
Understanding fairness perspectives in water planning

A synthesis of Mount Lofty Ranges
stakeholder conversations

September 2026



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Australia** Ltd

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Language and terminology

This report uses the term Aboriginal when referring to First Nations communities with cultural connections to water in the Mount Lofty Ranges. This reflects the specific geographic and cultural context of this work and our understanding of the general local preference for this terminology. Watertrust acknowledges that terminology preferences vary among individuals and communities. Where this report uses Aboriginal as a collective term, it does so with the understanding that it encompasses distinct Nations, cultures, languages, and relationships to Country.

The term stakeholder is used throughout this report to refer to the diverse individuals, organisations and communities with interests in water in the Mount Lofty Ranges. This includes Aboriginal peoples and organisations. Watertrust acknowledges concerns about this terminology and recognises that stakeholder does not adequately capture the distinct nature of Aboriginal peoples' relationship to water. The term is used for readability only and is not intended to imply that all interests or relationships to water are equivalent.

Contribution

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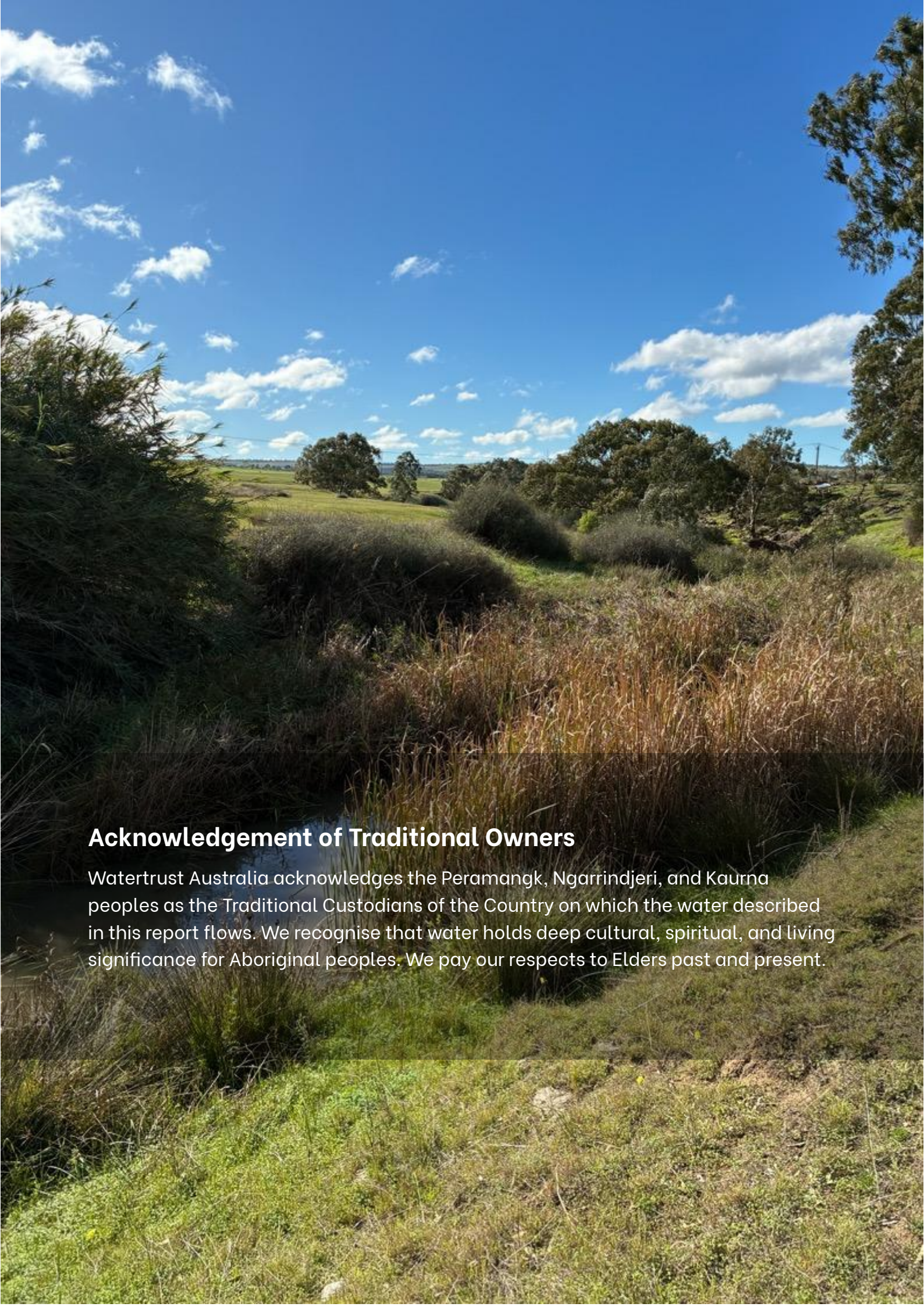
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Acknowledgement of Traditional Owners

Watertrust Australia acknowledges the Peramangk, Ngarrindjeri, and Kaurna peoples as the Traditional Custodians of the Country on which the water described in this report flows. We recognise that water holds deep cultural, spiritual, and living significance for Aboriginal peoples. We pay our respects to Elders past and present.

Table of contents

1	Executive Summary	8
2	Context and purpose	11
2.1	Policy context	11
2.2	Role of Watertrust Australia (Watertrust)	12
2.3	Scope	12
2.4	Limitations	13
2.5	Report structure	14
3	What we mean by fairness	16
4	Approach	18
4.1	Geographic context	18
4.2	Who we heard from	18
4.3	Method	19
5	Key themes	21
5.1	Theme 1: Surface consensus, underlying division	21
5.2	Theme 2: Separating connected parts	21
5.3	Theme 3: Finding a shared evidence base	22
5.4	Theme 4: Appetite for a more inclusive process	22
5.5	Theme 5: History is an active constraint	23
5.6	Theme 6: Finding workable agreements	24
6	What we heard: Problem definition	25
6.1	Shared elements of the problem	25
6.2	Where problem definitions diverge	27
6.3	Is the planning scope the problem?	29
7	What we heard: Fairness in outcomes	32
7.1	What water should support	32
7.2	Competing conceptions of fairness	34
7.3	Key tensions and trade-offs	36
8.1	Who should be involved	39
8.2	How engagement should occur	40

8.3	Governance and the role of Water Allocation Plan Advisory Committees (WAPACs)	42
8.4	Aboriginal participation	44
8.5	The role of science and evidence	45
8.6	What we heard – Fairness in the process for implementing the WAP	48
9	What we heard – Management options	53
9.1	Views on current settings.....	53
9.2	Options and their fairness implications	54
10	Implications for the WAP amendment process.....	58
10.1	Begin with a shared understanding of problem, outcomes and constraints	58
10.2	Build a shared, accessible evidence to support exploration.....	59
10.3	Design for genuine engagement.....	59
10.4	Design for layered participation.....	60
10.5	Use carefully designed WAPACs as a mechanism for structured input	60
10.6	Build in adaptive implementation from the start	61
11	Appendix A: Stakeholder conversation summaries	62
11.1	Frustrations shared across sector lines.....	62
11.2	Over-allocation and sleeper licences	66
11.3	Dams	68
11.4	Licensed and unlicensed water use	71
11.5	Environmental protection	72
11.6	Aboriginal water interests.....	73
11.7	Consultation design	75
11.8	Management options in depth	78
12	Appendix B: Deliberative processes: options and value for the amendment process	82
12.1	What makes a process deliberative?	82
12.2	Main deliberative process types and their fit for the amendment process	83
12.3	What the amendment process needs from deliberative design	84
12.4	A layered model	86
12.5	What deliberative design can and cannot do	86

1 Executive Summary

The Hills and Fleurieu Landscape Board (Landscape Board) has recently reviewed three Water Allocation Plans (WAPs) of the Mount Lofty Ranges that relate to its management area. All three were found to need significant updates. A multi-year amendment process has commenced that includes ongoing stakeholder engagement, with updated plans anticipated to be finalised in 2030.

Water resources in the region are under increasing pressure. Getting the amendment process right is critical for this important region.

Extensive research by Watertrust Australia (Watertrust) has highlighted the importance of developing an early understanding of the diverse perspectives of stakeholders in developing water plans. Watertrust conducted a series of semi-structured one-on-one and small-group conversations with a diversity of stakeholders of the WAPs. The conversations focused on the Bremer and Hindmarsh-Inman River Catchments to capture the diversity of views across the Mount Lofty Ranges. Thirty-three people from fifteen diverse groups participated.

It is important to note that the Landscape Board is responsible for developing and amending the WAPs. Watertrust is providing independent input to help ensure a well-designed amendment process that supports amended WAPs that are more broadly accepted by stakeholders.

What we heard from stakeholders is organised around six cross-cutting themes:

1. Surface consensus, underlying division
2. Separating connected parts
3. Finding a shared evidence base
4. Appetite for a more inclusive process
5. History is an active constraint
6. Finding workable agreements.

The conversations revealed both the difficulty of the challenge ahead and some genuine grounds for optimism. Almost everyone we spoke with acknowledged that water is under pressure and that the current water allocation planning framework is not addressing the challenge. But beneath this surface agreement lie fundamentally different understandings of the problem, shaped by where people sit in the catchment, what they depend on water for, and what they value. Importantly, most stakeholders also recognised that the problem extends beyond their own interests, with the shared challenge being critical to finding solutions that are broadly supported.

What was perhaps most striking was how much common ground emerged across sector lines on the flaws in the current planning framework. Stakeholders from differing positions independently described a planning framework that is too siloed to address the full range of pressures on water or to realise all opportunities for improved water management, does not adjust allocations to reflect actual use or reward efficient practice, and applies rules inconsistently. This shared critique, which may not be visible in a conventional engagement or sector-by-sector analysis, is significant. Rather than beginning from a position of entrenched conflict, the amendment process can begin from this shared recognition of weaknesses in the current planning framework to develop a shared understanding of the problem.

The conversations also suggest that communities are willing to engage with difficult trade-offs. What stakeholders need before they can do that is a shared, accessible evidence base, a process that is genuinely open, and confidence that the burden of change will be distributed fairly. History matters here: the failure of previous WAPs to address over-allocation has left a legacy of mistrust, and many stakeholders fear they will be asked to pay for a problem they feel government created and failed to fix. A process that does not acknowledge and address historical issues in a way that stakeholders consider to be fair, will struggle to build the trust it needs.

The pathway forward is a genuine open and collaborative process – one that maintains the important role of government as the decision-maker but that works with stakeholders using accessible science, starting with a shared understanding of the problem, opens the full range of management options to structured and transparent examination, and creates the conditions for workable agreements to emerge. Most stakeholders have never had the opportunity to deeply consider the science and data that describes the water context across their region and work with

1. Executive Summary

fellow community members to consider the breadth of possible options. Providing that opportunity comes with risk, but it is also the prerequisite for durable solutions.

“I think the community need to decide. It’s hard, it’s tough, but I think probably something like that needs to happen.” Conversation #13

This report is an early step. It is intended to inform the design of the WAP amendment process, not to determine policy positions or specific allocation outcomes. Further dedicated stakeholder engagement is essential and is already underway by the Landscape Board.

2 Context and purpose

2.1 Policy context

In South Australia, Water Allocation Plans (WAPs) are the primary mechanism for determining the distribution of and rules for water sharing between different uses and users, including communities, agriculture, industry, the environment, and Aboriginal peoples. In the Mount Lofty Ranges, three WAPs covering the Eastern and Western Prescribed Water Resources Areas and the McLaren Vale Prescribed Wells Area have been reviewed by the Hills and Fleurieu Landscape Board (Landscape Board). They are now being amended (between 2026–2030), with the amendment process to include ongoing stakeholder engagement.

The Landscape Board is the statutory authority responsible for developing and amending the WAPs, including the requirements set by the *Landscape South Australia Act 2019*. Their role includes ensuring that the WAPs meet legislative requirements around sustainable water resource management, while navigating competing community interests for water resources. The Department for Environment and Water (DEW) plays a complementary role as the state's lead water policy agency, providing scientific and technical support to the planning process, and also has responsibility for water licensing and compliance across the prescribed water resources.

The *Landscape South Australia Act 2019* requires only limited stakeholder engagement, with conditions for public consultation on a draft plan and notification of those licence holders directly impacted by changes. Policymakers regularly go beyond what the legislation requires, recognising the importance of providing the opportunity for stakeholders to have input. As highlighted by the findings in this report, a process that merely meets minimum legislative requirements is unlikely to produce outcomes that are broadly accepted, readily implementable, and endure over time. The case for a more ambitious process rests not on legal obligation but on the practical reality that well-designed, inclusive processes produce more durable outcomes.

The context for the amendments to the WAPs is challenging. The region's water resources are under considerable pressure. This pressure is intensifying due to a drying and more variable climate, growing urban populations, shifting industry demands, addressing the historical exclusion of Aboriginal peoples from water rights, and declining environmental health. Allocating less water to these competing interests will involve difficult trade-offs.

“We really need to be very clear, and everyone needs to be aware of the condition of the resource. It’s Murray Darling Basin at a micro level – there’s this much water, there’s only so much water for users and the environment. Some people are going to have to use less in order that others have more or the environment has more. Massively hard conversations.” Conversation #16

The 2022 to 2024 reviews found that the 2013 WAPs did not achieve their sustainable water resource management objectives (See [Review of the Water Allocation Plan for the Eastern Mount Lofty Ranges](#), [Review of the Water Allocation Plan for the Western Mount Lofty Ranges](#), and the [Review of the Water Allocation Plan for the McLaren Vale Prescribed Wells Area](#)). Our conversations have highlighted that previous processes of development and implementation have faced resistance where outcomes or processes were perceived as unfair. This has contributed to reduced trust between stakeholder groups and between stakeholders and government and ultimately reduced the effectiveness of the WAPs.

2.2 Role of Watertrust Australia (Watertrust)

Watertrust is an independent, not-for-profit organisation focused on improving decision-making processes in water and catchment policy. Our work is grounded in the evidence that well-designed inclusive processes produce outcomes that are more likely to be implemented and endure over time.

Consistent with our role, in this work Watertrust is not advocating for particular allocation outcomes. Our role is to:

- provide independent insight into stakeholder perspectives;
- support the design of processes that are considered to be fair; and
- create conditions for more constructive dialogue about complex trade-offs and WAPs that are more broadly accepted.

Watertrust is working alongside, not in place of or for the Landscape Board, who retain full responsibility for development, engagement and decision-making related to the WAPs. Watertrust’s contribution is to provide insights to support the design of the Landscape Board’s amendment process.

