



NATIONAL TRUST



Submission from members of the Private Land Conservation Partners Network (the Network) 20 May 2011: To the Caring for our Country Mid Term Review

PURPOSE

To provide the Review with:

1. an overview of the Private Land Conservation Partners Network (the Network) and the benefits they bring to delivering tangible and sustainable conservation outcomes.
2. the Network's challenges working with the Caring for our Country Program
3. a summary of recommendations (**Attachment A**) that could significantly enhance private investment and 'buy-in' for long-term conservation outcomes through enhanced Australian Government leadership.

BACKGROUND

Over the last twelve years, Indigenous communities, Conservation NGOs and Conservation Land Trusts have made a significant contribution to protecting conservation values on private land. These organisations have achieved this with the support from a variety of public and private funding partnerships and the substantial input from generations of landholder knowledge, expertise and passion for looking after their country. The Australian Government funding programs that have particularly assisted this private conservation effort include the long-standing and highly regarded National Reserve System Program and the Indigenous Protected Area Program. In addition to realising in-perpetuity biodiversity outcomes through assisting in strategic expansion of the NRS, the groups represented in this submission also actively contribute to conservation outcomes more broadly across the landscape.

Private and Indigenous lands are critical elements in the protection of Australia's biodiversity. Many of Australia's most threatened and least protected species and ecosystems exist outside of the public land estate and occur in landscapes where multiple pressures cause loss and degradation of remaining habitats.

Building a network of secure conservation reserves across these landscapes that act as the cornerstones for landscape wide conservation initiatives for native habitats is critical for maintaining both Australia's unique biodiversity and for providing many of the ecosystem services that will underpin healthy productive landscapes and communities into the future.

A significant gap exists for cost effective and long term conservation on non-government land. Other than the NRS and Indigenous Protected Area Programs, national instruments to promote leverage of private investment, utilisation of social capital and generations of land management knowledge to address significant conservation gaps on private land - are not well developed.

The Network believes that a much stronger engagement of the private landholder conservation sector is required to address this significant institutional and conservation gap. The array of regional bodies, community groups and NGOs will be important contributors assisting with this challenge. The Indigenous Protected Area Network and the emerging Conservation Land Trusts Alliance are institutional mechanisms directly linked to working with landholders and will be important organisations in addressing sustainable long term conservation outcomes on private land linked to production, healthy people and communities. It is in this context that the Network has agreed to summarise their collective experience with the Caring for our Country Program and to provide some specific recommendations for improving these programs that will better enable leverage of private investment and engagement in conservation programs.

1. THE PRIVATE LAND CONSERVATION PARTNERS NETWORK

For the purposes of this submission the Network is represented by:

- *Conservation NGOs with land management responsibilities*: Bush Heritage Australia.
- *Conservation Land Trusts Alliance*: represented by the Nature Foundation SA, Nature Trust of Western Australia, New South Wales Nature Conservation Trust, Queensland Trust for Nature, Tasmanian Land Conservancy, The Nature Conservancy – Australia Program and the Trust for Nature Victoria.

The Network does not represent the interests of Traditional Owners managing Indigenous Protected Areas. However we respect and support Indigenous land owner's aspirations to manage their land for cultural and environmental conservation.

1.1 The Benefits the Network Brings to Caring for our Country Programs

The private land conservation network provides a direct mechanism for the Government to achieve measurable and cost effective conservation outcomes by leveraging large-scale philanthropic funding and expertise. All of the organisations represented in this submission commit available resources to strategic growth of the National Reserve System, contributing to meeting the targets adopted by governments through the NRS 2030 Strategy, in addition to carrying out ongoing land management and capacity building for the private landowner managers of private reserves.

In dollar terms the leverage capacity of the Network is remarkable and contributes through:

- significant fund raising for protected area purchase, establishment and in perpetuity management
- significant community volunteer effort
- marketing and communicating to supporters and the general public about the importance and value of Australian Government programs that protect natural areas and species.

