



Home > Environment, land and water > Using state land > Carbon rights on state land

Carbon rights on state land

You can help to mitigate the effects of climate change, and earn carbon tax credits, by taking part in projects to store carbon and reduce greenhouse gas emissions on your land. This is part of the Australian Government's Emission Reduction Fund (ERF).

There are different ways to apply for projects depending on whether you have a perpetual or term lease, or a freeholding lease under the *Land Act 1994*.

Note, the minister administering the *Land Act 1994* is the crown lands minister; and crown land means land that is the property of the state (including land subject to a perpetual or term lease, or freeholding lease).

This guide explains eligible activities under the ERF and how to complete and lodge applications. Before you make an application, we recommend you call us (https://www.resources.qld.gov.au/?contact=state_land) to discuss:

- the type of project, tenures included and timeframes
- tenure and lease conditions
- options for extending the term of the lease
- native title considerations
- the state's interest in forest products, quarry material and mineral resources
- other considerations and/or approvals which may be required under other legislation e.g. protected wildlife.

This will avoid processing delays.

Eligible activities

Before you make an application, please call us (https://www.resources.qld.gov.au/?contact=state_land) to discuss your project. This will help to avoid processing delays.

The following projects are eligible under the Emissions Reduction Fund:

- growing and keeping trees on a farm to store carbon dioxide - generally native trees will be grown and kept for a period of 25 or 100 years (sequestration offsets projects)
- adopting more sustainable agricultural practices on a farm, including savanna burning (emissions avoidance offsets projects).

There are 2 categories for project applications:

- leaseholders who **don't hold exclusive legal rights** to the carbon must apply for eligible interest holder consent – this applies if you have a perpetual or term lease
- leaseholders who **do hold exclusive legal rights** to the carbon may apply for consent to registration of a carbon abatement interest – this applies to freeholding leases.

Apply for eligible interest holder consent

Before you make an application, please call us (https://www.resources.qld.gov.au/?contact=state_land) to discuss your project. This will help to avoid processing delays.

Who is this for?

If your land is under a perpetual or term lease, you do not hold exclusive legal rights to the carbon. You must gain consent from us in order for your project to be eligible.

How to apply

Your application should include:

- evidence that all registered interest holders have been advised of the project (e.g. nature refuge agreement party, mortgagee)
- map of property boundary and project area
- details of the project timelines
- a copy of the Declaration of an Emissions Reduction Fund project from the Clean Energy Regulator that states the project is registered under the *Carbon Credits (Carbon Farming Initiative) Act 2011* (CFI Act)
- a statement that your contract with the project proponent is subject to a condition that the proponent indemnifies and agrees to keep indemnified the state against all liability, costs, loss and expenses (including claims in negligence) arising from, or

incurred in connection with, use and occupation of the lease by the proponent and invitees under the terms of the contract.

Emission avoidance projects for savanna burning need to provide additional supporting information:

- an agreement about savanna burning services, signed by all parties
- a fire plan for savanna burning.

Lodging your application

You can lodge your application in person at your nearest business centre (https://www.resources.qld.gov.au/?contact=state_land), by emailing to SLAMlodgement@resources.qld.gov.au (<mailto:SLAMlodgement@resources.qld.gov.au>) or by posting it to Department of Resources, PO Box 5318, Townsville QLD 4810.

Payment options are cash (in person only), EFTPOS (in person at some centres only), cheque (in person or by post), or credit card.

Cheques should be made out to the 'Department of Resources' and marked 'not negotiable'.

Credit card payments are accepted in person or over the phone.

We will send you a receipt once we have established that your application meets all requirements and has been properly made.

How your application is assessed

We will assess your application against legislative requirements and our own policies, procedures and guidelines.

For example, we will:

- seek the views of relevant stakeholders (e.g. other state government agencies and local government authorities) to determine whether the proposal will have an impact on their interest in, or near, the subject land
- consider native title, other state interests and whether or not the land is prime agricultural land
- ensure that all outstanding rent or instalments and any penalties on the lease are paid.

We may also consult with the chief executive, Department of Agriculture and Fisheries (DAF), about the possible impact of the project on proposals to deal with, or contracts involving, state-owned forest products e.g. native trees/native forest areas.

- Read about DAF's involvement in Emissions Reduction Fund Projects (<https://publications.qld.gov.au/dataset/state-native-forestry/resource/ddc69be9->

[ed98-498f-bf7b-3a288c91d0eb\).](#)

What happens next?

When we have investigated all issues, we will write to you with our decision.

Before you undertake your project, you should contact other local, state and federal government agencies to ensure you comply with their requirements. For example, if you are undertaking savanna burning, you may have other statutory obligations, such as obtaining a permit under the *Fire and Emergency Services Act 1990* and any other permits and approvals.

Related information

- Read about [vegetation management](#) (<https://www.qld.gov.au/environment/land/management/vegetation>).
- Learn more about [climate change mitigation in Queensland](#) (<https://www.qld.gov.au/environment/climate/climate-change>).
- Read more about the [benefits from carbon credits](#) (<https://www.qld.gov.au/environment/plants-animals/habitats/regrowth/regrowth-carbon-credits>).
- Refer to the information about the [Emissions Reduction Fund](#) (<http://www.cleanenergyregulator.gov.au/ERF>)

Use the [regrowth benefits tool](#) (<https://www.qld.gov.au/environment/plants-animals/habitats/regrowth/regrowth-mapping>) and supporting [user guide](#) (<https://www.qld.gov.au/environment/plants-animals/habitats/regrowth/regrowth-help>) to obtain information about particular sites and their suitability for regrowing or maintaining native forest.

