

The Mutual Agreement

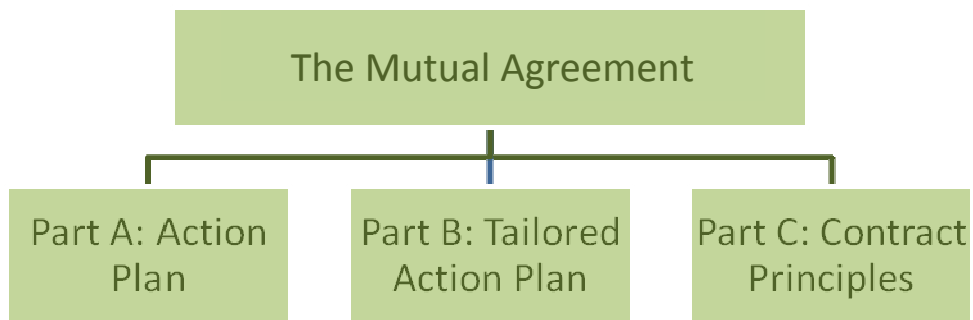


An agreement between the South Australian Non-Government Environmental Organisations and Natural Resources Management Boards to improve natural resources management outcomes for the South Australian community

Structure

The document is designed to be read in two parts:

1. *The Mutual Agreement* and Signatories; and
2. Commitments developed around the themes of communication, strategic planning, program development and project delivery.



Signatories will sign *The Mutual Agreement* and complete any of the following appendices that best suit their needs:

- Part A: Action Plan
- Part B: Tailored Action Plan
- Part C: Contract Principles – still to be finalised

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Preamble

This Memorandum of Understanding (MOU), referred to as ***The Mutual Agreement*** outlines the role of the Natural Resources Management (NRM) Boards and Non-Government Environmental Organisations (e-NGOs) in effective collaboration and partnerships. It has been established in recognition that all parties contribute significantly to the sustainable and integrated management of the State's natural resources through direct investment, planning, and implementation of on ground and community based activity. All parties to this Agreement recognise the natural environment's intrinsic value. The custodians of the land and natural resources are traditional owners, land managers/owners, the crown and local government.

Over the past two years e-NGOs and NRM Boards have met to discuss a range of issues surrounding NRM planning, program development and project delivery. Three forums provided insights into e-NGO views on engaging with NRM, the value of e-NGOs working with NRM Boards and better ways for e-NGOs and NRM Boards to engage, build relationships and partner to achieve high value outcomes for NRM.

It became apparent during these forums that all sectors were making significant contributions to NRM outcomes across the state and providing extensive opportunities for community involvement across a multitude of activities. Participants were also very keen to build on these efforts and make a commitment to improving relationships and exploring opportunities to work together.

A key outcome of these forums was the agreement from both sectors to establish a working group representing both the e-NGO and NRM Board sectors, to continue to explore how best to advance any collaboration and partnership activities for mutual benefit. The working group was charged with developing and documenting how a collaborative alliance could operate. This MOU is the culmination of the past two year's efforts.

The Mutual Agreement recognises that successful relationships and strong partnerships are fundamental to the effective management of our State's natural resources.

Purpose

The purpose of the document is to:

- Provide a framework for the advancement of natural resources management at a state, regional and local level;
- Create stronger and more enduring strategic partnerships between E-NGOs and NRM Boards;
- Enhance the understanding of, and communication surrounding custodian roles and responsibilities and their capacity for partnering and collaboration.

Commitment Statement

The NRM Boards and e-NGOs operating within the NRM sector will work together, making the most of points of commonality, difference and diversity in the NRM sector, to increase the likelihood of success.

This will be achieved by:

- Creating stronger, enduring and more formal links between the e-NGO sector and NRM Boards; and
- Enhancing the understanding of, and communication surrounding each other's roles and responsibilities.

Our success will be demonstrated by achieving our common goals and positioning South Australia as a leader in natural resource management.

Partnership Values

This strategic partnership is founded on the following agreed values:

- respect for the SA environment and concern for its future
- shared ownership of goals
- optimising environmental outcomes
- trust
- mutual respect
- understanding
- flexibility and adaptability

We demonstrate these common values through:

- open and effective communication
- transparency
- cooperation
- accountability
- respecting our points of difference

Custodians of Agreement

The custodians of this Agreement are as per the signatories.