Attachment B provides some examples illustrating where Bush Heritage Australia, Tasmanian Land Conservancy, The Nature Conservancy and the Trust for Nature (Victoria) have leveraged private funding to support Caring for our Country outcomes.

1.2 Why the Network engages with the NRS and IPA Programs

- The NRS policy framework provides a sound and compelling basis for leveraging philanthropic investment. Philanthropic donors can engage with these programs with confidence that their funds are going to contribute to in-perpetuity outcomes backed by strong public policy investment.
- Protected areas are the cornerstone of biodiversity conservation efforts. They are long-lasting, secure and deliver tangible conservation outcomes. National Parks and other protected areas also receive high levels of support in the community. As such all Australian Governments are committed to expanding the reserve system to ensure it represents important samples of the nation's biodiversity. The Australian Government's National Reserve System Program provides global leadership in providing significant stimulus to leverage increased funds from state government and philanthropic sources to expand the system.
- Recent research shows that highly protected areas, including many privately protected areas, are statistically significantly associated with stabilising or improving trends of nationally threatened species (Taylor et al 2011. What works for threatened species recovery? An empirical evaluation for Australia. *Biodivers Conserv* 20:767-777)
- The Network recognises that a strength of the NRS is the strong scientific underpinning for prioritising the establishment of new protected areas through the Bioregionalisation framework and more detailed bioregional plans. Again, Australia has been at the forefront of this approach and is regarded as a global leader, with the nationally agreed Bioregional framework and reservation targets providing a transparent and targeted approach to reserve expansion. As such, the 'conservation return on investment' and levels of confidence in investments made by philanthropic donors is high.
- The Network strongly supports the Australian Governments' leadership with the National Reserve System Program and applauds its solid financial support for the raft of innovative funding partnerships developed for NRS acquisitions.
- The Australian Government has shown considerable leadership in coordinating the development of the NRS Strategy, agreed to by the NRM Ministerial Council in 2009. The Network notes that the Strategy promotes landscape scale conservation through partnerships with private landholders. The various long standing Protected Areas on Private Lands Programs have been pioneering in this area. Recent financial support for the creation of the national Conservation Land Trust Alliance is an important key investment in building the capacity of the organisations and programs that interface with owners and managers of private land protected areas. Engaging, supporting and developing the capacity of the private land owner sector to establish and maintain protected areas in the NRS should be viewed as a critical strategic goal within the Governments Caring for our Country Program in addition to and distinct from the general landowner engagement through NRM programs.

2. CHALLENGES EXPERIENCED BY THE NETWORK WITH CARING FOR OUR COUNTRY

The key issues of concern to the Network are:

- 2.1 Commitment to NRS and IPA as core programs
- 2.2 NRS administration and project selection processes
- 2.3 Bioregional selection policies of the NRS
- 2.4 Ongoing management of NRS properties
- 2.5 Consistency and integration between NRS and other CFOC areas
- 2.6 Inconsistent treatment of NRM regional bodies and key partner NGOs

2.7 General issues

2.1 Commitment to NRS as a core program

The Network believe that the NRS is a highly successful and significant long term program that, as described above, is particularly successful at working in partnership with the NGO sector and leveraging non government and philanthropic funding into shared national policy objectives. The NRS is a world leading program and should be considered a centrepiece of any national conservation strategy. The approach has the full support of our collective organisations and the tens of thousands of Australians that contribute financially to NRS conservation outcomes every year.

Recommendation 1: *That Government fund the NRS and IPA programs at a level appropriate to the central role and financial need for such enduring high leverage, high effectiveness conservation investments. The Network recommends continued and long term core funding commitment to the NRS and IPA programs many times the current funding levels.*

2.2 NRS administration and project selection processes

In general, the competitive approach adopted for Caring for our Country has **not** been conducive to partnership models between government, funding partners and with Indigenous communities, nor has it worked as well as could be hoped for elements of the land acquisition programs.

