Aging gracefully? Examining the conditions for sustaining successful collaboration in environmental law and governance

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Collaboration is quickly becoming an established paradigm in environmental law and governance. This article examines an important aspect of collaborative processes that remains largely overlooked by empirical researchers: the challenges of sustaining collaboration. Drawing on over 80 interviews, the article explores the maintenance and sustainability of collaboration in practice by empirically examining three of the most innovative collaborative governance “experiments” in Australia: Environment Improvement Plans, Neighbourhood Environment Improvement Plans, and Regional Natural Resource Management. While each case throws up some different issues, a comparison between them provides insights into two common and interrelated challenges for the survival of collaboration – namely, maintaining the involvement of volunteers, and gaining adequate support and funding. Important empirically-based lessons and recommendations are made in the final section of the article with implications for both policy makers and theorists who are concerned with ensuring collaborations can “age gracefully” as an effective “niche” in the environmental law and governance landscape.

INTRODUCTION

Across the globe a fundamental rethinking is taking place concerning how best to cope with the pressing environmental problems of our time. Rather than relying upon markets or traditional hierarchical and prescriptive regulation, governments, citizens and businesses are increasingly engaging in collaboration to manage social and environmental problems. While this collaboration may take diverse forms, at its core is usually a process in which a group of diverse stakeholders, including government and/or non-government actors, pool their knowledge and/or tangible resources to solve shared dilemmas.

Once of marginal significance at best, collaboration is quickly becoming an established paradigm in environmental law and governance, where thousands of collaborative efforts are emerging.

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6 Scott J and Holder J, “Law and New Environmental Governance in the European Union” in De Burca and Scott, n 2; Margerum, n 3 at 487.

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In Australia, such trends are clearly evident in collaborative efforts between local residents, regulators and “big” industries to reduce pollution impacts under programs such as Environment Improvement Plans in Victoria and Western Australia; in attempts to foster Neighbourhood Environment Improvement Plan partnerships between communities, small and medium-sized enterprises, State agencies, local governments and environmental groups to address diffuse and complex environmental problems in urban and rural neighbourhoods in Victoria; and in broader based Regional Natural Resource Management initiatives occurring nation wide, involving the establishment of 56 regional natural resource management bodies. This latter initiative has involved billions of dollars being invested into wide-reaching “partnerships” between federal, State, and local governments, regional communities, farmers, and agricultural bodies that aim to address environmental and natural resource problems.

These and similar collaborative “experiments” across the globe differ widely in design and in the specific environmental and natural resource problems they address. Authors have accordingly used different terms to describe and conceptualise these developments. However, as a growing number of scholars have pointed out, these various collaborative initiatives nevertheless have many common characteristics. In particular, they are participatory, bottom-up, collaborative, consensus orientated, flexible, integrative, pragmatic and adaptive. In this article, the term “collaborative environmental governance” (CEG) is used to describe this broad family of governance initiatives.

To date, CEG scholarship has focused more on theory than practice. However, empirical research is beginning to emerge and address a number of key issues, including the democratic potential of CEG, its capacity to enhance social capital, the challenges of its “new” forms and mechanisms of accountability, and its success in delivering environmental outputs.

Despite these important steps, one area that has remained largely overlooked by empirical researchers has been the challenges of maintaining and sustaining collaboration. While sustaining collaboration may not be central to all CEG initiatives, many are designed to form an enduring niche.


Head B, “Participation or Co-Governance? Challenges for Regional Natural Resource Management” in Eversole R and Martin J (eds), Participation and Governance in Regional Development (Ashgate, 2005).


See, eg Walker, n 2, p 22; Karkkainen, n 11 at 473-474.

Margerum, n 4.


in the governance landscape. Accordingly, maintaining them over a protracted period as players, policies and power structures shift is an important challenge. Such collaborations involve participants reaching agreement to take on significant long-term commitments, including implementation, monitoring and adaptive management roles necessary to tackle complex and sometimes intractable issues.

In these situations not only an effective but also a sustainable collaborative group is vital. Yet delivering real improvements to environmental conditions, maintaining the interest of participants, especially volunteers, and even the basic workings of the collaborative organisation itself (including administrating ongoing meetings, hiring staff, fundraising and financial management) are substantial ongoing challenges.

The widely recognised “gap” in research regarding these challenges is largely attributable to the relative “novelty” of CEG. However, as many CEG institutions mature and “persist”, it is now possible to begin to ask the hard questions about collaborative survival. These include:

- Under what conditions and to what extent can the engagement of volunteer collaborators be sustained?
- What forms of government assistance might address the organisational challenges that groups face?
- How can an initially successful agreement on objectives and direction be translated into long-term monitoring and management?
- What happens to the participants when a collaborative initiative has achieved its initial goals and/or commitment wanes?

This article provides insights into these questions and helps build a more complete picture of collaboration in CEG by conducting a comparative examination of three case studies and their efforts to sustain successful collaborations.

The cases examined are the 16-year-old Victorian Environment Improvement Plan (EIP), the eight-year-old Victorian Neighbourhood Environment Improvement Plan (NEIP), and the eight-year-old Regional Natural Resource Management Program (RNRM) implemented in partnership by the Commonwealth and Queensland governments.

Drawing on an analysis of 80 interviews, the examination provides comparative insights into challenges faced by collaborative groups at different stages of their “life”. For example, research into the mature EIP program reveals insights into the “lifespan” of collaboration which, after an active early life, may sometimes slip into a largely ineffective old age. In contrast, research into the comparatively younger NEIP and RNRM programs reflects on the earlier challenges and emerging issues for sustaining collaboration into the future.

20 Some collaborative processes may be short term, designed to reach a “once-off” agreement: Head, n 3. Note also that not all authors see the survival of collaboration as a “good” thing: Taylor M, Public Policy in the Community (Palgrave, 2003) p 153.


24 Bonnell and Koontz, n 19 at 154.

25 Of course forms of multiparty collaboration have a long history; however, when compared with dominant approaches that have historically characterised environmental governance (eg command and control), CEG stands as an identified emerging trend. De Burca G and Scott J, “Introduction: New Governance, Law and Constitutionalism” in De Burca and Scott, n 2, pp 1-2; Head, n 9, p 137.


28 Lubell et al, n 19, p 295.

29 Holley and Gunningham, n 7.
While each case throws up a range of different issues, comparisons between them provides insights into two common and interrelated challenges – namely, maintaining the involvement of volunteer collaborators, and gaining adequate support and funding to sustain an effective collaborative organisation. The findings enable the article to suggest some important empirically-based lessons with implications for both environmental policy makers and CEG theory regarding the survival of successful CEG.

Following this introduction, the article proceeds in five parts. First the article sets the context by providing an overview of the literature on sustaining collaboration. It then provides an overview of methods before discussing the three cases. Here it takes a close look at their legislation and guidelines to evaluate how each case is specifically designed to sustain collaboration. The article then turns to analyse the cases’ efforts to sustain collaboration in practice. The final part takes stock of the findings to draw out implications for policy and theory.

CEG LITERATURE

Sustaining collaboration: What we know and what we don’t

Despite a paucity of empirical research on sustaining collaboration, CEG scholarship has more than a passing acquaintance with related issues. One emerging body of empirical work, for example, has examined the conditions that support the initial formation of collaboration. Such a knowledge base is relevant to sustaining collaboration because the conditions that contributed to the emergence of collaboration may also contribute to its maintenance and survival. For instance, developing initial group cohesiveness and trust can increase the ability of collaborators to work together and help to keep members committed to the organisation.

While these findings are important, the conditions that affect the survival of collaboration are also broader than those relating to its formation. A simple example is the availability of long-term resources and capacities to support the maintenance of the collaborative group over time. It is these types of broader conditions that will form the primary focus of this article.

CEG scholars who have focused on these broader conditions have often looked to related literatures to identify factors likely to support the survival of collaboration. Ostrom’s work on common pool resources is a particularly common touchstone here. Ostrom and her colleagues have conducted extensive studies in the field to identify eight design principles under which collaborative institutions are more likely to succeed over the long term. These principles include: (i) affected interests can participate in decision-making and modifying rules; (ii) there are efficient and low-cost conflict resolution mechanisms available; (iii) environmental resources that are a part of larger systems organise governance activities in multiple layers of “nested” enterprises; and (iv) the benefits individuals receive from the collaborative process are commensurate with the contributions they make toward managing the resource.

Others operating within the framework of CEG have also sought to identify or suggest conditions

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33 Sabatier et al, n 30; Heikkila and Gerlak, n 4.
34 Common pool resources are natural or human-made resource systems that are sufficiently large as to make it costly (but not impossible) to exclude potential beneficiaries from obtaining benefits from their use. Typical examples are forests, or irrigation and fishery systems. Schlager E, “Common Pool Resource Theory” in Durant R, Fiorino D and O’Leary R (eds), Environmental Governance Reconsidered (MIT, 2004) p 147.
likely to sustain collaboration although they have generally raised far more questions than they have provided answers. CEG writers have primarily focused on matters of volunteerism, government support, and what happens to collaborative efforts when they have substantially achieved their goals. Each of these matters will now be examined in more detail.

**Volunteerism**

Most CEG institutions depend heavily on community volunteers and citizen participation. Echoing Ostrom’s design principle (iv) noted above, some CEG writers assume that these volunteers will bear the ongoing costs of collaborating and sustain their involvement because of the benefits they receive from:

- a) having a voice over issues which they may care about;
- b) the opportunity to potentially work with or influence governmental decisions.

Following similar reasoning, others stress that collaborative institutions are likely to survive only where they demonstrate success in addressing environmental problems. Minimal or poor environmental improvements are likely to be worth less than the transaction costs required to obtain them and collaborators will accordingly begin to withdraw from the collaboration.

While there may be considerable truth in such observations, over the longer term a number of problems can arise. In particular, non-governmental collaborators’ enthusiasm may be quelled by the ongoing practical demands of collaborative institutions, resulting in burnout or high turnover.

In response to these challenges, authors have speculated that collaborations may be more likely to be sustained under the following conditions:

- encouraging and fostering broader associational participation, such as local environmental organisations;
- governments providing small amounts of money to allow collaborative groups to engage new non-government collaborators through initiates such as community events; and
- providing direct rewards to collaborative participants (eg new knowledge and grant money).

An important area for further research is accordingly whether, and to what extent, these or other conditions are able to successfully support the continuing engagement of volunteer collaborators.

