

## DALY RIVER MANAGEMENT ADVISORY COMMITTEE

### MEETING RECORD FOR MEETING 11: 19 – 20 February 2009 Darwin Airport Resort

#### Present

<b>Committee Member</b>	<b>Committee Role</b>
John Childs	Chair
Chris Makepeace	Proxy for Warren de With representing Recreation/ Fishing interests and the Amateur Fishermen's Association of the NT
John Etty	Represent Non-Indigenous landowners and the NT Horticultural Association
Stuart Gold	Government Conservation and Recreation Manager
Chris Humphries	Proxy for Mark Meldrum representing Government Land Use Planner
Dan Thompson	Represent Non-Indigenous Landholders and the NT Cattlemen's Association
Bruce Sawyer	Government Primary Industries
Kelly Howitt	Proxy for Ian Lancaster representing Government Water Manager
Phil Anning	Government Regional Development Planner
William Hewitt	Represent Indigenous Landowners and the Daly River Aboriginal Reference Group
Stuart Blanch	Represent Conservation interests and the Environment Centre of the NT
Darlene Lion	DRMAC Executive Officer
<b>Apologies</b>	
Mark Meldrum	Government Land Use Planner
Ian Lancaster	Government Water Manager
Gary Higgins	Represent Tourism and the Katherine Region Tourism Association
Mona Liddy	Represent Indigenous Landowners and the Daly River Aboriginal Reference Group
Warren de With	Represent Recreation/ Fishing interests and the Amateur Fishermen's Association of the NT

## **Other Attendance**

The Minister for Natural Resources, Environment and Heritage, the Hon. Alison Anderson MLA, Senior Adviser, Mathew Fagan, and Adviser, Andrew Buick, attended the meeting for Agenda Item 7 to meet with DRMAC.

Lachlan Kelsall from Water Management, Department of Natural Resources, Environment, The Arts and Sport (NRETAS), attended the meeting for agenda item 6.1 to advise on water management issues.

Ian Fox and Peter Clifton from Vegetation and Land Management, NRETAS, attended the meeting for agenda item 5 to advise on land clearing issues.

## **Presentations**

Liz Rysby from the Tropical Rivers and Coastal Knowledge (TRaCK) attended the meeting for agenda item 10 to provide a presentation.

Lindsay Hutley from the Tropical Rivers and Coastal Knowledge (TRaCK) attended the meeting for agenda item 11 to provide a presentation.

Bryan Baker from Biodiversity Conservation, NRETAS, attended the meeting for Agenda Item 8 to provide a presentation.

## **Day 1: 19 February 2009**

### **1. Welcome**

#### **1.1 Apologies**

Apologies were received from Mona Liddy, Mark Meldrum, Ian Lancaster, Warren de With and Gary Higgins.

The Chair welcomed to the meeting Chris Makepeace as proxy for Warren de With, Chris Humphries as proxy for Mark Meldrum and Kelly Howitt as proxy for Ian Lancaster.

### **2. Previous Meeting**

#### **2.1 Meeting Record**

The Meeting Record for Meeting 10 was accepted by DRMAC.

#### **2.2 Action Sheet**

For action item 3, John Childs advised that he has not yet drafted advice to the Minister regarding DRMAC's suggestions for the composition of the Committee for its next term. DRMAC would discuss this under agenda item 3.

The progress of items on the Action Sheet for Meeting 10 were noted.

### **3 Prepare for Meeting with the Minister**

The Chair advised that the Minister for Natural Resources, Environment and Heritage, the Hon Alison Anderson MLA, would attend the meeting from 9.00am on Friday 20 February 2009 to meet with DRMAC.

John Childs advised that he met with the Minister and the Minister's Senior Adviser, Mathew Fagan, prior to the DRMAC meeting. Much of their discussion was about land clearing and the future composition of DRMAC.

DRMAC discussed the issues that they would talk to the Minister about, including:

- Discussions with the Minister for Primary Industry, Fisheries and Resources about the expansion of development, horticulture and the cattle industry in the Daly Basin
- Soil erosion on agro-forestry plots in the Douglas Daly
- The work completed to date by NRETAS on the land clearing guidelines and adaptive management.
- Opportunities for funding for the Daly under the Caring for Our Country program.

#### **4. Closed Discussion - member Issues**

As items discussed under this agenda item are confidential to the Committee, a record of the Closed Discussion is not included in this meeting record.