In particular timeframes for submission of property purchase proposals and funding cycles dictated by Caring for our Country are not conducive to acquiring properties on the open market:

- ***Single Date Application Process:*** The requirement for all NRS applications to be lodged by one date only, and lengthy delays before applications are approved, increases significantly the chance that the land purchase projects will fail.
- ***Single year funding cycles for projects:*** The transaction times and costs of the single year funding cycles are untenable and appear to be unworkable for the Department. Timeframes based around annual cycles are insensitive to market forces and generate conflict between partners and the Department. A greater commitment to multiyear projects would build mutual capacity for delivering higher quality outcomes that might be better integrated with other priorities in Caring for our Country. This arrangement is doubly concerning since at the announcement of the current funding arrangement for the National Reserve System program in March 2008, Minister Peter Garrett said:
“Importantly we will make changes to overcome some of the failings of the original National Reserve System program – instituting a three year funding cycle so we don’t have to overlook important properties that can’t be purchased and paid for within one financial year. “
- ***Slow Approval Times:*** Slow approval timeframes are a particular problem for property acquisition projects as sellers of high quality properties are not usually prepared to wait for the ‘next call for applications’ or to wait 8-10 months before a contract can be signed or finance can be confirmed.
- ***Insensitivities to Market Forces:*** These time delays often cause other related challenges. For example, the mood of the market and land values can change significantly during the time of the delay – such as has just been experienced following drought-breaking rains.
- ***Credibility and Morale of Applicants:*** If the purchase fails, as is a high risk with current administrative processes and time delays, it wastes precious time and resources for both the applicant and the NRS team and adversely affect the credibility and morale of the applicant.

- *Caring for our Country taking some lessons from NHT*: Compared with the administration of the previous Government's Natural Heritage Trust, the Caring for our Country Program is significantly more cumbersome and complex administratively – thereby increasing the risks of project failure as outlined above.

Recommendation 2: Consideration be given to de-coupling the NRS and IPA components of the Caring for our Country Program from the 'one-size-fits-all' approach to Caring for our Country administration - in order that:

- *the NRS and IPA teams are provided a higher degree of process design latitude to develop grant processes that better reflect the nature of the NRS/IPA acquisition/administration of projects. For example the NRS team should return to having open submission dates for land purchase applications that could be assessed in accordance with the current strict NRS criteria and the ability to commit the entire five year budget at any time should need arises. Other programs like Working on Country have been able to commit their entire five year forward budget to contracts within the first two years of CFOC. The NRS program should also have been able to do that.*
- *NRS and IPA procedures and timeframes not being bound to the investment cycles and timeframes for the broader Caring for our Country investments. This will allow the NRS and IPA to work with partners in more realistic timeframes – consistent with market pressures and realities.*
- *delays in assessing and approving land purchase applications is reduced*
- *time saved and partner resources and morale maintained through a staged approvals process where an initial expression of interest is lodged, followed by a more detailed application.*

2.3 Bioregional selection policies of NRS

Bioregional Criteria for NRS proposals: The Network supports the scientific rigour of the NRS. However, the emphasis on selection of projects for the acquisition of properties in bioregions with less than 10% representation in the NRS:

- a) excludes important opportunities to achieve the national objective of a 'comprehensive, adequate and representative' reserve system for all ecosystems in all bioregions. While many bioregions have reservation levels over 10% many ecosystems within these bioregions have little to no reservation and could be highly threatened; and
- b) reduces the chances of protecting extensive areas with good connectivity and greater resilience, and where both latitudinal and altitudinal gradients are included. This will be critical if we are to manage the impacts of climate change.

Recommendation 3: Prioritise both under-represented bioregions and under-represented ecosystems within bioregions for future reserve expansion in line with national policy for achieving a 'comprehensive, adequate and representative' reserve system. Further, consideration should be given to broadening the criteria for targeting NRS and IPA proposals that build connectivity with other protected areas and help build corridors (particularly in fragmented landscapes) and that the 10% criteria be given less weight or waived in such circumstances. Also that the purchase of regional clusters of properties be encouraged by allowing the approval of funding for the first property to be accompanied by the provisional approval of funding for other

properties in the proposed cluster, the purchase of which would follow over the next few years.