**Funding**

Beyond supporting volunteers, the provision of government funding for the purpose of supporting basic organisational tasks of a collaborative group is seen to be particularly vital to the survival of successful collaboration. Given trends of agency load shedding, and the limits of scarce resources, governments providing small amounts of money to allow collaborative groups to engage new non-government collaborators through initiatives such as community events; and providing direct rewards to collaborative participants (eg new knowledge and grant money).

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governmental resources, this is a challenging condition to satisfy.\footnote{See generally, Beeson M and Firth A, “Neoliberalism as a Political Rationality: Australia Public Policy Since the 1980s” (1998) 34(3) Journal of Sociology 215.} However, emerging empirical research has demonstrated that without adequate financial support, small collaborative groups can easily be overwhelmed, spending more time and resources trying to sustain their group than in addressing environmental issues.\footnote{Bonnell and Koontz, n 19 at 163.}

Part of the problem is that obtaining sufficient funding can be especially difficult, as funding is often too short term to allow collaborative activities to be sustained, or too difficult for small community-based organisations to obtain and manage effectively.\footnote{Freeman and Farber, n 10 at 870, 903; John D, “Good Cops, Bad Cops” (October/November 1999) Boston Review 19 at 19; Steinzor, n 41; Margerum, n 4 at 149-150; Taylor et al, n 43, p 79.}

A range of authors have nevertheless begun to propose solutions to these issues. Design conditions such as harsh penalty “default” rules (or indeed other forms of social or economic pressure from third parties) are claimed to drive collaborations towards success by imposing costs under the default rule that exceed the transaction costs of collaboration.\footnote{Karkkainen B, “Information–Forcing Regulation and Environmental Governance” in De Burca and Scott, n 2, pp 293-321; Gunningham N and Sinclair D, Leaders and Laggards (Greenleaf, 2002) p 149.}

Designing collaborative arrangements at a range of levels (“nested” collaboration), akin to Ostrom’s design principle (iii) above, has been suggested as another avenue to obtain more apposite funding for local collaborations. Here, higher levels involving government bodies can attract additional grant funding for the lower local level collaborations and allow pooling of resources.\footnote{Margerum, n 4 at 141.} Of course, this requires the nested model to overcome its own potential challenges, including achieving power sharing between agencies/governments at higher levels.\footnote{Margerum, n 4 at 144-146; Bonnell and Koontz, n 19 at 161, 163; Lane M, Critical Issues in Regional Natural Resource Management (paper prepared for the Australian State of the Environment Committee, Department of the Environment and Heritage, 2006) pp 5-6. http://www.environment.gov.au/soe/2006/publications/integrative/nrm-issues/nrms/nrm-issues.pdf viewed 2 October 2009.}

Different governments and agencies are notoriously unwilling to share authority and funds and if their cooperation is not forthcoming the consequences may be devastating for lower levels that depend on government for guidance and support.\footnote{Margerum, n 4 at 144-146; Freeman and Farber, n 10 at 900-901; Ewing S, “Catchment Management Arrangements” in Dovers and Wild River, n 26, p 406; Farrelly M, “Regionalisation of Environmental Management: A Case Study of the Natural Heritage Trust, South Australia” (2005) 43(4) Geographical Research 393 at 400.}

An alternative route to assist groups to obtain funding has been identified by John who suggests an outside “sponsor”, in the form of a top agency manager or elected official, can act to facilitate funding and information to support the collaborative process.\footnote{John, n 31, pp 239, 241-242.}

Overall, the success of these proposals in sustaining different CEG groups remains an under-examined issue, and there is an acknowledged need for further investigation of institutional design and forms of government assistance that might best address the organisational challenges groups face over the long term.\footnote{Emerson, n 27 at 833; Bonnell and Koontz, n 19 at 165.}

\section*{What happens when groups achieve many of their goals?}

One final controversial and under-explored issue is the relationship between survival and outcomes achieved by a collaborative group.\footnote{Koontz et al, n 26, p 183; Lubell et al, n 19, p 293.} While successfully improving the environment may be one of the most important factors in ensuring the survival of a collaborative group, once initial aims have
been achieved there may be diminishing returns over time, and non-government collaborations may find the experience less rewarding than they had imagined. This may result in participants being less motivated to continue and many, if not all, may disengage.58

Maintaining collaborative momentum once many of the initial objectives have been substantially achieved also raises broader policy questions of whether it is desirable for CEG collaborations to be sustained per se.59 From a cost-benefit perspective it could be argued that sustaining a particular collaborative group that has achieved most of its initial objectives is undesirable, not least if the collaboration relies on scarce governmental resources that could be better spent addressing other more serious environmental problems.60 However, it is also arguable that sustaining collaboration may be desirable for the purposes of ongoing adaptive management, and because collaborative institutions that engage citizens can act as a means of building civic capacities, enhancing democracy and/or provide active networks for addressing other problems and environmental issues.61

These issues, as yet unresolved empirically, demand further research. For example, what happens to the participants when a collaborative initiative has achieved its goal, how long do collaborative institutions generally survive, and how long should they survive to be useful?62 These and the other issues raised above are revisited below in the findings; however, first it is necessary to introduce the methods and case studies.

**METHODOLOGY**

The research followed a collective case study approach to examine the phenomena of interest, namely sustaining CEG.63 To select the cases two steps were required: selecting a set of CEG programs (case studies); and selecting from within each of those programs a set of “on ground” examples to study (sub cases). In terms of selecting case studies, a number of recent governance programs were reviewed to determine whether at least some of their components embraced widely-recognised characteristics of CEG, not least an aspiration to sustain collaborative processes over many years.64 Mindful of the significant diversity in CEG institutions, a second consideration for selecting the cases was to capture a diversity of conditions, including cases that focused on different environmental problems and different legal design. The Victorian EIP and NEIP programs were selected as meeting these criteria, along with the Queensland RNRM program.65

The next step was to select “on ground” examples to study. After a desktop analysis to identify “information rich” cases, eight EIPs were selected to ensure, inter alia, they contained one of the oldest EIPs (approximately 15 years in age), along with seven others that had sustained their collaboration between three to 10 years.66 From seven active NEIP collaborations, the two oldest were selected to include the only NEIPs at time of research that had carried out almost three years of

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58 Fung and Wright, n 38, p 38.
59 Lubell et al, n 19, p 295; Dovers, n 46, p 518.
61 Koontz et al, n 26, p 183; Fung and Wright, n 38, pp 27-29.
63 Collective case studies involve jointly studying a number of cases in order to gain a better understanding, or better theorising, about a still larger collection of cases such as a phenomenon, population or general condition. Stake R, “Case Studies” in Denzin N and Lincoln Y (eds), Strategies of Qualitative Inquiry (2nd ed, Sage, 2003) pp 136-138, 146; Yin R, Case Study Research Design and Methods (3rd ed, Sage, 2003) pp 53-54.
65 Program selection was also based in part on practical considerations (eg cases in eastern Australian States were selected to reduce travel costs). Note also that as RNRM is a national program implemented in partnership with the States, the choice of where to study RNRM carries with it a choice of a particular State’s unique RNRM design features. The choice to examine RNRM in Queensland was made on the basis that its program offered a different policy context to the other two CEG experiments in Victoria, as well as a relatively unique “community” based approach to the RNRM program. Head, n 9, p 144.
66 These EIP sub cases were also selected to represent as close as practicably possible the seven different VEPA jurisdictional units that divide Victoria. Patton, n 64, pp 182-183.
Finally, one six-year-old RNRM region was selected on the basis that it was a particularly information-rich case – being one of the largest regions, facing some of the most pressing natural resource problems within the State, and receiving significantly higher levels of funding from governmental programs than many other regions.

The research relied primarily on qualitative interviewing with some documentary analysis. The interview selection process was based on purposive sampling, selecting interviewees to represent key stakeholder groups involved in the collaborations. A total of 80 interviews were conducted: 24 in EIP, 26 in NEIP and 30 in RNRM. The majority of the interviews were in-depth conversations and followed a semi-structured interviewing technique. Data analysis followed the stipulations of Adaptive Theory: facilitating the interaction between theory and empirical research by coding data and capturing patterns, as well as discrepancies, to draw conclusions. The validity of conclusions was heightened through both triangulating multiple sources of data (interviews and documents), and a process of respondent evaluation conducted near the end of the fieldwork.

INTRODUCING THE CASE STUDIES

This section provides a background on the article’s case studies. It begins with an overview of the cases then examines each case’s legal design intended to foster successful collaboration. As we will see, there are similarities and variations across the cases regarding both the nature of collaboration pursued and the institutional mechanisms designed to foster sustained collaboration.

Overview of the cases

Regional Natural Resource Management

The first case study, the Regional Natural Resource Management program, was pioneered in 2000/2001 by the federal, State and Territory governments. Over its life thus far, the program has been underpinned by approximately $5 billion of federal and State government funding. This funding was provided through the recent Rudd Labour Government’s Caring for our Country initiative (CFOC), and the earlier National Heritage Trust 2 (NHT 2) and the National Action Plan for Salinity and Water Quality (NAP) developed during the tenure of the Howard Coalition Government. Central to these arrangements was the pursuit of wide-ranging “cooperative partnerships” to address key

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67 The VEA assisted the author in the selection of the sub cases. A third NEIP sub case was also examined; however, for the purposes of this article it was excluded because it had only just begun implementation and thus did not contain sufficient data.

68 With unlimited time and funding it would have been beneficial to also contrast multiple RNRM sub cases. However, the research only explored one case study because, as explained below, RNRM is a far more complex program than the others.

69 These included residents/non-government groups, EPA, local government and industries in EIP; residents/non-government groups, EPA, local/State government and industries/businesses in NEIP; and regional/sub regional members and staff, farmers, federal/State/local governments, science, peak industry and conservation bodies in RNRM. Neuman W, Social Research Methods: Qualitative and Quantitative Approaches (5th ed, Allyn and Bacon, 2003) pp 211, 214.

70 Some interviews were more informal and shorter in nature due to practical constraints. Furthermore, in accordance with the ethical and confidentiality responsibilities of the research, interviewee identity is protected by a system of number identifiers and a general stakeholder classification. Fontana A and Frey J, “The Interview from Structured Questions to Negotiated Texts” in Denzin N and Lincoln Y (eds), Collecting and Interpreting Qualitative Materials (2nd ed, Sage, 2003) p 62.


