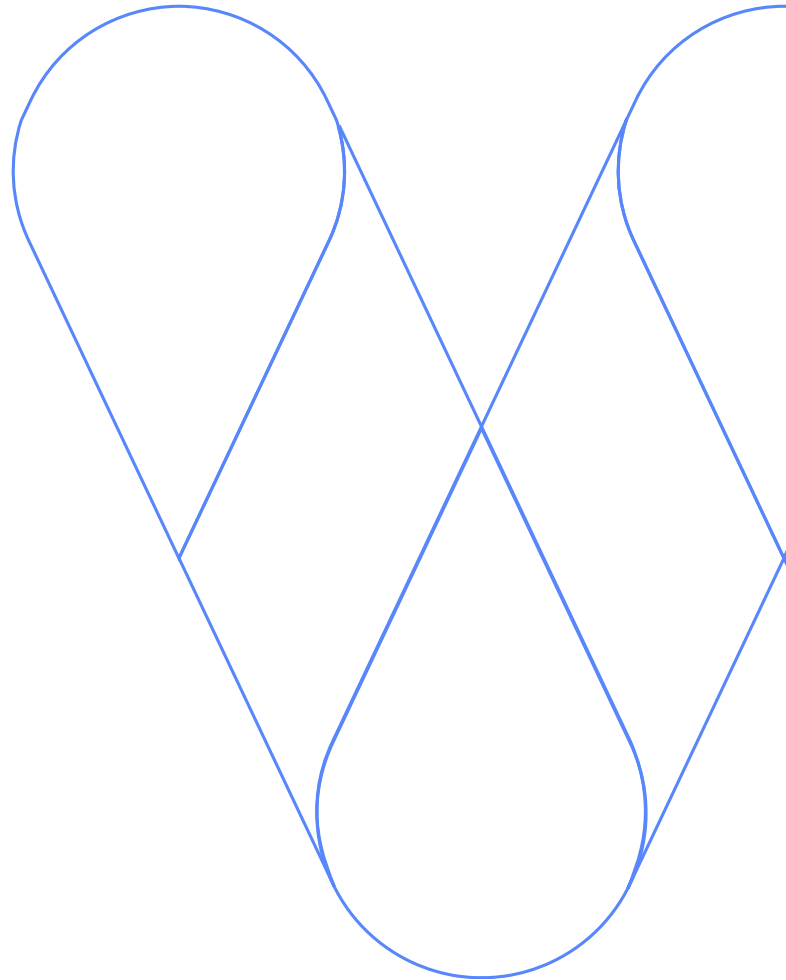


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# Lessons Learned: Collaborative water allocation planning in the Northern Territory

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A Western Davenport case study





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Indigenous people should be aware that this publication may contain names and images of deceased persons.

### **Credits**

This report was prepared by Kate Peake (Watertrust Australia). The significant contribution of many people, including members of the Western Davenport and Ti Tree Water Advisory Committee and staff from the Northern Territory Department of Lands, Planning and Environment, is gratefully acknowledged.

Watertrust Australia acknowledges the Traditional Custodians of land, sea and waters throughout Australia and their continuing connection to culture and Country. We pay our respects to Elders past and present.

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## Preface

This report was developed at the invitation of the Western Davenport and Ti Tree Water Advisory Committee (the Committee) and the Northern Territory Department of Lands, Planning and Environment (the Department) (previously the Department of Environment, Parks and Water Security). The scope for the lessons learned process was agreed in early 2024. During the process of canvassing stakeholder contributions and finalising this document there have been two significant changes in circumstances:

1. last-minute changes were made to the draft plan by the Territory Labor government prior to the gazettal of the *Western Davenport Water Allocation Plan 2024-2027* in July 2024, significantly reducing the plans term and the Estimated Sustainable Yield; and
2. revocation of that plan and declaration of a new plan reinstating the larger Estimated Sustainable Yield and the standard 10-year planning cycle, along with the dismissal of the Committee, by the incoming Country Liberal Party in December 2024.

The report focuses on the reflections of the Committee and the Department in the period from May to July 2024. It has consequently not been updated to reflect events following the NT election in August 2024.

Charting a path forward, particularly finding strategies to make water planning processes more transparent, collaborative and stable, remains as important as ever.

## Summary

This report explores the engagement of stakeholders in water planning in the Northern Territory (NT), using the 2021–2024 Western Davenport water allocation planning process as a case study. The involvement of the Western Davenport and Ti Tree Water Advisory Committee (the Committee) and the delivery of the *Western Davenport Water Allocation Plan 2024–2027* (the Plan) offers lessons for community engagement in water planning processes that have implications for the management of water resources across the NT and more widely.

Watertrust Australia<sup>1</sup> (Watertrust) was invited into the Western Davenport water allocation planning process towards the end of the Committee’s deliberations. The Committee had been established by the Minister for Water Security in 2021 to advise on the implementation and effectiveness of the *Western Davenport Water Allocation Plan 2018–2021* and its review, and to advise on the development of a new Western Davenport plan.

Watertrust’s objective to improve stakeholder confidence in the water allocation planning process, even given the late stage of planning, was welcomed by the NT Government, through the Department of Environment, Parks and Water Security (the Department), and the members of the Committee. As part of the scope of work negotiated with the Committee and the Department, Watertrust committed to compile lessons learned from the Western Davenport water allocation planning experience to inform future water planning arrangements.

This report outlines the lessons learned and an exploration of possible water planning improvements with direct as well as wider regional relevance. It is primarily based on the reflections of members of the Committee and staff of the Department on the process of water allocation planning for the Western Davenport water control district. The key findings are those of Watertrust based on the feedback provided and known principles of best-practice engagement and approaches to policy decision-making.

The method for collecting stakeholder input for this report included:

- Watertrust participation in the final two meetings of the Committee;
- a Lessons Learned Workshop with the Committee on 8–9 May 2024; and
- a Water Advisory Committee’s Workshop with the Department on 8 July 2024.

Leveraging Watertrust’s convening power, all active members of the Committee as well as Department staff with both direct and indirect interests in the planning process contributed to the lessons learned analysis. Watertrust undertook an extended review of the report in

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<sup>1</sup> Watertrust Australia is an independent, philanthropically funded not-for-profit with a focus on improving water and catchment decision-making processes. Watertrust does not advocate for any particular outcome or interest and is not contracted to any party to deliver its work. For further information, see [www.watertrustaustralia.org.au](http://www.watertrustaustralia.org.au)

various stages of drafting to ensure that stakeholder perspectives were accurately reflected in the final report. A peer review process, drawing from the collective expertise of Watertrust staff and advisors, provided additional guidance.

This report contributes directly to the Territory Water Plan<sup>2</sup>. The Territory Water Plan is the first whole-of-government plan for water policy in the Northern Territory. It highlights, as one of its four action areas, the need to engage Territorians in water management and decisions to build confidence and foster a shared understanding. This theme runs across 13 of the 16 Priority Actions. Priority Action 10 relates specifically to improved water planning.

