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Australian Government Land and Coasts  
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Wednesday 15 August, 2012

**Re: Comments on the Caring for our Country Consultation Discussion Paper “Protecting and conserving nationally significant species, ecosystems and biodiversity in the next phase of Caring for our Country”**

To the Caring for our Country Program Design Team,

The Australian Land Conservation Alliance (ALCA) was formed in 2011 to establish a formal network of organisations working towards implementation of the National Reserve System (NRS) through private land conservation. A key driver behind ALCA’s formation was recognition of the fact that private land conservation efforts in Australia appear fragmented across states and lack synergy. ALCA believes that more work needs to be done to develop a consistency of approach to promote, explain and execute conservation programs on private lands. Acting as a national voice for private land conservation, ALCA currently represents the NSW Nature Conservation Trust, The Nature Conservancy (Australia), the Queensland Trust for Nature, the Nature Foundation SA, the Tasmanian Land Conservancy, the Trust for Nature Victoria and the National Trust of Australia (WA), together representing private landholders already responsible for protecting up to 200,000 hectares across Australia.

ALCA would like to congratulate the Australian Government on securing funding and support for the next phase of the Caring for our Country program. The Alliance ardently supports the ongoing inclusion of the National Reserve System within Caring for our Country as a crucial part of the program, particularly acknowledging its strengths as a national approach to conservation and its role in building and sustaining partnerships across states and at multiple levels ranging from local to regional and national. Recognising the important areas within the program that require improvement, ALCA wishes to thank the Program Design Team for the opportunity to comment on the next phase of Caring for our Country.

ALCA stresses the need for the next phase of the Caring for our Country program to further support the private land conservation sector and its important contribution to the permanent protection and conservation of nationally significant species, ecosystems and biodiversity. In particular, the Alliance wishes to voice the following:

1. Permanent protection is an integral part of the mix of approaches that Caring for our Country should support;
2. Post-protection management services are essential for securing conservation agreements in the longer term;
3. Revolving funds are an important and effective mechanism for permanent protection of private land and should be supported by Caring for our Country.
4. There is a need for increased transparency of Caring for our Country delivery activities, monitoring and evaluation;
5. Caring for our Country should provide for undertaking negotiated agreements with state-wide service delivery bodies; and
6. A devolved funding process would make Caring for our Country more accessible to landowners with permanently protected land who are participating in private land conservation activities.

Each of the key points relevant to the Biodiversity discussion paper is discussed in Attachment A. A summary table is provided to link these discussion points to the questions listed in the Caring for our Country discussion paper (Attachment B).

ALCA would like to extend an offer to assist government officials in the design of the Caring for our Country program to help ensure that private land conservation activities make their greatest possible contribution to Caring for our Country objectives.

Should you require further clarification on this submission, please contact Stephen van der Mark or Mat Hardy (contact details on the attached cover sheet).

Yours sincerely,

A handwritten signature in black ink, appearing to read "S van der Mark", is written over a horizontal line.

Stephen van der Mark  
Chief Executive Officer  
Australian Land Conservation Alliance

## Attachment A – Submission discussion points

### 1 Permanent protection is an integral part of the mix of approaches that should be supported by Caring for our Country

#### 1.1 The importance of the National Reserve System

The Alliance ardently supports the ongoing inclusion of the National Reserve System within Caring for our Country as a crucial part of program, specifically acknowledging its strengths as a national approach to conservation and its role in building partnerships across states and at multiple levels ranging from local to regional and national. Its unique national approach is particularly important in the face of changing and emerging land use pressures, not just around peri-urban areas but also in regional and rural areas. The Alliance believes that the NRS, given previous government investments in the program, should be continued and sustained as a cornerstone for conservation efforts across the public-private conservation estate.

#### 1.2 The importance of long-term goals

Government environmental funding programs should be, and should be seen as, investments in long term environmental outcomes. This means that the programs should have explicitly stated long term goals which should be accompanied by explanations/rationales of how the program design and proposed funding activities/streams support or lead to long term outcomes. The review should take into account international trends in this regard. The long term nature of the outcomes should be clearly expressed so that the time horizon is able to be understood by the community and is not ambiguous in its intent. Given the wide variety of conservation mechanisms in practice, we suggest the development of an unambiguous classification system that sets clear conservation outcomes for each category of mechanism (e.g. covenants and other permanent protection >99 years, long-term, bio-banking and offset schemes >30 years, vegetation management plans >10 years etc.).

