



Perspectives on Policy Options for Managing Commercial Weeds

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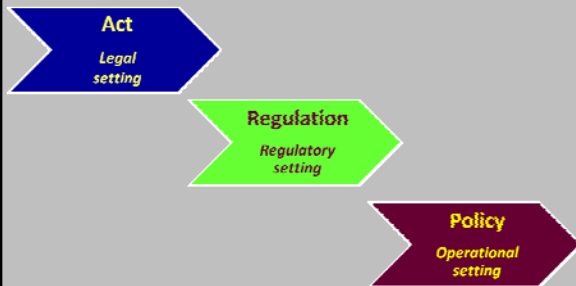
"We do not inherit the world from our ancestors
- we borrow it from our children" 1900 anon

Overview

1. Engaged Govt and the emerging legislative environment
2. The push for self regulation and a market driven approach
3. Key considerations in generating effective policy and institutional settings
4. Issues confronting effective management
5. Pathways forward

Legislative Environment

Driven, owned and controlled by Government



Traditionally very linear and hierarchical

Integrated Policy

Engaged Government



Generally still seen as hierarchical but they are interdependent and need to inform and shape each other – continuous improvement

Legislative and Regulatory Environment

Prescribes:

- The *Head of Power* and Government Charter
- The legal framework for dealing with the issue
- The statutory and legal obligations of the parties
- The roles and responsibilities of accountable institutions and regulators

Strategic Policy

Defines :

- The institutional and strategic approach to addressing the public interest in the issue
- The framework for the investment in R&D
- The strategy and high level delivery mechanisms
- The overarching governance, transparency and accountability framework

Tactical or Operational Policy

Establishes:

- The processes for the application of the regulatory and Institutional setting
- The processes for the practical day to day way of dealing with management
- The decision framework and approach to deal with problems and conflict
- The processes for stakeholder engagement
- The mechanism for evaluation and feedback

Note: increasingly through consultation – but not always engagement

Market Driven Approach

Instrument type	How does the instrument work?	What behaviours are promoted?	Institutional concerns
Markets	Through market transactions the price of scarce resources increases; consumption is therefore curtailed by choice or inability to pay.	Market entrepreneurship, trading or improved resource access or value.	Creating artificial scarcity by regulation, which generates trading. Ensuring integrity in the transactions Enforcement of property rights
Private Regulation	Through private litigation, harmful effects are compensated for. Harm to third parties is therefore curtailed by the choice to avoid risk.	Avoidance of third party harm and 'neighbourly' negotiation of interests	Specifying the extent of private rights and responsibilities Providing/ restricting standing to state Enforcement of judgements
Public Regulation	Through penalisation: Specified behaviours are made expensive. Consumption is therefore curtailed by choice to avoid risk.	Compliance, focused on least cost to avoid the risk.	Defining legal obligations Specifying evidence requirements Policing powers Enforcement of orders
Incentives	Through contract: Desired behaviours are rewarded; Conserving behaviour is thereby promoted.	Administrative entrepreneurship to win grants satisfy requirements	Defining the contractual relationships Administrative integrity and independence
Education	Through communication: Attitude or knowledge change leading to conserving behaviour.	Civic responsibility	Liability for content

Source : Martin 2008

A Market Driven Approach

User pays - Pro's and Con's

- The costs of the negative effects of an industry are imposed on that industry,
- The market for that industry's products would decide whether society is prepared to bear the costs of the commercial weed
- Regulative control involves substantial costs and inequitable distributions of both costs and benefits
- Civil Liability - a system under which the introducer of a risky plant would be required to take out 'weed remediation' insurance as a condition of introduction

Key Considerations in Generating Effective Policy and Institutional Settings

1. **Commercial weeds** generate negative impacts, but they generate significant returns
2. The lack of consideration of the sociological aspects of control impede the adoption of management and control options
3. The participation rates by landholders in control programs for **commercial weeds** is unlikely to be high - eradication therefore is an unrealistic goal
4. Limited landholder knowledge and acceptance of the impacts and cost is a limiting factor in achieving commitment to control.

Key Institutional and Policy Issues

The control measures for managing commercial weed needs review.

