Funding Local Land Services Boards

Proposals

This submission from the Serrated Tussock Working Party for NSW and the ACT proposes a comprehensive approach to funding Local Land Services Board functions that should meet future needs for a broader based biosecurity system going beyond the immediate needs of the new Local Land Services Boards. We are aware that the issues raised in the Local Land Services developments have concentrated on private landholders. In practice, any new system has to be able to accommodate public and urban lands and their managers as well.

We do not accept that there is a simple cost sharing issue. Regardless of any amounts contributed through rates and charges imposed on landholders, the State needs to fund its direct land management functions properly, and to make adequate provision for enabling Local Land Service Boards (and any other relevant Government organisations) to pay for ‘public good’ elements of landholder activities related to its functions, and for activities by any non-government interests that contribute to achieving government goals.

There is a direct relationship with local government rates and charges, as local government activities have significant effects for land management and landholder motivation. The Issues Paper raises the possibility of local government collecting landholder contributions. We support this, for efficiency reasons and because it simplifies obtaining contributions from all rate payers.

Therefore we propose that Local Land Service funding for continuing functions be derived from:

1. State government contributions sufficient to enable Local Land Service Boards to carry out activities adequately reflecting the part they should play in relation to government lands, policies and programs, regardless of any other source of funding for the Boards

2. Commonwealth funds provided to the State for functions consistent with Local Land Services Board functions, eg for catchment managements, practical biosecurity and related matters

3. general rates paid by all local government ratepayers in the State, to be collected by local government, and

4. fees-for-service where it is clear that all or almost all of the benefit flows to the recipient of the service.
In addition, there should be contributions for dealing with a significant biosecurity threat or emergency, or for carrying out specific programs to avoid these problems, from State and Commonwealth governments, and from those who cause or could inhibit biosecurity problems, and those who benefit directly from successful biosecurity management, eg, through a levy system where practicable.

In all cases except fee-for-service there should be rebate or offset arrangements to benefit those whose management actively contributes to reduction, elimination or avoidance of landscape management and biosecurity problems.

**Background**

The Serrated Tussock Working Party for NSW and the ACT (STWP) is a landholder based group formed in 2006 in response to public concern about the increasingly adverse effects of serrated tussock for the environment and agricultural production in New South Wales and the ACT.

The STWP believes that the methods for funding Local Land Services Boards, how contributing funds are raised from landholders (urban and rural) to support the Boards and their activities, and how ‘public good’ activities by landholders are funded and rewarded, and how the management of public lands is funded, directly affect the motivations and actions of landholders. This is in turn profoundly important for the Local Land Service Boards, as they cannot meet their goals without landholder cooperation.

Several of the STWP’s action plan points relate to Local Land Service functions, eg, landscape management, and how they are funded – see the attached plan, which will be revised to accommodate decision making in the Local Land Services processes. As has been recognised throughout the Local Land Services deliberations, weeds issues are no different in character from all the other biosecurity and landscape management issues, whether in urban or rural contexts. So our action plan is relevant in many contexts beyond specific weeds issues.

**Some key principles**

Local Land Services Boards will attract funds from governments, general rates from landholders, rates, levies or charges from particular groups for biosecurity functions, and from others on a fee-for-service basis.

The STWP believes that principles such as the following should underpin the development of Local Land Services funding:
1. adequate investment in public lands and service easement management, to ensure capability to meet the same obligations as expected of private landholders

2. clear contributions from urban as well as rural landholders – as pointed out in the Issues Paper, ‘the responsibility for risk management is to be shared by everyone in NSW’

3. clear and adequate funding for landholders (and possibly others) whose activities contribute to broad public good
4. fairness, ie, differential payment obligations by landholders in accordance with the quality of their landscape and biosecurity management

5. differential fees and charges to be based on systems permitting maximum flexibility for landholders, rather than on compliance with fixed criteria

6. proportionality, ie, greater burden on risk creators, and provision for payments by those who influence the risk creators

7. separation of funding for continuing activities from that for emergency or other one off action, and

8. fees-for-services in clear cut cases where all the benefit (or almost all) goes to the private party.

Fairness across the State will require successful negotiations with the Commonwealth to ensure that its lands are managed well too, and that its investment in improved land management and biosecurity matches that of the other interested parties in the State.

Issues Paper Questions

Our comments on the specific questions raised in the Issues Paper are set out below.

1. Do you agree with IPART’s proposed cost recovery principles? Are there other factors IPART should consider in developing its cost recovery principles?

When the government provides funds to a body such as a Local Land Services Board to carry out government policies and programs, often quite properly expressed in fairly general terms, it is government simply funding a State
activity in a traditional way, rather than participating in a ‘cost recovery’ activity. Therefore the term ‘cost recovery’ as a catchall for Local Land Service Board funding is unhelpful.

We would like to see express recognition of government, ie, community, acceptance of the need to fund action where landholders or other responsible parties genuinely cannot, for whatever reason, do so in a reasonable time frame. This is an example of investment in a long term community good.

The issue of incentives encouraging the avoidance of risk creation should be a central feature of any system, not just a matter for consideration.

2. *Should we use the cost recovery frameworks that we have identified from other jurisdictions? Are there other examples of cost recovery frameworks that we should consider?*

There is a need to distinguish specific biosecurity programs, eg, stock diseases, from the general issue of landscape condition. There is also a need to recognise that some landscape issues can reach a critical point where their consequences, if left unattended, need to be treated as specific biodiversity programs, eg, the spread of some weeds. In other words, most of the issues confronting landholders and rural businesses have a common characteristic of ranging from avoidance or containment through critical to emergency.

Two approaches appeal: the New Zealand one relating action, including charging, to ability to influence outcomes and making no prior presumption about who to charge, and the South Australian one, as it relates to the precautionary principle and the overall aim of achieving sustainable development. The South Australian approach, properly applied, should mean that looming problems can be recognised early, leading to quick action to deal with a ‘need’ that has not yet become a ‘demand’.

