

The NRM Act – from a practical perspective

Biodiversity and the Law
Building Blocks for Life
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Presentation Roadmap

- At the heart of Act
- Ups and downs so far
- To be or not to be - a legislative framework for biodiversity
- What is to come

WARNING – in the absence of data
I have used my opinion

Caveat – This is a generalisation,
all Boards have their own
strengths

The Nature of the Act



The Nature of the Act (Cont'd)

PACMAN IMAGE

The Act comes with a carton of assumptions

- Natural resources are best managed at a **regional scale**
- Regional scale delivery will lead to greater community and stakeholder **engagement**
- Less committees lead to more **outcomes** for investment and greater **integration**
- Natural resources are best managed in an **integrated** way
- This framework will position us to receive greater **investment**

So how do they stack up?

Better managed?

- Water, Soil - improved
- Pests and biodiversity management - questioned

Greater engagement?

- Stakeholders and regional body engagement - improved
- Smaller groups and local individuals - questioned

So how do they stack up? Cont'd

Less is more?

- Board duplication - reduced
- Agency duplication – questioned
- More outcomes – unclear and ongoing struggle to measure
- Integrated plans – improved
- Integrated decision making – questioned and a great struggle

So how do they stack up? Cont'd

Greater investment?

- Commonwealth – questioned
- State – stable for now...
- Levy – improved
- Industry and private – just started to explore

NRM Act – its strengths

- Though new, **clear and workable** Act, few mention the Act which is a good sign
- Provided a cascade of NRM **planning** which can inform other related plans
- Provided an umbrella for **links** with other related plans to add value eg Native Veg Act Funds link
- Driven effort to **integrate** decision making about water, soils, pests and other natural resources
- Established **institutions** to drive sound NRM
- Has fostered a **regional voice** for NRM matters
- Regulated a suite of minimum community **consultation** processes
- Contains instruments for both **carrot/stick** approaches
- Some boards have a stream of independent ongoing **funding**

NRM Act – Some of the achievements so far

- State and Regional NRM **Plans**
- Plans driven by **outcomes**
- Regional NRM **representation** to equivalent bodies
- Enhanced sophistication, consistency and alignment for **water** management
- Ability to address **cumulative** impacts
- **Funds and face** for NRM through levies
- Suite of talented and committed **leaders**
- **MOU** - NRM Boards and NGOs
- EP NRM Board **cc sector agreement**
- Focus **Aboriginal engagement**, though more room for growth
- Integrated/landscape concepts **on trial**

NRM Act – Shortcomings in implementation

- **Insufficient budget** for scope
- **Few links** related Acts to date
- **Unclear role** in relation to marine, mining, fishing and fire even where NRM impacts, forestry some resolution
- Chasm between **public** and private land management
- Influence on **planning** in real terms an ongoing struggle
- Challenges for local boards to use the **stick** particularly in trying times where the most damage can occur
- **Cross-boundary** logistics

NRM Act – Shortcomings in implementation (Cont'd)

- **Insufficient decision** support frameworks to apply integration ie institutional, multiple outcomes and evaluation; adaptive management/landscape management, TBL and precautionary principle equally elusive
- NRM term, **language** and structures not as accessible as intended
- NRM **Groups** have not defined their niche and small group and perhaps local individual engagement suffered



NRM Act – Shortcomings in implementation (Cont'd)

- The **levy** remains a sore point
- **Relationship** with local government and planning not consistent nor a given, though on the up
- **Not enough skills** to go around and not enough skill building for a model that relies on local input (a blind spot), specialist advisory committees could have provided advise and provided another level of entry
- **Roles** and responsibilities between NRM structures, NRM agencies and peak bodies still unclear at times
- **Commonwealth** alignment of structures changed (but not abandoned) with change of government

Is NRM the answer for biodiversity?

- **Inherent limitations** in regional model for biodiversity eg cross-regional scale, less tangible, long term investment required
- Adaptive management will require **frequent** changing targets in a changing climate
- Biodiversity must be at the **heart of objectives** not just on the list of tasks/functions or considerations
- It must strive for a **vision** not just to hold back the tide
- Ecological **processes and all levels of biodiversity** the focus of protection
- Must have a substantive **influence** over planning and broader cross-government decision-making
- Can **wield** stick and provide incentives as required
- Fosters **links** between private and **public** land
- **Leverage** sufficient funds
- Could this Act, updated green SA law and enabler do?

Where to from here?

- The NRM Act's third phase to **integrate** additional legislation about to commence
- Pastoral Act (1989), Dog Fence Act (1946), Upper South East Dryland Salinity and Flood Act (2002) and Native Vegetation Act (1991) early
- Whatever the decision we must make sure it is a **robust** one and that we achieve greater **alignment** overall
- The law will be as strong as the **conversation** that leads to it and drives it's implementation; **resources and will**