- Evidence of inconsistency in the legislation between the different States and Territories.
- Legislation too wide and complex needs steam-lining.
- The legislative environment directed toward protecting agriculture
- Some of the worst weeds are associated with agricultural productivity.

Key Institutional and Policy Issues

Cont:

- Strong and conflicting views about the relative benefits of commercial weeds in terms of their commercial value versus their cost as weeds.
- Emerging National trend to transfer responsibility to Local Govt and their capacity, capability in weed and NRM management
- The need to more clearly, define, separate and articulate the roles and responsibilities between stakeholders (NRM bodies, Catchment Management Authorities, State Departments and Local Government etc)

Key Institutional and Policy Issues

Cont:

- Who should be responsible for the containment and management requirements and costs of commercial weeds .
- The role and effectiveness of the voluntary codes of practice
- The appropriate balance between regulation and market forces, incentives and education.

General Issues

- The coordination and direction setting by responsible organizations often weak and unsatisfactory.
- Often the agencies involved are responsible for introducing and promoting the plant
- Individuals within agencies are not convinced there is a problem and/or are not supportive of measures to address it.

General Issues

- A general lack of information and consensus about infestation rates
- The economic social and environmental cost and consequences of infestations not well defined
- The shear costs of large-scale control programs needs to be the balanced by the setting of priority areas for control effort.

General Issues

- Need to negotiate acceptable and achievable pathways forward and to build trust and ownership
- Actions that improve environmental values, but impinge on management might be actively opposed by landholders.
- There is a need for non-confrontational ways of negotiating acceptable changes in commercial weed management,

Socio-economic constraints

- Values, beliefs, attitudes, knowledge, education and social capital may impede landholders changing land management practices - even where R&D indicates multiple benefits in doing so.
- Who should pay for natural resource management – community benefit
- Consideration of the short term benefits to the incumbent land manager versus the long term cost to the landscape.

Socio-economic constraints

- The degree of risk associated with a new practice is motivating factor for willingness to adopt changed practices
- Interests vary according to income, risk perception, and profit motivation

Pathways Forward

- *Clarifying and streamlining roles and responsibilities*
- *Removing overlap, ambiguity and conflict in existing legislation (Federal, State and Local);*
- *Improving coordination and control of eradication and containment efforts;*

Pathways Forward

- *Identifying responsibility for the provision of key information and integrated socio-economic and environmental analysis;*
- *Identifying responsibility for setting priorities and action plans; and*
- *Ensuring compliance by landholders.*

Pathways forward

- *Research to better understanding of the institutional structures, role of legislation and other compliance and incentive mechanisms – including self regulation for effectively addressing commercial weed species*
- *Peak industry organizations need to work proactively with the three tiers of Government to develop suitable policy management approaches for dealing with inter-industry tensions and conflicting interests over commercial weeds.*

Pathways forward

- *Research be undertaken to better understand the "social impediments" and blockages that are at the heart of commercial weed conflicts, and to identify ways to "deal/cope/work" with these.*
- *The Australian Weeds Strategy needs to incorporate a formal mechanism for the periodic review of the adequacy and effectiveness of the policy and regulatory environment for commercial weeds*

Pathways forward

- *Existing eradication and containment programs for commercial weeds be periodically reviewed to determine the probability of success*
- *Greater effort needs to be placed on more effective processes of co-ordination and co-operation between the three tiers of government and the wider stakeholder community.*

Pathways forward

- *The changing role of Local Government in weed management needs to be clarified and articulated*
- *The cost benefits of the principle of user pays (market-based cost recovery) needs to be evaluated in relation to the ongoing use and management of weeds with a commercial value.*
- *Suitably regulated codes of practice for the use of commercial weeds need to be evaluated in terms of their effectiveness in achieving control and containment.*

Pathways forward

- *Evaluate alternatives to declaration and weeds legislation for the release of funding for managing commercial weed species, for both deleterious effects and beneficial cultivation.*
- *The participation of weed scientists and biologists in State weed management be more widely adopted to minimize and moderate the variations in regulation and management requirements caused by interest groups.*
- *Increased effort be placed on education, awareness and engagement programs to secure a more collegiate and participatory approach in tactical policy development.*