This report offers options within two layers of change to guide fit-for-purpose water advisory committee processes in the context of water planning:

1. actionable **short-term improvements** that can be implemented within current NT policy and legislative settings; and
2. **future directions** which are longer-term by virtue of the likely need for a shift in the approach to and/or resourcing of water planning processes.

The future directions are an acknowledgement that good water management requires a commitment to continual learning and adjustment in collaboration with stakeholders. Shared insights and joint efforts are essential to address complex and evolving issues. The need to deliver process change collaboratively, and the challenge of resourcing this work, make the future directions longer-term aspirations.

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<sup>2</sup> The NT's first whole-of-government strategic plan for water, released in 2023. For further information, see <https://watersecurity.nt.gov.au/territory-water-plan>

	Short-term improvements		Future directions	
<b>Water advisory committee establishment and functions</b>	<i>A framework for water planning</i>	1. Develop a Water Planning Procedure to ensure a cohesive, inclusive and adaptable approach to the planning process, and consistent and efficient operations (see Appendix A for further detail).	I.	Progressively develop a clear policy and legislative framework for effective engagement in planning processes.
	<i>Acknowledging diverse values and building social licence</i>		II.	Increased water advisory committee influence on the water planning process; for example, structured input mechanisms with feedback loops to increase responsiveness and accountability.
	<i>Committee governance</i>	2. Provide administrative support to water advisory committees through an Executive Officer employed by government but whose work is directed by the committee through the Chair.	III.	Effective facilitation of water advisory committees by Planners.
<b>Water advisory committee members</b>	<i>Committee Chair</i>	3. Delegate the responsibility to select a water advisory committee Chair and members to increase the transparency of these selection processes. The delegated party would provide advice to the Minister to inform the final decision.	IV.	Increased water advisory committee independence; for example, a more transparent Chair appointment process and/or allocation of resources to the Chair.
	<i>Committee members</i>		V.	More tailored and flexible water advisory committee membership structures; for example, rotating membership, different deliberative processes, the use of sub-committees, and the establishment of an impartial membership selection and review committee.
	<i>Aboriginal representation</i>	4. Commence the membership selection process early to facilitate legitimate partnership with the relevant land council(s) who are responsible for identifying Aboriginal members with the cultural authority to speak for Country.	VI.	Representative Aboriginal membership; including consideration of key questions surrounding optimal Aboriginal engagement in water planning processes.

		Short-term improvements		Future directions
<b>Water advisory committee influence and transparency</b>	<i>Enhancing the link between committee advice and decision-making</i>	5.	Negotiate a 'decision charter' to provide clarity about the potential for (and constraints on) a water advisory committee's input into a draft plan or plan review (see Appendix B for further detail).	VII. Expanded 'decision charter' negotiations; for example, a codesign approach to the water planning process and decision-making principles customised to meet the needs of a specific water control district.
	<i>Sources of information / knowledge</i>	6.	Support water advisory committee members to understand, contribute to and test the available evidence, including ensuring adequate time to consult with their community, stakeholders and experts.	
		7.	Ensure information is publicly available whenever possible, contributing to building public confidence in water planning decisions and their implementation.	VIII. Better methods for sharing information; including consideration of how to make knowledge of a resource and impacts on it more accessible.
	<i>Confidentiality and conflict of interest</i>	8.	Altered terms of reference that require water advisory committee members to act as a conduit for wider community engagement in the water planning process.	IX. Increased transparency of water advisory committee deliberations; for example, making meetings more open to the public.
<b>Water advisory committee wider context</b>	<i>Enduring committees</i>	9.	Publish an annual evaluation of progress against the implementation actions in each water allocation plan, including a statement from the relevant water advisory committee providing its assessment of the progress made.	X. Water advisory committee participation in the adaptive management of water resources; for example, effective and efficient committee engagement in the full planning cycle and committee input into key water planning processes above and beyond the development and review of plans.
	<i>Committee structure and linkages</i>			XI. An integrated water management framework; fully aligning policy and licensing against objectives described in a water plan, and embedding water advisory committees into a wider planning structure.



## The Northern Territory – Setting the Scene

In the NT, the development of statutory water allocation plans occurs on a progressive basis, usually prioritising areas where there is greatest existing or emerging demand for water.

The Department invests in water allocation plans<sup>3</sup> to provide a framework for the sharing and management of water resources, including determining the volume of water that can be sustainably extracted and allocating water to beneficial uses, so that the collective benefits of water can be maintained. NT water allocation planning usually works on a 10-year cycle.

Water planning everywhere is complex and characterised by contested values. The following unique characteristics can make water planning, risk assessment and management strategies, and the negotiation of trade-offs particularly challenging in the NT when compared to water planning in other parts of Australia:

- climatic and hydrological conditions, including intense but seasonally limited rainfall in the north, semi-arid conditions in the south, and heavy dependence on groundwater;
- significant ecological and cultural values, including unique and relatively intact ecosystems and living Aboriginal culture with deep connection to land and water;
- relatively low levels of development, including a very small and highly dispersed population, unique land tenure arrangements, and high expectations for economic growth; and
- limited evidence base, including a lack of long-term data and research, an underrepresentation of Aboriginal knowledge in decision-making processes, and funding constraints and logistical barriers to expanding the evidence base.

Across much of Australia, water planning tends to be reactive, focused on managing the impacts of long-established development. In contrast, the NT presents a unique opportunity for a more proactive approach. However, this does not simplify the process of water planning; instead, it adds to the challenge.

Water planning in the NT serves as a platform for proactively managing water resources, however it also sets parameters for economic development and is consequently a platform for testing public appetite for emerging development and the inevitable associated trade-offs. A water plan significantly contributes to defining a region's direction and the NT community, represented by a water advisory committee, want to actively participate in shaping their own future.

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<sup>3</sup> The NT Water Act (1992) provides for the Minister to declare 'water control districts' and within these 'water allocation plans'.

Water allocation planning is an iterative process and must inevitably proceed with information deficits which the planning cycle seeks to address over time. Emphasis is on available data and modelled results in the early stages of development as is the case in the Western Davenport region. Understanding of the resource increases as monitoring validates models against the actual experience of how hydrological and ecological systems respond to water extraction. In the absence of empirical knowledge derived from water extraction there is an increased reliance on value judgements, which greatly increases the importance of effective community engagement since these value judgements must reflect the diverse interests in water (community water related values).

In the NT the community is engaged in water planning in three ways: via public consultation, targeted engagement with interest groups, and water advisory committees. Each of these methods of community engagement has benefits and drawbacks. The use of all three engagement methods has proven optimal for a water planning process, particularly for a planning process which is likely to be contentious.

Water advisory committees are an established method for capturing diverse community values and knowledge. Ideally, a committee provides a stable, ongoing platform for the detailed examination of issues. If members act effectively as a conduit to their communities, a committee also facilitates wider engagement linkages. An open process can enhance trust. The challenges include securing good representation of diverse interests, managing conflict, and resourcing a more intensive process.

Importantly, a water advisory committee plays a critical role in bringing together diverse interests and creating a structured space for the negotiation and reconciliation of competing interests. Public consultation and targeted engagement do not do this, leaving greater onus on government to balance interests and often resulting in an erosion of trust. No other part of the planning process currently provides a platform for this negotiation process.

