



Nature Repair Market: proposed Biodiversity Assessment Instrument

Consultation on the proposed Biodiversity Assessment Instrument

The *Nature Repair Act 2023* (the Act) came into effect on 15 December 2023 establishing a framework for a world-first legislated, national, voluntary biodiversity market. The Nature Repair Market scheme is a government initiative that incentivises actions to restore and protect the environment.

The Act established the Nature Repair Committee. The committee advises the Minister for the Environment and Water on methods and biodiversity assessment instruments (BAIs).

The Nature Repair Committee is seeking your views on the detailed outline of the BAI for the Nature Repair Market.

The proposed BAI that is the focus of this consultation has been developed by the department drawing on stakeholder feedback and insights from experts including First Nations people.

This fact sheet provides context and summarises the content of the proposed detailed outline of the BAI. You can also read a longer paper, which includes the detailed outline of the proposed BAI (Part 2) as well as context and feedback (Part 1) and information and guidance to support the interpretation and implementation of the BAI (Part 3).

Please submit your feedback via the consultation hub by 5:00pm AEST 30 October 2024.

What is the purpose of the biodiversity assessment instrument (BAI)?

The BAI sets out requirements for how methods assess and describe biodiversity in a standardised way. This consistent information can be used by buyers and others to compare Nature Repair Market projects under different methods. Buyers can use this information to judge which aspects of a project are most important to them.

Methods set the detailed requirements for how projects assess biodiversity and how it will change, consistent with the BAI. The BAI sets broad parameters for consistency and transparency that allow methods to be flexible in how they meet them. Method developers will design approaches that meet the BAI requirements but are suited to the activities and environments to which the method applies.

Methods will incorporate and build on the BAI requirements. Project proponents will only need to meet the requirements of the method.

How is a Biodiversity Assessment Instrument made?

The *Nature Repair Act (2023)* enables the minister to make a BAI that prescribes requirements that must be complied with by methods (subsections 58(1) and (2) of the Act). A BAI may apply to all methods, or to a class of methods.

Before making a BAI, the minister must request the Nature Repair Committee to advise the minister about whether the minister should make the instrument. The minister must not make a BAI unless the Nature Repair Committee advises the minister that it is satisfied that the BAI:

- is an appropriate means of achieving consistency of methods, and
- would assist in ensuring that methods (or methods in that class) comply with the biodiversity integrity standards (subsection 59(3) of the Act).

The committee must undertake public consultation prior to advising the minister on a BAI.

The committee will consider feedback on the proposed detailed outline of the BAI received through this consultation when it prepares its advice for the minister.

Scope of the proposed biodiversity assessment instrument

The proposed BAI will apply to all methods under the Act.

First Nations knowledge, values and data

The BAI will require that all methods give project proponents the option to undertake a project that delivers First Nations biodiversity outcomes (biocultural outcomes), as long as consent for the use of that knowledge has been obtained. Methods will need to set out additional conditions and requirements for projects choosing this option.

This allows for First Nations knowledge and values to inform the project, as appropriate and applicable. This could influence project design and implementation as well as how biodiversity and its change is described. If the proponent is not a custodian of the relevant Indigenous Cultural Intellectual Property (ICIP) they must obtain consent to use the knowledge and/or data.

Project information relating to First Nations participation or biocultural outcomes would be verified in a culturally appropriate way. This could be by using an established First Nations-led framework, or a First Nations-led or co-design framework developed as part of the method development process.

The BAI provisions relating to First Nations knowledge, values and data will be supported by guidance material to assist proponents. This will include support material for negotiating consent to use Indigenous knowledge and information to guide culturally informed project design and implementation. The aim is to elevate the cultural integrity measures of the project. Guidance material for projects will point to leading Indigenous standards and frameworks to support project planning in line with the requirements of the BAI.

Measuring, assessing and describing change in biodiversity

Measuring change in project biodiversity

The BAI establishes a set of standard characteristics that describe biodiversity in a project area and how it is changing. These include fixed characteristics such as the vegetation classification or

ecosystem type, and characteristics that may change due to the project, such as ecosystem condition.

These 'standard biodiversity project characteristics will provide a structured and consistent way to communicate the different types of biodiversity benefits that the project is intended to deliver. Buyers can use this information to understand how comprehensive the method and project are. Having information on a range of benefits allows project proponents to tell a story of how the project will improve biodiversity.

The BAI requirements for the standard biodiversity project characteristics include:

Methods **MUST require projects to assess ecosystem condition** and its change.

Methods **MAY require projects to assess:**

- removal of threats
- commitment to protect biodiversity in the project area
- capability of the project area to support threatened species

Methods **MUST include the option for projects to assess culturally significant entities** (i.e. projects can include this, but only with appropriate knowledge consent).

The BAI sets broad parameters for how to assess the standard biodiversity project characteristics. Methods will determine the detail of how this is done. There is further detail in Sections 2.5 and 2.6 of the detailed outline of the proposed BAI.

Methods may also set requirements for the assessment of biodiversity project characteristics specific to the method. This may be relevant where the focus of the method is not adequately addressed in the standard biodiversity characteristics.

To further support a consistent, transparent and targeted approach, the BAI will require an appropriate starting state assessment, and transparent consideration of what would be likely to happen without the project.

Assessing and describing broader biodiversity benefits

The BAI will require that methods allow for projects to identify and describe the benefits from the project to the broader landscape and seascape. This would enable assessment of whether and how the project outcomes would provide broader benefits beyond the project area.

Monitoring, measuring and assessing biodiversity outcomes

Under the Act, projects need to demonstrate the biodiversity outcome is likely to occur in order for the biodiversity certificate to be issued.

The BAI will require methods to include provisions for projects to describe and report on the expected change of biodiversity project characteristics. These requirements include clearly stating the value or level that must be reached for the project to be considered likely to achieve the biodiversity outcome.

The BAI will require methods to include provisions for project monitoring to inform reporting. Where risks to biodiversity are higher, more comprehensive and accurate monitoring and assessment would be required.

Achieving consistency and transparency

Defining key terms and concepts: The BAI will include definitions and typologies that methods would use. This will support consistent terminology and concepts (as appropriate) and promote the comparability of projects.

Considering climate change: The BAI will require methods to include provisions for projects to identify and mitigate particular impacts of climate change, where this would have a material impact on achieving project outcomes.

Certainty and confidence: The BAI will include standard interpretations for methods to draw on when assessing the level of certainty and confidence.

Data sharing and suitability: The BAI will require that methods include provisions for projects to meet requirements for data quality and management, collect ecological data using an appropriate standard, share ecological data in a standard format, and allow flexibility for culturally appropriate data management.

More information

Learn more: [Nature Repair Act 2023](#)

Web: [Nature Repair Market - DCCEEW](#)

Email naturerepairmarket@dcceew.gov.au

Acknowledgement of Country

We acknowledge the Traditional Custodians of Australia and their continuing connection to land and sea, waters, environment and community. We pay our respects to the Traditional Custodians of the lands we live and work on, their culture, and their Elders past and present.

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