2.3 Scope

Extensive research by Watertrust has highlighted the importance of developing an early understanding of the diverse perspectives of stakeholders related to fair

process and outcomes in developing water policies (see [Fair enough: considering equity, fairness and justice in water policy](#)). Watertrust conducted a series of semi-structured, one-on-one and small-group conversations with a focus on stakeholders with interests in water in the Bremer and Hindmarsh-Inman River Catchments that are within the Eastern and Western Mount Lofty Ranges, respectively. These catchments were chosen to understand the diversity of perspectives that will need to be considered in the amendment process.

This report presents early insights to build a shared understanding of the diversity of perspectives that exist across government and stakeholders and to inform the South Australian Government's approach to the amendment process for the Mount Lofty Ranges WAPs. To meet these objectives, the report describes what we heard from stakeholders and government representatives, identifies patterns of agreement and disagreement, and draws out insights for the design of the WAP amendment process.

Stakeholder perspectives captured in the report related to different aspects of the WAPs represent the views of stakeholders and, other than Section 11 (Implications for the WAP amendment process), do not constitute positions of the authors or conclusions of the report. The perspectives are captured as summaries of the conversations and direct quotes, which are used throughout the report to illustrate and emphasise points shared during the conversations. Quotes are identified through a numbering system to maintain the link to each conversation while protecting the identity of participants.

2.4 Limitations

The report is not intended to determine policy positions or recommend outcomes. Furthermore, the conversations were not intended to capture an exhaustive or statistically representative sample of stakeholders. Some stakeholder groups were better represented than others and some were underrepresented. A single local Traditional Owner and Elder participated, although three Nations hold cultural and spiritual connections to water in the planning area, with further dedicated engagement with Aboriginal peoples from the region necessary. The perspectives expressed are likely to evolve as the amendment process progresses, as stakeholders engage with evidence and with each other's views. Furthermore, the questions asked likely influenced what was raised and how, and views not expressed may be as relevant as those that were. Views may also differ within stakeholder groups across different catchments.

These limitations should be kept in mind when interpreting the findings.

2. Context and purpose

This work is also not intended to substitute for consultation processes led by government. The sixteen conversations represent a first round of engagement. The findings in this report should be treated as an early picture that will be substantially refined as the amendment process progresses.

2.5 Report structure

The report is structured so that the findings are presented at different levels of detail to suit different readers:

- Section 4 provides a synthesis of the key themes that emerged across the conversations.
- Sections 5–9 explore these key themes in greater depth.
- Section 10 draws together the implications for the WAP amendment process.
- Appendix A provides additional depth on specific issues that arose across the conversations.
- Appendix B provides additional context on various deliberative process options which could be used for this project in the future.



3 What we mean by fairness

Water allocation decisions are often framed in technical terms (volumes, yields, and thresholds). But the most persistent challenges arise from differing views about what is fair: what water should support, who should benefit, who should bear costs, what controls should be put in place, who should be involved in deciding.

This report is grounded in the premise that fairness is not a peripheral concern but a central driver of whether water policy is accepted and endures over time. As articulated in Watertrust's *Fair Enough*¹ report, policies that are perceived as unfair can provoke resistance, reduce compliance, and undermine trust in decision-makers; even where those policies are technically sound.

Watertrust's work recognises that fairness operates in two interconnected dimensions:

- Fairness of outcomes: how benefits and burdens are distributed among different users and interests.
- Fairness of process: how decisions are made, including who is involved, how transparent the process is, and whether people feel heard.

Stakeholders assess fairness across both dimensions. Even where outcomes are contested, a process that is perceived as fair can support acceptance and implementation. Conversely, even well-designed and technically sound policies can fail if the process that produced them is seen as unfair.

Fairness is also not a single, fixed or universally agreed concept and it is also context-dependent, shaped by experience, values, and relationship to water. Different stakeholders hold equally valid and sometimes conflicting views about what is fair. This means that disagreement about fairness is not a failure of understanding, it is the nature of the challenge of effective water policy.

“This is my freehold land, and I should be able to do with it as I see fit. It is in my interest to have the place as up to the mark as possible, which protects interests of future generations. If people want to come and pay me for my water then that is fine, but otherwise they can go away.” Conversation #11

¹ Marsh, 2025

“It feels like when it’s a landowner it’s a God-given right that anything that falls on my land is mine. There is a lot of that greater good. Really there needs to be less rights for landholders in that respect. If you can’t demonstrate that you need that water, you take out your dam.”

Conversation #16

“Water belongs to Country; doesn’t belong to anyone.” Conversation #7

While people often have strong and immediate views about what feels fair or unfair, importantly, they can also be shaped through dialogue with others. Top-down processes that do not explicitly make visible and navigate competing conceptions of fairness tend to drive resistance and deadlocks. An explicit and structured approach to fairness, making different perspectives visible, can create space to negotiate trade-offs, providing the opportunity for more widely accepted outcomes.

Perceptions of fairness influence trust in institutions, willingness to engage, acceptance of trade-offs, and compliance with decisions. In water policy, where decisions involve contested trade-offs and long-term impacts, fairness becomes a key determinant of whether policy can be implemented effectively.

The purpose of this report is not to define what is fair but to make visible how different stakeholders understand fairness, where they agree and disagree, and what this means for the design of the WAP amendment process.

“[Fairness] could be a really interesting question to start a dialogue with stakeholders on.” Conversation #9

4 Approach

4.1 Geographic context

The Bremer and the Hindmarsh–Inman River Catchments were chosen because together they capture much of the diversity of industry types, land uses, hydrological conditions and jurisdictional settings found across the Eastern and Western Mount Lofty Ranges. The Bremer River Catchment also falls within the Murray–Darling Basin, adding a further layer of jurisdictional complexity.

Both catchments sit within the Mount Lofty Ranges, a region of significant environmental value. The catchments contain important aquatic environments, and support threatened species. Environmental water requirements within the WAPs specify the water regime needed to sustain the ecological values of these ecosystems, with the region’s seasonally flowing streams, creeks and rivers considered to be significantly impacted by changes to the volume and duration of flows.

The Bremer River Catchment is a mixed–use landscape encompassing forestry, agriculture (dairy, beef, sheep, grains, viticulture and horticulture), hobby farms and urban areas, and water use for recreational purposes such as irrigating sporting fields. Three Nations hold cultural connections to water within the catchment. It sits predominantly on Peramangk Country, with the south–eastern portion extending into Ngarrindjeri Country and the western boundary bordering Kurna Meyunna Country.

The Hindmarsh–Inman River Catchment is more heavily oriented toward grazing (dairy, beef, sheep) and intensive horticulture and also includes viticulture, urban areas and coastal and floodplain systems. The Hindmarsh–Inman River Catchment is also predominantly on Peramangk Country, with a portion extending into Ngarrindjeri Country.

4.2 Who we heard from

Participants were identified through a mapping exercise undertaken in collaboration with the Landscape Board, with the aim of capturing the diverse interests, perspectives and relationships to water found across both catchments. The conversations were designed to reflect this diversity rather than to achieve statistical representation. The diversity of interests aimed to span:

- commercial and small–scale water users, including licensed and unlicensed users;

- upstream and downstream water users, across both surface water and groundwater;
- different land uses, including rainfed and irrigation-dependant primary production, and rural and urban residents;
- interests with livelihood, cultural and recreational ties to water, including multi-generational, immediate and future-oriented perspectives;
- politicians, government agencies, local government and those representing the interests of the environment; and
- interests that draw on scientific knowledge, cultural knowledge and lived experience.

“Water holds story. It takes a long time to make its way through the Artesian basin to get here. You take the water away and Country will be no good. Water is important for everything, spirit, life, song, time, dreaming, Lore – all interrelated. These are old stories, but they are still living today.”

Conversation #7

Individual stakeholders frequently sit at the intersection of many of these dimensions, which shapes the complexity of their position and of the water allocation planning challenge more broadly.

4.3 Method

The stakeholder conversations that underpin this report were designed to:

- understand how different stakeholders define fairness in water allocations and planning;
- explore perspectives on both fair outcomes (how water should be shared) and fair processes (how decisions should be made);
- make visible the different ways stakeholders define the problem, including key issues, priorities and tensions; and
- identify early ideas about alternatives to current water management options.

Conversations were conducted with stakeholders across the Bremer and Hindmarsh-Inman River Catchments between 30th April and 8 May 2026.

Conversations were conducted as one-on-one or small group interviews, guided by structured questions but flexible enough to follow issues raised by participants. This

4. Approach

approach was chosen to capture individual perspectives openly, build early relationships, support more open and reflective discussions, and avoid group dynamics that can suppress minority or unpopular views.

Each conversation lasted approximately 60–90 minutes. Conversations covered three broad areas: how stakeholders define the water problem; what they see as fair outcomes, including how water should be shared and what uses should be prioritised; and what they consider a fair process for developing and implementing the WAP amendments, including who should be involved and how decisions should be made.

Most conversations were recorded with participant consent and transcribed. Transcripts were reviewed by Watertrust staff and key themes extracted and aligned with the nine principles identified in Watertrust’s fairness framework. A full description of the framework is available in the *Fair Enough Working Paper*¹.

Findings are presented without attribution to individual participants. For matters related to Aboriginal rights and interests, we distinguish between the views of Aboriginal and non-Aboriginal people to ensure non-Aboriginal views are not mistaken for Aboriginal views. Perspectives have been synthesised to reflect patterns, areas of agreement and disagreement, rather than individual positions. Where quotes are included, they are representative of views expressed but not attributed to specific individuals.

5 Key themes

This section synthesises what we heard into six cross-cutting themes. These themes provide the organising structure for the more detailed findings presented in Section 5 to 9, where specific insights are drawn out.

5.1 Theme 1: Surface consensus, underlying division

At the surface, almost everyone we spoke with pointed to a water crisis. They described a finite resource, historical over-allocation, increasing pressure, climate uncertainty, competing demands and environmental decline. But this apparent consensus disguises an underlying complexity. Beneath it are different interpretations of the problem, shaped by individual interests, where people sit in the catchment, and their relationship to land and water.

Crucially, however, these conversations also revealed something important: most stakeholders understand that the problem extends beyond their own interests. This shared recognition – that there is a bigger challenge that will require shared solutions – is significant common ground, and it is the foundation on which the WAP amendment process can be built.

“I feel like we’re just stumbling along in the dark and we could very well get to a point where it becomes a critical issue quite quickly. What’s the response going to be to that?” Conversation #16

5.2 Theme 2: Separating connected parts

The most widely shared frustrations across stakeholders are concerns about the policy approach, and not simply about the distribution of a limited resource. The current water allocation planning framework artificially severs what are in fact deeply interconnected issues: water allocation from stormwater, land management, and urban development; licensed from unlicensed use; and water from the land it moves through. Additionally, stakeholders from differing sectors independently described a regulatory framework with narrow scope, perverse incentives, and inadequate enforcement. In the context of this perceived lack of a system-wide approach, outcomes feel unfair even when they may be technically compliant.

“Water allocation plans are one instrument, and they need to be embedded within a genuine catchment management policy.” Conversation #8

“If we all accept that there is less water than we all need for everything we want, we actually have to be a bit tight. But because of the value of water and separating the value of water from the value of land, you’ve got two sets of policy levers.” Conversation #3

5.3 Theme 3: Finding a shared evidence base

Many stakeholders have never seen a clear picture of how much water is available in the system, how water is allocated across the system, how much is needed to maintain ecological functions or food production, for example, or how water movement through the system is impacted by changes in land use and extraction. Several conversations suggested that before meaningful discussion about solutions is possible, there needs to be a shared, accessible evidence base. Science is widely valued, but it was emphasised that it must be neutral, delivered by trusted experts, and focused on facts and observable trends.

These conversations suggest there is an opportunity to engage on the science early in the process – using what is available to help with a shared understanding of the problem and to help identify the questions that science can help inform – rather than waiting for a comprehensive data-gathering phase that risks delaying important conversations.

“They need to start having conversations now about the problem... otherwise by the time you get into the consultation, people either won’t be engaged, they won’t understand what the problem is, so they’ll come up with the wrong conclusions.” Conversation #14

5.4 Theme 4: Appetite for a more inclusive process

There is near-universal support for an inclusive process, although there is little clarity on the form this should take. Almost all stakeholders called for a process that is genuinely open – transparent about what is being decided and structured to hear all interests. The two outlying positions were that government should simply decide and act, and that government should step

back and let individuals self-manage. Both views reflect deep frustrations with past processes.

“If people feel like they’ve had a voice and been heard, that is half the battle. Even if the WAP doesn’t go in a direction that favours them, if they feel their voice has been heard and considered, then they’re probably more likely to be okay with the outcome.” Conversation #9

“Nobody likes to be dictated to. Obviously sometimes hard decisions need to be made. But if people feel their voice has been heard as part of that and considered.” Conversation #4

5.5 Theme 5: History is an active constraint

The conversations suggest that many stakeholders view past decisions (on allocations, enforcement practices, and inclusion or exclusion of interests from water allocation planning) as having contributed to the current problem, and they shape what solutions are now politically and practically possible. Long-standing unused licences are at the forefront of many stakeholders’ minds, for different reasons. Some identified that people have built livelihoods, and made investments, around existing policy settings and that change without compensation now feels unfair. For others, those same policy settings represent the unfairness. This tension between honouring historical decisions and enabling the changes needed for the future sits at the heart of many disputes.

“Needs to be clear in the plan that if you breach these rules – it is not just a guideline, it’s a policy with penalty that is enforced by the state government.” Conversation #15

“By virtue of the dam, they’ve got the right to store it.” Conversation #12

“Are you going to reimburse me for the extra cost that I had to pay to buy the property because it’s got a stock in domestic bore on it? When the answer’s no, there’s no compensation, well, that’s actually not a fair and just response.” Conversation #10



6 What we heard: Problem definition

“Each person has a different perspective – for farmers water is an economic resource. As an environmental group we see it as a necessity for critical biodiversity. Right at the very basic point – how do we come to terms with how we can commonly think about water?” Conversation #15

Watertrust’s work has revealed that a shared understanding of the problem matters because it shapes people’s willingness to work together to find and implement solutions. The conversations revealed that, while there is strong agreement on the broad challenge, the specific problem definition varies across sectors, lived experience and values.

6.1 Shared elements of the problem

There is broad recognition among stakeholders that water resources in the Mount Lofty Ranges are under pressure. Most stakeholders named similar drivers of this problem: historical over-allocation, a drying and more variable climate, increasing demands from competing uses, and an inadequate planning framework. Almost all stakeholders agree that the current situation is unsustainable, whether measured in ecological, economic, or cultural terms.

