

Managing South Australia's Landscapes

Putting community at the heart of managing our soil, water, pest plants and animals, and biodiversity.

POLICY OVERVIEW



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Foreword



As South Australians, we are incredibly blessed with diverse, productive and stunning landscapes.

The Marshall Liberal government is reforming how our state's natural resources are managed. The new *Landscape South Australia Act 2019* (the Act) repealed the old *Natural Resources Management Act 2004* and is putting communities back at the centre of decentralised and practical environmental action.

The sustainable management of our environment is vital for the survival and growth of our regional communities, our economy, our wellbeing and our way of life.

The devastating impacts of bushfires and drought affecting many parts of South Australia are stark reminders of how important our landscapes are, and the value of investing to build greater resilience.

Our climate will continue to change and we will need to meet many future challenges by helping regional communities to take care of their regions, and recover when required.

At the heart of these reforms is a framework focused on localised integration that puts communities at the heart of sustainably managing the state's soil, water, pest animals and plants, and biodiversity.

These reforms recognise that people and their livelihoods rely on the health, resilience and productivity of our landscapes.

Eight new regional landscape boards and a new metropolitan board, Green Adelaide, will administer the Act and partner with government and regional communities to deliver a stronger, back-to-basics system with greater autonomy and flexibility to respond to local issues.

These reforms have been deeply informed by the people who are well placed to sustain our environment – those who work, live and care for our landscapes. In 2018 the State Government undertook an extensive state-wide engagement process, listening to more than 1000 people through 60 engagement sessions. This input has been invaluable to ensure our reforms meet the needs of local communities and landholders.

The new boards will engage with communities and stakeholders in the future development of regional plans, programs and policies, including the proposed draft Landscape Regulations.

I look forward to working with you as these reforms advance the sustainable management of our landscapes for the benefit of all South Australians.

David Speirs MP
Minister for Environment and Water

First Nations acknowledgement

The South Australian Government acknowledges Aboriginal peoples as the state's first peoples and nations, and that Aboriginal peoples' deep knowledge and relationship with Country continues to be critical in sustainably caring for our lands and waters.

Overview

The South Australian Government is undertaking significant reform to improve the way our landscapes and natural resources are managed.

From 1 July 2020, the new *Landscape South Australia Act 2019* (the Act) will replace the *Natural Resources Management Act 2004* as the new framework for managing the state's land, water, pest animals and plants, and biodiversity.

Under the Act, **eight new regional landscape boards** and Green Adelaide will facilitate the sustainable management of our state's landscapes; represented by community members committed to partnering with the community, Aboriginal peoples and landholders.

They will deliver practical, on-ground programs that manage our water, land and soil, pests and biodiversity through a range of partnerships, for example, with farming systems groups, environmental non-government organisations, Aboriginal communities and local councils.

Landscape boards will consist of seven members, including a presiding member that chairs the board. Initially all members will be appointed by the Minister, but from 2022 three members will be elected by the community (except in regions where it is determined special circumstances apply, such as the Alinytjara Wilurara board and the specialist Green Adelaide board).

The boards will work alongside community members and stakeholders to develop simple and accessible five-year regional landscape plans with five priorities. Other key functions include development of water allocation plans for prescribed water resources, where applicable, and operating as the relevant authority for a range of water, land protection and animal and plant control activities.

Green Adelaide, will be governed by an expert, skills-based board of up to 10 people that are focused on establishing Adelaide as a world-leading, sustainable, green, and climate-resilient city.

The nine boards include:

- Alinytjara Wilurara
- Eyre Peninsula
- Hills and Fleurieu
- Kangaroo Island
- Limestone Coast
- Murraylands and Riverland
- Northern and Yorke
- South Australian Arid Lands
- Green Adelaide.

The new legislation will **give communities and landholders a greater voice** in natural resources management, including the opportunity to elect three out of seven board members from 2022.

Community will be placed at the centre of managing our state's landscapes through a new regional **Grassroots Grants** program. Local community groups, not-for-profit organisations and volunteers will be able to apply for funding from their board to address local issues and matters important to them.

In an effort to decentralise the management of our landscapes, regions will also receive additional support through the new **Landscape Priorities Fund**. Funded by levies collected in Green Adelaide, the fund will support regional and sub-regional scale projects that can only be achieved by bringing the varied skills, expertise and resources of multiple partners together. Projects will tackle the larger landscape management issues for our state – such as helping with bushfire recovery, climate resilience and adaptation, threatened species recovery and landscape scale restoration.

The business of managing our landscapes needs to be well planned, efficiently executed, soundly governed

and accessible to the community. Several improvements under the new landscape management system include:

- land and water levies capped at CPI – to help minimise the cost of living expenses on farmers, businesses and families;
- a simpler planning framework – where board plans will be five year plans with five priorities, and boards will have to report their spend against that levy;
- a new State Landscape Strategy – that provides a long-term vision for managing the state's landscapes and setting high-level principles for funding on-ground projects from the Landscape Priorities Fund. The strategy will be informed by both state and regional priorities, embedding the concerns of regional communities directly into state level planning for the first time.

Compliance will rely on provisions similar to those under the current NRM Act. Some processes have been simplified and streamlined to improve effectiveness. If remedial action is needed, the first step will be to encourage those responsible to take action before resorting to more formal processes.

Landscape boards will continue to have a role in delivering nature education in South Australia's schools and communities to connect urban and rural communities with nature, and build awareness of the importance of sustainable primary production and sustainably managing natural resources.

The new boards will also have greater autonomy and flexibility to respond to local issues, including managing their own budgets and staff. Boards will employ General Managers who will be responsible for

employing and managing staff to undertake the work of the board. Green Adelaide will be supported by the Department for Environment and Water (DEW).

Developing strong partnerships that put money back in the hands of communities to deliver on-ground programs will be a key priority of the new boards – with more on-ground action encouraged so regional communities and stakeholders can become more actively involved in natural resources management programs and initiatives.

Boards will be able to establish financial partnerships with councils, industry and other bodies and organisations, such as environmental groups and Aboriginal organisations, to deliver landscape-scale programs that can only be achieved by drawing on the different skills, capacity and expertise of multiple partners.

Transitional arrangements will ensure NRM services continue to be delivered under the NRM Act until the new Act is fully operational on 1 July 2020. NRM plans and policies will also continue to apply until new landscape plans are developed.

Various parts of the new landscape management system will commence throughout 2020, including board member recruitment, general manager recruitment, transfer of staff, establishing the Grassroots Grants programs and developing a State Landscape strategy and simple Regional Landscape Plans.

Landscape boards and DEW will continue to engage with regional communities, Aboriginal peoples, staff and key stakeholders throughout the implementation of these reforms.

