FACILITATORS' GUIDE TO INDIGENOUS WATER PLANNING

HANDBOOK

TRaCK
Tropical Rivers and Coastal Knowledge

NAILSMA
NORTH AUSTRALIAN INDIGENOUS LAND AND SEA MANAGEMENT ALLIANCE

INTRODUCTION

The Facilitators' Guide to Indigenous Water Planning outlines a structured, community-based program to improve the inclusion and participation of Traditional Owners and Indigenous communities in water management. The Guide forms part of a suite of initiatives directed towards the statutory recognition of traditional and custodial management systems of the Traditional Owners of Australia's water resources.

The model of facilitation promoted in this Handbook progresses in steps from initial engagement through to the production of a Catchment Action Plan (CAPs) that is developed and owned by Traditional Owners for cultural management and commercial developments on 'Freshwater Country'."

The Guide is based on five years of research, engagement and capacity-building initiatives and aims to progress Traditional Owner and Indigenous community interests in water reform. The work has been carried out by the Tropical Rivers and Coastal Knowledge (TRaCK) research consortium and North Australian Indigenous Land and Sea Management Alliance (NAILSMA).

The primary audience for the Guide is catchment-based community water facilitators, however, elements of the Guide may be useful for Traditional Owners and the wider Indigenous community, prescribed bodies corporate, land councils, natural resource management groups, water planners and agency staff.

How to use the Guide:

The Guide has a printed Handbook and four supporting electronic documents. These four components are a toolbox that provides facilitators with the necessary information, direction and resources to carry out their role.

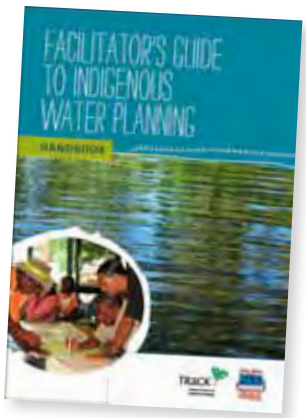
1. **Handbook:** Outlines the three steps recommended for an engagement and capacity building program based on a 'readiness assessment' of communities, and provides access to relevant and targeted information resources to build local capacity. The steps recommended in the facilitation model are preparation; capacity building; and community ownership. The model takes facilitators through the initial stages of scoping and engagement through to developing a CAP owned and implemented by Traditional Owners.
2. **Indigenous Water Planning and Engagement Overview:** Provides a succinct background to the National Water Initiative and Indigenous involvement in water planning. It supports the Handbook by providing a rationale and references for the Guide, and outlines the benefits of effective facilitators. Can be used to introduce the topic of Indigenous Community Water Planning to supervisors and managers. Available in electronic format only.
3. **Resource Modules Summary:** A brief message-based summary for quick reference. Can be used for check lists, surveys, evaluation processes and reports. Available in electronic format only.
4. **Resource Modules:** Supports the engagement process outlined in the Handbook by providing comprehensive information which facilitators can adapt to local settings. In Power Point format designed to be made locally relevant by inserting local images and references. Can be used as presentations, training materials, e-newsletters, and/or printed material, such as booklets, flipcharts, posters, or handouts. Available in electronic format only.

Facilitators' Guide to Indigenous Water Planning

PRINTED

Facilitators' Guide to Indigenous Water Planning

HANDBOOK



ELECTRONIC

Facilitators' Guide to Indigenous Water Planning

MEMORY STICK

HANDBOOK (PDF)

INDIGENOUS WATER PLANNING AND ENGAGEMENT OVERVIEW

RESOURCE MODULES SUMMARY

RESOURCE MODULES POWER POINT FILES

Upper Katherine River, NT

TABLE OF CONTENTS

ISBN: 978-1-921576-69-0

Darngku (Geike Gorge) Kimberley, WA

BACKGROUND

Across north Australia, Indigenous people have strong and enduring ties to river and water resources – socially, culturally and economically. Using traditional knowledge, Indigenous rangers and other groups actively manage large tracts of land containing some of the most ecologically intact river systems in Australia. But in many cases, the management of these environments occurs in isolation from important decisions about how we use these resources. The ways we currently plan and decide how to use these resources are almost exclusively made under laws and processes that are unfamiliar to most Indigenous people. As a result, Indigenous people are often excluded from decisions that impact on the water and country that are vital to their culture and identity.

In the last thirty years, there have been changes in how Australian people understand our rivers and waterways. For a long time, people saw water as an unlimited renewable resource, and it was managed as a way to expand population and grow industry – including building infrastructure such as dams and pipes to use rivers and groundwater for industries, farming and mining. Population expansion also depended on how the limited supply of water could be harnessed.

Now people think a lot more about managing rivers sustainably, to make sure that they are kept healthy to support and nourish the plants and animals that live in and around the rivers, and the people who use, enjoy and depend on the rivers as part of their lives and culture.

People also want to see better management in place for land, waters, plants and animals to avoid environmental degradation and ensure a healthy country is maintained for future generations.

Making sure that water can be used to maintain Indigenous people's lifestyles and cultures also matters more in today's river management. That is why all the governments of Australia made an agreement to change the way we manage rivers and groundwater – this agreement is called the National Water Initiative (NWI).