#### 1.3 The importance of designing for long-term goals

Long term goals, and their outcomes, are hard to achieve due to the unknown impact of foreseen and unforeseen future variables - as the time horizons for goals lengthen so does the uncertainty of their realisation increase. The challenge of designing programs which by necessity fund present actions to achieve present and future long term outcomes is understood. Program design for the long term should take into account:

- the uncertainty of long term outcomes and the associated risk of loss of investment and value
- established practices and disciplines (in other fields of work) for managing uncertainty and risk in programs with long term horizons
- the role of securing investments and assets both legally and operationally (e.g. via post-protection management services)
- important insights from other disciplines (in government) that provision for the future from current budgets (e.g. superannuation)

#### 1.4 The importance of security in minimising investment risk

Program design should consider the importance of securing the present investment of public money in long term outcomes. At the moment, there are no clearly articulated targets for permanent protection either in terms of hectares or the percentage of the money invested. The Environmental Stewardship Program of Caring for our Country which has distributed significant funds, relies largely on short term common law agreements to set out the management responsibilities of landholder recipients. The Review of the Environmental Stewardship Program, by Marsden Jacob Associates 2010, commissioned by SEWPAC found that the vast majority of agreements under the Environmental Stewardship Program were secured for between 10 and 15 years. Over 80 per cent of the area was secured for 15 years, 13 per cent secured for ten years, and less than 5 per cent for nine years or less.<sup>1</sup> Whilst within this program the conservation covenant is an option for landowners, there is no permanency requirement/outcome for the investment of significant sums of money. This point has also been raised in the recent Senate Estimates Committee hearings into tracking the long-term security of projects under the Biodiversity Fund investment.<sup>2</sup> This issue needs to be addressed in the design of the next phase of Caring for our Country.

Through its role in increasing the permanently-protected conservation estate, private land conservation is a crucial part of minimising long-term investment risk. Indeed one of the key findings of the Marsden Jacobs review of the Environmental

<sup>1</sup> Binney, J., Whiteoak, K. and G. Tunny, 2010. *Review of the Environmental Stewardship Program*. Marsden Jacobs Associates. p43

<sup>2</sup> Commonwealth of Australia. Senate Budget Estimates, 22 May 2012. *Senate Standing Committee on Environment and Communications (Official Hansard p122)*. Retrieved from: [http://parlinfo.aph.gov.au/parlInfo/download/committees/estimate/02e0a1cc-959c-402d-8a0a-00fa1594fb37/toc\\_pdf/Environment%20and%20Communications%20Legislation%20Committee\\_2012\\_05\\_22\\_1091\\_Official.pdf](http://parlinfo.aph.gov.au/parlInfo/download/committees/estimate/02e0a1cc-959c-402d-8a0a-00fa1594fb37/toc_pdf/Environment%20and%20Communications%20Legislation%20Committee_2012_05_22_1091_Official.pdf)

Stewardship Program was that “*covenants provide a tested and robust means to secure protection of ecological assets in perpetuity*”,<sup>3</sup> and furthermore, “*that the extent of area placed under covenant following the program might be a useful indicator of improvements over the long term.*”<sup>4</sup> This report not only highlights the low-risk nature of covenants but also their potential as a measure of secure, long-term conservation outcomes and ultimately, program success.

### **1.5 The importance of diversification in minimising risk and achieving long-term goals**

The outline for the next phase of Caring for our Country states that “*a mix of investment approaches will be effective in achieving a diverse range of delivery partners and projects.*”<sup>5</sup> Noting the importance of a mix of investment approaches, the Alliance stresses that as for any long-term investment, the primary design goal of Caring for our Country should be to diversify its activities in a way that spreads and minimises overall risk. Activities that provide short-term returns should be part of the mix of Caring for our Country investment approach, and so should low risk activities that provide long-term security, as a central part of the overall investment strategy. In the case of achieving Caring for our Country’s long-term goals, permanent protection provides the lowest risk and greatest security of investment, and should therefore be a central focus of the overall investment strategy. Any higher costs for lower risk should be accepted.