For more information visit landscape.sa.gov.au



Objectives and benefits

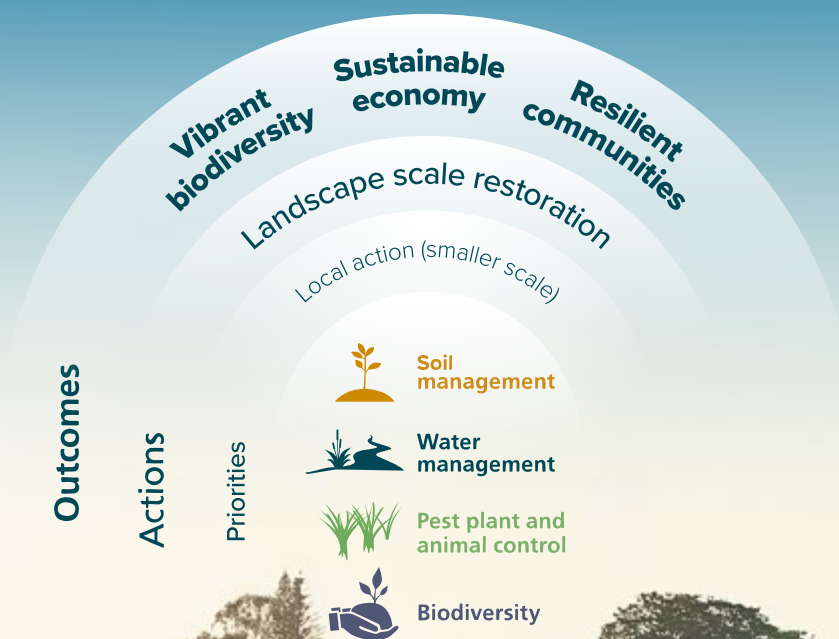
The landscape management reforms aim to achieve:

- ✓ Sustainable economy – Prosperous businesses now and in the future, able to adapt as the economy and primary industries transform over time.
- ✓ Resilient communities – Capable local people and groups leading stewardship of their natural environment, contributing to strong social networks that can cope with changing environments.
- ✓ Vibrant biodiversity – Healthy native species and ecosystems that are able to adapt and persist in the face of change.

What do we mean by 'landscape'?

Reflecting an integrated hills to sea approach, the Act defines South Australia's landscapes as being made up of three components:

- the natural environment, including our rivers and plains, forests and hills, coasts and seas, as well as the built environment
- our natural resources, such as land, soil, water resources, native vegetation, animals and ecosystems
- the different ways people value and interact with their environment, including environmental, social, cultural and economic values.



Benefits

- ✓ **Eight regional landscape boards** – with greater autonomy and flexibility to respond to local issues, including managing their own budgets and staff.
- ✓ **Green Adelaide** – a new and innovative organisation charged with transforming Adelaide into a world-leading, sustainable, green and climate resilient city.
- ✓ **Simpler regional plans** – with five priorities that are easy to understand.
- ✓ **Greater community representation** – with three out of seven boards members to be elected from 2022.
- ✓ **Land and water levies capped** – to ease the financial pressures on landowners.
- ✓ **State Landscape Strategy** – to improve coordination between regional and state priorities.
- ✓ **Landscape Priorities Fund** – to support larger statewide management issues, such as bushfire recovery, drought and agricultural resilience.
- ✓ **Stronger focus on climate resilience and biodiversity** – to support the development of resilient landscapes and sustainable primary production.
- ✓ **Grassroots Grants program** – with greater opportunities for volunteers and local community organisations.
- ✓ **Less red tape and simplified compliance** – to enable boards to get the job done more easily.
- ✓ **Stronger partnerships with landholders and Aboriginal communities** – to ensure that the knowledge of our regional communities and First Nations is respected, recognised and used in the management of our landscapes.



Implementing Landscape SA

To ensure certainty and a smooth transition for regional communities in the lead up to the new Landscape SA Act officially commencing on 1 July 2020, the management of natural resources and services will continue to be delivered under the NRM Act. This will occur alongside other implementation activities, such as landscape board member appointments and the development of new regulations and guidelines.

To enable the continuation of day-to-day decision making and delivery of services under the NRM Act, supporting transitional arrangements have been set in place. This includes new landscape board Presiding Members also acting as single member NRM boards to ensure services continue as normal in the lead up to 1 July 2020.

These arrangements apply in all regions except the Alinytjara Wilurara region, where a nine member NRM board will continue to operate. The Hills and Fleurieu Landscape Board Presiding Member will also constitute the Adelaide and Mount Lofty Ranges NRM Board.

Other transitional arrangements include:

- Regional NRM plans – continuing to operate while new regional landscape plans are developed in consultation with local communities. The State NRM Plan will continue until a new State Landscape Strategy is developed.
- Water resources – rules currently in place will continue to operate and be prescribed under the NRM Act until the new Act officially commences, including Water Allocation Plans, existing authorisations, licences and permits.
- Water affecting activity control policies – currently in place through regional NRM plans will continue to have effect while the relevant landscape board develops and consults on a water affecting activity control policy for the non-prescribed water resources in their region.

The Act also provides for the preservation of levies, penalties and other liabilities to continue under the NRM Act and the transfer of NRM board assets and liabilities

Funding agreements between NRM boards and the Australian Government, such as under the National Landcare Program, will continue to be delivered by regional landscape boards.

Any impact of the reforms on land levies will be mitigated through a transitional scheme approved and gazetted by the Minister. The aim is to ensure that people will not pay higher land levies as a result of boundary changes. The Local Government Association will be consulted on any impacted arrangements for land levies collected during this transitional period.

Next steps

Further updates about the implementation process will be outlined in the first half of 2020.

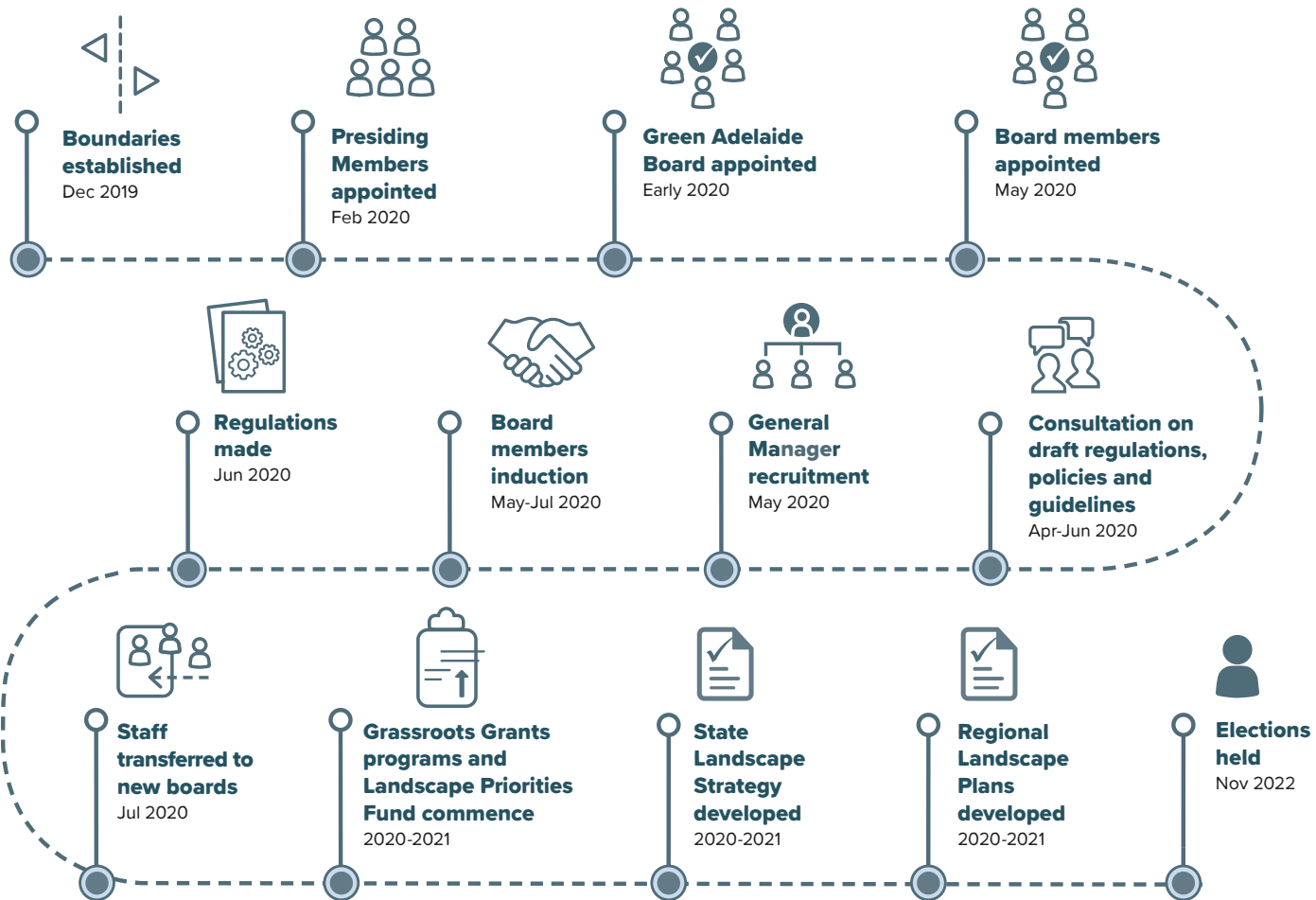
The first step will be the appointment of the new landscape boards with the commencement of an expressions of interest process for community members to nominate to become a landscape board member.

