

# Western Davenport Ti Tree Water Advisory Committee

## Minutes - Meeting #1

Meeting date: 8 December 2021 Start time: 9:00am

Location: Teams meeting (video and telephone) and AZRI meeting room, Alice Springs

### Meeting Summary

#### Key Messages

- The newly formed Western Davenport and Ti Tree Water Advisory Committee had its 1<sup>st</sup> meeting on the 8<sup>th</sup> December which was largely procedural with the agency providing briefings on the role and proposed work program for members.
- It was noted that the role of the Committee is to advise the Controller of Water Resources and the Minister on matters such as water monitoring and allocation policies for the two Water Control Districts and is not a decision-making body.
- The Committee was advised that the next 12 months will be focussed on the review of the recently adopted Western Davenport 2021-22 Plan and the previous 2018-2021 Plan.
- The Committee's focus will pivot to the Ti Tree water allocation plan in 2023.
- The Committee identified the need for comprehensive monitoring data as a matter of priority to better calibrate current and future aquifer models, increase confidence in estimates of ESY, provide for more effective adaptive management and improve understanding of the ESY implications for water dependent ecosystems.
- The Committee identified community engagement as a critical issue. The Committee is keen to encourage comments from all water users and interest groups in the Western Davenport region and aims to have at least one meeting in the region in the next six months.

#### Recommendations and Actions

**Recommendation 1.1:** The Committee noted the information provided on induction.

**Recommendation 1.2:** The Committee noted the information provided on the historical and future context for each water plan and asked that the presentation slides be included in meeting minutes.

**Recommendation 1.3:** The Committee noted concerns around the Estimated Sustainable Yield (ESY) and the potential for over-allocation of the resource, as well as potential implications for the Aboriginal Water Reserve.

**Recommendation 1.4:** The Committee noted the update provided on the Plan's implementation actions.

**Recommendation 1.5:** The Committee noted the questions raised around implementation actions including concerns around adaptive management settings, current monitoring and compliance checking

**Recommendation 1.6:** The Committee noted concerns about the Estimated Sustainable Yield including how water in the regolith is represented in the model.

**Recommendation 1.7:** The Committee noted the suggestion that the Department investigates the potential benefits of extracting water from deeper rather than shallower aquifers.

**Recommendation 1.8:** The Committee sought a briefing to clarify the science behind the ESY settings. The briefing should include information on the current water model, scope of proposed new model, how the regolith is represented in the model and the status of the two aquifers.

**Recommendation 1.9:** The Committee noted the information provided in Meeting Paper 9 and the opportunity to consider this in the Plan review.

**Recommendation 1.10:** The Committee noted the information provided on the timeline for review of the Western Davenport WAP and drafting of the new WAP.

**Recommendation 1.11:** The Committee noted that the timeline for the review and new Plan was tight, and that it may require more meetings, and meetings of longer duration, than has been proposed in order to provide considered advice.

**Recommendation 1.12:** The Committee noted the information provided on communication and engagement activities, the importance of communication, engagement and collaboration in this process, and that members should provide suggestions both in and out of session regarding stakeholder networking opportunities and events.

**Recommendation 1.13:** It was agreed that if members raised additional points after a meeting, these can be included as an attachment to the minutes and used to inform the agenda for the next meeting.

**Action 1.1.** Department to circulate the meeting evaluation checklist.

**Action 1.2** Department to include additional items in future agendas: declaration of conflict of interest, identification of member to conduct meeting assessment, correspondence, business arising action list.

**Action 1.3:** Department to provide a copy of the presentation material for Item 7 along with the meeting minutes.

**Action 1.4** Department to circulate information on their adaptive management procedure and policy.

**Action 1.5:** Department to arrange for a briefing on water monitoring activities in the Western Davenport Water Control District.

**Action 1.6:** Department to arrange a briefing so that members can better understand the science and modelling used to determine the ESY and other key elements of the plan.

**Action 1.7:** Individual Committee members to advise the Department especially the Community Engagement Officer on how they can support communication and engagement activities.