“There’s lots of challenges because we’re all living through an environment with lower water availability. So, everyone’s faced with that sort of universal challenge.” Conversation #10

“Any reduction in what our industry currently is allocated would be very damaging... we were probably right on the margins of what was fair anyway.” Conversation #2

The conversations also revealed that most stakeholders recognise that the problem extends beyond their own circumstances. This recognition that there is a shared challenge requiring shared solutions is the most important finding in this report. It suggests that open discussion is possible, even among stakeholders with strongly differing interests, because there is a shared foundation of concern to build from.

*“Managing the whole system collectively – it’s a collective responsibility.”
Conversation #9*

“Everybody’s got to be taken care of.” Conversation #6

*“We need to all work together and understand that if we are feeding the
community, we expect to at least have a little bit of... sustainability.”
Conversation #5*

Unused or ‘sleeper’ entitlements were raised across many conversations as part of this broader problem, though the way they were framed varied considerably. Several stakeholders pointed to unused entitlements as evidence that spare capacity exists in the system, water that could be put to productive use by those who need it. One stakeholder framed unused entitlements as a risk, expressing concern that unused licences could be activated under conditions of increasing pressure on the resource with significant consequences for downstream water users.

A related concern, raised by multiple stakeholders, is that the 2013 WAPs failed to address over-allocation. Persistent underuse is perceived as evidence that the system has been over-allocated and that planning has not been sufficiently adaptive: allocations have been set, not revisited, and the gap between licensed volume and actual use has never been corrected. Not all stakeholders share this concern, but where it was raised it was expressed strongly.

A further shared element of the problem definition is that water is being used for purposes that are not economically productive (to produce food or fibre) and are exacerbating the reduction of environmental flows. This concern related primarily to hobby farms and lifestyle properties and was one of the few issues where commercial producers and environmental advocates described the same concern in similar terms. However, agreement on the problem was not coupled with consensus around a solution.

*“We can’t be in a situation where we’re losing economic water and therefore
losing food production and fibre production whilst we have water in the
system that is not serving either an environmental, economic or cultural
purpose.” Conversation #14*

The impact of urban development on water quality and flow was raised across multiple conversations, particularly in relation to the rapid growth of Mount Barker. This was described from several different vantage points: sediment entering watercourses, development driving increased demand with extra rainwater tanks capturing more water, changes to runoff and hydrology as permeable land is converted to hard surfaces, and the capacity of wastewater infrastructure to keep pace with population growth.

Dams emerged across conversations as one of the most consistent and contentious elements of the problem, as well as a potential area for solutions. The issues raised include the prevalence of illegal dams, the cumulative impact of upstream dams on downstream users and environmental flows, the question of dam size relative to current licences, and the potential for dams to contribute to environmental outcomes through the creation of wetlands or the lowering of spillways. There was universal agreement across all stakeholders that illegal dams are a breach of water management integrity, and the failure to enforce rules has undermined trust.

“Left too late to prescribe and then [thousands of] illegal dams since. Why aren’t we penalising those people?” Conversation #8

At the same time, some stakeholders noted that many dams were built legally under previous rules, and that some serve functions (flood mitigation, stock water security) that make blanket approaches inappropriate. For most, this infrastructure also represents an investment by individuals, leading to questions around who covers the cost of removing dams and what compensation is offered for the loss of amenity and property value should that be required. The dam issue illustrates the broader challenge of how to address legacy problems fairly while maintaining the integrity of water allocation planning.

6.2 Where problem definitions diverge

Below the surface consensus, stakeholders define the problem in fundamentally different ways. For example:

- Environmental advocates define the problem as an ecological crisis: a system that has been significantly degraded, with decades of inadequate regulation, de-prioritisation of the environment, over-development, and political capitulation having allowed water resources to deteriorate across the region.

“If I had a perfect world, I’d have an environmental reserve first and then whatever the minimal sustainable level is would be reserved and then the rest of it would be allocated between the sectors.” Conversation #4

- Commercial producers define the problem as a social and economic threat: policies undermine farm viability and impact regional employment, community viability, food and fibre security and supply chain resilience. In addition, they exacerbate rather than mitigate the threat posed by climate variability, coupled with increasing evidence of competition (competing land uses, food producers against non-food producers, and productive water users against those holding water as a speculative asset). Producers see themselves through a social lens, sustaining thriving communities and providing a future for young people.

“We’re in agriculture, we don’t have a side job, this is not our hobby on the weekends. We’re reliant on this as our business.” Conversation #6

“It’s a legacy thing, we love what we’re doing but it’s getting difficult now. It’s getting less attractive to grow and we don’t want that, we want it to be the other way. We want to encourage people to grow. We want to encourage the next generation to come into primary production.” Conversation #5

- Government agencies define the problem through legislative and other responsibilities: the requirement to deliver an amended WAP that meets legislative requirements in providing sufficient water to meet the environmental water requirements, but to also represent constituents with strong and diverse interests in water.
- Upstream and downstream users define the problem relationally: a problem shaped by position in the catchment, with each feeling the other has the advantage. Those at the top of catchments receive only what falls on their land and feel entitled to it; those downstream receive only what upstream users leave and feel there are inadequate controls over both quantity and quality.

“Need to work out an effective flow for the whole of the valley, benefit everybody. Fairness of the guy at the top who takes all of it needs to end. But it is a case by case, stream by stream.” Conversation #15

A notable feature of the conversations is that stakeholders who define the problem differently often agree on many of the symptoms. The divergence is not so much in what they observe as in what they believe should take priority and in how the burdens of change should be shared. However, most stakeholders agreed that the burdens of change should not fall on any single group alone, with views ranging from government funding to shared contributions across all water users.

6.3 Is the planning scope the problem?

The most widely shared critique across the conversations is about the approach to water allocation planning rather than the distribution of water resources. Stakeholders from differing sectors independently described a regulatory framework with narrow scope, perverse incentives, inequitable application, a historical benchmark that has proven problematic, and inadequate enforcement. They did not primarily describe a conflict between irrigators and conservationists or among different primary producers, they described a planning framework that fails everyone by failing to see interconnectedness and adapt over time.

“You’re trying to do the right thing, you seem to be penalised, where the people that are not doing the right thing just jolly along.” Conversation #3

“These people have been through all of this. And one thing that’s consistent is, obviously they would like to have the water for irrigation, but they are concerned about the water course itself and how the flow has changed and how the quality changes. They’re there, they see it, they monitor it. And sometimes it feels like government’s slow to act.” Conversation #1

“WAPs are all about quantity but maybe they could take more of a water quality approach too as it seems they are often treated quite separately.”
Conversation #16

Some stakeholders identified a mismatch between the Landscape Board’s regulatory scope and the full range of pressures on the water system. While the impacts of stock and domestic water use and forestry interception are considered in

6. What we heard: Problem definition

current modelling, and the take and use of urban stormwater is managed to some degree within current WAP rules, this is not visible to all stakeholders. The result is that multiple stakeholders identified unequal treatment: those whose water use is licensed face scrutiny and restriction, while others whose water use is significant appear to operate outside the regulatory framework. Whether or not this perception fully reflects the regulatory reality, it does represent a significant challenge for the amendment process, because a process of reviewing licences will be challenged if participants do not believe the same standards apply to everyone.

The separation of water allocation from stormwater, water security and land management planning was specifically identified as another significant policy mismatch. WAP amendments, done in isolation, may introduce impacts that many stakeholders will experience as unfair, with little or no mitigation. Opportunities to couple the WAP process with stormwater, land and water security planning were raised by several stakeholders as critical to finding solutions that address the full problem and to help foster a shared sense of responsibility for any adjustments that need to be made under the future WAPs.

“Stormwater runoff from housing developments, evidence so far is it is murdering our major stream systems.” Conversation #10

“There is a risk that stakeholders are asked to carry the burden of adjustment through the WAP process while significant drivers of water demand and catchment change remain outside the discussion. This integrated approach is critical to maintaining community confidence in the process”. Conversation #10

“We’ve got so many options for water. We need to be looking at diverse water supplies across all of these urbanised areas. What are we doing with our wastewater? Why aren’t we dealing with wastewater, stormwater? These all need to be part of a water allocation plan. It can’t just be the native water because we’ve screwed all our native water resources. It has to be completely integrated.” Conversation #8

For Watertrust, it is apparent that an engagement process that begins with the question: “how do we adjust allocations within the current planning framework?” will feel inadequate to most participants. The shared starting point must be to agree on the problem and openly and collaboratively explore solutions. The process must

grapple with this honestly, including being clear about what the WAP amendment can and cannot change. However, even issues that fall outside the formal scope of the WAP process may be critical to negotiation, with an integrated approach providing the greatest opportunity to find mutually beneficial solutions. If stakeholders can see that their concerns about unregulated uses are being heard and addressed, even through parallel processes, this will be essential to maintaining trust and engagement.

7 What we heard: Fairness in outcomes

Disagreements were apparent regarding what water should be prioritised for and how competing claims should be balanced. The conversations revealed a range of views on what fair water sharing looks like in practice, including significant areas of tension that may not be completely resolvable but that any fair process should make visible.

“I always start from the premise of you’ve got to look after environment number one, but you’ve also got to look at that within the context of everything else that’s going on.” Conversation #14

7.1 What water should support

There was a widespread view from stakeholders that water should support the environment, but with significant variation in what this means in practice and how it should be prioritised. Similarly, stakeholders generally support water for primary production but differed on which uses should be prioritised and how much environmental protection should constrain them. While several stakeholders stated that beyond environmental water requirements water should be prioritised to uses based on the benefit they provide to society, there were different views presented on what uses provide most benefit.

“Typically, over the decades the environment has come last. We are on an upward trend now, but it really does need more advocacy.” Conversation #4

Views on what water should (and should not) support are complex. Indeed, many stakeholders do not fit neatly into one of the categories outlined below – a commercial producer may place very high priority on the environment, an environmental advocate may still want to see an economically productive landscape. These summaries describe broadly how different groups frame the issue, but these are not fixed or exclusive positions:

- Environmental advocates: The environment is the non-negotiable baseline; all other allocation is secondary. Environmental health has declined significantly within historical and current policy settings. Existing rules must

be enforced, but they must also be strengthened to address historical impacts and the future pressures on water resources. Any meaningful reform must close the gap between what the legislation requires and what is actually happening on the ground.

“Water belongs to the environment first, because everything depends on the environment.” Conversation #8

- Commercial producers: Those whose livelihoods depend on water and generate broader social benefits (regional employment, community viability, food and fibre security) have a higher claim to water than non-productive uses, especially hobby farming or aesthetic use. For food producers their contribution to local and national food security was highlighted, while for forestry their contributions include timber that supports food production, housing construction, pallets for transporting goods, fibre for manufacturing, and carbon sequestration. Allocations should distinguish between productive users that contribute to the economy and provide broad social benefits and those holding water for lifestyle or speculative purposes. In addition, there should be a pragmatic balance between productive use, environmental flows, and other demands, but the starting point must be protecting water that is genuinely working for the community.

“We can’t have a growing population and not think about how we’re actually going to feed them. Or be reliant on outside, overseas products.”
Conversation #6

“You can’t build houses without timber or have an economy without timber. Everything in this country other than babies is delivered on a pallet.”
Conversation #14

“Whether you put primary production ahead of hobby farmers, as it makes a contribution to the economy. Shouldn’t be the same rules, if the area is allocated to primary producers.” Conversation #11

- Government agencies: Legislation requires that environmental water needs are met first and remaining water should be shared equitably across uses and

users. Translating that requirement into practice is where the complexity lies, as determining allocations is inherently a preferencing exercise. There is inherent political difficulty in addressing competing demands.

“We can’t have fair and equitable sharing if there’s too many people and there’s not enough water. There’s no magic answer to this stuff. It’s going to get really, really, really hard. There are no easy solutions to this. We depend upon our governments to enact equity. So, it’s a critical role. That is their only role. There is no point having a government if they don’t protect our national interests.” Conversation #8

- Aboriginal people: Water is inseparable from Country, culture, and identity. The conversation about water is not primarily about allocation of a commodity but about recognition, relationship, and the restoration of connections that were severed by dispossession. Any fair process must address not only Aboriginal water entitlements, but also mechanisms for Aboriginal people to access land and associated water resources and contribute to water management through a negotiated and meaningful governance role.

“Aboriginal people need to be heavily engaged. The reality is that they are the first custodians of the land. There is no doubt in my mind that they need to be engaged heavily. There needs to be an allocation for them that isn’t environmental. It’s the height of patronising to say, here, we’re going to give you something and you can look at it as it flows past your door, metaphorically speaking. Has to be economic as well as environmental. The question is how you do that without the whole process blowing up.”
Conversation #14 (non-Aboriginal person)

7.2 Competing conceptions of fairness

The conversations reveal at least seven distinct ways stakeholders conceptualise fair water sharing:

- Rights-based: fairness means honouring existing legal entitlements; any reduction without compensation is a breach of the social contract.

“So, you’re just taking assets without compensation are you? That’s the quickest way to close the discussion down I’ve ever seen. You’ve basically created a binary position where people are going to pick a side and off they go.” Conversation #10

- Contribution-based: fairness means those who have invested in the land and produce something of value for the economy and society should have priority access.

“Has to be a contemplation that sits over the top, what are we growing to consume here that we would have to import otherwise, what are the jobs associated with each of those?” Conversation #14

- Ecological baseline: fairness requires meeting environmental flows first; the environment cannot be traded off against other uses.
- Culturally-based: fairness means honouring tradition and treating water as an entity that people and community are in relationship with, not a resource to be allocated.

*“The colonial system has disadvantaged Aboriginal people, by locking us out of birth rights, land rights, and water rights. Most First Nations people are not landowners– we can’t access water which is connected to our cultural ceremonies, rituals and songlines. We need to be at the planning table for equitable and generational outcomes.” Conversation #7
(Aboriginal person)*

- Efficiency-based: fairness means rewarding those who use water efficiently and productively, penalising waste and speculative water holding.

“I do not understand how corporate companies have got the water when we’ve got the land and we don’t have the water. That doesn’t make sense to me.” Conversation #5

“An efficient water user has no fear in this process but an inefficient user who is contaminating water streams needs to improve.” Conversation #15

7. What we heard: Fairness in outcomes

- Compliance-based: fairness means the rules apply equally to everyone, adherence is actively monitored and penalties are applied for misuse, and not just for those whose use happens to be licensed.

“There needs to be penalties for bad use... the more that you flag that and introduce it in time, the more you will actually encourage efficient use.”

Conversation #3

- Proportional sharing: fairness means all sectors adjust proportionally as availability changes; no group should be shielded from scarcity.