 **The Badu Report identified that “water planning can only be successful with the opportunity for locals to understand and accept its outcomes”.**

Water advisory committees have been employed (almost without exception) for the development of water allocation plans in the NT. Furthermore, considerable time has often been committed to this deliberative process and fostering collaborative dialogue.

Water advisory committees provide a valuable platform for community participation in the water allocation planning process and the collaborative management of water resources. However, there is very limited guidance on why and how they are established in the NT. Consideration of these questions as part of policy review and legislative reform processes will contribute significantly to addressing issues identified in this report.

# 1. Introduction

## 1.1 Water Planning

Effective, efficient and equitable management of Australia's water resources is critical to achieve our environmental, cultural, social and economic objectives.

Water planning is the strategic process of managing water resources to support the complex interactions of interdependent ecosystems and social systems, now and into the future. At its aspirational best, water planning is a process of applying the best available evidence, and of negotiating diverse and sometimes conflicting community values, to support the best possible community (economic, social and cultural) and environmental outcomes – balancing competing interests and optimising public good. Effective water planning depends on effective and meaningful engagement. Community knowledge and values must be identified and considered in an open and transparent way.

Water planning is often a highly contested public policy space. Governments are responsible for providing leadership of water planning processes in this difficult context. Debates and disagreements that accompany water planning processes should not be seen as an obstruction but rather an essential part of shaping a robust approach to water management.

Across Australia it is evident that processes without effective and meaningful stakeholder and public engagement have contributed to a growing mistrust of governments. This loss of community trust then constrains government in the implementation of water policy.

Processes that embrace a more inclusive approach build public trust, result in less contested and more effective water policy, facilitate new approaches to water management and decision-making, and increase community water literacy and stewardship.

## 1.2 What does success look like?

A successful water planning process leaves stakeholders feeling that the process was transparent, inclusive and considered. It also leaves stakeholders with greater understanding and acceptance of the evidence and the adaptive process that will facilitate incorporation of new evidence as it emerges. The process may not result in stakeholders being entirely satisfied with the planning outcome, as it is likely all parties will need to compromise, however it builds acceptance of the planning process.

The NT has an opportunity to demonstrate the benefits of collaborative planning including increased stakeholder buy-in, improved decision-making, and more holistic and adaptive water planning. Being less developed, the NT can learn from the successes and failures of other more developed regions.

## 1.3 The Western Davenport experience

The Western Davenport region presents a challenging water planning environment. From Watertrust's first involvement there was already substantial dissatisfaction and breakdown

of trust. This poses a risk for the effective implementation of the new plan, and for stakeholder engagement with future water management processes.

This report does not attempt to map the history of water planning for the Western Davenport water control district – a very brief history is offered in Appendix C. Instead, this report considers the application of a water advisory committee as a key part of the water allocation planning process, based on the experience of the Committee and the Department in the development of the *Western Davenport Water Allocation Plan 2024 – 2027*.

The Western Davenport experience suggests that interest groups are united in their desire to work collaboratively and have greater influence on water planning processes. The Committee’s experience provides evidence that there are opportunities for improvement.

The Department aspires to a more collaborative approach to the development, implementation and review of water allocation plans. There is an opportunity to expand water advisory committee’s contributions beyond the plan development stage to participation in the full adaptive cycle of water allocation planning – development, implementation and review.

Adopting a more collaborative and enduring approach to water planning will offer wider public acceptance of the process and efficiencies in water management, but it will also be more resource intensive. For this approach to be successful there must be a clear understanding of resource requirements. Understanding resource constraints is important to avoiding increasing stakeholder frustration.

## 1.4 Objectives and structure of this report

Based on the Western Davenport experience, this report explores how the Department could work in partnership with diverse stakeholders in future to achieve publicly accepted, effective and efficient water planning outcomes. This report aims to:

- assist the Department and the Committee to improve the Western Davenport water allocation planning process and the engagement of the Committee in the implementation of the Plan;
- contribute to continuous improvement of NT water planning processes and the management of water advisory committees in other water control districts; and
- assist the Department and stakeholders across the NT in considering improvements to water planning processes relevant to the current regulatory reform process, including ongoing review of the NT Water Act.

 The Badu Report identified in July 2023 that “recent experiences in stakeholder engagement can be used to identify and inform a continuous improvement and adaptive management approach to future stakeholder engagement processes.”

The following chapters track the **establishment and functions, membership, influence and transparency**, and **wider context** of water advisory committees, grounded in the Western Davenport experience, and supporting the improvements proposed through this report.

Future improvements to water planning in the NT are of great interest to local stakeholders, as well as attracting growing national attention. The NTs water allocation planning process presents an opportunity for the NT Government to set a new benchmark for how to deliver effective, efficient and equitable water resource management.

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This report borrows from and aligns closely with two previous reports:

- Watertrust’s *Environment-Related Advisory Committees – pilot report on dimensions of diversity* by University of Melbourne, May 2024; and
- The Department of Environment, Parks and Water Security’s *Review of the NT’s implementation of the National Water Initiative in relation to water planning* (the Badu Report) by Badu Advisory, July 2023.

## 2. Water advisory committee establishment and functions

NT water advisory committees are established under Section 23 of the NT Water Act (1992). The Minister may establish a committee for the NT or a part of the NT or for a particular purpose. A water advisory committee's role in relation to a water allocation plan is to advise the Minister on the effectiveness of a water allocation plan in maximising economic and social benefits within ecological constraints, and any other functions as directed by the Minister.

Statutory arrangements and policy offer limited guidance for the establishment of a water advisory committee and its functions.

### 2.1 A framework for water planning

At the Minister's discretion, a water planning process may trigger the formation of a water advisory committee. The use of the provision to have water advisory committees is almost always applied. However, the interpretation of water advisory committees' make-up and function has fluctuated over time. This is, at least in part, a product of varying interpretations of the very limited guidance offered by legislation and policy.

The Committee did not explicitly identify the need for a stronger framework for water planning, but in compiling the lessons learned it became clear that a stronger framework for the establishment and operation of water advisory committees as a key part of the water planning process is a foundational step.

#### Short-term improvement – Number 1:

- ❖ **Develop a Water Planning Procedure to ensure a cohesive, inclusive and adaptable approach to the planning process, and consistent and efficient operations (see Appendix A for further detail).** A new NT Procedure can borrow from the current guideline under the National Water Initiative, the proposed outcomes and principles contained in the draft National Water Agreement, and the established procedures of other jurisdictions, tailored to the NT's unique context.

#### Future direction – Number 1:

- ❖ **Progressively develop a clear policy and legislative framework for effective engagement in planning processes;** including consideration of questions such as:
  - How can stakeholder engagement be more effectively embedded into water planning processes to ensure consistency, while not eroding necessary adaptability? For example, should there be mandatory public consultation processes?
  - How can the role of water advisory committees in water planning processes be more clearly defined to ensure advice is impactful, while managing stakeholder expectations? For example, should the legislation be more specific about the need to have a water advisory committee to develop, implement and review a water allocation plan?

