

NATURAL RESOURCE MANAGEMENT AMENDMENT BILL 2009

Second Reading

Mr LLEWELLYN (Lyons - Minister for Primary Industries and Water) - Mr Speaker, I move –

That the bill be now read the second time.

The purpose of this bill is to amend the Natural Resource Management Act 2002

The Natural Resource Management Act 2002 introduced new ways to deliver and manage natural resource management (NRM) in Tasmania. As the central pillar of the Tasmanian NRM Framework, the NRM Act set in place a constructive partnership approach to natural resource management at State and regional levels. It was the first attempt in this State to bring together industry, resource users, land managers and conservation interests to provide a coordinated approach to natural resource management.

The background to this bill is that a review of the NRM Act and the associated framework was completed in 2008. This review was legislated to occur after five years of operation of the act. The review involved broad consultation and revealed considerable support for the Framework and the legislation.

The review made 18 recommendations for improvements which, as the responsible minister, I accepted. These improvements cover a range of matters including the setting of State NRM priorities, the membership of the regional committees and the operation of the NRM Council. Of these recommendations, two require legislative amendment in order to be implemented.

These minor amendments to the Act are the basis of this bill. I will now highlight the specific amendments to the act and provide a brief explanation of why each was considered necessary.

Amendment (i)

Section 9(3) is to be changed to make the interests to be represented on regional NRM committees less prescriptive.

This amendment proposes to simplify the membership provisions in section 9(3). These provisions have two characteristics that were criticised in the review: Firstly, the specification of only 'skills and knowledge in natural resource management' as the qualification for membership; and secondly, the requirement that certain interests be represented on the regional NRM committees. It was

determined that greater freedom to appoint a broader range of community members to these committees would be preferable. In particular, it was felt that skills and experience in best practice governance, business administration, legal and contractual issues, are also important for committees to effectively fulfil their governance function.

In respect to the second part of this amendment I would say the following. In my role as minister, I provide each of the NRM committees with 'terms and conditions' under which they operate. These 'terms and conditions' ensure the representativeness of the committees is maintained. It will remain a requirement that the committees have balance in their membership and include Aboriginal community representation.

The review concluded that there are also other adequate safeguards to guarantee the representativeness of the regional committees. These operate through DPIW's role in the appointment process, as members of the three separate appointment panels and on the regional committees themselves; and, especially, through the minister's oversight role in relation to membership changes. The proposed amendment will therefore strengthen the ability of regional NRM committees to fulfil their statutory obligations without compromising their capacity to represent the broad range of community interests in our state.

Amendment (ii)

Section 20 is to be amended to provide more flexibility in the timing of future reviews.

As reviews take some time to plan and carry out, there is a risk that the inflexible scheduling of future reviews may turn out to clash with other NRM developments. For instance, five years from the first review would mean completion in early 2013; this coincides with the completion (and an earlier review) in June 2013 of the first five year investment period for the Australian Government's Caring for our Country program.

That could be either a very good or a very poor time for a review of this sort, but currently there is no flexibility to choose the best time. It is therefore proposed that the minister has some discretion to time reviews in accordance with other relevant factors. This amendment proposes that the act should be reviewed between four and seven years after completion of each previous review.

Additional amendments

Since the review concluded, two additional matters have been identified that require legislative amendments to allow greater effectiveness in

implementing the NRM Act and Framework. These amendments are also included in this bill, and I will now briefly describe them.

The third amendment will relax the current terms in Schedule 2 Part 2 to allow Council members to remain with Council for longer periods if appropriate. This will allow the current Council membership to carry through the implementation of the review recommendations. It will also provide greater flexibility in terms of allowing the Council to retain suitable and effective candidates beyond the current limit of two three-year terms.

And finally, Mr Speaker, the fourth amendment relates to Schedule 2(13)(b). It removes the requirement for submitting NRM Council meeting minutes to the minister within 14 days of the meeting. This reflects the reality that undertaking the required consultation and approvals process to complete meeting minutes at an executive level often requires longer than 14 days.

Overall, the amendments are relatively minor in effect but they will improve the administration and management of NRM in Tasmania, thereby achieving better outcomes for our environment and community.

Mr Speaker, I commend the bill to the House.