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Innovative approaches to land acquisition and conservation management: the case of Fish River Station, Northern Territory

James Fitzsimons and Michael Looker

There has been a dramatic increase in the area that is within the National Reserve System since 2000 – from around 60 million hectares to around 100 million in 2008. This dramatic increase can be attributed to Indigenous Protected Areas and the acquisition of private or leasehold land for either addition to the public protected area estate or management as private protected areas. This growth has also been strategic, increasingly the reservation status of the most underreserved bioregions (**Figures 1 and 2**). However, the reality is the land acquisition has slowed since the global financial crisis of the late 2000s and this has led to new models with different partners coming to the fore. This chapter highlights one of those new models – the acquisition of Fish River Station in the Northern Territory for conservation.

Fish River Station

Fish River Station is 180,000 hectares of savanna woodland, rainforest and floodplains, bordered by the Daly River to the north and sandstone escarpments to the south (**Figure 3**). Fish River Station was formerly a cattle station, but its location and difficulties of access meant it was only ever lightly grazed, has little infrastructure and is ecologically intact. The property has significance for the local Indigenous people, with a number of known cultural sites and strong connection to country.

So why was this property purchased for conservation? Fish River contains extensive areas of flat, productive savanna and floodplain that is the target for proposed future agricultural development in northern Australia. These same threatened ecosystems are also under-represented in the reserve system. The property increases protection of the under-reserved Daly Basin bioregion from 2.5% to 9.5% making it a significant addition to the National Reserve System (NRS). A range of terrestrial threatened species are present in the savannas (Mahney et al. 2012), including mammals such as the Northern Quoll (*Dasyurus hallucatus*), that are known to be declining across northern Australia (e.g. Fitzsimons et al. 2010, Woinarski et al. 2011).



Fish River Station in the wet. ©Photo: James Fitzsimons



Flowers on a billabong, Fish River Station. ©Photo: Ted Wood

The Daly River is one of the largest and most significant rivers in northern Australia. The Daly is the northern border for Fish River Station and this area contains two wetlands of national significance. The Daly supports a greater diversity of freshwater turtles than any other river system in Australia including eight of the 12 freshwater turtle species found in the Northern Territory, and is considered the most important for the threatened Pig-nosed Turtle (*Carettochelys insculpta*) (Scott 2006). Several species of threatened or rare freshwater fish also occur in the river, including Freshwater Sawfish (*Pristis microdon*) and Freshwater Whipray (*Himantura dalyensis*). The property also supports an extensive and well-developed riparian rainforest network.

Innovation and success in the purchase arrangement

Fish River Station first came to the attention of The Nature Conservancy as a potential purchase proposition in late 2008. Throughout 2009 it became an on-again, off-again proposition for a range of reasons. It was eventually purchased in August 2010 and officially launched late in 2011.

So why was Fish River more than just another land acquisition for addition to the National Reserve System? It is innovative on a number of fronts: the types and diversity of partners involved in the deal; the fact that the property is being handed back to Traditional Owners for healthy country (conservation) management; the means of financing its management in the long term; and finally the influence the model and outcome have had beyond the borders of Fish River.

From very early on in our pursuit of the purchase of this property, The Nature Conservancy was keen to explore the potential of a new governance and ownership model – namely the handing of land back to Traditional Owners for healthy country (conservation) management once self-sustaining management arrangements and financing could be achieved. An application to the Australian Government's National Reserve System component of the Caring for our Country program was successful in securing two-thirds of the \$13 million purchase price. The Nature Conservancy then sought to structure a deal for potential partners to assist in funding the remaining one-third of the purchase price and ownership arrangements. The Nature Conservancy (TNC) and the Indigenous Land Corporation (ILC – whose remit is to assist Indigenous people with land acquisition and land management to achieve economic, environmental, social and cultural benefits), had

previously discussed working more closely together on projects of mutual interest, and Fish River was considered to fit the bill. ILC would hold title until handed back.

At the time TNC were part of a productive partnership with the Pew Environment Group (called the Wild Australia Program) and Pew also agreed to contribute to the required purchase price. Fairly late in the piece it was realised that due to technicalities about funds flowing from one of the partners to a government entity, Greening Australia was approached (and agreed) to be the receiver of some of these funds and to be a part holder of the title in a trust arrangement with ILC.

From The Nature Conservancy's perspective, this transaction offers an excellent example of the importance of leverage for major conservation acquisitions. TNC was instrumental in negotiating the purchase of this site for conservation and itself contributed \$1.5 million to the purchase price. With partner organisations and the Australian Government, this initial amount was able to be matched and leveraged to reach the purchase price. There is no doubt that potential funders, be they government, corporate or philanthropic individuals, are attracted by the big vision that large-scale conservation projects offer, paired with shared funding.

