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NSW Office of Environment and Heritage
Conservation Programs Branch
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Submission to the Draft Biodiversity Conservation Investment Strategy 2017-2037

The Natural Resources Commission (the Commission) has prepared this submission in response to the request for comments on the Draft Biodiversity Conservation Investment Strategy 2017-2037. The strategy outlines the priorities and principles for the \$70 per annum the Government has committed for funding private land conservation. The Commission has long supported investment in private land conservation, as critical to achieving landscape scale biodiversity conservation. The strategy is generally well thought-out, evidence-based and outlines the key priorities for the investment. The Commission notes that the strategy is a bit confusing in that it outlines two separate sets of principles, one for “identification of priority investment areas” and one for “investment”. For clarity, the Commission suggests that the second set are labelled criteria.

Do you have any comments on the proposed approach for identifying priority investment areas?

The Commission supports the principles for the identification of priority investment areas. The application of the principles will prioritise the most scarce and threatened landscapes in NSW. While this approach is consistent with the objectives of the *Biodiversity Conservation Act 2016*, there may be instances where the conservation of these landscapes becomes unfeasible. Investment in some landscapes may not align with the investment principles of cost effectiveness and efficiency.

The Commission notes that the proposed method for identification of priority investment areas is ecologically based. While this is appropriate for identifying priority areas for investment, once these are mapped individual investment decisions should consider social factors such as landholder capacity, knowledge, skills, and resources. These factors should be incorporated into investment principle 2 as a means to achieving long-term outcomes.

Principle 4 should be reconsidered. Focusing on areas where high environmental value assets are “under the greatest pressure” is likely to lead to high-risk investments with minimal chance of achieving long-term biodiversity outcomes. The Commission’s view is that it would be inefficient to allocate the limited funds to these areas over areas of good condition under less threat.

Areas of outstanding biodiversity value

It is logical and desirable that areas declared as “areas of outstanding biodiversity value” would be automatic investment priorities. However, while technically correct, the statement that the Minister declares such areas should be further discussed to be clear that the procedural requirements for declaring an area require consultation with landholders and other public officials.

Is there any other data that we should consider using to identify priority investment areas?

The strategy identifies the best currently available spatial information. However new and improved spatial information is becoming available as technology improves and the costs reduce. The strategy could include a discussion on how new information will be integrated to improve the identification of priority investment areas.

The strategy does not sufficiently detail the biodiversity conservation that currently occurs beyond national parks. For instance, there is little mention of productive forests, which contain large areas that are managed for conservation. Table 1 should be more comprehensively developed to ensure full coverage of conserved land. While flora reserves are included as permanently protected, Table 1 should be amended to include forest management zone 2 – Special Management as permanently protected areas. Table 1 should also be amended to include other forest management zones and Crown land that meet the definition for “non-permanent” protected areas.

Do you have any comments on the proposed profiles of IBRA subregions?

The proposed profiles are logical and consistent with the approach, principles and data sources described.

Do you have any comments on the investment principles?

It will be difficult to adhere to all the investment principles. The strategy should recognise that achieving the best outcomes will involve trade-offs between the principles.

Principle 3 - Strategies relationship to other programs

One of the principles of the strategy relates to maximising benefits across other government programs, priorities and investments. Although there is mention that Saving Our Species should be leveraged, whereas offset programs should be avoided, further information regarding the co-ordination of different programs would be beneficial.

The role of the strategy requires clarification. At times it indicates that it complements other programs, at other times it indicates that the strategy is to be followed for “all private land investment” in the state. Section 1.3.1 indicates that biodiversity gains to date “have been delivered through a diverse range of laws, policies and programs that have not always been well coordinated or guided by the same objectives.” It then implies that the *Biodiversity Conservation Act* and this strategy will resolve this issue. Such co-ordination will require improved collaboration across government and non-government sectors. The strategy should clarify how the Biodiversity Conservation Trust will foster genuinely collaboration with other organisations beyond OEH involved in private land management so as to maximise benefits from government spending in this area.

Do you have any comments on the short- and long-term targets?

It is important that targets be carefully crafted to effectively drive implementation and simultaneously avoid driving unintended outcomes. Targets 1 and 2 focus on the conservation of examples of landscape types. However the targets do not reference the quality of the landscapes to be conserved. Therefore, any example secured could be counted as contributing to the criteria. This risks potentially encouraging the funding of low quality example landscape sites to drive achievement of the target.

The five year target says there will be 30 landscapes protected. The twenty year target is for 90. Since protection requires annual payments, it is not clear how \$70 million will be sufficient for 90 areas, assuming funds spent will be fairly consistent year on year, unless a lot of agreements are time-bound. However, the program is clearly targeting permanent conservation over time-bound

commitments. Assessment of whether this target is feasible given the amount of funding should be undertaken.

The inclusion of targets relating to farm income and financial sustainability is encouraging. However, the way the target is crafted will make measuring the achievement of this target difficult. Further, it seems unlikely that the amount of funding, relative to the scale of regional economies will have a significant (and measurable) impact on regional and rural communities.

Are there other targets we should consider including in the strategy? If so, how should they be measured?

Targets 1 and 2 should be worded to more clearly indicate that they incorporate both permanent and non-permanent agreements. The current language could be read to mean that the areas conserved must be in the protected area system, and therefore that these areas must meet the same conservation security standards as a national park. Non-permanent conservation agreements play a critical role in conserving biodiversity, and are likely to do so more going forward. Landholders are understandably often reluctant to commit land in perpetuity. As such, it is critical that these important agreements are clearly included in the targets.

The success of biodiversity conservation is contingent on the landholder's commitment to their active management obligations such as controlling invasive species. There should be a target that reflects the level of landholder compliance. Such a target would support the application of outcomes-based investment principle 2 and ensure that effective compliance monitoring programs are implemented.

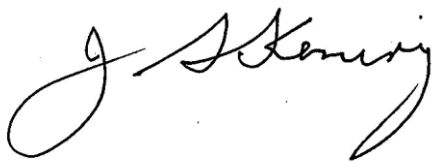
General comments

While outside the direct scope of the submission questions provided, the Commission would like to highlight the following issues as well:

- The Commission supports the inclusion of some travelling stock reserves in the investment strategy. However, their inclusion generates some confusion in a document primarily focussed on private land. Clarification of the issue early in the document is required. While it is noted that this is included in the definition, further mention of this is warranted outside the definitions section.
- There is no mention of landholder stewardship obligations for private conservation areas. A discussion of the management activities landholders will be paid to undertake such as invasive species control would improve the strategy.
- The commitment to an independent review after three years is consistent with good practice and should be commended.

Finally, the Commission encourages the Trust to make all submissions publicly available and provide transparent responses as to how the submissions were addressed.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J. Keniry', with a large, stylized initial 'J' and a long, sweeping underline.

Dr John Keniry AM
Commissioner