72 Respondent validation involved holding a dialogue/reinterviewing five key government and/or non-government participants that had significant carriage and/or involvement in the programs (one in EIP, two NEIP and two RNRM). Silverman D, Doing Qualitative Research A Practical Handbook (Sage, 2000) pp 99, 176; Yin, n 63, p 35; Neuman, n 69, p 138.


natural resource problems facing Australia.\footnote{National Natural Resource Management Taskforce (NNRMTF), Managing Natural Resources in Australia for a Sustainable Future (Agriculture, Fisheries and Forestry Australia, 1999) p 27; Whelan J and Oliver P, “Regional Community-Based Planning: The Challenge of Participatory Environmental Governance” (2005) 12 Australasian Journal of Environmental Management 126.} As one document described the RNRM’s aims:

\[\text{W}e \text{ seek to enable communities to take responsibility for planning and implementing natural resource management strategies, in partnership with all levels of government, that meet their priorities for sustainable development and ongoing viability.}\footnote{An Agreement Between the Commonwealth of Australia and the State of Queensland for the Implementation of the Intergovernmental Agreement on a National Action Plan for Salinity and Water Quality, March 2001 (Cth, Qld) p 2.}

This wide-ranging collaborative arrangement was designed to involve a form of “nested” collaboration with partnerships occurring at three interlinked “levels”. At the national level, collaboration occurred between departments, Ministers, and federal and State governments.\footnote{At the national level the overarching body of the program is the Natural Resource Management Ministerial Council (see http://www.mincos.gov.au/about_nrmmc viewed 2 October 2009). For other councils and boards, see Caring for our Country, Who Manages Natural Resource Management (NRM)? (Australian Government), http://www.nrm.gov.au/nrm/manage.html viewed 2 October 2009. Note that at the time of writing the Queensland and Commonwealth governments were negotiating new Bilateral Agreements (the previous agreements having been negotiated in 2001 for NAP and 2004 for NHT2) that will establish their joint responsibilities for delivering the recent Caring for Our Country program (see http://www.nrm.gov.au viewed 2 October 2009).} This involved the production and oversight of a variety of policy guidelines that set performance expectations, overarching national objectives/priorities, outcomes and other accountability controls to guide actions at lower collaborative levels.\footnote{For a current list, see Caring for our Country, Policies, Agreements and Frameworks (Australian Government), http://www.nrm.gov.au/nrm/documents.html viewed 2 October 2009.}

Below the national arrangements, are collaborations at State and Territory levels. While the specifics varied between jurisdictions, in the State of Queensland (the area of research for this article), collaborative bodies comprised of multiple federal/State agency representatives assist in directing government spending in the State and oversee State/regional level policy issues.\footnote{Bilateral Agreement Between the Commonwealth of Australia and the State of Queensland to Deliver the Natural Heritage Trust, August 2004 (Cth, Qld) p 56, ss 67, 68(b), Attachment D; An Agreement Between the Commonwealth of Australia and the State of Queensland for the Implementation of the Intergovernmental Agreement on a National Action Plan for Salinity and Water Quality, March 2001 (Cth and Qld), s 7.1.}

Nested within these higher collaborative levels are “regional” collaborations. Akin to broader trends towards decentralisation of natural resource management (NRM),\footnote{There are 56 regions in total across Australia.}\footnote{Ribot J, Democratic Decentralization of Natural Resources (World Resources Institute, 2002) p 4.}\footnote{Other public and private stakeholders can also apply for government investment through the RNRM program. For an overview of the relatively recent Caring for Our Country program, see http://www.nrm.gov.au viewed 2 October 2009; Head, n 9.} decision-making and implementation powers were devolved to 14 regions in Queensland.\footnote{Margurum, n 4 at 143.} Each region in Queensland consists of one or more bioregions.

Each region was required to establish a multi-stakeholder collaborative group, comprising a majority of community representatives, as well as relevant stakeholders.\footnote{Bilateral Agreement Between the Commonwealth of Australia and the State of Queensland to Deliver the Natural Heritage Trust, August 2004 (Cth, Qld) p 56, ss 67, 68(b), Attachment D; An Agreement Between the Commonwealth of Australia and the State of Queensland for the Implementation of the Intergovernmental Agreement on a National Action Plan for Salinity and Water Quality, March 2001 (Cth and Qld), s 7.1.} The bodies were required to be incorporated, to consult with their regional community, and develop regional NRM planning documents. Utilising these regional documents and/or overarching national priorities, outcomes and business plans, the government decides which natural resource activities to invest in and the regional body manages implementation either by implementing projects themselves or by working in collaboration with regional stakeholders, such as farmers.\footnote{There are 56 regions in total across Australia.}

While it is unclear whether government investment will continue to underpin the program beyond a current stated commitment period of 2013, there is an explicit intention to sustain the collaborative effort for many decades. Indeed, regional groups were required to set long-term regional visions and...
aspirational goals of 50+ years in length, and must follow the principles of “adaptive management”. Ultimately, RNRM seeks to assist regional communities to “become self-sufficient in managing their natural resources in the longer term”.

Neighbourhood Environment Improvement Plan

In contrast to RNRM’s multi-level collaborative arrangement to resolving natural resource problems, the second case study – the Neighbourhood Environment Improvement Plan – focuses primarily on complex urban environmental problems, such as diffuse pollution of streams at the “neighbourhood” level (usually the size of township or catchment).

The NEIP was developed in 2001 by the Environment Protection Authority, Victoria (VEPA) and was designed to make holistic management and locally-based “partnerships” central to its approach. As the then Victorian Minister for Environment and Conservation described the NEIP:

[It is] a statutory mechanism to enable those contributing to and those affected by local environmental problems to come together in a constructive forum. In this forum, the members of the local community, including residents, industry and local government, can agree on the environmental priority issues for the neighbourhood. They can then devise a plan to address their agreed environmental issues in a practical manner.

Like RNRM, the NEIP adopts a broad aspiration to “community empowerment” and “community ownership” of environmental issues in their neighbourhood. It can be voluntarily commenced by any person or persons, and so far seven NEIPs are underway in Victoria. Each was required to identify a government “sponsor” for the NEIP (discussed further below) and establish a collaborative group comprising both government and non-government bodies. These individuals or organisations, in consultation with their neighbourhood, develop the NEIP plan, containing a long-term vision, environmental objectives and actions to be taken by the group to achieve the agreed objectives. Notably, although groups are supported during plan development with short-term, government “seed” funding (usually from the VEP A or other key government partner), the NEIP is not backed by dedicated government funding for implementation. That is, once the plan has been approved, individual collaborators are responsible themselves for funding their organisation and implementation.

Like the RNRM case, this implementation is intended to follow an adaptive approach that rests on an ongoing and long-term collaborative process, involving regular reviews of progress, plan amendments, and complete redrafts.

Environment Improvement Plan

The final case study – the Environment Improvement Plan – is the only case to focus on a single industry site and its point source pollution impacts. Introduced in the late 1980s, the EIP was also pioneered by the VEP A and can be described as:

84 Note also that in addition to 50-year regional targets, the Caring for Our Country program aspires to achieve outcomes in the context of 20-year projections of results in national priority areas: See Caring for Our Country, Caring for our Country Outcomes 2008-2013 (Australian Government), http://www.nrm.gov.au/publications/books/caring-outcomes.html viewed 2 October 2009; Bilateral Agreement Between the Commonwealth of Australia and the State of Queensland to Deliver the Natural Heritage Trust, August 2004 (Cth, Qld), pp 57, 72; Attachment H, s 11; NNRMTF, n 75, p 13.


86Victoria, Legislative Assembly, Debates, “Environment Protection (Liveable Neighbourhoods) Bill 2000 (Vic) 2nd Reading” (Hon S Garbutt, 2 November 2000) p 1,459.

87 VEPA, n 86, p 6.

88 Environment Protection Act 1970 (Vic), s 19AE.

89 Environment Protection Act 1970 (Vic), ss 19AH, 19AI.


91 Holley and Gunningham, n 7 at 448.
[A] public commitment by a company to enhance its environmental performance…Where possible, an EIP [plan] contains clear timelines for completion of improvements and details about on-going monitoring of the plan. Improvements may include new works or equipment, or changes in operating practices. Monitoring, assessments and audits are undertaken to plan and support these improvements.\(^\text{93}\)

While there have been a number of permutations of the EIP program over its 15-year lifespan,\(^\text{94}\) the majority of the 70 EIPs that were operational or being negotiated at the time of writing were developed by participants pursuant to VEP A policy guidelines.\(^\text{95}\) The guidelines encourage single enterprises that are “good” environmental performers to genuinely volunteer to participate in the EIP process. However, the VEP A has also found it expedient to persuade a number of poorer environmental performers to participate using various “incentives”, such as threat of more stringent licence conditions, audits or investigations and prosecution.\(^\text{96}\)

In either case, the EIP aims to achieve continuous improvement to all aspects of an enterprise’s environmental performance, primarily through “effective collaboration” between the enterprise (“industry”), local and State governments, and volunteer community groups and local residents.\(^\text{97}\) These stakeholders are required to form a collaborative group and develop the EIP plan.\(^\text{98}\) In contrast to RNRM and NEIP where all collaborators have a role in implementing or funding activities, it is only industry who implements the EIP plan, while the other stakeholders monitor and police industry’s performance.\(^\text{99}\)

Furthermore, despite placing a strong emphasis on local residents working with industry to address its pollution impacts on the local area (eg odours or noise),\(^\text{100}\) the EIP does not expressly embrace the kind of “community empowerment” focus taken by NEIP and RNRM.\(^\text{101}\) That is, the EIP’s focus on “what comes out of a single industry” means there is little attempt to connect residents or other interests to the broader local environment per se or establish a sense of “community”.\(^\text{102}\) But like the other case studies, the EIP is designed specifically to be a long-term collaborative endeavour that also follows an adaptive style of implementation, involving reviews and redrafts of plans to pursue “continuous improvement” in industry’s environmental performance.\(^\text{103}\)


\(^\text{94}\) For an overview of the different types of EIPs, see Holley and Gunningham, n 7.


\(^\text{96}\) “Good” performing industries generally maintained better performance records under their VEP A licence (eg infrequent licence violations). However, they often had pollution impacts that were problematic for local resident. Poor performing industries often had persistent regulatory breaches, had been fined (or even prosecuted), and were under close scrutiny by VEP A for their environmental impacts on either/both the local and wider environment. Gunningham and Sinclair, n 50, p 163.

\(^\text{97}\) The term industry is used in this article to refer to a single business or enterprise unless otherwise indicated. Furthermore, while it is beyond the scope of this article per se, it is important to note that in addition to collaboration, the EIP has been analysed as employing two further interrelated regulatory techniques, namely process based and informational regulation. For further information, see Holley and Gunningham, n 7.


