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Government of South Australia

Natural Resources Management
Council

Andrew Inglis
Presiding Member

Level 1
1 Richmond Road
Keswick SA 5035

GPO Box 1047
Adelaide SA 5001
Australia

(08) 8463 6851

www.nrm.sa.gov.au

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Hon. Ian Hunter MLC
Minister for Sustainability, Environment and Conservation
GPO Box 1047
Adelaide SA 5001

Dear Minister Hunter

On 8 July 2014 the Premier announced that the government would be introducing a sweeping reform to South Australia's boards and committees. Under the reform, every government board and committee will be abolished by 30 October 2014 unless it can be demonstrated that it has an essential purpose that cannot be fulfilled in any other way.

The NRM Council met on 1 August 2014 to consider the functions of the Council in light of the Premier's proposed changes, and to formulate advice to you on this matter. In forming our advice we have considered the following questions raised in your recent letter to the Council, and hereby provide our response.

1. Where do you value add and or what are the current benefits for government of the Board or Committee?

The Natural Resources Management (NRM) Council is the state-wide peak body for natural resources management and has been established in line with the Natural Resources Management Act, 2004.

The key purpose of the NRM Council is to provide independent advice to the Minister on the long term strategic direction for the management of the State's natural resources. The key statutory functions, as outlined under Division 3 Section 17 of the Natural Resource Management Act 2004, can broadly be separated into three key result areas:

1. Monitoring - The NRM Council's monitoring role is designed to inform the Minister on the development, implementation and review of statewide natural resource management legislation, policies, reports and activities.

2. Advocacy - The NRM Council is authorised by the Minister as a statewide peak body for NRM. The NRM Council acts as an ambassador for NRM, and as an NRM advocate motivates stakeholders to contribute to natural resource management agendas.
3. Policy Advice - The NRM Council provides policy advice to the Minister that contributes to the achievement of Government environmental and natural resource management priorities.

Specific legislative functions that the NRM Council fulfills that contribute to efficiency and independence include:

- Developing and monitoring the State NRM Plan
- Reporting on the performance of the NRM System
- Articulation of the community's voice through membership of peak organisations (cost effective approach)
- Providing a coordinating role to facilitate partnerships and influence outcomes
- Providing independent (frank and fearless) advice to the Minister, Departments and their leadership as a statutory requirement (i.e. advice on Water Allocation Plans, Regional and State NRM Plans)
- Providing the opportunity for government departments to work collaboratively on state government priorities
- Providing a means to ensure that planning for the economic development of the state takes into account management of natural resources.
- Addressing NRM priorities as identified by the Minister

2. What are the risks if your Board was abolished or what would be lost?

Abolition of the Council could result in the loss of critical independent advice, a lack of objective assessment of performance, and could force Government to resort to more costly, less efficient mechanisms to complete the broad range of vital roles currently undertaken by the Council. The following risks to Government will arise in the absence of a singular body that advises, monitors and advocates for efficient and effective management of the natural resources of our state.

- The absence of an independent NRM body to provide balanced, well informed advice to the Minister could contribute to a negative community view of the

transparency, impartiality and accountability of decision-making of Government Agencies tasked with delivering this policy.

- The membership base of the NRM Council consists of members nominated by the Local Government Association, Conservation Council and Primary Producers SA (PPSA) as well as members who have skills in a range of NRM disciplines such as Aboriginal affairs and traditional knowledge, soil conservation and land management, water resource management and business management. Alternative arrangements for monitoring and evaluation of the NRM system may lack the credibility of an independent, skills based body.
- Similarly, readily accessible community-based advice to the Department on issues requiring an immediate response to the Minister would be lost.
- Without Strategic oversight, the significant advances made toward monitoring the State's natural resources through the NRM State & Condition Reporting Framework could be lost.
- Existing partnerships and formal agreements (such as the Agricultural & NRM Memorandum of Understanding, between PPSA, the Department of Primary Industries & Regions SA (PIRSA) The Department of Environment, Water and Natural Resources (DEWNR) and the NRM Council) would be impacted by the loss of a collaborative body working with a broad range of stakeholders such as primary producers, the Aboriginal community, local Government, and conservation groups.