- How can water planning processes optimise the exchange of knowledge? For example, should traditional and local knowledge be formally integrated into water planning processes?
- How do you protect a water planning process, including a water advisory committee, from the disruption of political or bureaucratic changes? For example, how does policy and legislation ensure the building and maintenance of a sense of shared purpose that endures?

## 2.2 Acknowledging diverse values and building social licence

The Committee agreed that its primary function was to ensure that the water allocation planning process was adequately informed by diverse community values. Confidence in the plan and social licence for associated economic development outcomes is built through acknowledgement of both in situ values and extractive values.

The Committee remains concerned that the plan doesn't adequately identify or protect community values. This has led to a feeling that the Committee was constrained in performing its function, and some members even felt that the Committee's engagement in the water allocation planning process was not meaningful.

The Western Davenport experience demonstrated the importance of having a water advisory committee in a planning area where levels of development are low but might exponentially increase within the planning cycle. In such circumstances the impacts of extraction can only be estimated (for example through modelling) and risk-based value judgements must be made. Such value judgements increase the importance of stakeholder input into the application of precautionary principles and the negotiation of trade-offs.

Active Committee participation in the identification and management of diverse and sometimes conflicting values might have increased the likelihood that the final decisions would be supported by a broader range of stakeholders. Instead, the Committee felt there was a pursuit of consensus support for a predetermined plan.

The Committee also perceived itself as a conduit between government and the community, tasked with providing advice to ensure that the Plan was informed by, and tested with, the public. Several members of the Committee felt severely limited in their capacity to perform this function due to a confidentiality clause in the Committee's Terms of Reference.

### Short-term improvement – Number 1:

- ❖ **Develop a Water Planning Procedure that includes – clarity concerning the role of water advisory committees in presenting different views**, and the absence of any obligation for members to agree with each other, or with government, or to endorse a plan.

### Future direction – Number II:

- ❖ **Increased water advisory committee influence on the water planning process; for example, structured input mechanisms** to maximise committee input into the risk assessment (towards the start of the planning process) and the negotiation of risk

management strategies and trade-offs (towards the end of the planning process).

**Feedback loops will increase responsiveness and accountability.** The diverse perspectives of a committee can help in recognising risks and solutions that might not be evident through technical analysis alone.

## 2.3 Committee governance

The Committee acknowledged that the role of the Department is very difficult. The Department provided most of the evidence for the water allocation planning process, the administrative support for the Committee, and had a deeply vested interest in planning outcomes that supported prior licencing decisions. The Committee felt there would be merit in separating these functions so far as possible.

The Department was present at all meetings and led discussion. This greatly exacerbated the concern that the Department was less interested in the Committee's advice and more interested in shifting the Committee's views to align better with governments position.

Several members of the Committee also felt that the record of meetings could more accurately and concisely capture the issues raised, decisions, and the degree of agreement. Committee members believed that, as members are representing wider stakeholder groups, it was critical for their position or dissention to be appropriately documented in meeting minutes.

The Committee raised a concern about the slow turnaround of key documentation, for example draft meeting minutes for ratification by the Committee and the availability of the Consultation Summary on the public record.

### Short-term improvement – Number 1:

- **Develop a Water Planning Procedure that includes – a water planning charter of engagement**, which defines the Department's minimum service standards, including the role, responsibilities and authority or influence of key staff (the Planner, the Director of Water Management, the Executive Director, and the CEO). This establishes a clear, shared understanding of the Department's functions and commitments, fostering more collaborative, respectful, and effective working relationships.

### Short-term improvement – Number 2:

- ❖ **Provide administrative support to water advisory committees through an Executive Officer employed by government but whose work is directed by the committee through the Chair.** This position would be responsible for meeting coordination and minute taking, allowing the committee a greater level of administrative independence.

### Future direction – Number III:

- ❖ **Effective facilitation of water advisory committees by Planners.** In this capacity, the Planner serves as an intermediary between committee members and government representatives, freeing up the Chair to focus on guiding the committee's deliberations and the government to be a stakeholder at the table.



### 3. Water advisory committee members

Neither the NT Water Act (1992) nor policy offers any guidance on the composition of a water advisory committee. Water advisory committees have traditionally been selected to achieve representation of the stakeholders with an interest in a water resource. There is also often an attempt to incorporate desirable skills or expertise through the membership selection process.

The authority for decision-making in relation to water advisory committee membership clearly rests with the Minister. The process for replacing committee members or renewing membership is most commonly unspecified in committee terms of reference.

#### 3.1 Committee Chair

The role of the Chair in guiding effective and inclusive deliberations in an often highly contested environment requires a rare and exceptional skill set. Feedback from both the Committee and the Department suggested that this appointment is perhaps the most crucial factor in steering the process to a broadly supported outcome.

The Western Davenport experience demonstrated the importance that the Chair is perceived to be independent. While the Chair is appointed by the Minister and remunerated by the Department, they must act as an impartial facilitator. Members of the Committee felt that the Chair was not independent, and many members expressed concern that the Chair was pushing a Department agenda.

##### Short-term improvement – Number 1:

- **Develop a Water Planning Procedure that includes – a water advisory committee Chair role description**, including a job description and fact sheet describing what the position involves and who it reports to and a defined selection process.

##### Short-term improvement – Number 3:

- ❖ **Delegate the responsibility to select a water advisory committee Chair**, for example to the proposed Strategic Water Advisory Council, **to increase the transparency of these selection processes. The delegated party would provide advice to the Minister to inform the final decision.**

##### Future direction – Number IV:

- ❖ **Increased water advisory committee independence; for example:**
  - **a more transparent Chair appointment process**, for example an EoI process with appointment by a recruitment panel (including members of the committee where possible, or at least diverse non-government panellists); and/or
  - **allocation of resources to the Chair**, for example to source administrative support, allowing a committee a higher level of independence from government and increasing clarity concerning government's role in the water planning process.

## 3.2 Committee members

There was a relatively low level of transparency in the appointment of the Committee. An open Eol process was supplemented by direct approaches to candidates.

The Committee praised the membership selection, which represented diverse interests and brought together people who were genuinely able to work back to their constituencies, follow the science and work together. However, the lack of clear guidance for the composition of water advisory committees made the success or failure of the appointment process vulnerable to the circumstances influencing decision makers.

The Committee supported a combination of individual and ex-officio appointments. Ex-officio members are accountable through their role, are more able to absorb the scale of commitment, and help to connect the water planning process to a wider framework of activity. Individual appointments connect the water planning process to place and may facilitate the filling of specific expertise or experience gaps.

In other settings, Ministerial appointment is the most common scenario for the establishment of advisory committees. However, there are Australian precedents for the appointment of members by other mechanisms, for example a committee under the Lake Eyre Basin Intergovernmental Agreement is appointed by an intergovernmental group. There are rare precedents for markedly different mechanisms. For example in the western U.S. members of advisory committees are commonly selected by election.

### Short-term improvement – Number 1:

- ❖ **Develop a Water Planning Procedure that includes – a representative structure for water advisory committees**, acknowledging the need for a defined member selection process and the benefits of both individual and ex-officio membership (maximising broad and consequential engagement of residents, traditional custodians, consumptive users, peak bodies and experts).