3. *Do you agree with IPART’s approach which includes a series of stages and ‘key questions’? Can our suggested approach be improved?*

The approach could benefit from including a distinction between those who have influence in a particular situation, and those who are inadvertently caught up in it, eg, in the case of horses, stud breeders who import stallions when there are ample substitutes for the practice such as artificial insemination and use of local stallions, have enormous influence, while ordinary horse owners may have none at all. A system that does not recognise this kind of distinction is manifestly unfair.

While the wish to refer to ‘industries’ is recognised, the limitations of the approach should also be recognised. In the example already given, the vast array of differences among horse owners and interest means that referring to
a ‘horse industry’ is not helpful. There are many other similar situations, eg, in horticulture there may be many ‘industries’, eg cherries, but saying this or dealing only with organised commercial growers and related parties will not capture all the cherry trees in backyards, or all the movements of cherry products. Therefore the temptation to oversimplify must be resisted. Unless all the complexities of a situation are recognised and acted on, success will only be an unintended and unlikely consequence.

The functions of Local Land Service Boards will include dealing with ‘needs’, eg, in respect of government biosecurity and natural resource management, ‘wants’ by others, and fee-for-service requests. The Paper, however, refers to ‘demands’.

All human activity and all other living processes are a function of the natural environment. So logically there is not a ‘demand’ for natural processes; rather, they are a given and must be accommodated in any system, whether any particular audience understands that or not.

There can, however, be needs and demands flowing from considerations such as catchment management plans that will require decisions about competing opportunities. To try to compare these with commercial or recreational ‘wants’ is a barren exercise, and so the overall system should take the distinction into account.

It follows that using the term ‘need’ instead of ‘demand’ in most situations would assist identification and analysis of the issues.

4. **How should we identify the demand for the services provided? How should we identify the main parties that benefit from or contribute to the need for the services?**

All activities maintaining natural systems, or reducing those interfering with or diminishing them, are needed. The Issues Paper could have given more emphasis to this, eg, the community is stated to be only a minor beneficiary of biodiversity (Box 5.4). In fact, the total reliance of humans, and their domesticated plants and animals, on natural systems means that they are always major beneficiaries of positive natural biodiversity action.

Local Land Service Boards should continue to use the planning and decision making processes in the catchment management system, modified from time to time to accommodate changing circumstances and new knowledge. Under current Commonwealth and State policies, the outcomes of these processes are ‘needs’, not ‘demands’.

The processes in the Issues Paper based around ‘demands’, as if these are always primarily of private concern and benefit, are more suited to decision
making about issues with commercial implications, or which relate to only part of the community, or to some combination of the two – the horses issues again provide an example. So in some situations, there will be a combination of ‘demands’, eg, from the professional racing industry, ‘wants’, eg, from recreational riders, and ‘needs’, eg, from the general community to avoid being disadvantaged by problems generated by horse management.

A focus on established ‘demands’ runs the risk of undue regard for narrow issues of the moment at the expense of broader based, longer term ‘needs’.

5. **Should a sliding scale arrangement be used to apportion costs between parties using LLS services? If so, are the percentages used for the State/Commonwealth Plant and Animal Deeds appropriate for use?**

The sliding scale approach is a sensible starting point. It allows apportionment of costs to commercial interests in natural resource management cases where they are particular beneficiaries, risk creators or major influencers. Similarly, the Plant and Animal Deeds are useful.

6. **Should a risk matrix approach be used to apportion costs between parties using LLS services? If so, what percentages would be appropriate to apply to the relative risks imposed by different stakeholders?**

We agree that the matrix approach is useful, provided that the full range of parties are included, eg, in some cases there is not an ‘industry’, but instead several parties with commercial and non commercial interests, with some of the latter perhaps becoming a government responsibility because of diffuse, hard to identify and hard to locate individuals – a common situation with horticulture.

7. **Can we assign weights (high, medium and low) to reflect the impact each party has in requiring the service to be provided?**

Yes, it is hard to envisage a fair system without this, and so it should be regarded as inevitable, whatever process is used. Care will be needed to ensure that the ratings take into account long term needs and consequences, rather than just focus on the issues of the moment.

Some subdivision of functions may be required. The new advisory service will presumably carry out functions on a spectrum from investigating possible new rural industries, a State service, through to providing fee-for-service advice to individuals.

8. **Should IPART use the Stakeholder Reference Panel’s consultation outcomes to apportion cost shares for LLS services? Are there issues with this approach?**
No. Our understanding from the consultation workshops is that these outcomes were not intended to be used in this way. As was recognised in the course of the consultations, the survey responses varied in accordance with the interests, knowledge, values and practices of the respondents. This alone limits their value for further use to helping decision makers understand the feelings of a very small proportion of their total audience at a time in the past.

9. **Should LLS Boards be able to exercise discretion under the draft Cost Recovery Framework when determining cost shares between parties?**

There is no sensible alternative if all the differences from place to place are to be accommodated.

10. **Do you agree with the approaches discussed by IPART to apportion cost shares? If not, why not? Can you suggest another way to determine efficient cost sharing that is transparent and practical?**

Yes in many cases, provided the arrangements accommodate the point made earlier that natural resource management issues usually will require different treatment from essentially commercial or recreational activities. In many situations, ‘cost sharing’ is not a helpful concept. A better approach would be identifying what any interested party should do to avoid or overcome biosecurity and natural resource management problems. Setting out an apportionment table in advance of actual practical action may exacerbate a problem requiring urgent attention. It is understood, however, that at some point there should be clarity about apportionment, including in post action reviews, for planning, accountability and auditing reasons.

11. **What information is publicly available on an appropriate split between parties that would use LLS services?**


12. **Which rating base(s) should be adopted by LLS and why should this rating base be the best option?**

As the Issues Paper states, all people in the State affect or are affected by biosecurity issues. Therefore if there is to be a separate Local Land Service rating system all should be contributing, and not just indirectly through State Budget disbursements.