“If there’s scarcity then everybody needs to adjust, I think that’s the fairest way.” Conversation #16

“The allocation should be in a percentage or a ratio and that moves with the amount that’s available so that if agriculture gets 20%, it’s always 20% of what’s available... not one stakeholder goes without.” Conversation #4

Watertrust acknowledges that these understandings are not fully reconcilable. A process that makes them visible, and then works through the trade-offs openly, will improve the likelihood of producing outcomes people will accept.

“If people feel like they’ve had a voice and been heard then that’s half the battle, even if the WAP goes in a direction that is not favourable to their initial idea, then they’re probably more likely to be okay with the outcome.”

Conversation #9

7.3 Key tensions and trade-offs

Several specific tensions emerged repeatedly:

- Political willpower and competing government priorities: Multiple conversations revealed concerns regarding the competing priorities of different government departments relating to water allocations, political cycles with shifting priorities, and perceptions of a lack of political will to make hard decisions.

- Upstream versus downstream: Both groups feel disadvantaged. Those at the top of catchments feel they have very limited opportunities for ensuring water security and should be entitled to what falls on their land, with downstream users having more options. Those downstream feel there are no effective controls on extractions and they receive what is left after upstream users have had their take. There are also concerns on the quality as well as the quantity of water flowing downstream. These tensions are not resolvable without agreed rules about how flows should be managed and water distributed through the system.
- Productive versus non-productive: Across sectors, there is a recurring argument that water held for lifestyle or speculative purposes is less justifiable than water used for primary production. However, the line between 'productive' and 'non-productive' is itself contested and diverse stakeholders apply the argument differently. This was visible between viticulture and food producers, with some considering wine (as a non-food product) as having a lesser claim to water than food production. There was broader agreement that water held for hobby farming or lifestyle purposes is not 'productive' in this sense, though there was no agreement that removing access to that water without compensation would be fair.

“What I like to call landscaping water – the dentist that has bought the house in the Hills, and they want to have a look out at their dam, but that water is now being held up in the catchment in a space that it wasn't. It's no longer economic water, it's not environmental water, it's not cultural water. So, what is it? Where does that sit?” Conversation #14

- Current generation versus future generations: Several stakeholders, including those with multi-generational family farms or an Aboriginal connection to the region, spoke of fairness explicitly in intergenerational terms. The obligation to pass on a functioning landscape was a consistent theme, although stakeholders differed on what this means and requires in practice. Across conversations related to Aboriginal water interests, it meant building relationships and trust to bring Aboriginal voices into future decision-making. For some commercial producers, it meant preserving a viable business and land to pass on to the next generation of growers. Related to this, some stakeholders raised concerns with the degree of uncertainty in water availability for business planning – with uncertainty in future allocations,

climate change and changes in land use, along with other factors (for example economic) creating a tension between business planning for the here and now versus the future, including succession planning.

- Established demands versus new or expanding claims: For example, there was widespread concern about the impact of urban expansion. However, the most significant example is the progression of Aboriginal water interests in a fully allocated system, with strong and differing views expressed. Some people (Aboriginal and non-Aboriginal) saw recognition of Aboriginal water interests as a moral and legal imperative. Other non-Aboriginal people felt that Aboriginal people should be treated no differently to anybody else, with some acknowledging that they did not fully understand Aboriginal water interests or how they should be managed. Others recognised that this issue represents one of the most significant risks to the amendment process and that a poorly designed process could create a safety risk for Aboriginal peoples, with careful consideration required for the process, potentially through a staged, long-term approach that is separate from the amendment process.

“We have completely removed virtually all Indigenous interaction with the water in this area.” Conversation #3 (non-Aboriginal person)

*“The one that’s really going to absolute cause a **** show. Try and take away people’s water whilst creating a cultural water consumptive pool or First Nations consumptive pool. I would be doing this as a separate process, not as part of this process...I don’t want a rerun of Australians showing how base they can be.” Conversation #14 (non-Aboriginal person)*

7.4 What we heard – Fairness in the process for amending WAPs

Watertrust's background research has revealed that how the WAP amendment process is designed will be as important as its outcomes. The conversations revealed both genuine appetite for a better process and scepticism about whether government will deliver one. Almost all stakeholders called for a process that is genuinely inclusive and open. The two outlying positions – that government should simply decide and act without extensive consultation, and that government should step back and let individuals self-manage – both reflect deep frustration with past processes, rather than a rejection of engagement itself.

7.5 Who should be involved

There is near-universal support for a genuinely inclusive (rather than top-down) approach that brings a diversity of interests into the WAP amendment process. However, not all stakeholders define inclusive participation in the same way. Most stakeholders felt that all directly affected interests should be represented, encompassing environmental groups, community organisations, and future generations alongside water licence holders. Several emphasised that the environment and Aboriginal people have historically been grossly underrepresented as affected interests and that any credible process must address this. But a few commercial water users, feel the process should focus primarily on those with existing licences.

“The key to a lot of these things is make sure all impacted parties are involved. If you're an impacted person...if you're an impacted industry or an impacted significant environmental management group or whatever it is, that's who you need to make sure are involved in all this stuff.”

Conversation #10

“Equally, it's not up to governments to take away what has essentially been a statutory right without a proper process in doing it.” Conversation #10

There were also clear views about who should not dominate the process. Stakeholders do not want the loudest or most organised voices to dominate. They do not want processes captured by those with the most resources. They do not want representatives who lack a broad view across their industry or stakeholder groups to speak on their behalf, or those who would use the process primarily to serve their personal interests rather than collective interests. And they do not want

government to enter with positions already decided (this is about genuine openness during discussion and distinct from the widely held view that government is, and should be, the final decision-maker).

“Sometimes government get in the way and try to own the problem when it is everyone’s problem.” Conversation #9

7.6 How engagement should occur

While people rarely expressed views on what exactly a fair process would consist of, several engagement design principles emerged consistently across the conversations:

- Start with facts, not positions. There was near-universal agreement that the engagement should begin with a shared, transparent evidence base before asking anyone to negotiate. It was evident that stakeholders want to understand the context of water quantity and quality across the system – in particular environmental needs; existing allocations, users and use and other impacts; and monitoring trends. Importantly, it was identified that this shared evidence base could be the mechanism for a shared understanding of the problem, building a common foundation from which to assess options and to build community support for collective action. This suggests that engagement on the science could start with what data and knowledge is available, rather than waiting for a complete picture.

It was also observed that the science sought from stakeholders was often fairly fundamental, much of which may already exist, for example catchment water balances. This provides the opportunity for engaging on available science early in the process, to facilitate a shared understanding of the problem but to also provide important insights on questions that require input from the science.

“Just transparency around where we are at and what the future looks like is probably a good place to start.” Conversation #16

“I think there probably needs to be more information given to people before you bring them together into a room to say what do you want. People don’t

know what it is that they're arguing about really. They just know what happens to them as an individual." Conversation #2

- No predetermined outcomes. The perception that government enters consultation with positions already decided was referenced as a reason for disengagement and distrust. Multiple stakeholders stated this explicitly, citing past experiences with other government processes where they felt that government had already landed on some positions. This history shapes expectations, whether or not it is repeated, and is something a credible process will need to actively address.

"Consultation is a great thing as long as it's not a done deal and it's just to placate people. You're actually able to listen, not to tell them they're wrong." Conversation #6

- Deep exploration of issues and options. Stakeholders broadly want more than information sessions or opportunities to register their opinion, they want genuine discussion and exploration. This means structured opportunities to understand the problem, open dialogue about diverse values, consideration of the full range of management options, examination of trade-offs, and progress toward negotiated positions. From these observations, it is evident that a process that moves too quickly into solutions will imply a predetermined outcome.

"We don't have the depth of discussion that we need... in a way where you make difficult decisions and where you've got majority of...the most support possible. You've got to have the deeper detailed conversation and be prepared to act on what you get back." Conversation #10

"People don't know what it is that they're arguing about, really. They just know what happens to them as an individual." Conversation #2

- Face-to-face and local. Many stakeholders identified smaller, place-based forums being much preferred over large town-hall formats, with people engaging more honestly in smaller groups, in particular with people who share their specific catchment context. From this, it is evident that the local

7. What we heard: Fairness in outcomes

scale is well suited to commence engagement, begin building trust, and start exploring solutions.

“Work with the [groups] that already exist because they’ve already self-selected for the people that care... don’t establish new groups.”

Conversation #3

- Multiple layers of engagement. It was identified through the conversations that no single format will be sufficient, but rather a combination of broad-reach mechanisms (surveys, accessible information) and forums (opportunities for structured, facilitated dialogue, including representative governance structures) will be needed to reach the breadth of interests, ensure different interests are heard equally and to maximise participation.

“I think [without prior information sharing] you’ll end up with community conversations that are pretty circular.” Conversation #2

- Built-in feedback loops and milestones. Some stakeholders noted the importance of transparency and the need to see how their input shaped decisions. Engagement without visible consequence reinforces scepticism. But clarity about what happens next is as important as clarity about what is being decided.

“If you’re going to ask people, you need to follow it up.” Conversation #1

“I was optimistic when the engagement on the Greater Adelaide Water Security Plan happened a couple of years ago. But then it just stopped and we haven’t heard anything since, which doesn’t leave a great amount of confidence in similar water planning processes.” Conversation #16

7.7 Governance and the role of Water Allocation Plan Advisory Committees (WAPACs)

A layered governance model was suggested by several stakeholders, including ideas of a cross-government department oversight committee with a focus on all of the government's priorities, a representative body as a core structure for open and collaborative discussion related to the different interests, representative group and local community forums and culturally appropriate forums for Aboriginal people.

Other mechanisms for engagement suggested by stakeholders included community surveys to get broader perspectives, local 'kitchen table' discussions, facilitated forums for deeper discussion and exploration of specific issues and options, resourcing of key community connectors to support two-way information exchange, and pilots in priority catchments to test approaches and build trust.

WAPACs were discussed in several conversations. Views on their value were mixed, but stakeholders were generally supportive. Key observations from stakeholders include:

- Past committees having inadequate representation of the range of interests, particularly those who are less resourced or historically less heard.
- Committee members needing to act as genuine conduits to their interest groups and communities, not simply as individual participants and representatives of their own views.
- Concerns about the loudest voices dominating conversations.

"I don't have a whole lot of faith in the committee process, if I'm honest... they came from such a specific part of such a broad industry that their viewpoint was really skewed." Conversation #2

Watertrust's experience elsewhere has revealed the following observations related to those of stakeholders:

- A committee's mandate is critical. A committee whose scope is unclear or whose advice is not obviously reflected in decisions will deepen the already widespread sense that these processes are just for show.
- An independent chair is important for maintaining neutrality and genuine deliberation.
- A poorly representative committee can entrench existing power imbalances or may lack the knowledge and diversity of experience to meaningfully advance the conversation.

7. What we heard: Fairness in outcomes

- Procedures for member accountability back to the communities they represent need to be built into committee design.
- Committee processes need explicit design features (skilled facilitation, structured discussion, multiple input channels).
- Failures in either WAPAC mandate or composition can be worse than not convening a committee at all.

From the discussions, it is apparent that there is a spectrum of possible models to explore. One model has local catchment discussions feed into WAPACs, allowing WAPACs to inform decisions through a synthesis of advice from across the planning area. A second model has WAPACs undertake the more detailed work, with local conversations used to test ideas more broadly.

7.8 Aboriginal participation

The idea of a cultural water tribal council, or similar body with genuine governance authority, was raised by an Aboriginal Elder as one model for more meaningful inclusion in water allocation planning and implementation. Due to the limited number of Aboriginal people spoken to during this process, further conversations with Traditional Owner groups, including Elders, are required to identify the consultation processes for exploring their water rights and interests.

“It should start with small regions, piloting bringing people together, building relationships. Who are the traditional owners? The wine owners, etc., what are their views? Focus on relationships, with a shared conversation, working together and learning from each other – what water do we have, what do we do with it?” Conversation #7

Views on Aboriginal participation were diverse and sometimes opposed across the conversations. While several (Aboriginal and non-Aboriginal) saw Aboriginal water interests as integral to the amendment process and requiring meaningful inclusion or prioritisation, other non-Aboriginal people believed Aboriginal peoples should be treated the same as other stakeholder groups. Across this spectrum, concern was expressed that introducing Aboriginal water interests into an already difficult allocation negotiation would inflame tensions.

Non-Aboriginal people's views were varied:

- Resourcing Aboriginal peoples adequately to participate, and to ensure recognition of the value of their cultural knowledge as a contribution in its

own right, was identified as essential by those who supported their inclusion in a self-determined way.

- Some held the view that Aboriginal peoples should be treated the same as other stakeholder groups, on equal footing with other interests in the process.
- Many felt that Aboriginal engagement cannot be simply incorporated within stakeholder consultation – to ensure meaningful inclusion, the nature, form, and governance of participation require careful, culturally informed design.
- A few felt that the interests of Aboriginal peoples should be dealt with through a separate but parallel process, on the basis that improving Aboriginal water rights alongside allocation reductions will likely inflame tensions.

“If we’re if we’re absolutely dedicated to this idea of Closing the Gap and honouring Country, they need a governance role. I actually see them as more important than any of the stakeholders.” Conversation #8 (non-Aboriginal person)

A staged, longer-term approach that builds trust and looks for mutually beneficial solutions was identified as a possible way forward.

7.9 The role of science and evidence

The value of science was almost universally supported, with its importance in developing a shared understanding of the problem and options identified. Caveats were provided on several occasions, with two distinct concerns (often conflated but worth separating) with the neutrality and the trustworthiness of the science, with stakeholder confidence in the science and the institutions and individuals presenting the science noted as critical factors for this. Another related concern raised was accessibly, not just the public availability of relevant data and science but also the presentation of information in a form that non-specialists can understand and use. A number of stakeholders cautioned that science should inform decisions but should not be the only factor considered. Further detail on these perspectives is outlined below:

- Scientific information needs to be trusted. Some stakeholders expressed concerns with models and projections, with a preference for ‘facts’ or trends. The modelling assumptions, data gaps, and methodological choices that

7. What we heard: Fairness in outcomes

underpin current allocations are not visible to most stakeholders, and several identified this as a significant source of distrust.

“We’ve got to work with what we do know. Focus on facts rather than projections.” Conversation #6

“If you can’t predict what the weather’s going to be in a week, don’t tell me what’s going to be in 5 or 10 or 20, 30 years’ time, because I don’t believe you. But I think what we’ve got to work with is what we do know. The rest is a guesstimation beyond that.” Conversation #5

“People shouldn’t be debating what the numbers are if they’re scientifically proven and if they’re measurable numbers. How are you debating numbers? I’ve not got involved with it because it’s not really a focus. But to me that seems really strange when people are saying you’ve got all these numbers wrong and that’s wrong and that’s wrong and that wasn’t like that. There’s clearly a real breakdown in trust.” Conversation #8

- Scientists must be trusted. Independent of the neutrality of the findings, it was apparent that the credibility of the institutions and people presenting the science shapes whether it is accepted, with concerns raised about experts being perceived as captured by government or by particular interests (these concerns appeared to be related to other experiences rather than specifically to the Mount Lofty Ranges WAPs).

