



Committee Secretary
Agriculture and Environment Committee
Parliament House
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6 May 2017

Dear Mr Chair and Committee Members

Nature Conservation (Special Wildlife Reserves) and Other Legislation Amendment Bill 2017

The Pew Charitable Trusts welcomes the introduction of the *Nature Conservation (Special Wildlife Reserves) and Other Legislation Amendment Bill 2017* ('the Bill').

The Pew Charitable Trusts work with indigenous people, landholders, conservation organisations, scientists, industry and government to conserve Australia's natural landscapes and marine habitats. We recognise the important role of private landholders in managing and conserving natural values across the landscape, and welcome the proposal to create of a new class of private protected area ('special wildlife reserves') with a similar level of statutory protection to national parks.

In this submission, we address three key issues (a) declaration of special wildlife reserves, (b) interaction with pastoral lease conditions, and (c) public investment in private protected areas.

Declaration of special wildlife reserves

We welcome the Queensland Government's commitment to establishing a class of private protected area to protect wildlife and their habitats from "incompatible land uses" and note, in particular, the proposed prohibition on new mining and petroleum activities within special wildlife reserves (Clause 8).

The proposed process for declaration of a special wildlife reserve requires the written consent of each person with an interest in the land (including exploration permits, prospecting authorities or mining interests), where their rights and interests would be 'materially affected' (Clause 12). We note that declaration of a special wildlife reserve may affect the rights and interests of native title holders, and encourage the Committee to examine this issue in consultation with relevant native title representative bodies.

Private protected areas on leasehold land

We welcome the Queensland Government's recognition that "conservation is a valid and desired use of leasehold land"¹ and the proposal to amend the *Land Act 1994* to ensure that special wildlife reserves and nature refuges on leasehold land can be managed for conservation, notwithstanding the purpose or conditions of the relevant lease (Clauses 53-54).

These amendments will provide legal certainty for lease holders wishing to dedicate part or all of their land for conservation, and facilitate access to alternative income streams (including carbon abatement programs, biodiversity offset schemes and philanthropic support for conservation).

Public investment in private protected areas

We welcome the Queensland Government's commitment to providing incentives for leasehold and freehold land owners to protect important environmental values on their land.ⁱ However, we note with concern the proposal (contained in the explanatory notes to the Bill) to fund the establishment and management of special wildlife reserves within the existing budget allocation for the *NatureAssist* program.ⁱⁱⁱ

Public investment in private protected areas is a cost effective tool for securing conservation outcomes, but underinvestment in recent years has limited the rate of establishment of private protected areas. The draft *Queensland Protected Area Strategy* recognises that the level of support provided under the *NatureAssist* program is "not considered adequate by many landholders", and that "the current range of incentives could be expanded to attract greater participation from private landholders".^{iv}

To promote the establishment of private protected areas, and to support their effective management, we recommend that the Queensland Government commit additional staff and resources for (a) assessment of potential private protected areas and negotiation of conservation agreements, (b) monitoring and provision of landholder services, and (c) funding for management activities.

This investment should be delivered in a manner that minimises transaction costs and provides long term security for landholders (conditional on effective implementation of conservation management activities). The level of support available should be proportionate to the conservation values secured, with a particular emphasis on larger properties in underrepresented bioregions (e.g. Western and South West Queensland).

Thank you for taking the time to consider our submission on this important legislative proposal. Please do not hesitate to contact the undersigned if you require any additional information.

We understand that the Committee will be conducting a public hearing on the Bill on Wednesday 12 July, and would be pleased to appear as a witness at the hearing if this would assist the Committee in its deliberations.

Yours sincerely,



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ⁱ *Draft Queensland Protected Area Strategy*, p.10.

ⁱⁱ *Queensland Labor State Policy Platform 2016*, p.37.

ⁱⁱⁱ *Special Wildlife Reserves) and Other Legislation Amendment Bill 2017*, Explanatory Notes, p.5.

^{iv} *Draft Queensland Protected Area Strategy*, p.13.