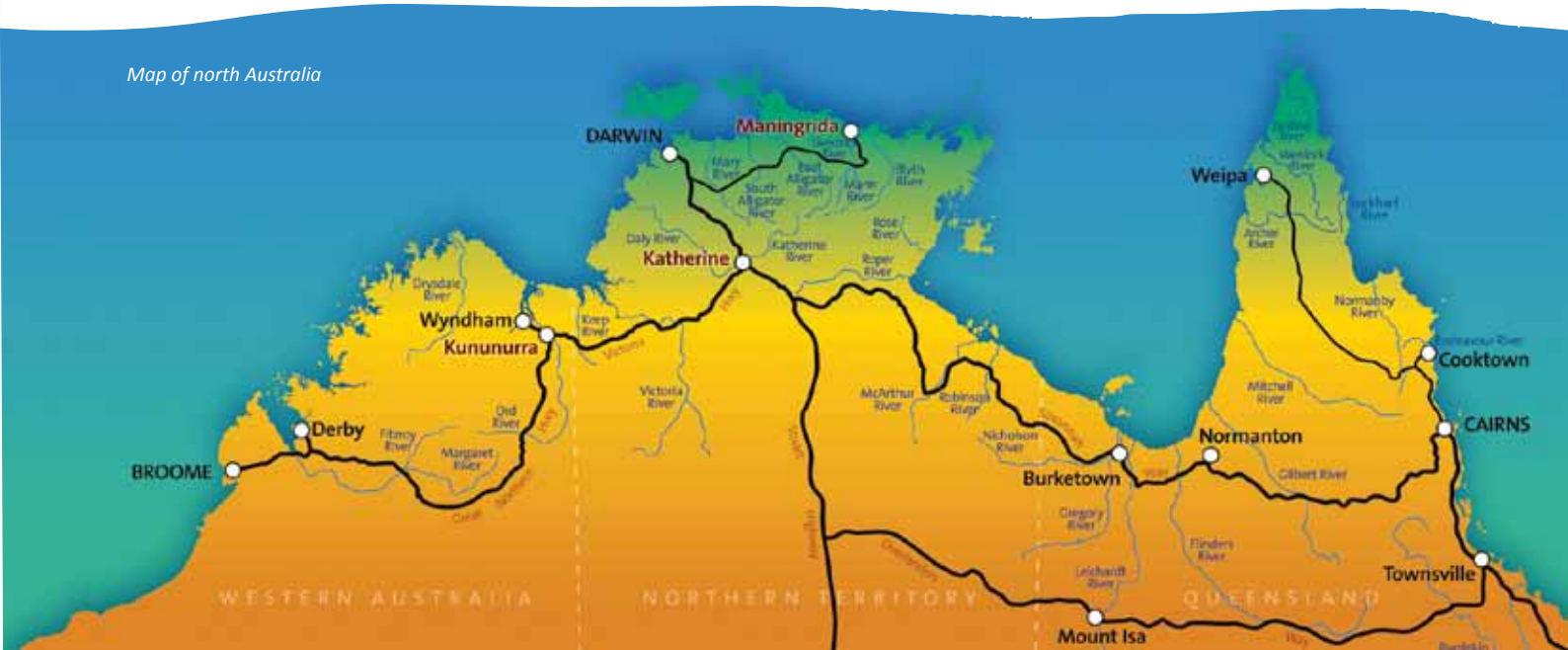
One of the big changes under Australia's new way of managing water was that all governments, local, state and federal, agreed that they must get a better understanding of Indigenous people's knowledge and use of water. This is to make sure that better decisions are made about how to keep our rivers and groundwater healthy, and that the unique and special interests that Indigenous people have for water are recognised.

In the past, some areas have suffered from too much water being taken out of our rivers for agriculture and industry, without thinking carefully about how much water the natural environment needs to remain healthy and productive.

Governments now manage water more carefully.

Water is needed for the environment, for maintaining culture, for agriculture, mining, industry, town supply and other uses. Deciding how to manage water to meet all these needs is called 'water planning' – it is critical in reforming the way water is used and shared.

Map of north Australia



The Indigenous Community Water Facilitator Network

Through the North Australian Indigenous Land and Sea Management Alliance (NAILSMA) Indigenous Water Facilitator Network (ICWFN), a model for facilitation was developed to better understand how to improve Indigenous participation and engagement.

As a pilot program, facilitators were located in different catchments across north Australia. The aims of this network were to increase the engagement of Indigenous people in water management, with a particular focus on the integration of Traditional ecological knowledge with catchment management and water policy.

The Network was established in 2009 and had six facilitators working in priority catchments of north Australia. Each of the facilitators was hosted by the major regional organisation with responsibility for land and sea management by and for Traditional Owners. Each facilitator aimed to establish Aboriginal Reference Groups for their catchments to engage with management bodies and the wider community. Although this was not possible in all cases, the different experiences and achievements of the facilitators have vastly improved our understanding of what works most effectively for Indigenous engagement in water planning. The content and structure of this Guide is based on what NAILSMA and the facilitators learnt through that process, and research from the Tropical Rivers and Coastal Knowledge research consortium.

Resources

- The NAILSMA Water Resource Management Program web pages contain a detailed history of the program, including the collection of community water stories, newsletters and updates from the Network, and the program evaluation.

Available online at:

www.nailsma.org.au

When government water planners make recommendations about how to manage water to meet the needs of people, industry and the environment, they now must follow the National Water Initiative (NWI) guidelines by:

- including the perspectives and knowledge of Indigenous people;
- understanding Indigenous social, spiritual and customary needs for water; and
- considering the impact of water management on the rights of native title holders.