### Short-term improvement – Number 3:

- ❖ **Delegate the responsibility to select water advisory committee members**, for example to the proposed Strategic Water Advisory Council and the proposed Aboriginal Water Advisory Council, **to increase the transparency of these selection processes. The delegated party would provide advice to the Minister to inform the final decision.**

### Future direction – Number V:

- ❖ **More tailored and flexible water advisory committee membership structures; for example, rotating membership, different deliberative processes** (appropriate to the complexity of the issue and the level of participation required), **the use of sub-committees, and the establishment of an impartial membership selection and review committee.**

### 3.3 Aboriginal representation

Both the Committee and the Department reflected that the Western Davenport water allocation planning process would have been improved by increased Aboriginal representation.

The Western Davenport experience demonstrated the need for specific effort in improving Aboriginal engagement. Water planning must account explicitly for the profound interests of Aboriginal people, for whom water is not a resource but a living entity with deep spiritual and cultural significance. Aboriginal people also hold exceptional knowledge of NT water resources, generations of observation and experience recorded in complex cultural practices.

Committee members identified the need for active and sustained collaboration with land councils to address the lack of engagement of Aboriginal people in water planning.

While the need for strong Aboriginal representation was widely agreed, the strategies for achieving effective engagement were not. There is no simple solution to ensuring strong representation of complex Aboriginal interests, and across the NT the best model in one planning area may not be right for another. There is a considerable body of research on this topic, including CAWI, NAILSMA and other resources provide at the end of this report.

Unpacking the challenge of a more pluralistic approach to water planning will occur in the context of broader policy, particularly Closing the Gap.

#### Short-term improvement – Number 1:

- ❖ **Develop a Water Planning Procedure that includes – a commitment to increased Aboriginal membership on water advisory committees**, coupled with strategies to increase the participation of Aboriginal people in committee deliberations and related activities (including caucus outside of committee meetings).

#### Short-term improvement – Number 4:

- ❖ **Commence the membership selection process early to facilitate legitimate partnership with the relevant land council(s) who are responsible for identifying Aboriginal members with the cultural authority to speak for Country.** This may be best facilitated through water engagement positions within the land councils concerned with fostering ongoing partnerships with traditional owners.

#### Future direction – Number VI:

- ❖ **Representative Aboriginal membership, including consideration of key questions surrounding optimal Aboriginal engagement in water planning processes** such as:
  - Should Aboriginal input into the water planning process be separated out; or is there benefit in a forum for cross-stakeholder deliberation?
  - Should Traditional Owner groups be fully represented on a water advisory committee; or should a handful of Aboriginal members link a committee to a parallel Aboriginal-only committee?

- Should Aboriginal representation be proportional to the number of Aboriginal people residing in a water planning area, or to Aboriginal land ownership?
- How can the NT show leadership nationally and globally in realising truly best-practice pluralistic water resource management?

## 4. Water advisory committee influence and transparency

Water advisory committees have an advisory rather than decision-making function. The Minister may dismiss a committee, or a committee member, at any time and without reason. Committee advice is not binding on the Minister or the Department, nor is there any mandate to consider it. The functions of a committee are determined by the Minister. By informal delegation this authority passes to the Department who write the terms of reference and decide what a committee considers. In these ways, water advisory committees are weak in terms of formal power.

However, water advisory committees can influence decision-making, particularly where the committee's advice represents strongly and widely held stakeholder views.

NT water advisory committees have a mixed level of transparency. Committee membership, terms of reference and meeting minutes are available on the public record. However, the establishment and operation of committees is less transparent. Statutory arrangements and policy offer limited guidance for procedural transparency.

### 4.1 Enhancing the link between committee advice and decision-making

The Western Davenport experience highlighted that the Committee's function – particularly the true contribution or consequence of a water advisory committee's advice in relation to a water allocation plans development, review or implementation – needs to be clearer.

The Committee understood its function was advisory. However, there was a sense that deliberations were constrained by parameters that were not explicitly identified. This led to the perception that, even when the Committee was unified in its advice, there was weak acknowledgement. Ultimately, the Committee did not feel that the Draft Plan reflected widely shared and clearly expressed community values.

The Committee stated in its final advice to the Minister: “We recommend that Government be much more transparent with the Territory community about the role of public consultation in each water planning process and the way community views will be incorporated into planning.”

A ‘decision charter’, an agreement negotiated between government and a water advisory committee, may assist in clearly setting expectations around the function of a committee and the influence it might have on the water planning process and the content of a plan (see Appendix B for further detail). Greater clarity has value to the Department, to a committee, and to wider stakeholders who have had limited visibility of planning processes.

The Committee felt that a decision charter's value might be in communicating the ‘rules of engagement’ between a water advisory committee and the Department, as such the negotiation of a decision charter would need to be facilitated by an independent third party. The Committee expressed concern that a poorly managed decision charter process could exacerbate the imbalance of power.

The Committee raised a concern that there was a very unclear advice and decision-making hierarchy. The Committee did not engage with the Minister until the very end of the process, prompting radical changes to the Draft Plan after three years of drafting and circulation for public comment demonstrating wide public concern. A decision charter might provide important clarity around who seeks, considers and employs a water advisory committee's advice.

This was a practical demonstration of the (unspecified) role of a water advisory committee in sharing the burden of value judgements when modelling, rather than monitoring or 'hard science', is the primary source of understanding about how a resource will respond to increasing levels of extraction.

The Western Davenport experience demonstrates the potential influence a water advisory committee can have, but it also demonstrates the potential for political volatility in the current water allocation planning process. Volatility undermines good process and points to the need for greater rigour in the legislative and policy framework. Improvements to the process would ideally mean a more iterative approach to the development of a water allocation plan, not a final advice to the Minister resulting in radical last-minute changes.

#### Short-term improvement – Number 1:

- **Develop a Water Planning Procedure that includes – identification of the parts of the planning process that a water advisory committee's advice is likely to influence** (at a high level, a 'decision charter' allows for more place-based and detailed consideration of committee influence).

#### Short-term improvement – Number 5:

- ❖ **Negotiate a 'decision charter' to provide clarity about the potential for (and constraints on) a water advisory committee's input into a draft plan or plan review (see Appendix B for further detail).**

#### Future direction – Number VII:

- ❖ **Expanded 'decision charter' negotiations; for example, a codesign approach to the water planning process and decision-making principles customised to meet the needs of a specific water control district.** Understanding that the Minister, and by delegation the Department, are responsible for delivering on the legislation and this responsibility cannot be handed over.

## 4.2 Sources of information / knowledge

There is an important role for a water advisory committee in identifying and evaluating evidence, including recognising the importance of local contextual knowledge (including traditional water knowledge) for good water management. Embracing this as part of a committee's role significantly contributes to strengthening community trust.


Most information provided to the Committee was generated by the Department. The Committee highlighted that the provision of advice to a committee, in order for them to provide advice, is dangerously circular.