Engagement will also take place with landscape boards, peak bodies, Aboriginal communities, regional communities and other key stakeholders in the first half of 2020 – to help inform the development of new policies, programs and plans, including the drafting of Landscape SA Regulations.

During the implementation process, strong consideration will be given as to how landscape boards can best support statewide priority issues, such as drought, bushfire recovery and agricultural resilience, through the regional grassroots grants programs, the Landscape Priorities Fund, and state and regional planning.



Implementation timeline



Decentralised decision-making

- ✓ **Decentralising responsibility for decision making will empower and reinvigorate regional communities in their management of natural resources.**
- ✓ **We will build and encourage greater participation in priority setting and on-ground activities and create more opportunities to broaden and deepen partnerships.**
- ✓ **This supports greater flexibility and responsiveness to local issues.**

Landscape boards

Under the new Landscape SA Act, nine new landscape boards will facilitate the sustainable management of our state's landscapes; represented by community members committed to partnering with the community, Aboriginal peoples and landholders.

Landscape boards will be responsible for facilitating the management of landscapes in partnership with key partners and stakeholders. They will implement the Act and support all sectors of the community, and all levels of government, by providing strategic leadership for their region's landscape management issues with a focus on land, water, pests and biodiversity.

The boards are statutory bodies and instruments of the Crown, accountable to, and subject to the direction of, the Minister for Environment and Water.

Funding for landscape board programs and projects can come from a range of sources, particularly landscape and water levies in most regions, and from the Australian and South Australian Governments. Boards will leverage additional funding through grants and industry partnerships.

A key function of boards will be to work with the community and stakeholders to develop a simple and accessible regional landscape plan. This plan will focus on five core priorities to be achieved over five years. The board will communicate clearly about how well the plan is achieving its objectives.

Collaboration and partnerships are critical to achieving successful landscape management outcomes. The projects and programs of landscape boards will be delivered through a range of partnerships, for example, with farming systems groups, environmental non-government organisations and local councils. Landscape boards will foster and maintain

pre-existing partnerships and actively build new ones.

Boards will continue to be able to establish regional committees to give them a good understanding about the issues in their region, enabling discussion between landholders and regional and urban communities.

Other key functions include development of water allocation plans for prescribed water resources where applicable, and operating as the relevant authority for a range of water, land protection and animal and plant control activities.

The nine boards include:

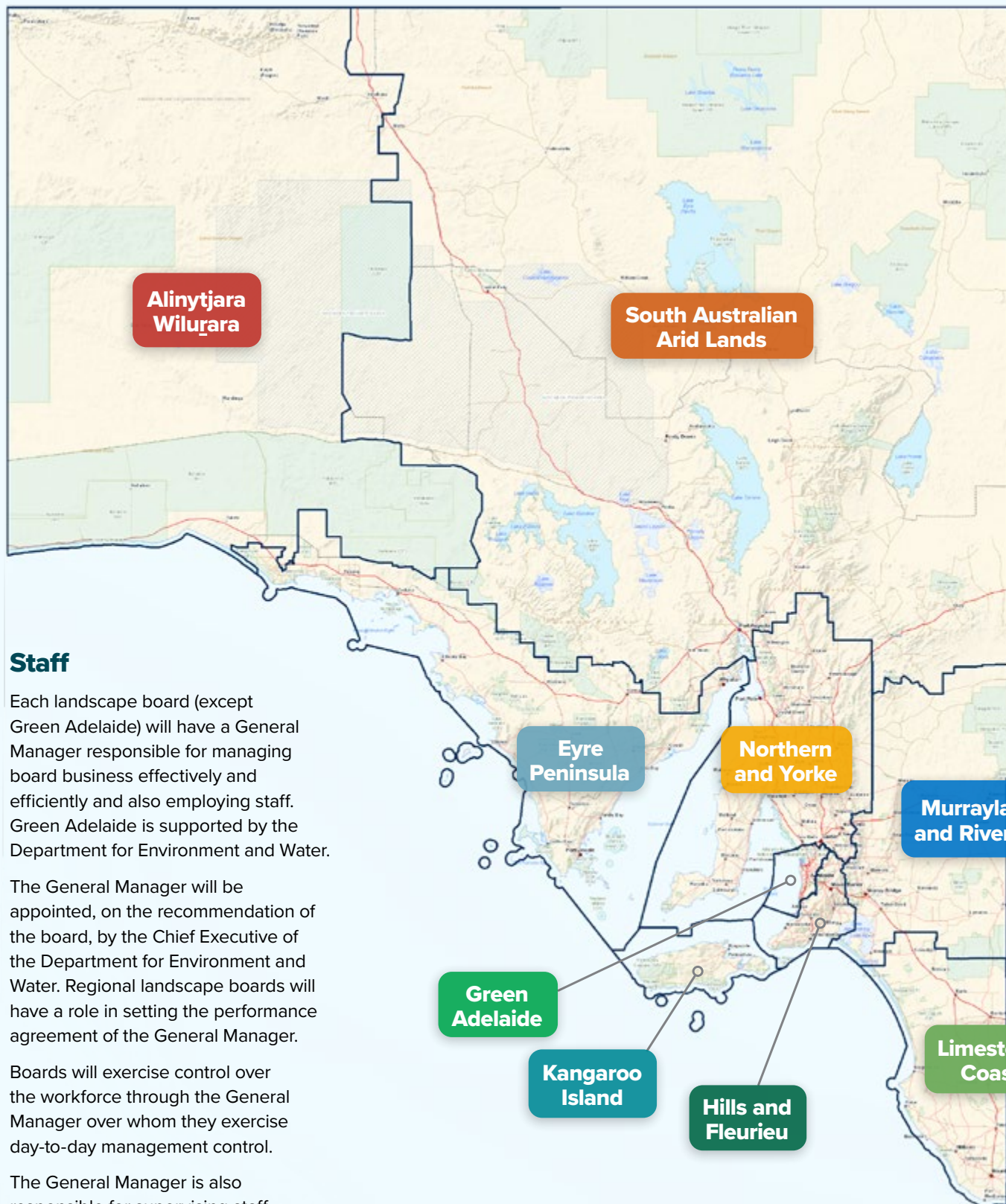
- Alinytjara Wilurara
- Eyre Peninsula
- Hills and Fleurieu
- Kangaroo Island
- Limestone Coast
- Murraylands and Riverland
- Northern and Yorke
- South Australian Arid Lands
- Green Adelaide

The ninth region, Green Adelaide, will be governed by an expert, skills-based board of up to 10 experts that are focused on establishing Adelaide as a world-leading, sustainable, green, and climate-resilient city.