Water planners need to raise four main questions with Indigenous people:

1. How much water is needed to make sure the environment in which you live stays healthy?
2. How much water is needed to protect your culture, lifestyle, sacred sites and other sites of significance, like story places?
3. What are some of the important resources that you depend on for your health, livelihoods and cultural practices that could be affected by changes in the availability of water?
4. What are some of your aspirations for water use in the future, including for developing businesses and enterprises?

Governments across Australia are in the early stages of understanding and paying respect to Indigenous people's relationships with water for spiritual, social, cultural, health and economic purposes. This is part of making sure that the rights and the well-being of Indigenous people are protected. It is also a way of finding economic opportunities for communities from the use of water and its management.

All the governments in Australia have changed the way they manage water as a result of the NWI, but some have made more progress than others.

Although water planners are required to consider Indigenous water use and needs, it is not common for water plans to address Indigenous requirements.

More progress has been made in including Indigenous people in public consultation efforts associated with water planning. Water planning processes involve

community consultation, sometimes through advisory committees made up of representatives of groups from the irrigation sector, conservation and other community groups and state government agencies.

These committees generally provide advice to the relevant state government minister to help them make decisions about how to allocate water.

In some places, such as New South Wales and Victoria, water agencies are using existing catchment management groups. Many of the new bodies established to undertake water and catchment planning have Indigenous representatives. In other areas, Traditional Owners are forming their own groups (advisory committees and reference groups) as a way to enhance their involvement and to develop their own positions on the management of freshwater.

There are a range of benefits that are available to communities through their active involvement in water management and planning, including fulfilling cultural obligations, practicing and passing on traditional knowledge, providing employment, education and enterprise opportunities, improved management and health of freshwater country, and greater involvement in decisions that are important and impact on the future.

Traditional Owners and Indigenous communities must be involved in water planning to make sure the rights and interests of Indigenous people are incorporated and protected in decisions about water management. One successful way of achieving this is through the use of Indigenous community water facilitators.

A community water facilitator is someone who is employed to help provide Traditional Owners with the capacity to engage in water management and planning on their own terms.

What is an Indigenous Community Water Facilitator?

The role of a facilitator is to provide support to the community to achieve:

- increased engagement and participation by Indigenous people in water planning and management; and
- increased recognition and protection of the values, use and customary management regimes for water.

In all ways, your work as a facilitator will be in responding to the priorities and aspirations that are set by the Traditional Owners in your region.

Rather than seeking to solve problems, a facilitator works with the community to guide and manage the process by which they identify and solve problems for themselves. Rather than making decisions for the group, a facilitator brings people together, asks the right questions, and intervenes in strategic ways to assist the group to reach decisions that are acceptable to everyone. Rather than providing the answers, a facilitator helps to build the links between the community and other stakeholders, such as government agencies, land and water managers, and scientists, to allow for greater dialogue and better ways of sharing knowledge.

Water Facilitator Workshop, Kowanyama, Cape York Peninsula, Qld. 2010

The key concept here is empowerment. In this approach to facilitation, the aim of the facilitator is to empower local communities to lead and take control and responsibility for their own efforts and achievements. It is based on the assumption that Indigenous people need to be the primary interface for their own economic, social and cultural benefits.

It is up to the community to realise these benefits as they see fit – it is the role of the facilitator to provide the tools and support to help the community achieve their goals.

The work of the facilitator seeks to empower the community so that they are able to engage and participate in water planning and management without the need for a facilitator. In this sense, a facilitator will aim for redundancy - you will know you have succeeded when you are no longer needed.

Through a structured program of engagement and capacity building, a facilitator helps the community to develop their vision and aspirations for their role in the management of water resources.

A facilitator works with the Traditional Owners and Indigenous communities to help them develop their understanding, skills, knowledge and confidence to actively shape decisions about water management in the local area. By working with a facilitator, Traditional Owners will be better positioned to define what is important to them and how they want the future of resource management in the region to unfold.

Through planning and engagement activities, a facilitator works to develop a strong negotiation position for Traditional Owners to engage with government agencies and others on issues of water planning, allocation and management. Ultimately, the work of the facilitator is achieved when Indigenous communities have the skills and confidence to discuss and negotiate on water issues in water forums, often dominated by non-Indigenous interests.

The facilitator also plays a key role in coordinating input into a plan that is owned and endorsed by the Traditional Owners and wider Indigenous community. To achieve this, it will be necessary for the community to better understand water reform and the opportunities to engage in water planning and management. The capacity building and engagement activities are likely to have other important outcomes for the community as well.

The following are some of the outcomes a successful facilitator program should aim to achieve.

- An improved understanding of how Indigenous interests, values and knowledge about water can be incorporated into water planning and management in the region.
- An increased role for cultural and traditional ecological knowledge in the management of water by governments and water users.
- An enhanced community capacity to contribute to and participate in decisions about water management in the region.
- An enhanced community capacity to develop and implement water management on Indigenous land, and an understanding of how this can be incorporated with other land management activities such as fire management and weed management, cultural heritage and caring for country.
- Access to water entitlements for cultural or commercial purposes for Indigenous communities and enterprises.
- Arrangements for Indigenous organisations and water enterprises to participate in trading of water entitlements if desired and where trading arrangements are in place.
- An increase in community opportunities to access funds for water-related conservation and management projects.
- Increased employment opportunities for Indigenous people in the range of activities involved in water management and planning.
- Improved health of northern Australian water systems through a more culturally comprehensive approach to water planning and management that incorporates Indigenous knowledge and values.