### **5. Land Clearing Issue**

#### **5.1 Discussion on Land Clearing Issue Developments**

This agenda item was covered under Agenda Item 7, Meeting with the Minister.

#### **5.2 Report of Land Clearing Applications and Approvals**

DRMAC noted the reports of clearing applications and approvals in the Daly River Catchment.

It was noted that clearing applications in the Interim Development Control (IDCO) 17 area, commonly referred to as the moratorium area, haven't been received yet. Chris Humphries advised that the draft amended IDCO was on the way to the Minister for Planning and Lands for consideration.

#### **5.3 Draft Clearing Guidelines, Clearing Application Form and CAP thresholds**

DRMAC reviewed the draft revised clearing guidelines and application form and documentation developed by NRETAS.

Concerns were raised about:

- the environmental impact statement (EIS) process. It is not clear when an EIS will be required, whether there is a standard process or form that will be used and what will be achieved through an EIS.
- the lack of consideration and inclusion of DRMAC's clearing guidelines for the Daly River Catchment.
- the new format and layout used. It was felt that they were not appropriate for the intended audience. DRMAC queried the need to move away from the approach used in the previous guidelines.
- whether thresholds would be included for retaining regrowth at a certain level for carbon, biodiversity or other values. It was suggested that if information on retention of regrowth is included, it could be elaborated on and/ or strengthened.
- the lack of certainty associated with annual and staged applications. To make their properties viable landowners require a level of certainty that they will be able to fully develop their property as proposed in their property development plan.

#### **5.4 Presentation – The New Clearing Application Process – Ian Fox, NRETAS**

The NRETAS A/Director Vegetation and Land Management, Ian Fox, described the changes to the revised draft clearing application form and the information to be attached to the form. The draft clearing application form and guidelines will be made available for public comment in March 2009. It is expected that the new guidelines will be released by April 2009.

Concerns were raised regarding:

- DRMAC's work was not used. Ian Fox advised that NRETAS would be happy to consider using DRMAC's work.
- the dependence on property owners to report any endangered species and sacred sites. Furthermore, it's not clear what level of information will trigger an investigation for more information.
- the requirements for additional information to be provided in the attachment to the application form are not clear.

As it was felt that the requirements under the new process were not clear, DRMAC suggested that native vegetation staff meet with the Stray Creek landholders as soon as possible to explain the new process.

## **5.5 Presentation – Land Clearing Assessment Process and Recommendations: King River Application – Peter Clifton, NRETAS**

The NRETAS A/ Senior Natural Resource Scientist, Peter Clifton, described how clearing applications are assessed using the King River property application as an example. In line with the announcement by the Minister for Natural Resources, Environment and Heritage in December 2008 on native vegetation management reform, some changes to the assessment process have recently been implemented. These include the forwarding of all new applications for clearing in the Daly River Catchment to DRMAC for comment as part of the public comment process.

### **5.6 Review Clearing Applications**

DRMAC reviewed a clearing application for NT Portion 6235 Swanson Road and 6236 Fox Road, Venn, Katherine.

To ensure DRMAC comments on clearing applications are provided within the mandated timeframe, applications will be circulated out of session as required. A teleconference or special meeting will be convened if there are issues requiring discussion.

#### **Action**

DRMAC comments on the application NT6235 to be collated and incorporated into a formal DRMAC submission to be submitted as part of the public comment process.

DRMAC requested that new applications for clearing in the Daly River Catchment are forwarded to DRMAC, out of session if required, for consideration and comment.

## **6. Water Management Issue**

### **6.1 Draft Plan for the Tindall Limestone Aquifer (Katherine)**

The NRETAS Water Allocation Planner for the Tindall Limestone Aquifer, Lachlan Kelsall, advised that the revised draft Water Allocation Plan for the Tindall Limestone Aquifer was released for consultation in December 2008.

8 formal submissions and 1 informal submission were received. At the last Katherine Water Advisory Committee meeting, representatives from the Northern Land Council and the North Australian Indigenous Land and Sea Management Alliance, requested that an allocation for Indigenous economic development be included from the commencement of the plan instead of at the 5 year review.

A revised version of the plan will be tabled for consideration at the next meeting of the Katherine Water Advisory Committee (Katherine Water Advisory Committee). A final draft Plan will be forwarded to DRMAC for consideration and presentation to the Minister.

