

Discussion Paper

Review of the Tasmanian Natural Resource Management Framework and the *Natural Resource Management Act 2002*

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1. Introduction

Tasmania's NRM Framework and NRM Act

Tasmania has two principal instruments related to the delivery of natural resource management (NRM) in the State: the Tasmanian Natural Resource Management Framework (the Framework) and the *Natural Resource Management Act 2002* (the Act).

The Framework was developed in 2002 to define the scope of NRM in Tasmania and to provide the State with a systematic way of integrating NRM.

The Act was introduced in 2002 in order to fulfil key aspects of the Framework. The Act establishes key NRM entities – the Tasmanian Natural Resource Management Council and the Regional Natural Resource Management Committees – and prescribes their respective functions, powers and membership requirements. The Act also prescribes processes for developing and accrediting regional NRM strategies, and includes provisions for the determination of State NRM principles and priorities.

The Act must be reviewed at least every seven years. The first such review (2007-2009) also included an analysis of the Framework, and resulted in 18 recommendations, which included recommendations for amendments to both the Framework and the Act.

The next review of the Act must be completed by the end of 2015; this review will also include consideration of the Framework. This discussion paper has been developed to seek input to the review.

This discussion paper

This discussion paper and the associated consultation process encourage those involved or interested in NRM in Tasmania to contribute to the review.

It is an opportunity to capture stakeholder comments and perspectives in relation to the Framework and the Act in order to guide the delivery of NRM in Tasmania. The review aims to ensure that the Framework and the Act meet community expectations, are flexible and contemporary, and take into account the diversity of NRM activities. The review will be informed by stakeholder comments, and will develop a series of recommendations for improving the Framework and the Act that will be provided to the Minister for Environment, Parks and Heritage.

Anyone interested or involved in NRM in Tasmania can provide feedback to the review. This paper includes matters that the review must address by law, however, the review is also intended to be wide-ranging, and feedback on any aspect of NRM in Tasmania is welcome. The questions contained in this paper aim to prompt consideration of some key issues, as well as to encourage comment on a range of NRM-related matters.

The paper considers the following five broad themes, and their relationship with the Framework and the Act:

- Purpose: the definition and function of NRM;
- Participation: who is involved in NRM delivery, and their roles and responsibilities;
- Priorities: the key NRM issues;
- Principles: the underlying ideas that guide NRM in Tasmania;
- Performance: how NRM is measured and reported.

Accessing the Framework and the Act

The Tasmanian Natural Resource Management Framework can be found at:
<http://dpiwwe.tas.gov.au/Documents/ReportNoPics.pdf>.

The Tasmanian *Natural Resource Management Act 2002* can be found at:
<http://www.thelaw.tas.gov.au>.

2. Purpose

The Framework and the Act were first developed in response to growing national and international expectation that the management of natural resources be governed by appropriate legislation and policy. The original approach was influenced by the understanding of NRM at the time, and the development of national programs that provided support to natural resource managers.

Since that time, the number of people actively involved in NRM has increased significantly, as has the range of NRM activities and our understanding of the role of NRM in Australian society.

The Framework includes the following definition of NRM: “Natural resource management is the management of all activities that use, develop and/or conserve our air, water, land, plants, animals and microorganisms, and the systems they form.”

Q.1. Does this definition need to be changed to reflect contemporary NRM?

It is important that the rules and policies that support NRM keep pace with change.

The purpose of the Act is: “to establish the Tasmanian Natural Resource Management Council and regional committees for NRM and to provide for the development of regional strategies for NRM.”

Although the legislation was not intended to be environmental or conservation legislation with the purpose of protecting specific natural values, it does have the capacity to recognise a range of NRM activities and functions in order to broadly support NRM stakeholders and encourage community engagement and awareness.

The Framework is a policy that is designed to support the Act. As outlined in the Framework, its purpose is: “to provide the State with a systematic way of integrating natural resource management, to ensure consistency, efficiency and improved natural resource outcomes. It will be the administrative system by which the Tasmanian Government will coordinate and integrate the activities of the wide range of entities that are involved in the management of natural resources in the State. Its operation will include, and not replace, the formal systems by which the State Government currently regulates natural resource use.”

Q.2. Does the Framework provide consistency, efficiency and improved natural resource outcomes in Tasmania? If not, how could the Framework be improved?

Q.3. Does the Framework reflect the contemporary role and importance of NRM in Tasmania? If not, how could the Framework be strengthened?

