Submission on the Proposed Nature Repair Method: Replanting Native Forest and Woodland Ecosystems

Prepared by the Environment Institute of Australia and New Zealand (EIANZ)

Introduction

The Environment Institute of Australia and New Zealand (EIANZ) is the peak body for environmental professionals in Australia and Aotearoa New Zealand, representing 3,500 members and certified professionals as part of a global network of over 100,000 environmental practitioners.

Through its Code of Ethics and Professional Conduct, EIANZ sets and enforces high ethical and professional standards for environmental practitioners. The specific interests and skills base of EIANZ lies in evidence-based and ethical environmental practice.

This submission contains recommendations from expert members and Certified Environmental Practitioners with extensive experience in the relevant fields.

General Comments

EIANZ is generally supportive of the proposed Method. However, the current draft of the instrument is insufficient to ensure the intended environmental outcomes. We are supportive of this consultation and expect that the process may be able to provide much of the improvement required.

While responses have been provided to specific sections of the Method, the following two topics are important to note as overarching feedback.

Scientific Basis for Numbers

We suggest that the department carefully inspects any numbers included in the Method to ensure they are not arbitrary but instead have a scientific basis. Non-exhaustive examples are included in our feedback on sections 6.3.1 and 6.7 et al.

While EIANZ supports specificity in requirements, it is important to ensure the Method is based on scientifically robust evidence. An alternative would be to reference why particular numbers were chosen, to allow proponents to provide evidence to request an exception if it would be environmentally beneficial to do so.

Qualified Personnel

The document references "suitably qualified person" throughout and provides a definition that does not include adequate assurance of the quality of practice, nor a mechanism to exclude practitioners found to be substandard from submitting additional work into the future. The Method also refers to 'suitably qualified assessors' for transect monitoring, which is undefined.

Since 2014, the Certified Environmental Practitioner Scheme (CEnvP) has been providing proponents with a way to evidence their competency and ethical standing, and government with assurance that work is being undertaken by reliable professionals.

Specialist certification is required to sign off environmental impact assessments for State- and Nationally-significant projects in New South Wales, and similar requirements exist for site contamination reports in New South Wales, New Zealand and Tasmania.

These requirements have improved the quality of submissions, decreased approval times, reduced administration in determining whether someone is suitably qualified, and provided government with third-party assurance at no cost.

We strongly recommend that CEnvP's Ecology Specialist certification be included in the Method as a primary method to evidence a "suitably qualified person".

If that is not possible, we would recommend that those approving submissions be 'suitably qualified persons.' Regulators without confidence in the quality of submissions will either need a checklist for approval or have a suitable knowledge of the subject matter in order to approve them – given that no two sites are the same, no matter how

prescriptive a checklist may be, many cases will rely on arbitrary decisions by the regulator, so a suitable knowledge of the subject matter will still be required.

To ensure the intended environmental outcomes are achieved, a more stringent definition of a 'suitably qualified person' is needed within the application and approvals process, and a 'suitably qualified assessor' needs to be defined.

Detailed Comments on Specific Sections

Section 5.3 (and Section 6.1)

The document addresses both Native Forest and Woodland Ecosystems. It should be noted that Woodland Ecosystems can be very sparse. According to Neldner et al. (2023)[1], a woodland can have as little as 20% crown cover, meaning that in any one-hectare area there is as much as 8,000m^2 without tree cover. Planting this component of a natural woodland would be contrary to desired ecological outcomes, so the proposed methodology appears to potentially exclude 80% of such a project site. If this not the intended outcome, we recommend that the approach be reevaluated.

We also have some concern with the conservation of endangered grassy open woodlands that are habitat for many of the ground layer species present in critically endangered grasslands. EIANZ recommends that a separate Method covers grasslands and grassy open woodlands, and that woodland is removed from the title/definition of this Method to avoid perverse outcomes.