A facilitator works with the community to plan and implement practical options that help to achieve these aims. A couple of pointers for facilitators:

- It is important that the activities are based on the aspirations of the Traditional Owners. This may include finding activities that can contribute to the development of local enterprises, and provide training, and employment opportunities for Indigenous people.
- The activities will be most successful if they are based on areas of interest for the community. Beginning with an assessment of community concerns can help ensure that the activities of the facilitator program are tailored to the needs and interests of the community.
- Although it may be frustrating for your program, it is important to recognise that community has the right to not participate in water planning and management if they have other priorities. In this case, you may need to find ways to incorporate water matters into existing programs and networks.

- For most facilitators, the resources that you will have access to for your program will be limited. Partnership-based approaches, where resources are shared with other groups or programs for mutual benefit are more likely to be successful. The role of the facilitator is to act as a link between the community and other decision-makers and stakeholders.

Below is a list of the activities that could be included in a water facilitator program.

a) **Building water networks:** opening up channels for communication between different Indigenous groups and with other stakeholders to discuss water matters and share perspectives. Depending on the situation, water networks could involve the creation of a new group to deal directly with freshwater, such as a reference group, advisory committee or catchment management group.

b) **Developing engagement protocols:** a set of agreements about how the community would like to be engaged on water issues by government and other stakeholders. This Guide looks at engagement protocols in more depth in Step One, as part of the preparatory activities for the facilitator program.

c) **Knowledge recording:** working with elders and knowledge holders to collect knowledge or oral history about water and sites of significance. Careful consideration of the ethical and intellectual property issues associated with this work is vital – especially considering that this work may impact on native title determinations and other property rights matters in the future.

d) **Setting goals:** using participatory processes to allow the community to define their social and economic aspirations for water and involvement in water management. In the facilitator program, these goals will be the main drivers of the Catchment Action Plan, so it is important that as many people as possible have an opportunity to shape these goals.

e) **Identifying water use and water needs:** obtaining data and information about Indigenous water values and future water needs. By working with scientists and researchers, the community can have direct input into information about water use, including the water requirements for maintaining the health of cultural heritage and sites of significance, and ensure that native title rights to water are protected. This information is directly relevant to the decisions made by water planners about how to allocate water.

f) **Developing communication materials:** customising information and resources to help communities better understand water management decisions and how they could be impacted. This could also include working with the community to improve the ways they communicate with other stakeholders, including government.

g) **Organising community input into water plans:** ensuring that water plans provide sufficient access to water for Indigenous people to meet their interests and aspirations. This may include coordinating input into water plans at the drafting or review stage, and maintaining open communication with the planners so that they can share this information with the community.

h) **Supporting the community to define governance arrangements for Indigenous water:** in those areas where Indigenous water allocations have been reserved, the facilitator may be required to assist in organising the formal arrangements so that the community can make decisions about Indigenous water allocations, including equitable distribution of those allocations and decisions about water trading. Where Indigenous water reserves are available, it will be important that the arrangements for managing these do not disadvantage anyone with a rightful claim of access.

i) **Supporting the community to participate in water management and decision making with other stakeholders:** building partnerships with other stakeholders who can help ensure the interests of the community in water can be achieved. Other stakeholders could include other landowners and managers, local and State governments, researchers or potential funding bodies.

It is the aim of this Guide to work through identifying and implementing a selection of these activities to meet the unique circumstances of the Traditional Owners in a region. Because each facilitator works with different groups, different histories and in different catchments, no two facilitator programs are alike. However, all facilitation programs share two characteristics that are common to all projects (Project Management Institute 2000):

1. **All projects have a beginning and an end.** At the beginning, facilitators take the time necessary to develop a work schedule and engagement protocol that is approved by Traditional Owners. Although the content of these work schedules and engagement protocols differ across regions, it is not recommended that you commence your work before this step. The project reaches an end when the community has developed a **Catchment Action Plan (CAP)** or an alternative agreement about water management.
2. **Projects produce a unique product.** Ideally, the unique product for a facilitator program is the CAP. However, it will be important to tailor the outputs from the project to the circumstances of the community. The project may produce a range of alternative products, such as sections of a land and sea management plan or an Indigenous Protected Area plan. Whilst there may be an ongoing role for facilitators in assisting to implement these outputs, the role will be quite different, and will no longer be as a facilitator.

It is important to note that developing a CAP is by no means the only way for a community to participate more effectively in water planning and management. However, it has shown to be one effective way for the community to build its capacity and contribute to planning outcomes at the same time. Through the network of facilitators, and in collaboration with Indigenous organisations and NAILSMA, it is hoped to eventually have locally relevant CAPs in all of the catchments of north Australia.

There is a common underlying structure to the progress of the facilitator program. Ideally, these steps will occur in order, but it is highly likely that the stages of the program will overlap, and facilitators often find themselves completing two or more of these steps at the same time.

Recommended Steps for Facilitation

- Work with the community to develop engagement protocols that reflect the ways that the community would like to participate in the facilitator program.
- Identify the goals and aspirations that the community has for the future management of the rivers, waterways and groundwater.
- Identify the issues and constraints that limit the achievement of those goals, which may include knowledge and training gaps, access to resources and to sites, skills to support management actions on the ground or participation in government-initiated planning processes.
- Develop a plan of action to achieve those goals, which may include capacity building, forming partnerships, leading research and communication activities and undertaking natural and cultural resource management activities.
- Build the understanding, skills, knowledge and capacity through the activities undertaken in the capacity building stages.
- Evolve the activities into a CAP that demonstrates how communities want to participate in the management of water on their country.

