

information sheet

SUSTAINABLE LAND USES

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Conservation information sheet

Please note: While all care has been taken in the preparation of this information sheet, it is not a substitute for legal advice in individual cases. The content of this information sheet is current as of August 2015.

This information sheet is one of a series on sustainable land uses which have been developed for Local Aboriginal Land Councils (LALCs) by the NSW Aboriginal Land Council (NSWALC). Copies of the information sheet are available from www.alc.org.au or by calling the NSWALC Policy and Research Unit on (02) 9689 4444.

What is conservation?

Conservation is a broad concept which involves scientific, ethical, moral, economic and political perspectives. Generally, conservation means the protection, preservation and careful management of natural resources. To an environmentalist it may mean preserving wilderness; for a forester it may be to produce a sustainable harvest of timber, while to a farmer conservation may mean to apply land management practices that focus on soil conservation.

Aboriginal peoples have unique connections to land and at a local level are holders of specific Traditional Ecological Knowledge accumulated over millennia. The continued use of lands and waters allows people and communities to pass on cultural knowledge and to use and maintain places of cultural value.

Why is conservation important?

There are many threats to the natural resources of the planet. These include habitat loss and degradation, invasive species, over-exploitation of resources and climate change. Successful land conservation requires state agencies, local communities and individuals to adequately protect landscapes, wildlife habitat, cultural and historic sites and parks and recreational areas for present and future generations.

Conservation in Australia

Australia has one of the most diverse ecosystems in the world. As such there is a need to carefully manage important conservation issues such as:

- Managing land clearance;
- Avoiding cultural heritage destruction;
- Controlling invasive weeds;
- Maintaining clean water supplies;
- Preventing soil erosion and salinity intrusion;
- Balancing economic demand for mining and other land development with other land uses; and
- The need to conserve remnant, rural and urban bushland.

The *Environmental Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) is the Australian Government's central piece of environmental legislation. It provides a legal framework to protect important habitats, flora, fauna and heritage places.

The Government has also created *Australia's Biodiversity Conservation Strategy 2010-2030* (the Strategy). The Strategy functions as a policy 'umbrella' over other more specific national frameworks such as:

- National Framework for the Management and Monitoring of Australia's Native Vegetation;
- The Australian Weeds Strategy;
- Australian Pest Animal Strategy; and
- Australia's Strategy for the National Reserve System 2009-2030.

It is also a guiding policy framework for the diverse mix of Commonwealth, state, territory and local government approaches to biodiversity conservation.

What can you do?

Parks and reserves already protect more than five million hectares of NSW land, or around six per cent of the state's area. However, many valuable landscapes and habitats fall on land that is either privately owned or required for public facilities. Therefore, the role of private land managers is important for habitat conservation and protecting threatened species and cultural heritage places.

A landowner can formally dedicate all or part of their land to protect natural and cultural heritage by entering into a conservation agreement. There are a range of programs to support Aboriginal landowners to become involved in land conservation. The two most relevant programs for Aboriginal landowners are the BioBanking Scheme and the Conservation Partners Program (CPP), both of which are described in this information sheet.

BioBanking

BioBanking is a voluntary market-based scheme that provides a simplified biodiversity assessment process for development and an opportunity for rural landowners to generate income by managing land for conservation. The management of land is in perpetuity (forever).

BioBanking enables 'biodiversity credits' to be generated by landowners who commit to enhancing and protecting biodiversity on their land through a BioBanking agreement. The credits can then be sold, generating funds for the management of the site. Credits can be used by the purchaser to offset the impacts on biodiversity that are likely to occur as a result of development elsewhere. The credits generated by a landowner can also be sold to those seeking to invest in conservation outcomes, including philanthropic organisations and government.

The money generated from the sale of the credits is paid to the landowner as both profit and as a source of income to maintain and improve the biodiversity present on their land.

For more information see the information sheet on BioBanking, which is part of this toolkit, or visit: www.environment.nsw.gov.au/biobanking/ and www.alc.org.au

Conservation Partners Program (CPP)

The CPP is run by the Office of Environment and Heritage NSW (OEH) and supports Aboriginal landholders in voluntarily protecting and managing native vegetation, wildlife habitat, geological features, historic heritage and

Aboriginal cultural heritage on their properties. These long-term legal commitments are entered into voluntarily and complement the public national park and reserve system. Landholders can choose from three protection options (shown in the table to the below) which recognise and formalise their commitment to conservation on their properties.