3. Participation

The range of NRM participants and stakeholders is very broad, and it is increasingly recognised that all areas of society depend upon NRM for good environmental and socio-economic outcomes. As well as those organisations for whom NRM is core business, industries, governments at all levels, community groups and individuals also contribute to NRM. This contribution has not always been understood or acknowledged. In order for policy and legislation to meet the needs of these stakeholders effectively, it is essential that stakeholders are identified and are able to participate.

The Act is very specific in its purpose, but it does provide the legislative means by which the regional NRM structure is established in Tasmania, as well as creating the Tasmanian Natural Resource Management Council.

Q.4. Does the Act foster the participation of NRM stakeholders and meet their needs? If not, how could the Act be amended?

The Framework provides more detail in relation to stakeholder involvement and relationships. It identifies the respective roles of State Government, the regional NRM organisations, the NRM Council and local natural resource managers.

Q.5. Does the Framework reflect the range of stakeholders in Tasmanian NRM and their roles? If not, what should be changed?

Q.6. How can the Framework be improved to foster the participation of all stakeholders?

Central to the current NRM structure in Tasmania are the Tasmanian Natural Resource Management Council and the three NRM regions. The Act establishes these bodies and prescribes their respective memberships, functions, and responsibilities. The Framework provides further detail on these matters, and more fully explains the intended relationship between them.

The purpose of the current review is to consider whether the prescriptions of the Act and the associated detail in the Framework are appropriate. The review is not to evaluate specific projects undertaken by these bodies, or their performance; these are matters considered annually by the Minister.

The Council

The Act states that the Tasmanian Natural Resource Management Council should consist of:

...not more than 16 persons appointed by the Minister of whom –

- (a) one is the Secretary of the responsible Department; and
- (b) one is a person nominated by the regional committee of the northern area; and
- (c) one is a person nominated by the regional committee of the north-western area; and
- (d) one is a person nominated by the regional committee of the southern area; and
- (e) the remainder are persons with experience, skills and knowledge in natural resource management selected from nominations as the Minister may determine.

The Act also states that the Council should:

- (a) provide a balance of natural resource management interests in the State; and
- (b) comprise equal numbers of males and females as may be practicable.

Q.7. Is it useful to have the Tasmanian Natural Resource Management Council to provide advice to the Minister?

Q.8. Should the membership of the Council be changed in any way?

The Framework reinforces the roles of the Council as prescribed by the Act, and provides further detail. It notes that the main role of the Council is to: “advise the Government, as well as encouraging broader understanding of NRM, particularly by promoting the Framework’s Principles”.

In addition, the Council should: “establish effective communication and liaison mechanisms with the Regional Natural Resource Management Committees and with stakeholders, including industry, resource users and community groups”.

The Framework states that the Council will advise the Government on:

1. state-wide priorities for natural resource management, including funding priorities;
2. appropriate accreditation criteria for regional natural resource management strategies;
3. the accreditation of Regional Strategies, and the setting of appropriate standards and targets;
4. the best way of delivering consistency in natural resource management, including across regional boundaries;
5. the most effective means of building community capacity with regard to natural resource management;

6. the efficiency and effectiveness, including performance monitoring against standards and targets, of the activities undertaken under Regional Strategies, on which the Council would receive annual reports;
7. the implementation and administration of funding programs; and
8. matters referred to the Council by Government.

Q.9. Is the role of the Council useful or appropriate? If not, how should it be amended?

The regional committees

The Act establishes three NRM regions in Tasmania, with a regional NRM committee in each region. Each regional committee is to consist of:

... not more than 15 persons who together have experience, skills and knowledge in the following:

- (i) best-practice governance;
- (ii) business administration;
- (iii) legal and contractual issues;
- (iv) the achievement of natural resource management and conservation outcomes.

The current membership requirements were revised as a result of the previous review, most notably to ensure that good governance and contemporary business skills were included, better reflecting the roles and responsibilities of the committees.

Q.10. Are three regions the best configuration for NRM delivery in Tasmania?

Q.11. Should membership requirements be changed in any way?

The functions of the three regional committees are established under the Act. These are further expanded upon in the Framework, which notes that “the key role at the regional level is to provide a link between the local and State levels. A further function at the regional level is to pull together existing processes and programs across the region and to provide integration and coordination of regional activities. The Regional Natural Resource Management Committees can also streamline existing processes and organisations by becoming the focal points for consideration of regional natural resource management matters.”