We prefer the use of unimproved capital value of land as the rating basis. Past arguments against using unimproved capital value as a rating basis either can be overcome (alleged inconsistency of valuations) or do not apply in the new arrangements (correlation of services with land value – as the new Boards are
concerned with the condition of the environment as well as biosecurity, there will be a direct connection with all people and land in the State).

Such an approach is consistent with that for local government. It benefits more productive private interests, including landholders. It is also much more efficient in terms of collection and transaction costs.

Our preferred approach is consistent with the conclusion in the Henry tax review that the simplest and potentially fairest and least economically disruptive way to fund State and local government services is by a general land tax unencumbered by exceptions, based on unimproved capital value of land. The ACT has begun the transition to such a system.

There will be arguments that the unimproved capital value system may unduly advantage industries like mining. This can be overcome through incentive and related systems.

The State needs to contribute amounts in lieu of the rates for public lands, and should persistently advocate similar action by the Commonwealth government.

The capacity to levy special rates and charges needs to be retained, to deal with short term issues, eg, emergencies, and with issues of narrower interest, eg, fruit fly control, import of stallions for short term breeding etc.

Capacity for the Boards to charge fees-for-service need to be retained.

13. Which fee collection system(s) should be adopted by LLS and why should this fee collection be adopted?

Consistent with comments in the Issues Paper and with the longer term likelihood of a universal land tax, a centralised State wide billing system is best. In the shorter term, the Hunter Catchment precedent indicates the value of using the already established and operating local government system for collections. This approach also simplifies the inclusion of all landholders, whether rural or urban, in the system.

The best method of collection of emergency or continuing special levies and charges needs to be determined on a case by case basis, as now occurs with arrangements such as national research and development schemes and biosecurity plans.

14 Should exemptions or reductions in charges be used as part of the cost recovery mechanism to provide incentives to reduce risks?
Yes, to provide incentives for preferable action and to avoid the unfairness in current arrangements, which positively disadvantage landholders whose good work is handicapped or even reversed by inappropriate behavior by others. The overall effect of the system should be that all can see that the costs of doing the right thing are borne in part by those who don’t, and that those doing the right thing benefit.

The *Local Government Act* already accommodates different classes of land, and this approach of differentiation should apply, although different tests from those used for local government may be needed. Consistent with some current local government practices, in some cases the better approach may be a charges system in addition to general rates, eg, on extractive industries, which by definition are unsustainable, and which often have severe and disproportionate impact on the landscape and on transport infrastructure and water resources.

Biosecurity and environmental problems follow people and risks are increased by the movement of people, their vehicles, their animals and their products. Therefore there is also a case for charges on non-rural use of rural land; this would need appropriate definitions (when does a vineyard with cellar door sales become a non-rural business? Does using cattle and sheep as grass managers change an otherwise construction firm headquarters into a farm?), and there should be complete rejection of special pleading by any vested interests.

We support the principles in Box 7.1 of the Issues Paper (preference for avoidance of risk, linking incentives with demonstrable mitigation, and transparency, administrative simplicity and cost effectiveness).

There are, however, risks and problems with the detailed approach suggested to apply them, eg,

- it would require a myriad of criteria to cover every aspect of land management and relevant industry practices

- inevitably some level of prescription would be involved, depriving landholders of discretion about how they can best meet their biosecurity and land management obligations consistently with their business interests, personal priorities, resources and knowledge

- the government’s requirement for the new system to involve continual improvement could not easily be met by fixed criteria, unless they were constantly under review, thereby introducing uncertainty for landholders and businesses
• if the criteria were to be derived from ‘best management practice’, (a useful step in developing a continual improvement approach) they would risk being seen as complete and not requiring constant review, with the system lacking the dynamism and flexibility inherent in the continual improvement concept, and ignoring the foresight approach inherent in the precautionary principle

• most landholders are involved in more than one activity or business on their land, and many will have several different land types, and so would have to be involved in several different systems

• maintaining consistency among the many systems would not be easy or cheap

• neighbouring Boards may not agree on criteria, leading to inconsistencies, and therefore potentially a new unfairness

• determining an inevitably extensive list of criteria would be expensive, and involve allocation of resources by the Boards and landholders away from useful, positive action, and

• vested interests would inevitably seek special treatment, eg would stallion importers accept that they should pay more than those who use local stallions or the modern, biosecurity friendly practice of artificial insemination?

Any system involving detailed criteria would therefore not meet the requirements of the principles in Box 7.1. It would be better to start from the government’s continual improvement requirement, recognizing that there are many pathways for this, and the real test is whether there are verifiable positive outcomes. A proven approach in Australia and in countries with strong quality and continual improvement cultures, eg, Japan and Germany, is to use voluntary management systems. Advantages in this case would include:

• availability of the international standard for environmental management (ISO 14001), which easily comprehends biosecurity and other matters of current interest, such as animal welfare

• freedom for landholders to choose the goals and supporting action consistent with catchment management and biosecurity requirements that best suit their businesses, personal interests and priorities, resources and knowledge

• greatly increased acceptance of the new arrangements by landholders, and better cooperation from them
• availability of auditing or third party verification

• automatic annual testing of legal compliance, of particular importance in many biosecurity situations

• coverage of the whole landholding and activities on or connected with it in one system or plan

• potential market benefits for landholders arising from verifiable claims

• potential cost savings for landholders – use of these systems usually leads to reduced input costs

• substantial cost savings for Local Land Service Boards through elimination of the need to develop, manage, and review a myriad of separate criteria

• cost savings for regulators and their ‘clients’

• generation of information to support Local Land Service planning and reporting, state of the environment reporting, and enabling landholders to bring a regional perspective to their operations

• no apparent restrictions on trying new approaches

• quicker adoption of new knowledge, and

• greater capacity for Boards to recognise and promulgate the more successful approaches.