The Western Davenport experience demonstrated the challenge of achieving shared trust in the evidence-base. Key pieces of information were delivered as a fait accompli or delayed. For example:

- The Draft Plan was informed by a technical assessment of the capacity of the resource to support consumptive demands, modelling was fundamental to this process and the Committee was asked to place its trust in model predictions.
- Wider information collection and analysis to inform the water planning process, particularly the negotiation of trade-offs, was delayed due to time and resource limitations. In particular, the critical cultural values assessment is scheduled as part of the Plan's implementation phase meaning that these values could not influence the development of the Plan.

The information exchange was particularly challenging when members of the Committee questioned advice they were provided by the Department. Occasions were identified when alternative sources of information were not brought to the table and integrated into the process.

Some members of the Committee felt there was inadequate acknowledgment that science and modelling involve uncertainty and judgement. Some also felt constrained in evaluating the evidence provided, both through alternate expert sources and with their constituencies due to the previously mentioned confidentiality clause in their Terms of Reference.

 The Badu Report highlights the 2022 advice to “publish more detailed information on how water planning activities are carried out in the Territory and how these will be applied to priority water resources”.

#### Short-term improvement – Number 6:

- ❖ **Support water advisory committee members to understand, contribute to and test the available evidence, including ensuring adequate time to consult with their community, stakeholders and experts.** Strengthen the link between evidence and decision-making through the critical assessment of a diversity of information from a diversity of sources, particularly where knowledge of resources is limited.

#### Short-term improvement – Number 7:

- ❖ **Ensure information is publicly available whenever possible** (including resource modelling inputs and outputs, monitoring data and analysis, progress reports and scientific assessments), **contributing to building public confidence in water planning decisions and their implementation.**

#### Future direction – Number VIII:

- ❖ **Better methods for sharing information; including consideration of how to make knowledge of a resource and impacts on it more accessible;** with emphasis on supporting meaningful stakeholder participation in water planning processes,

translating knowledge into adaptive resource management, and building public confidence. Noting, importantly, that the sources of knowledge are diverse (for example Western science, Aboriginal knowledge, or ‘citizen science’).

### 4.3 Confidentiality and conflict of interest

The Committee performs a ‘representative’ function, which has implications for principles of confidentiality and conflict of interest. The members of the Committee necessarily had an interest in the Western Davenport water resource. In this context water advisory committee terms of reference need to reflect practical requirements relating to the disclosing of interests.

Furthermore, the Committee’s representative function is in recognition of specific stakeholder and wider public interest in the allocation and management of water. It follows that stakeholders and the wider public will expect, and should have, visibility of water planning processes.

The Committee felt that a core part of its function should have been to share information, seek input about community values and interests, and ensure this information was communicated back to government. As previously mentioned, there was a confidentiality clause in the Committee’s Terms of Reference. While the Committee acknowledged that some deliberations may need to be in closed sessions and some documents may need to be confidential, it was felt that the process should be as open as possible.

Public dissatisfaction with the Western Davenport water allocation planning process emphasises the need for a high level of transparency.

#### Short-term improvement – Number 1:

- ❖ **Develop a Water Planning Procedure that includes – additional ways to increase transparency,** (for example information that might be added to the public record includes water advisory committee decision charters and committee advice to the Minister).

#### Short-term improvement – Number 8:

- ❖ **Altered terms of reference that require water advisory committee members to act as a conduit for wider community engagement in the water planning process.**

#### Future direction – Number IX:

- ❖ **Increased transparency of water advisory committee deliberations; for example, making meetings more open to the public** to increase the accountability of participants in the water planning process and to foster wider understanding of the planning process and informed public participation. For example, some meetings, or parts of meetings, could be observed by the public via teleconferencing (ensuring no disruption to proceedings).



## 5. Water advisory committee wider context

Water planning is a cyclical process. It facilitates continuous learning and improvement to ensure current priorities and risks are addressed and future priorities and risks are proactively identified so far as possible.

### 5.1 Enduring committees

The Committee felt that its participation in the full planning cycle (plan development, implementation and review) was important to ensure accountability and facilitate adaptive management of the water resource.

Historically most water advisory committees were formed to perform a discrete task, to develop or review a plan. They have consequently traditionally had a limited term and were dismissed once the specified task was completed. The aspiration for water advisory committees to be involved in plan implementation arose at least as early as 2007, however there remains very limited evidence of water advisory committee engagement in the full planning cycle.

It is widely acknowledged that best-practice water planning requires the active participation of stakeholders throughout the phases of planning – development, implementation and review. Whatever past challenges have prohibited this level of engagement need to be explicitly identified and addressed if the aspiration for a continual planning process, supporting adaptive management outcomes, is to be realised.

The Western Davenport demonstrates the particular challenge of collaborative water planning when the adaptive management timescale is long.

The 10 year timeframe of the Draft Plan was adjusted to 3 years in acknowledgement of stakeholder and public concerns, concerns voiced by the Committee and stemming from the fact that the critical evidence necessary to define an Estimated Sustainable Yield and negotiate trade-offs is still emerging. However, water moves slowly through this aquifer and there may be a 15-30 year lag between extraction and impact. Similarly, any adjustments to extraction to address unacceptable impacts may take another 15-30 years to take effect, assuming the impacts are reversible.

The risk posed by these lag times is exacerbated by large step-changes in extraction, which is a very real risk in the Western Davenport given the pace of staged water extraction enabled by existing licencing. In this context application of precautionary principles is particularly important, and it is clear to see that critical evidence synthesis and decision-making will occur over decades based on close monitoring of the water table in the context of changing conditions.

The Western Davenport experience is that water advisory committee participation in the planning process must be enduring in order to meaningfully guide water resource management, as critical adaptations have occurred and will continue to occur during the implementation of water plans and through policy changes that supersede water plans.

Effective management of the Western Davenport water resources requires stability of relevant institutions over 30-plus years. However, the history of the Western Davenport is one of volatility and multiple water advisory committees formed and dissolved over the 14 years since the water control district was declared. More stable and robust governance systems will produce better planning outcomes.

Very significant changes occurred between the term of the current Committee and the term of the prior committee. Trade-offs were cemented in policy and allowed for an increase in licenced water without stakeholder or public input. This led to a concern within the Committee that the Estimated Sustainable Yield was being influenced more by existing consumptive commitments than by precautionary principles, and the planning process was described as ‘retrospective’.

The Committee felt that decisions made by the Department in the absence of a water advisory committee were effectively setting new non-negotiable and potentially irreversible parameters for the management of the resource.

During the Plan’s development the Department suggested that, while the government plays the primary role in determining the parameters for sustainable and equitable water use during the development of a plan, stakeholders would apply their detailed knowledge of the region and contribute to the process of expanding, evaluating and improving those parameters during the implementation of the Plan.

However, following completion of the Draft Plan, the Committee understood that they were going to be dismissed rather than provide advice on the implementation of the Plan as described in their Terms of Reference. The Minister later confirmed that the Committee would continue, with membership refreshed and expanded but an emphasis on maintaining continuity to ensure momentum and knowledge is not lost. There has since been a change of government creating further uncertainty around the future of the Committee.