The program should allocate the percentages of the funds to short / long-term / secured / unsecured activities and outcomes at the design stage. This would guide diversification. This approach would also help to align the new Caring for our Country objective of “Protection of our conservation estate” with the findings of the Caring for our Country review report, which states that “*activity needs to focus on ensuring the government’s investment is consistent with meeting agreed targets, and providing the highest possible protection for the best value land that is available.*”<sup>6</sup>

### **1.6 The importance of defining protection**

The Alliance suggests that central to achieving the Caring for our Country objective of “Protection of our conservation estate” is clarifying upfront what is meant by “protection.” In the Australian private land conservation sector, permanent protection is used to describe “secure, binding, in-perpetuity legal protection of native vegetation, biodiversity, terrestrial, aquatic and marine ecosystems, or native habitat, for the specific purpose of biodiversity conservation.” We suggest that the concept of permanent protection could be further qualified in the next phase of Caring for our Country by requiring permanent protection to be focussed on “increasing the permanence, area and connectivity of the conservation estate for the purpose of biodiversity conservation and improving resilience to climate change.” The focus here is on long-term security of the conservation estate – ensuring that what is conserved today, will continue to exist into the future.

### **1.7 The importance of permanent protection to both Caring for our Country and the Biodiversity Fund**

At present, permanent protection of existing native vegetation and habitat is an important focus of Caring for our Country, which is not directly addressed within the Biodiversity Fund. In the interests of long-term conservation outcomes, it is important to recognise that permanent protection should be a guiding principle of both.

### **1.8 The importance of permanent protection to the National Wildlife Corridors Plan**

Caring for our Country is an important vehicle for permanently securing private lands for the development of wildlife corridors under the National Wildlife Corridors Plan. However, Caring for our Country is equally important for permanently securing high conservation value land outside the priority areas identified in the National Wildlife Corridors Plan. Without a reasonable share of Caring for our Country funding allocated to permanent protection of land outside of the focus corridors, the health and resilience of important ecosystems is at risk. As for Caring for our Country and the Biodiversity Fund, permanent protection should be a guiding principle of the National Wildlife Corridors as well.

## **2 Post-protection (stewardship) management services are essential for securing conservation agreements into the longer term**

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<sup>3</sup> Binney, J., Whiteoak, K. and G. Tunny, 2010. *Review of the Environmental Stewardship Program*. Marsden Jacobs Associates. p30

<sup>4</sup> *Ibid.* p52

<sup>5</sup> Australian Government, 2012. *Caring for our Country: An outline for the future 2013-18*. Commonwealth of Australia, Canberra p15

<sup>6</sup> Australian Government Land and Coasts Caring for our Country Review Team, 2012. *Report on the Review of the Caring for our Country Initiative, April 2012*. Commonwealth of Australia, Canberra. p21.

## **2.1 The importance of post-protection services**

After securing a conservation agreement on private land, post-protection services ensure that the land retains its high conservation value. Post-protection services typically include management plans, stewardship visits, technical support, monitoring and reporting, which all work to manage private lands for the conservation of biodiversity. Given the important role of private land conservation in the protection of Australia's conservation estate, and equally its role in maintaining ecosystem services into the future, these post-protection services on private lands are a key part of delivering on the new Caring for our Country objectives. Moreover, post-protection services work to minimise the risk on investment – proper management ensures that high conservation values are retained into the future.

## **2.2 The importance of adequate funding for post-protection services**

Importantly, whilst securing private lands through covenants does receive government funding support in most states, post-protection services are not currently funded in a consistent way. Currently the ongoing costs of management are borne by the landowner, putting the permanence and sustainability of these activities and thus government conservation targets at risk. In addition, the long-term success of the Caring for our Country program depends on good and effective management of these protected private lands. Without it, protected lands risk becoming a liability for the government. Moreover, soliciting long-term protection of private lands through Caring for our Country, without supporting long-term post-protection stewardship services, is a liability to program success. As such, the Alliance contends that Caring for our Country should not solicit perpetual commitments from landholders without a genuine government commitment to provide support for stewardship, monitoring and enforcement over the long term.