\(^\text{100}\) VEP A, n 95, p 1; VEP A, n 99, pp 2, 10.


\(^\text{102}\) Cannon, n 101 at 421-422.

\(^\text{103}\) The EIP is designed specifically to sustain the collaboration, noting that over time “[i]f participation is dropping off, it may be necessary to restart or reinitiate some of the contact strategies”: VEP A, n 98, p 3. VEP A, n 99, p 11; VEP A, *Enforcement Policy* (Publication 384.2, VEP A, 2005) p 9; Gunningham and Sinclair, n 50, p 57.

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Overview of case studies’ design features that support collaboration

Although differing in their specifics, the cases all aim to foster sustained collaboration between diverse stakeholders to manage environmental and natural resource issues over the longer term. The relevant question to ask is in what ways have the cases been designed to try and ensure the survival of their respective collaborative approaches?

Certainly the architects of the EIP, NEIP and RNRM processes all target a variety of the abovementioned conditions identified by Ostrom, at least in broad terms. For example, all programs require ongoing, cooperative, negotiated decision-making.104 The programs also require collaborators to continue to welcome interested stakeholders and include affected interest when reviewing and updating plans.105

Perhaps most importantly, the cases have also been designed to impart support and resources (discussed further below) to contribute to the efficacy of the collaboration by bolstering its capacity to sustain an active and effective organisation (eg maintain communication between partners, manage budgets, and recruit support staff) and thus successfully carry out ongoing implementation. Such successful implementation is expected in turn to contribute to the sustainability of the collaboration by delivering environmental improvements.106

By providing collaborations with various types of support and resources, the cases also try to reduce the burdens imposed on volunteer collaborators (eg personal costs associated with attending meetings and implementing and monitoring actions). Ideally, such support will ensure that these costs are equal to or outweighed by the benefits collaborators receive from the program, be it the protection of the resource they value,107 personal satisfaction from focusing on “their” physical place and community, or additional benefits provided through the CEG program such as access to grant money, new knowledge or new social and professional networks.108

The discussion below briefly outlines the various support mechanisms utilised in the programs. As will be shown, the three case studies are similar in many respects, but also quite different in others. Following the outline of these commonalities and differences, the next section turns to examine how these various design features fared in practice.

Support mechanisms of EIP, NEIP and RNRM

The EIP and NEIP programs were designed to support the survival of collaboration through VEPA officers providing assistance to collaborations (eg provision of technical information) and by imposing many of the more expensive administrative and organisational tasks on those collaborators with greater resources and capacities.109

For example, in the EIP case the industry partner is expected to fund and/or perform the majority of administrative and implementation tasks.110 To ensure this occurs, the EIP has been designed to...
incorporate incentives that can be used to change industry’s cost-benefit equation to ensure they see benefits as outweighing the costs of collaborating. Such incentives include utilising regulatory threats (as discussed above), or even harnessing community pressure (such as protests or adverse media) to threaten the company’s social licence.

In the NEIP program, the intention is to harness and lock in the resources and capacities of a governmental partner known as a “sponsor”. This sponsor must volunteer to take on this role and is encouraged to provide leadership and support to the group. However, it is granted relative autonomy as to how much support it provides.

This design feature of the NEIP resembles John’s emphasis on the important role elected officials and top agency managers can fulfil as a sponsor of collaborations, such as obtaining or providing funding and information to support the collaborative process.

In contrast to NEIP and EIP, the RNRM case provides more direct financial support to collaborative groups. Its nested design structure acts to enhance the sustainability of lower regional level collaborative bodies by providing greater access to the pooled resources of governments and agencies. This includes governments providing a small ongoing remuneration to collaborators (eg funding to cover travel costs), as well as providing base-level funding for regional organisations’ core operations (eg employing staff and paying rent). Regional communities are, however, expected to seek investment from other external sources (and their capacity to do so may be vital to sustaining RNRM if dedicated government funding were to cease some time in the future).

Regardless of the funding source, the regional body must not only maintain its own collaborative structure, but it will also liaise, engage, work with and oversee timely implementation of government funded projects by other regional stakeholders (such as farmers or other stakeholders in the region). The RNRM program may succeed in sustaining such broader collaboration because access to and use of government funding is likely to act as a key benefit in return for collaborators’ efforts.

Even if these various support mechanisms of RNRM, NEIP and EIP are successful, all three cases recognise that at some point during the survival of the collaborative group the benefits volunteers receive may be insufficient or the practical demands may be too great to sustain the participation of all volunteer collaborators. As one guideline notes, a “common occurrence” is “membership reduction...”
over time”.

For this reason, all three cases require collaborators to remain connected with and seek out additional collaborators over the longer term to prevent the collaboration from collapsing.

**SUSTAINING SUCCESSFUL COLLABORATION IN PRACTICE**

This section examines when and to what extent the cases were able to sustain successful collaboration in practice. This analysis focuses on the period of time following agreement to an initial plan by each collaboration. It proceeds in three parts, each focusing on EIP, NEIP and RNRM cases. Successful collaboration is defined here as involving:

- a) ongoing and active involvement of key stakeholders who came together to collaborate; and

- b) effective organisation processes that enabled the group to continue with their cooperative efforts to implement actions to solve their environmental problems over the longer term.

**EIPs – the “lifetime” of collaboration**

Across the EIP sub cases the findings indicated that all had achieved substantial success during the implementation and monitoring of their initial plans. However, as shown below, having achieved such success in the early stages of EIP, longstanding EIP collaborations sometimes produce diminishing returns and suffered from a number of other flaws.

A central strategy to sustain EIP collaborations was securing industry resources and support to facilitate the collaborative group’s organisation and administration. Most respondents reported this strategy had been effective and that each industry had “worked within their budgets” to implement actions and support the collaborative organisation (eg renting a room, taking minutes, distributing data, funding an ongoing negotiator to resolve conflicts).

Many industries were motivated to make these resource contributions and to continue to collaborate because they generally saw the benefits of the EIP program as far outweighing the costs. For example, industries pointed out that accessing local knowledge of non-government collaborators had helped industry to identify its ongoing impacts on the surrounding community, what was working and what was not, and foster innovative environmental improvements.

As one industry respondent put it:

[G]etting that constant feedback and ideas from outside it almost encourages innovation in the organisation and innovation will encourage continuous improvement.

Such benefits appeared sufficient to motivate most good environmental performers to maintain their

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121 VEP A, n 99, p 3.
122 Note that in the RNRM case the government has an ongoing commitment to ensure the regional body maintains its membership to an “appropriate” standard and the body remains designated: An Agreement Between the Commonwealth of Australia and the State of Queensland for the Implementation of the Intergovernmental Agreement on a National Action Plan for Salinity and Water Quality, March 2001 (Cth and Qld), ss 7.1(f) and(g); Bilateral Agreement Between the Commonwealth of Australia and the State of Queensland to Deliver the Natural Heritage Trust, August 2004 (Cth, Qld), ss 67, 68; Lubell et al, n 19, p 287; VEP A, n 99, pp 3, 6; VEP A, n 86.
124 Interview 162, Local Resident. Certainly respondents recognised that providing support for these activities and tasks had imposed significant costs on industry. Industries in better financial positions were accordingly often better placed to fund implementation and administration. As one respondent pointed out, “it’s all dependent on how much money you spend, you can do a lot if you spend a lot of money but…people aren’t in the business for losing money”: Interview 184, Industry.
125 In a minority of sub cases a government partner such as a local government took on the administrative role of the group: Interview 133, Local Resident.
126 In two of the eight sub cases a recalcitrant industry had been directly compelled by the VEP A via licence conditions or court order to conduct and support an EIP.
127 “The people on those committees have become very valuable to [industry] in the sense of a good conduit to be able to interact and discuss on the ground issues in the local community”: Interview 121, EPA. Holley and Gunningham, n 7.
128 Interview 141, Industry.
involvement. However, for poorer environmental performers, who were largely indifferent to maintaining high environmental performance, there was a need to “twist their arm” to ensure they continued collaboration. As one VEA respondent described this strategy:

[W]e have to really...threaten to add licence conditions to ask them to improve their performance [through the EIP].

Such threats helped shift industry’s cost-benefit equation to make continued collaboration a more attractive option than prosecution or harsh licensing conditions. Similarly, direct pressure from local residents also reportedly provided motivation for poorer performing industries to sustain their funding commitment and involvement in the EIP. As one respondent explained:

[I]f there weren’t the [local stakeholders on the EIP] then there would [be] no second EIP, the company wouldn’t do it, its costs a lot of money.

In addition to commitments from industry, VEA officers also provided ongoing support to the group, including attending all meetings, assisting in negotiations to resolve periodic conflicts and renegotiate targets, and reviewing the plans. Such VEA assistance, combined with industry’s support, ensured that the ongoing costs of collaborating for most non-government respondents did not outweigh the benefits of progressive improvements being made to the local environment through implementation (discussed further below).

As a result, local resident and non-government membership remained relatively stable during the infancy and middle age of all EIP collaborations. During this period the groups were able to implement nearly all the actions in their initial plans. This progressively led to a range of reported environmental improvements. These improvements often included achievements on broader environmental issues (eg reducing greenhouse gas emissions), but a more common achievement was a significant reduction in industry’s impact on the local area (eg odour, noise, dust). The following comment was a common refrain across the cases:

All the big problems for the community basically have been fixed...there hasn’t been much that hasn’t worked...you wouldn’t know [industry] were here half the time now.

Yet it was this progressive success of the collaborative group at resolving local environmental issues that resulted in perhaps the most significant challenge to sustaining an effective collaboration over longer term. That is, a significant decline in stakeholder interest and participation.

When the initial collaborative groups were formed, the eight EIP sub cases contained around 20 people or less, with the majority typically being residents (six to 12 representatives). However, the experience of the five oldest collaborations revealed that as the local impacts of industry were gradually solved, group numbers diminished quickly, occasionally even to zero attendance at

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129 In a few sub cases involving good performers, industry respondents pointed out that they also maintained their involvement in EIP because of the ongoing “reputation” benefit from having an EIP and/or the protection of their public and commercial profile achieved through ongoing engagement of otherwise aggrieved local communities: Interview 151, Industry; Interview 141, Industry; see also Gunningham and Sinclair, n 50, p 164.

130 Interview 181, EPA.

131 Interview 184, Industry.

132 Sabatier et al, n 30, p 184.

133 In all sub cases, the collaborations had remained open to interested new participants/wider community during these stages.

