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Nature Repair Markets
Department of Climate Change, Energy, Environment and Water
John Gorton Building
Parkes ACT, 2600
Via email: naturerepaircommittee@dcceew.gov.au
Cc: Nature Repair Methods Team

29 July 2026

Dear Nature Repair Markets Team,

RE: Submission on the amendment to the *Nature Repair Rules 2024* to enable the Nature Repair Market to supply environmental offsets, and other measures

The Australian Land Conservation Alliance (ALCA) welcomes the opportunity to provide a submission on the exposure draft of proposed amendments to the *Nature Repair Rules 2024* (the Rules) to enable the Market to supply environmental offsets and to improve the integrity and administration of the Market.

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 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.

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

ALCA previously submitted feedback on proposed amendments to the Nature Repair rules in April 2026[1]. We note there appears to be minimal changes to the key amendments from when they were proposed in April, and as such, the relevant recommendations in our previous submission largely still apply. For ease of reference and clarity, they have been included again here, along with additional feedback.

We also note that the amendment proposed in April 2026 relating to a new requirement for project contributions to be declared does not appear to be included in the Exposure Draft, and as such we have not included any feedback on this item – it would be helpful for there to be clarification on whether this proposal is still intended to progress.

[1] ALCA submission to DCCEEW on the Nature Repair Market: Ongoing Developments, May 2026. Available online.

Schedule 1: Environmental Offsets

Amendments to enable methods to allow Nature Repair projects to be used as environmental offsets

ALCA's previous advice regarding the introduction of offsets into the Nature Repair Market (a position which we continue to oppose) was that this should be delayed for at least five years to allow market design and integrity the chance to fully resolve first. However, given that the Commonwealth is proceeding with introducing offsets into the Nature Repair Market prior to allowing it to properly establish, it will be important to closely monitor the implementation and to undertake an early review to enable identification and rectification of any issues.

While not directly applicable to the amendments in the Rules, we also wish to draw attention to our concerns regarding the security of offsets delivered under the Nature Repair Market. In both the current (2012) policy and new draft (2026) policy, on-title conservation covenants are explicitly recommended to ensure confidence in permanent/long-term arrangements on privately managed land. All states and territories have conservation covenants or covenant-type arrangements.

Certificates under the Nature Repair Act are not registered on the title of land and thus, to comply with clear federal policy, should only be used for offsets on private land under the Market in conjunction with a complementary covenant that is on the title. Recent legal analysis highlights the real risk that Nature Repair Market projects on private land will not continue when the proponent landowner transfers their land to a new owner or dies, due to the obligations resting with the proponent, not the future owner of the land. This does not equate to a definition of long-term.

ALCA anticipates that rectification of this issue will be focused on amendments to the final *EPBC Act* Standard on Environmental Offsets and to Nature Repair methods that enable offset-capable projects. However, it is worthwhile for the Nature Repair Markets team to also be aware of this in the context of amendments to the Rules to enable offsets in the Market.

Recommendation: Undertake an early review of the Nature Repair Market-offset system and its operation, for example, after the first two years of offsets being 'live' in the market. This should focus on whether the offsets program is working effectively, including its interaction with broader market integrity and participation, and whether amendments to the legislation and regulations (including methods) are required.

Recommendation: To ensure long-term security of the biodiversity outcomes of offset projects under the Nature Repair Market, all methods that enable offset-capable projects must be required to have an on-title covenant in place for long-term projects before certificate issuance.

Schedule 2: Market Integrity

Amendments to introduce rules for the identification, assessment and management of significant reversals

The proposed revised Rules include provisions relating to relinquishment following a significant reversal. Under the proposal, a relinquishment requirement may arise where the value of an indicator for a variable biodiversity project characteristic falls below its threshold value for certificate issuance and the Regulator is satisfied that the indicator is unlikely to return to the threshold within a reasonable period.

ALCA has previously indicated our support for the general approach – that a significant reversal is primarily based on consideration of impacts on indicators (for the applicable variable Biodiversity Project Characteristics), as this ensures the approach is objective, transparent and directly linked to project outcomes. However, we continue to have concerns around the specific details of the approach, which in our view could create significant risks for the P&C method. Our concerns arise as a result of the following:

- **Large number of indicators:** It is likely that most methods under the Nature Repair Market will have a large number of indicators. The Ecosystem Condition characteristic alone has over ten indicators under the Replanting method, and a similar number are proposed under the draft ENV method. Given the large number of indicators being monitored over a long-term project period, it is likely that at least one indicator could fall below its certificate threshold value at some point, even where overall project outcomes remain positive.

  As such, this approach will undoubtedly pick up a lot of projects that are simply experiencing a temporary, natural dip in a single indicator. This would then create unnecessary administration as it would trigger further consideration of the risk of significant reversal.

- **No effective buffer below certificate thresholds.** The indicator values for the starting state, forecast state and certificate issuance threshold all fall within the same range. Consequently, there is little or no buffer before a decline in an indicator value could trigger consideration of a significant reversal and potential relinquishment.

- More broadly, it is not possible to reliably forecast ecological changes resulting from climate change over a 100-year permanence period. For example, shifts in ecosystem type or state are likely to occur that are outside the control of project proponents and would not be adequately accounted for by the proposed Rules.

There are several potential options to resolve these issues. For example, allowing the Rules to detail the principles for each consideration, with further details provided within each method, may allow more nuance. Each method could then consider aspects such as extending the timeframe at which this applies (e.g., for two consecutive reporting periods), or allowing more flexibility regarding the number or type of indicators that triggers consideration of significant reversal may be needed.

Alternatively, the Rules could list each method and specify the details of how the significant reversals principle will be applied for that method (this would work best if there were only a relatively small number of methods developed under the Market).

On a related matter, the legislative amendment set out in the Exposure Draft is in addition to the two current notification requirements for significant reversals (section 72(2) and (3)), relating to reversals affecting project area and reversals caused by an event or conduct. This suggests that all three requirements (including the new section 73(2)) can trigger a notification requirement for a significant reversal. However, this is not entirely clear, particularly as relinquishment of certificates as a result of a significant reversal are only specified as a result of the new section 73(2). Clarification of this is required.

Recommendation: Allow for a more tailored, method-specific approach for significant reversals to avoid inappropriate and unnecessary reporting of temporary or natural fluctuations in indicators. Such an approach could be specified in the Rules, or the Rules could enable each method to specify significant reversal details.

Recommendation: Nature Repair documentation should clarify the requirements for notification of a significant reversal, specifically whether the current sections 72(2) and (3) are still intended to apply, in addition to the new section 73(2).

Amendments to define a clear, objective test for Market proponents to meet certificate equivalence requirements

While the proposed criteria seem generally appropriate, in that an equivalent certificate must have the same key elements, in at least the same or otherwise greater quantity/amount than the original.

However, the approach presumes that there is a supply of equivalent certificates available in the Nature Repair Market, which, particularly in the short-term, may be unlikely. This means that the compliance approach will instead rely heavily on civil penalties, which is undesirable from a nature positive perspective, and may also mean there is an increased requirement for issuance of Biodiversity Maintenance Declarations.

In Closing

Thank you again for the opportunity to provide feedback on the draft policy settings to enable the Market to supply environmental offsets.

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-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)
- World Wildlife Fund – Australia
- Wildlife Bank Trust

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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. 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.