The Western Davenport experience powerfully highlights the problem when water advisory committees are not enduring. No other water control district in the NT has seen such a rapid shift in demand for water. This rapid change has driven the need for policy and planning adjustment, while also creating extensive public interest and concern. It is useful to consider how the Western Davenport experience might have been different had a water advisory committee played an enduring role in the development, implementation and review of plans from the declaration of the Western Davenport water control district in 2009.

♥♥ The Badu Report identified that “planning can only be successful ... if stakeholders remain meaningfully engaged from an early point in the planning process all the way through to the implementation phase”. Further, “sufficient time must be allowed at the outset when designing NT’s water planning processes and timeframes to enable effective stakeholder engagement and, ultimately, acceptance and ownership of planning outcomes”, this “will also help to reposition stakeholders as partners working with [the Department] when implementing water planning outcomes”.

### Short-term improvement – Number 1:

- ❖ **Develop a Water Planning Procedure that includes – a member renewal process for water advisory committees**, maximising both representation and the effectiveness of a committee, and including a commitment to seek advice from the existing committee. There is precedent for terms of reference that identify the value of an existing committee receiving membership nominations in the first instance and making a recommendation to the Minister.

### Short-term improvement – Number 9:

- ❖ **Publish an annual evaluation of progress against the implementation actions in each water allocation plan, including a statement from the relevant water advisory committee providing its assessment of the progress made.**

### Future direction – Number X:

- ❖ **Water advisory committee participation in the adaptive management of water resources; for example:**
  - **effective and efficient committee engagement in the full planning cycle**, from plan development through implementation to review;
  - maintaining continuity of committee membership over time, which also supports capacity building;
  - **committee input into key water planning processes above and beyond the development and review of plans** including plan implementation, cultural values assessments, social and economic assessments, the development and implementation of the science program, and strategies to foster continuous improvement.

## 5.2 Committee structure and linkages

The Committee strongly agreed that the water advisory committee model should be driven by the need for meaningful engagement in the management of NT water resources.

A water planning process should set broadly endorsed parameters for place-based water policy. Some Committee members felt a significant disconnect between the water planning process and opportunities to inform directly related policy, and ultimately address issues that matter deeply to the community. For example, the calculation of environmental water based on storage volume, rather than groundwater levels, did not offer the confidence members were seeking about the protection of water dependent environments.

The Committee also identified a potential conflict in a single government agency providing both water licencing and water planning functions. Full separation of these functions may not be realistic in a small jurisdiction, but the Western Davenport experience demonstrates that a water advisory committee's support for a water allocation plan can offer critical third-party validation – so long as the plan is supported by the committee and licensing decisions are consistent with the terms outlined in the plan.

It was also suggested that having each water advisory committee operate in isolation of all other committees was not maximising potential. There would be value in facilitating links between water advisory committees, acknowledging connectivity across water control districts.

The Territory Water Plan describes multiple advisory committees with a role in water management – water advisory committees, a proposed Strategic Water Advisory Council, and a proposed Aboriginal Water Advisory Council. It is necessary to consider the linkages between these committees so that they can be collectively leveraged for the best possible NT-wide water management outcomes.

Further, it was suggested that more purposeful linkages between water advisory committees and other parallel or wider government and non-government processes need to be considered. Because of the broad ramifications of water planning, it is important to foster linkages to other water resource management, environmental protection and regional development decision-making processes.

There is much to be learned from approaches to integrated catchment management elsewhere, facilitating the sustainable management of natural resource systems and human dependencies on those systems. A more holistic approach would allow water planning to be informed by, and help realise, a long-term and shared vision for each water control district and the NT broadly.

#### Short-term improvement – Number 1:

- ❖ **Develop a Water Planning Procedure that includes – water advisory committee engagement linkages**, including strategies for connecting to other water advisory committees.

#### Short-term improvement – Number 1:

- ❖ **Develop a Water Planning Procedure that includes – wider functions for water advisory committees**, including advising on policy, regulation and parallel or wider processes (for example input into place-based water policy and generic licence conditions).

#### Future direction – Number XI:

- ❖ **An integrated water management framework; fully aligning policy and licensing against objectives described in a water plan, and embedding water advisory committees into a wider planning structure.** Effective governance of water depends on a ‘bird’s eye view’.

## 6. Conclusion

Ensuring the consequential participation of stakeholders in water planning is not a simple matter. However, Australia's water reform journey demonstrates that enduring progress comes from more inclusive decision-making processes. Collaborative water planning takes time and may increase initial costs; but in the longer-term it helps reduce overall costs by identifying shared and workable objectives, increasing effective implementation, growing support and reducing conflict, and enhancing public good outcomes.

Watertrust is acutely aware of the challenges governments face in engaging stakeholders in decision-making and building workable agreements in the context of conflicting values and finite water resources. This report offers a broad guide for future NT water advisory committee reform, understanding that the process of improvement is continual.


Watertrust makes suggestions for **short-term improvements** and **future directions** rather than explicit recommendations and acknowledges the challenge of resourcing and enhancing capacity for a more collaborative approach to water planning. We seek to present options to inform collective efforts to identify the best and preferred pathway forward.

This report has focused on the Western Davenport water allocation planning process. Watertrust is interested in broadening the scope of this work to other NT water advisory committees in acknowledgement that every planning process has unique characteristics and challenges. Additionally, or alternatively, Watertrust is poised to support the delivery of the improvements proposed through this report.

The current water reform process, and particularly the review of the NT Water Act (1992), offers an opportunity to consider improvements to water planning to ensure the best possible interaction of planning, policy, licencing, economic development and environmental protection. Such changes could address the concern that plans have limited or unclear influence and build public trust. This is a critical juncture for examining potential improvements to NT water management broadly.

Watertrust sees enormous potential in the NT's rapidly maturing regulatory landscape. We recognise the invitation to contribute these insights on the water allocation planning process as an opportunity to build a foundation for a broader contribution to the NT's emerging and potentially standard-setting water management framework. The **short-term improvements**, particularly a Water Planning Procedure (described in Appendix A), offers a practical and achievable next step.

In the spirit of continuous improvement there is still much to be done in pursuit of a best-practice partnership approach to water planning. It is important to recognise however that

 In relation to the NT Water Act (1992) the Badu report says, "it does not provide all the necessary mechanisms for best practice water resource management in the current context of climate change, growing competition for water and community expectations around governance and accountability".

in having an established water allocation planning process which includes water advisory committee's the NT is already setting a high standard. In presenting this report Watertrust hopes to help chart a path forward, lifting the bar higher by leveraging the knowledge gained from experience.

## Appendix A: The Framework – key elements of a Water Planning Procedure

A Water Planning Procedure would provide a framework for water planning across the NT, ensuring that water planning is cohesive, inclusive, and adaptable and supports the sustainable and equitable management of water resources. Because each planning process is unique it would offer a minimum standard rather than a comprehensive guide.

All parties to the water planning process are treated as integral to the process, as such a water advisory committee's establishment and operation is described within the Water Planning Procedure and not in a separate guideline. As previously described, the procedure can be customised through 'decision charter' negotiations between the Department and a water advisory committee. Such negotiations would ideally occur at the start of each committee process in each water control district and be revisited on a needs basis.

