferals, and fire management is likely to be complex. A commonsense approach is needed that enables proponents to undertake standard management activities to maintain condition, while providing flexibility to accommodate the more severe, longer-term landscape level climate change impacts.

Ensuring that ecosystem condition maintenance activities are delivered over the life of a project depends critically on the availability of finance. In particular, a consistent and predictable flow of funding (e.g. annual or five-yearly payments) is essential to support the costs of required management actions. Relying on financial arrangements negotiated solely between the project proponent and the certificate buyer is unlikely to adequately mitigate the risk of funding shortfalls over the duration of the project.

An alternative approach for the Protect and Conserve method (and potentially other methods with long permanence periods) would be the establishment of a dedicated fund that provides regular payments to proponents to undertake required management activities. This model is widely used by private land conservation organisations and projects and offers a more reliable mechanism for sustaining long-term outcomes. Another option would be issuing multiple certificates for each project, such that outcomes can be incrementally recognised and monetised; however, we understand this is not an option being considered for the Nature Repair Market at this stage.

**Recommendation 5:** In addition to protecting the land, the Protect and Conserve method must ensure the effective management of the project area over the project period. This will require that the method settings and the project certificate identify the ongoing management actions required to maintain ecosystem condition to ensure this is appropriately recognised and valued.

**Recommendation 6:** When finalising method settings relating to ecosystem condition maintenance, monitoring, and climate change impacts, the method must be transparent regarding levels of uncertainty in data or assumptions, balance residual risks appropriately, retain flexibility to incorporate new data, and clearly identify exogenous threats that are beyond the control of the proponent.

**Recommendation 7:** Consider options to establish a dedicated funding mechanism that provides regular, predictable payments to support ongoing ecosystem management actions over the life of the project. This would reduce the risk of funding shortfalls compared to reliance on ad hoc commercial negotiations between proponents and certificate buyers.

## 5. Exclusion of Ecosystem Condition Enhancement

Removing the option to enhance ecosystem condition will mean existing Protected and Conserved Areas (PCAs) are not eligible under the method if they do not wish to, or are not able to, enhance the Threatened Species characteristic. ALCA believes that early action by proponents such as by protecting or conserving land should not be penalised in the market, and that existing Protected and Conserved areas provide an excellent opportunity for the market to engage with high conservation value land that is already securely protected. As noted above, if the Protect and Conserve method does not allow existing Protected and Conserved Areas to undertake activities to enhance their Ecosystem Condition, DCCEEW needs to commit to providing alternative opportunities/methods to enable this.

We also suggest that clarification and further consideration is needed with regards to whether existing PCAs are also eligible if they:

- contribute to enhancing their Commitment to Protection (e.g., if an existing Conserved Area increases their protection to Protected Area status) – we suggest this is valid and appropriate and must be enabled; and/or
- contribute to enhancing the Culturally Significant Entities characteristic, which is optional under the method.

**Recommendation 8:** Ensure the Market provides a suite of methods that allow ecosystem condition maintenance and enhancement to maximise uptake by existing protected or conserved areas. As previously identified, the current pipeline of methods has spatial and/or activity gaps that do not currently enable this.

**Recommendation 9: Increasing Commitment to Protection:** To encourage increased security of our Protected and Conserved Area estate, existing Conserved Areas should be eligible to participate under the method if they increase their level of Commitment to Protection (e.g., if they transition to a Protected Area).

## 6. Inclusion of the Threatened Species Characteristic

ALCA supports the inclusion of the Threatened Species characteristic as a voluntary characteristic in the Protect and Conserve method (unless the project is being designed as an offset, in which case it is mandatory). We have previously provided advice on the proposed

framework for the Threatened Species characteristic in our submission<sup>2</sup> on the Nature Repair market ongoing developments consultation in April 2026.

With respect to including this characteristic in the Protect and Conserve method, we note there is generally a high degree of alignment between threatened species and threatened ecological communities (TECs) distribution and habitat with areas of high conservation value (i.e., the areas that will be the focus of the Protect and Conserve method), and that habitat enhancement and threat management is critical to reduce the risk of extinctions in the future. As such, it is sensible to enable the Threatened Species characteristic in the method.