Board membership

Landscape boards in regional areas will generally consist of seven members, including a Presiding Member that chairs the board. Initially all members will be appointed by the Minister, but from 2022 three members will be elected by the community (except in regions where it is determined special circumstances apply, such as the Alinytjara Wilurara board and the specialist Green Adelaide board).

Collectively, the members will have the knowledge, skills and experience to carry out the functions of the board. Landscape board members will include experienced, emerging, and respected community leaders, often with established networks with relevant stakeholders and partners.



Staff

Each landscape board (except Green Adelaide) will have a General Manager responsible for managing board business effectively and efficiently and also employing staff. Green Adelaide is supported by the Department for Environment and Water.

The General Manager will be appointed, on the recommendation of the board, by the Chief Executive of the Department for Environment and Water. Regional landscape boards will have a role in setting the performance agreement of the General Manager.

Boards will exercise control over the workforce through the General Manager over whom they exercise day-to-day management control.

The General Manager is also responsible for supervising staff engaged in the work of the board. In this manner, General Managers will deliver the business of the boards efficiently, whilst reporting to boards on outcomes of staff achievements.

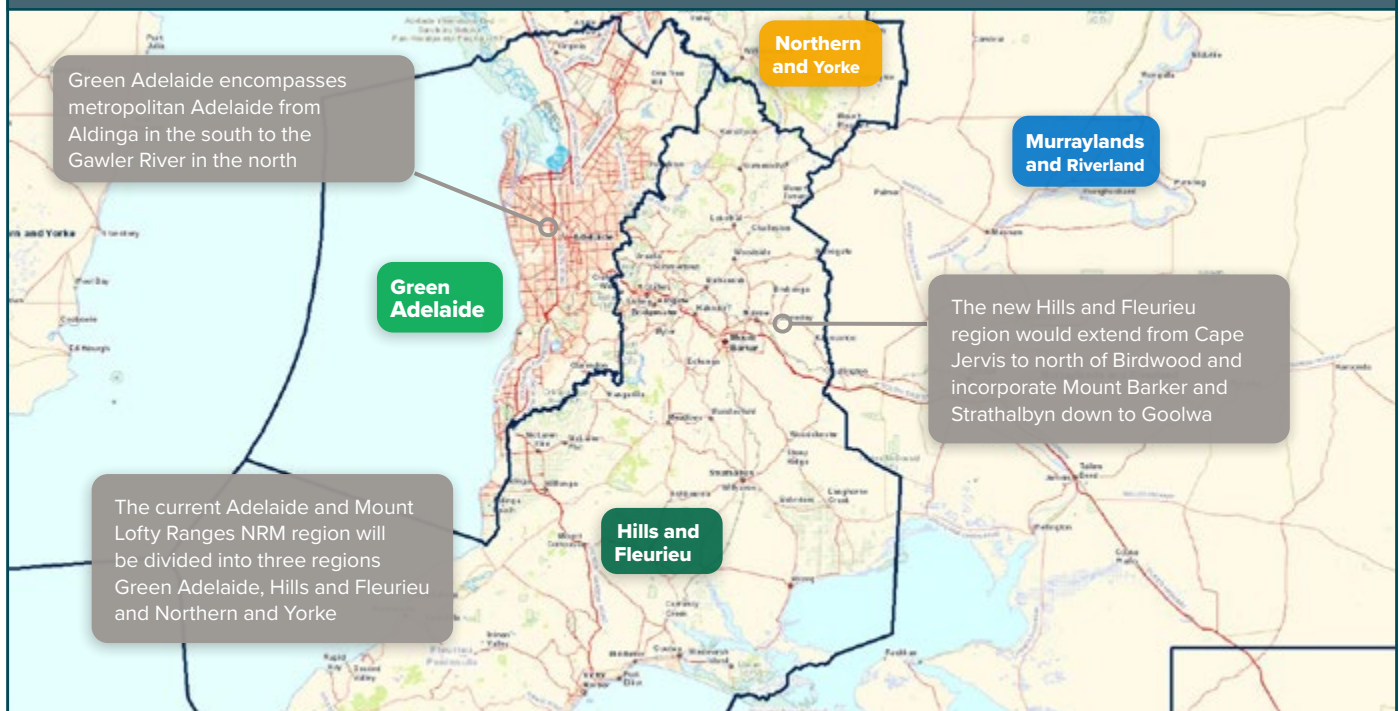


From 1 July 2020, new Landscape regions will be established. These changes will affect landowners previously in the following NRM regions:

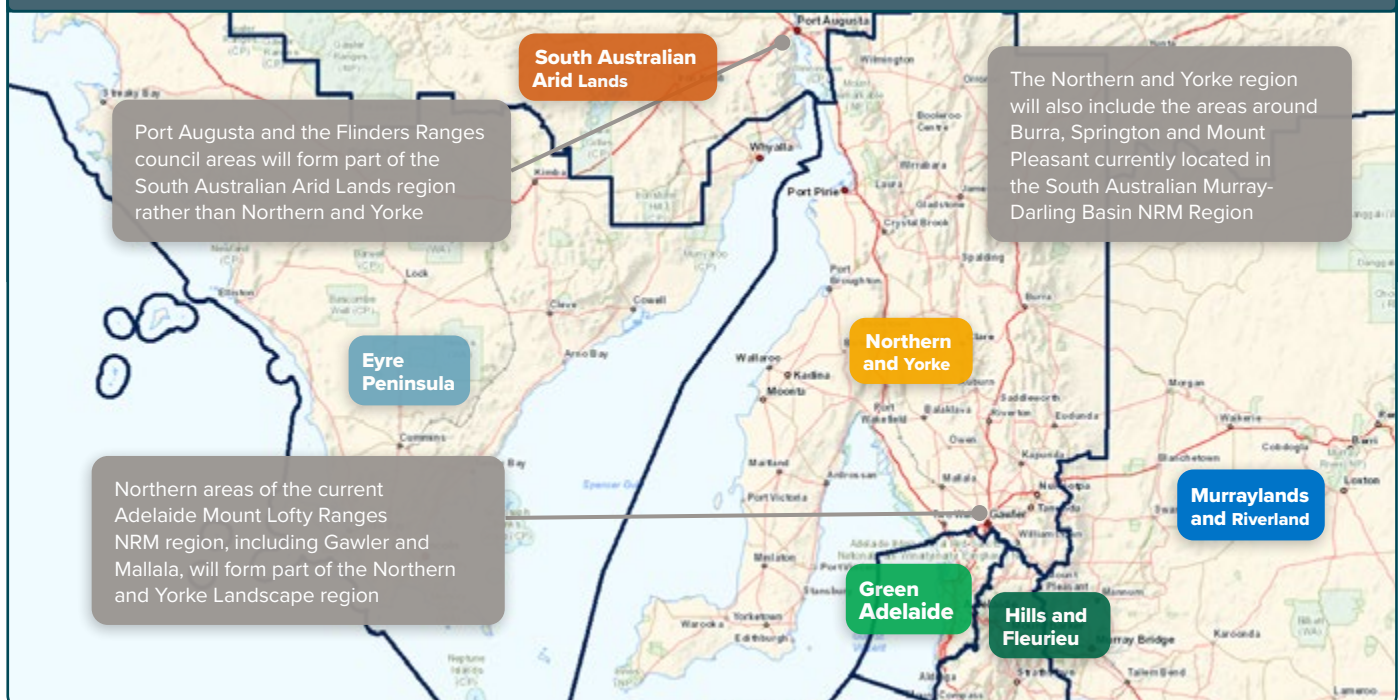
- Adelaide and Mount Lofty Ranges
- Northern and Yorke region
- South Australian Murray-Darling Basin.