2.4 Ongoing management of NRS properties

The need for some assistance in Management funds: The long term success of the NRS is dependent on the protected areas being well managed. The costs of this stewardship are on-going and borne by the land owner. The structure of Caring for our Country means the owners of NRS properties have great difficulty in getting government support to assist in stewardship work.

Recommendation 4: *That individual, community and NGO owners of NRS lands be provided with opportunities to seek assistance with high priority stewardship activities on their lands.*

Recommendation 5: *That consideration be given to setting aside a certain portion of Caring for our Country funds (such as is the base-funding for NRM regional groups) for the owners of NRS properties to help supplement the philanthropic funds raised for stewardship.*

2.5 Consistency and integration between NRS and other Caring for our Country areas

Sub Program Silos: The Network observes that there is seemingly little integrated planning between the suite of Caring for our Country sub programs and priorities. This results in a loss of opportunity for Australian Government leadership in leveraging bioregional NRS targets and whole of landscape outcomes using the suite of Caring for our Country tools.

Inconsistent approaches to incentives: This is apparent, for example, for the various programs and projects funded from different areas of Caring for our Country which involve conservation covenants. Incentives for covenants are offered by some programs funded by Caring for our Country but generally not in covenanting programs supported through the NRS. This is inconsistent and is resulting in NRS partner organisations seeking opportunities in Caring for our Country other than the NRS to support landscape-scale covenanting programs, even though those projects often contribute directly to NRS targets

Mixed messages on the role of the NRS: The Network believes that the NRS plays a central role in large areas by providing core protected areas buffered and linked by sustainable use and conservation management on many tenures. The Department seems to provide inconsistent advice about the prominence of the NRS in whole of Landscape and Corridor outcomes.

Threatened Species: The Network also notes that there is a lack of explicit funding streams for threatened species.

Recommendation 6: *That better integration be sought across Caring for our Country to ensure that NRS outcomes are consistently and explicitly identified in other projects that use long term private land conservation mechanisms such as conservation covenants. Ideally, all proposed covenanting investments would be channelled through the NRS program.*

Recommendation 7: *That improved consistency in approach is developed across various parts of Caring for our Country for example in the use of incentives for covenants.*

2.6 Inconsistent treatment of NRM regional bodies and key partner NGOs

Potential of NGOs not fully realised: Although there is base administrative funding for NRM regional organisations, there is a comparative lack of such base administrative assistance to key NGO partners of the NRS. This undermines the full potential of the NGO conservation sector to partner productively with government and deliver the maximum leverage by ensuring the partners have maximum capacity to source philanthropic matching funds.

Perverse Funding outcomes: Base funding for NRM regions is designed to fund their role in delivering regional NRM strategy functions. However, NRM regional bodies often also seek further project funding in the competitive components of Caring for our Country. As a result of NRM regional bodies' generous base administrative funding, these organisations have an unfair advantage over all other organisations in the competitive components. Approximately 80% of Caring for our Country funding has been awarded to NRM regional bodies. This has the effect of starving the NRS partner sector of resources and reduces its potential and capacity. NRS partners deliver a lot more leverage than the NRM sector, but could deliver even more if they, like the NRM sector, could tap base CFOC funding.

NGO and NRM Body Equity: Key community based conservation organisations and key NGO partners of government (which are particularly apparent in the NRS and IPA programs) should be treated on an equal basis with the NRM bodies.