However, the decision to exclude TECs from the Protect and Conserve method seems to be a lost opportunity. As noted above, Protected and Conserved Areas are strongly aligned with TEC distribution and as such present an opportunity to undertake works to improve their condition and viability. We understand the rationale presented in the consultation paper for this decision – that improving outcomes for a TEC is essentially the same as enhancing ecosystem condition which is proposed to be excluded. However, if TEC outcomes are assessed via the Threatened Species characteristic, not the Ecosystem Condition characteristic, we wonder if this still provides an opportunity for their inclusion in the method – further consideration of this is encouraged.

We also welcome the opportunity this provides for existing Protected and Conserved Areas to be eligible under the Protect and Conserve method, while noting this presumably requires these projects to undertake the proposed high confidence pathway only, as opposed to the potential benefit pathway (as the latter is not scored and hence does not represent defined project benefit).

Further consideration will be needed as to if/how the method will identify the scope and eligibility of threatened species activities that are additional to activities undertaken to maintain Ecosystem Condition. Further to this, it will be important the method takes into consideration how activities to enhance the Threatened Species characteristic may interact with the Ecosystem Condition characteristic. This is important because optimising for one species or a suite of species may not necessarily align with optimising for ecosystem condition more generally. For example, burning frequently to increase grassland area for a threatened lizard species may increase habitat for this species but reduce the ecosystem condition indicators for the reference grassy woodland. The requirement to maintain indicator values for all relevant variable Biodiversity Project Characteristics at or above

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<sup>2</sup> <https://www.alca.org.au/news-insights/article/submission-on-the-draft-policy-settings-to-enable-the-nature-repair-market-to-supply-environmental-offsets>

threshold level would safeguard this from a compliance perspective, but regardless, guardrails should also be built into the method.

For offsets considerations of projects that enhance the Threatened Species characteristic, see section 8 below.

**Recommendation 10:** To maximise outcomes under the Protect and Conserve method, Threatened Ecological Communities should be included as part of the Threatened Species characteristic (noting that these outcomes are assessed separately to outcomes under the Ecosystem Condition characteristic).

**Recommendation 11:** The method must provide clarity and guidance as to the scope of eligible activities for the Threatened Species characteristic, particularly where these are different, additional to, or in conflict with the eligible activities currently proposed for the method (i.e., activities for maintaining ecosystem condition).

## 7. Inclusion of the Commitment to Protection Characteristic

We support the inclusion of Commitment to Protection in the method as a mandatory characteristic to communicate the degree of security and duration of the protection of the project area and how it changes due to the project.

While the Consultation Paper does not include the details of this characteristic, ALCA recommends that, for it to work most effectively, it will need to clearly differentiate projects that have NRS-level security and duration, from projects that have only a biodiversity certificate as the basis for their security and duration (see also our feedback on the security of biodiversity certificates above.)

**Recommendation 12:** The Commitment to Protection characteristic must substantially differentiate projects that have NRS-level security and duration, compared to projects that have only a biodiversity certificate as the basis for their security and duration.

## 8. Allowing Offsets under the Method

ALCA have previously provided submissions regarding the draft offset standards and the inclusion of offsets in the Nature Repair Market<sup>3</sup>. In summary, these submissions recommended:

- Offset standards: Integrity must be front and centre for offset standards. Businesses, and the nature sector need confidence that when environmental damage is allowed under our national environmental laws, compensating environmental benefits will actually be delivered; and
- Offsets in the market: ALCA originally recommended that offsets are not included in the market, but if they were, that their inclusion should be delayed to allow market design and integrity to fully resolve first. Given this is not the case, we have most recently recommended that priority is given to ensuring the framework for operationalising offsets in the market is carefully considered to ensure it is robust and maintains the integrity of both the offset market as well as the Nature Repair Market.

The core principles of these recommendations – the need for integrity, protection, and a robust framework – also apply to the proposed inclusion of offsets under the Protect and Conserve method.

In addition to this and more specifically on the Protect and Conserve method, it will be important to consider how it aligns with and provides an avenue to deliver on the offset integrity standards (once finalised), particularly in relation to protection and maintenance of offset outcomes. And similarly, there should be further consideration of the Commitment to Protection characteristic in terms of opportunities to leverage this information to assess security requirements for offsets. Our previous recommendations are that offsets for long-term or permanent damage have long-term protection (at least 99 years) or permanent protection, and that direct offset activities will require ongoing management and must use legal protections where they are available and appropriate.