The new landscape board regions, including Green Adelaide, also encompass marine areas adjacent to the coast. View interactive maps via landscape.sa.gov.au

Green Adelaide and Hills and Fleurieu



Northern and Yorke



GREEN ADELAIDE

Green Adelaide was specifically created within this new legislation in recognition of the unique environmental challenges faced in urban areas.

This Green Adelaide Board will deliver initiatives for our urban community, to confront the challenges of a changing climate and an increase in urban density. It will pursue an agenda to transform our city into a world-leading, sustainable, green and climate resilient city. This initiative will bring together health, education, climate, sustainability, biodiversity, water and coastal management outcomes. Ultimately Green Adelaide will underpin Adelaide's liveability, environmental sustainability and economic prosperity for future generations.

The heart of Green Adelaide will be its partnership approach - connecting people to programs and policies that further the health of our urban spaces. The Green Adelaide Board will provide strategic leadership in, and connect people to, effective management of the urban environment

Green Adelaide will also have the same powers and functions as the other regional landscape boards, but will devolve its regulatory functions to other government agencies, local councils, boards or private organisations to enable the board to focus on its seven priorities.

Some of its key outcomes will include:

- Greening Adelaide's streets and parks, helping to build the resilience of the city to changes in climate, including reducing the 'heat island effect' and significantly creating habitat for wildlife. This includes influencing new building and suburb designs, to support an urban landscape that is cooler and has increased tree canopy cover and biodiversity habitat.
- Increasing the health and well-being of South Australians through a closer connection to nature.
- An integrated 'hills to sea' approach to urban water management that considers water sensitive urban design, re-use of water, public amenity, stormwater and flood management and the quality of water entering the gulf.
- Partnering with the Kaurna first nation of the greater Adelaide region, neighbouring landscape boards, local councils, state bodies, NGO's and community groups to deliver strategic state and regional environmental projects and programs and to share resources, expertise and learnings.
- Partnering with state and local government, the planning system and Water Sensitive SA to proactively encourage policies to embed greening and water sensitive design into private and public planning and development at every scale.
- Exploration of a number of global initiatives relevant to urban ecology and green cities, including continuing the establishment of Adelaide as a National Park City.

Green Adelaide's priorities

Green Adelaide will be a strategic, influential organisation which drives innovative reform across the urban landscape, with a strong focus on integrated management of its seven priorities:



Coastal management



Water resources and wetlands



Green streets and flourishing parklands



Biodiversity sensitive and water sensitive urban design



Controlling pest plants and animals



Nature education



Fauna, flora and ecosystem health in the urban environment



A simple and accessible system

- ✓ A simple, straightforward system is required that is less encumbered by red tape and complex compliance requirements.
- ✓ A simple, straightforward system is required that is less encumbered by red tape and complex compliance requirements.
- ✓ We need a transparent system that draws a clear line of sight between funding sources and on-ground action.
- ✓ We will grow participation, build greater trust and confidence, and foster an enduring culture of goodwill.

Simpler processes

The new Act is less process-oriented and more flexible, with reduced red tape to help landscape boards and other managers of natural resources to get the job done more easily.

A range of processes are now simpler and more flexible, such as board appointments, planning, engagement, operations and compliance. Specific procedural requirements relating to these areas are now placed within regulations or policy, rather than in legislation, to enable far greater flexibility when those processes need to change.

Regional planning

Each board will have a high-level, five-year regional landscape plan that sets out five priorities for managing the region's landscapes, except for Green Adelaide which will have seven priorities. The plans will clearly identify how success will be evaluated. For the first time, regional priorities will also inform state priorities in the State Landscape Strategy.

Plans will be simple, with supporting information that has been used to inform the plan being recorded separately, such as scientific, social, economic, cultural, and local knowledge. Repetitive and overlapping planning arrangement have also been removed.

Plans will be developed with contemporary and effective engagement and consultation outlined in guidelines approved by the Minister. This will enable practices to evolve over time. Guidelines will also support a level of consistency in how boards engage, while allowing for regional variation.

To make it easy to find rules and requirements affecting land-users:

- Policies for water affecting activities will be set out in WAPs for prescribed water resources and as a separate policy for non-prescribed water resources.
- Land management and pest plant and animal control policies will be set out in separate regional landscapes affecting activities control policies.

Water and landscapes affecting activity policies will be the subject of public consultation and periodic review.

This simpler approach to regional planning aims to refocus effort and resources on delivering outcomes on-ground.

Business planning

Each board will set its own budget, which will be set out in an annual business plan and clearly show the expenditure proposed for each of its priorities. This will improve the ability of a board to manage its own business.

The Minister will only be required to approve a business plan if it is inconsistent with the board's regional landscape plan or proposes a change to land or water levies (e.g. an increase above CPI).

This simpler process is expected to make the annual process for setting the land levy much simpler and reduce delays in setting council contributions.

Boards will be required to keep proper accounts and publicly report on their activities annually, including a specific report on the actual expenditure of levy funds for the relevant financial year tracked against the board's budget for that year.

Levies

Since 2019 all land and water levies have been capped by the Consumer Price Index (CPI), helping to address cost of living pressures for households and businesses. This cap is now embedded in the Act.

If a board seeks to increase a levy above CPI and it is approved by the Minister, then the Minister would table a report in Parliament explaining the situation. Parliament would then decide whether to allow the increase or other levy change.

Land levies

For land levies, the cap will apply to the total amount to be collected from across a region.

In council areas, land levies will continue to be collected via the most cost-effective method – by local government via council rates. Councils will continue to set a levy rate under the Local Government Act 1999 based on the amount they are required to contribute to the relevant landscape board. New arrangements will ensure councils are appropriately compensated for their role in collecting the levy and not left out of pocket. This includes enabling councils to be reimbursed by landscape boards for unpaid levy debts. Outside council areas, the landscape board will gazette the levy rate and be responsible for collecting the levy.