Some information on an already operating voluntary land management system that meets the needs set out above is attached. The Commonwealth government already requires its agencies to use environmental management systems, including in relation to its landholdings. These systems are also used by the State, eg, see an example at http://www.procurepoint.nsw.gov.au/before-you-supply/environmental-management-system-accreditation

Adopting this approach rather than a detailed criteria approach would free funds for investment in its promulgation.

The following is the detail in the Paper recast to reflect the suggested approach:
a) Goals for eliminating risks or improving landscape condition and pest plant and animal control should be clearly set out by the LLS boards, and those goals should be reasonable, well founded in risk management practice and catchment planning and reflect the activities and expenses that can be avoided by the LLS.

b) All landholders should be expected to pursue continual improvement in the management of their land and activities carried out on or in connection with it.

c) Exemptions and rebates for emergency and special situations should only be allowed for fees and levies that are easily linked to specific areas of avoidable risk or avoidable cost (not all risk is avoidable). That is, levies and fees should be grouped in terms of avoidable and non-avoidable risk, and should not be aggregated to the point where they cannot be subject to an exemption or rebate.

d) Exemptions and rebates for a general rate applicable to all landholders should only be allowed to landholders who demonstrate continual improvement in meeting Board goals through use of a voluntary audited land management system, either in relation to their own land, or for smaller landholdings, a group of landholdings.

e) All landholders should be subject to the fees or levies determined by their respective Boards, except where they receive an exemption or rebate. Exemptions and rebates are granted by way of application by the landholder.

f) The assessment process for exemptions and rebates for emergency and special situations may be carried out by the same personnel that currently carry out enforcement activities or by private certifiers (accredited by the Local Land Service Board).

g) Exemptions and rebates for general rates should be based on third party audits provided by the landholder. Provision may be made for checking these audits.

h) Landholders should meet the cost of their systems and of assessment for their own land, and where the assessment is carried out by the Local Land Services, only the marginal cost of conducting the assessment should be charged.

i) Assessment requirements should be proportionate to potential risk (ie, stricter requirements for higher risks), and for small landholders (eg, less than 20 ha for landholdings not used for intensive agriculture or non rural enterprises), Local Land Services should permit self-assessment, subject to review by the Board and also subject to penalties for false or materially incorrect assessment.

The overall system could incorporate three levels of rates/fees/charges:

1. a standard rate applicable to all in the absence of exemptions or rebates

2. rebates for activities going measurably beyond legal compliance and with clear biosecurity or environmental benefits, and

3. a rebate for demonstrated continual improvement in biosecurity and environmental management, established through an audited voluntary land management system.

15. Are there lessons to be learned from the rating bases and fee collection mechanisms that are adopted in other jurisdictions?
Yes.

The R&D levy arrangements indicate that each emergency or special levy needs to be determined separately.

Bundling fees and charges together wherever possible should be more efficient than maintaining many systems, eg, bundling Local Land Service rates and local government rates would be simpler for landholders and take advantage of existing collection mechanisms.

No reasonable system will cover all cases all of the time. This is one reason why there should be a general rate paid by all, covering landscape management issues, and contributing to diffuse biosecurity issues.

16. Do you agree with IPART’s proposed approach to assessing the extent to which LLS boards have applied efficient cost recovery pricing? Are there other factors IPART should consider?

We agree with the need for compliance, financial and performance audits, with the idea of all audits being conducted by the same auditor with special assistance as required, and with the cost recovery impact statement proposal.

The reason for the existence of Local Land Service Boards is to improve biosecurity and catchment management. Therefore performance auditing based on whether improvements are occurring or not is of overriding importance. Effective performance auditing means establishing the links between Board activities and the state of biosecurity and of the environment, and with activities by landholders contributing to reduction, elimination or avoidance of biosecurity and environmental problems. It may be that a new system of auditing will be needed for this.

This does not mean that there should not be auditing of Board processes, but that should be a second order issue.
Improving Serrated Tussock Control

Serrated Tussock Working Party for New South Wales and the ACT

The Weed
Serrated tussock is a weed of regional and national significance because of its invasiveness, destruction of pastures, negative impacts on biodiversity, and difficulty of control. So long as there is any serrated tussock, its continuing spread and damage is guaranteed because of its dispersion patterns, for example, by wind, vehicles, machinery and stock.

For farmers, there are production losses and the cost burdens of control activity. For the general public, there is a loss of amenity and of benefits of biodiversity, and the costs of control activities on public land. The long term consequences of inadequate action will be severe for the community, and dire for those directly affected, as they have been for rabbit and prickly pear devastation in the past.

The Problem
Although the serrated tussock problem is well recognized, the weed continues to spread. Climate change scenarios suggest that the potential range will continue to increase.

There are State and regional plans, but no clear and definite aim flows from them and their administration. There is no reliable measure of weed control outcomes.

Weed control budgets, including for public lands, are insufficient to achieve continuing effective results. The potential force of the formal regulatory system is rarely used.

The poor outcomes cost land managers a lot of money, generate frustration, continue reliance on residual chemicals, jeopardise biosecurity in native and productive ecosystems, and jeopardise grazing industries. There is a lack of respect and credibility for authorities. Good action by a land manager is pointless if neighbours don’t act too. This is manifestly unfair.

The Serrated Tussock Working Party for New South Wales and the ACT (STWP)
The STWP is a landholder based group formed in 2006 in response to public concern at the potential for increasing the adverse effects of serrated tussock for the environment and agricultural production in New South Wales and the ACT.

There has been some progress since then at a policy level. There is a new draft National Serrated Tussock Strategic Plan (Revised update) 2010 to 2015, the Best Practice Manual has been published, and at least in some areas, widely
distributed. The comprehensive guide to identification and management of serrated tussock published by the Department of Primary Industries (Serrated Tussock - a Weed of National Significance) was revised in 2010.

The New South Wales Government is funding a project aimed at achieving effective coordination and strategic management of serrated tussock across the State.