Private landholders that commit to conservation deliver a public good and should not unfairly bear the cost of post-protection services. The Alliance maintains that the obligations for post-protection management services on private lands are mutual and should be considered as a partnership – between government and the private land conservation sector (conservation organisations and private landholders). This is a key area where Caring for our Country investment can promote partnerships and support landowner efforts to protect nationally significant species, ecosystems and biodiversity. Indeed engaging, supporting and developing the capacity of the private land conservation sector to maintain protected areas should be viewed as a critical strategic goal within the Caring for our Country Program – in addition to and distinct from the general landowner engagement through general NRM activities. By way of partnership with private land conservation organisations, private landowners should be provided with stable and secure financial support for the management of their properties which are not producing income for them but are helping the Caring for our Country program achieve its objectives.

## **2.3 Designing the support mechanism for post-protection services**

Thus in its promotion of protection on private land, Caring for our Country should include support for private landholders to deliver these post-protection services as part of its investment approach. Specifically, ALCA stresses the need for a longer funding timeframe that supports long-lasting capacity development, as well as providing certainty of funding for the private land conservation sector that delivers these post-protection services. The extended timeframe would reduce the burden of yearly administrative cycles, and also spread the high transaction times and costs of the single year funding cycles which are often impractical and unworkable for both the funds recipient and for the department. Thus a key program design challenge is to develop an approach within Caring for our Country (as a short-term funding program) to secure far longer-term conservation outcomes that support these post-protection management services. This approach must be designed with the long-term in mind, and in a way that will work through successive governments.

## **3 Revolving funds are an important and effective mechanism for permanent protection of private land and should be supported by Caring for our Country**

### **3.1 The significance of revolving funds**

Revolving funds are a key market-based instrument in the suite of tools used by private land conservation organisations to purchase and secure private lands for biodiversity conservation into the long term. Well planned and implemented revolving fund programs underpinned by sound governance and business practices have the ability to self-fund permanent protection of biodiversity. Therefore the initial investment in supporting the establishing (in states and territories where revolving funds have not yet been established) and / or augmenting existing revolving fund programs represents excellent value and minimal sovereign risk for the Australian Government. Furthermore, revolving funds have the ability to target land in areas where other conservation tools are not readily available (such as management actions or altruistic covenants). Revolving funds are also vital

in the armoury for landscape scale connectivity such as for wildlife corridors. Revolving funds also often operate in areas that are peri-urban that contain some of the most fragmented and threatened lands requiring biodiversity protection and therefore revolving funds ought be supported as a priority to address these threats.

Even when selling properties at a loss, revolving funds still ensure an addition of high value conservation land to the national conservation estate. For each sale, the national conservation estate is extended (i.e. gain per revolve). Often those losses can be offset against gains (when purchases are made at the bottom of the market) or against the funds management to account for losses. In this way, revolving funds represent excellent value for money with minimal sovereign risk for the Australia Government. Limited and sensitive development of revolving fund properties also provides the opportunity to enhance the monetary investment and encourages innovation (such as by creating conservation connectivity with other protected areas – whether government or private protected areas).

### **3.2 Revolving funds and program design**

Through their role of purchasing and securing private lands with high conservation value for the permanent protection of biodiversity, revolving funds are an important and effective mechanism for achieving the long-term goals of Caring for our Country. Including revolving funds in the program increases the opportunity for the use of a variety of tools to achieve conservation (many of which in isolation do not produce the optimum conservation outcome particularly considering the importance of connectivity in biodiversity conservation). The availability of a suite of tools also encourages innovation and creates a platform of flexibility to encourage landowners to be part of the journey towards enhanced biodiversity conservation.

Revolving fund landowners have a unique relationship with their properties the value of which cannot be overstated. Well supported revolving fund programs deliver excellent conservation outcomes and also strong partnerships between facilitators and stewards of those programs and the landowner. Landowners are provided with detailed management plans articulating the natural values of their land as part of the revolving fund process. That is enormously powerful in engendering stewardship in those landowners who have ultimate responsibility to maintain the biodiversity values of their properties. There is often no better carer for country that a well-informed, empowered and supported landowner of their own private nature reserve.