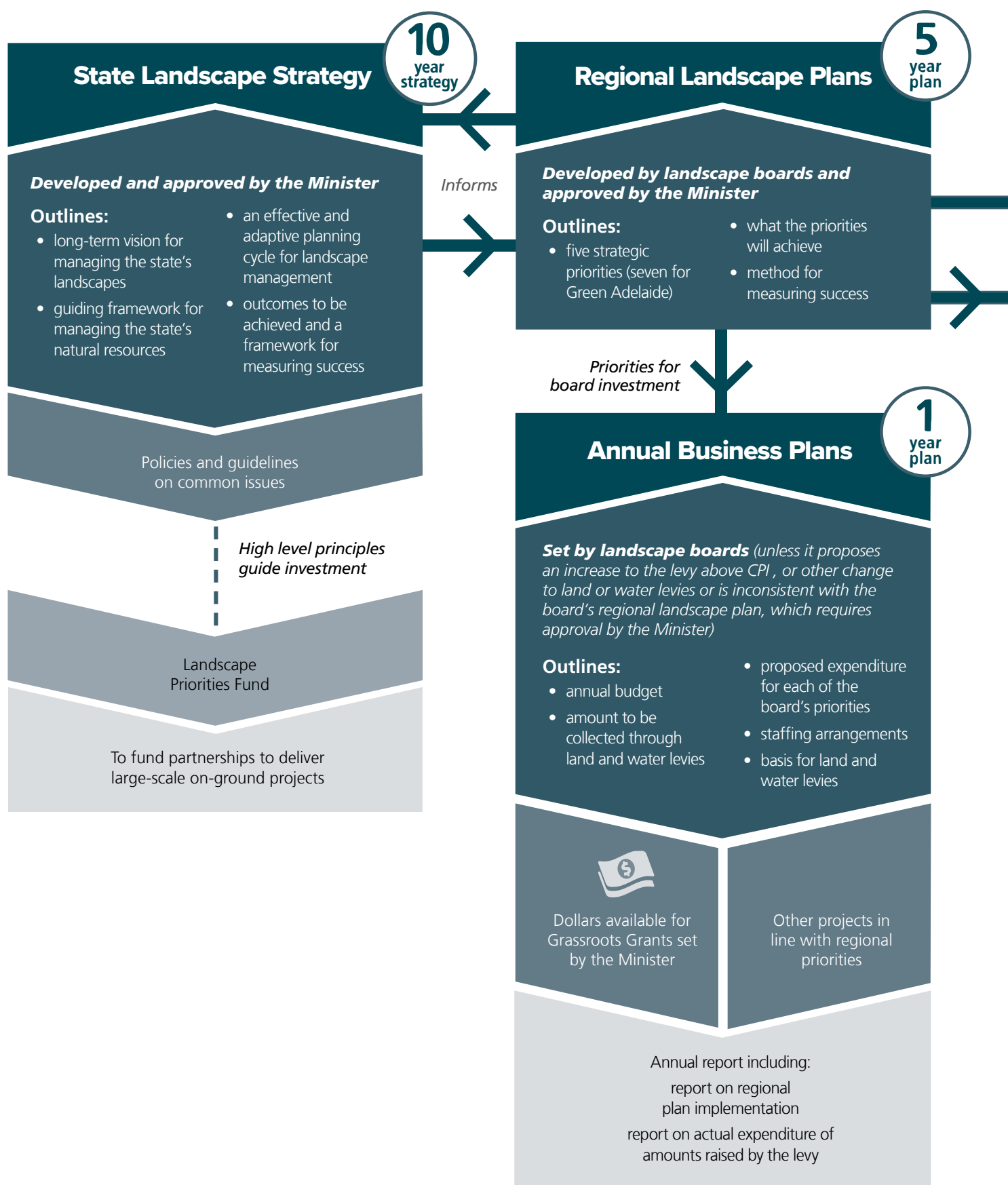
In areas where the land levy is charged based on property values, the CPI cap will limit increases to the rate set by councils. As currently occurs, individual changes to the capital value of a person's property will impact levy charges. The total capital value in a council/region will also influence the levy calculation.

Water levies

For water levies the cap will apply to the rate that is set by the Minister.

The levy arrangements for each region will be set out in the board's business plan. If a board proposes to increase land or water levies above CPI, they are required to consult, meaning local communities will have a say on whether levies should increase and how any additional levy money raised is spent.





Water Allocation Plans (WAPs)

(for prescribed water resources)

10
year
plan

Developed by landscape boards (Chief Executive may prepare for Green Adelaide or for other boards in special limited circumstances)

Approved by the Minister

Outlines:

The management of water resources in prescribed areas as per the NRM Act with some minor changes:

- WAPs required to provide for water affecting activity rules for prescribed water resources
- WAPs can provide for watercourses to be managed as surface water

Water Affecting Activity Control Policies

(for non-prescribed water resources)

10
year
policy

Developed by landscape boards (Chief Executive may prepare for Green Adelaide or for other boards in special limited circumstances)

Approved by the Minister

Outlines:

Water affecting activity rules and rules for take of water resources that are not prescribed. This single location will replace current policies set out in some NRM plans, business plans, or on occasions, water allocation plans.

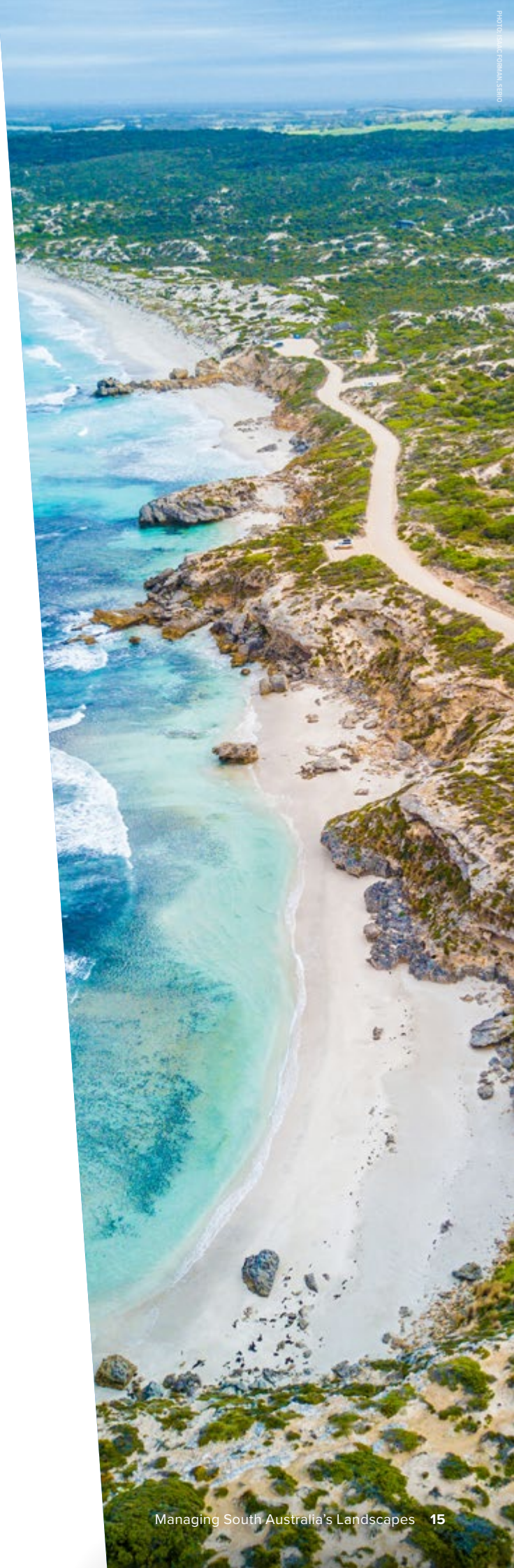
Landscapes Affecting Activities Control Policies

10
year
policy

Developed by landscape boards (Chief Executive may prepare for Green Adelaide or for other boards in special limited circumstances)

Outlines:

Policies related to land management and pest plant and animal control, replacing a variety of policies set out in some NRM plans.