The aim is to have the Plan declared in April 2009 and to be able to issue licences from 1 May 2009, with the Implementation Plan well under development.

### **Action**

DRMAC requested that full development scenarios with the implications for water extraction and security be provided to DRMAC when the draft Water Allocation Plan for the Tindall Aquifer is forwarded to DRMAC for consideration following KWAC's consideration.

### **6.2 Issuing of Water Extraction Licences for Lower Daly**

Lachlan Kelsall provided an update on issuing of licences for surface water extraction in the lower Daly. The water management branch has written to the Northern Land Council Chair about the proposed process for licensing the water users. The users have been advised of the processes for applying for a licence to extract surface water and requesting approval to extract water over Malak Malak land. Its expected that by mid 2009, all extraction will be licenced and a compliance survey will be conducted shortly after.

### **6.3 Water Allocation Planning Ooloo Aquifer**

The Water Allocation Planner for the Ooloo Aquifer, Kelly Howitt, presented information about reserving water for indigenous economic development purposes. Some options for determining the volume of the reserve were discussed. DRMAC requested that further consultation with Indigenous stakeholders, including the ARG, be undertaken in regards to this issue. **DRMAC agreed** in principle to reserve water for indigenous economic development purposes in the Ooloo water allocation plan.

Kelly Howitt presented an update about the licence review process and crop water use models. This included proposed water use requirements from the Ooloo aquifer for the next ten years based on applying the crop water use model to each applicant's property development plan. This process has been completed for 16 of 20 applicants. The remaining 4 are awaiting further information.

Kelly Howitt presented the proposed volumes for annual licences to be issued for 2009. These volumes were based on the proposed level of development for 2009 in accordance with crop water use models. Some users require an increase to their 2008 licence volume.

**DRMAC asked that it be noted** that it has concerns about increasing licence volumes before the planning process is finalised.

Kelly Howitt provided an update on the status of the Ooloo model. Calibration has been improved at several locations. Additional monitoring data will be required to better calibrate the model in some locations. NRETAS hydrogeologists have advised that the model is suitable for use.

**DRMAC agreed** to commence use of the model to determine water availability and assess the impacts of pumping scenarios of environmental and cultural outcomes.

Kelly presented a consultation update including:

- Upcoming community information sessions to be held in Douglas Daly and Katherine regions.
- Planned visit to Nauiyu Nambiyu
- Development of information report, brochures, posters and website

### **Action**

DRMAC requested a paper for the next meeting covering:

- available pumpage figures for existing water users in the Ooloo planning area; and
- the Ooloo monitoring program and proposed research programs; and
- modelling outputs for pre-development and full development scenarios.

## **7. Meet with the Minister for Natural Resources, Environment and Heritage**

DRMAC met with the Minister for Natural Resources and Environment, the Hon Alison Anderson MLA, Senior Advisor, Mathew Fagan and Advisor, Andrew Buick.

The DRMAC Chair advised that DRMAC has reviewed NRETAS work on the native vegetation clearing guidelines. DRMAC have advised the Department that it is concerned that the guidelines have been developed well beyond those provided by DRMAC and do not include DRMAC's work on adaptive management. DRMAC have asked the Department to consult with landowners in the IDCO17 area as a priority regarding the new clearing application process.

Concerns were raised regarding:

- Whether landowners concerns are being seriously considered in the development of the guidelines.
- Whether the guidelines will provide rewards for people securing carbon and protecting the environment.
- Whether there will be mechanisms built into the process for efficiencies in conducting on ground flora and fauna surveys.
- Whether the new application and assessment process will be in place in time to enable people to clear this year.
- Staged applications and the need for some levels of security for property owners to enable them to fully develop their properties as documented in their property development plan.

- Inconsistencies in the riparian buffer zones of major NT rivers.
- The need to clarify what work landowners will be required to do if an environmental impact statement is required.

There was considerable discussion and clarification of issues with the Minister and her Adviser.

Dan Thomson advised that the NT Agricultural Association would like to submit an application for funding through the Caring for Our Country program to address erosion problems in the Daly. The Association has sent a letter to the Minister requesting a letter of support from NRETAS. The Minister advised that her office would follow up the request.

John Childs advised that DRMAC is considering a method for putting together an Indigenous economic development allocation in water allocation planning. DRMAC will consult with the Daly River Aboriginal Reference Group and other stakeholders as necessary.

Erosion in the Daly was also discussed. DRMAC suggested to the Minister that an on ground extension program be implemented to prevent further erosion.

