

DTI:Planning Review

From: James McGregor [REDACTED]
Sent: Friday, 16 December 2022 12:03 PM
To: DTI:Planning Review
Cc: Hugh Wareham; Michelle Usher
Subject: Feedback regarding Planning System Implementation Review

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Dear Expert Panel,

We are writing regarding the review process currently underway for the Planning and Design Code (the Code). We would like to provide feedback for the Panel to consider when reviewing the Code, particularly in regard to the interaction between the commercial forestry within the Code and Environmental Planting projects registered under the federal government's Emissions Reduction Fund (ERF).

Background

Environmental Planting projects under the ERF involve planting a mixture of tree and shrub species that are native to the local area and are maintained for a period of at least 25 years and sometimes up to 100 years, depending on the project's selected permanence period.

To qualify and claim carbon credits as an Environmental Planting under the ERF, projects are controlled tightly through external audits and verified against the requirements of the *Carbon Credits (Carbon Farming Initiative) (Reforestation by Environmental or Mallee Plantings—FullCAM) Methodology Determination 2014* ('the Method').

As one means to fund our goal of restoring native landscapes to Australia, Greening Australia, and subsidiary company, Canopy Nature Based Solutions (Canopy), register Environmental Planting projects under the ERF to claim carbon credits. These types of Environmental Plantings restore degraded landscapes, encourage biodiversity, enhance native wildlife corridors and store carbon in woody biomass.

Because carbon credits are claimed from them, these native, biodiverse Environmental Plantings are captured under the definition of commercial forestry in the Code. A commercial forest in the Code is defined as "*means the practice of planting, managing, and caring for forests that are to be harvested (or intended to be harvested) or used for commercial purposes (including through the commercial exploitation of the carbon absorption capacity of the forest)*". This means that the long-term restoration of native landscapes under the Code is subject to the same rules and requirements as rotational, monoculture timber plantations.

When captured within the definition of commercial forestry, the restoration of landscapes with native plantings registered as Environmental Planting projects is restricted with regulatory requirements that reduce the opportunity to readily revegetate and restore nature in South Australia.

Within [South Australia's Carbon Sequestration Strategy 2018](#), produced by the Department of Environment, Water and Natural Resources, the South Australian Government committed to working with, and listening to, the carbon market supply chain to help stimulate the supply of local carbon credits and meet the growing demand. Specifically, the Strategy pledged that the South Australian Government would address any legislative or policy barriers to the uptake of sequestration opportunities.

Given the definition of 'commercial forestry' under the Code, Greening Australia/Canopy have identified this as a major barrier to establishing carbon sequestration projects by way of Environmental Plantings within South Australia.

This feedback focuses on environmental restoration projects that claim carbon credits through the ERF as it is Greening Australia/Canopy's preferred Standard. However, given the likely broad interpretation of "*commercial exploitation*" it would likely also limit

carbon offset projects which were registered through other Standards, or were unregistered but where the sequestration of vegetation was still claimed by a landowner reducing their footprint for commercial gain (known as ‘insetting’).

Proposed Solution

It is proposed that during the current review of the code, the Department considers adopting a similar approach to that of the Eyre Peninsula Landscape Board (the ‘EP Board’), who have used strategic language to ensure the exclusion of biodiverse Environmental Plantings from what is defined as ‘Commercial Forestry’ within their [Water Affecting Activity Control Policy](#), while still including the requirement for most commercial forestry.

The wording contained within the EP Board’s Water Affecting Activity Control Policy is as follows:

Definition

Commercial forest – Means a forest plantation where the forest vegetation is grown or maintained so that it can be harvested or used for commercial purposes (including through the commercial exploitation of the carbon absorption capacity of the forest vegetation). In the EP Landscape region commercial forest is further defined as a forest not aiming to revegetate a local vegetation community with appropriate structural components (over-storey, mid-storey and understorey species), but all monoculture plantings regardless of species origin, local native species, non-local Australian native species or non-Australian introduced species.

Permit Requirements

Water affecting activities requiring a permit – Undertaking commercial forestry (including carbon plantings) within a priority catchment requires a permit.

Permit exemptions – Planting of local native seed or tube stock to revegetate a local vegetation community with appropriate structural components (over-storey, mid-storey and understorey species) even if carbon credits will be derived from the planting provided the activity is in accordance with principle 29.

Further, the EP Board’s Water Affecting Activity Control Policy introduced Principle 29 which states:

“A permit is not required for planting of local native seed or tube stock to revegetate a local vegetation community with appropriate structural components (over-storey, midstorey and understorey species) even if carbon credits will be derived from the planting.”

The above proposal is Greening Australia/Canopy’s ideal solution to facilitate environmental plantings within South Australia. A more fit for purpose definition could incorporate as the current definition requires setbacks from State Significant Native Vegetation which reduces opportunity for flora and fauna connectivity.

Benefits

In addition to carbon sequestration, Environmental Plantings can achieve a wide range of co-benefits including:

- supporting agricultural productivity and assisting landholders to diversify their income
- reversing land degradation
- enhancement of habitat for threatened fauna species
- restoration of threatened ecosystems including threatened flora species
- improvement of landscape connectivity
- retaining and expanding remnant vegetation
- soil erosion reduction
- water quality benefits.

Summary

In conclusion, amending the existing Code would remove barriers to the market-driven restoration of degraded landscapes within the South Australia. The inclusion of our feedback would unlock the potential of our state for greater natural connectivity and biodiversity.

If there is any further information we can provide you to assist with this decision please let us know.

Your consideration of this matter is greatly appreciated.
Please acknowledge receipt of our feedback.

Kind Regards,
James McGregor

Reference

Wenfei Liu, Zhipeng Xu, Xiaohua Wei, Qiang Li, Houbao Fan, Honglang Duan, Jianping Wu (2020), *Assessing hydrological responses to reforestation and fruit tree planting in a sub-tropical forested watershed using a combined research approach*, *Journal of Hydrology*, vol. 590, pp 448–459.

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We acknowledge the Traditional Owners of Country throughout Australia and pay our respects to Elders past and present. We honour the deep, continuing connection Aboriginal and Torres Strait Islander peoples share with the lands and waters.



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