The purchase of this land and planned 'hand back' to Traditional Owners for conservation management is the first on a number of fronts. Essentially, it is the first time an environmental NGO has put money into such an arrangement in Australia. It is also the first time that the Australian Government's National Reserve System program has funded an acquisition for this purpose. And it is also the first time that ILC has purchased land with a specific focus on conservation *and* sustainable livelihoods.

But the leveraging went well beyond the financial contribution to the purchase of this property. It resulted in the Northern Territory Government and Territory Land Corporation signing a conservation management agreement over the 127,000 hectare Fish River Gorge Block (NT Portion 2700) – this property adjoins Fish River Station to the south, and results in connected conservation lands of over 300,000 hectares (Figure 3; see also DIPE 2002). Both properties filled a crucial gap in the 'Territory Eco-link', a large-scale connectivity corridor which seeks to link Arnhem Land with central Australia – which in turn is part of the continental Trans-Australia Eco-Link which reaches across the

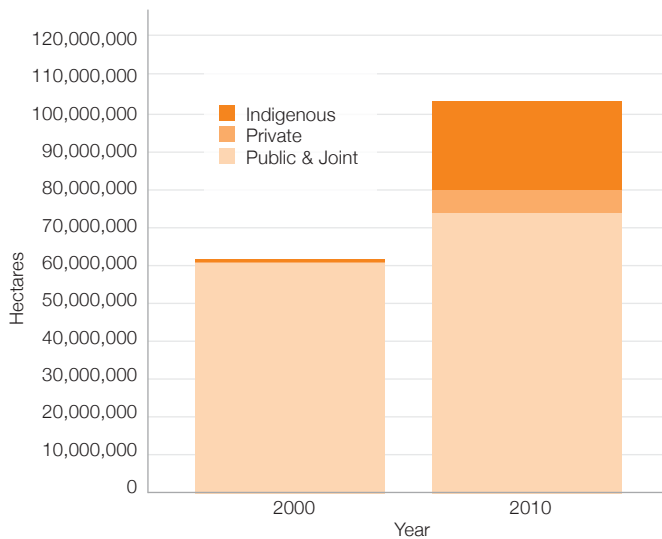


Figure 1. Increase in extent of protected areas in the National Reserve System between 2000 and 2010, including ownership type (data from the Collaborative Protected Area Database 2000 and 2010).

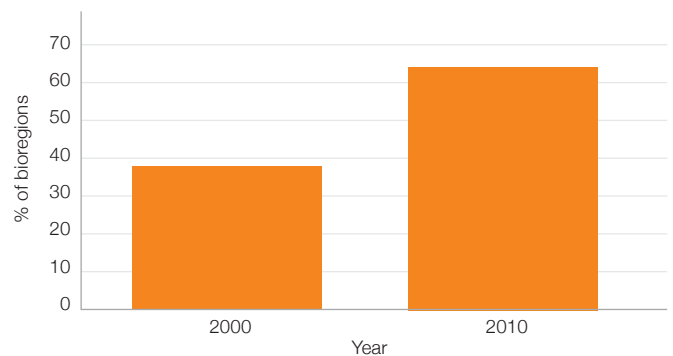


Figure 2. Change in number of IBRA bioregions that have greater than 10% of their total area covered by protected areas, in 2000 and 2010 (data from the Collaborative Protected Area Database 2000 and 2010).

continent from the Northern Territory to South Australian coasts (see chapters by Bridges and by Leaman in this publication). The purchase provides impetus to this large vision and complements newly signed Indigenous Protected Areas and conservation covenants in the region. And finally, there is significant interest in the applicability of this purchase/management model for other parts of the country.

Governance and management

Fish River Station is owned by ILC which employs a fulltime station manager. Seven Indigenous rangers already have jobs on the station, controlling weeds and feral animals, managing threatened species and fire. Day to day management is currently guided by the *Fish River Station Interim Management Guidelines* (Lipsett-Moore and Ansell 2011) prior to the development of a Traditional Owner-driven Healthy Country Plan (see for example Wunambal Gaambera Aboriginal Corporation 2010; Moorcroft et al. 2012).

A steering committee meets regularly and includes representations of the Australian Government, TNC, ILC, Pew, Greening Australia, as well as the Parks and Wildlife Commission of the Northern Territory, the North Australian Indigenous Land and Sea Management Alliance (NAILSMA), and the Northern Land Council. An Indigenous Advisory Group established by the Northern Land Council will represent the interests of the Wagiman, Labarganyan, Malak Malak and Kamu clans who have strong ties to Fish River. Meanwhile the Aboriginal Areas Protection Authority is working with Traditional Owners to identify sacred sites.