Several elements of the New South Wales Government’s NSW 2021 Plan and associated Goals (http://2021.nsw.gov.au/) are consistent with pursuit of better outcomes with serrated tussock control, for example,

- in relation to economic growth in regional New South Wales,
- protection of the natural environment,
- increased opportunities for people to look after their own neighbourhoods and environments, and
- maintaining preparedness to deal with biosecurity threats (including building capacity within local government, community groups and landholders to manage invasive species effectively).

The New South Wales Minister for Primary Industries has advised that weeds and feral pests have always been a top priority for her, and will continue to be so. She indicated that not enough had been done in the past. She has asked the Noxious Weeds Advisory Committee to assess the feasibility of legal options regarding the disclosure of weeds information for prospective land buyers.

None of this heightened interest has much changed the on-ground situation, but it has increased awareness and set the stage for accelerated progress.

The STWP seeks to generate sustained action by all interested parties, including local, State and Commonwealth governments to deliver policies and committed action to reduce the impact of serrated tussock (and other weeds) on the environment, economic activities and public amenity.

The STWP’s vision for serrated tussock is:

*The continuous suppression and destruction of serrated tussock on arable land, the identification and destruction of serrated tussock where dealing with it is beyond the capacity of the landholder, the stopping of the expansion of the weed’s range and the stopping of seed rain everywhere.*
Planning and Acting for Improvement

The STWP believes that meaningful progress requires several things:

1. Revision of the administrative arrangements for weed control, with three clear and separate operation centres:
   - local or regional education, inspection and monitoring,
   - a prosecution service acting on advice from the local or regional bodies, and
   - a State wide oversight agency to ensure a strategic and unified approach across the State and a basis for accountability and policy and program review (leadership and administration).

2. Increased funding over the long term for all aspects of weed control, and accurate and verifiable mapping (resources and knowledge).

3. Engaging all landholders, public and private, in the effort (engaging landholders).

4. Establishing and maintaining effective communications strategies by all interested parties (communications).

As well as removing serrated tussock from the landscape, the needed action involves landscape regeneration and continuing management that will inhibit or prevent the return of serrated tussock.

Success with serrated tussock suppression will inevitably bring multiple benefits:
   - suppression of other weeds,
   - better overall landscape management,
   - more profitable farming systems,
   - environmental improvements, and
   - greater public amenity.

The STWP believes that effective action should involve at least the steps below. All interested parties need to play a role.

Leadership and Administration

Governments at all levels have responsibilities related to weed management, including landscape, ecological sustainability, biosecurity, funding, direct land management and regulatory systems.

Weeds have a major economic impact on many industries in addition to agriculture and livestock. These include forestry, nursery, landscaping, fishing, aquaculture, transport and tourism. Industry organisations have an interest in weed control because of its significance for industry profitability and quality.

Weed problems, including serrated tussock, will not be dealt with satisfactorily
now and in the future unless all landholders, public and private, actively participate in continuing control and management programs. Therefore landholder organisations with a focus on the environment, such as the Landcare movement, are critical for success.

Transport, landscape and farming contractors, gardens and waterways are important sources of weeds, including serrated tussock. Therefore those involved in these must become part of the solution.

The real estate, legal, insurance, commodity trading, rural supplies and rural and gardening advising industries all may contribute to worsening or improving the weeds position, depending on how they carry out their functions.

Because of their land and water management responsibilities, State and Territory Governments have the primary responsibility for weed management.

In New South Wales the current arrangements affecting weed management are highly fragmented.

The Review of Progress towards the National Serrated Tussock Strategic Plan (2008 – 2009) noted that: “Coordination of weed management in NSW is especially difficult given the number of different organisations, jurisdictions and associated boundaries that aren’t aligned with each other.” and “Nor is there a formal mechanism for coordinating the various weed roles and responsibilities.” This situation inhibits effective cooperative action with the ACT and with Commonwealth government landholders in New South Wales, and productive participation in national programs. It also inhibits effective cooperation among the many interested parties in New South Wales.

There is currently no agency charged with or undertaking overall ‘audit’ or monitoring functions, and there are doubts about the capacity of the Auditor-General to undertake useful performance audits where local government is involved.

The Commonwealth Government can foster more and better action through criteria for grants programs, establishment of a permanent, adequately funded weeds research function, and through exemplary management of the extensive lands it controls. For example, Defence alone manages millions of hectares in Australia, including land in New South Wales and the ACT in the serrated tussock areas.

The desirable action includes:

**A. State Government and Minister for Primary Industries**

1. Continue to make clear statements on commitment to improved weeds management, and act on the specific items proposed below.
2. Require catchment management authorities to include weed control as a continuing priority, and to include weed issues in all property planning processes.

3. Separate the weed education and inspection functions from formal compliance, eg prosecutions, with the former being local or regional in operation, while reporting to a State body as part of a universal, consistent system.

4. Apply the following criteria in reviewing the location of a weed control function:
   - alignment with other activities relating to rural, environmental and landscape management
   - links with functions related to integrated land management, ecological integrity and long term landscape improvement
   - alignment of boundaries of organisations with related functions
   - avoidance of any conflicts of interest
   - potential for combining resources of the organization with others, for mutual or common benefit
   - availability of adequate and certain funding
   - links policy, education and inspection functions.

5. Ensure that environment prosecutions are dealt with in a specialised court, and that the judiciary has adequate training and information on environmental issues available to it.