The custodians agree that this Mutual Agreement, whilst expressing the shared values, goodwill and intent of the custodians to cooperate and collaborate, does not create any legal relations and does not create a partnership at law between the custodians. The Agreement is entered into in good faith by all the parties. The Agreement acknowledges the compliance role that NRM Boards have under the *Natural Resource Management Act 2004* (the NRM Act).

The Mutual Agreement does not represent any commitment with regard to funding on the part of the parties. Funding arrangements will be set out in a separate contractual agreement.

The custodians of the document are predicated on the concept that each organisation will sign off on the commitment and values contained in *The Mutual Agreement*.

Signatories will complete any of the following appendices that best suit their needs:

- Part A: Action Plan – all items are to be discussed with the relevant custodians and jointly agreed to or modified as need be
- Part B: Tailored Action Plan - all items are to be discussed with the relevant custodians and jointly agreed to or modified as need be
- Part C: Contract Principles

Roles and Contribution

It is acknowledged that both sectors play a significant role in planning and implementing NRM; have expertise and strong networks with key stakeholders; and recognise the importance of a healthy environment for the well being of our community.

NRM Boards

Boards have statutory responsibilities to conserve, protect and sustainably manage the natural resources of their regions. This is achieved through the development and review of regional NRM plans, the regulation of some activities, identification of regional priorities for investment and the delivery of programs. The Boards aim to support public awareness and education activities, increase the capacity of people to implement programs and assist in conservation and sustainable management of natural resources.

NRM Boards can make the following contributions to this partnership:

- Legislative framework for natural resources management
- Regional leadership of natural resources management
- Strategic direction for all NRM in terms of regional priorities

- Foster partnerships with communities and industries to deliver on ground outcomes
- Provide linkages between community and all tiers of government through;
 - Networks with Local, State and Commonwealth government agencies
 - Regional industry networks and partnerships
 - Regional community networks and partnerships
- Direct investment in programs in line with whole-of-government procurement regulations
- Technical expertise
- Knowledge and information
- Monitoring, evaluation and reporting of condition of natural resources

E-NGOs

E-NGOs are reflective of community values, passions, expectations and aspirations. They use direct links to members/constituents/collaborators to implement on-ground, educational and scientific projects related to their organisational NRM goals.

E-NGOs can make the following contributions to this partnership:

- Long-term commitment, institutional knowledge, intellectual property and long-term investment
- Ability to maintain focus in a changing political environment
- Ability to respond to emerging threats and issues quickly
- Ability and capacity to advocate on issues
- Flexibility in communications including media
- Flexibility in approach and ability to adopt unconventional solutions
- The ability to work cross-regionally and in line with different regional priorities
- The ability to influence other environmental legislation that impacts on NRM
- The ability to leverage funding for the region independently or in partnership with an NRM Board/s
- Driven by outcome rather than profit
- The ability to be responsive and be able to take a different level of risk, particularly with regard to public comment and submissions on environmental legislation
- Broad networks with other E-NGOs and reach into the community
- Ability to harness a volunteer network/members/in-kind support
- Maintenance of long-term involvement and continuity in NRM

Key Messages

In committing to *The Mutual Agreement* all parties acknowledge we are working in conjunction with overarching plans and policies: the State NRM Plan, South Australia's Strategic Plan, and Regional NRM Plans. All parties recognise the desire to:

- Achieve the common goals as set out in the State NRM Plan

- Position SA as a leader in natural resources management through
 - An informed and engaged community
 - Sound science and best practice
 - Meaningful partnerships
 - Leveraged investments

Commitment to Action

Custodians commit to the achievement of the following over time. Specific contributions will be described in Part A: Action Plan.