## **Day 2: 20 February 2009**

### **8. Presentation**

Bryan Baker from NRETAS provided an update on the scientific work being undertaken for the Conservation Plan for the Daly River Catchment. The results of this work will be used in consultations with stakeholders.

### **9. Reports/ Information Papers**

#### **9.1 Draft Conservation Plan for the Daly**

Stuart Gold provided an update on the work on the Daly Conservation Plan. A Community Consultation Officer has been engaged and will commence consultation with local landholders, community and stakeholder groups. The consultation program will run for about 4 months.

#### **Action**

Stuart Gold will provide a map of conservation values in the Daly and a draft conservation plan for the next DRMAC meeting.

#### **9.2 Agro-forestry and Soil Erosion Update**

This issue was discussed with the Minister. DRMAC noted the briefing provided on Agro-forestry and Soil Erosion in the Daly River Catchment.

#### **9.3 Causeway to Nauiyu Nambiyu**

DRMAC noted the briefing provided on the Causeway to Nauiyu Nambiyu (Access to community including Tommy's Creek floodway).

#### **9.4 Engagement guidelines for Water Allocation Planning**

It was noted that the development of Indigenous Engagement Guidelines was referred to the Daly River Aboriginal Reference Group.

#### **9.5 Development of a Component Tree System**

As noted under 2.2, the one day workshop planned for February 2009 was deferred to the May 2009 DRMAC meeting.

##### **Action**

The DRMAC Executive Officer will organise a one day workshop at the DRMAC meeting to complete the development of the social branch of the Ecologically Sustainable Development Component Tree for the Daly River Catchment and to commence development of the other outstanding branches.

#### **9.6 Draft proposals for Research in the Daly**

DRMAC noted the research proposals provided for the information of DRMAC.

#### **9.7 Natural Resource Management Legislation**

DRMAC noted the briefing update on environmental legislation and the Natural Resource Management Framework.

#### **9.8 Landscape Design Project – Steering Committee Update**

DRMAC requested an update briefing be provided for the next meeting.

##### **Action**

A briefing for the Landscape Design Project will be arranged for the next meeting.

#### **9.9 Daly River Aboriginal Reference Group Update**

An update will be provided at the next meeting.

### **10. Presentation**

Liz Rysby from TRaCK, Charles Darwin University, provided an update on the Daly River Water Quality Monitoring Framework. The draft framework is expected to be released shortly for public comment.

### **11. Presentation**

Lindsay Hutley from TRaCK, Charles Darwin University, provided an update on the work on water budgets and water resource assessment in the Daly River Catchment. Lindsay advised that TRaCK is considering undertaking research on water interception by plantations and their impact on water balance.

### **12. Communication**

#### **12.2 Membership**

John Childs advised that the Minister's office has indicated that the Minister has no particular concerns about the current operation of DRMAC. DRMAC

discussed the sectors currently not represented including broad acre irrigation, forestry, agriculture as represented by the NT Agricultural Association and the minerals sector.

It was suggested that the Committee also needs to be across much of the current work of the NRETAS Natural Resources Division, particularly in regards to native vegetation clearing.

**DRMAC agreed** that it would recommend to the Minister that the membership be extended to include the NT Agricultural Association and means by which forestry could be represented if there was an approach from the forestry sector.

### **Actions**

An invitation will be extended to the Executive Director Minerals and Energy, Department of Regional Development, Primary Industry, Fisheries and Resources, to provide a presentation on the work at Mount Todd at the next DRMAC meeting.

The NRETAS Director Vegetation and Land Management will be invited to attend future DRMAC meetings while NRETAS is working on the native vegetation clearing guidelines and approval process and the proposed native vegetation act .

### **12.3 New Business**

On behalf of Ian Lancaster, Kelly Howitt informed DRMAC that the pending new owner of the Tipperary Group has advised of his intention to renew 2 water extraction licences at Daly River and Green Ant Creek. Ian Lancaster has advised that an application will be required.

The December meeting of the National Indigenous Water Policy Committee has recommended that Indigenous Allocations be included in all water allocation plans across Australia.

Ian Lancaster has received the GHD report on the water use requirements and impacts of the Peanut Company of Australia's Katherine farm. The report will be forwarded to DRMAC for information.

### **13. Next Meeting**

It was agreed that the next meeting will be held in May 2009 in Katherine.