A whole of landscape approach

- ✓ When the efforts of many individuals and organisations are combined across a wide area, the results are more substantial, visible and long-lasting.
- ✓ Large-scale combined efforts require strategic prioritisation and investment and must complement local efforts to maximise effectiveness.
- ✓ A landscape scale restoration approach must also consider interactions between natural systems and people, to improve resilience to change.

Landscape Priorities Fund

A new statewide Landscape Priorities Fund will enable investment in large-scale integrated landscape restoration projects to address sub-regional, cross-regional and statewide priorities.

Specifically:

- It will be a separate statutory fund, with a requirement for proper accounts, which will be subject to an annual audit by the Auditor-General.
- Investment from the fund will be guided by high-level principles set out in the State Landscape Strategy.
- A percentage of Green Adelaide's land and water levies will be dedicated to the fund, at a percentage determined by the Minister.
- The criteria and processes for allocating funds to projects will be established by the Minister.
- Projects will be delivered through partnerships between landscape boards and others, including locally based organisations, groups and individuals.
- Projects will tackle the larger landscape management issues for our state – such as helping with bushfire recovery, climate resilience and adaptation, threatened species recovery and landscape scale restoration.

State Landscape Strategy

A State Landscape Strategy will provide a long-term vision for managing the state's landscapes, setting high-level principles for funding on-ground projects from the Landscape Priorities Fund. The strategy will be informed by whole-of-government strategies and both state and regional priorities. The strategy will be underpinned by a set of policies about common issues, which will reduce duplication of effort and help facilitate statewide coordination.

The development of the State Landscape Strategy and the Landscape Priorities Fund will include consideration of how to support responses to priority issues like climate change, drought and bushfire resilience and recovery.

Many existing mechanisms to facilitate a coordinated approach will be retained. These include an equivalent fund to the NRM fund, referred to as the Landscape Administration Fund, the continued role of the Minister in collecting information and monitoring the state and condition of natural resources, and the power for the Minister to direct the boards.

Climate change

The significance of climate change in managing natural resources is expressly recognised in the objects of the Act, including the need for both mitigation and adaptation. Boards and the Minister will need to take this into account in making decisions under the Act and exercising their legislative functions. Climate science must be taken into account in planning at both a state and regional level.

Greening Adelaide's streets and parks will be a priority for Green Adelaide in helping to build the city's resilience to changes in climate. A focus of the new boards will be to work with communities to identify opportunities to achieve climate resilient landscapes.



Community and land owners at the centre

- ✓ Those who work on, live on and care for the land are well placed to sustain our environment.
- ✓ The reforms will build on strong partnerships with land users, valuing their knowledge and understanding of the landscape.
- ✓ It is the role of government to work alongside land managers, providing support, advice and a helping hand where needed.

Grassroots grants programs

Each region, including Green Adelaide, will have a Grassroots Grants program available to volunteers and not-for-profit organisations that play a significant role in managing natural resources by contributing time and energy carrying out on-ground works. The Grassroots Grants program is enshrined in legislation by the Act.

The grants will be funded by levies collected within each region and from state funding for boards that have no or low levy revenue. This will be administered by regional boards for on-ground projects in that region.

Regional administration reflects the underlying reform principle of decentralisation and will provide an important mechanism for boards to build relationships with local volunteer community groups.

Grassroots Grants programs will commence in 2020/21. An important initial priority for grassroots grants in some regions will be supporting recovery from bushfires.

Aboriginal communities

Supporting the interests of Aboriginal people is included in the objects of the Act for the first time and will underpin decisions made by the Minister and regional landscape boards.

The significance of landscapes to Aboriginal people is expressly recognised as a principle in the Act, with each landscape board being required to work collaboratively with the Aboriginal communities in their region.

Aboriginal knowledge is expressly recognised in the Act as an important contribution in helping to achieve sustainable landscape management.

The Landscape Priorities Fund and the Grassroots Grants program, as well as the overall focus of the reform to deliver outcomes through partnerships, will together provide funding opportunities for Aboriginal people and groups to drive positive and practical improvements to landscape management.

Partnerships

The new boards will build on existing partnerships with land users, valuing their knowledge and understanding of the landscape, engaging early in the development of regional plans and business plans, and working collaboratively, with land managers and communities to deliver outcomes.

Regional landscape boards will continue to partner directly with the Australian Government to deliver a range of environmental and sustainable agriculture services.

Boards also have a mandate for financial partnerships with councils, industry and other bodies and organisations, such as environmental groups and Aboriginal organisations, to deliver on-ground projects to improve the state of natural resources and deliver on regional landscape plan priorities. What this looks like on the ground will be different for different regions, reflecting the unique priorities, circumstances and capacity of the communities in each region.

Delivering community-led landscape management will occur through greater capacity to:

- ensure regional concerns inform the statewide high-level strategy
- target issues most relevant to the local landscape with long-term planning, and
- ensure co-benefits – across the environment, the economy and the community – to manage landscapes sustainably.

Contemporary and effective engagement

New processes for preparing regional landscape plans and water allocation plans will focus on using contemporary and effective engagement and consultation, including with Aboriginal communities.

The Act focuses on outcomes, such as community participation in setting and planning priorities, rather than rigid, outdated processes.

Board engagement and consultation processes will be informed by guidelines about how best to engage with different sectors and communities. Boards will need to take these guidelines into account in water allocation planning,

setting priorities through their regional plans, and consulting on changes to levy arrangements for their regions.

Contemporary engagement and consultation processes will also be used in preparing and reviewing the State Landscape Strategy.

Nature education

Boards will continue to have a role in delivering nature education in South Australia's schools and communities. Education will be an important function for the boards in connecting urban and rural communities with nature, and building awareness of the importance of sustainable primary production and sustainably managing natural resources.



Back to Basics

- ✓ **The system for managing landscapes needs to renew focus on the fundamentals of the Act – soil, water, pest animals and plants, and biodiversity.**
- ✓ **These fundamental issues form the backbone of local level nature stewardship that, in turn, supports and complements landscape scale restoration to achieve vibrant biodiversity, a sustainable economy and resilient communities.**

Water

Given the complexity of water-related matters and the need to comprehensively engage further, only minor changes have been made to water management arrangements to reduce 'red tape' and clarify the operation of certain provisions of the current Act.

Water Allocations Plans

There have been no significant changes to the criteria that a water allocation plan (WAP) needs to address. Water allocation planning is largely unchanged, given the complexity of water-related reform.

However, some prescribed water resources may be located in more than one landscape region.

Accordingly, some changes to water allocation planning and water levies have been necessary to align water allocation planning with the landscape reforms.

Specifically:

- Responsibility for preparing a plan for a prescribed resource in a board's region will sit with that board. If a prescribed water resource is in more than one region, the board for the region where most of the resource is located is responsible for preparing the WAP.
- The Chief Executive may, with the approval of the Minister, prepare a water allocation plan for water resources in the Green Adelaide region.
- Where special circumstances apply, the Chief Executive may prepare a plan at the request of the Minister.
- The water levy will be able to be distributed to more than one board where a water resource is in more than one region.

In line with the new approach to regional boundaries and regional landscape planning, the process for preparing and amending WAPs has been simplified. Plans will be developed and amended through best-practice consultation in accordance with guidelines to be prepared by the Minister.