This guide takes you through the following steps:

Step 1. Preparation and Setting the Scene
1. Understanding water reform
2. Learning about the catchment
3. Getting to know the community
4. Assessing engagement readiness
5. Developing your proposal
6. Free prior and informed consent
7. Working out protocols for engagement
Step 2. Capacity Building
1. Identifying aspirations, needs and priorities
2. Developing a community vision
3. The importance of language
4. Knowledge needs and priorities
5. Building community capacity
6. Understanding the participation cycle
7. Monitoring your engagement
Step 3. Community Ownership
1. Catchment Action Plan

Some issues to consider

- The term 'Indigenous' is used in this Guide and is intended to be inclusive of all Aboriginal and Torres Strait Islander people of Australia. The term 'Traditional Owner' is used to refer to those people who, in accordance with Indigenous Law, have social, economic or spiritual affiliations with, and responsibilities for, a site, object or Country. Different groups will have different understandings of the use of these terms, and it is important to clarify how the communities you are working with preferred to be known.
- In this Guide, Traditional Owners are not to be considered as one stakeholder amongst others in the process of water reform. Commentators such as Behrendt and Thompson (2004) have identified a range of international covenants signed by Australia that require the involvement of Indigenous people in decision-making processes that impact on natural and cultural resource management. In water planning in Australia, Indigenous communities are entitled to special consideration in development of a water plan that is consistent with the National Water Initiative. This guide recognises the special category of rights and interests that are due to Traditional Owners as the traditional custodians of the lands and waters of Australia.
- Each state and territory government approaches water planning and management in different ways. This Guide refers to water planning in a general way, but it is important to understand that the process for developing water plans, what they contain and their status varies across the jurisdictions. Jurisdictions refer to different sorts of water plans, water allocation plans, water resource plans, water supply plans and catchment plans, and there are important differences between each of these. It is a key part of the work outlined in the preparation stage that you consult with the relevant government agency to get a full and complete understanding of the water policy and governance arrangements operating in your state.
- The facilitator program outlined here recognises that the issue of 'capacity' for engagement has two aspects: the capacity of Indigenous communities to participate in planning activities; and what is sometimes referred to as the "cultural competency" of agencies to develop and apply processes that are appropriate to the needs and expectations of Indigenous participants. These capacity barriers are related. As a facilitator, you are working across both sides of this capacity gap: not only working with Traditional Owners, but also building the capacity of government agencies to improve their understanding and methodologies for working with Indigenous communities.
- The approach outlined in this Guide is for community-based facilitators. As a community facilitator, your fundamental responsibility is to the community. In the same way, the CAP is a community document. It is important that you are clear and upfront about your relationship with government and government planning processes. Previous facilitators have noted that there is a risk that government will overly rely on the facilitator as a substitute for community engagement. While some of your work may support government engagement, the primary objective is to work with the community to build their capacity to negotiate with government and other stakeholders on freshwater matters.

Douglas River, NT

Resources

Three documents have been the foundation for thinking through the role of community-based facilitators in Indigenous water management and natural and cultural resource management in general. Each of these documents reflects on the history of Indigenous engagement, and demonstrates the ways in which programs like the facilitator network follow the recommendations for best practice:

- Andra Putnis, Paul Josif and Emma Woodward 2007 *Healthy Country, Healthy People: Supporting Indigenous Engagement in the Sustainable Management of Northern Territory Land and Seas: A Strategic Framework. Darwin: CSIRO.*
- Smyth, D. M., Szabo, S. and George, M. 2004. *Case Studies in Indigenous Engagement in NRM in Australia.* Canberra.
- Ward, N. Reys, S. Davies, J. & Roots, J. 2003. *Scoping study on Aboriginal involvement in natural resource management decision making and the integration of Aboriginal cultural heritage considerations into relevant Murray-Darling Commission programs.* Canberra: Murray-Darling Basin Commission.

Recommended resources for working with Indigenous communities to develop natural and cultural resource management plans:

- Smyth, D. M. 2011. *Guidelines for Country-Based Planning.* Cairns: Queensland Department of Environment and Resource Management.
- Walsh, F. And Mitchell, P. 2002. *Planning for Country: Cross Cultural Approaches to Decision-Making on Aboriginal Lands.* Alice Springs: Jukurrpa Books.

The art of facilitation has an evolving history, and is the subject of books and guidelines that look at a range of topics like group development, techniques for running meetings, capacity building and advocacy for change. Some of the useful material that was consulted in the preparation of this Guide is provided below.

- Schwarz, R.M. 1994 *The Skilled Facilitator: practical wisdom for developing effective groups*, Jossey-Bass, San Francisco, USA.
- Keating, C. 2003 *Facilitation toolkit: a practical guide for working more effectively with people and groups.* Department of Environmental Protection, Water and Rivers Commission and Department of Conservation and Land Management, Government of Western Australia.
- Robertson, L. 2005 *Co-Create: A Facilitator's Guide to Collaborative Planning,* Enabling Change: Victoria.
- Tuckman, B. and Jensen, M. 1977 *Stages of Small Group Development,* Group and Organizational Studies, 2: 419-427.
- Tyson, T. 1998 *Working with Groups* (2nd Edition), Macmillan Education Australia Pty Ltd, South Yarra, VIC.
- World Bank 1996 *The World Bank Participation Sourcebook*, Environmentally Sustainable Development, The International Bank for Reconstruction and Development/The World Bank.
- Project Management Institute. 2000. *A Guide to the Project Management Body of Knowledge.* Newtown Square.

