



Submission to the review of
the Tasmanian Natural
Resource Management (NRM)
Framework and Legislation



Tasmanian Farmers &
Graziers Association

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INTRODUCTION

The Tasmanian Farmers and Graziers Association (TFGA) is the State's peak representative body for farmers. Membership totals some 4,500 enterprises and extends across the wool, meat, dairy, vegetables and cereals and seed industries. Members are also involved in a range of other agricultural activities, including poppies, berries and pyrethrum, and private forest management and wood production in both native forests and plantations.

The agricultural sector contributes some 16% of Tasmania's Gross State Product and 20% of State employment (*"The contribution of Agriculture to the Tasmanian Economy"*, TAPG & TFGA, 2006). The following provides a picture of the relative importance of component industries in terms of farm gate value of product.

2005 Gross Value of Agricultural Production at Farm Gate by Sector (\$m)

Vegetables	*179.5
Livestock Slaughtering	*221.6
Wool	* 77.2
Dairy (milk)	*160.4
Cereals for grain	* 14.1
Private Plantations	**114

* 'The Contribution of Agriculture to the Tasmanian Economy', TAPG & TFGA, 2006

** Approximate figure: value at time of harvest of trees currently planted to private growers; Private Forests Tasmania, 2006.

The way in which the Tasmanian Government addresses use of natural resources by primary industry is fundamentally important for the sector. Farmers are very aware of the need to manage land in a sustainable way for their own purposes. They are also aware that the wider community has an increasing, and quite legitimate, interest in how land is managed. Inappropriate Government policy can needlessly threaten the profitability of individual farm enterprises.

Enlightened Government policy is very important in the circumstances, and the NRM Framework has been an important initiative to assist with development and delivery of such policy.

The TFGA has taken an active interest in the Framework since its inception and we believe the current review is a timely check on how it is performing.

The following are two general statements relating to the TFGA's position on environmental and NRM issues, followed by its views on questions raised in the Discussion Paper released by the Department of Primary Industries and Water as a basis for public input to the review.

TFGA POSITION ON ENVIRONMENTAL AND NATURAL RESOURCE MANAGEMENT (NRM) ISSUES

Tasmanian agriculture contributes 16% to gross state product and 20% to State employment. Tasmanian farmers require secure access to their land and related resources, and freedom to manage these to best effect, to enable sustainable and profitable agriculture.

A paradigm of rewarding farmers for doing the right thing, will be more effective than rules and regulations at fostering their good will, leading to positive action and where required, uptake of more sustainable farming practices.

The TFGA supports the following *principles* in relation to environmental and natural resource management issues.

Recognition

- Farmers should be recognised for the good work they already do with regard to adopting farming systems that maintain a balance between agricultural production and environmental responsibility. Active involvement of the farm sector as an expansive and critically important class of land tenure is vital for achieving the community's expectations for the environment.

The farming community itself has an important role in promoting this fact to the wider community.

Resource Security

- Farmers can afford to invest in environmental sustainability if they are operating in a profitable business environment. To provide farmers and their financiers with the investment security required to do so necessitates:
 - Long-term ownership rights to land and water;
 - Certainty of land use, and clear risk assignment if the rules change;
 - Flexible on-farm management approaches to environmental management that facilitates innovation.
- Voluntary approaches that support farmers to manage environmental issues are more effective than regulation, i.e. carrots versus sticks.

Furthermore, a reliance on prescriptive rules and regulations without promoting complimentary management practices is in itself unlikely to realise the long-term conservation of environmental values being sought, or facilitate a transition to more sustainable farming.

- Where Government environmental standards exceed a reasonable duty of care, the broader community should pay farmers for providing this additional environmental service on their behalf.
- Innovative and voluntary agri-environmental approaches are required that reward the positive contribution that farmers make as environmental stewards.

- Environmental stewardship programs won't suit all farmers or situations. Accordingly compensation must be payable if a farmer's ownership rights of land and water are removed, encumbered or constrained to achieve 'public good' environmental outcomes.

Principles of natural justice

- Individuals should have access to low cost appeals mechanisms to an independent arbitrator so that they can appeal against decisions that affect them.
- Government regulation for 'public good' environmental outcomes must provide farmers with structural adjustment at the current market rate for any reduction in the value of their land.

REGIONAL DELIVERY OF NRM PROGRAMS

The following are a relevant extract from comments made by the TFGA in late 2005, to a national Ministerial Reference Group review of the Regional Delivery Model for NRM Program Investments ("Keogh Review").