“How do you get an entity that is respected and understood to be the expert in that field? Therefore, what it says (because it’s got the trust in the runs on the board), is beyond challenge and you just get on with dealing what you have to deal with.” Conversation #10

“If you engage experts who don’t have the necessary standing as being considered an expert or aren’t sufficiently impartial/neutral, people will dismiss them and the process breaks down. Once you have that trust, the process can focus on addressing the issues.” Conversation #10

- Science must be neutral and inform discussion, not pre-determine outcomes. Stakeholders want science that supports the consideration of options, not

science that appears to have been commissioned to support a particular outcome. The role of evidence in helping stakeholders unite around a shared problem and understand the consequences of different options (to make trade-offs visible) was identified as important. In addition, it was highlighted that social, economic and cultural impacts on people and communities need to be weighed alongside the scientific evidence.

“Science is a good way to start a conversation, as long as it’s got neutrality, has be neutral in the whole thing.” Conversation #6

“I think the way you overcome it is to just to prove beyond anyone’s doubt that what you’re all talking about is beyond reproach. So, nobody’s starting to question (instead of focusing on whether the data is correct or not), we’re actually focusing on what the challenges or solution for. You’ve got to move.” Conversation #6

- Information needs to be accessible. It is likely that more information exists than stakeholders are aware of, however widespread feedback on the absence of available information suggests an accessibility issue. Simple, locally relevant visualisations (such as a diagram showing both natural and current conditions at different points in a catchment) were identified as a practical starting point for building a shared evidence base.

“I think, the more we talk about this, the more I realise that having some kind of a clear picture, and I literally mean picture, some kind of a diagram, to show how water is allocated within the current plan, would probably be fair.” Conversation #2

“If there were enough resources put into developing the indicators and measuring it, then you could get a really good snapshot of how the WAP would actually work and how fair it is.” Conversation #4

- Science should inform discussion, not pre-determine outcomes. It was identified by some that the role of evidence is to help stakeholders unite around a shared problem and understand the consequences of different options (to make trade-offs visible). It was also identified that social,

7. What we heard: Fairness in outcomes

economic and cultural impacts on people and communities also need to be weighed alongside the evidence related to environmental impacts.

“You have to start with the science; it’s a matter of how you link the science with user views and behaviours.” Conversation #16

Some areas where stakeholders indicated they felt under-informed and where targeted information-sharing would build trust and legitimacy included: the current state of the water system (allocations, usage and trends); the science around environmental water requirements; the status and nature of Aboriginal water interests; and the range of management options and their likely implications.

“It’s really important for landholders and irrigators along the system to actually see the background and not dumb it down. Show them the data and why that is a problem... they want to see it.” Conversation #1

“I like the idea of getting a broad selection of people together to talk about values and priorities with that really solid evidence base behind them – so they are able to talk based on the evidence rather than what they’ve read on Facebook.” Conversation #16

7.10 What we heard – Fairness in the process for implementing the WAP

Fewer stakeholders had views on implementation specifically, but several consistent themes emerged:

- Adaptive management, not set-and-forget. The most consistent insight related to implementation was that a static plan with fixed allocations is not fit for a system that is highly variable, and this problem increases as pressure on the system increases. Multiple stakeholders called for allocations linked to actual availability, with annual or rolling adjustments based on monitored conditions. Some drew a contrast with the perceived set-and-forget approach of previous WAPs and called for a genuinely adaptive model of setting targets, implementing management options, assessing their contribution through monitoring and evaluation, and reviewing options

accordingly. This was understood as addressing both the inadequacy of previous WAPs and the escalating need to respond to climate variability.

- Consideration of compensation is important for supporting a workable agreement through building trust and legitimacy. Almost no stakeholder accepted that reductions in allocations (either licensed or unlicensed) could occur without compensation, although it was not clear whether this was limited to financial compensation. There was a widely held view that if society wants change, society should pay for it. One stakeholder emphasised the importance of approaching any proposal to reduce rights carefully and transparently. It was their view that where governments have previously created property rights, entitlements or expectations, excluding compensation from the discussions at the outset is likely to undermine stakeholder confidence before meaningful engagement has commenced. A historic example was provided where the language used by government created the perception that compensation had been ruled out prior to engagement, creating the feeling of consultation with a predetermined outcome.

“Has to be contemplation of a compensation scheme if people are going to lose something. Even with a compensation scheme I think it’s a nightmare scenario. In the absence of one it would be unworkable.” Conversation #14

“In an example where, because we’ve been talking about stock and domestic, say if you lost a stock and domestic right or a volumetric irrigation right was wound up or something like that, the language that comes back from the state government is there’s no compensation. So, you’re already ruling out what needs to be part of an objective and deep discussion. You’ve just taken a whole heap of it off the table. That kind of approach where it’s not genuine consultation. It’s consultation with a known outcome already.”

Conversation #10

“Really if it’s a change in society’s desires to how we live, well, society needs to pay for that. And that goes for whether it’s climate related things or empowering Aboriginal people or whatever it is. If that’s the societal agreement of the day, that shouldn’t be borne by individuals, that should be borne by society.” Conversation #10

7. What we heard: Fairness in outcomes

- Enforcement is critical but must be proportionate to the scale of the offence and appropriately resourced. The credibility of water allocation planning depends on whether rules are enforced and effective. The historical installation of illegal dams was cited by several stakeholders as a signal that rules do not apply equally, leading to broader issues of distrust. The belief that illegal dams and over-allocations were historically enabled by government inaction undermines the planning process. However, it was also identified by some that penalties can impact stakeholders differently, which requires consideration in terms of what is fair. For example, a penalty that is meaningful for a small family farm may be inconsequential for a large commercial operation.

“There should be a completely different penalty for a farmer pumping water to a tank for filling a trough... if there is an internationally funded business, the penalties for that don’t match the profits of that big corporation.”

Conversation #15

“Councils and government allowed the dams to happen, and now they’re going ‘it shouldn’t have ever happened. We never managed it properly’. It’s not the landowner or farmer’s fault, it’s what has happened in development in the past. You need to speak to some of these people to see whether they need all their dams still. As we’ve developed the area and made smaller blocks, it’s created another issue.” Conversation #6

- A catchment coordinator role. The Landscape Board were identified by one group of stakeholders as potentially playing a catchment coordinator role: creating networks for supporting change and facilitating the identification of mutually beneficial solutions; linking landholders, community-based groups, and funders to implement on-ground activities; and monitoring and reporting on progress. Starting with a focus on priority catchments, piloting approaches, and building trust through demonstrable progress was suggested as a practical pathway.

“Focus on relationships, with a shared conversation, working together and learning from each other.” Conversation #7

- Carrot and stick. Overall, a combination of incentives and disincentives was preferred by stakeholders over purely regulatory or purely voluntary approaches. Incentives for efficiency, voluntary dam removal, and environmental stewardship were supported in principle. Disincentives for waste, illegal take, water quality impacts and non-compliance were seen as essential for maintaining the integrity of water management. Several stakeholders raised concerns about incentive structures that reward those who have historically over-used, while penalising those who have conserved water, suggesting that the design of incentives must be carefully calibrated to avoid perverse outcomes. This also extended to other land management measures (including pest control and the incentivisation of such), pointing to a broader existing challenge on incentives and disincentives for stakeholders.

“Water quality impacts from livestock along the reaches of the Hindmarsh could be traced back to individual farmers, with the threat of penalties to direct them to fencing their waterways and revegetation work.”

Conversation 15

“You can’t be allocated fairly unless you take a share of responsibility for efficiency. At the moment it’s all about what do I get and not about how do I use it.” Conversation #3



8 What we heard – Management options

Across the conversations, stakeholders identified many management options. Individual stakeholders tended to have one or two ideas that aligned with their understanding of the problem. It was evident they had not had the opportunity to access information or participate in forums that would help them understand the full range of potential management options and their pros and cons. It was evident that government participants had thought more extensively about options, reflecting their policy role. However, they described constraints on exploring options by factors such as limited resources, the regulatory framework, political appetite and competing interests of stakeholders.

It was apparent from many conversations that communities are willing to engage with the difficult trade-off discussion regarding different options. Furthermore, it is Watertrust's view, based on the conversations, that the most accepted, implementable, and effective outcomes are likely to result from the opportunity for stakeholders to consider management options systematically and comparatively in the context of the WAP amendment process.

“There are some groups who are really forward thinking and who we would have a fair amount of success with if we were to say, ‘There’s a high demand for water resources in this part of the region....the science is showing the condition of the groundwater decreasing....if the current level of water use continues this is what’s going to happen, do you think this is an appropriate action to take here?’ What can we learn from the community as a bit of a grassroots response?” Conversation #13

8.1 Views on current settings

Current water management settings were broadly criticised across sectors, although for different reasons and with different emphases:

- Illegal dams were widely condemned as a breach of water management integrity, with widespread frustration at the lack of enforcement action.
- Historical allocations, which have effectively become permanent entitlements, were criticised for benefiting those who hold but do not use their full allocation, while offering no reward to those who have used water efficiently.

8. What we heard – Management options

- The absence of licensing for stock and domestic use was widely cited as a source of unfairness, creating unequal treatment across uses and users. On the other hand, others argued that the exemption for stock and domestic was entirely fair given the complexities in monitoring usage.
- The moratorium on commercial forestry was identified as an issue of unfairness as no other industries had the same, while others identified forestry as a major contributor to reduced water availability in neighbouring areas.
- Similarly, historical exemption of forestry from licencing was also cited as a source of unfairness.
- The trading of water as a financial asset, separate from productive use, was strongly considered by many stakeholders as having broken the fundamental logic of water allocation planning.

“It’s actually become more profitable for a lot of our family up there to not farm and just lease out their allocation; it should never be like that.”

Conversation #5

8.2 Options and their fairness implications

The following options were raised across the conversations. Views on their fairness varied significantly by stakeholder:

- Adaptive allocations linked to water availability: generally supported as more equitable under climate variability, and as a move away from the set-and-forget model. There was concern from those who have invested based on expectations of fixed entitlements, and from livestock and dairy producers and others about the implications for business certainty and animal welfare obligations.

“Allocations should be linked to rainfall....not these allocations that are just set, and then we wait until a disaster hits, and then we reduce people’s allocations.” Conversation #8

“There are elements of that I do appreciate, particularly when we talk about industries that have animal welfare involved, so livestock and dairy and the like. If you have adaptive management systems and suddenly rain’s not

falling, aquifer's declining, you take water away, well what do you do with the animals that are actually existing? There are those sorts of questions."
Conversation #14

"Water security is just going to become a bigger topic but at the same time it's one of those things that gets pushed to the side because we're all about economic growth. When we start taking water away or limiting water, it starts having real impacts." Conversation #16

- Use-it-or-lose-it mechanisms: raised as a means to recover unused allocations and make better use of entitlements, with support across sectors. There was interest from those frustrated by speculative holding and resistance from those who hold water for drought security rather than regular use.

"We think that if after four years, for example, if you've purchased an allocation, you've got plans to expand your business and go into primary, fine, you can have an allocation there that you might have purchased. But if you haven't used it after a certain period of time then it should be moved on. If people have got it and they're not using it, move it on to somebody that can use that allocation for something productive and which obviously adds to the community and the primary production sector, helps fuel that, which is good for everybody." Conversation #5

- Dam removal and spillway lowering: broadly supported as a policy intervention by those who see the need to increase environmental flows. However, there was significant concern from those that rely on dams for their livelihood and about who bears the cost and whether compensation will be available.

"You're going to have dentists marching on Parliament House because they've taken away their dams at their farm." Conversation #1

- Incentives for water use efficiency and land stewardship: broadly supported in principle, but with a view that incentive design must be carefully calibrated to avoid rewarding previous waste or creating new perverse outcomes.

8. What we heard – Management options

- Integrated catchment planning: coupling WAP amendments with stormwater, water security and land management planning was identified by multiple stakeholders as an opportunity in finding solutions to the broader water issues. This includes the potential for a stormwater contribution scheme as part of the WAPs, developing catchment management plans or integrate land and water planning and working closely with planners on the interface between water and land use.
- Buy-backs and compensation: raised as a mechanism for voluntary allocation reduction. There was widespread and often strong views that voluntary and fair market compensation are essential conditions for buy-backs of water that is in productive use.
- Landscape rehydration, including turning dams into wetlands: raised as a longer-term vision of what a restored system might look like and how to find mutually beneficial solutions between environmental and agricultural interests.

There was implicit and explicit views that people will accept difficult outcomes that result from a genuinely collaborative process, but may not support solutions they had no hand in shaping because the outcomes of a process that excludes or ignores them will be perceived as unfair.

“Government has to lead it but also has to be open to different ways to do things. Allow community to come up with some of their own solutions for problems.” Conversation #9

*“Finding ways we can work together to rebuild some of the equity.”
Conversation #7*



9 Implications for the WAP amendment process

The conversations revealed the challenge of amended WAPs that make difficult trade-off decisions and can be effectively implemented with the broad support stakeholders. But there are also some genuine grounds for optimism. Almost everyone we spoke with acknowledged that water is under pressure and that there are different and important values that it needs to support. The conversations suggest that communities are seeking to engage with difficult trade-offs.

The pathway forward is a genuine open and collaborative process – one that maintains the important role of government as the decision-maker but that works with stakeholders using accessible science, starting with a shared understanding of the problem, opens the full range of management options to structured and transparent examination, and creates the conditions for workable agreements to emerge.

The conversations have revealed important implications for how such a process could be designed. While the application of these will be constrained by available resources, improvements in the efficiency and effectiveness of the implementation resulting from a process where outcomes are broadly accepted should be considered.

9.1 Begin with a shared understanding of problem, outcomes and constraints

- A dedicated phase to develop a shared understanding of the problem and the outcomes the community are seeking, should precede any exploration of solutions.
- This phase should be explicit about what the WAP amendment can and cannot change, distinguishing between constraints that are fixed and those that are contingent or open to discussion. This transparency is necessary both to manage expectations and to address directly the perception that some outcomes have already been decided.
- Where impacts fall outside the scope of the WAPs, the process should actively look for ways to address those impacts through parallel or linked processes. The discussion should not exclude those impacts and there should be full transparency around parallel processes. For example, this phase should explore opportunities to couple the WAP amendment process with stormwater, water security and land management planning.