134 According to respondents, most actions had either been achieved or were on track to be achieved in the current plan. The actions included broad plant upgrades, staff training, operation changes, as well as monitoring studies to guide actions.

135 For further information, see Holley and Gunningham, n 7.

136 Interview 162, Local Resident.

137 Broadly speaking, local impacts of industry had been one of the strongest motivations for the initial involvement of local residents, who were typically “very irate” at industry’s pollution impacts on their residences and lives: Interview 184, Industry. Beyond local residents, other interests that participated in a minority of cases included political parties, community groups, and other collaborative government bodies, such as catchment management authorities.
meetings. For example, one interviewee told a story of how “a core membership of around a dozen...[had] dropped off because the community...concerns have been addressed and it’s no longer a big deal”. Indeed, rather than evolving in their environmental interests from local to broader environmental issues or ratcheting up their expectations of the company’s environmental performance, many local residents simply disengaged once the local environmental problems that affected them personally had been resolved. As one respondent explained:

One of our neighbours down there. He has issues with noise at a certain frequency. When he told them about his noise issues and they eventually fixed it, his issue was pacified. He’s not going to get up every third Thursday to go to the meeting.

Although this drop off in participation from local residents was, to some extent, anticipated by the designers of EIPs, respondents characterised subsequent efforts to engage new participants as unsuccessful and often futile. The reason such efforts failed was largely attributable to the collaboration’s success in resolving local environmental problems. That is, there were no longer urgent pressing problems to galvanise concern. It also appeared that efforts to renew participation were hampered by the tendency of some local residents to “free ride” on the labour of others. As one respondent pointed out:

We still can’t get members to join...Providing things are running well they say “you’re doing a good job, we’re not interested”.

Yet, despite the decline in participation and a failure to engage new collaborators, all five mature sub cases remained in operation and continued (albeit with lesser numbers and arguably less commitment) to address any remaining local issues, as well as industry’s wider environmental performance.

Which actors persisted in the face of the wider trends of decline? Community and environmental groups (who were a minority of the collaborators in the majority of EIPs) were the most stable participants, with only one reportedly disengaging. Their ability to sustain their involvement was attributable to the fact that: (a) they had a wide and more experienced membership pool upon which to draw; and/or (b) they maintained a genuine interest in one or two wider, long-term environmental issues (e.g., biodiversity, wetlands) that remained “unresolved”.

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138 “It has been in the last five years as we have dealt with many of the issues, the meetings have been held less and less frequently...If no one turns up we have made a commitment to hold them anyway”: Interview 111, Industry.
139 Interview 123, EPA. Holley and Gunningham, n 7.
140 As one respondent put it, “The individuals have all got their own agenda”: Interview 161, Industry.
141 Interview 112, Local Resident.
142 As a respondent from one of the oldest EIPs pointed out, “contacting the community is something I feel we’ve failed in...we still don’t get people coming and joining up and we’re all older, we’re all old now”: Interview 15/62, Local Resident.
143 Two respondents did note they had gained one new participant on their EIP committees; however, even then one of them ended up dropping off.
144 In rare situations when an industry committed a large localised pollution incident, local resident participation would certainly mushroom again, but it would quickly plummet as soon as the issue was resolved: Interview 162, Local Resident.
146 Interview 162, Local Resident.
147 Lubell et al, n 19, p 295; Dovers, n 46, p 518.
148 NGOs were absent from four of the eight EIP sub cases and generally comprised less than 20% of the membership in the other four sub cases.
149 While these issues had yet to be solved, the collaboration had nevertheless achieved sufficient success up to this point so as to encourage environmental groups to continue to collaborate to try and achieve more: Interview 132, EPA. Interview 131, Industry; Fung and Wright, n 42, p 264.
In addition to community and environmental groups, a number of local residents maintained their participation because they saw the ongoing costs of collaborating as outweighed by various longer-term benefits, such as personal interests in industry’s operation or a desire to maintain a “watchful eye” over industry’s behaviour.\(^{150}\)

Regardless of the motivation for collaborators sustaining their involvement, respondents suggested there were two key reasons why those who remained were unlikely to contribute to successful collaboration in the future.

First, in some of the most mature EIPs, some of the residents that continued to collaborate had moved well outside of the local area,\(^{151}\) reducing their capacity to bring in local knowledge and contribute to adaptive management processes. As one industry respondent put it, “they’re not going to be in a position to tell us what the current most important issue is”.\(^{152}\)

Secondly, even in sub cases where local residents had tended to stay in the local area, the reduction in numbers and attendance at meetings had reduced wide-ranging pressure on industry to improve environmental performance. In addition, industries were no longer exposed to as many novel ideas to fuel innovation, leading some respondents to suggest that the collaboration was “losing its punch”.\(^{153}\)

While this problem of diminishing returns is hardly unique to collaborative approaches, this was – in the case of many mature EIPs – a fundamental limitation to environmental achievement.\(^{154}\) One long-term industry participant summed up a common situation as follows:

> For somebody who’s getting to the mature point in the EIP process, we’ve been at it for a while. Like I said before all the low hanging fruit has gone…we’re sort of plateauing…now it’s about what can we do to get the next little step change?\(^{155}\)

This shift from an active infancy to a deteriorating old age raises the obvious question of whether it is desirable to continue to sustain the collaboration. A few respondents suggested that sustaining the collaborative group had the benefit of providing an experienced network to respond to potential future industry expansions (or even once off malfunctions).

Even so, with all the low hanging fruit picked, community concerns largely addressed, and minimal local stakeholder involvement, it appeared the VEPA was no longer getting the “bang for its buck” in continuing to assist EIP collaborations (eg attending regular group meetings and reviewing industries progress against the plan). Furthermore, as some VEPA officers acknowledged, attending EIP meetings of mature EIPs diverted their time away from enterprises with far worse environmental records, who did not participate in an EIP:

> There [are] not too many company’s out there that would see an EPA officer every three months…the thought has crossed my mind that time [spent on EIPs] would be better spent ploughing into things that are actually burning issues at the time.\(^{156}\)

While VEPA continues to support mature collaborations, there appears to be a risk that the

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\(^{150}\) A few respondents also suggested they continued to attend for more altruistic reasons. Without interviewing all local resident collaborators it is of course difficult to identify all benefits that they pursued.

\(^{151}\) As one respondent pointed out, “so for a large part the neighbourhood committee are made up of community representatives who used to be neighbours who now live [elsewhere]”: Interview 161, Industry.

\(^{152}\) Interview 161, Industry.

\(^{153}\) A contributing factor to this problem was that the remaining local residents and groups tended to lack technical knowledge and/or interest in the full range of broader environmental issues addressed under the EIP. For example, the small number of community and environmental groups who continued to collaborate tended to have a narrow focus on technical issues close to the group’s heart, as opposed to engaging with the full range of technical issues being dealt with by the EIP. As one respondent put it, “sometimes these groups can be fairly single-issue focused and, as long as they’re part of the environment, is doing all right, bugger the rest, if you know what I mean”: Interview 123, EPA. Holley and Gunningham, n 7.

\(^{154}\) Holley and Gunningham, n 7.

\(^{155}\) Interview 111, Industry. As a different respondent reflected, “There is not a lot more we can do to address noise issues”: Interview 161, Industry.

\(^{156}\) Interview 113, EPA. Holley and Gunningham, n 7.
“over-regulation” of some mature EIPs may be producing the “under-regulation” of other environmental problems. In other words, at least some EIP collaborations appeared to be outliving their usefulness and their continued survival was becoming an imposition (at least in cost-benefit terms).

To conclude, the above analysis suggests a “lifespan” of collaboration. As the findings indicated, the initial success of the EIP was attributable to a number of factors, including securing sufficient commitment and support from industry, stability in local residents’ numbers and efficiently implementing actions to reduce industries’ impact on the local environment. However, once the specific local environmental issues that had originally motivated local residents to collaborate were resolved, many disengaged because they saw little benefit in continuing to bear the practical demands of collaborative institutions.

With few preconditions to spark new involvement, reduced collaborator numbers and residents moving out of the local area, the collaborations’ adaptive management capabilities appeared weakened and environmental improvements began to plateau. Indeed, from a cost-benefit perspective of the government regulator, it is hard to avoid the conclusion that in at least some of these cases euthanasia of EIP collaborations was preferable to ongoing life support.

NEIPS – breakdowns, stoppages and malfunctions

As shown above, the EIP case achieved considerable success in sustaining an effective collaborative organisation in its early stages of implementation. In contrast, the experience of the NEIP sub cases was one characterised by breakdowns, stoppages and malfunctions. As discussed below, the groups’ struggle coalesced around four interrelated challenges, namely:

1. gaining sufficient support from a “sponsor”;
2. formalising and managing an organisational structure;
3. accessing external funding; and
4. maintaining stakeholder interest and motivation.

A key feature of the NEIP’s design for sustaining the collaboration was gaining the support of a “sponsor”. Around the time plans were finalised and the initial short-term “seed” funding commitments had ceased, including direct monetary contributions from the sponsor, neither sponsor (both local governments) committed ongoing financial resources to the group.

While they began to provide in-kind support in the form of an administrative role (filing, organising meetings and recording information), they reported that they largely lacked the capacity to fully meet such ongoing responsibilities. This is not surprising given that local governments’ resources and time are typically already substantially stretched to provide support to a range of community groups and to fulfil their many statutory (and thus higher priority) obligations relating to “rates, roads and rubbish”. The result was that local government viewed their long-term “sponsor” responsibilities under the NEIP as an “add-on” in an already overloaded schedule.

158 Of course much depends on individual circumstances. For example, in collaborations involving more recalcitrant or locally hazardous facilities, continuing resource input from VEP A may be more justified than in EIPs involving mature non-hazardous or good performing EIP enterprises. Holley and Gunningham, n 7.
159 Dovers, n 46, p 518.
160 Lubell et al, n 19, p 295; Fung and Wright, n 38, p 38.
161 Margerum, n 4 at 141; Fung and Wright, n 38, p 38.
162 Lubell et al, n 19, pp 286, 295; Holley and Gunningham, n 7.
164 Gunningham et al, n 8.
165 Another pointed out, “It’s just the time that I can afford in my role and I’m responsible for…a very broad agenda [already] so there’s not a lot of time I can put into it”: Interview 213, Government Body.
I don’t see the NEIP as a sustainable, long-term project...[because] if you leave it up to local government it’s going to be one of the many projects we have to manage...and we can’t continue to support them all.166

After voicing these issues to the VEPA, both sponsors were quickly encouraged to submit applications to a VEPA grant program to obtain short-term funding for a NEIP project and an associated coordinator who could dedicate their time to support the NEIP. While they were successful in obtaining the grants, almost three years of implementation passed between submitting the application and ultimately receiving the funding. During this vacuum the collaborations faced three further key challenges.

