

71 – Australia’s Covid-19 Response to Climate Change and Biodiversity Protection: An Impossible Dream or Outright Contradiction?

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With the coronavirus crisis impacting carbon emissions levels, which only will fall further due to the ensuing economic slump, the Australian government’s response has been once again focussed on incentives and subsidies. Using taxpayers’ funds to encourage or reward good environmental behaviour such as biodiversity protection and emissions reduction is not an unusual step for the current government. In a recent report reviewing the government’s Climate Solutions Fund, it has been found that the \$2.5 billion spent over the past five years supporting mechanisms for reducing carbon emissions have been more effective in reducing emissions than a carbon tax would be. However, the same report does not consider the alternative of a carbon trading scheme. Instead, the recommendation was to support controversial schemes for carbon capture and storage. That same report notes the need for more work to be done in order to deploy low emissions technologies and encourage voluntary emission reductions. This has been backed up by the Technology Investment Roadmap Discussion Paper aimed at establishing a framework to accelerate such low emissions technologies.

Meanwhile, on the biodiversity front, that same Climate Solutions Fund will be utilised to deliver a world-first scheme to financially reward farmers who protect sensitive ecosystems, restore native habitat, store carbon such as through soil sequestration or make other environmental improvements. This biodiversity stewardship program will financially reward farmers for reducing greenhouse emissions while improving biodiversity of their land. Achieved through biodiversity certificates to be recognised by banks and other financial institutions, the \$34 million fund is expected to apply to more than 60% of the entire continent, being that part of Australia that is privately owned. However, concerns arise as to whether such a program will come into being at the expense of existing environmental protections. Such concern is all the more so given the nation’s Environment Protection and Biodiversity Conservation Act 1999 is under review with the aim to cut ‘green tape’ for development approvals.

This paper questions the impossible dream and contradiction of incentivising environmental stewardship and funding carbon capture in order to tackle climate change and achieve lower emissions with a limited pot of money while aiding development approvals by cutting ‘green tape’ and thereby putting the environment at risk.

Biographical note

Natalie P. Stoianoff is a Professor and Director of the Intellectual Property Program at the Faculty of Law, University of Technology Sydney, since 2008. She is Australia’s first female Taxation Law Professor and is a regular participant in the annual Global Environmental Taxation conference series publishing on the evaluation and impact of taxation concessions for mine site rehabilitation, local government taxes and conservation covenants. She is the Chair of the Indigenous Knowledge Forum Committee, Co-Convenor of the Technology and Intellectual Property Research Cluster, a member of the UTS Commercialisation Advisory Panel and is a Chartered Tax Adviser of The Taxation Institute.

She is the author of numerous publications in the fields of intellectual property, environmental law and taxation law. Her tax research has led to membership of the Critical Issues in Environmental Taxation Editorial Review Board and after hosting GCET16 in Sydney she is the Lead Editor of 2 publications from the series (August 2016): *Volume XVII, Green Fiscal Reform for a Sustainable Future - Reform, Innovation and Renewable Energy*, and *Volume XVIII, Market Instruments and the Protection of Natural Resources*.