Recommendation 8: *Extension of base funding assistance beyond the NRM sector to the NRS NGO partner sector to ensure that both NRM and NRS partner sectors are placed on an equitable footing to bid for the competitive funding element of CFOC*

Recommendation 9: *Cap the percentage of total program funds that can be delivered to NRM agencies in combined base and competitive funding at say 40-50% of the total Caring for our Country budget.*

2.7 General Issues

Other general issues of concern to the Network include:

- ***Strategic NRS/IPA projects:*** Pressure is mounting from Indigenous Protected Area proponents to access NRS purchase grants. Current program guidelines inhibit combined NRS/IPA projects to be developed. Those that are emerging are fraught with complexities and require considerable work to justify 'one-off' rule changes. There does not appear to be any standard approaches that will allow for these sorts of innovations. Similarly projects where income may be generated on land purchased by the NRS through compatible uses (such as a carbon farming or eco-tourism) do not fit normal guidelines. The Network believes there are many innovative models that could be explored if guidelines were more flexible and NRS/IPA team members were given time to engage with partners on such ideas.
- ***Policy development:*** The network would be very keen to engage with the Department to assist with innovative policy development opportunities around the NRS and the IPA program (illustrated above) and feel frustrated that the highly capable NRS and IPA teams are unavailable largely to engage because of the cumbersome administrative responsibilities they have as a result of the reorganisation attending Caring for Our Country. There is strong interest from private partners to engage with the Department to explore ways in which private investment may enhance public policy and programs such as the NRS and IPA programs. A formal vehicle needs to be set up for the Network to productively engage with NRS/IPA program policy.
- ***Development of policies to support private individuals who own private conservation areas:*** Government spending on the environment has declined precipitously since 1997-8 and, in view of the need to re-build infrastructure following the Queensland

floods and implement greenhouse pollution measures, this situation is unlikely to change in the near future.

	1997-98	2011-12
NHT/CFOC	~\$400 million	~\$200 million
Total Government revenue	~\$140 billion	~\$303 billion
NHT/CFOC spend as a % of revenue	~0.28%	~0.06%

Many Australians, whether dwelling in metropolitan, coastal or regional areas, have a strong attachment to Australian native fauna and flora. These individuals provide a significant, largely untapped opportunity, to complete the NRS, particularly in critically under-reserved bioregions such as Brigalow Belt South (~2.91% managed for conservation), Nandewar (~2.07%) and South Western Slopes (~2.28%).

However, this opportunity will not be fulfilled unless they are provided with stable and secure financial incentives, particularly in relation to the cost of purchase and maintenance of properties which are, by their very nature, non-income producing.

Accordingly, a critical need is to develop policies, particularly tax deductibility, for private individuals who provide conservation services. Non government organisations which provide conservation services already enjoy many of these advantages and it appears unreasonable that they not be extended to individuals who provide the same service. Policy change to extend advantages to private individuals should include amendment of the Tax Acts to:

1. Allow the cost of conservation management activities of land secured under a perpetual conservation covenant to be offset against off-farm/off-land income;
2. Exempt land secured by a perpetual conservation covenant from GST on future sale or purchase;
3. Exempt land purchased for nature conservation from GST on the undertaking of the purchaser to secure the conservation values of the land under a perpetual covenant within (say) 2 years of the date of purchase.

The Network is very keen to work with Government officials to develop sound policy to incentivize large-scale private investment in nature conservation in Australia.

- ***Indigenous Protected Areas Policy***: There is a good opportunity in the Department to market and promote the significant benefits that the IPA program is having on communities. The Network believes the modest funding contributions made by Government (and the funds leveraged by the TNC and BHA) provide foundational support to many remote Indigenous communities in meeting their aspirations for looking after country and strengthening their culture. This work needs to be recognised and celebrated as a major cross-portfolio success for the Government's Closing the Gap initiative. Programs such as the IPA program and Working on Country Program need to be brought more closely together in the Department and

with the Department of Family, Community Services, and Indigenous Affairs (FaCHSIA) and core Closing the Gap funding needs to be found to support these programs on an ongoing basis. There are also opportunities to improve coordination between the NRS and Commonwealth Environmental Water Holder for innovative land and water conservation outcomes. The Network would like to engage with the Government in promoting a whole-of-Government approach to developing policy in this area.