**Action 1.8:** Department to confirm the date of Meeting #2, noting the Committee's preference for 24 Feb and possibly 23 Feb if necessary.

**Action 1.9:** Department to propose a date in April for Meeting #3.

**Action 1.10:** Members to send vaccination status to the Chair, Andrew Johnson, or to the Department (as per correspondence) if they have not already done so.

**Action 1.11:** Department to contact members to confirm bio and preferred contact details.

## Meeting Record

### Item 1. Acknowledgement of country

We respectfully acknowledge the past and present Traditional Custodians of the land on which we are meeting today and the land which is to be spoken about during this meeting.

### Item 2. Opening and welcome

Chair welcomed members to the Committee and explained that the Committee would be working together over the next five years. He outlined that this first meeting was mostly procedural.

### Item 3. Attendance and confirm agenda

Members participating	Method	Apologies	Department staff attending	Method
Andrew Johnson (Chairperson)	Online	Barbara Shaw	Amy Dysart	Online
Annette D’Emden	Online	Paul Burke	Clare Taylor	Online
Jade Kudrenko	Online		Michelle Rodrigo	Meeting room
Steve Morton	Meeting room		Liza Schenkel	Online
Peter Donohoe	Meeting room		Jesus Vazquez	Online
Roy Chisholm	Meeting room			
Paul McLaughlin	Online			
Kate Peake (proxy for Paul Burke)	Online			

Suggested additions to the meeting agenda were:

- COVID-19 instructions
- Correspondence
- Approval to prepare a list of member bios and contact details for circulation within the Committee
- Business arising
- Conflict of interest.

### Item 4. Introductions

Members and Departmental staff introduced themselves and outlined their background relevant to the Committee.

Responses to the question ‘what would you like to see out of this process’ included that:

- new water plans are clear and can be understood by the community
- water plans reflect sustainable use of water in the arid zone
- good water governance emerges from community discussion
- diverse rights and interests can be represented
- the process and water allocation is fair, practical and underpinned by robust science.

## Item 5. Induction

Department staff outlined:

- Terms of Reference (see Slides 5-12 and Meeting Paper 5)
- 5-year workplan priorities (see Slide 13)
- Other induction matters including quorum, minutes and member commencement forms (see Slides 14-15).

A member asked the Department to explore options for distributing large files to members because email transmission can be problematic with slow download speeds in remote areas. One member expressed preference for multiple smaller meeting papers over single combined paper.

It was noted that this Committee is the first to have responsibility for two Water Allocation Plans. The Executive Director of Water Resources Division explained that this arrangement was regarded as the most practical and efficient given timeframes and provided a clear workplan for the Committee until membership is reviewed in five years.

**Recommendation 1.1:** The Committee noted the information provided on induction.

## Item 6. How will the Committee work together?

Chair commented that members have been chosen to act as a barometer of community views and that face-to-face meetings would be preferable including at least one meeting in the water planning area to see bores in operations and listen to irrigators, rangers and Aboriginal communities.

Chair asked that members read meeting papers before each meeting. This allows members to better identify conflicts of interests – both real and perceived – at the start of a meeting. Chair noted that he expects it will be rare for a real conflict of interest to arise. If it's agreed that a member has a conflict of interest, Chair suggested that the member participates in the discussion to ensure the Committee had a clear understanding of all issues and concerns but not participate in any vote. Chair also asked that members let him know if they propose to discuss Committee matters with an organisation or group.

A member suggested that interests should be declared explicitly. The Department and Chair advised that any conflicts of interest must be disclosed to the Chair and recorded in meeting minutes.

Chair invited members to identify opportunities for presentations and guests at meetings, as well as any stakeholders Department staff should meet with.

A member asked if the Committee would have the opportunity to respond to any changes made to the previous Western Davenport Water Allocation Plan. The Executive Director of Water Resources Division explained that the Plan is the Minister's Plan and can be changed by the Minister, though historically this hasn't occurred. The Executive Director also explained that the current Plan was declared for 12 months to enable continuation of existing arrangements and consequently the review has a tight timeline and is scheduled to go out for public comment in September. The Chair indicated his expectation that if changes were subsequently made to the draft Plan that the Committee would have an opportunity to discuss any changes prior to the plan being finalised.