Fish River Station has been designated as an IUCN protected area management category II which will mean the lands and waters will be principally managed for biodiversity and cultural values. A conservation covenant will be applied to the lease, established under Section 74 of the *Territory Parks and Wildlife Conservation Act 2000* and will run with the title of the lease.

So what is happening on the ground and how is it being financed? Getting feral herbivore numbers down and a more sustainable fire regime are the two most pressing issues, and significant effort has been put into these over the past two years. An Indigenous business is employed to remove feral animals such as scrub cattle, donkeys and buffalo, while the Indigenous-run Gunbalunya abattoir is processing the buffalo for sale to local communities, the Sydney market and restaurants at the Indigenous-owned Yulara Resort. With fire, there has been a reduction in the area burnt annually, but significantly the hotter, more damaging late dry season burns which occurred on 30% of the property (on average) prior to purchase have been reduced to less than 2%.

Funding at present is coming from a mix of philanthropic and government sources but it is likely that income will be generated from early dry season savanna burning which reduces greenhouse gas emissions and will be eligible for carbon offset funding under the Carbon Farming Initiative (e.g. Russell-Smith et al. 2009; Fitzsimons et al. 2012). NAILSMA and ILC intend to seek accreditation for Fish River for carbon income streams from fire abatement, sequestration and feral animal control.



Carpet Python, Fish River Station. ©Photo: Tim Bond

Challenges

No new and innovative approach runs smoothly or is perfect. The Fish River model and deal was no exception. There were many points at which this deal almost fell over due to a variety of reasons. Some of the more pertinent challenges included:

1. Establishing an agreed valuation of the property. Fish River was unusual in that it was a perpetual lease and not a grazing lease. Very few such leases exist in the Northern Territory and differentiating between actual and potential future land use activities proved to be a challenge for valuers.
2. Coordinating the eventual five different partner organisations, each with different objectives, different organisational setups, and different internal bureaucracies and approval processes.
3. Purchasing land on a competitive open market with a need to act quickly and ensuring sufficient Indigenous consultation prior to purchase can be challenging. Early discussions with land councils and relevant Indigenous organisations and individuals are essential though to ensure the approach is broadly supported. While there is a registered Native Title claim that includes Fish River Station, Native Title may not be determined by the time the property is ready to be handed over, so the role of the land council here will be all-important. Initiating contact with representatives of the Native Title claimants and identifying the Traditional Owners of Fish River was a necessary early step and was undertaken by the Northern Land Council in consultation with ILC.

4. One of the other challenges will be ensuring communication is accurate and transparent in that land is being transferred but 'with conditions'. In other words, the land is for healthy country (conservation) management and with the legal protection requirements which are standard for National Reserve System acquisitions, but which do of course allow of sustainable livelihood opportunities for Traditional Owners.

Lessons

Three important lessons are evident from efforts to secure Fish River Station for conservation:

1. **Shared vision is important** – There were many stages where this deal could have fallen over. However, it was the strong shared vision of the end result that ultimately saw the acquisition succeed.
2. **Openness and transparency** – With a diverse range of partners, being open and transparent about the reasons for going into a collaboration of this nature and the expected end result for the property was very important.
3. **Build and maintain strong partnerships** – When this deal was almost going to fall apart due to complications about funds flowing to a government entity, TNC was able to call on Greening Australia, with whom TNC had had a strong relationship; and crucially for the project, Greening Australia was able to assist.