Future outcomes the TFGA would like to see realised from the Regional Delivery Model include;

- *Future revisions of Regional Strategies include a greater emphasis on the economic social and cultural impacts and opportunities of the Targets and Programs proposed.*
- *Improved efficiencies through where possible, integration and consistency of Program delivery and structures across the Regions.*
- *The role and processes of the various funding programs, e.g. NHT, NAP, NLP, EMS Pilots, Healthy Soils, Defeating the Weeds Menace, must be integrated and more clearly defined through regional delivery so to avoid confusion and duplication.*
- *A greater focus on sustainable agriculture programs which, responds to what drives farmers to engage with NRM issues.*
- *Affordable extension, education and training programs to assist farmers to adopt new technologies and improved practices for sustainable agriculture.*
- *Emphasis on R&D partnerships with industry and innovative technologies and solutions.*
- *Greater recognition of the concept that farmers are everyday delivering 'environmental services' for the community.*
- *Accordingly significant funding should be directed through outcome based partnership agreements to leverage private industry investment. There is also potential for greater exploration of market-based instruments generally.*

- *Currently the relationship between the Regions and State Government programs is unclear. To be successful the role of the Regional Strategies must be more clearly defined and communicated to the farming community, e.g. investment delivery, not policy setting.*
- *The Envirofund is well received by farmers and should continue, particularly where it is not necessarily limited to the priorities of the Regional Strategies or is filling gaps in the Strategies at the local level.*
- *Longer funding cycles at the local level are required to facilitate improved planning required to implement works and programs and to leverage partnership investment in NRM.*

GENERAL COMMENT ON NRM FRAMEWORK & ACT REVIEW

Is the Natural Resource Management Framework producing results?

A feature of Tasmania in the early 21st century is community awareness of and interest in the condition of the State's environment and the impact of land use activities on this. Nor is interest in Tasmania's environment and land use practises limited to the Tasmanian community. Mainlanders are also interested.

Linked to this community awareness and interest is an increasing wish by the community to have its views heard on how Tasmania's environment and resources are protected and managed, and in some cases to be involved in activity to this end.

Governments at state and national level have acknowledged these trends, and provided funds and other resources for management by NRM Committees at regional level, to address identified issues systematically. In Tasmania this has been done within the State's NRM Framework approach.

The NRM Framework appears to have addressed the need to allow the community a voice and involvement in NRM planning and thinking, and it is important not to undervalue this as an achievement.

However, a weakness in implementation of the NRM Framework has been a general lack of farmer engagement, in both preparation of strategies and how these are subsequently delivered. Privately owned farm land is by far the most important category of land influenced by, and influencing, the strategies. The farm sector must be effectively engaged in both strategic planning and strategy implementation if the process is to deliver good, on ground outcomes.

The lack of engagement does not reflect a lack of farmer awareness of or interest in the Framework. In fact many farmers have been seriously concerned at potential impacts on their operations. The issue has probably been more one of an inappropriate engagement process. The consultation approach undertaken when the current strategies were prepared, was time consuming and complicated. Individual farmers were simply not able to commit the time and energy the process demanded.

There needs to be serious thought given to a better approach to land owner engagement in both strategy implementation and strategy review.

- ***The Natural Resource Management Framework is a reasonable structure for involvement of the general community in NRM. It provides an opportunity for input by the general community, including specific interest groups, to decisions on NRM priorities and how these can best be addressed.***
- ***However the Framework does not provide adequately for engagement of the farm community. There needs to be considerable improvement in the area of farmer engagement.***

SPECIFIC COMMENT ON NRM ACT REVIEW

The following sub-headings are drawn from DPIW's Discussion Paper.

Natural Resource Management Principles

Given the fact that there are three different Regional NRM Committees in Tasmania and that these reflect quite strong regional cultures, there is always a possibility that regional strategies will differ, and may in fact conflict, where they consider the same subject matter. This carries risks for good NRM policy and process, particularly in adjoining parts of different regions.

An approach to harmonising strategies in the circumstances is by establishing broad guidelines within which these are prepared and implemented. An important subset of such guidelines is a body of principles which strategies need to comply with. This will not guarantee harmony between strategies but it will reduce the chances for conflict.

- ***It is useful to have a set of overarching principles to guide implementation of programs by Regional NRM Committees. The current principles are appropriate.***

However, two important changes need to be made to the current list of seven principles.

First, the principle, "We are all responsible", should be given overarching status at the head of the list. At the end of the day the Framework sets out a process for coordinating the interests and activities of all Tasmanians with regard to land use management. However, it is a fact that most on ground activity will bear directly on farmers and other land owning subsets of the community. It is important to emphasise the fact of shared responsibility with an overarching status before other, more specific, principles are addressed.