Online resources for facilitators and change agents that you should consult include:

- International Association of Facilitators: www.iaf-world.org
- International Association for Public Participation: www.iap2.org/
- Tips for Facilitators – The Thiagi Group: www.thiagi.com/tips.html
- Conflict Resolution Network: www.crnhq.org/
- Enabling Change: www.enablingchange.com.au
- The Change Agency: www.thechangeagency.org/

IF THERE IS A NEED FOR A COMMUNITY-BASED FACILITATOR TO HELP 'MAKE IT EASY' FOR TRADITIONAL OWNERS TO PARTICIPATE, IT IS WORTH REFLECTING ON WHICH FACTORS 'MAKE IT DIFFICULT'.

Why is a facilitator needed?

Facilitate simply means, as Thayer-Hart and her team put it, "to make easy" (2007: 1). As a facilitator, your primary role is to 'make it easy' for Traditional Owners and Indigenous communities to participate in water planning and management in north Australia. This would suggest that for Indigenous communities, participation in water management is difficult.

Some of the difficulties relate to impacts of contact history and the extent of disadvantage experienced in some communities. Some of these difficulties are not just limited to Indigenous groups – for instance, the complex technical and scientific aspects of water management can pose barriers for participation by the wider community as well.

If there is a need for a community-based facilitator to help 'make it easy' for Traditional Owners to participate, it is worth reflecting on what factors 'make it difficult'.

Traditional Owner representative groups have expressed a strong desire to participate in water reform, including participation in planning and management decision making. Indigenous people have diverse interests in many aspects of water management and use, which include the protection of cultural values and heritage, interests in commercial opportunities for developing enterprises, participating in environmental management and water monitoring, and the inclusion of Indigenous knowledge in decisions about water allocation (Jackson 2009). However, there are many well-documented challenges to be overcome before this goal can be achieved.

Some of these challenges have been documented by Ward et al (2003). They studied Indigenous involvement in natural resource management in Australia, and identified a number of barriers to effective engagement which are commonly experienced by Indigenous participants in government resource planning processes. These included:

- the limited understanding and appreciation within government of Indigenous perspectives, responsibilities to Country, the relationship with the land; and the implications of this perspective and cultural practices for natural resource management;
- the economic and social situations of many Indigenous people which make it difficult to participate in government consultations;
- an absence of respect for Indigenous people, their authority, views and knowledge relating to natural resource management and Indigenous cultural associations;
- inflexibility of government culture, operations and systems to respond to the needs and expectations of Indigenous people, including inappropriate timeframes, styles of communication, bureaucratic systems, staff turnover and changing political agendas;
- inadequate government resources and priority for Indigenous participation; and
- failure of the current efforts to produce positive outcomes.

There are unique difficulties in working with Indigenous communities in north Australia that have been identified by some of the previous water facilitators. These include:

- the volume of existing processes that call on the involvement of Traditional Owners;
- the variable capacity in communities to respond to these calls for involvement;
- the challenges of communicating with groups where English is a second or third language, particularly for complex, technical matters such as water allocation; and
- extended wet seasons and remote locations of communities that make communication and travel difficult and expensive.

Water planners tend to be well intentioned when it comes to Indigenous engagement, but often are not adequately resourced to undertake the required consultation.

Some participants of the Oolloo Indigenous Water Forum, 2011

Given these challenges and the limited resources they have available, water planners are more likely to respond to the demands of sectors with well-organised representation. The resource requirements of Indigenous-specific engagement, including travel expenses and staff skills, are high, and it may be that when agency staff are made aware of these requirements they are less inclined towards undertaking appropriate engagement.

The importance of a facilitator in trying to overcome some of these challenges is crucial. The facilitator role is central for networking, information sharing, coordinating and helping the community and its leaders manage the interface with government departments, business and other organisations (Putnis et al 2007).

Two unique challenges for Indigenous participation in water planning highlight the need for and benefits of having a facilitator working with the community.

- The first is the issue of scale for water plans, which are typically done at the level of a water catchment or significant groundwater system.
- The second is the need for additional research activities to generate the information required to complete a water plan that caters for Indigenous cultural and commercial interests.

The issue of scale

For the most part, consultation with Indigenous stakeholders for water planning is achieved through Indigenous representation on community reference panels or stakeholder committees. In many cases, planners are required by law to include Indigenous representation on water advisory committees.

However, these committees may not be suited to the customary governance protocols. In most cases, they do not allow for the traditional modes of decision making by Indigenous people. The process relies on a fundamentally flawed assumption about the nature of Indigenous interests and, what Hunt and Smith (2006) refer to as, the "cultural geographies of governance" in a catchment.

The scale of Indigenous social organisation and customary governance, and the scale used for water management rarely align.

Water planning is usually done on a catchment scale. However, Indigenous populations in a given catchment are not culturally, linguistically or politically identical, and a given catchment may have numerous language groups with rights and interests in particular river locales or connections to the country. Indigenous land tenure does not align easily to either a catchment scale or a river system, as Langton demonstrates for the rivers in Arnhem Land:

The territories of these groups are not simply the length of river systems but wedges of differential ecological resource locales, including specific stretches of river systems, combined in a patchwork effect (Langton 2002: 51).