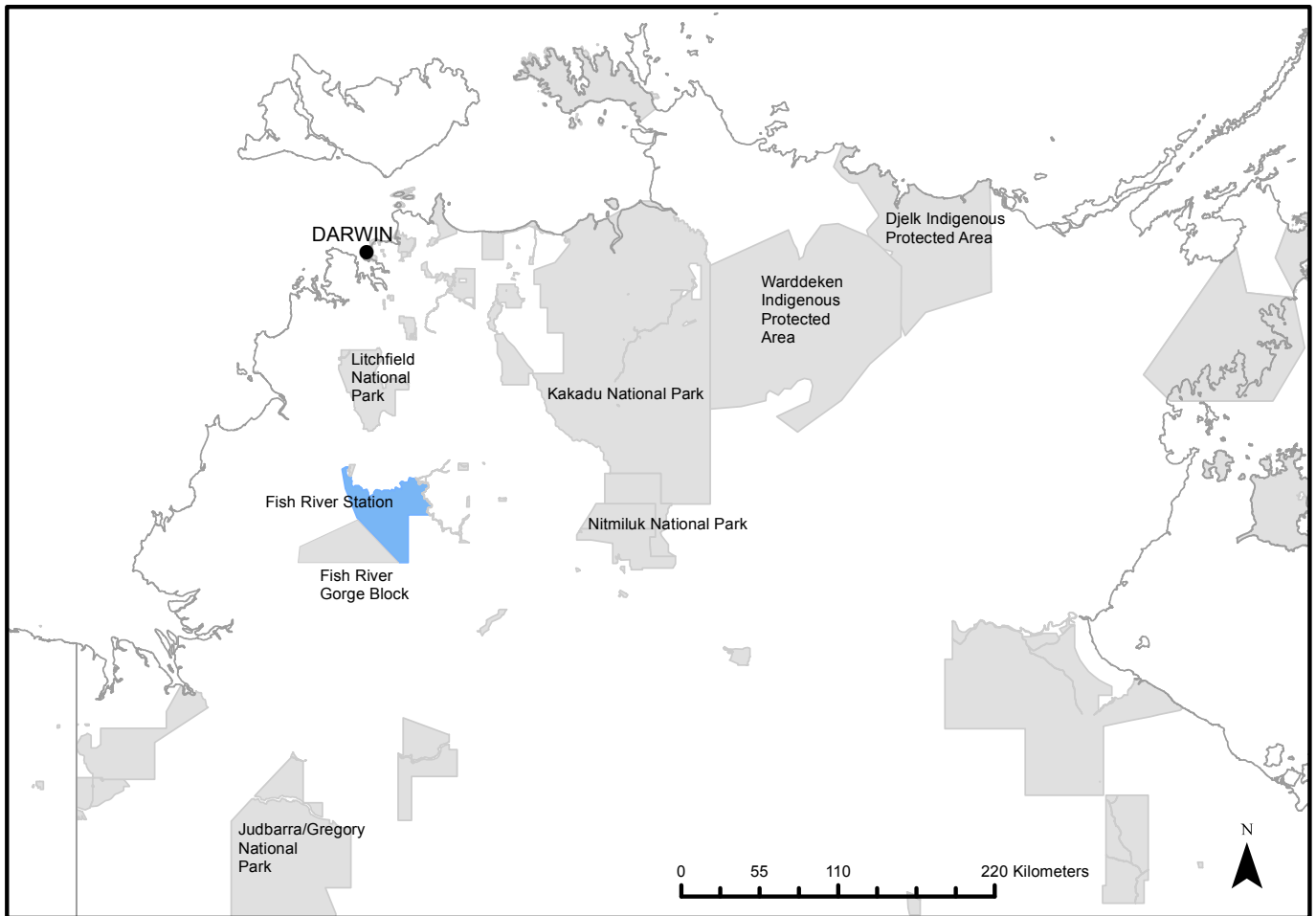


Figure 3. Location of Fish River Station in the Northern Territory. Other protected areas and conservation lands are shaded grey.

Conclusion

The purchase of Fish River Station was significant as it was the first time major environmental non-government organisations, the National Reserve System Program and the Indigenous Land Corporation had assisted to purchase a property for the purpose of handing the land back to Traditional Owners for conservation and sustainable livelihoods. This innovative approach has broadened the types of partners contributing to the National Reserve System and the management and governance arrangements for properties within the NRS. Future effectiveness of the model will be judged on outcomes: by a reduction in the threats to the property; the recovery of significant elements of biodiversity such as key species, rainforest patches, wetlands; and a financing model that will enable ongoing sustainable management by Traditional Owners. The arrangement will inform and hopefully encourage other similarly innovative approaches to expanding the National Reserve System.

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Further information

<http://www.nature.org/ourinitiatives/regions/australia/explore/fish-river-station.xml>

<http://www.environment.gov.au/parks/nrs/getting-involved/case-studies/fish-river.html>

<http://www.ilc.gov.au/site/page.cfm?u=335>

http://www.youtube.com/watch?v=UHKfQ7_Wn6k

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Dr Michael Looker is the Director of The Nature Conservancy's Australia Division. Since joining the Conservancy in 2005, Michael has assumed leadership roles at both the national and international levels. He helped to identify the Conservancy's worldwide conservation strategies as a member of goal-setting teams for two major habitat types: arid lands and grasslands. Prior to joining the Conservancy, he was Director of the Trust for Nature for five years, introducing a landscape-scale approach to their work. A botanist by training, Michael was previously Senior Lecturer in Environmental Horticulture at Burnley College, University of Melbourne for eight years. His major areas of interest and research have been in public open space management, especially vegetation management. Before 1992, Michael spent five years as Superintendent of the Royal Botanic Gardens, Melbourne.