The CPP provides ongoing support to landowners who commit all or part of their properties for conservation. Technical advice begins with the application process and is continued through to developing management schemes and managing activities.

Ongoing monitoring and support includes networking and training opportunities provided to landowners locally and routine property visits.

Land managers have the chance to increase their knowledge and ability to monitor changes on the property. They also have a chance to discuss management strategies with other land managers and learn from their experiences.

There may be tax benefits to landowners who enter into conservation agreements. More information is available at: <https://www.ato.gov.au/non-profit/gifts-and-fundraising/how-supporters-claim-tax-deductions/claiming-conservation-covenant-concessions/> or on request from the Australian Tax Office.

Funding for grants is available through OEH and other bodies and schemes. For more information about your land options visit the CPP website: <http://www.environment.nsw.gov.au/cpp/ConservationPartners.htm> or Phone: 02 995 6768
Email: conservation.partners@environment.nsw.gov.au

The Environmental Defender's Office also has a conservation guide for Aboriginal communities which may be useful (please note that the last update was in 2012 and as such some of the information may be out of date). It is available at: http://www.edonsw.org.au/legal_guides.



Conservation option available through the CPP

Option	Landholders commitment	Benefits for landholder
Conservation Agreement	Permanent legal protection for your property, registered on the property title. This is the highest level of protection, and remains on the land with a change of ownership. Conservation Agreements are in perpetuity, and once entered, are registered as a standard covenant on the land title. These are binding on all current and successive landowners.	<ul style="list-style-type: none"> • The highest degree of protection for your land, and its associated cultural heritage and environmental values, noting that each Conservation Agreement separately defines the manner in which the land it covers is to be used and managed. Landowners negotiate the terms and conditions of the Agreement, and there is a minimum level of protection to which the landowner must adhere to. • Programs to support implementation of management plans • Legal expenses to assist landholders with legal advice • Land rate exemption • Land and income tax concessions • Funding and grants through OEH • Property signage • 'Bush Matters' newsletter • Local networking
Wildlife Refuge	Your land is legally declared a wildlife refuge, though you can change its status when required. The status is noted on the land title as a standard covenant and remains with a change of ownership	<ul style="list-style-type: none"> • A high degree of protection for your land and its associated cultural heritage and environmental values • Management advice and strategies • Biodiversity surveying and assessment assistance • Information on wildlife management • Information about the role of wildlife and native vegetation in sustainable agriculture to control pest species, provide shade and shelter, manage salinity and control wind and water erosion • Local networking • Property signage • Access to education programs and activities
Property Registration	You register your property with the CPP, to be managed for conservation. This is not legally binding and it does not change your property's legal status. Registration ceases when you sell the property.	<ul style="list-style-type: none"> • Protection for your land, and its associated cultural heritage and environmental values • Property visit • Management advice • Property signage • Technical notes and 'Bush Matters' newsletter • Field days • Local networking

Available Grants

Grant	Purpose	Contacts and Information
Various grants under the Environmental Trust	Environmental Trust is an independent statutory body that supports exceptional environmental projects that do not receive funds from the usual government sources.	For information on available grants, go to: http://www.environment.nsw.gov.au/grants/envtrust.htm Phone: (02) 8837 6093 Email: info@environmentaltrust.nsw.gov.au
Aboriginal Land Clean Up and Prevention Program	Grants available for Local Aboriginal Land Councils of between \$5000 - \$50 000 to run programs which combat illegal dumping of waste.	Funded by the Environmental Protection Agency NSW. For further information, see: http://www.epa.nsw.gov.au/wastegrants/alcup.htm Phone: 1300 361 967 Email: illegaldumping.strategy@epa.nsw.gov.au

Call: Policy and Research Unit on (02) 9689 4444

Email: policy@alc.org.au | **Web:** www.alc.org.au



NEW SOUTH WALES
ABORIGINAL LAND COUNCIL