

RESPONSE TO LAKE EYRE BASIN INTERGOVERNMENTAL AGREEMENT REVIEW RECOMMENDATIONS

1. INTEGRATED, SUSTAINABLE NRM. The focus in the LEBIA on ‘water and related natural resources’ does not align with the present day principles of integrated natural resource management (INRM) which underpin Australia’s regional NRM model. Over the five years of the Agreement, the emphasis has moved to integrated NRM.

Recommendation 1: *That the Agreement be modified to emphasise ‘integrated, sustainable natural resources management’ as compared to the present ‘water and related natural resources’.*

RESPONSE: While the need for INRM is fully recognised, modification of the LEBIA is not required.

‘Water and related natural resources’ provides a proper focus for LEBIA activities without being overly restrictive. Broadening the focus to INRM would make it generally more difficult to differentiate the LEBIA from NRM work being undertaken at the regional level or cross-regional approaches being taken to address broader issues (for example, issues affecting rangelands broadly, such as feral animals and weeds).

Rather, effort is required to ensure that the work being undertaken in support of the LEBIA is fully integrated into regional and multi-regional approaches (and vice versa) so that NRM issues are dealt with in an integrated way (see Recommendation 3).

Consideration of broader issues to achieve LEBIA outcomes will continue. For example, social and economic factors have significant implications in the management of water resources.

2. AVOIDANCE OF ADVERSE, CROSS-BORDER IMPACTS. This current focus of the LEBIA falls short of integrated whole-of-catchment management, which represents present day best practice. The focus on adverse cross-border impacts is the reason why the NSW part of the LEB and much of the SA part are excluded from the LEBIA – land management in those parts have no cross-border impacts.

Recommendation 2: *That the boundary of the LEBIA area be expanded to include all of the hydrological LEB.*

RESPONSE: Not agreed at this time. The boundary of the LEBIA was reviewed in 2006 and an amended boundary (incorporating a larger portion of the South Australian part of the LEB) was agreed by the LEB Ministerial Forum in January 2007. An amendment to the LEBIA, (Schedule 3) reflecting the boundary change, is currently being progressed. In addition, the NSW Government declined an invitation to become a signatory to the LEBIA in January 2008..

Future expansion of the LEBIA area is possible if there are compelling reasons or a state desire to so do. The CAC and the SAP both note that inclusion of the whole hydrological LEB within the LEBIA is desirable in the long term.

3. ENCOMPASSING THE REGIONAL NRM GROUPS. Since the LEBIA came into effect, the national regional NRM delivery model has been established, giving rise to three regional NRM Groups who are responsible for INRM in the Queensland, South Australian and Northern Territory parts of the LEB. Thus these Groups do not formally come within the Agreement and this disconnect runs the risk of (inadvertently) undermining the Agreement as each Group operations are restricted to the jurisdictional borders.

Recommendation 3: *That the regional NRM Groups be brought within the ambit of the Agreement by:*

- i) comprising the CAC from representatives of the regional NRM Boards (Note: The regional NRM groups are themselves representative of a broad spectrum of stakeholders, so this enables the stakeholder-representative nature of the CAC to continue.);*

RESPONSE: It is agreed that Desert Channels Qld, South Australian Arid Lands Natural Resources Management Board, and the Northern Territory NRM Board should each provide two representatives on the CAC. At least one representative should be a Board member, with provision being made for the Boards to each nominate up to one non-Board member. (This would allow, for example, the Darwin-based Northern Territory NRM Board to select a person from the Lake Eyre Basin part of the Territory to be a member of the CAC.)

NRM Board representation, however, will not necessarily cover all interests detailed in Section 5.11.1 of the Agreement and representation will also be required for Aboriginal, mining, petroleum, conservation and tourism interests.