Our Recommendation 4 also applies here, namely, that biodiversity certificates from the Nature Repair Market are not sufficient, in and of themselves, to provide meaningful legal protection **on title** until key legal questions are resolved. These questions should be resolved

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<sup>3</sup> Submission on the second Draft Environmental Offsets Standard (June 2026); Submission on the draft policy settings to enable the Nature Repair Market to supply environmental offsets (May 2026); Submission on the Draft Environmental Standard (January 2026). All submissions are available on ALCA's website under: <https://www.alca.org.au/news-insights>.

prior to the promulgation of any Nature Repair Market methods that allow environmental offsets.

In terms of potential offset projects under the Protect and Conserve method, these appear to fall into two main types. Offset projects on new Protected and Conserved Areas, and offset projects on existing Protected and Conserved Areas. The former provides new (additional) protection or conservation of land, along with new (additional) activities that enhance threatened species outcomes. Assuming all other requirements of the method and market are met, along with all requirements for eligible offsets, this may be appropriate.

However, for the latter – offset projects in existing Protected and Conserved Areas – these may come with extra issues. For example, these projects would provide no additional protection or conservation of land, which is not a preferred policy outcome. Further, there may be integrity risks in ensuring the project is clearly additional to what would happen on the protected or conserved area in the absence of the project, as well as offsets being used to rectify long-term mismanagement of protected areas (particularly public protected areas). As such, it may be more appropriate to consider offsets in newly conserved or protected areas (e.g., within, at most, the last 5-10 years), as these areas may reasonably require work to bring their whole area up to a strong and resilient condition level. Given these challenges, we suggest further consideration regarding enabling offsets in existing Protected or Conserved Areas under the method to ensure integrity risks are minimised.

**Recommendation 13:** Offsets for long-term or permanent damage must have long-term protection (at least 99 years) or permanent protection, and direct offset activities will require ongoing management and must use legal protections where they are available and appropriate. Biodiversity certificates from the Nature Repair Market are not sufficient, in and of themselves, to provide meaningful legal protection until key legal questions are resolved. Options to register certificates on title are worth further consideration in this regard.

**Recommendation 14:** Further consideration is required for offsets on existing Protected and Conserved Areas – these do not provide additional protection, and may have increased complexity in terms of ensuring offset activities are truly additional.

## 9. Layering with other Nature Repair Market methods

ALCA are generally supportive of enabling layering of other Nature Repair projects with P&C method projects in order to maximise participation and conservation outcomes. The key considerations that are important in this regard are:

- ensuring additionality and other integrity requirements are met; and

- aligning method requirements as much as possible to reduce burden on proponents who carry out multiple projects.

The additionality considerations will require clear definition of the activities and outcomes required under each project (i.e., the boundaries of each project), and will also need to consider how uncertainty, flexibility, and climate change adaptation in a method is managed with respect to layering. The interaction between indicators for each relevant variable Biodiversity Project Characteristic (particularly for Ecosystem Condition) as a result of layering projects will also need to be considered.

Sequencing of projects (undertaking projects on the same land at different times) is likely to be a less complex option under the Nature Repair Market, and is also likely to be relevant to the Protect and Conserve method. For example, proponents with a poor condition area of land could undertake a restoration project that improves the condition of their project area, followed by a Protect and Conserve project to protect and maintain their good condition ecosystem. The temporal differentiation of projects avoids the issues associated with layering above.

**Recommendation 15:** Layering of projects must ensure additionality and other integrity requirements are met, and there must be strong alignment between methods (e.g., monitoring, reporting, audits) to minimise burden and costs on proponents who wish to layer multiple projects.

Thank you again for the opportunity to provide feedback on the revised scope of the Protect and Conserve method.

**Australian Land Conservation Alliance**

## 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-two member organisations are:

- Arid Recovery
- Australian Wildlife Conservancy
- Biodiversity Conservation Trust NSW
- Biodiversity Legacy
- Bush Heritage Australia
- 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
- 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 funding and using 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 spill-over 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.