

ATTACHMENT F

The legislative support provided to regional bodies

South Australia

South Australia is in the process of reforming its management of NRM. In July 2004, the SA Parliament passed the Natural Resources Management Act, which is aimed at providing a more integrated and transparent system for managing the state's natural resources. The Act replaces the previous system of more than 70 boards separately managing issues relating to water, pest plants and animals and soil conservation and provides for eight new statutory boards, one for each existing region. The members of the new boards were gazetted in April 2005, with the boards to formally commence on 1 July 2005. The boards will have a range of responsibilities including preparation and implementation of a regional NRM plan as well as delivery of state and Australian Government NRM programs.

The Act also makes provision for a new state NRM Council to provide independent advice and to prepare and review a state NRM plan. A natural resource management levy will be raised and this will augment NRM funding provided by the state and Australian Governments.

New South Wales

The NSW *Catchment Management Authorities Act 2003* established Catchment Management Authorities (CMAs) for the purpose of devolving operational, investment and decision-making natural resource management functions to catchment levels. From January 2004, CMAs were formally constituted as statutory authorities with a responsible and accountable board. CMA boards report directly to the Minister for Infrastructure and Planning and Minister for Natural Resources. General managers are responsible for the day-to-day operations of the CMAs. Some CMA staff were drawn from a pool of existing Department of Infrastructure, Planning and Natural Resources (DIPNR) employees. CMA staff are funded through a NSW Government fund administered by DIPNR. DIPNR also provide the CMAs with corporate support services under service level agreements.

Responsibilities of the CMAs include preparation of a Catchment Action Plan (CAP) and a rolling investment strategy; delivery of incentive programs funded from the National Action Plan for Salinity and Water Quality, the Natural Heritage Trust and NSW Sustainability Funding; certification of Property Vegetation Plans; and the provision of education, advisory and extension services on natural resource management. The thirteen CMAs in NSW are in the process of having their 2004-07 investment strategies approved. These three-year strategies focus on a handful of key natural resource management priorities that integrate principles outlined in their catchment blueprints, the regional plans that precede the development of CAPs.

Tasmania

The key State legislation dealing with natural resource management is the Natural Resource Management Act 2002. The Act establishes the Tasmanian Natural Resource Management Council and three regional committees (NRM Cradel Coast, NRM North and NRM South) and provides for the development of regional strategies for natural resource management. The Australian and State Governments provides resources through the regional committees from its programs to manage natural resources in the region.

Victoria

Victoria's Catchment Management Authorities (CMAs) fulfil the requirements of the Intergovernmental Agreement on a National Action Plan for Salinity and Water Quality clauses 35 (i) – (vii) and the obligations specified in clause 7 of the Agreement between the Commonwealth of Australia and the State of Victoria for the Implementation of the Intergovernmental Agreement on a National Action Plan for Salinity and Water Quality (Bilateral Agreement) between Victoria and the Commonwealth.

Victoria's ten regional bodies (originally land protection boards, now Catchment Management Authorities (CMAs) were created by strong enabling legislation past in 1994 and they have a charter to facilitate integrated catchment management. They have a range of statutory responsibilities under the *Catchment and Land Protection Act 1994* (Vic) [http://www.austlii.edu.au/au/legis/vic/consol_act/calpa1994267/] and the *Water Act 1989* (Vic) [http://www.austlii.edu.au/au/legis/vic/consol_act/wa198983/].

Under the *Catchment and Land Protection Act 1994* (Vic), the main functions of CMAs relate to implementation of their Regional Catchment Strategies and are to:

- conduct an ongoing review and development of the Regional Catchment Strategy;
- identify priority activities and works programs necessary to implement the RCS;
- provide advice to State Government on both Federal and State resource priorities in the region;
- negotiate with the Victorian Department of Sustainability and Environment to develop a regional works program for implementing the Strategy;
- provide services related to integrated waterway and floodplain management, including management of waterways, water quality, floodplains, rural drainage and regional drainage schemes, Crown frontages and heritage rivers outside National Parks;
- provide field extension, advice, coordination, works, referral and enforcement consistent with above activities; and
- monitor and report on the management and condition of land and water resources in the region.

Under the *Water Act 1989* (Vic) the CMAs may also have responsibilities in relation to waterway management, floodplains, irrigation and regional drainage systems.

Queensland

There is no legislative basis for the support of regional bodies in Queensland. Regional Bodies are in the main incorporated entities and not catchment management authorities, and were created following the identification of priority regions under the National Action Plan for Salinity and Water Quality (NAP).

Western Australia

Regional bodies in WA are not founded on any legislative basis. The regional bodies are incorporated entities but not catchment management authorities as in other jurisdictions. The bodies are based on existing advisory committees following the identification of priority regions under the National Action Plan. A state-wide review of the governance arrangements and status of regional bodies has been planned by the state government for some time and is expected to commence shortly.

Northern Territory

There is no legislative basis for the support of the regional body in the Northern Territory (NT). The Landcare Council of the NT (LCNT) was appointed as the regional body for the NT Region (the entire NT is one region). The LCNT is a community-based advisory body appointed by the NT Minister for Lands and Planning. The NT Government is currently moving towards creating an incorporated entity to function as the regional body that is expected to be in place next financial year (2005-06).

Australian Capital Territory

There is no legislative basis to support the regional body in the ACT. The regional body is not incorporated. It was created following the establishment of the bilateral agreement for the delivery of the Natural Heritage Trust in the ACT which sets out its membership and responsibilities.