In some places, these territories have 'fuzzy' boundaries that historically allowed for sharing of resources and land in times of need or scarcity (Sutton 1995).

The ability to speak for country is governed by strict community protocols for authorisation, nomination and representation. These cultural requirements cannot be observed in the type of representative decision-making forum established through stakeholder platforms without a significant investment of time and support to the Indigenous representatives.

Relationships between the different language groups that make up the population of a specific catchment will require consideration when decisions are made that affect a catchment (Jackson et al 2005). Negotiation and agreement between these groups, some of whom will have never worked together before, is essential to ensure all interests are represented.

The resources required, including time, for a representative on a stakeholder platform to negotiate and obtain the appropriate legitimacy within these relations are beyond those provided for in the standard timeframe and budget of a water plan.

The diversity of Indigenous interests, customary laws regarding authority to speak for particular elements of country and inability of one or two individuals to act as a representative of this multiple diversity of interests limits the capacity of Traditional Owners to contribute to government planning processes (Jackson 2006: 21).

A facilitator can help to address this gap by taking the time to consult and negotiate with representatives from the multiple language groups, and help to develop catchment-wide methods for ensuring that all relevant groups and their interests are appropriately represented.

Facilitators can help to develop regional resource governance structures that are based on cultural obligations for country, customary resource rights, and traditional methods of decision making. Working with a facilitator can help a community to consider how to adapt existing institutions or design new ones to enhance engagement with non-Indigenous governance structures.

These types of structures can help to serve a variety of purposes. They can:

a) bring together all the different language and family groups with an interest in a river system, so that all interests can speak with one voice about the future of the river;

b) ensure that Indigenous knowledge, values and concerns are clearly documented and able to be incorporated into water plans;

c) provide the community with an opportunity to develop a strong negotiation position for working with other stakeholders;

d) help to ensure that engagement is conducted on terms decided by the Traditional Owners and that it is consistent with cultural and custodial requirements;

e) help to define the scale of water planning and management in a way that is recognised by Traditional Owners.

Cultural assessment processes

Decisions about how water is divided up between water users and the environment are based on a number of technical assessments. These technical assessments can include modelling the river flow, identifying how much water is needed to maintain the health of the river and the landscape, and assessing how much water can be taken out of the system for different uses. These technical assessments will often include an assessment of the different social and economic impacts of possible water use scenarios.

Occasionally, these are supplemented with assessments of Indigenous cultural and social values, undertaken by external consultants or researchers. A highly regarded example of this is found in Yu's work with the Karajarri in the development of the La Grange basin groundwater plan in the Western Kimberley (Yu 2000).

Although uncommon, these assessments are used to identify cultural values that are dependent upon water being maintained within the system. To do so, they require:

- identification of sites or processes within a catchment that have cultural values that could be impacted by changes to water availability;
- identification of important resources used by Indigenous communities for their health and livelihoods which could be impacted by changes in water availability;
- community aspirations for future water use, including for commercial purposes;
- analysis and measurement of the water and the flow conditions required to ensure the achievement of these interests; and
- analysis of the impacts of supplying this water to meet these needs on the environment and on other water users.

Cultural assessments are undertaken when there is a high level of demand for water to be extracted. Typically, this work is beyond the scope of the technical studies usually conducted for water plans. When this work is done by water planners, it requires a rare combination of expertise in Indigenous engagement, water planning and policy literacy, and a level of trust with the community. Not all planners have this expertise, and they may seek input from consultants and specialists, including Indigenous organisations.

In these cases, the new information that is generated is not always passed on to the community, and in the past some of these assessments have not clearly defined the rights to intellectual property.

The facilitator can play a key role here also, by acting as a liaison between the community and technical assessment teams, or by aiding the community to conduct their own assessments. They can ensure that the methods are developed in collaboration with the planning agency so that they are relevant and targeted to the planning process. In these cases, the role of the facilitator in ensuring that these assessments occur; that they are directed by the Traditional Owners themselves; and that knowledge and cultural information is protected, is a key gap that makes the role of a water facilitator essential to the protection of Indigenous interests in water planning.

Resources

- **The Facilitator Tool Kit** was produced by the Office of Quality Improvement at the University of Wisconsin-Madison to provide easy-to-use tools, methods and techniques for assisting groups with planning projects and interactive meetings. The tool kit contains a range of tested tools and templates which may be useful for water facilitators to adapt to the local context.

  Thayer-Hart, N. et al 2007. *The Facilitator Handbook: A Guide for Helping Groups Get Results.* Madison: University of Wisconsin System Board of Regents.

- **Healthy Country, Healthy People** is a report produced by the CSIRO and partners on Indigenous land and sea management activities in the Northern Territory, including critical elements that contribute to successful Indigenous land and sea management groups. They identified many of the factors that determine the success of Indigenous natural and cultural resource management programs. Many of their findings are directly relevant for water facilitators. For example, they found that developing long-term partnerships with other stakeholders, such as government agencies and philanthropic organisations, and ensuring access to science and research support were two key elements of a successful program. Other critical factors relate to community support, effective hosting arrangements, fostering and maintaining Indigenous leadership and a constant focus on capacity building, training and organisational development.

  Andra Putnis, Paul Josif and Emma Woodward 2007 *Healthy Country, Healthy People: Supporting Indigenous Engagement in the Sustainable Management of Northern Territory Land and Seas: A Strategic Framework.* CSIRO: Darwin.