6. Establish mechanisms for continuous and productive interaction among all interested parties, emphasising the need to generate long term commitment and maintain strategies that provide sustained weed control action and avoid failure and frustration. These parties include:
   - NSW agencies (eg Department of Primary Industries, Department of Premier and Cabinet [Office of Environment and Heritage, National Parks, Division of Local Government] Noxious Weeds Advisory Committee, Department of Finance and Services, Department of Attorney General and Justice, Roads and Maritime Services),
   - local government (urban and rural),
• all other State land managers and bodies affecting land management, Livestock Health and Pest Animal Authorities, regional weeds committees, catchment management authorities, Natural Resource Commission,

• Commonwealth government land managers, for example, Department of Defence

• Australian Rail Track Corporation,

• all service easement managers, and

• community: Landcare and catchment groups, primary industry groups, and associated service industries, including real estate, legal, insurance, rural supplies, rural contractors, commodity traders, rural and garden advisers,

7. Determine clear goals and targets for (annual and long term) improvement in serrated tussock control, as a first step in achieving a universal State wide approach and an effective monitoring and accountability approach.

8. Establish a State wide ‘audit’ and monitoring function, encompassing private as well as public functions, and involving community collaboration, and clarify the capacity of the Auditor-General to undertake useful performance audits of all activities under the Noxious Weeds Act, including by local control authorities that coincidentally are local government Councils.

9. Achieve uniformity or at least compatibility of systems and processes used in weed control activities.

10. In collaboration with interested parties, consider the relevance of the principles, laws and practices underlying contaminated land management to improved weed control.

B. Community Groups and Industry Organisations

1. Recognise weed problems in their aims, strategies and programs, and facilitate participation by their members and supporters in weed control activities.

2. Lobby local, State, Territory, and Commonwealth Governments to strengthen their commitments and programs for positive, continuing action on weed problems.

3. Develop partnerships with others to strengthen weed control programs.
C. Industries Supporting or Interacting with Land Managers

1. Adopt practices and programs enhancing rather than weakening weed control activities.

Resources and Knowledge

There is general agreement by interested parties that the existing inspection and compliance regime is underfunded. Some public land managers, eg National Parks, apparently lack the resources necessary for effective weed control. There are mother lode areas beyond the capacity of landholders (whether public or private) to deal with.

There is the special problem of identifying, mapping and rapidly dealing with new outbreaks.

Accurate and verifiable mapping is needed to generate better understanding of the spread of the weed, to facilitate targeted control action, and as a basis for monitoring action.

There are already several readily available information sources dealing specifically with serrated tussock that land managers can use, eg the National Best Practice Manual, Serrated Tussock – A Weed of National Significance (NSW DPI) and The Serrated Tussock Managers’ Factpack. There are also useful publications about weeds generally, such as Introductory Weed Management Manual (CRC for Weed Management) and Weed Detection and Control on Small Farms (Sindel and Coleman).

One issue for weed control, including serrated tussock, is ensuring that available information is up to date, and that new research does not duplicate previous work. An associated problem is that there is still no permanent national weed research program to foster research to help overcome knowledge gaps as they are identified, to generate interest among research organisations and researchers in contributing to weed research programs, and to undertake synthesis, analysis and promulgation of research outcomes from multiple sources.

All involved can increase the available workforce for serrated tussock (and other weed control) by use of volunteer or similar sources, for example, Landcare volunteers, environmental service organisations such as Conservation Volunteers Australia and Greening Australia, other community service organisations such as Rotary, farming system groups, wwoofers (willing workers on organic farms), and teams established from time to time under Government training or unemployment relief programs. These approaches will also assist with engaging landholders and with communication strategies.
The desirable action includes:

**A. State Government and Minister for Primary Industries**

1. Increase funding for the inspection – control system as soon as possible, and review the basis of allocation to ensure that it is based on risk assessment and not primarily on historic expenditure patterns.

2. Widen training for weed control staff to include education techniques, landscape management and farming systems.

3. Ensure that State land managers are adequately funded to carry out their weed control responsibilities.

4. Establish and fund task forces to seek out, map and suppress new outbreaks, also providing a basis for developing predictive models to assist with tracking serrated tussock dispersion.

5. Coordinate all interested parties, including volunteer groups, to develop ground-up mapping leading to a uniform baseline ‘ground truth’, ensuring that privacy laws are accommodated so that they do not inhibit or frustrate this action.

6. Investigate, develop and fund a large scale remote sensing mapping program.

7. Establish a system for regular monitoring and publicising of change against mapped baselines.

8. In collaboration with interested parties, review rating and taxing arrangements to enhance weed control action, including ensuring that good managers pay less than problem managers.

9. Review environmental offset arrangements
   - so that those who benefit from them are directed to areas of environmental need, and
   - delete the requirement for offsets to be close-by the development.

10. Identify and publicise potential funding sources, including public and private grant systems, for improved weed control.

11. Increase funding for weeds research.

12. Expand the activity of seeking transfer of successful management and technical practices of other jurisdictions.
B. State and Territory Governments

1. In collaboration with the Commonwealth government, provide funding for control of serrated tussock problem areas beyond the capacity of landholders to deal with successfully in a reasonable time frame.

2. Seek Commonwealth funding to support serrated tussock control activities contributing to national aims, or benefiting Commonwealth land or activities.

3. Indicate willingness to contribute to any national weeds research activities established by the Commonwealth Government.

4. Collaborate with the Serrated Tussock Working Party for NSW and the ACT to arrange biennial reviews of experience with control programs and of research outcomes, and use the outcomes to revise programs and available information sources, beginning in 2012.

C. Commonwealth Government

1. Establish a permanent research facility for dealing with weeds problems, including the relationship between weeds and environmental and farming system issues.

D. All Interested Parties

1. Review the possibilities for productive collaborative action with others, including private land managers.

2. Participate in and actively support the proposed STWP - ALM Group ‘What Works’ Workshop supported by RIRDC.

3. Seek RIRDC support for weed control activities that fall within RIRDC criteria for funding support.

4. Seek to influence the programs and spending of catchment management authorities, Landcare and industry groups to contribute to serrated tussock (and other weed) control as elements in their normal activities.

5. Encourage the use of volunteer or similar sources of assistance in serrated control activities.
Engaging Landholders

The serrated tussock problem can be overcome only if all landholders with the weed, and those who may become affected, participate in control programs and in identifying new outbreaks.

