



EDO WA's NRM and EMS legal service projects

The EDO's two new solicitors, Vivian Markovich and Kirstine Forestier, started at the EDO in August 2003 to work on our new Natural Resource Management (NRM) legal service project and its Environmental Management System (EMS) legal service project.

NRM project

Natural Resource Management (NRM) is the term given to the coordinated approach to environmental management between government agencies in partnership with the community. In WA, the State and Commonwealth governments have recognised six state regional NRM groups who are responsible to prepare and implement natural resource management plans for their regions. Those groups are the Avon Catchment Council, the South Coast Regional Initiative Planning Team, the South West Catchments Council, the Swan Catchment Council, the Northern Agricultural Catchments Council and the Rangelands NRM Coordinating Group.

The EDO's NRM legal service project will involve the EDO solicitors providing:

- Legal advice as to the constraints and opportunities for development and implementation of NRM plans;
- Legal education as to the effect and significance of NRM plans;
- Advice as to law reform options to better facilitate the development and implementation of NRM plans;
- Direct assistance to NRM groups in the development of NRM plans; and
- A system to update and monitor the NRM plans to reflect any changes in the law.

There is a great deal of work to do, as WA has a great deal of legislation dealing with environment and natural resource management issues, and these laws are always in the process of being amended. Kirstine and Vivian have therefore already held meetings with various stakeholders, and will soon be holding legal education and legal advice days on NRM issues – see “Coming Events” in this newsletter for more details.

The EDO's NRM legal service project is funded by the Natural Heritage Trust and will run until 30 June 2004.

Contact Kirstine Forestier at the EDO for more details about the NRM project.



EMS project

The EDO's EMS legal service project will involve the EDO solicitors in a research project exploring which environmental laws and regulations promote the adoption and

effectiveness of EMS in the agricultural context, and which laws and regulations hinder that process.

EMSs in the agricultural context are systems which are designed to assist landholders in the sustainable management of natural resources on their properties and to help them identify cost-effective opportunities for environmental performance improvement. In order to determine the management required, landholders must first conduct an environmental review consisting of simple assessment of environmental issues and a review of farm activities and environmental impacts. EMSs then help landholders to record the key environmental issues that need addressing, and then outline what will be done to deal with these issues.

EMSs, such as the International Standard Organisation's (ISO's) Specification for EMSs (ISO14001), require landholders to comply with applicable legislation and regulations. Therefore a practical starting point for landholders wanting to implement EMSs is to identify legal obligations using key legal documents such as environmental laws, codes of practice, and other specific industry or catchment guidelines or standards. That is where the EDO's project comes in. The EDO will research the environmental laws which apply to EMSs and compile a current register of relevant laws and regulations which will help enable landholders to achieve and maintain regulatory compliance with existing environmental laws. The EDO will then prepare a research paper on how those environmental laws actually help, and hinder, adoption of EMSs in the agricultural context.

The EDO's EMS project is funded by Rural Industries Research and Development Corporation and will run until 30 September 2004.

Contact Vivian Markovich at the EDO for more details about the EMS project.