## **10 minute break**

## Item 6 cont'd

Chair invited comment on meeting preferences. Members suggested a mix of online and face-to-face depending on content; face-to-face where possible, but online is okay for specific items. Chair proposed the next meeting be a face-to-face meeting in February in Alice Springs.

Department staff outlined the meeting evaluation checklist of desired meeting behaviours (see Slide19) and Chair asked that it be circulated before the next meeting. Chair will seek a volunteer member at the beginning of each meeting to go through the checklist at the end.

Chair explained that draft minutes from each meeting will be circulated to the Committee within two weeks of the meeting for approval or adjustment, and that if there were any significant adjustments the minutes would be re-circulated. The minutes remain confidential until they are endorsed at the start of the next meeting. After endorsement they are published on the Department's water advisory committee webpage website (see Slide 17).

**Action 1.1.** Department to circulate the meeting evaluation checklist.

**Action 1.2** Department to include additional items in future agendas: declaration of conflict of interest, identification of member to conduct meeting assessment, correspondence, business arising action list.

## Item 7. Context of Western Davenport and Ti Tree plans and advisory committees

Water planner explained the purpose of a water allocation plan (WAP) and the objectives of the Western Davenport WAP and the Ti Tree WAP. She then outlined the history and expected future of water planning in these two Water Control Districts (See Slides 21- 28).

A member noted they hadn't heard about the review of the Western Davenport plan until recently and that better communication between the department and stakeholders was needed. Another member seconded this view saying several groups on the Barkly were also unaware of the review. Department staff indicated that the public comments received from the Oct 2021 'Have Your Say' will inform this review and the new Plan, that they will follow up regarding any correspondence with stakeholders regarding the review, and will look at how communication can be improved.

Water Planner clarified that the Oct 2021 public survey on the 2018-2021 water plan was undertaken to inform the full review of this plan and the preparation of a new 10-year plan in 2022, not the 12 month plan declared on 6 December 2021 (see Slide 29). She also indicated that the Department had corresponded with a representative from the Barkly Shire regarding the review but that not everyone may have been aware of this interaction.

A member asked if current water extraction licence applications in the District were to be put on hold while the review takes place, since the Estimated Sustainable Yield (ESY) may be revised downwards as a result of the review. The Executive Director of Water Resources responded that there was no mechanism in the current Water Act to not receive licence applications, but that a proposed amendment to do this is part of a package of amendments scheduled for 2022. She added that this situation is one reason for the short time available for this review and new plan. The member expressed that continuing to issue licences puts the water available for the Aboriginal Water Reserve at extreme risk. Another member asked that this concern be specifically noted in the minutes.

The Chair summarised the session, highlighting the concerns raised by members around the ESY and the potential for over-allocation of the resource.

**Recommendation 1.2:** The Committee noted the information provided on the historical and future context for each water plan and asked that the presentation slides be included in meeting minutes.

**Recommendation 1.3:** The Committee noted concerns around the Estimated Sustainable Yield (ESY) and the potential for over-allocation of the resource, as well as potential implications for the Aboriginal Water Reserve.

**Action 1.3:** Department to include the presentation material for Item 7 along with the meeting minutes.

## Item 8. Implementation of the 2018-2021 Western Davenport WAP (refer to Paper 8)

Department staff presented a report on the status of the implementation activities in section 8.4.1 of the Plan (see Slides 30-36).

Various questions were raised during discussion around clarification of the current level of monitoring in the District and it was suggested that the Department is no longer doing any monitoring in the District, and that there was an expectation on licence holders to undertake monitoring as part of their licence conditions. It was also suggested that a whole of District /whole of aquifer monitoring plan was needed. Department staff committed to providing the Committee with an update on monitoring in the District.