Recommendation 10: *That a new formula be determined for how the NRS and IPA programs may be administered to take advantage of innovations and different types of partnership opportunities. For example it may be appropriate to allocate 30-40% of the budget for strategic and innovative projects while 60-70% of funds are used for traditional land purchases that assist in meeting the bioregional targets.*

Recommendation 11: *Establish a forum involving key private partners and Government officials to discuss private/public investment opportunities in supporting NRS and IPA outcomes – aimed at establishing innovative ways in which the private sector may increase and influence its engagement on key policy and funding partnership possibilities.*

Recommendation 12: *That the Government and partners work to develop policies to incentivize private individuals to manage NRS land by providing stable and secure financial incentives, including tax deductibility, for the cost of purchase and maintenance of properties which are.*

Recommendation 13: *Host a forum of key private partners (already investing in IPAs) and key Australian Government officials to explore strategic ways in which the IPA and Working on Country Programs might be better integrated and enhanced to meet community aspirations. Similarly the private sector would be looking for strategic ways in which it might invest and support these initiatives, helping to support sustainable financing options where this is possible.*

SUMMARY OF RECOMMENDATIONS

2.1 Commitment to NRS as a core program

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ATTACHMENT B

Examples of Leveraged Private Funding Supporting Caring for our Country Outcomes.

The tables below highlight the leverage that Bush Heritage Australia, Tasmanian Land Conservancy, The Nature Conservancy and the Victorian Trust For Nature have generated – supporting Caring for our Country outcomes.

Bush Heritage Australia NRS funding and funds leveraged for the purchase and immediate management 2007-2011*

	2007-2008	2008-2009	2009-2010	2010-present	Total
Funding from Federal Govt	\$2,328,000#	\$3,417,334	_____	_____	\$5,745,334
Funding from other sources	\$3,672,000	\$3,242,000	_____	_____	\$6,914,000
Hectares protected	44 828	224 800	_____	_____	269 628
% leverage	157%	95%			120%

* Please note that the leveraged funds increase with every year a property is owned and managed.

\$43,500 of these funds – for the purchase of Yourka - came from the now completed Biodiversity Hotspots program.

Tasmanian Land Conservancy funding and protection from June 2007 – present.

	2007-2008	2008-2009	2009-2010	2010-present	Total
Funding from Federal Govt	\$1,940,130	\$1,359,682	\$1,079,376	\$445,511	\$4,824,699
Funding from other sources	\$433,208	\$947,345	\$976,703	\$6,381,054	\$8,738,310
Hectares protected	2018	11664	4194	27000	44876
% leverage	22%	70%	90%	1432%	181%

The Nature Conservancy since 2002/03 has committed:

*Funding for land acquisitions & management contributing to National Reserve System outcomes	\$21.5 million
support for the development and management of Indigenous Protected Areas	\$ 4.8 million
Funding for other projects, including landscape-scale conservation projects, research and capacity building	\$6.2 million

- *There have been 11 land acquisitions totalling 4.8 million hectares where the TNC contribution in addition to the Australian Government contribution has resulted in more than 87% of the property acquisition price, not counting the contribution to in-perpetuity management of the new protected areas.
- Since 2007/08 – TNC has invested a total of \$19.4 million in conservation projects in Australia.

Trust For Nature (Victoria): has contributed to the NRS in two main ways: through the direct acquisition of properties and through conservation covenants.

Trust for Nature owns 52 properties covering approximately 43,000 hectares. 10 of these properties covering 32,992 ha have been purchased with the assistance of funding from the Federal Government. Trust for Nature has at least a further 28,900 hectares under conservation covenant across Victoria that meets NRS criteria.

TfN NRS funding and funds leveraged for purchase since 1998

Hectares	Purchase price	NRS contribution (\$\$000)	Funding from other sources	% leverage
32990.51	4,847,675.55	1,990,923.5	2,820,085.30	58.17