3. Suggestions for options to improve ways in which the government would achieve the outcomes delivered by your Board or Committee?

The following options are put forward to address the Premier's commitment to reform South Australia's Government Boards and Committees, if NRM Council were to be abolished.

Option 1: Improvement to the Status Quo

Key environmental Boards/Council could be amalgamated to form a 'Peak NRM Body' which could reduce duplication and increase efficiency whilst retaining independence. Environmental Councils with statutory advisory and monitoring functions such as the Native Vegetation Council, Marine Parks Council and Climate Change Council, are bodies that could appropriately be merged with the NRM Council into a single peak body.

Option 2: Expansion of the roles, responsibilities and membership of the regional NRM Boards Presiding Member's Forum

The Presiding Members Forum provides an opportunity for PM's to:

- Discuss and debate strategic NRM issues of common interest for regional delivery of NRM.
- Provide a mechanism to bring state and national initiatives to the collective attention of the regions.
- Facilitate discussion, sharing of information and best practice approaches, and the adoption of new and innovative approaches to natural resources management.
- Provide a mechanism which affords support and advocacy for the Minister's NRM reform agenda.

Many of the current Council's strategic advisory and monitoring functions could be undertaken by this group. However functions which require second party review and advice to the Minister would need to be discontinued or considered by a separate body - e.g. advice on Water Allocation Plans and the way in which regional NRM Plans meet the objectives of the State NRM Plan.

If the government foresees value in retaining those functions of the Council which include independent assessment of NRM Authorities' performance, plans and policies, ad hoc Expert Panels with a short sunset clause would need to be established to undertake these functions. For example the preparation of the State NRM Plan could be guided by a NRM Expert Panel for 6 months and the continuing monitoring and evaluation function of the plan would then need to reside with a Government Agency.

It is recommended that this model also incorporate representation from PPSA, the Local Government Association, Conservation Council of South Australia, and other relevant Peak Bodies, to enable the broader networking, facilitation and integration that the involvement of these peak groups entails. Consideration would also need to be given to the suite of skills and experience required in such a body, as the compilation of Presiding Members may not necessarily satisfy the full skillset required.

Also, if NRM Boards were to improve functional efficiency (e.g. by moving to quarterly meetings), there would be an increased opportunity for the Presiding Members Forum to take on some duties currently undertaken by the NRM Council.

Option 3: Transfer of NRM system functions to Local Government

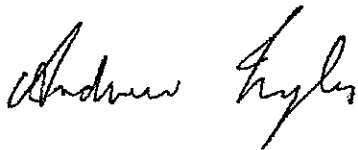
Local Government may be able to oversee and/or deliver a number of functions currently undertaken by regional NRM Boards. Some of these roles have previously been the responsibility of local government bodies and could conceivably revert to local government

under a restructured natural resource management system. Transfer of statutory functions from the NRM system to Local Government would impact on the regional focus and landscape scale provided by the current NRM system, although a regional Local Government system may possibly address this lack of landscape scale. Clearly substantial structural and legislative changes would be necessary before Local Government could assume responsibilities of the current regional boards and the NRM Council. It should also be remembered that Local Government does not cover all areas of the State, leaving a large percentage of South Australia unrepresented.

Furthermore, in such a scenario, Local Government would be conflicted when it came to monitoring and evaluating the NRM system and a Government Agency may be required to assume this responsibility. Arguably such a model would have difficulty in providing the level of independence and expertise of the current arrangements.

Meeting the long term vision and goals set out in the State NRM Plan requires wide-ranging partnerships between government, industry, landholders and the community. During times of constrained resources it is more important than ever to establish strategic relationships with our partners and stakeholders. The NRM Council is open to discussing further with you how the environment portfolio may better engage the community, ensure independence and enhance efficiency in the interests of one of our most important assets, our natural resources.

Yours sincerely



Andrew Inglis
PRESIDING MEMBER
NATURAL RESOURCES MANAGEMENT COUNCIL