Members had questions about several implementation actions in the Western Davenport plan (refer meeting paper 8):

- 0.1 - can the Department provide information about how adaptive management works in the WAP before the next meeting?
- 2.2 - how do we establish a baseline for adaptive management trigger levels?
- 3.3 - how can the WAP will be regulated if there are no compliance officers in the region?
- 4.3/4.4 -how can we make informed decisions on ESY if the revised model is not available until 2023/4?

In relation to implementation actions 4.3/4.4, Department staff explained that the review and new plan will be based on the current model and that the model revisions due in 2023/4 will provide input to the 5-year review (by 2027) of the new plan. The Executive Director added that because water extraction hasn't increased, it is difficult to test model predictions - in order to improve model performance it is necessary to determine how models perform against real extraction and pumping data, otherwise not a lot will change in the model predictions.

A member asked if the ESY was going to be reviewed as part of this process. The Executive Director indicated an expectation that it would be considered at the April and June meetings. The Chair suggested that questions around monitoring and the ESY process need to be clarified in the next meeting.

It was suggested that the Department's water licencing compliance function was important and that more monitoring was required to understand aquifer performance. It was suggested that there were two aquifers and that most extraction was occurring in the lower aquifer which meant that groundwater dependent ecosystems (GDEs) were unlikely to be affected by any irrigation extraction. The Committee identified the need to better understand the two main aquifers and any connectivity, including any implication for GDEs of pumping from the deeper aquifer rather than the shallower aquifer.

It was suggested that the WAP contains some very good elements, but that the ESY is critical and needs to be properly reviewed. Concern was expressed about the reliance on the 'regolith' component of the resource to support the current ESY settings, and suggested that licencing should be halted until this matter has been investigated further. It was further suggested that the model can't be relied on if there is

no monitoring, and that there is said to be 30G of water in the regolith but with no science behind this number. It was specifically requested that this point be noted in the minutes.

As a consequence of this discussion, the Committee requested more information from the Department about how the regolith is represented in the current model and suggested that it is critical to the function of the WAC that members understand how the ESY is determined as part of the review.

The Chair suggested that Committee needed to have confidence in the science which was the responsibility of the Department but that it was appropriate for the Committee to seek a briefing at the next meeting.

**Recommendation 1.4:** The Committee noted the update provided on the Plan's implementation actions.

**Recommendation 1.5:** The Committee noted the questions raised around implementation actions including concerns around adaptive management settings, current monitoring and compliance checking.

**Recommendation 1.6:** The Committee noted concerns about the Estimated Sustainable Yield including how water in the regolith is represented in the model.

**Recommendation 1.7:** The Committee noted the suggestion that the Department investigates the potential benefits of extracting water from deeper rather than shallower aquifers.

**Recommendation 1.8:** The Committee sought a briefing to clarify the science behind the ESY settings. The briefing should include information on the current water model, scope of proposed new model, how the regolith is represented in the model and the status of the two aquifers.

**Action 1.4** Department to circulate information on their adaptive management procedure and policy.

**Action 1.5:** Department to arrange for a briefing on water monitoring activities in the Western Davenport Water Control District.

**Action 1.6:** Department to arrange for a briefing so that members can better understand the science and modelling used to determine the ESY and other key elements of the plan.

## Item 9. Singleton licence review outcomes (refer to Paper 9)

The Executive Director explained that the Water Resources Review Panel's recommendations on the Fortune Agribusiness water extraction licence decision includes recommendations relevant to water allocation planning. It was explained that Paper 9 highlights the recommendations relevant to this WAC process and the responses to each that the Department is considering. It was noted that some of the Review Panel recommendations are contrary to concerns raised during the meeting about a shift to proponent-led monitoring and the ESY.

**Recommendation 1.9:** The Committee noted the information provided in Meeting Paper 9 and the opportunity to consider this in the Plan review.

## Item 10. Review and revision of Western Davenport WAP (refer to Paper 10)

The Water Planner explained the water allocation plan review process, the role of the Committee in the process and risks to the process (see Slides 38-48).