The first of these challenges related to maintaining effective operation and organisation with only very limited in-kind support from the VEPA. The findings indicated that the collaborators largely lacked sufficient time, resources and capacities to complete core administration and organisational tasks and make significant progress on implementing actions. As one respondent bluntly put it, “I think the lack of support to the core function of the NEIP has made it difficult to sustain”.167

Indeed, in NEIP sub case one (NEIP 1) the group struggled to hold formal meetings,168 actively link and coordinate collaborators, circulate minutes and carry out public communication.169 Progress was accordingly significantly “slower” than expected, with many actions not being implemented at all.170

In NEIP sub case two (NEIP 2) the collaborators had more success in supporting their operation for a short period of time and implementing one project by virtue of a grant they had originally received during the planning stages of collaboration (discussed further below). However, on the whole, the time-strapped, and sometimes inexperienced, volunteers often lacked a clear sense of how to conduct meetings and coordinate the group to implement actions:

[N]ot everyone has a professional background where they have sat on committees that have to perform tasks...the meetings become a bit of talk fest.171

With clear limits to the capacity and resources of collaborators to sustain its operations, the second key challenge for the group was their ability to obtain external funding. Funding, of course, might have assisted the groups to better sustain the NEIP and implement more actions. However, this was a “catch 22” situation, as the weak organisation and administration capacities meant collaborators struggled to obtain the necessary information about potential funding opportunities, or meet the extensive demands of application writing. As a number of respondents saw it, there were simply too many “barriers that volunteer groups have in accessing funding”. 172

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166 Interview 222, Government Body.
167 Interview 226, Government Body.
168 As one respondent explained, the meetings that were held were generally informal, involving partners just talking about what they may or may not be doing, rather than more robust discussions and coordination on activities – “we had no resources...we were...able to talk about what we were doing...[but] It may not mean there’s a great deal of progress in terms of the impact, a great deal of improvement in water quality in the catchment or access”: Interview 215, Government Body.
169 “Since 2005 we’ve probably went into a bit of a lull in terms of momentum...The reason for that was that we didn’t...have the resources to employ a staff person anymore, and basically we were waiting for opportunities for funding to employ someone”: Interview 215, Government Body.
170 Interview 215, Government Body. “It fell into a bit of a hole...It seems to be dependent on what funds each group can scrounge together, but they haven’t really got around to doing that”: Interview 218, Environmental Group.
171 Interview 223, Industry.
172 Interview 211, Local Resident. As two respondents noted, for example, “It would be difficult [to apply for funding]...[because] to prepare a decent submission kind of takes, you know a couple of weeks for it over a period of time anyway”: Interview 215, Government Body; “the [collaborators] don’t know when the new buckets of funding come along...I think it is unrealistic to think it will work like that”: Interview 231, Government Body.
Even so, both collaborations had early success in identifying and obtaining external funding while they had been supported with a coordinator paid for by initial “seed” funding. Yet the findings indicated that this external funding appeared to also have constraints upon its use and value for the collaboration. In particular, most funding received was short term in nature, and focused on implementing one specific project. This resulted in fluctuating motivational cycles on the part of the collaborative group. That is, when a project grant was utilised, the collaboration moved from a “lull” into action, sometimes using a small amount of grant funding for a project officer to support the collaboration. However, it would again drift towards inertia when the money expired. As one respondent from NEIP 2 explained, after successfully completing a funded “plastic bag free town” project the group immediately fell into a lull because they lacked the basic capacity or resources themselves to coordinate and move forward to identify a new project:

[W]e spent at least a year of just having meetings and just going round in circles and getting nowhere and in fact we’ve stopped having meetings altogether and we’ve only just picked up again. The final interrelated challenge to sustaining successful collaboration faced by the NEIP collaborators was trying to sustain stakeholder motivation, interest and numbers. Both cases reported a gradual decline in stakeholder interest and involvement between completing the plan and implementing it. For example in NEIP 2, non-governmental stakeholders went from over 15 down to “four or six” people who were interested in the plastic bag project being implemented at the time. NEIP 1 confronted similar problems with declining attendance by key stakeholders who had been involved at the planning stage.

It was the abovementioned organisational and implementation deficits that appeared to be the primary cause of this drop off. Indeed, at a practical level, the failure of the group to maintain effective communication structures and links between the partners meant some simply lost enthusiasm and motivation. Further, the periods of inaction and limited implementation progress produced very few improvements in the neighbourhood environmental issue. These in turn were not commensurate with the high costs of collaborating in the unsupported NEIP that was “a huge ask” for volunteers. Thus many individuals and a few community groups felt that there simply wasn’t enough likely return to justify bearing these ongoing costs. As one local resident explained:

[I]t’s hard for people to get home from work and then go “I’ve got a NEIP meeting at seven o’clock”. It’s like for what?

The unfortunate side effect of this decline in active stakeholder participation (and the resources they provided), was that it served to further reduce the groups’ capacities to conduct effective

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173 For example, government funding for addressing storm water related issues in NEIP 1 and external funding sources for “Cool Communities” program and a plastic bag free campaign in NEIP 2. Maribyrnong City Council and Stony Creek NEIP Partners, Stony Creek NEIP (Maribyrnong City Council, 2004) p 23; Surf Coast Shire Council and Anglesea NEIP Partners, Anglesea NEIP (Surf Coast Shire Council, 2004) p 23.

174 Interview 215, Government Body.

175 For example, funding for a project from which a small part of resources was used to support the group.

176 Interview 227, Local Resident.

177 Note that the plan is legally backed and, according to respondents, this ensured that no respondents had totally disengaged from the collaboration per se, as distinct from giving it a low priority. For further information on the NEIP’s legal backing, see Gunningham et al. n 8.

178 Interview 228, Government Body.

179 This included industry, business and non-sponsor local government partners.

180 This appeared to be particularly the case with government stakeholders, as one respondent explained, “you lose [the paid coordinator/project officer] and it’s suddenly all, gee, who do I contact? And I think I’ve seen a bit of a drop in enthusiasm of the [government project partners] to throw resources into it”: Interview 222, Government Body.

181 Interview 225, EPA.

182 Interview 224, EPA.
organisational and implementation tasks.\textsuperscript{183} Furthermore, with anaemic organisational structures, attempts to reignite or attract new stakeholders were virtually non existent.\textsuperscript{184}

These interrelated challenges plagued the NEIP groups for nearly three years. At the time of writing, both sponsors had finally obtained the short-term grant from the VEP A and used it to reportedly begin improving organisation, implementation and connecting to new stakeholders. However, despite this improvement, most agreed that the short-term nature of the grant, like other funding sources they had obtained earlier, was merely a short-term fix for the collaboration.\textsuperscript{185} As one respondent pointed out:

Yeah I think it will probably be cycles...we would hate to be constantly dependent upon those kind of [short term] funds.\textsuperscript{186}

To summarise, while it is still early days in the NEIP case, it appears that in the longer term the NEIP is unlikely to sustain effective collaborative organisation. Indeed, it is clear that leaving the group to its own devices was a flawed system.\textsuperscript{187} Without sufficient provision of resourcing (coupled with appropriate incentives built into the design such as the use of regulatory pressure in EIPs) successful collaboration appears unlikely.\textsuperscript{188} Such support may very well come from a sponsor; however, as the findings revealed, it is clear that that not all actors can be effective in this role. It is also clear that the nature of support is important. Grants that are difficult to obtain and short term in nature do little for sustaining collaborative momentum.\textsuperscript{189} Finally, unlike the EIP case where gradual improvements in local environmental conditions maintained stakeholder interest (at least for early periods), the lack of organisational capacity and slow progress in delivering outcomes saw NEIP faced with significant difficulty in maintaining stakeholder interest.\textsuperscript{190}

\textbf{RNRM – the benefits and limits of sustained funding}

The RNRM program, like the NEIP case, was still in the early stages of implementation at the time of research. However, a number of insights can be gained from respondents’ reflections on the regional body’s early experience in trying to sustain its collaborative organisation during plan implementation.

Indeed, the regional body was in fact quite successful in sustaining its collaborative organisation, avoiding the significant periods of inaction and lulls that plagued the NEIP groups. Most of the science, Indigenous and catchment management groups that made up the regional body remained engaged as collaborators. The reasons many of these groups remained engaged was in part because they had wider memberships that allowed them to replace individual representatives in the face of what were often onerous and underpaid positions (discussed below). However, the groups were also motivated to maintain their involvement because of benefits they received from collaborating, including potential improvements to natural resources through implementation (discussed below) and

\textsuperscript{183} Indeed, the loss of additional support placed an increasing strain on the collaborators that remained active, resulting in some volunteers getting increasingly “burnt out”: Interview 228, Government Body.

\textsuperscript{184} “Actively getting more people involved...it comes down to the availability of funds and the availability of a body to do it, I think everybody has good intentions, but there’s still your core business that you’ve got to take care”: Interview 211, EPA.

\textsuperscript{185} While such support may assist the groups to identify new or more stable sources of funding, respondents were doubtful and suggested that once the grant had ceased the group would drift back towards the struggles of ineffective coordination, slow implementation and missed opportunities for funding. There were, however, indications that some were looking for more long-term sources of funding: Interview 215, Government Body.

\textsuperscript{186} Interview 215, Government Body.

\textsuperscript{187} Similar results have been found in earlier CEG initiatives such as Landcare: Curtis A, “The Landcare Experience” in Dovers and Wild River, n 26, p 453.

\textsuperscript{188} Of course this raises the important policy question of whether directing government (ie VEP A) funding to NEIP would be the best use of its scarce resources. While it is beyond the scope of this article to answer this question, in the short to medium term the VEP A would at least need to ensure appropriate transparency and accountability mechanisms were attached to any new support funding so as to judge whether the funding was contributing to effective and efficient outcomes. Margerum, n 4 at 141; John, n 31, p 239.\textsuperscript{190}

\textsuperscript{189} Margerum, n 4 at 149-150; Bonnell and Koontz, n 19, p 159; Freeman and Farber, n 10 at 870, 903; John, n 31, pp 239, 241.

\textsuperscript{190} Isaac and Heller, n 39, pp 93, 101; John, n 31, pp 239, 241-242; Lubell et al, n 19, p 288.