The Framework states that the “Regional Committees will facilitate and coordinate regional natural resource management. Regional Committees do not have a regulatory role”.

The Framework further states that – in order to fulfil these functions – each regional committee will:

1. identify priority natural resource management issues for the region;
2. prepare a natural resource management strategy for the region, including appropriate standards and targets, and ensure community input into the development of the strategy;
3. seek, manage and allocate regional funds in accordance with the Regional Strategy;
4. coordinate the region's participation in natural resource management programs;
5. monitor and evaluate the implementation of the region's natural resource management strategy, report on it annually to the Tasmanian Natural Resource Management Council, and review it at regular intervals;
6. promote the natural resource management principles, and encourage community ownership of the Regional Strategy through a regional communications plan;
7. develop and implement, in liaison with State agencies, a process to ensure appropriate education and training in natural resource management for people in the region, including through extension services;
8. integrate the natural resource management and planning activities of the region and foster linkages between local councils, State agencies, industry and community groups.

Q.12. Are the functions of regional NRM committees, as specified in the Act and Framework, still appropriate?

4. Priorities

The Minister responsible for the Act is required to determine the State's NRM priorities, and in doing so is to seek the advice of the Council.

The priorities contained in the Framework (see below) were chosen – in part – because they closely aligned with national priorities. Over time, priorities at the national level have changed.

This review provides an opportunity to reflect on the relevance of the priorities and the value in aligning them at national-state, and state-regional levels. There is also an opportunity to consider how flexible priority setting should be, and whether new technology may allow priorities to be published and updated regularly.

The Framework contains the current priorities:

“Capacity building, education / communication and research are key priority areas for the future of natural resource management in Tasmania. Progress in these areas is needed to ensure that the community can be effectively involved in natural resource management, and also that the delivery of natural resource management programs is based on sound knowledge and data.

In addition to these process priorities, five high-level resource management priorities have been identified for the State. They also include some of the primary values to be enhanced or maintained, issues of concern and focus areas for attention that may be taken into consideration in addressing the priorities. As well as these state-wide priorities, it is also recognised that there will be a range of other priorities that may be important at a regional level, such as urban impacts and air quality.”

Water management

Values – Clean drinking water, biodiversity, aquatic ecosystem health (freshwater, wetlands, estuarine, marine), irrigation for agricultural production, industrial use, aquaculture and fisheries production, recreation and tourism.

Issues – Environmental flows, water allocation, diffuse and point source pollution.

Focus Areas – Agricultural and forestry land use practices, riparian vegetation management, sewage and stormwater treatment, drinking water treatment and road management.

Vegetation management (forest and non-forest)

Values – Biodiversity, ecosystem health, soil stabilisation, ground and surface water impacts (e.g. water table and salinity effects), tourism and recreation, stock shelter and aesthetics.

Issues – Clearing and management practices, high conservation priority forest and non-forest communities and rural tree decline.

Focus Areas – Forestry and agricultural practices.

Soil management

Values – Agricultural and forestry production, biodiversity and ecosystem health.

Issues – Erosion, soil structure, salinity, stream turbidity, sedimentation and its impacts on amenity and infrastructure.

Focus Areas – Agricultural and forestry land use practices.

Management of weeds, pests and diseases

Values – Agricultural, forestry, aquaculture and fishery production, biodiversity, ecosystem health, safe food and market image.

Issues – Weeds of State and national significance, marine and terrestrial feral pests, *Phytophthora cinnamomi*, plant and animal diseases.

Focus Areas – Quarantine policy and operation, weed management on public and private land, translocation and farm hygiene, and ballast water management.

Management of the coastal / marine environment

Values – Aquaculture and fishery production, recreation and tourism, biodiversity and ecosystem health.

Issues – Estuarine nutrient loading, inshore habitat degradation, changes in community structure associated with harvesting of some species, pest incursions, fishery sustainability, coastal vegetation management and area reservation.

Focus Areas – Fisheries and aquaculture practices, sewage treatment and land use practices.

Q.13. Are the current priorities appropriate and useful in informing the priorities for NRM activities and investment?

Q.14. Should Tasmanian priorities be reviewed on a more regular basis to better reflect changing community expectations, and to better align with national priorities? If so, how should this be done?

Q.15. Should the priorities be ranked in some way to provide clearer strategic direction, and to assist funding processes?

