



To: [biodiversitymarket@dcceew.gov.au](mailto:biodiversitymarket@dcceew.gov.au)

16 September 2022

To the Department of Climate Change, Energy, the Environment and Water,

**RE: Central Land Council submission on the National Biodiversity Market**

The Central Land Council (CLC) welcomes the Australian Government's announcement that it intends to establish a National Biodiversity Market. The establishment of a National Biodiversity Market presents a significant opportunity to incentivise good land management that directly benefits Indigenous landholders, and affirms traditional Indigenous knowledge and land management practices.

**While the CLC sees significant potential for traditional owners to benefit from the establishment of the National Biodiversity Market, we are concerned that the two week consultation period on foundational elements of the market is grossly insufficient.**

The CLC is a Commonwealth corporate entity established under the Aboriginal Land Rights (Northern Territory) Act 1976 ('ALRA'), with statutory responsibilities for Aboriginal land acquisition and land management in the southern half of the Northern Territory (NT). The CLC is also a Native Title Representative Body established under the Native Title Act 1993 ('NTA').

Pursuant to ALRA, more than 50 per cent of the NT and more than 85 per cent of the NT coastline is now held by Aboriginal Land Trusts on behalf of traditional owners. A further 253,886 km<sup>2</sup> of land and water is also held under native title. Of the 780,000 km<sup>2</sup> of land covered by the CLC region, more than half (417,318 km<sup>2</sup>) is Aboriginal land under the ALRA. In addition, rights have been asserted and won under the NTA, and traditional owners unable to claim land under the ALRA have succeeded in obtaining rights to small areas known as Community Living Areas, under NT legislation.

Through its elected representative Council of 90 community delegates, the CLC represents the interests and aspirations of approximately 20,000 traditional landowners and other Aboriginal people resident in its region. We advocate for our people on a wide range of land-based and socio-political issues to ensure that our families can continue to survive and thrive on their land.

The CLC hosts 14 Indigenous ranger groups that work across four large Indigenous Protected Areas (IPAs), 32 Aboriginal Land Trusts, and on neighbouring national parks and some pastoral properties. The Indigenous estate within the CLC region holds significant ecological and biodiversity value, and traditional owners and rangers are experts in the management of this country – preserving biodiversity and providing other valuable environmental services to the national conservation estate.

The need to increase action to reverse the decline in Australia's environment is clear – it is true across the country, and it is true in the NT. Four of the NT's iconic ecosystems are undergoing ecological collapse, including western-central arid zone ecosystem, which covers the CLC region.<sup>1,2</sup> Central Australia is at the forefront of the mammalian extinction globally: of the 34 mammals that have been lost in Australia since colonisation (roughly the same number as the world combined over the last 200 years), 10 of these were from Central Australia.<sup>3</sup> In total, there are 141 species of fauna threatened in the Northern Territory, 46 of which are either endangered or critically endangered – that is, facing very or extremely high risk of extinction in the wild.<sup>4</sup> 84 species of flora are threatened, including 26 that are either endangered or critically endangered.<sup>5</sup> The establishment of a National Biodiversity Market is an important strategy to help accelerate conservation and restoration at the scale required to reverse environmental decline. However the expertise, rights and interests of Indigenous people must be included from the outset of the market's design.

We note that a key question posed in the consultation is whether the framework is structured in way that will enable the participation of landholders, including First Nation people. Yet the minimal consultation timeframe and the consultation method (web-based) has not provided for any, let alone meaningful, consultation with traditional owners. Moreover, we are concerned that a rushed approach to the establishment of the market will cause unintended outcomes that may marginalise and harm the interests of traditional owners, and not lead to optimal environmental outcomes. The CLC is a member of the Indigenous Carbon Industry Network (ICIN) and note that these concerns are outlined in more detail in the ICIN submission. As part of ICIN, the CLC has also written to the Minister for Environment and Water, Tanya Plibersek to raise these concerns.

**The CLC recommends that the Australian Government:**

- **Substantially extend the consultation period by at least eight weeks.**
- **Organise a meeting with land councils and other relevant Indigenous stakeholder groups in the Northern Territory to workshop key elements of the proposed market.**
- **Resource appropriate Indigenous organisations to provide advice on potential impacts on Indigenous rights and interests in biodiversity.**

With more time for meaningful consultation, we look forward to working with the Australian Government to see the establishment of robust National Biodiversity Market that respects and promotes the rights and interests of Indigenous people, and makes a substantial contribution to restoring the health of country. For any questions in regards to this submission, please contact Nick Ashburner, Manager – Land Management ([nick.ashburner@clc.org.au](mailto:nick.ashburner@clc.org.au) | 8951 6304).

Regards,



**Les Turner**  
**CHIEF EXECUTIVE OFFICER**

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<sup>1</sup> Bergstrom, D, Wienecke, B, van den Hoff, J, Hughes, L, Lindenmayer, D, Ainsworth, T, Baker, C, Bland, L, Bowman, D, Brooks, S, and Canadell, J. 2021. Combating ecosystem collapse from the tropics to the Antarctic. *Global change biology*, 27(9), pp.1692-1703, see p.1693-4.

<sup>2</sup> Collapse is understood as an ecosystem which has undergone “a change from a baseline state beyond the point where an ecosystem has lost key defining features and functions and is characterised by declining spatial extent, increased environmental degradation, decreases in, or loss of, key species, disruption of biotic processes, and ultimately loss of ecosystem services and functions.”

<sup>3</sup> Foley, M. (2020) 'Why is Australia a global leader in wildlife extinctions?' *Sydney Morning Herald*; Morton, A. (2021) 'Australia confirms extinction of 13 more species, including first reptile since colonisation', *The Guardian*.

<sup>4</sup> Northern Territory Government 2022, 'Threatened animals' ([website](#))

<sup>5</sup> Northern Territory Government 2022, 'Threatened plants' ([website](#))