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the potential to control and obtain grant money. As one respondent put it, “A lot of them were in there to lobby to make sure that those organisations got money”.\(^{191}\)

With relatively stable stakeholder involvement, the regional body maintained an active collaborative organisation, conducting regular board meetings, hiring new staff and engaging new stakeholders. This success was due directly to the core government funding the body received to organise and carry out actions.\(^{192}\)

Indeed, using government investment for implementation had allowed the regional collaboration to make substantial progress on the ongoing implementation of around 100 projects. To do this the regional body employed a service provider system of implementation, which relied on the most logical actors (eg farmers, sub regional groups, consultants) providing services to the regional body for project delivery. At the time of writing, such implementation had achieved a number of tangible results, including 23,000 ha of native riparian vegetation protected, 25.7 km of divisional fencing built, identifying and mapping 12,000 potential fish barriers and restoring fish passages, assisting 190 properties with property management plans and maps of assessable vegetation, and 90 ha of wetlands cleared of weeds.\(^{193}\)

Respondents were confident that as long as there was government funding, they would continue to have the capability to implement such projects, engage stakeholders in delivery and sustain collaborative RNRM.\(^{194}\)

While these findings suggested RNRM was unlikely to succumb to the type of inaction and lulls that characterised the NEIP, the findings revealed that it had faced a number of challenges that reduced the likely overall success of the collaboration. These included difficulties in volunteer and staff retention, inadequacies in support funding for the regional body, challenges obtaining external private funding, uncertainties in long-term support from governments, and limited funding to implement actions and deliver improvements. These are discussed below.

A core exercise in maintaining an effective and robust regional collaborative body (particularly one responsible for managing multimillion dollar budgets) is ensuring sustained volunteer engagement and staff retention.\(^{195}\) Yet the findings suggested this was a major problem for the case study, with high turnover in both representatives from stakeholder groups on the body and the body’s support staff.\(^{196}\) This led to the regional body reportedly facing a risk of losing corporate knowledge, difficulties developing and refining its day-to-day operations, and experiencing periods that were “a real shemozzle”.\(^{197}\)

Although the regional body had achieved growth in overall staff numbers, the significant turnover in regional body support staff arose primarily from inadequacies in funding arrangements to support

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\(^{192}\) As one respondent explained such funding ensured, “we can employ the people we need…we have got strong commitment to traditional owners so we have got a couple of people there to do some work…a book keeper and an administration person…we can research, we can subcontract out the on-ground stuff, there is logical providers – whether it be property owners or community NRM groups, those sorts of things to carry that out”: Interview 342, Regional Stakeholder.


\(^{194}\) For example, peak industry bodies were reportedly “trying to work with [regional bodies] because they can see the money”: Interview 323, Government Agency.

\(^{195}\) Interview 344, Regional Stakeholder; Burdekin Dry Tropics Natural Resource Management (BDTNRM), Business Plan 2007-2010 (prepared by Balfour consulting, 2007) p 5.

\(^{196}\) One respondent who had experience working with different regional bodies commented that the subject case was less stable than others they had worked at before, noting significant “staff turn around” and “new positions put on the board”: Interview 345, Regional Stakeholder. BDTNRM, n 195, p 3.

\(^{197}\) Interview 344, Regional Stakeholder; BDTNRM, n 195, p 5.
the regional body operations. There were two main inadequacies in arrangements. First, remuneration needed to attract and retain staff was often insufficient compared to opportunities in the wider labour market. Secondly, respondents pointed to the short-term nature of funded projects, which reportedly created undesirable job instability:

[T]he way the projects are run at the moment, for only 12 months at a time, and only months into that project, the officer will already be looking for the next job because they know its going to run out…[it] creates a very unstable environment.

Inadequacies in funding and support arrangements also contributed to high turnover in volunteer stakeholders. Certainly regional body volunteers received a small remuneration for time and travel costs. However, this reportedly did little to offset stakeholders costs of collaborating in what stakeholders admitted were “not very well paid” positions. Indeed, the accountability and money management responsibilities were themselves seen to be sufficiently onerous and challenging for often unskilled or untrained volunteers. As one respondent simply explained:

[T]he administrative burden in itself is sufficient to roll the whole process over and to give everyone the shits.

Given these burdens, the regional bodies often sought to obtain additional external resources to supplement government support and to help them meet their responsibilities (a move that was encouraged under the RNRM program). By all accounts the regional body had experienced some success in acquiring funds (most often for projects) from local peak industry organisation, State departments, and agricultural research organisations. However, respondents suggested such investment was comparatively minimal compared to government investment, and as one respondent put it, “I don’t think you’re ever going to wean yourself away from the government funds in a big way…for some groups that’s all the money they get”.

Further threats to the long-term sustainability of successful collaboration arose from uncertainties about government support of the program. This occurred both at the federal and State level. At the federal level, there was significant uncertainty associated with continued government backing and investment in RNRM. Prior to an announcement late in 2006 that the federal government would continue investment until 2013, many respondents were unsure about whether government funding would continue past its scheduled completion date in 2007-2008. Such uncertainty did little to create an environment of stability and perseverance from stakeholders, with the regional body and staff reportedly speculating that they may have to “close their doors”.

More recently, the transition from the Howard Government’s regionally-focused NHT2/NAP to the Rudd Government’s CFOC program reportedly created similar morale challenges and “considerable uncertainty” regarding staff retention and the regional organisation’s role in natural resource management. This was in no small part...
because CFOC significantly reduced regional body base-level funding (compared to the NHT2/NAP years) and shifted RNRM’s focus towards national priorities.208

At the State level there were different tensions and uncertainties created about the level of long-term support from the State government.209 State agencies reportedly struggled to find agreement regarding their collective approach to RNRM, leading to a reportedly “disintegrated government system” and a decision to put an “options paper” to the public on the future of RNRM for the State.210 Although the result was overwhelming support for the current system, the public review did little to contribute to a stable and sustainable collaborative approach, creating significant uncertainty about the future of the program for staff, regional stakeholders and regional bodies:

Queensland government has just reviewed arrangements…that’s added to the cynicism of “well shit what are we trying to do here if we are putting all this effort into getting partnerships”…it makes it very difficult…to actually get on and commit to something.211

The final weakness and challenge to sustainability of successful collaboration related to the ability of the regional body to deliver results. Many respondents questioned the capacity of RNRM to actually achieve all its goals to improve resource conditions due to major inadequacies in funding. As one respondent bluntly put it, “there is, quite frankly, sweet fuck all money”.212 Specifically, respondents saw government funding as not commensurate with the responsibilities and outcomes to be delivered by regional bodies. As one respondent pointed out:

[O]ur budget is a few million a year. Now what we are expected to do with a few million dollars is make sustainable land use, protect all the biodiversity and fix the water quality out to the reef, all within 10 years. That’s a pretty big ask.213

To conclude, the above analysis suggests that RNRM had been able to achieve some success in sustaining collaborative momentum of the regional body, facilitating it to implement actions and engage and maintain involvement of many regional stakeholders. Compared to the NEIP case, these are impressive results and like the early success in EIP, were attributable largely to competent arrangements being made to support organisation and implementation.

However, this success must be weighed against the challenges also faced by RNRM. Conflict among State government agencies and program transitions at the federal level weakened stakeholder commitment and the stability of the program. It was also clear from the findings that the likelihood of sustaining successful collaboration would be threatened by insufficient funding, a failure to match support to responsibilities (both for staff and volunteers) and, like the NEIP experience, a tendency to provide short-term rather than long-term project funding.

208 Note that although CFOC reduces base level funding to regional bodies, they can obtain additional funding through CFOC’s competitive grants process: Burdekin Dry Tropics Natural Resource Management, Annual Report 2007-2008 (BDTNRM, 2008) pp i-vi.

209 One respondent referred to a previously ongoing debate about agreeing to core funding arrangements under NHT 2 – “a big debate going on between us and Commonwealth, cause there is a view particularly in the central agencies that this model was foist on Queensland and as a result the Commonwealth should pay for the administrative cost, particularly the NHT groups”: Interview 323, Government Agency.

210 Interview 334, Regional Stakeholder; Department of Natural Resource Management (DNRM), Options for Future Community Engagement in Regional Natural Resource Management (DNRM, 2005) p 7. Note that “turf warfare” among administrative departments has undermined the sustainability of earlier collaborative NRM experiments in Australia: see Ewing, n 53, p 406.

211 Interview 311, Industry Body.

212 Interview 334, Regional Stakeholder.

213 Interview 337, Government Body.
DISCUSSION, RECOMMENDATIONS AND CONCLUSIONS

This article has investigated the conditions that contribute to sustaining successful collaboration over time. Drawing on the experience of middle-aged and old collaborative efforts, it has provided insights into a number of significant “gaps” in CEG literature.214

Numerous challenges for the survival of successful collaboration were revealed in the finer details of each case. All were at different stages in their collaborative processes, and the findings raised a variety of issues unique to each program. For example, RNRM faced challenges of staff turnover due to insufficient and short-term funding, the mature collaborations in EIP raised issues regarding “diminishing returns”, while in NEIP sponsors struggled to support a group lacking the time and skills to “go it on their own”.

In its own way, each case appeared to fall short of sustaining successful collaboration. Certainly both EIP and RNRM were far more successful than NEIP in this regard, at least insofar as both were able to maintain momentum and implement actions to try and deliver environmental outcomes. However, at a broad level all cases struggled to maintain volunteer involvement and/or sustain effective organisational processes and implementation. Based on the above discussion, these problems were due to two pervasive and interrelated weaknesses, namely a failure to effectively balance costs and benefits to maintain volunteer involvement, and/or shortfalls in support and funding provided to the group for organisation.215

Indeed, the practical demands of collaborating over the longer term quelled collaborators’ enthusiasm across all three cases.216 There was evidence of collaborations suffering from high turnover in representatives of volunteer groups (such as in RNRM), stakeholders becoming essentially passive (as in NEIP), or volunteers “dropping off” altogether (as in EIP). As shown above, all were detrimental to sustaining a successful collaboration, threatening corporate knowledge, and/or reducing the resources and knowledge available to the group to make decisions, adaptively implement actions and achieve environmental improvement.