Chair highlighted that the process will require real commitment from members. It was suggested during discussion that the timeline issue was critical and that the Plan had been fast-tracked. The Committee

noted that it can't control the timeline (new plan to be completed by end 2022), but could control the timing and duration of meetings, and shouldn't feel constrained by time when meeting. The Chair noted that members were all in agreement on this matter.

**Recommendation 1.10:** The Committee noted the information provided on the timeline for review of the Western Davenport WAP and drafting of the new WAP.

**Recommendation 1.11:** The Committee noted that the timeline for the review and new Plan was tight, and that it may require more meetings, and meetings of longer duration, than has been proposed in order to provide considered advice.

*5 min screen break*

**Item 11. Communication and engagement activities for Western Davenport plan review and revision process (Refer to Papers 11A and 11B)**

Community Engagement Officer outlined the plan for communication and engagement to support the Plan review and develop a new Plan (see Slide 51), highlighting that the Department is keen for input on the communications and engagement activities from Committee members and stakeholders to inform the review and new WAP.

The Executive Director described the proposed establishment and role of Aboriginal Reference groups (ARG) in water allocation planning, noting the Department's intention to strengthen relationships with Aboriginal groups across the NT (see Slides 52 and 53). It was indicated that discussions about an ARG for the Western Davenport area had commenced with the Central Land Council and directly with interested Traditional Owners. The timing and structure of any proposed ARG depends on the outcome of these discussions and that an ARG would be complementary and support the Committee's work.

It was suggested that the timeframe is a significant risk for engagement, and that as a consequence the CLC was planning to start consulting Traditional Owners in March 2022 about the water resource and the Plan.

Chair suggested that the CLC coordinate its activities with the Department to avoid confusing people on the ground and emphasised the benefits of a collaborative approach.

Community Engagement Officer summarised the feedback received in the 'Have Your Say' survey for the review (see Slide 54) noting that this information will be used to inform the new Plan.

Chair asked members to identify how each of them can support the communication and engagement process, for example by using their experience and networks and by working collaboratively with agency staff as well as promoting a dialogue between interests groups to develop a common understanding of the resource and user requirements.

**Recommendation 1.12** The Committee noted the information provided on communication and engagement activities, the importance of communication, engagement and collaboration in this process, and that members should provide suggestions both in and out of session regarding stakeholder networking opportunities and events.

**Action 1.7:** Individual Committee members to advise the agency especially the Community Engagement Officer how they can support communication and engagement activities

## Item 12. Future meetings

Chair proposed 24 Feb for Meeting #2. It was suggested that given the possible scope of the agenda that a second day may be necessary and it was agreed that if that was the case that the 23 Feb was suitable.

A short online meeting before 24 Feb was proposed but it was not considered feasible given the Christmas/Jan break and availability of staff to arrange the briefings etc. It was noted that short meetings could be used in the future for specific matters that could be discussed by videoconference especially background briefings.

Members agreed that Meeting #3 could be held in late April (avoiding the week beginning 4<sup>th</sup> April when CLC Council meeting are scheduled) and asked that a date be proposed in the minutes.

**Recommendation 1.13:** It was agreed that if members raised additional points after a meeting, these can be included as an attachment to the minutes and used to inform the agenda for the next meeting.

**Action 1.8:** Department to confirm the date of Meeting #2, noting the Committee's preference for 24 Feb and possibly 23 Feb if necessary.

**Action 1.9:** Department to propose a date in April for Meeting #3.

## Additional agenda Items

- Correspondence IN – Chair received a letter from the Minister regarding the declaration of the 12 month Western Davenport Water Allocation Plan 2021-2022
- COVID instructions – Chair emphasised Direction from the CHO that all members need to be double vaccinated to be able to meet in person.
- Bios and sharing contact information - Members agreed to share bios and contact information.

**Action 1.10:** Members to send vaccination status to the Chair, Andrew Johnson, or to the Department (as per correspondence) if they have not already done so.

**Action 1.11:** Department to contact members to confirm bio and preferred contact details.

## Item 13. Key messages and actions

*(Please see the summary at the front of these minutes)*

**Meeting closed 12.20pm**