The problem is compounded because prospective purchasers of land are allowed to buy land without any warning about the weed problems existing on the land they are interested in purchasing or the region within which such land is situated. The purchaser can buy a problem, and those who came before who profit from the transaction escape responsibility. Another manifestly unfair situation.

Continuity of effort over the long term and across generations is necessary. Therefore public and private interests need continuing interaction to ensure the necessary continuity and continuing pressure on landholders and others whose actions can help or hinder. Peer pressure based on strong local environmental efforts can sway otherwise uninterested individuals in the right direction. The Landcare movement is most important in this context. Farming system groups and other service organisations can also contribute.

There will also be advantages to landholders and the system as a whole if landholders use management systems that facilitate monitoring over time and the sharing of information, noting that in Australia these approaches are accepted only if they are voluntary and are not based on ‘one size fits all’ or on the needs of non landholders. Some landholders, for example, Commonwealth agencies, already use such systems.

Adoption of several of the proposed actions above would assist with engaging landholders. Other desirable action includes:

A. State and Territory Governments

1. Make subdivision and other land development approval conditional on a prior environmental report, including weeds inspection, with approval withheld until any required remedial work has been carried out.

2. Introduce a legal requirement that land dealings disclose any outstanding section 18 notice, or weed management or other land management plans, to be included in a vendor provided environmental report available to all prospective purchasers.

3. Ensure that all government land managers, including local government and corporatised bodies, should have the same weed control obligations as private landholders, preferably through legislative requirements, and take up with the Commonwealth government the need for similar action by Commonwealth land managers and by bodies such as the Australian Rail Track Corporation.
4. Endorse and promote the concept of a voluntary land management system incorporating weeds that can be uniquely tailored to the needs, aspirations and resources of individual landholders and the community as a basis for 'regulation' and for participation in catchment management authority programs.

B. All Parties

1. Encourage Landcare groups, farming system groups, and service organisations to embrace the weed control cause.

2. Encourage industry groups to acknowledge the value of weed control for profitable production, and to include it in their strategies and programs.

3. Adopt or promote the concept of voluntary land management systems.

Communication

Success with any long term program requiring sustained and continuing action depends on good communication strategies and programs, to ensure all who can or should contribute are constantly reminded and kept up to date with new developments, and to build pressure from the general public on decision-makers and landholders.

Political decision-makers and agency administrators need to be well informed about the problem, and about the severe long-term consequences of inadequate action.

Desirable action to contribute to effective communications includes:

A. State and Territory Governments

1. Publicise and distribute the existing documents on serrated tussock control (see ‘Resources and Knowledge’ above), using State and Territory agencies, local government, rural service providers and contractors, catchment management authorities and volunteer groups.

B. All Interested Parties

1. Develop and maintain communications programs so that the issues get constant publicity.
C. Serrated Tussock Working Party

1. Arrange field day or similar activities for the benefit of politicians and senior agency personnel, to increase their understanding and appreciation of the problem.

February 2012
Enabling improvement

The Certified Land Management (CLM) program assists land managers to improve land and animal welfare management in ways that improve profitability, reduce risks and enables their achievements to be recognised and rewarded. This combination of improved productivity and recognition is unique to CLM.

Changing community and market expectations about how our food is produced presents opportunities for Australia’s progressive land managers and farmers. Those who take these opportunities will position themselves locally and globally as the preferred providers of food, fibre, landscape and biodiversity products. There is no better way to do this than by using the Certified Land Management (CLM) program.

With CLM, consumers and communities can confidently connect with improved land and animal welfare management.
Relevant to all land managers

CLM operates across industries on a whole-of-farm and landscape-linked basis. This avoids the fragmentation and duplication of industry-by-industry approaches.

CLM applies across all land management systems. It is applicable for instance across set stocking or time controlled grazing and across conventional, conservation, organic, biological, natural sequence, key line or asset or resilience based land management. CLM avoids the prescription and fragmentation embedded in best management practice based approaches.

CLM provides ongoing support and benefits to land managers.

CLM was conceived and is managed by the independent not-for-profit Australian Land Management Group (ALMG).

What land managers do

Step 1. Attend a CLM Information Session. While not essential, most land managers do this as they find the two-hour session a good opportunity for finding out more about CLM and how it might apply to their situation. It enables land managers to make an informed decision as to whether CLM is for them.

Step 2. Participate in a two-day CLM Start Workshop. The Start Workshop is made up of:

- A diagnostic activity to identify opportunities to improve environmental and animal welfare management and productivity and profitability. To do this CLM trainers work with landholders using a specially designed web-based software package that complies with internationally recognised management processes.

- A response activity to develop practical strategies to improve land management and animal welfare. This also is guided by a CLM trainer. Each landholder develops a CLM Management Plan customised for their particular needs and capabilities. The emphasis at this point is on soil and plant function and/or biodiversity. These issues are basic to production and conservation. Technical specialists are available to help landholders develop, implement and monitor these strategies. These are very informative and rewarding sessions. For instance, we have an alliance with SystemAg Consulting to understand and improve soil and plant function with significant productivity and environmental benefits. The emphasis here is on getting tangible outcomes—better production, better environments, better recognition.

Immediately after the CLM Start Workshop landholders begin to implement their CLM Management Plan. In part this involves soil and possibly plant monitoring.

Step 3. Participate in a one-day CLM Review Workshop about six months after the CLM Start Workshop. After this, the Review Workshop is done once every three years or more frequently if requested by landholders. The purpose of the Review Workshop is to refine and add to the original CLM Management Plan and to ensure the land manager complies with the ALMG process requirements for certification.

Step 4. Having an on-farm inspection at about the time of each Review Workshop to check progress in implementing the CLM Management Plan.

At any time after the Start Workshop there will be the opportunity for Focus Field Days to improve knowledge and skills on topics of relevance to particular ALMG Landholder Groups.