A minimum two-month consultation period is required to prepare a plan. Mandatory consultation with affected licence holders will also be required to amend a plan if the amendment will lead to a reduction of water rights or a change to the consumptive pool.



Water management

The following minor changes have been made to water management arrangements:

1. Reduce red tape

- enabling multiple works to be covered by the same works approval
- removing unnecessary administrative processes to gazette a notice as to the basis of assessment of water taken each year. Instead, a gazettal notice would remain in place unless the basis is changed.

2. Clarify

- ensuring works and site use approvals can operate consistently with the water management framework of a WAP to regulate water extraction and use.

3. Simplify

- the power for boards to make by-laws has not been replicated, as WAPs rather than by-laws are always used in practice
- specific requirements to consider legislation specific to the River Murray have been consolidated
- removing the need for a separate requirement for copies of permits to be available for inspection or purchase, as these are available at no cost on the Water Register.

4. Flexibility

- minor changes to WAPs to provide flexibility for water users so that it will be optional whether a consumptive pool has a stated purpose, and enabling a prescribed watercourse to be treated as part of a surface water prescribed area where they are inter-connected.

Urban water

Green Adelaide has a clear mandate to drive a 'hills to sea' landscape-wide approach through best-practice water-sensitive (as well as biodiversity sensitive) urban design and managing water resources, urban rivers, wetlands and coasts in the Green Adelaide region.

A new approach to managing water affecting activities

Currently, rules about activities that affect water resources (e.g. dams, culverts) are set out in the regional NRM plan, WAP or, on occasion, in business plans.

To promote consistent approaches to establishing rules by boards and make it easier for people undertaking activities to identify and locate the rules and requirements that apply to them:

- Water resources that are not prescribed -the rules for water affecting activities and taking of water will be set out in a separate water affecting activity control policy approved by the Minister.
- Prescribed water resources –the rules for water affecting activities and taking of water will in usual circumstances be specified in a WAP.

This approach will support the delivery of strategic-focused regional landscape plans, where natural resource management has a landscape-wide focus and water rules can be more easily located.

Flexibility is provided for water affecting activity control policies to be amended as required through best-practice consultation in accordance with guidelines to be prepared by the Minister.

Transitional provisions will ensure operational viability of current plans as boards effect these streamlined processes.



Soil management



Land and soil management will be a priority for the new landscape boards - particularly in regional areas. Sustainable primary production and improvements to land management practices are important ways to achieve a productive, climate resilient and biodiverse landscape. To do this, landscape boards will work alongside landholders and provide support, advice and a helping hand where needed, and will work with and support industry to develop profitable industry-based solutions that meet local requirements.

Regional boards will still be able to require landholders to prepare and implement an action plan when unreasonable land management practices have led to unreasonable degradation of land, or when there is an unreasonable risk of degradation of land.

In determining what is reasonable, there is a clearer requirement for biodiversity impacts to be considered. Before requiring a landholder to implement an action plan to address land degradation issues on their property, the board will now need to consider the local situation, conditions and surrounding circumstances. The board will also need to take into account any contributing factors such as climate and land condition. The Act also ensures that local factors are taken into account when landholders seek to demonstrate compliance with best practices for their situation.



Animal and plant control



Regulatory framework

Pest plant and animal control will be a priority for the new boards, with the current regulatory framework being retained and enhanced through faster processes.

Landholders will still be required to take action to destroy or control declared pest animals and plants on their properties. Currently authorised officers can require land owners to prepare an action plan if they fail to take action to destroy or control declared pest plants or animals on their property. This process has led to delays and inaction, impacting on neighbouring properties.

A simpler and faster process will now be implemented. Rather than the landholder identifying what action is needed, the authorised officer will be able to issue an action order setting out what action needs to be taken. The penalty for failing to comply with an action order will be the same as the penalty that currently applies to failing to comply with an action plan.

There will also be a more structured approach to the current practice of granting exemptions from certain pest plant and animal control requirements. Authorised officers will have a clear authority to issue a written exemption subject to conditions, making it clear when a person has written authorisation to undertake certain activities, such as moving declared animals or plants.

Road reserves

Regional landscape boards will continue to be responsible for taking proper measures for the destruction and control of declared pest animals and plants on road reserves, and will be able to recover the costs of doing so from adjoining

landholders. This could include working with local councils, doing the control work and either paying for it themselves or charging adjoining land owners, or boards negotiating with adjoining landowners to carry out the work.

This allows each board to work in partnership with their local community, and relevant authorities to work out what the best approach is for their region and local circumstances.

Native species

Native animals can sometimes adversely impact primary production, people or the natural or built environment. Current NRM boards vary in their approach to managing the impacts of native animals.

Regional landscape boards will now have a defined role in helping manage native species that are causing adverse impacts. Managing impacts will be achieved by connecting landholders and relevant authorities, and providing information.

The existing functions of the other bodies and people involved in controlling the adverse impact of native species will continue. Permits will also continue to be required under the *National Parks and Wildlife Act 1972* for the destruction of any protected native animal.



Biodiversity

Other stewardship priorities, such as revegetation, rewilding and fencing are important ways to help achieve vibrant biodiversity, a sustainable economy and resilient communities through landscape-scale restoration and local action. This will be enabled by:

- recognising that ecosystems, native vegetation and native animals are part of our landscapes and natural resources
- biodiversity being recognised as an object of the new Act - giving boards a mandate to promote biodiversity outcomes through their actions, including programs, investment and partnerships

- the Grassroots Grants program supporting organisations and volunteers to deliver on-ground projects
- the Landscape Priorities Fund supporting larger-scale projects that deliver multiple outcomes.

Education will also remain an important function of board business in connecting urban and rural communities with nature, and building awareness for the importance of biodiversity in creating sustainable and resilient landscapes.



Compliance

Under the new Act, compliance will rely on provisions similar to those under the current NRM Act to achieve outcomes. Some processes have been simplified and streamlined to improve effectiveness and all authorised officers will be required to undertake training on the new processes.

If remedial action is needed, the first step will be to encourage those responsible to take action before resorting to more formal processes. This is reflected in the principles underpinning the Act.

Penalties for a number of offences which have not been increased since the introduction of the NRM Act in 2004 have been increased by up to 40 per cent, which equates to CPI over the same period.

Penalties have not been increased if they have been set relatively recently, for example in relation to water management arrangements for forestry, or where they are similar to penalties for similar state offences under other legislation.

In relation to water theft, an administrative penalty will continue to apply if water is taken in excess of an entitlement holder's available allocation or, in cases of serious or repeated breaches, expiations or criminal penalties may be pursued for unauthorised or unlawful taking or use of water as well as water affecting activities.

The NRM Act's distinction between state and regional

authorised officers, whereby officers can only exercise certain powers within their region, can cause practical issues on the ground – particularly in managing cross-regional issues, such as pest plants and animals. Going forward the Minister will be responsible for appointing all authorised officers, based upon demonstration of expertise. The powers of authorised officers have not been expanded.

As is the case for most authorised officers under other legislation, the extent of the power of individual authorised officers will be limited through their instrument of appointment to reflect regional needs, recognising demonstrated skills through training.

Removing the rigid distinction between state and regional authorised officers will increase compliance capacity and enhance responsiveness to issues on-ground. A person's authorisation as an authorised officer is separate to their employment arrangements, with authorised officers continuing to work in regions, councils and statewide.

Replacing action plans with action orders for pest plant and animal control offences and the new exemptions framework for certain pest plant and animal control offences will also provide more effective compliance pathways.





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