- Address the issue of compensation directly and early. The view that compensation would be critical to negotiations related to any reductions to allocations and if society wants change, society should pay, was widely held. The WAP amendment process must engage with this directly and honestly with consideration by the ultimate decision-maker (the Minister) and with transparency with stakeholders.

9.2 Build shared, accessible evidence to support exploration

- This should start early, using available science as a critical step in developing a shared understanding of the problem and outcomes and identifying the questions for science to inform. Waiting until the science is complete to inform preferred options can mean that engagement is perceived as being just for show and miss important opportunities to address stakeholder concerns and build a foundation for collective action.
- Develop a clear, accessible and relevant evidence base. This could include visualisations of current allocations by sector, actual usage, unused entitlements, trends in water availability and hydrographs showing natural versus current flow conditions at key points in catchments. Focus on facts and observable trends and be transparent about data gaps and uncertainty as concealing uncertainty can undermine trust. Ensure that the science and data underpinning the amendments are available and tested and involve scientists with a high level of trust among stakeholders.
- Use science to enable discussion and exploration, helping stakeholders understand the consequences of different options, rather than to drive preferred solutions or predetermined outcomes.

9.3 Design for genuine engagement

- Use well-established deliberative engagement approaches to work with stakeholders to collectively develop responses to priority issues related to the amendments. These approaches should focus on fostering inclusive, informed, reflective and respectful conversations aimed at finding common ground, enabling participants to collectively consider options and weigh trade-offs (see Appendix B for further details).
- Include smaller, place-based forums (rather than large public meetings) to draw on existing relationships and build trust, particularly in the early phases.
- Be prepared to take the time this process requires. A faster process that fails is slower in the long run.

9. Implications for the WAP amendment process

- Build ways to share views privately for stakeholders who cannot speak openly in forums and formal settings.
- Create feedback loops so that stakeholders can see how their input shaped decisions at each stage.

9.4 Design for layered participation

- Use stakeholder advisory committees as a core structure for open and collaborative discussion, with careful attention to mandate, an independent chair, representation, accountability to communities, and governance. Further detail is provided below.
- Take a staged, long-term approach to Aboriginal water interests, building trust incrementally, with culturally informed design and resourcing. Consider community options, including engaging authentic knowledge holders in Aboriginal decision-making processes.
- Use representative group forums to provide a conduit to peak bodies and interest groups, ensuring their broad membership base is reached.
- Use catchment-scale community forums to provide opportunities to consider local issues and local solutions at a systems level.
- Use surveys and broad-reach mechanisms to capture voices and perspectives that are not heard in formal meetings.
- Resource key community connectors to support two-way information exchange and keep the broader community informed.

9.5 Use carefully designed WAPACs as a mechanism for structured input

- Give a clear mandate that specifies their role in the decision-making process, what ‘advisory’ means in practice, and what elements of the process are genuinely open to discussion.
- Have an independent chair, who is a trusted facilitator with explicit skills in managing complex multi-stakeholder processes impartially.
- Ensure all interests are represented with explicit diversity requirements including across sectors, scales (from large commercial users to lifestyle users), geographic positions within catchments, and types of knowledge (scientific, lived experience, cultural).

- Include a requirement to link formally with these supplemental engagement mechanisms, with procedures to ensure that members actively maintain accountability to their constituencies, reporting back to and receiving input from the communities and interest groups they represent.
- Operate within a transparent framework with clear stages and feedback loops, so all participants know where they are in the process and how their input is shaping it.
- Supplement WAPACs with additional engagement mechanisms (representative group forums, community forums, engagement forums with Aboriginal people, surveys, and anonymous input channels) to mitigate the risk of some voices dominating and the exclusion of those who do not participate in formal committee processes.

9.6 Build in adaptive implementation from the start

- Move away from a set-and-forget plan model toward adaptive allocations linked to monitored system conditions, with regular review.
- Focus initially on priority catchments, piloting approaches, building trust through demonstrable progress, and learning what works.
- Invest in a catchment coordinator function with the mandate and resources to support on-ground implementation and build community networks over time.
- Consider a combination of incentives and disincentives, carefully designed to avoid perverse outcomes.
- Ensure enforcement of existing rules is consistent and visible. Failure to enforce undermines the credibility of any amended process before it begins.

10 Appendix A: Stakeholder conversation summaries

This section provides additional detail on specific issues that emerged across the conversations and describes the views of stakeholders. The section organised by issue, providing a deeper look at topics that are discussed in the report but not fully unpacked in terms of the range of views, levels of agreement and disagreement, or underlying complexity.

Names have been replaced with interview reference numbering to preserve the non-attributed approach used throughout this report. Where stakeholders have consented to identification, this will be noted in a revised version of this report.

Sixteen conversations were conducted, many conversations involved more than one participant. Counts reflect conversations rather than participants and should be treated as indicative rather than exact, the intent is to give a sense of the spread and weight of perspectives.

10.1 Frustrations shared across sector lines

One of the most striking findings across the conversations is how much common ground emerged on the inadequacies of the current water allocation planning framework, across groups that disagree strongly on other issues. Stakeholders independently described disconnection between the planning framework, their lived experience, and the broader policy environment in which water users operate. This section unpacks the specific frustrations and shows where agreement is strongest and where it diverges.

Plans were based on assumptions that were wrong at drafting

Eight conversations raised the failure of the 2013 WAPs to set allocations at sustainable levels.

Conversation #12 described inequity issues in licensing 10 ML of water for a property with a 100 ML dam. A better and more equitable management practice might require that the licence corresponds with the actual take from the prescribed water resource. The gap between licensed and actual take means the system is more over-allocated than the numbers might suggest, and that the burden of any future reduction is likely to fall unevenly on those who have legally put in dams before the WAP rules were implemented.

Conversation #14 suggested that the rate used to calculate forestry water use in the south-east in the 2013 plan was out by a factor of 100%. This miscalculation impacted on plantations and the industry has since

commissioned peer-reviewed research to advocate with DEW to correct the figure. However, in their view the damage to the forestry estate has already been done.

Conversation #8 was pointed about the political dynamic that produced over-allocation. The viticulture industry was described as lobbying to protect its interests at the cost of environmental water. It was also noted that generous water allocations have not protected the wine industry from decline. Conversation #1 also referenced the link between generous water allocations, and resulting downstream consequences.

Water allocation planning cannot be fully effective while separated from land use planning, urban development, stormwater management and wastewater treatment

Nine conversations raised the narrow scope of WAPs as a source of unfairness, because the scope excludes significant water pressures and because it prevents government from exploring solutions that might arise in the context of a wider scope.

Conversation #13 described legislative limitations on the ability to look for alternative supplies of water. In the face of increasing constraints on water availability, these limits to finding solutions were perceived as an additional threat to communities.

Conversation #8 went further, describing the unwinding of forums for discussing natural resource management over time, and the need for WAPs to be embedded within a genuine catchment management policy.

Conversation #1 described the rapid expansion of Mount Barker as a live example of the problem, suggesting that development was occurring too fast for planning and infrastructure to keep up. Conversation #15 described related concerns in another catchment where developers seemed underregulated and stormwater runoff was heavily impacting stream systems. Conversation #16 talked about the exemption of certain development activities such as road construction within *Acts (i.e. legislation)*.

Another recurring observation across the conversations is that water quantity and water quality are connected for water users but often separated in current planning and regulatory frameworks. Conversation #16 stated this directly, citing sediment runoff from development as a clear example of a quality impact not addressed in WAPs. Conversation #8 contended that,

without a statutory land-use instrument working alongside the WAP, water quality will continue to degrade, and this will reduce the volume of water that is fit for purpose.

The commodification of water (its separation from land as a tradeable financial asset) has broken the fundamental logic of water management

Eight conversations raised the tradeable nature of water licences as a problem. This was one issue where there was strong agreement across sectors.

Conversation #1 offered a historical lens on the trading of water, from early allocations coupled with modest fees, to rising water prices over time, and water increasingly being perceived to have greater value as a tradeable asset than a farming input.

Conversation #5 expressed a fundamental objection to water becoming a tradeable commodity, believing that allocations should only be held by and traded between those who use water. Perverse consequences of the commodification of water included scenarios in which it was more profitable to lease water than to farm with it, and an open-market price for water that makes farm expansion effectively impossible for most family businesses. Conversation #6 agreed that water should not be an investment opportunity.

Conversation #3 held a very different view, perceiving water trade as a critical element of increasing water use efficiency. However, it was acknowledged that this argument only applies if the market is functioning to price efficiency, and several conversations suggested it is not.

The planning framework rewards wasteful or speculative water holding while penalising efficient users

This critique was raised explicitly in eleven of the sixteen conversations, across commercial producers (conversations #1, #5, #6, #10, #11), environmental advocates (conversation #8), industry groups (conversations #2, #14), government (conversations #12, #13), and a hobby farmer (conversation #3). It was one of the clearest areas of shared concern across the conversations.

The core complaint is that historical allocations were set generously, often based on what people were using at the time. Those who used more got more. Those who used water carefully got less. And because licences have become embedded property rights, water allocation planning now effectively

rewards those who have not conserved while offering no recognition or benefit to those who have.

Conversation #5 described a specific version of this issue. Having bought a property with an insufficient water allocation, they purchased water on the open market from a neighbouring landholder who was not using their allocation. They paid approximately \$2,500 per megalitre for water that had been sitting unused. They noted that leasing out a water allocation generates a higher profit margin than farming with it and, given the benefits of farming to the community, this should not be the case.

Conversation #3 approached the same problem from a different angle. The argument presented was that historical-use-based allocation creates a perverse incentive to use water, whether it is needed or not. Although there is no use-it-or-lose-it policy in South Australia, it was perceived that the more water you've used in the past the greater the motivation to keep on using it. This principle was described as absurd.

Conversations #12 and #13 also acknowledged a structural problem. These conversations recognised that the approach to water management would be very different if it was designed with the benefit of hindsight. It was acknowledged that most water resources are at or beyond their sustainable capacity.

Rules apply unequally across different user types

Twelve of the sixteen conversations raised the unequal application of rules as a significant source of grievance. This was a consistently expressed frustration, although the specific unfairness identified varied.

The sharpest version of this complaint came from licensed water users, who described feeling doubly penalised – they pay for water and the infrastructure to access it and face regulatory restrictions. Conversation #11 described hobby farmers taking water out of the river with no limitation or consequence. Conversation #5 stated clearly that everybody who uses water should pay.

Conversation #14 described the moratorium on commercial forestry planting as an unfairness without equivalence across other sectors. Halting the growth of the forestry industry while other industries and other water consumption is allowed to grow was perceived as fundamentally inequitable. Conversation #10 made a mirror-image complaint, describing what they saw as government favouring forestry with preferential treatment in other contexts.

Conversation #1 described significant new water pressures from housing development in Mount Barker, with stormwater runoff and wastewater treatment plant discharge affecting water quality. It was perceived, however, that planning processes were continuing unconstrained. Conversations #4, #8, #15 and #16 also described major impacts from stormwater runoff from developments. Conversation #13 acknowledged the unnatural division between different water uses and the absence of any strategic oversight, recognising that the impacts of urban development might be used to improve water security outcomes for surrounding agricultural uses.

Consultation processes have generated the appearance of input without genuine influence

Nine conversations explicitly raised distrust of consultation processes, including several that used almost identical language to describe the same problem. The concern is largely that previous processes have felt predetermined, with community input used to legitimise decisions that were already made rather than to genuinely shape decisions.

Conversation #1 described a specific example in which a concern about the current WAP was taken on notice. The concern related to the implementation of strategies outlined in the WAP and their effectiveness. The concern had still not been addressed months later, creating a frustration that feedback was being requested but without follow-through.

Conversations #11 and #6 both described the fear that the current process, despite good intentions, will follow the same historical pattern. There was a reluctance to waste time in consultation if the outcome is a done deal.

Conversation #9 described a preferred approach in which government presents the issue and allows the people to sort it out. It was also suggested that community members are more likely to engage candidly with an NGO or non-government facilitator than with a government representative.

10.2 Over-allocation and sleeper licences

There was a widespread view that water licences in the Mount Lofty Ranges were issued generously. The 2013 WAPs did not correct this over-allocation, so the gap between what is licensed and what is actually used has not been meaningfully addressed. It was identified that the mechanisms to make allocation reductions where sustainable limits are exceeded exist, both in legislation and in the WAPs

themselves, but these powers were not exercised. This issue was raised in twelve of the sixteen conversations.

Shared recognition of over-allocation

Eleven conversations acknowledged that the system is over-allocated, meaning that the water resource could not sustain all licence holders using their full entitlement. The recognition of this problem was as strong among commercial users as among environmental advocates or government, although the framing and implications drawn were very different.

Conversation #12 described a static plan and a variable environment. Overall licensed water is well beyond sustainable limits, however access to water may be unnecessarily restricted in wet years and not adequately restricted in dry years.

Conversation #13 also understood that the allowable volume of use was far above actual use, and that allocations exceeded the sustainable limits set by government. Conversation #14 noted that, in one region, only 51% of water allocations have ever been used. Conversation #1 articulated the risk for downstream users if allocations that have never been used upstream were to be activated.

What sleeper licences represent, and why this divides people

While over-allocation is widely acknowledged, views on what to do about sleeper licences are sharply divided because the same paper right means something very different depending on who holds it and why.

For those who hold an unused water entitlement, it represents genuine value and future security. Conversation #6 made this point, that unused water will be needed if things get worse.

For those who compete with large unused allocations, sleeper licences are a source of injustice and risk. Conversation #5 expressed frustration about water holders who make an income off trading, while water users who need more water for productive purposes are victims of a highly volatile water market. Conversation #1 expressed concern about the consequences for other water users if large sleeper licences were activated.

Conversation #10 reflected the complication that 'unused water' might also be a reference to unlicensed stock and domestic entitlements. A rural resident with a bore perceives access to water from that bore to be a property right.

For environmental voices, sleeper licences represent both a critical vulnerability and a legacy of inadequate regulation. Conversation #8 described the original over-allocation as a political failure resulting from industry pressure.

Options for addressing over-allocation

Eight conversations discussed potential mechanisms for recovering unused water, although most had significant reservations about how these would work in practice.

Use-it-or-lose-it mechanisms had qualified support across sectors. Conversation #5 proposed that if an allocation has not been leased or used within two years and the holder is not a primary producer, it should be returned to the pool. They saw this as creating more affordable water for active producers and reducing speculative holding. Conversation #1 cautioned that a new use-it-or-lose-it mechanism is likely to drive increased usage.

Buy-back schemes were raised in five conversations. There was broad agreement across conversations that buy-backs must be genuinely voluntary and at fair market value to be acceptable. There was also commentary in conversation #5 regarding applying a standardised per-megalitre rate without regard to how the water is used would itself be perceived as unfair.