Certification

To obtain certification, an accredited ALMG auditor assesses an annual landholder report and the outcomes of the CLM Review Activity. Based on this, CLM certification can be awarded.

The CLM certificate verifies that the land manager is continuously improving environmental and animal welfare outcomes and that the management system:

- operates across all activities operating on the land for which the certificate applies
- takes account of landscape-wide environmental considerations
- provides support for biodiversity conservation, and
- complies with the internationally accepted ISO14001 management standard
Benefits

CLM delivers a range of benefits to landholders, NRM and industry organisations, operators along product chains and to the community more broadly.

For landholders. The power of the CLM approach comes from; learning with other landholders about how to increase the all-important plant-soil interaction, using specially designed software to help identify risks and opportunities, and from the unique advantage of being able to deliver certification based on internationally recognised standards. The result is that not only is there an enhanced capacity to improve productivity, risk management and environmental outcomes but to do it in a way that could lead to additional benefits coming from, for instance, improved self esteem, community recognition, product differentiation, market access and support from catchment/natural resource management agencies.

CLM can help landholders reduce legal risks and insurance and finance costs. Significant social and business benefits flow from family and business partners working together and with other landholders. In the longer term CLM reduces the risk of having multiple systems imposed by wholesalers and retailers and/or by regionally or catchment management/natural resource management agencies.

For NRM and industry organisations. The key benefits of CLM for NRM and industry organisations come from having landholders explicitly contributing to meeting landscape and industry wide priorities and strategies, through sharing the cost of promoting environmental improvement and through reduction in the overhead, administrative and auditing costs of standalone short-term project based programs. CLM produces verified outcomes so industry can substantiate claims of ‘green’.

For participants along product chains. Product chain participants benefit from product differentiation, from avoiding the costs of having multiple industry/product certification systems and from reduced kick-back from consumers confused by and sceptical of environmental claims.

For the community. The community benefits because of the increased effectiveness and efficiency of expenditure on improving land and animal welfare management. Because CLM focuses on improving the impacts of land managers, it avoids the treadmill inherent in remedial programs.

What ALMG does at what cost

The benefits of doing CLM need to outweigh the costs. On one hand the benefits come from the review, planning and implementation steps and on the other from the certification itself. Our experience to date indicates that benefits come from improved property management, reduced risk, better access to project funding, interaction with like-minded landholders and from improved self-satisfaction and community recognition. Over time we seek improved market access and price benefits.

The CLM Start and Review Workshops cover:

> Use of the CLM system and the myEMS web-based management software
> Use of an extensive bank of environmental and animal welfare information
> Search of relevant legislation using the legislative tool in the myEMS software
> Four days of input from an accredited trainer and inputs from an approved technical adviser
> Use of a computer training facility if required
> Provision of a monitoring manual and various support documents
> Certification and a CLM gate sign

The CLM Workshop Fee covers the cost to landholders from the beginning of the CLM Start Workshop to the end of the first Review Workshop. This fee varies greatly depending on the number of landholders involved, location and the extent of technical advice. However $1,250 plus GST per business would be a ball-park figure for a group of 6 to 10 landholders.

In each calendar year after the first Review Workshop there is an annual CLM Service Fee currently set at $300 plus GST per business. This fee covers continued use of the CLM system and the myEMS web-based management software, an annual audit, the audit being on-farm at least once every 3 years, a Review Workshop once every three years and receipt of the ALMG VOICES newsletter and the CLM landholder Peaks & Troughs newsletter. The ALMG newsletters highlight ALMG activities, environmental and animal welfare information and the activities of CLM landholders.

Subject to there being an acceptable audit there is an annual Certification Fee graded according to the gross value of production from the land for which the certification applies. There is a minimum certification fee of $150 grading up to, for instance, $500 for a gross income of between $500,000 and $1 million. This fee reflects the value of the certification and covers work undertaken by ALMG to:

> Market CLM to improve the number of participating landholders and hence potentially the benefits to all participating landholders
> Work with public and private sector organizations and individuals who might partner with CLM landholders

Costs to participating landholders are subject to periodic review by the ALMG Board. Costs to landholders do not include all ALMG overheads these being substantially supported by Elders, an ALM Group Foundation Partner.
Achievements

Benefits delivered. Landholders tell us that the CLM benefits are diverse and of varying importance.

Participating landholders list the following benefits:

- Improved land management leading to improved production and conservation
- Lower input costs due to better management and monitoring
- Lower insurance and financing costs
- Marketing benefits, in terms of access, information flow and price premium
- Improved access to NRM funding
- Enhanced capacity to negotiate for instance with mining companies
- Strengthened self esteem
- Reduced risk of chemical spills and associated accidents
- Opportunity to share experiences with other landholders and with ALM Group accredited trainers and auditors
- Improved communication within the business, particularly important for larger operators

Recognition. Just some of our achievements to date include:

- Continuing, strong and essential support from our Foundation Partner, Elders Ltd and preferential funding support for landholders with CLM from the Queensland Murray-Darling Committee Inc.
- Substantial financial support from the giant textile corporations, Onward Kashiyama (Japan) and Cheil Industries (South Korea) facilitated through Australian Wool Innovation Ltd.
- Price support for wool growers with CLM from The Merino Company (TMC)
- An award for excellence in NRM training from the South Australia FarmBis program
- A CLM landholder receiving the 2008 national Landcare landholder award.
- A CLM landholder winning the national EMS award in 2009.
- An event in 2009 to profile CLM hosted by the Queensland Governor, The Hon. Penelope Wensley AC.

There is more work to be done to reward improving land management. No other land management system however goes anywhere near the track record that CLM has in the breadth and depth of recognition and reward.

The way forward

The way forward was well articulated by David Crombie in his November 2010 farewell address as President National Farmers’ Federation:

‘Our biggest task is to maintain the trust of the wider community. Trust in the quality of our food and fibre and trust in the ethics and the integrity of how we produce it. I see a future where our farmers will be valued for their production of food and respected for their environmental delivery’.

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