Directions

NRM Boards and e-NGOs will benefit in their respective planning processes from:

- Understanding and aligning efforts with State NRM Planning objectives
- Early consultation on community engagement processes
- Recognising they are most often not owners of the land they are working on, and therefore creating strong partnerships with landholders is vital in achieving NRM outcomes
- Consistent planning and engagement processes across/between regions
- Recognition of wider stakeholder interests and influences
- Recognition of e-NGO capacity issues
- Clarity and transparency provided around prioritisation of actions and investment criteria

Development

To improve the development of projects and take advantage of potential synergies, NRM Boards and e-NGOs will:

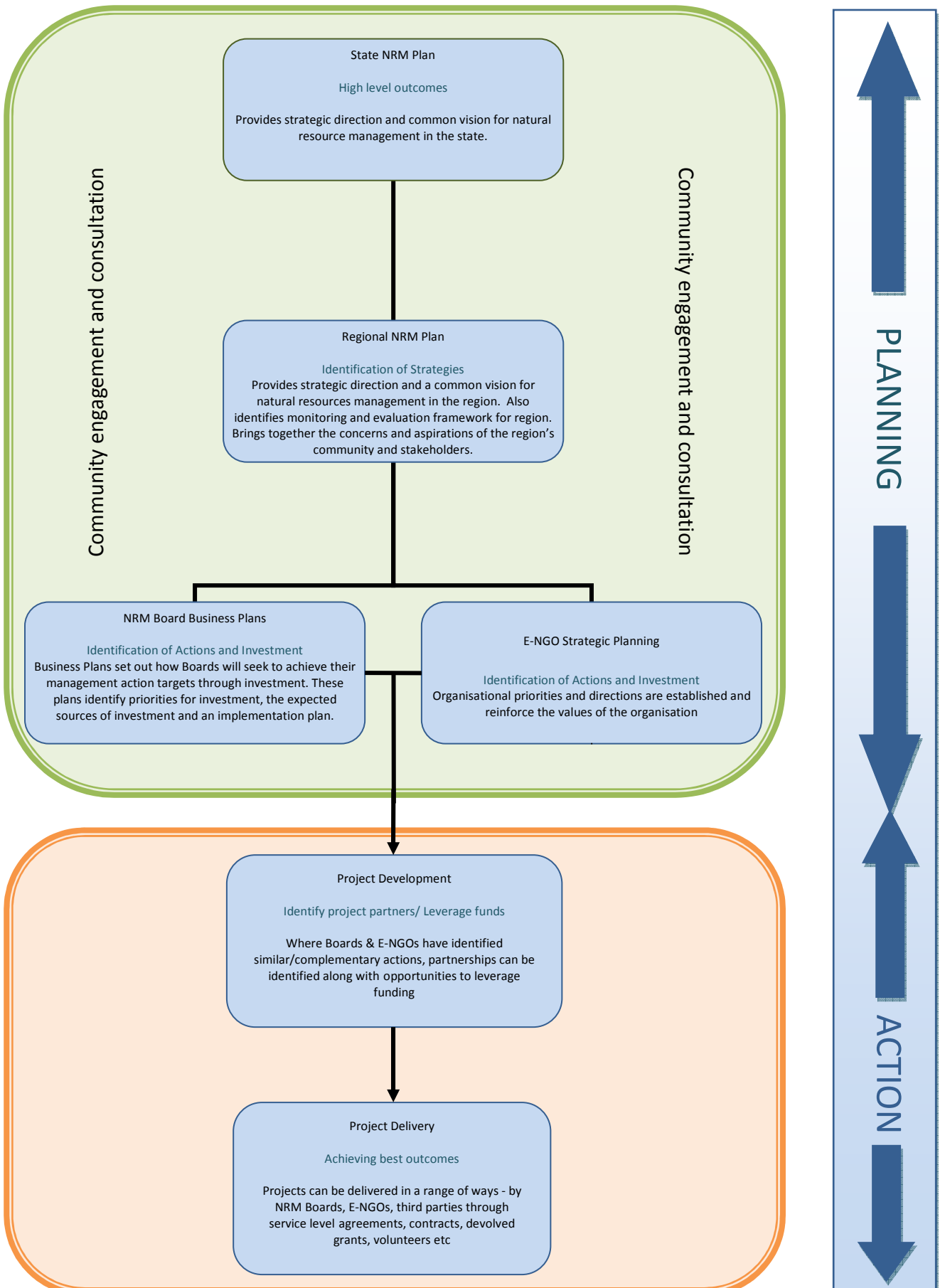
- Develop processes to foster early and ongoing engagement in program and project development
- Encourage a culture of engagement and partnerships with other project proponents
- Encourage sharing of knowledge and information
- Develop processes to identify funding sources and leveraging opportunities
- Complementary processes and timing to foster cross-regional outcomes

Delivery

To optimise the effectiveness and efficiency of project delivery, NRM Boards and e-NGOs commit to developing and implementing the following where appropriate:

- Open & clear process for parties to register and then demonstrate interest in project delivery
- Transparent criteria for assessing delivery options
- A register of delivery agents identifying skills and project management experience
- Standard contracts and agreements wherever possible

E-NGOs and NRM Partnerships Framework



Implementation/Logistics

Duration

The Mutual Agreement will take effect from the date of its signature and will remain in effect for a period of three (3) years from that date.