Adaptive management was a popular option suggested by interviewees. Ten conversations touched on this idea. Conversation #8 argued that allocations should be linked to rainfall using a 20 to 30-year rolling average, addressing the dependence of the system on rainfall and the increased demand for water during low rainfall periods. Conversation #10 acknowledged the logic but raised a practical concern about animal and community welfare issues.

10.3 Dams

Dams are the most concrete and contested element of the water governance challenge in the Mount Lofty Ranges. They were raised in fifteen of the sixteen conversations. No other single topic generated a wider range of views or more strongly held positions.

Dams as essential infrastructure – a right, built in good faith

Nine conversations included advocacy for dams as necessary infrastructure, particularly from primary producers. The consistent argument is that where

dams were built legally, often at significant cost, any attempt to retrospectively change those rights without compensation is unfair.

Conversation #6 described their dam infrastructure as the margin between viability and failure. They also described spending to be able to pump between dams efficiently, an investment that paid off in the recent drought year.

Conversation #11 argued that the dam construction moratorium is short-sighted. In their region, dams capture water that would otherwise be lost to the ocean, help inhibit flooding, stop soil erosion and help with stock watering in dry periods.

Conversation #10 framed it as a policy disconnect, perceiving that governments were asking water users to be more resilient while using less water. The only solution they could see to dams running dry is to make the dams bigger, if you can't make dams bigger you can't become more water resilient.

Dams as a driver of ecological decline

Eight conversations described dams, particularly the cumulative effect of large- and small-scale storage across catchments, as the main mechanism by which stream flows are being degraded. This view was most strongly held by environmental interests, but elements of the argument were acknowledged by other stakeholders.

Conversation #13 was explicit in pointing to dams as the primary driver of ecological decline. The flip side is that dams represent the single greatest opportunity to address declining river flows and watercourse health.

Conversation #12 described the inconsistency between dam capacity and actual licences, with licences often representing only a small percentage of the water held in a dam. This represents an unfairness for the environment and for other water users.

Conversation #8 described historic attempts to limit water storage. In 2000, in response to impacts, a rule was set in the Marne catchment that only 30% of water in any sub-catchment could be stored. In later attempts to apply the same rule to the eastern Mount Lofty Ranges, every single sub-catchment was already assessed to be over that threshold.

Illegal dams – widespread concern, different emphases

Six conversations raised illegal dams, broadly in the context that lack of action to address illegal activity undermines confidence in the Water Allocation Planning framework. However, the emphasis and implied response differed significantly.

Some stakeholders were most focused on the scale of non-compliance and the failure to enforce rules. Conversation #8 felt restrictions were applied too late and approximately 3,000 illegal dams had been developed since. Conversation #12 and #15 described no active enforcement at scale in response to illegally constructed dams.

Conversation #1 described the impact on downstream users, people doing the right thing were identifying a problem and nothing was being done about it.

The primary producer perspective was notably mixed. Some, such as Conversations #11 and #6, were critical of dam restrictions – although this was framed around government overreach and the flood/erosion mitigation value of dams or loss of dam building and maintenance capability respectively, not around support for illegal dams.

What to do about dams – the options and their sticking points

Ten conversations discussed specific options for reducing the impact of dams. No option had universal support, and several had substantial opposition from specific sectors. Responses suggest that any blanket approaches to dam management will not be acceptable.

Conversations #8 and #12 both described lowering spillways as a pragmatic step in the right direction. Some commercial producers offered negative views on reducing dams.

Low-flow bypass devices received little support. Conversation #8 noted that this option was easy to sabotage. Conversation #6 assessed the option and found it was not feasible given the topology and commented that it would need to be turned off in a drought year anyway.

Dam-to-wetland conversion was raised in some conversations as a potentially positive way to reframe dam management. Conversation #8 suggested incentivising turning dams into wetlands. Conversation #15 made a related argument about the potential for biodiversity credits to provide

economic returns for changed land management, reducing the cost to landowners.

Compensation for dam modification or removal was raised in seven conversations as an essential condition. Conversation #14 described reducing water rights as difficult with a compensation scheme, and unworkable without one. Conversation #12 confirmed that under the Act, if a dam was constructed legally, compensation needed to be paid.

In one conversation a landholder described being willing to consider filling in an underutilised dam, given the right circumstances including evidence of the need.

10.4 Licensed and unlicensed water use

The unequal regulatory treatment of different water users was raised in thirteen of the sixteen conversations. It is among the most widely shared sources of grievance, and cuts across sectors in unexpected ways.

The core issue

The argument is that some forms of water use are licensed while others are not. This creates both a practical unfairness (licensed users face costs and constraints that unlicensed users do not) and a systemic one (the water planning framework is limited in its capacity to manage the water resource because it only manages some water users).

Conversation #13 pointed specifically to water licence holders feeling that it is unfair that someone using water for a beef business (for example) doesn't require a licence. While conversation #12 pointed to the problem with only regulating, and therefore managing, some forms of water use and not others.

Stock and domestic exemptions

The stock and domestic exemption, which allows landholders to take water for household use and for stock watering without a licence, was raised in nine conversations. Views were divided, not just between sectors but within them.

Commercial irrigators generally regarded it as unfair that they pay licence fees while a neighbour with a lifestyle farm does not. Conversation #5 argued that all water users should pay proportional to their use. Even a beef producer, someone benefiting from the exemption from licensing, acknowledged the inequity of a regulatory framework where some pay and others do not.

Conversations #6 opposed extending licensing to domestic use because of administrative complexity. Conversation #10 opposed any change to the stock and domestic exemption, including commercial, livestock production considering it to be a property right.

Forestry interception

Licensing is limited to water extraction, consequently rainfed commercial forestry is not licensed although it intercepts flow. Forestry's status outside the licensing regime was raised in seven conversations. Different sectors saw this as inequitable, although they didn't all draw the same conclusions.

Conversation #14 argued that forestry is disadvantaged, not only by the moratorium on new planting but also because they do not have a licensed share of the water resource. Conversation #10 took the opposite view, perceiving that forestry had an unfair advantage.

Conversation #11 described forestry impacts on flows in their region as something farmers had identified years before government accepted it.

10.5 Environmental protection

Support for protecting the environment was explicitly expressed in most conversations, but this surface agreement conceals deep disagreement about what environmental protection means in practice, how it should be prioritised, and who is responsible for it.

Shared recognition of environmental decline

Thirteen conversations acknowledged visible or documented environmental decline. The specific evidence cited ranged from declining stream flows and loss of permanent pools to disappearing fish species, degraded wetlands, and dieback of native vegetation.

Conversation #12 described monitoring over time and the alarming indicators of collapsing ecosystems. Conversation #8 reinforced this message, providing a detailed account of impacts across the region.

Conversations #1, #4 and #9 also described observable decline in river flow, fish populations and wider biodiversity respectively.

Where views diverge on environmental protection in practice

While decline is widely acknowledged, what follows from that acknowledgement is complicated. Broadly, three positions can be described

but they reflect a spectrum of environmental emphasis more than clear contestation:

Conversations #7, #8, #12, #13, #15 and #16 see environmental health as a non-negotiable baseline. The principle is broadly that the WAPs must provide an environmentally sustainable level of take. This principle is enshrined in the legislation. Even accounting for the likelihood that ‘sustainable’ does not have a shared definition, these and other stakeholders agree that it is not being achieved.

Conversations #1, #2, #3, #4, #5, #6, #9, #10 and #14 argue that the environment and other water needs must be balanced. This position was shared across interests but was most prevalent amongst primary producers. It is not always easily distinguishable from the environment as a non-negotiable position.

Conversation #11 felt that the environment would be best managed if government got out of the way, and that regulation was inhibiting rather than improving outcomes.

The voices of Government

Two conversations raised the structural problem that, in planning consultation processes, the environment has no direct voice. This creates a fundamental tension: Government is the water planner navigating competing interests, the regulator, and also the lead and sometimes only advocate for the environment.

Seven Conversations (#1, #4, #7, #8, #10, #12, #13) noted the challenges related to changing government priorities, including the challenges related to working in a political climate/cycle and lack of political will in making hard decisions or implementing policies.

Conversations #12 and #13 described this dynamic and the impact of not having a strong, independent environmental voice in planning conversations. The weighting of interests, reflected by the people participating in the consultation process, influences outcomes. Conversation #8 argued that representative imbalances have deep political roots.

10.6 Aboriginal water interests

The subject of Aboriginal water interests revealed a wide range of views across the conversations – from those who see the recognition of Aboriginal water interests as

the most important issue in the process, to those who questioned whether it is relevant to their catchment at all.

The diversity of perspectives

Aboriginal water interests were discussed in all but two conversations, with the following reflecting the complexity of perspectives.

The cultural concept of a Tribal Water Council was put forward by a Traditional Owner and Elder as one potential cultural governance model, centred on knowledge and obligations to Country.

Conversations #8, #9, #12, #13, #14, #15 and #16 (all non-Aboriginal people) offered strong support for meaningful recognition, ranging from actively addressing the absence of an Aboriginal voice in past water allocation planning processes, through to identifying Aboriginal peoples as more important than other stakeholders.

Conversations #1, #2, #3, and #4 (all non-Aboriginal people) acknowledged Aboriginal connections to Country and interests in water broadly but some expressed uncertainty about the detail. Conversation #1 asked genuinely if the interests were economic, environmental or social. Conversation #3 expressed concern that connections were so badly damaged that it is hard to understand what Aboriginal water rights would mean in a practical sense.

Conversation #14 (non-Aboriginal person) supported the moral obligation but highlighted the risks, both that objections to Aboriginal water interests could derail the planning process and also that any process would need to be carefully managed to address the risk that it could surface racist sentiment in the community.

Conversations #11 and #6 (non-Aboriginal persons) framed Aboriginal water interests as no more important than anyone else's, or as potentially relative to statistical representation based on Aboriginal peoples making up approximately 3% of the South Australian population.

Barriers to meaningful inclusion

The following barriers to Aboriginal water access were identified through the conversations, describing a gap between intent and practical possibility:

Conversation #7 (an Aboriginal person) also recognised that Aboriginal exclusion from land rights leads to ongoing exclusion from water rights. Other

barriers relate to Aboriginal participation in water conversations and processes include the risk of burnout from often tokenistic over engagement and the failure of current planning to sync with cultural conceptualisation of water.

Conversation #12 (non-Aboriginal person) outlined challenges including the fact that the system is over-allocated and therefore there is no unallocated water to give. A further complication is that access to water entitlements requires land ownership. As a result, responding to Aboriginal water interests may be practically limited to environmental rather than economic outcomes, which risks being perceived as unfair or tokenistic.

Conversation #8 (non-Aboriginal person) also referred to the challenge of identity without Native Title and noted that a case where an Aboriginal Corporation had received a grant to become a cultural water holder without clarity on where the water would come from.

Conversation #2, #4, #8 and #13 (non-Aboriginal people), spoke of the disparate nature of some Aboriginal communities who have not yet been able to reorganise themselves following colonial destruction. This limits their capacity for engaging in water policy discussions.

10.7 Consultation design

There is near-universal support across the conversations for a more open and inclusive process than has been delivered in previous WAP cycles. Fourteen of the sixteen conversations expressed this view in some form. But beneath the shared support for a better process lie significant differences about what that means in practice.

What stakeholders want from a better process

Across the conversations, several consistent themes emerged about what a genuinely good process would look like. These are drawn from observations, stories, or critiques of what had gone wrong before, rather than explicit recommendations.

Twelve conversations emphasised a need to start with facts and a shared understanding of the problem, not positions. Conversations #1, #2 and #9 identified the need to provide information to ensure opinions and discussions are informed and work towards a collective wisdom.

Ten conversations identified a preference for face-to-face and local engagement. Conversation #6 highlighted the importance of interaction,

relationship building, and hearing different perspectives. Conversation #9 described a previous experience of kitchen table conversations in which a problem was put into the middle of the table and the people were tasked with sorting it out.

Nine conversations raised the need for genuine openness and no predetermined outcomes. Conversations #6 and #14 both described the importance of allowing people to contribute to finding solutions, increasing acceptance of the outcome.

Seven conversations raised needing multiple and layered mechanisms, not just one format. Conversations #2 and #9 both described the value of engagement mechanisms in addition to committees or forums, such as using surveys to gather data or trusted community connectors to disseminate information and draw in people who would never attend a formal meeting. Conversation #13 noted that one-on-one conversations can yield very different views from group settings.

Six conversations noted that feedback loops that show input make a difference. Conversation #1 described being asked to raise concerns, doing so, and seeing no follow-up. Conversation #14 described how the absence of visible impact from previous engagement had created deep distrust in the process.

Conversation #5 wanted to see the information that they feed to government as part of their licencing requirements reflected to them in useful reports showing the impact that was being achieved each year and the quality and volumes in water courses and underground (as promised when licencing was first set up).

Only two conversations noted pace can be a key determinant of success, but Watertrust's experience supports its importance. Conversation #7 emphasised that consultation is often forced in at the last minute, however taking the time to listen is critical. Conversation #12 (non-Aboriginal person) highlighted that this is especially true for engagement with Aboriginal people, questioning whether appropriate engagement can be done in three years with some Nations that do not already have a good relationship with government, and whether engagement should have started three years ago.

Views on WAPACs and formal advisory structures

WAPACs were discussed explicitly in eleven conversations. Support for the principle was common, but enthusiasm for the specific format was cautious, shaped largely by negative prior experiences.

Conversation #11 questioned the knowledge of previous participants, although it is also worth noting that this feedback partly reflects the belief that WAPACs should be weighted toward people with primary production expertise. Conversation #2 provided related feedback, suggesting that the people who sit on committees aren't necessarily the most knowledgeable or integrated, and are often not best placed to represent an industry.

Conversation #9 identified an alternate perspective, arguing that elected representatives of industry groups will lobby for industry interests instead of being open-minded to catchment wide management strategies. Further to this concern was the risk posed by loud participants overriding or silencing others. To address this, it was suggested that there may be virtue in separating catchment-level conversations from industry-level advocacy.

Who gets heard, and who doesn't

Eight conversations raised the risk that consultation processes disproportionately reflect the interests of those with the loudest voices and those who are already well served by the current planning framework, while environmental advocates, lifestyle landholders, Aboriginal communities, downstream communities, and future generations are often underrepresented (or unrepresented).

Conversation #12 described the disproportional representation of licensees in community consultation processes, inevitably influencing public input.

Conversation #8 was direct about what this means, licensees are interested in continuing the status quo, if you want fair representation a power imbalance needs to be recognised and addressed. Conversation #13 shared the challenge in convincing other perspectives to attend engagements to help represent wider views – people might not see why it is worth their time.