These problems stemmed in part from insufficient support to reduce the costs of collaborating. However, this insufficiency also had a broader negative impact on organisational effectiveness in some circumstances. This was most evident in comparisons between the active organisation and implementation in the adequately supported EIP and RNRM cases on the one hand, and the inaction and stoppages in the unsupported NEIP on the other.217

The findings also indicated, however, that even when resources are provided their degree and nature may be inappropriate to sustaining successful collaboration.218 As seen in RNRM, insufficient funding and support undermined the effectiveness of regional organisation.219 Funding obtained in NEIP and RNRM was also often reported as being too short term in nature to allow collaborative groups to effectively sustain their staff and/or activities.220 The findings in NEIP and RNRM also confirmed the well-recognised information and capacity barriers faced by insufficiently supported and/or unskilled volunteer groups when obtaining external funding.221

214 Margerum, n 4 at 141; Lubell et al, n 19, p 294.
215 Margerum, n 4 at 141; John, n 31, p 239; Dovers, n 26, p 38.
216 Fung and Wright, n 38, p 38.
217 Margerum, n 4 at 141; John, n 31, p 239; Dovers, n 46, p 519.
219 Head, n 9, p 145.
220 Margerum, n 4 at 149-150; Bonnell and Koontz, n 19 at 159.
221 Margerum, n 4 at 149-150; Bonnell and Koontz, n 19 at 159. Taylor et al, n 43, p 79.

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These interrelated challenges of volunteerism and/or inadequacies in support and funding are consistent with some of the emerging concerns raised in the literature. This article’s findings accordingly underscore their significance as central matters that warrant close attention in the literature if CEG collaborations are to be durable and effective over the longer term. Given this, the question that needs to be asked is what specific conditions are likely to sustain successful collaboration?

First, in terms of maintaining volunteers, it will be apparent that volunteer involvement is not simply a question of whether the costs of collaborating are too much to bear for individual volunteers, but more a question of how these costs are balanced with the benefits volunteers receive. As shown above, the cost-benefit trade off varied considerably depending upon the context and by no means all collaborators concluded that costs always outweighed benefits. For example, some RNRM stakeholders focused on and sustained their involvement in part because of financial “rewards”, while others in EIPs maintained their involvement due to personal interest or a desire to maintain a watchful eye on industry.

More interestingly, the findings confirmed suggestions in the literature that a substantial degree of “success” in improving environmental conditions will be a crucial “benefit” to offset volunteers’ costs and sustain stakeholder interest and collaboration. This was evident in EIP where gradual progress in resolving local environmental issues was vital to retaining stakeholder interest in the early stages of collaboration. In harmony with this finding, the weak and limited environmental improvements in NEIP were seen to be worth less than the transaction costs required to obtain them and stakeholders disengaged from active participation. It is also possible RNRM will face similar problems over the longer term due to insufficient government investment constraining successful delivery of resource condition improvements.

However, the relationship here may be more complex than a simple linear relationship between success and survival suggested by the literature. Although the EIP collaboration focused on improving industry’s environmental performance across local and broader environmental issues, the substantial improvement in local environmental issues that motivated many residents to become involved actually lessened their perceived benefits and returns of ongoing participation relative to the time and effort that ongoing collaboration required. Part of the issue here was that many of the local residents appeared to pursue their own interests and agendas, and disengage once they had been achieved. This decline had significant negative impacts on the ongoing success of the collaboration and its ongoing adaptive implementation to manage industry pollution.

The implication here – rarely acknowledged in the CEG literature – is that in some circumstances substantial success can, in and of itself, serve to demotivate further collaboration. Of course, this will not be the case in all collaborations. For example, the findings in EIP may not be generalisable to collaborations that address longer-term natural resource management issues, typically characterised by intrinsically unpredictable ecosystems subject to cycles of “adaptive change”. In such cases it may be far more difficult to secure “success” either quickly or for any extended period of time.

222 Margerum, n 4 at 141; John, n 31, p 239; Dovers, n 46, p 519; Fung and Wright, n 38, p 38. See also similar problems with earlier CEG initiatives: Ewing, n 53, pp 393, 405-406; Curtis, n 187, p 447;
223 Ostrom, n 35; Lubell et al, n 19, p 288.
224 Sabatier et al, n 30, p 184.
225 Isaac and Heller, n 39; John, n 31, pp 239, 241-242; Lubell et al, n 19, p 288.
226 Lubell et al, n 19, p 288.
227 Head, n 9, p 145.
228 Fung and Wright, n 38, p 38.
Sustaining successful collaboration in environmental law and governance

Collaborations involving greater associational participation may also be more resilient than EIPs, which were dominated by local citizens. Certainly, the findings on environmental and catchment groups in RNRM and EIP above suggest such groups can sustain engagement, either because they had a wider membership or because they had interest in a broader range of longer-term environmental issues.230

It is also important to remember that, unlike many CEG collaborations, EIP is not about “building community”, where attempts are often made to forge common visions, develop new “community” identities, and partially redefine preferences and interests of stakeholders.231 Rather, EIP is about “place monitoring”, namely a specific industry’s site and the particular impacts it produces on the wider area.232 As such, it is perhaps unsurprising that many local residents’ collaborative motivation and vision did not extend beyond mitigating industry’s immediate impact on their own life.

In light of the above, one implication may be that a transformation in personal interests and goals – the way participants think and act, individually and collectively, about their broader local environment – may be a desirable base condition for sustained successful collaboration in CEG.233

However, further research is required to determine if genuine transformation of personal and institutional goals and priorities is possible or even beneficial.234

Ultimately, whether participation drops off because of sufficient improvements to environmental conditions or a lack thereof, an important condition for ensuring that successful collaboration is sustained is the engagement of new stakeholders to compensate for the dwindling commitment of some of their predecessors.

In the case studies, a number of attempts were made by the groups to try and engage new collaborators. However, consistent with recent empirical research in the watershed context, the findings suggest this approach can often have limited effectiveness. As the NEIP experience demonstrated, unless the collaborative group is effectively supported they may not have the capacity to conduct an energetic recruitment process. Moreover, even if groups have the capacity, as in the EIP case, such efforts appear largely fruitless where there are no compelling environmental issues to galvanize such collaboration.235

What may be needed then are more proactive conditions for sustaining successful collaboration. This would obviously focus on supporting and maintaining those actors that originally collaborated. As suggested above, one such condition may be to broaden stakeholders’ interests from personal to wider issues. Another condition is obviously greater funding and support matched to the tasks at hand, which is vital to reducing costs to volunteers and ensuring a more effective organisation and implementation process.236

However, in a time of increasing resource constraints on government and government agency load shedding, it may be unrealistic to expect even small contributions to support collaboration over the long term.237 In this context, what is needed is to explore how to create new institutional mechanisms and ways of redirecting funding to provide more sustained longer-term resourcing commensurate to the tasks and responsibilities.238

230 Note, however, that as we saw in NEIP a lack of progress resulted in some groups disengaging and becoming passive rather than active collaborators.

231 Karkkainen, n 123 at 242.

232 Karkkainen, n 123 at 242.

233 Karkkainen, n 123 at 242.

234 Karkkainen, n 123 at 242.

235 Bonnell and Koontz, n 19 at 158.

236 Bonnell and Koontz, n 19 at 165.


The findings provide some insights here into a range of possible conditions for better resourcing and supporting sustained collaboration. First, broadly akin to suggestions in the literature that “harsh” default rules can contribute to the success of collaboration, the findings in EIP evidenced that focusing community or regulatory pressure on the most well-resourced parties (in this case industry) can prove a relatively successful way to resource a collaborative group. While the support and resources provided from industry in EIP were not sufficient to offset the costs of many local resident collaborators who eventually disengaged, this is arguably not attributable to the mechanism of resourcing itself, but how it was applied in practice. Indeed, one could imagine a more apposite application of pressure by VEP A to encourage industry to provide minimal financial reimbursement for non-government collaborators for the costs associated with their participation in the EIP process. Apposite accountability mechanisms would of course be needed to avoid enhanced risks of capture.

A second insight into support arrangements arose in the NEIP case. Contrary to claims that certain outside “sponsors” such as top agency managers may assist in supporting collaborations, the translation of a similar strategy met with very limited success in the case of NEIPs. Overstretched, and under-resourced local governments failed to provide long-term funding support for the group. Clearly not all actors can be apposite sponsors for the purposes of sustaining collaboration, and attention must be paid to selecting the right “sponsor” and using apposite incentives structured to harness their support.

The findings also shed some light on the capacity of nested structures to support organisational sustainability. While such arrangements can assist in pooling government resources, the findings in RNRM revealed the additional challenges these arrangements impose, including achieving power sharing between agencies/governments at higher levels. While such challenges were not fatal to the RNRM collaboration, the evident tensions between agencies/governments and their impact on program stability suggested that such challenges are likely to pose a very real threat to the effectiveness of nested arrangements to successfully support sustained collaboration.

The issue of how to support and resource collaborations also raises the important question of whether it is always desirable to indefinitely support CEG collaborations. The findings in the EIP case suggest the answer is “no”. Arguably some EIPs had come to the end of their lifecycle, outlived their effectiveness, and were becoming an imposition on government resources.

Certainly, there are different positions one can take on the importance of sustaining collaboration indefinitely and it is beyond this article to weigh the various values and positions here. Much will likely depend on individual circumstances, as well as how effective the collaboration is in addressing the sorts of weaknesses that brought about EIP decline, including maintaining volunteer involvement, and generating new participants. Even so, the importance of the finding in EIP is its empirical confirmation that not all situations may justify the survival of collaboration per se.

To conclude, the findings in this article have underlined that appropriately resourcing collaborative organisations and maintaining volunteer involvement are two serious challenges that CEG must overcome to sustain successful collaboration. Necessarily, given the limited evidence...
available on the survival of collaboration, further research is needed to investigate and confirm the extent to which the findings described above have wider application.\textsuperscript{246} In addition, the emphasis in this article has been on the conditions of institutional and legal design as they impact on sustainability. However, there are inevitably a substantial range of potential exogenous and/or endogenous conditions\textsuperscript{247} that can impact the sustainability of collaborative institutions which warrant further attention.\textsuperscript{248} Until such time, this article has sought to provide some much needed insights to assist both policy makers and theorists when thinking about, debating, designing and reformulating CEG institutions to ensure collaborations can “age gracefully” as a niche in the environmental governance landscape.\textsuperscript{249}


\textsuperscript{247} For example, population shifts or changes in related government policy can impact on the sustainability of collaboration: Ostrom E, “Collective Action and the Evolution of Social Norms” (2000) 14(3) \textit{Journal of Economic Perspectives} 137 at 153-154.

\textsuperscript{248} Fung and Wright, n 38, p 38.

\textsuperscript{249} Sabatier et al, n 21, p 11.