The second change relates to the principle, "Prevention is better than Cure". While the precautionary principle (to which this refers) is sensible in the context of risk management, there is a strong tendency in many situations for it to discourage experimentation and innovation. An additional principle needs to be added to the current list, to balance this tendency here, which emphasises the importance of innovation in land management and encourages experimentation.

- ***The principle, "We are all responsible", should be given overarching status in relation to the list of principles.***

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Natural Resource Management Priorities

For the same reasons as it is useful to have a set of overarching principles to guide strategy preparation, it is also useful to identify a set of overarching priorities for regions

to address. Apart from anything else, harmonisation of priorities should encourage generally consistent development of databases across the regions.

However, the current list of priorities leaves out two important issues. The first of these is “climate change”. It goes without saying that climate change is going to drive major changes in both land values themselves, and in land use activities. On the one hand some activities will be curtailed in future, and on the other new opportunities will open up. For those reasons alone climate change needs to be made a priority issue.

The second issue is “native fauna”. Damage by native browsing animals to pasture, crops and seedlings in the farming and forestry sectors, has an important impact on production costs. There is ongoing pressure by regulators to reduce the use of poisons in game control, but in the absence of suitable alternatives land owners are left with little option. This is a very good case of tension between the needs of important economic sectors and the people that directly depend on them, and values espoused by the wider community. It is therefore a highly appropriate target for NRM strategies.

A further consideration with regard to native fauna is the impact of feral animals, in particular cats, on native animals.

- ***It is useful to have a general set of priorities to guide implementation of programs by Regional NRM Committees.***
- ***Climate change should be added to the current list in view of the substantial effect this is going to have on both natural land values and land use activities in future.***
- ***Fauna management should also be added to the current list of priorities, to reflect the importance of game management processes for primary industry.***

Accreditation Criteria, and Standards and Targets

The existence of three NRM regions in Tasmania is desirable, as is discussed elsewhere in this submission, but does expose the state to possible inconsistencies in NRM approach in what is a relatively small geographic area.

An appropriate approach to minimising potential negative impacts of this is the establishment of guidelines for the preparation of NRM strategies so that they are consistent in general features at least. Shared principles and priorities are examples of such guidelines. Setting accreditation criteria is a further useful measure.

Current accreditation criteria set by the Tasmanian Government are appropriate.

- ***Accreditation criteria are appropriate as a guide for Regional Committees in the preparation of strategies, and subsequent review of these. They help ensure a useful degree of consistency between the strategies of different regions.***

- ***Current accreditation criteria are appropriate for Tasmanian NRM strategies.***

There is also no doubt that the setting of standards and targets is a useful approach to quantification of the resource condition and land management objectives which must be the fundamental intention of NRM strategies. In the absence of standards and targets, expression of objectives must be reduced to general expressions of intent, which will not apply the discipline good land management requires.

However, the setting of standards and targets needs to be done with care. There can be a tendency to pick numbers out of the air in the absence of good data and sensible analysis. There can also be a tendency to regard standards and targets as “carved in marble” once set, which will simply entrench bad data and analysis. It is important to avoid being trapped by either of these temptations.

- ***It is appropriate to express strategic goals in the form of standards and targets. An important consideration is the practicality of both standards and targets in strategies, but this is something that should improve over time, in light of data collection and experience.***

Regional Strategies

When Tasmania’s NRM Framework was first drafted there was debate over whether the state should be regarded as a single unit with a single NRM strategy, or whether it should be sub-divided with several. Key considerations were the fact that a single NRM strategy would avoid potential conflict between different areas of the state on the same NRM issue, but that sub-division of the state would recognise existing regional differences in terms of social workings..

The decision to go with three regions, coinciding with the telephone regions, saw this as an optimal balance between these needs. There is nothing to suggest that this decision needs to be revisited.

- ***It is appropriate to retain the system of regional strategies for Tasmania, with informal consultation between the regions as a mechanism to harmonise strategies in adjoining regions as necessary.***

Linking Regional Strategies to Existing Planning Instruments

The relationship between NRM Strategies and the systems which formally regulate land use planning in Tasmania was a major subject of discussion at the time the NRM Framework was being developed.

It was decided then that there should be no direct link between Tasmania’s NRM strategies and the state’s formal systems of land use regulation, although those systems and the agencies that administer them should be informed by work done by the three NRM Regional Committees. The TFGA strongly supported this position at the time and believes equally emphatically that it should be retained.