Through its exclusion of support for and coordination of revolving funds within the program design, Caring for our Country risks losing a valuable, cost-effective and constructive mechanism for increasing the national conservation estate.

## **4 There should be increased transparency of Caring for our Country delivery activities, monitoring and evaluation**

### **4.1 The importance of transparent reporting for program development**

Importantly, transparent monitoring, evaluation and reporting of the Caring for our Country program itself is crucial for knowing if Caring for our Country is investing too much in short-term agreements at the expense of activities that support long-term protection and long-term conservation outcomes. In short, it is important to know how much of the Caring for our Country program funding is directed to long-term vision and conservation outcomes (commensurate with the vision of the Caring for our Country program) relative to that directed to short-term and intermediate agreements. Funding of activities that produce security of investment and long-term conservation outcomes should be a high priority, particularly those that support permanent protection.

### **4.2 The importance of commissioned projects**

The Alliance strongly supports the use of commissioned projects as alternatives to competitive funding where they fit into the overall long-term goals of Caring for our Country and where negotiated agreements are in place. For example:

- The development of a nationally-consistent conservation metric for monitoring, evaluation, reporting and verification of biodiversity conservation, and through it, detailing the extent of permanent, secure, high-conservation value lands. This metric could contain the important measure of quality, extent and permanence of the conservation estate.
- The development of a national conservation information system. This national conservation information system could host a national register of landholders, organisations and the wider community participating in biodiversity conservation, how and where they participate, and the range of private land conservation initiatives they employ. This information could then provide Caring for our Country with a stronger basis for selecting future private landholder projects.

## Attachment B – Related discussion paper questions

**Table 1. Summary table showing relationship between discussion points and Caring for our Country discussion paper questions**

Theme	Discussion question	Related discussion point			
		Permanent protection	Post-protection services	Revolving funds	Transparency
Caring for our Country priorities	What should activities at local and regional scales focus on to protect and conserve nationally significant species, ecosystems and biodiversity?	✓	✓	✓	✓
	What is the role of habitat restoration and revegetation in protecting and conserving nationally significant species, ecosystems and biodiversity?	✓	✓		
	How can Caring for our Country strike the best balance in supporting actions to protect iconic native species and ecosystems, compared with broader actions to enhance the quality, extent and connectivity of biodiverse native habitats and landscapes?	✓	✓	✓	✓
	How can investment in threatened native species and ecosystems focus more on preventative measures to identify and support vulnerable species before they become nationally endangered and listed?	✓	✓	✓	✓
	Which outcome measures would most effectively track our progress in protecting and conserving nationally significant species, ecosystems and biodiversity?	✓	✓		✓
	Would Caring for our Country best complement the Biodiversity Fund by prioritising actions that protect and conserve listed matters of national environmental significance under the EPBC Act?	✓	✓		
	What role should legislative tools such as Conservation Advices, Species Recovery Plans, Threat Abatement Plans and the Threat Abatement Advices proposed under the EPBC Act reforms play in informing Caring for our Country investment decisions?				
Delivery mechanisms	Which investment strategies are likely to be most effective in protecting and conserving nationally significant species, ecosystems and biodiversity?	✓	✓	✓	✓
	Are there alternative investment approaches that could also be effective?	✓	✓	✓	✓
	What types of partnerships are likely to be most effective in protecting and conserving nationally significant species, ecosystems and biodiversity?		✓	✓	✓
	How can these partnerships be encouraged and supported, including through competitive delivery mechanisms?		✓	✓	✓
	How can the community, including Indigenous, local and regional stakeholders, be best engaged in activities to protect and conserve nationally significant species, ecosystems and biodiversity?		✓	✓	✓
Regional planning	What role can regional planning play in addressing matters of national environmental significance such as listed species and ecological communities?		✓	✓	
	What role can regional planning play in promoting landscape-scale approaches to managing species, ecosystems and biodiversity?		✓	✓	
	What opportunities to improve the protection and conservation of nationally significant species, ecosystems and biodiversity could arise as a result of amendments to the EPBC Act to allow regional species recovery and threat abatement planning?				