Conversation #14 articulated the representation challenge – you can talk to 200 people, but there are still 2,000 people who didn't get a say and who might not be happy with the outcome.

Building trusted relationships and expertise

Six conversations highlighted the value of starting early to build relationships and identify trusted voices, rather than treating engagement as a time-boxed event built on unfamiliar relationships.

Conversation #7 described a process starting with small regions, piloting the bringing together of people and the building of relationships, before scaling up. This included identifying who is genuinely trusted to hold knowledge, rather than defaulting to people in formal positions or those motivated by self-interest.

Conversation #9 offered a concrete example of this principle in practice, describing the demonstrated potential of identifying and resourcing local people to act as connectors and disseminators of information prior to a fully scaled, formal process.

Conversation #13 noted that the capacity and prior experience of different communities to engage in water policy processes varies, requiring different starting points and a longer lead time to build familiarity. This familiarity supports more candid input over time.

Conversation #10 described how bringing in an outside or untrusted expert can lead some participants to dismiss the information presented, regardless of its accuracy, because the expert lacks standing within that specific process or community.

10.8 Management options in depth

The conversations identified a wide range of management options. This section maps the options raised and, where the conversations provided material, the equity implications as different groups see them. Dam options, including dam removal, spillway lowering, dam-to-wetland conversion and low-flow bypass devices, are covered above so not repeated here.

Adaptive allocations linked to water availability

Ten conversations touched on this option. It received the most consistent positive response of any management option across sectors.

Conversation #8 argued this is the only rational model, proposing that allocations should be tied to rainfall based on a 20 to 30-year rolling average.

Conversation #12 described the problem as a static plan and a variable environment. While unbundled entitlements give more flexibility than the

original licensing approach, a more adaptive model (if feasible) could increase water availability in a wet year, but throttle back in a dry year.

Conversations #10 and #14 raised concerns about the practical implications of reduced allocations. The concern raised was specific to animal welfare for primary producers with livestock. While different industries will face different impacts, all commercial water users are likely to pose concerns about business continuity.

Conversation #1 noted that for ephemeral rivers like the Bremer and Angas, the concept of a fixed allocation is already somewhat abstract – you can't use water that isn't there and they already at times can't access their allocations. Any adaptive model needs to account for variable-flow systems, not just fixed aquifer volumes.

Use-it-or-lose-it mechanisms

Seven conversations discussed mechanisms to recover unused allocations. There was broad interest in the idea, but significant disagreement about how it should be designed and who it should apply to. In particular, primary producers distinguished between 'sleeper' licences held for drought security versus those held purely as financial assets.

Conversation #5 proposed a specific mechanism whereby a portion of any license not used or leased within a certain amount of time should be returned to the pool, they can show that they have definite plans to use it for primary production. This mechanism focuses on reducing speculative holding and making water more affordable for active producers.

Conversations #1, #3 and #10 offered cautions around this approach, noting the benefits of having the same rules for everyone and the risks associated with taking away entitlements. Examples of relevant situations in other locations were cited, specifically in relation to pushback or the potential for perverse outcomes such as encouraging people to use water rather than lose it.

Conversations #5, #12, #14 highlighted the increased value of properties with water rights or access attached to them, and the impacts that losing allocations would have on those values.

Incentives for water use efficiency and land stewardship

Nine conversations supported some form of incentive for efficient water use or land stewardship, although views on design varied.

Conversation #15 described a model in which fencing off waterways and revegetating creek lines generates biodiversity credits that offset costs to the farmer, while delivering environmental outcomes. This model needs to be actively supported and coupled with appropriate penalties for misuse.

Conversation #6 described how the water quality benefits of fencing off waterways can only be fully realised when fencing is done by all property owners along a water course.

Conversations #3 and #9 both raised the absence of recognition and reward for environmental stewardship by government. Conversation #3 went further in talking about two dimensions of an incentive structure (reward and penalty), not only in respect to the lack of regulatory penalties but also the disincentive associated with the cost of trying to do the right thing.

Penalties for waste and non-compliance

Eight conversations raised penalties as a necessary complement to incentives. There was agreement in principle, although views on who should face what kind of penalty diverged.

Conversations #14 and #15 both proposed a scaled approach. This related to the implications of applying the same rules to large and small businesses. The same penalty could be significant for a small business but not for a large one. However, it also related to addressing compliance resource limitations. Conversation #15 argued that 2% of dams in the Fleurieu account for 69% of the dam volume and so favoured tiered enforcement starting with the largest holders, rather than applying uniform pressure across all licence holders.

Conversation #8 was direct about the current failures of the system, expressing frustration with the lack of effectiveness of this model of voluntary agreements.

Integrated catchment planning

Nine conversations raised the coupling of WAP amendments with stormwater management, land use planning, and broader catchment management as an opportunity to address problems and identify opportunities that a standalone WAP process cannot.

Conversation #8 argued that we must broaden the WAP to be an integrated water management instrument. This was considered necessary not only to capture the altered way in which water moves through the landscape, but

also to leverage alternative water supplies through the inclusion of a stormwater contribution scheme.

Conversations #1 and #13 described the unnatural division between this water and that water, and how no one has full responsibility for managing cumulative impacts.

Buy-backs and compensation

Five conversations discussed buybacks, all of them in the context of compensation being an essential condition for any change to allocations.

Conversation #5 proposed a complementary idea to their use-it-or-lose-it mechanism described above, a government buy-back at a standardised rate, returning water to a pool from which primary producers could purchase it at a reasonable cost.

Conversation #14 argued that any buy-back scheme that treats all licences equivalently, regardless of whether they are in productive use, would be perceived as unfair.

Conversations #10 and #12 described the potential conflict between legislation which does not require compensation if allocations are reduced and the widely held expectation of reimbursement for the loss of something that has value.

Landscape rehydration and wetland restoration

Four conversations touched on landscape rehydration, framing the goal not just as reducing harm but as actively restoring what has been lost.

Conversation #8 argued that there are things we could be doing, including at scale, such as cleaning up wastewater and pumping it into permanent pools impacted by reduced flow.

Conversation #15 described community-led revegetation as already creating demonstrable results.

Watertrust advises that these, and likely other management options, need to be examined in full to understand the trade-offs and consider how different combinations of options might achieve outcomes.

11 Appendix B: Deliberative processes: options and value for the amendment process

The stakeholder conversations revealed a strong, broadly shared appetite for a process that goes beyond conventional consultation toward genuine deliberation (described throughout the body of this report as discussion and/or exploration). This section briefly explains deliberative processes in the context of the Mount Lofty Ranges water allocation planning amendment process.

11.1 What makes a process deliberative?

Consultative processes – advisory committees, public meetings, written submissions, surveys etc – aim to capture community opinion and ideas. Deliberation changes the quality of that feedback by bringing people together, giving them time and information, and creating conditions for genuine reasoning. Standard consultation asks, “what do you think?”; deliberation asks, “what do you think after you’ve had the chance to hear other perspectives and understand the problem more deeply?”. Deliberation is particularly valuable in a situation like the Mount Lofty Ranges amendment process because water allocation planning requires navigating trade-offs between competing legitimate interests, a difficult process which is further complicated by scarcity, uncertainty, legacy and mistrust.

Definition: *Deliberative engagement refers to methods designed to foster inclusive, informed and reflective conversation aimed at finding common ground – enabling participants to exchange reasons, weigh trade-offs, and collectively develop responses to shared problems. (Source: Guidebook for Deliberative Engagement, Ercan et al., 2024²²)*

Three design features appear consistently in the literature on deliberative processes, and each one surfaced in the conversations:

- **Inclusion** – bringing in underrepresented voices by design. Stakeholders identified significant gaps in who has historically participated in water allocation planning processes and were sceptical that conventional engagement formats reliably close these gaps.
- **Consequentiality** – a genuine commitment by decision-makers to seriously consider what emerges. Stakeholders raised this most often in the context of government entering processes with conclusions already reached.

² Ercan, 2024

- **Informed deliberation** – giving participants the information needed to reason through difficult trade-offs before asking them to form positions. This includes technical information, as well as explicit consideration of what decisions mean for different people, not just what the data shows.

11.2 Main deliberative process types and their fit for the amendment process

It should be noted that multiple methods of deliberative process exist. If the principles of deliberative practice are maintained and limitations are clearly defined with associated mitigation approaches applied, the context will largely dictate the appropriate tool accordingly.

Citizens' juries: bring together a representative, randomly or stratified-sampled group (typically 12–25 people) over multiple sessions to hear evidence and produce a collective recommendation. For the Mount Lofty Ranges, random selection alone is unlikely to address the representative gaps that have characterised past WAP processes. Stratified sampling can correct for this but requires prior decisions about which groups to sample for, which is itself a contested question. Supplementary selection or targeted recruitment of underrepresented groups can also be used to ensure a diverse selection of the community. A citizens' jury is therefore not a straightforward fix for the inclusion problem. Juries work best where a values question is supported with access to technical knowledge. Framing the question put to jurors is a critical early design step.

Deliberative polling: engages a larger, ideally representative sample (typically 200–600 people) over a shorter, intensive period, surveying views before and after deliberation to measure the impact of informed reasoning in shifting opinion. For the Mount Lofty Ranges, the aim would be to build a credible picture of broader community sentiment, independent of the stakeholder groups that dominate WAP consultation. However, the method's claim to representativeness depends on statistical sampling logic that is harder to satisfy in a small, geographically defined catchment community. A further limitation is that it produces insights about preferences, not workable agreements, it cannot substitute for the negotiated, sector-by-sector work of adjusting allocations.

Structured decision making (SDM): is a facilitated, multi-workshop process involving technical experts and stakeholders in clarifying objectives, evaluating alternatives against them, and surfacing trade-offs explicitly. The

number of participants is determined by the stakeholder groups relevant to the decision rather than by sampling targets. SDM was developed for exactly this kind of complex multi-criteria, multi-stakeholder evaluation and has been applied directly to water allocation planning contexts, allowing for management options to be evaluated comparatively against each other. SDM's most significant practical limitation is the time and resource intensity of this highly iterative process. Another limitation is in finding a weighting approach that will be broadly accepted.

Participatory budgeting: involves participants directly in mock binding decisions about resource distribution within a fixed, known constraint. Scale is highly variable and determined by the scope of the decision. This method is designed for budgeting contexts and hasn't been tested in water allocation planning. However, its underlying logic may be applicable. Mount Lofty stakeholders could be forced to confront the reality of a constrained resource and propose its distribution, thereby surfacing workable agreements that more open-ended negotiations struggle to reach. The strength of participatory budgeting is in forcing participants to consider the trade-offs and competing demands on limited public resources. This approach would also require a high level of trust and agreement in the underlying science, which may be contested. It might not resolve conflicts where people do not agree with how much water is needed or available for the environment (which must be prioritised according to legislation). This could be addressed by developing a process to first agree on the underlying assumptions, or a campaign to share the science and build community knowledge before the budgeting exercise.

11.3 What the amendment process needs from deliberative design

Four specific challenges emerged from the conversations that deliberative design must address:

Voice dominance. Conversation #12 described disproportionate representation of licence holders. Conversation #8 argued that fair representation requires giving more power to those who bear negative consequences than to those who extract the resource. Citizens' juries and deliberative polling are specifically designed to recruit participants independently of interest groups, complementing rather than replacing stakeholder engagement. SDM does not necessarily resolve the voice dominance problem, it works with the stakeholders who are present and if that group is unrepresentative the

process will reflect that. SDM can also be designed with mechanisms that will help reduce the risk of voice dominance.

Technical complexity. Multiple conversations described concern about providing stakeholder input without a clear picture of the system. Conversation #2 asked for simple diagrammatic representations of water flow, use and allocation. The design principle this points to is staged, accessible information-sharing – presenting what is known, being honest about what isn't, and giving participants real opportunity to question experts rather than just receive presentations.

Distrust and consultation fatigue. Several participants described providing input without feedback loops, concluding that consultation may have little or no influence on outcomes. Consequentiality is key, visibly showing, at each stage, how community input shaped what came next. Conversation #9 suggested that feeling heard is “half the battle” in whether people accept an outcome that doesn't favour them.

Aboriginal participation. Inclusion requires deliberate structural features. The potential need for parallel and customised deliberative processes for Aboriginal communities is just one example of this, but a critical one. Effective Aboriginal engagement will need culturally safe and co-designed forums, with plenty of time allowed for relationship and trust building to occur. Conversation #7 (Aboriginal person) described one possible Traditional Owner cultural model and conversation #14 (non-Aboriginal person) described the risk of poor process exposing Aboriginal people to racist sentiments.

11.4 A layered model

No single mechanism is sufficient for a problem this complex. Drawing on what stakeholders described, Watertrust suggests that a layered approach, using different mechanisms at different stages or to capture different interest groups, is appropriate:

Stage	Function	Possible mechanism(s)
1. Define the problem	Build shared, accessible understanding of the water system and what's at stake	Local catchment forums, accessible visualisations, finding and socialising experts, structured decision making, WAPACs, communications campaign
2. Clarify values	Surface different understandings of fairness before moving to solutions	Citizens' jury, community survey, structured decision making, WAPACs, communications campaign
3. Develop and evaluate options	Compare management options based on effect, equity, and feasibility	Structured decision making, participatory budgeting, WAPACs, technical advisory input, communications campaign
4. Test and refine	Check proposals against community values before finalising	Deliberative polling, community forums, WAPACs, structured decision making, communications campaign
5. Finalise and implement	Translate deliberation into plan settings with visible accountability	Government decision-making with public record, feedback loops, WAPACs, structured decision making, communications campaign

11.5 What deliberative design can and cannot do

Deliberative processes will not resolve the underlying scarcity problem or reconcile genuinely irreconcilable positions. They also require time, skill, and resourcing that must be explicitly planned for.

What they can do is change the conditions under which difficult decisions are made, and so change the likelihood those decisions are accepted and implemented:

- They surface common ground that advocacy-dominated consultation obscures.

- They produce trade-offs people are more willing to accept because they participated in making them.
- They can counter voice dominance by either recruiting participants independently of stakeholder affiliation or by explicitly addressing this risk through process design.
- They provide a credibility buffer for politically difficult decisions, such as reducing over-allocation or strengthening enforcement.

References

1. Marsh R (2025) Fair enough: considering equity, fairness and justice in water policy. Watertrust Australia, Canberra, 2025.
2. Ercan SA, McSwiney J, Parry L, Curato N, Asenbaum H, Webb A, Savini E, & McCaul J (2025) *Guidebook for Deliberative Engagement: Key Features and Practical Insights*. Australian Government.

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