The Regional NRM Committees, in the view of the TFGA, are primarily a mechanism for allowing members of the community who have an interest in, and want to have a say in, how Tasmania's natural resources are managed, an opportunity to do so. Apart from acknowledging this reasonable interest, Government is using it to augment resources relating to data collection and analysis, capacity building and communication. It is doing this by using skills which Committee members and related secretariat staff bring with them, and providing funds to support these.

The NRM Committees should in no way become de facto extensions of Government systems for administering land use regulations. The Committees are not qualified to undertake this kind of role in terms of skills and resources. Nor is there any need to recruit them to any sort of regulatory or quasi-regulatory role. Existing Government mechanisms at both state and municipal level are far more accountable to the land use managers most directly affected, and remain adequate structures for regulatory purpose.

Having said that, there is no doubt that it will be beneficial to overall natural resource management by the State Government, to maintain close, informal links between relevant state officials and the Regional NRM Committees, to allow a two way flow of information to the benefit of both parties.

- ***It is extremely important that regional NRM strategies not be linked by legislation to the statutory land use planning system. The current link through cross-membership of Regional NRM Committees and planning authorities is quite sufficient.***

The Natural Resource Management Council

In a time of increasingly tight natural resources, and related tightening of land use regulation, the farm sector is increasingly sensitive to natural resource management processes in Government.

The regional NRM Committee structure has been a useful extension to Tasmania's approach to natural resource management but there does need to be ongoing advice available to senior levels of Government from key stakeholder sectors, with regard to adequacy of the structure. The current model may well benefit from review and amendment in future, and it will be useful for Government to have feedback from key stakeholders other than the Committees themselves, on an ongoing basis.

The NRM Council is an appropriate approach to the provision of overall advice to Government on how regional NRM Committees are constructed, are governed and interact, with a view to maximising overall efficiency and effectiveness of operations. A very important issue here is integration of planning and operations across the three regions.

An important function which should be specifically given to the NRM Council is the determination of priorities for Tasmania. Tasmanian priorities will differ from those of mainland states, but need to be uniform across the state. A Tasmanian set of priorities should be informed by national priorities on the one hand and regional priorities on the other, but the appropriate body for final decision should be the Council.

It is appropriate for there to be an independent chair for the Council rather than the Secretary of the Department of Primary Industries and Water.

- ***It remains useful to have an NRM Council to provide the Minister with advice, particularly with a view to reflecting the views of important NRM stakeholder groups.***
- ***The Council should be tasked with advising Government on the construction, governance and interrelationships between, regional NRM Committees.***
- ***The Council should also be tasked with establishing the priorities to be observed by regional NRM Committees.***
- ***The Council should have an independent Chair.***

The Regions

When the NRM Framework was put together, a good deal of attention was paid to whether Tasmania should be a single region for NRM purposes, or more than one, and if more than one then how many.

The three NRM Committee arrangement was identified as being the most sensible in terms of balancing the benefits of a single committee for a state the size of Tasmania, and recognition of the longstanding differences between different parts of the state. Tasmanians tend to identify themselves as southerners, northerners and north-westerners for a host of purposes, and it made sense to create committees to reflect rather than conflict with this.

The logic remains, and there is nothing in the experience of the past few years to suggest any radical change is necessary. This is primarily because the regions are only now just finding their feet in terms of delivering Regional Strategies and Regional Investment Plans.

However, application of the principles of “continuous improvement” and “best practice not-for-profit corporate governance” is of vital importance if the regional NRM model is to truly deliver lasting on-ground NRM outcomes in an accountable manner.

The structures and operations of the 3 regions have differed from the outset. This reflects a level of local ownership to develop the regional NRM model to suit their particular region. However it has been clearly observable that the effectiveness and success of each region has directly correlated to the particular skills and experience of the particular leadership group (staff and board members) and this has differed through time.

There is an ongoing role for Government investors in NRM, most probably best served through the State NRM Council, to support Regional committees with ongoing capacity building in terms of skill development and best practice corporate governance.

- ***It is appropriate to have three NRM regions in Tasmania and the current regions should be maintained. Structural arrangements for different regions should be left as a matter for those regions to decide. Regional committee capacity will evolve over time to reflect needs and budgets and the State NRM Council should support the regions in that regard.***

Conclusion

Tasmania's NRM Framework, and the three regional NRM Committee structure, is addressing the role it and they were established to address. Moreover, given that systems are still bedding down, they are addressing their roles generally satisfactorily.

The TFGA would like to see the system maintained, but with modifications as noted above especially related to State NRM Council and Regions.

It is critically important that the NRM Framework is maintained at arms length from Tasmania's formal system of land use regulation. Linkage between the two systems should continue to be on an informal basis through senior state Government representation on the regional committees.