Section 6.3.1

While the approach of using an alternative native vegetation type as a reference ecosystem for a site appears to have a sound reasoning, it should be noted that we know of no scientific basis for specifying a 5km radius as an appropriate distance for selecting a reference ecosystem. In some highly disturbed landscapes, suitable reference ecosystems would not be available within this radius.

[1] Neldner, V.J., Wilson, B.A., Dillewaard, H.A., Ryan, T.S., Butler, D.W., McDonald, W.J.F, Richter, D., Addicott, E.P. and Appelman, C.N. (2023) Methodology for survey and mapping of regional ecosystems and vegetation communities in Queensland. Version 7.0. Updated December 2023. Queensland Herbarium, Queensland Department of Environment, Science and Innovation, Brisbane

Section 6.6 (and Sections 6.13.1, 8 etc.)

Not all appropriate lifeforms are defined in the Method (e.g. 'vine', 'grass', 'forb'). There is inconsistency in lifeform definitions across existing State government methodologies. Definitions would ensure consistency in reporting approaches.

Sections 6.7, 6.8, 6.9 and 13.8

Similar to our recommendation in Section 6.3.1, the 500m minimum radius for identifying threats, features of hydrological significance, threatened species and ecological communities, and monitoring a biodiversity outcome is not based on scientific evidence to our knowledge.

There are established distance relationships of up to 2km, for example for the spread of seed that passes through birds. There are also cases of very low natural connectivity within 500m due to topography or infrastructure, making the data collected within 500m irrelevant to the investment within the project activity sites.

Section 6.11

We suggest changing wording in the first sentence from "…that contain native trees and shrubs…" to "…that contain native trees and shrubs species…", as some assessment methodologies will classify a tree species as a shrub until it reaches a specific height.

Section 6.13.1

The department may like to consider whether using a counter-factual of status quo is valid – it seems more likely, even considering only climate change, that the condition of a given site would deteriorate rather than stay the same without investment. We acknowledge that the status quo counter-factual may be an attempt to shift away from accepting a 'less negative' outcome as may be approved in biodiversity offset projects. If this is the case this could be made more explicit

Section 8.7(f)

The Method requires 'measures adopted by the project to respond to climate change'.

Please be aware that some advocate using genetic material from different climate zones to address predicted climate change (e.g. seed stock of *Eucalyptus tereticornis*

from Rockhampton may be used in a project in Brisbane on the basis that Brisbane's climate will become warmer).

While the concept has some merit, there is no scientific basis for this approach. Relocating genetic material without proper scientific consideration of long-term consequences of gene pools/genetic diversity may have unforeseen consequences many years from now that cannot be undone.

To give a second example, papers presented at the recent Australasian Plant Conservation Conference have demonstrated that some community-based regeneration projects have reduced the genetic diversity of the species planted. This increases risks of climate change by reducing the breadth of genetic traits available to survive conditions climate change may introduce.

The Method includes terms like 'must consider climate change', 'respond to climate change' and 'climate ready' without providing context on the nature of the consideration, response or readiness. While EIANZ supports the high-level principle, we caution against broad terms that are too open to interpretation.

Section 9.1

EIANZ recommends that 'significant weed species' be defined. Some weeds may be beneficial or benign at the beginning of a project. For example, 100% cover by clover at the beginning of a project shouldn't be considered 'significant weed species,' while the presence of a single specimen of Cat's Claw Creeper[2] should.

Not covered

The legal/regulatory status of project sites at the end of the project timeline is currently unclear. It is possible these areas will have changed status under at least Queensland Vegetation Management laws (high value regrowth) - 25 or 100 years may seem long timeframes, but similar considerations are currently influencing decision-making among potential proponents, especially in relation to succession planning for the next generation of family farms. 25 years is a generational timeline in this context.

[2] https://weeds.org.au/profiles/cats-claw-vine/

Conclusion

EIANZ appreciates the opportunity to provide input on the proposed Method. We believe that incorporating these recommendations will help ensure the success and reliability of the Nature Repair Market.

For further information or discussion, please contact us at communication@eianz.org.

Thank you for your consideration.