Publicity and Promotion

The format and content of any press release prepared to promote *The Mutual Agreement* shall be agreed upon between the parties.

Evaluation of Action Plans

All custodians agree to participate in the evaluation of the Action Plans (parts A, B & C of *The Mutual Agreement*) on a custodian by custodian basis.

Amendments

The Mutual Agreement may be amended and supplemented at any time with the agreement of all custodians.

Review

All custodians undertake to participate in a formal review of this Agreement to be completed no later than three months prior to expiry date of the Agreement or at other times as commonly agreed.

Informing Duties

In case of a change in circumstance for a custodian, it will notify other parties of the changes as soon as practical.

Dispute Resolution

All custodians agree to take individual and collective steps to abide by the spirit and intent of *The Mutual Agreement*.

Custodians agree that where a grievance arises it will be addressed within a reasonable time. The parties to the grievance agree to enter a process to find a lasting resolution of the matter(s) consisting of:

1. Parties will attempt to resolve the issue themselves in the first instance.
2. In the event of failure at step 1 parties will enlist a jointly agreed upon facilitator to assist in discussion and resolution of the matter(s) of concern.
3. Parties will agree to abide by any agreements reached through the resolution/mediation process and proceed in the spirit and intent of *The Mutual Agreement*.

Termination

Parties are able to withdraw from this agreement by providing reasonable notice to the other parties in writing after following the dispute resolution process.

Signatories

This Mutual Agreement is between South Australian Non-Government Environmental Organisations (e-NGOs) and Natural Resource Management Boards and comes into effect on this day the/...../.....

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Name:
Position:
Organisation:
Date:



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Name:
Position:
Organisation:
Date:



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Name:
Position:
Organisation:
Date:



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Organisation:
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Name:
On behalf of the Presiding Members Collective
Position
Organisation: Presiding Members Collective
Date:



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Position:
Organisation:
Date:



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Organisation:
Date:



EXAMPLE ONLY

Part A: Action Plan

Example only: included in table are some suggested commitments.

Custodian by Custodian Basis

All items are to be discussed with the relevant custodians and jointly agreed to or modified as need be. Included in table are some suggested commitments.

Commitments	Trees for Life	NCSSA	AMLR NRM Brd
1. Collaboration and Relationships			
- Establish and maintain Reference Group activities			✓
- Commit to regular meetings	✓	✓	✓
- Identify key contact staff within organisations	✓	✓	✓
- Identify opportunities for networking and communication	✓	✓	✓
- Create opportunities to better understand each other's business	✓	✓	✓
- Celebrate and acknowledge high performance and best practice	✓	✓	✓
2. Information Sharing			
- Commit to data sharing between NRM Boards and E-NGOs where appropriate	✓	✓	✓
- Participate in an annual forum to report achievements and discuss future directions	✓	✓	✓
3. Communications			
- Promote programs and achievements to the community	✓	✓	✓
- Provide opportunities to communicate to each other's networks as appropriate	✓	✓	✓
4. Strategic Planning			
- Recognise shared interests and participate in relevant strategic planning	✓	✓	✓
- Maintain a 'bank' of potential projects of mutual interest	✓	✓	✓
- Give formal notification of consultation processes			✓
5. Project Development			
- Develop processes to foster early and on-going engagement in project development	✓	✓	✓
- Identify specific staff contacts in each organisation	✓	✓	✓
- Work together to seek additional funding	✓	✓	✓
- Clarify processes to prioritise investment	✓	✓	✓
- Establish IP procedures and protocols	✓	✓	✓
- Provide opportunities for the community to participate	✓	✓	✓
6. Project Delivery			
- Develop delivery agent register with transparent criteria for assessing delivery options			
- Joint development of standard contracts or agreements where possible	✓	✓	✓
o Establish and agree to principles		✓	✓
o Develop templates and criteria for use		✓	✓

EXAMPLE ONLY

Part B: Tailored Action Plan (AMLR NRM & TREES FOR LIFE)

The Adelaide and Mount Lofty Ranges Natural Resources Management Board is a statutory authority established under the *Natural Resources Management Act 2004*. The Board is responsible for creating a vision for the management of the natural resources within the Region, and developing the strategies and actions to help realise that vision. The Board has developed its Regional NRM Plan to articulate that vision and establish a framework to ensure long term environmental sustainability and to balance the needs of our land, water, plants and animals with the needs of society generally.