The Water Planning Procedure could have the following broad structure:

### Principles

A framework for water planning:

- providing a shared understanding of the process
- ensuring the alignment of planning and policy
- enabling a place-based approach within a defined framework
- supporting longitudinal (long-term) planning and adaptive management
- defining resourcing and maximising efficiency and effectiveness
- fostering stakeholder collaboration

### Stakeholders

Definition of the key stakeholders, their roles and responsibilities, and their level of authority or influence in relation to the water planning process:

- NT Government – including:
  - a water planning charter of engagement, which defines the Department's minimum service standards, including the role, responsibilities and authority or influence of key staff (the Planner, the Director of Water Management, the Executive Director, and the CEO)
  - the role, responsibilities and authority or influence of the Controller of Water Resources
  - the role, responsibilities and authority or influence of the Minister
- Water Advisory Committees – including:
  - a Chair role description, including a job description and fact sheet describing what the position involves and who it reports to and a defined selection process

- a representative structure, acknowledging the need for a defined member selection process and the benefits of both individual and ex-officio membership (maximising broad and consequential engagement of residents, traditional custodians, consumptive users, peak bodies and experts)
- a commitment to increased Aboriginal membership, coupled with strategies to increase the participation of Aboriginal people in committee deliberations and related activities (including caucus outside of committee meetings)
- a member renewal process, maximising both representation and the effectiveness of a committee, and including a commitment to seek advice from the existing committee
- clarity concerning the role of the committee in presenting different views, and the absence of any obligation for members to agree with each other, or with government, or to endorse a plan
- identification of the parts of the planning process that a committee's advice is likely to influence (at a high level, a 'decision charter' allows for more place-based and detailed consideration of committee influence)
- engagement linkages, including strategies for connecting to other water advisory committees
- wider functions, including advising on policy, regulation and parallel or wider processes (for example input into place-based water policy and generic licence conditions)
- wider stakeholders – including experts, peak bodies, other agencies, etc

A stakeholder engagement plan maximising collaboration and transparency concerning:

- values assessments (social, cultural, economic and environmental), enabling the best possible alignment of regional development outcomes and community priorities
- complex negotiations, enabling a shared precautionary position, and the negotiation of limits of acceptable change and trade-offs
- prioritisation of water planning, enabling planning processes to be adjusted to the level of development (setting planning effort relative to risk)

Identify where engagement processes sit on the International Association for Public Participation (IAP2) spectrum and align with the NT Government *Remote Engagement and Coordination Strategy* to help ensure culturally appropriate engagement.

Ensure information is on the public record whenever possible.



## Water Resource Assessment and Management

A strategy for progressive understanding of the resource and consumptive demands, supporting adaptive management outcomes:

- water resource assessment, including baseline and ongoing investigations (integrating scientific and local knowledge), modelling, monitoring, analysis, data management, reporting, and record keeping
- risk assessment, including capturing the diversity of values and interests, different risk perceptions and appetites, the range of assumptions and uncertainties, risk mitigation strategies, and risk management tools
- regulation and compliance, including demand management and emergency response protocols (for example Annual Announced Allocations, trading and water restrictions), and capacity building

## Water Planning Process

A step-by-step action plan for water management operation, documented against an anticipated timeline for the planning cycle, including:

- establishment – declaring new water control districts and initiating the water planning process, including establishing an enduring water advisory committee
- development – drafting a new water plan including setting objectives, defining the Estimated Sustainable Yield, and identifying water management arrangements and adaptive management strategies
- implementation – delivering on the water plan implementation actions, including adaptive management targets / thresholds / triggers, and publicly reporting on progress (annual evaluations)
- review – scheduled or in response to an adaptive management target / threshold / trigger, evaluating the water plan against clear criteria, and publicly reporting on progress (review report)

Procedures for how water is managed outside of areas with water plans.

## Appendix B: Introduction to a Decision Charter in the context of Water Planning

A decision charter establishes an enabling environment for stakeholders to collaboratively explore a complex issue, such as water allocation planning. It aims to do this by ensuring there is a shared understanding among stakeholders on:

- the scope of the decision(s) under consideration (what's in and out of scope)
- the roles of decision-makers and stakeholders in the decision(s) and processes by which they will be involved (who will be involved and how)
- the decision-making process (what will be the inputs to the decision(s), how will matters be considered, and how will this inform the decision(s))
- the anticipated deliverables and outcomes at the end of the process

### A Decision Charter for Water Planning

A decision charter would assist in clearly outlining the purpose and functions of a water advisory committee. While an advisory body does not make decisions, its advice contributes to the process by which decisions will be made.

Water allocation planning will include identifying, exploring and assessing a broad range of water related knowledge and values with the aim of providing guidance and recommendations to the Minister on the following:

1. Investigate the diverse water related values, impacts of different levels of extraction, and potential trade-offs to inform decision-making.
2. Determine the recommended Estimated Sustainable Yield for the relevant water resource(s) and targets / thresholds / triggers to protect associated values.
3. Identify the governance arrangements and further investigations required to ensure effective adaptive management of the water resource(s).

### Draft Decision Charter Principles

Principles are negotiated and agreed during the process of developing a Decision Charter, however these are some proposed draft principles based on the findings of this report:

*Evidence-based decisions* – Water planning is complex and decisions will include trade-offs and consequences. To make sound decisions it is important to understand these trade-offs and consequences, along with the benefits, based on available evidence. A range of expertise, not a single source, is required to make an informed decision.

*Collaboration and stakeholder input* – Stakeholders will have opportunities for input during the development, implementation and review of a plan. This approach is more likely to deliver better outcomes through the multiple insights provided and

increase the likelihood of success through outcomes being owned and accepted by stakeholders.

*Transparency and accountability* – Decisions will be made through a clear and structured process and information will be shared with stakeholders throughout.

*Recognition of trade-offs* – The process will recognise that there are multiple diverse values, and the benefits of addressing value-based trade-offs explicitly.

*Adaptive* – Planning will be adaptive, recognising the complexity of water management. At times there may be a need to revisit an earlier decision or consider an alternative approach. Adaptive planning will reduce the risk of unintended consequences and the loss of stakeholder support.

## Appendix C: Concise History of Western Davenport Water Planning

YEAR	EVENT	ESY - Central Plains Zone ML / year	Licenced Allocation ML/year
2009	Water control district declared.		
2011	First Water Allocation Plan (WAP) 2011-2021 declared.	27,000	
2015			7,954
2017	Western Davenport groundwater model developed.		8,354
2017	Water Advisory Committee (WAC) formed.		
2018	WAP 2018-2021 declared.	87,720	8,604
2020	Groundwater Dependent Ecosystem Guidelines introduced to address the impact of increased extraction.		49,604
2021	WAP 2021-2022 declared to allow more time to develop a new plan. A new WAC formed.	87,720	
2022	WAP 2021-2022 expired, leaving the region without a plan.		51,704
2023	Draft 2023-2033 WAP released for public comment.	81,500	
2024	WAP 2024-2027 declared. Significantly revised from the 2023 draft.	62,914	
2024	WAP 2024-2027 revoked. WAP 2024-2034 declared. WAC dismissed.	81,500	

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