The role of representatives should be clarified in the CAC operating protocol, including to ensure strong linkages between the CAC and NRM Boards.

ii) building in formal two-way communications between the LEBMF (and LEB secretariat) and the regional NRM Boards;

RESPONSE: This recommendation is supported. Apart from requiring NRM Board representation on the CAC, parties will determine other appropriate approach(es) to build communication, including consideration of:

- development of a five-year LEB Action Plan with clear responsibilities and reporting arrangements specified;
- recognition in each state/territory NHT3 (now Caring for Our Country) Bilateral Agreement of the need to consider cross-border impacts and projects;
- an annual meeting of NRM Regional Boards and the LEB jurisdiction officers to discuss LEB issues; and
- annual reporting by NRM Boards to LEBMF of achievements on LEB cross-border issues.

iii) by establishing the position of one or more LEB Regional Facilitator(s) to facilitate and harmonise the integrated NRM work in the LEB,

RESPONSE: Not agreed at this time. The approach proposed in 3 ii) above should ensure liaison on LEB cross-border issues by Regional NRM Boards and reporting to LEBMF. The significant resources required for additional facilitator/s do not appear to be justified at this time. The CAC noted that the development of the LEB Action Plan might require this issue to be reconsidered.

iv) by aligning the programs of the regional groups with the priorities of the LEB as strongly as is feasible.

RESPONSE: This recommendation can be achieved through the approaches proposed for consideration in 3 ii) above.

4. ROLE AND OPERATION OF THE MINISTERIAL FORUM. The Ministerial Forum is seen as an important reflection of the significance that should be accorded the LEB and the LEBIA, and stakeholders want it retained. However, the requirement that it meet in the Basin, whilst desired by community stakeholders as an opportunity to engage with Ministers, is logistically impractical, and disconnects the LEBMF (Lake Eyre Basin Ministerial Forum) from Australia's main NRM decision making process, the NRM Ministerial Council (NRMMC).

Recommendation 4: *That the LEBMF be retained; and that it be brought within the aegis of the NRMMC and not be required to meet in the Basin.*

RESPONSE: Agree that the LEBMF should be retained. The Agreement does not require Ministerial Forum to meet within the Basin and community stakeholders, while considering it desirable to meet in the LEB, accept that it is logistically difficult for Ministers to come together in remote locations.

More importantly, the LEBMF should remain separate from the NRMMC decision-making process. However, for operational efficiency, it is proposed that LEBMF meet immediately before or after NRMMC meetings.

5. ROLE OF THE SCIENTIFIC ADVISORY PANEL. The SAP has been effective by virtue of the high scientific credibility (and commitment) of its members and its direct access to the LEBMF. It has initiated important research and monitoring activities. More could have been achieved if it had better organisational support. Over the past five years the technical capacities of the jurisdictions' agencies (including the regional NRM Groups) have increased, this should be drawn upon for addressing LEBIA issues.

Recommendation 5: *That SAP be continued as constituted; that it have a strategic advisory role as well as to monitor the effectiveness of the work undertaken to underpin strategic INRM decision making in the Basin, and that the SAP be provided with sufficient support to undertake its work.*

RESPONSE: It is agreed that the SAP should continue as currently constituted. Membership of the SAP should reflect the strategic priorities identified for the LEB, including coverage of emerging issues.

The SAP should continue to focus on its remit under LEBIA to provide 'scientific and/or technical advice (sought by the Ministerial Forum) in relation to the identification of requirements for the effective monitoring of the condition of the rivers and catchments within the Lake Eyre Basin Agreement Area and the establishment of programs to meet those requirements'.

In so doing, the SAP should monitor the effectiveness of on-going research in the LEB and provide advice to the Ministerial Forum and the CAC on the types of new work that would assist in fulfilling the goals of the proposed LEB Action Plan.

It is agreed that the SAP should be provided with additional organisational and administrative support, for example, from the Lake Eyre Basin Facilitator, to enable it to better undertake its work.

These enhancements will ensure an appropriate level of scientific input into Basin decision making.

6. RELATIONSHIP WITH THE GREAT ARTESIAN BASIN COORDINATING COMMITTEE. The LEB overlaps the Great Artesian Basin, and the bore capping and piping work being undertaken by the GABCC is improving the condition of the natural resources of the Basin. Community stakeholders are confused between the two groups.

Recommendation 6: *Where appropriate, opportunities be pursued to hold CAC meetings in conjunction with GABCC meetings.*

RESPONSE: Agreed. Where appropriate, meetings of the CAC should be held in conjunction with meetings of the Great Artesian Basin Coordinating Committee. A joint meeting of the GABCC, LEB CAC and SAP was held on 12 March 2008.