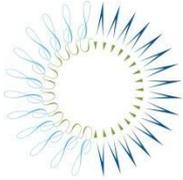


Environment Centre NT

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THE  
**PEW**  
CHARITABLE TRUSTS

Secretary  
Economic Policy Scrutiny Committee  
GPO Box 3721  
Darwin NT 0801

By email: [epsc@nt.gov.au](mailto:epsc@nt.gov.au)

Wednesday 8 November

Dear Chair and Committee members,

**Submission in relation to *Pastoral Land Legislation Amendment Bill 2017***

We are writing on behalf of the Environment Centre Northern Territory (ECNT) and the Pew Charitable Trusts in response to the *Pastoral Land Legislation Amendment Bill 2017*. We welcome the opportunity to provide comment on the draft Bill and accompanying draft regulations.

This submission addresses three key issues: (a) interaction with native title rights and interests; (b) permissibility of low impact land uses, including conservation land management and farm-based tourism; and (c) environmental risks associated with intensification of land use on pastoral lands.

***Interaction with native title rights and interests***

We note that the grant of a sub-lease for non-pastoral purposes (as anticipated by section 68 of the Bill) may affect the rights and interests of native title holders. We encourage the Committee to carefully examine this issue in consultation with relevant native title representative bodies.

***Facilitating sustainable diversification through low impact land uses***

The stated purpose of the *Pastoral Lands Act 1992* is “to provide a form of tenure of Crown land that facilitates the sustainable use of land for pastoral purposes and the economic viability of the pastoral industry” and, *inter alia*, to provide for “the prevention or minimisation of degradation of or other

damage to the land and its indigenous plant and animal life” and “the rehabilitation of the land in cases of degradation or other damage” (s.4, *Pastoral Lands Act 1992*).

Consistent with these aims, we recommend that the Committee examine the inclusion of low impact, sustainable land uses in the list of prescribed purposes contained in r.31, *Pastoral Lands Regulations*. In particular, we recommend that the following land uses be added to the list of prescribed purposes: conservation land management, carbon farming and farm-based tourism:

*1. Facilitating active management of conservation values on pastoral lands*

Conservation land management presents opportunities to maintain and restore natural values on pastoral lands and, increasingly, opportunities for diversification of income by pastoral leaseholders.

With public and philanthropic support, the private land conservation sector has expanded steadily over the past decade, with an increasing number of large properties managed for a combination of conservation and production purposes.

Consistent with the Northern Territory Government’s commitment to protecting the Territory’s unique natural environment,<sup>1</sup> we recommend that conservation land management be added to the list of prescribed non-pastoral uses in the *Pastoral Lands Regulations*.

*2. Removing barriers to investment in carbon farming on pastoral lands*

Public and private investment in management of land-based carbon stocks is increasing over time. To date, the pastoral sector in the Northern Territory has derived limited income from the carbon sector, with the lion’s share of funding under the Australian Government’s \$2.55 billion Emissions Reduction Fund (ERF) flowing to other states and territories.

To support rehabilitation of pastoral lands and diversification of income for pastoral leaseholders, it is recommended that carbon farming be added to the list of prescribed non-pastoral purposes.

*3. Supporting farm-based tourism*

Farm-based tourism presents opportunities to showcase the natural and cultural values of pastoral landscapes, providing additional on-farm income with little or no environmental impact. We recommend that low impact tourism be added to the list of prescribed non-pastoral uses.

***Environmental risks associated with intensification of land use***

In addition to their potential impact on native rights and interests, we are concerned that the land uses that the Territory Government proposes to add to the list of prescribed purposes – agriculture, horticulture, forestry and aquaculture – may have significant impacts on the environmental values of pastoral lands in the Territory.

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<sup>1</sup> Territory Labor (2017) *Healthy Environment, Strong Economy*, Source: [www.territorylabor.com.au](http://www.territorylabor.com.au).

Clearing of native vegetation, infrastructure development and increased water extraction associated with these land uses has the potential to modify and degrade pastoral lands in a manner that is inconsistent with the purposes of the *Pastoral Lands Act 1992* (s.4) and the Government's commitment to protect the unique natural environment of the Territory.

We recommend that the Committee carefully consider the environmental risks associated with intensification of land use in pastoral landscapes and (a) remove agriculture, horticulture, forestry and aquaculture on the list of prescribed purposes; or (b) develop clear and binding rules for preventing degradation of pastoral lands associated with intensification of land use.

Thank you for taking the time to consider these important issues. Please do not hesitate to contact the undersigned if you require any additional information.

Yours sincerely,



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