5. Principles

The Act specifies that the Minister responsible for the Act is to determine the State's NRM principles. The original Principles were included in the Framework, and these were amended slightly following the first review to reflect changing attitudes and increased knowledge of NRM. The current principles, as outlined in the Framework, are:

Ecosystem Approach – Natural resource management should be based on an understanding of the relationship between natural resources and the ecosystems they support, and upon careful monitoring of change over time.

Balanced Decisions – Natural resource management decisions should take proper account of the range of environmental, social and economic benefits, values and costs in accordance with the objectives of the Tasmanian Resource Management and Planning System.

Integrated Management – The management of natural resources should be integrated within regions and catchments, as well as across industry sectors, government agencies and specific issues.

Priority Based – Natural resource management actions are to be undertaken according to priorities that are based on the best available science and information, and relevant experience, as well as on assessment of the relative cost-effectiveness of various options.

Prevention is Better than Cure – It is often more efficient to prevent damage rather than repair it. Therefore, where there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

Partnerships – To be effective, natural resource management requires the establishment of partnerships between all levels of government and the community, including the Aboriginal community, industry, land holders and individuals, with agreed roles and responsibilities.

We are all Responsible – All Tasmanians receive benefits from the use, development and conservation of natural resources; they share responsibility for managing natural resources sustainably, and for providing economic resources to do so.

Q.16. Are the current principles appropriate and consistent with contemporary NRM?

Q.17. How could the principles be more effectively promoted and more widely understood?

6. Performance

The Framework and the Act provide that NRM delivery at the regional level is undertaken according to a regional strategy. The first regional strategies were developed in the early 2000s and approved in 2005. These documents identified – as required by legislation – the priorities for action and investment in each of the regions. It is also a statutory requirement that each regional strategy is reviewed and revised every five years; this was completed by all regions in 2009-10, and will be undertaken again in 2014-15.

The Framework and the Act provide detail on the process by which regional strategies are to be developed (including consultation requirements), and the matters that a strategy should consider and include.

Q.18. How relevant have the regional strategies been in identifying priorities for action and directing investment?

The Framework and the Act also stipulate the process by which a strategy is accredited. The need for accreditation criteria was a Commonwealth government requirement at the time the Framework and the Act were developed, and helped ensure that there was a high degree of consistency between regional approaches, and an agreed minimum standard for those documents, while also ensuring sufficient flexibility for each region to focus on the issues that mattered most to the regional community.

Following the last review of the Framework and the Act, the criteria were amended slightly. In 2009-10 the regional strategies were required to:

- Consider the full range of NRM issues in the region as identified through an evidence-based analysis of natural resource conditions, trends, challenges and priorities.
- Involve key stakeholders in plan development and implementation.
- Focus on addressing underlying causes rather than the symptoms of problems.
- Incorporate and seek to implement the principles of NRM as contained in the NRM Framework, in accordance with the *Natural Resource Management Act 2002*.
- Demonstrate consistency with the region's other planning processes and legislative requirements, including furthering the objectives of the Resource Management Planning System.
- Set strategic, prioritised and achievable targets at the regional scale, consistent with, but not limited to, relevant state and national NRM standards and targets, such as national strategies for biodiversity, climate change and the national reserve system, and *TasTogether*.
- Provide for the regular development, monitoring, review and improvement of the plan in a manner that is consistent with relevant state and national agreements and guidelines.

It has been noted that the accreditation criteria represent the only performance measurement in the Framework and the Act, and only apply to the development of the strategies – not their implementation. Neither do they apply to NRM activities undertaken by other organisations. It has

been further noted that there is now a strong expectation at all levels that performance should be measured and reported on.

Q.19. Has the process of reviewing the regional strategies been effective in reflecting regional NRM issues?

Q.20. Should the Framework include guidance on how NRM performance is measured and reported? How might it do this?

7. Invitation to provide feedback

Anyone involved or interested in NRM in Tasmania is invited to provide feedback to contribute to the review. Comments received will contribute to developing a series of recommendations for improving the Framework and Act. These recommendations will be provided to the Minister for Environment, Parks and Heritage.

Feedback can answer the questions contained in this discussion paper, or general submissions can be provided. **Feedback must be received by Monday 31 August 2015** and can be sent via:

Post: Natural Resource Management Review
 Natural and Cultural Heritage Division, DPIPWE
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Email: RMC.Policy@dipwe.tas.gov.au

Further information about this review can be provided by contacting the Natural and Cultural Heritage Branch on (03) 6165 4422.

Front cover image: Jones River Road, Ellendale.
Photo by Tom Jackson.

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Tasmanian
Government

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