



The Collaborative Water Planning Project

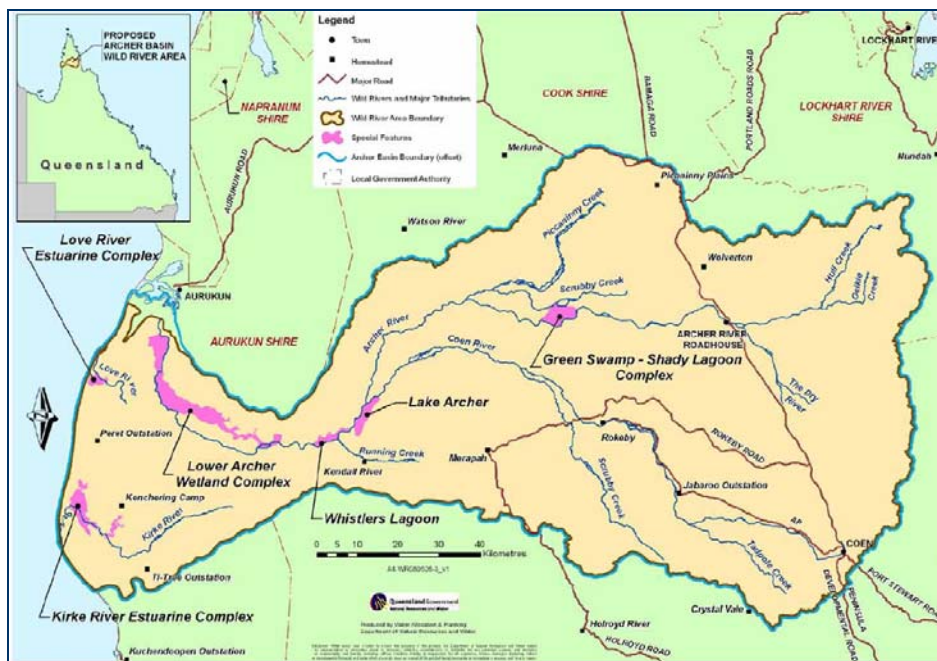
Pilot Study: Archer River Basin Wild Rivers Declaration

The TRaCK Collaborative Water Planning Project trials and promotes collaborative approaches to water planning. It aims to develop improved approaches for involving communities, industry and the public; and to provide methods to incorporate social, cultural and economic values in water planning, especially those held by Indigenous people.

The project will develop and trial approaches to water planning that include good practice tools, decision support systems and mechanisms targeted to address key issues in selected catchments.

The project is currently conducting two case studies. One of these case studies will work in the Archer Basin in Cape York, and will pilot a collaborative approach to the water planning process associated with the Wild Rivers Declaration for the Archer River.

Background and Context



The proposed Archer Basin Wild River Area is located on the west coast of Cape York Peninsula and covers an area of approximately 13756 km², encompassing the catchments of the Archer, Love and Kirke Rivers. The Queensland Government announced an intention to declare the rivers within the Archer Basin Area as wild rivers on the 24 July, 2008.



Under the Cape York Peninsula Heritage Act 2007 (Qld) a Wild River must “provide for a reserve of water in the area to which the declaration or plan relates for the purpose of helping indigenous communities in the area achieve their economic and social aspirations”. This is known as the Indigenous reserve.

The Cape York Peninsular Heritage Act was intended to provide the necessary legislative framework for the cooperative management, protection and ecologically sustainable use of land, including pastoral land, in the Cape York Peninsula Region and to recognise the economic, social and cultural needs of Indigenous Cape communities.

However, the Act does not outline the process for the release of the allocation of water in the Indigenous reserve. Unlike the general reserve, Indigenous water will be made available through a non-competitive process, which means that NRW, in collaboration with the Indigenous communities in the Basin, will have to determine what amount of water is required to meet the social and economic aspirations of the relevant Indigenous communities.

This creates two policy questions that are central to the pilot of tools in the Archer Wild Rivers Declaration process:

- Firstly, how does NRW determine if a given water license application will serve the purpose of helping Indigenous communities achieve economic and social aspirations?
- Secondly, once the proposed water use has been shown consistent with economic and social aspirations, how can a release process be undertaken that is culturally appropriate, maximises the opportunities of the Indigenous communities, and is ensures that no communities with a rightful claim of access are disadvantaged?

Research Question

The Collaborative Water Planning Project plans to work with stakeholders in the region to assist in the development of a general policy approach to the allocation of water entitlements from the Indigenous reserve.

This project will assist NRW and the communities in the Archer Basin by undertaking research, consultation and undertaking a pilot of a collaborative process. On the basis of the findings from this pilot, a general policy approach will be developed.





Key Issues

The following issues are central to the pilot, and will be considered in the design of the planning process:

- What range of water using projects and actions could be considered to assist in the achievement of social and economic aspirations?
- What criteria should be applied to the determination of whether a given application contributes to the aspirations of the community?
- Who is entitled to apply for an application for the unallocated reserve (Indigenous entity, Indigenous landholder, non-Indigenous entity or landholder)?
- Should a competitive process be instigated in instances where demand exceeds the available unallocated reserves?
- Should there be a strategic planning approach to the whole of the area that is used for the consideration and assessment of applications?
- Should the allocation be shared across the communities of the area?
- Should water entitlement holders be able to lease all or part of the Indigenous water reserve to other entities, for example a mining company?
- Is there scope for existing entities to operate in an advisory or assessment role (such as the Cape York Peninsula Regional Advisory Committee)?

Benefits/Outcomes

The TRaCK research will develop a policy guideline for the allocation of water that can be translated to other areas of the Cape, and Northern Australia more generally, where there is Indigenous water reserves available.

This guideline will be based on a negotiation framework which:

- Places Indigenous communities in a position to make informed decisions about future water use and management
- Ensures a strong negotiation position for those communities to maximise the financial and non-financial benefits of the water reserve
- Provides as much ownership and control of the decision-making process in the hands of the Indigenous communities in the region as possible.

The collaborative approach proposed will strengthen the network of groups and organisations which are able to provide policy advice on Indigenous water issues from a range of viewpoints, at a national, regional and local scale.

For More Information

The researcher for this project is John Mackenzie. He can be contacted at:

Phone: 07 3735 5408

Mobile: 0405 433 550

Email: john.mackenzie@griffith.edu.au