Apply for consent to registration of a carbon abatement interest

Before you make an application, please [call us](https://www.resources.qld.gov.au/?contact=state_land) (https://www.resources.qld.gov.au/?contact=state_land) to discuss your project. This will help to avoid processing delays.

Who is this for?

If you have a freeholding lease, you have exclusive legal rights to the carbon on your property. Before applying, you should consider whether you want to:

- pay out the outstanding purchase price on your lease and address any other requirements so that we can issue a deed of grant or
- apply for the registration of a carbon abatement interest, which gives you exclusive rights to the economic benefits associated with carbon sequestration on the land.

Please note, if your land is under a perpetual or term lease, you may also apply for the registration of a carbon abatement interest.

How to apply

Your application should include:

- Part A of the Form [LA00 - Contact and land details](https://www.qld.gov.au/_data/assets/pdf_file/0019/312157/state-land-form-la00.pdf) (PDF, 278 KB)
(https://www.qld.gov.au/_data/assets/pdf_file/0019/312157/state-land-form-la00.pdf)
- [Titles Queensland Form 36 - carbon abatement interest](https://www.titlesqld.com.au/titles-registry-forms/)
(<https://www.titlesqld.com.au/titles-registry-forms/>), executed by the grantor and grantee with an agreement for a carbon abatement interest for the land
- [Titles Queensland Form 18 - general consent](https://www.titlesqld.com.au/titles-registry-forms/)
(<https://www.titlesqld.com.au/titles-registry-forms/>), this must be completed and executed by all interest holders in the land and registered in the Titles Queensland before applying
- a copy of a plan suitable for registration in the Titles Queensland that identifies the carbon abatement interest (if the interest is for only part of a lot)
- a copy of the Declaration of an Emissions Reduction Fund project from the Clean Energy Regulator that states the project is registered under the *Carbon Credits (Carbon Farming Initiative) Act 2011* (CFI Act).
- completed Parts A and B of the [eligible interest holder consent form](http://www.cleanenergyregulator.gov.au/DocumentAssets/Pages/Eligible-interest-holder-consent-form.aspx)
(<http://www.cleanenergyregulator.gov.au/DocumentAssets/Pages/Eligible-interest-holder-consent-form.aspx>)
from the Clean Energy Regulator

Mandatory terms to be included in a carbon abatement interest agreement

A draft agreement is available for the registration of a carbon abatement interest and contains the mandatory clauses that we require to protect the state's interest, which includes indemnity and insurance. For a copy of the draft agreement contact SLAMlodgement@resources.qld.gov.au (<mailto:SLAMlodgement@resources.qld.gov.au>)

Lodging your application

You can lodge your application in person at your nearest business centre (https://www.resources.qld.gov.au/?contact=state_land), by emailing to SLAMlodgement@resources.qld.gov.au (<mailto:SLAMlodgement@resources.qld.gov.au>) or by posting it to Department of Resources, PO Box 5318, Townsville QLD 4810.

Payment options are cash (in person only), EFTPOS (in person at some centres only), cheque (in person or by post), or credit card.

Cheques should be made out to the 'Department of Resources' and marked 'not negotiable'.

Credit card payments are accepted in person or over the phone.

We will send you a receipt once we have established that your application meets all requirements and has been properly made.

How your application is assessed

We will assess your application against legislative requirements and our own policies, procedures and guidelines.

For example, we will:

- seek the views of relevant stakeholders (e.g. other state government agencies and local government authorities) to determine whether the proposal will have an impact on their interest in or near the subject land
- consider native title, other state interests and whether or not the land is prime agricultural land
- ensure that all outstanding rent or instalments and any penalties on the lease are paid.

We will consider whether the land will, or is likely to, be used or dealt with in a way that is inconsistent with the proposed carbon abatement interest.

We may also consult with the chief executive, Department of Agriculture and Fisheries (DAF), about the possible impact of the project on proposals to deal with, or contracts involving, state-owned forest products e.g. native trees/native forest areas.

Read about DAF's involvement in Emissions Reduction Fund Projects (<https://publications.qld.gov.au/dataset/state-native-forestry/resource/ddc69be9-ed98-498f-bf7b-3a288c91d0eb>).

What happens next?

When we have investigated all issues, we will write to you with our decision.

Related information

- Read about vegetation management (<https://www.qld.gov.au/environment/land/management/vegetation>).
- Learn more about climate change mitigation in Queensland (<https://www.qld.gov.au/environment/climate/climate-change>).
- Read more about the benefits from carbon credits (<https://www.qld.gov.au/environment/plants-animals/habitats/regrowth/regrowth-carbon-credits>).
- Refer to the information about the Emissions Reduction Fund (<http://www.cleanenergyregulator.gov.au/ERF>).
- Use the regrowth benefits tool (<https://www.qld.gov.au/environment/plants-animals/habitats/regrowth/regrowth-mapping>) and supporting user guide (<https://www.qld.gov.au/environment/plants-animals/habitats/regrowth/regrowth-help>) to obtain information about particular sites and their suitability for regrowing or maintaining native forest.

Contact

For more information, including advice on how to fill out application forms, contact your nearest business centre (<https://www.resources.qld.gov.au/contact-us#state-land>) or call 13 QGOV (13 74 68).

Copyright (<https://www.qld.gov.au/legal/copyright>)

Disclaimer (<https://www.qld.gov.au/legal/disclaimer>)

Privacy (<https://www.qld.gov.au/legal/privacy>)

Right to information (<https://www.qld.gov.au/about/rights-accountability/right-to-information>)

© The State of Queensland 1995–2023