Trees For Life is a community based not for profit organisation. We aim to revegetate South Australia and protect its remnant vegetation. We do this by recruiting and training volunteers to undertake on ground bush management, facilitating propagation of a million trees annually by volunteers growing for landholders, coordinating a carbon offset program and by undertaking fee for service revegetation and conservation works for government, business and private landholders.

Commitments	E-NGO	NRM Board
1. Collaboration and Relationships		
<ul style="list-style-type: none"> - Mark Ellis TFL and Andrew West AMLR to meet monthly to discuss the progress of the project - Carmel Dundon to represent TFL in general and Mark Ellis to represent TFL in this project - Key AMLR personnel to be invited to TFL business and member functions 		
2. Information Sharing		
<ul style="list-style-type: none"> - TFL and AMLRNRMB staff will support an annual forum to give a presentation about the project achievements 		
3. Communications		
<ul style="list-style-type: none"> - TFL will publicise the project in ReLeaf magazine - TFL will publicise project profiles in local and state media - AMLRNRMB will publicise the project as opportunities arise 		
4. Strategic Planning		
<ul style="list-style-type: none"> - TFL will consider broader AMLR objectives when devising its own strategic planning - TFL will discuss ideas for additional projects for AMLR views and feedback 		
5. Project Development		
<ul style="list-style-type: none"> - Mark Ellis to be the project contact - TFL will work with AMLR on joint federal applications where appropriate - TFL will identify areas where IP ownership needs clarification - TFL will train and engage community volunteers in this project 		
6. Project Delivery		
<ul style="list-style-type: none"> - TFL will work with AMLR to develop a suitable contract proforma 		

EXAMPLE ONLY

Part B: Tailored Action Plan (AMLR NRM & NCSSA)

The Adelaide and Mount Lofty Ranges Natural Resources Management Board is a statutory authority established under the *Natural Resources Management Act 2004*. The Board is responsible for creating a vision for the management of the natural resources within the Region, and developing the strategies and actions to help realise that vision. The Board has developed its Regional NRM Plan to articulate that vision and establish a framework to ensure long term environmental sustainability and to balance the needs of our land, water, plants and animals with the needs of society generally.

The Nature Conservation Society of South Australia (NCSSA) is a not-for-profit voluntary conservation organisation. It works to understand and protect habitat, flora and fauna, particularly of South Australia. We lobby for protection and strategic expansion of the state's reserve system, educate the community about environmental matters, and undertake scientific research and surveys.

The Nature Conservation Society has a history of over forty years as a leader in advocacy for the environment and as a respected source of scientific information and informed comment on the biodiversity of South Australia.

Primary areas of NRM interest for the NCSSA are:

- developing collaborative biodiversity research projects
- engaging community in on-ground actions to protect flora and fauna
- building commitment to, and understanding of, natural ecosystems through education
- participating in NRM planning, most notably in areas relating to biodiversity

Commitments	E-NGO	NRM Board
1. Collaboration and Relationships		
- Tim Milne (NCSSA) and Andrew West (AMLRNRMB) to be key contact staff		
2. Information Sharing		
- NCSSA and AMLRNRMB to commit to an annual forum about current achievements and future planning/directions		
3. Communications		
- NCSSA and AMLRNRMB to provide opportunities through web links, newsletters and other networks for cross promotion of projects with NRM outcomes		
4. Strategic Planning		
- NCSSA and AMLRNRMB to refine opportunities for early and ongoing involvement in strategic planning, particularly with regard to biodiversity planning		
5. Project Development		
- NCSSA and AMLRNRMB to collaborate in project development through alternative funding sources		
6. Project Delivery		
- AMLRNRMB to commit to informing NCSSA about future funding for ongoing contracts prior to expiry of current contract		

Part C: Contract Principles

In development

