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Tropical Rivers and
Coastal Knowledge

Law, policy and practice: considerations for water planning in Northern Australia

**Associate Professor Poh-Ling Tan,
Griffith University, Queensland**

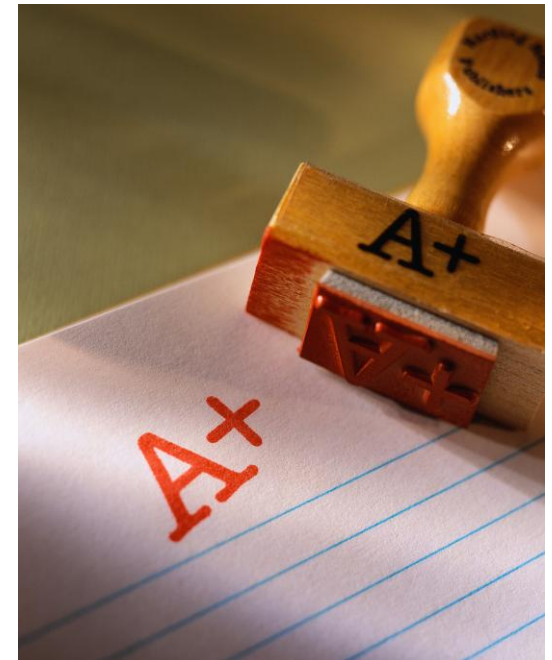
A better way to get input is required ...

“I would wonder who ... actually understands what is being said. You’d have people sleeping during presentations... There’s got to be a better way to get input from everyone involved, and data out to people, rather than here’s the report, what do you reckon”



A feeling that government had made up its mind ...

“What they were saying was that they wanted the community input so that their decisions could be based on community views, but we all had the feeling that they had made up their minds before the process began anyway – now that could be quite wrong, but that was the perception that people had.”



Outline of talk

1. Central role of water planning under the National Water Initiative
2. Standards of public input required under NWI
3. Key findings from research
4. Some implications of findings
5. An effective participatory planning tool

1. National Water Initiative 2004

- Central role of water planning
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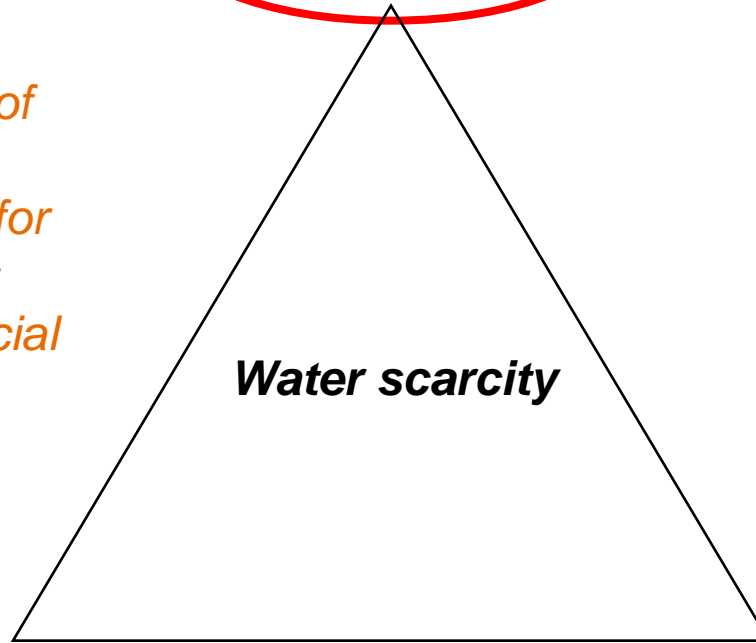
“A nationally-compatible market, regulatory and planning based system of managing surface and groundwater resources for rural and urban use that optimises economic, social and environmental outcomes”

Water Markets

Water Planning

Water scarcity

Water Regulation



2. The reasons why NWI requires public input into plans

- ❑ Public participation in water planning required to **improve certainty** and **build confidence** in reform processes.
 - ❑ A right of the public to be **involved at key points**
 - ❑ **Transparency** in trade-offs in decision-making is required
 - ❑ Broad range of stakeholders expected to have input
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Indigenous representation in planning required to

- Incorporate Indigenous social, spiritual and customary objectives and strategies into water plans
 - Account for possible existence of native title rights to water
 - Account for water allocated to native title holders for traditional cultural purposes (clauses 3(v), 25, 52-54, Schedule E NWI)
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So what type of public input works?

- ❑ Theoretically public participation ranges from information giving, consultation to partnership.
 - ❑ **Inclusive and deliberative forms of public participation** needed especially in complex and contested issues
 - ❑ Collaborative water planning involves the **active participation** of stakeholders in the planning process.
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3. Key findings from research

- ❑ Statutory objectives in some states acknowledge a role of community in planning is important
 - ❑ But that role is not clear. Literature rates **clarity of role** as critical aspect for collaboration.
 - ❑ Principles of collaboration not available in water policy documents
 - ❑ Monitoring, evaluation and review of plans are poorly provided for and implemented
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Key finding - Transparency in making decisions still a challenge

- ❑ High expectations by communities
 - ❑ Transparency is not satisfied just by having reports made public.
 - ❑ Need to achieve balance between flexibility and discretion in decision-making.
 - ❑ **Socio-economic analysis** can help transparency, but is not mandated in many jurisdictions.
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Key finding – Processes do not support making of trade-offs

- Few planning processes are **deliberative** in nature
 - Identify and analyse problems as a group
 - move beyond private concerns and engage with competing views
 - to carefully think through and weigh up options, coming up with new alternatives
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Key finding – Processes do not support integration of knowledge

- ❑ Integrating knowledge is complex, particularly in making sense of local, cultural and scientific forms of information
- ❑ Many forms of knowledge



4. Implications of key findings

- ❑ Understand characteristics of catchments and communities
- ❑ Develop communication strategies and techniques to address specific issues raised by diverse stakeholder groups.
- ❑ Practical tools needed to increase the community's understanding of issues

Implications continued

- Data, knowledge and information systems need to be capable of handling multiple types of knowledge
 - Deliberative decision-support systems need to be developed for rigorous and transparent trade-off analysis
 - Skills and capacity of water planners need improvement.
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5. Effective participatory tool for water planning

- Groundwater Visualisation Model for Howard East, near Darwin
 - Main objective - build trust between stakeholder groups and government
 - Provides a mechanism for local knowledge to partially address gap in scientific data

Participation in building the Groundwater visualisation model



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Evaluation of GW model

- Concluded 11 September 2009
 - Early comments–
 - “Allows us to think as community”
 - “Big shock value in showing how many bores in area”
 - High potential for learning
 - Volunteer trainers
 - Allows interrogation of data at home
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Conclusions

1. Current challenges:

- Natural variability
- + climate/scientific uncertainty
- + complex social/cultural issues
- + assessment of options

Collaborative processes + adaptive management

2. Community wants 'real consultation'.
3. Our legal and policy positions must face up to these challenges

Several reports available at www.track.gov.au



Critical times, practical measures

water
planning
tools

www.waterplanning.org.au