  Available online at:

  www.csiro.au/files/files/plbc.pdf

- The challenges and limits to **Indigenous participation in water management and planning** has been the subject of a number of reports and investigations. The recent article by Ens and others (2011), summarises this previous research, and draws out four key themes: the differences in environmental philosophy between Indigenous and non-Indigenous cultures; awareness and understanding of Indigenous and non-Indigenous knowledge and methods of environmental management; implementing two-way approaches to ecological research and managing country on the ground; and the operational challenges for Indigenous NRM organisations. Many of these themes are drawn out in these other articles.

  Ens, E. J., Finlayson, M., Preuss, K., Jackson. S. and Holcombe, S. 2011. "Australian approaches for managing 'country' using Indigenous and non-Indigenous knowledge". *Ecological Management and Restoration* 13(1): 100-107.

  Jackson, S., Storrs, M., and Morrison, J. 2005. "Recognition of Aboriginal Rights, Interests and Values in River Research and Management: Perspectives from Northern Australia". *Ecological Management and Restoration* 6(2): 105-10.

  Jackson, S. 2006. "Compartmentalising Culture: The Articulation and Consideration of Indigenous Values in Water Resource Management." *Australian Geographer.* 37(1): 19-31.

  Langton, M. 2002. "Freshwater". *Lingiari Foundation (Ed.) Background Briefing Papers: Indigenous Rights to Waters*. Broome: Lingiari Foundation, 43–64.

- An example of a cultural assessment for water planning is the **Ngapa Kunangkul: Living Water** report. This report presents the views of the Karajarri and other Traditional Owners concerning the cultural significance of groundwater, in the context of the proposed use of groundwater for large-scale irrigated agriculture in the La Grange region of Western Australia. It was completed as part of the pre-planning phase for a groundwater plan for the area, and significantly influenced the allocation planning process that resulted in the La Grange Groundwater Allocation Plan (DoW 2010). According to the report, this was the first time that the Western Australian Government had asked the Traditional Owners in the west Kimberley region for their views on groundwater.

  Yu, S. 2000. *Ngapa Kunangkul: Living Water. Report on the Indigenous Cultural Values of Groundwater in the La Grange Sub–Basin*. Perth: Western Australian Water and Rivers Commission.

  Department of Water 2010. *La Grange Groundwater Allocation Plan*. Water Resource and allocation planning series report no. 25. Perth: Western Australian Government.

  Available online at:

  www.water.wa.gov.au/PublicationStore/first/11504.pdf

- In 2009, TRaCK researchers undertook a survey of water planners from each of the government agencies across north Australia to identify gaps and opportunities for capacity building and professional development. It asked water planners to rate their performance in Indigenous engagement, and invited them to nominate areas for improvement. The survey found that around 50% of water planning activities in Australia have included targeted and specific mechanisms to ensure effective Indigenous engagement. Cultural assessment is regarded by planners as the least important technical assessment conducted for the development of water plans.

  Mackenzie, J. and Bodsworth, P. 2009. Capacities and Needs of Water Planners in Australia. Water Planning Tools: Report to the National Water Commission. Brisbane: Griffith University.

  Available online at:

  www.waterplanning.org.au

What is meant by 'country'?

Many of the books and guides on Indigenous participation in resource management talk about the need for an holistic approach to planning and decision making around management of natural resources (for examples, see Tan et al 2008 and McFarlane 2004).

Indigenous people commonly use the English word 'country' as a way to describe why such an approach is necessary. When used in this way, 'country' doesn't just refer to the landscape, but it captures the rich interconnections between land and water, but also history, identity, Law, people and social relations (Rose 1996). As Deborah Bird Rose describes it:

People talk about country in the same way that they would talk about a person: they speak to country, sing to country, visit country, worry about country, feel sorry for country, and long for country. People say that country knows, hears, smells, takes notice, takes care, is sorry or happy. Country is not a generalised or undifferentiated type of place, such as one might indicate with terms like 'spending a day in the country' or 'going up the country'. Rather, country is a living entity with a yesterday, today and tomorrow, with a consciousness, and a will toward life. (Rose 1996: 7)

Understanding what people mean when they talk about country and their connections to country is critical for a facilitator, because it has a direct link to

Head wetting ceremony to welcome strangers to Country

Wenlock River, Cape York Peninsula, Qld.

the ways that Traditional Owners understand and speak about their water knowledge and values.

The complexities of communicating the cultural meanings of water for Indigenous people are a significant challenge to their participation in decisions about water management that are based on non-Indigenous ways of understanding water resources.

Jackson (2009; see also Jackson and Morrison 2007) has identified that without a greater general awareness of Indigenous concept of 'country' by government agencies, it is not possible for water plans to address Indigenous interests in water. This is partly because in activities like land and water planning, Indigenous and non-Indigenous participants are actually talking about *different kinds of things* (Tan et al 2008).

This means that when we are talking about 'water', we need to recognise that what we are describing may not be understood in the same ways by Indigenous and non-Indigenous participants. This is not only the case for 'water', but for other natural resources or features of the landscape (people may even object to the expression 'natural resources').

Indigenous and non-Indigenous participants are working with different ideas about what is in the world, the categories that constitute it (such as water, biodiversity, culture or history) and how these relate to one another. For Indigenous communities, there is no separation between these categories in discussions about country, and in many Indigenous languages there are no words to describe many of these concepts.

This has important consequences for talking about water. Morgan et al (2004) show how Indigenous people do not find it necessary to talk about their rights to waters separately when speaking of 'country'. This can make it difficult, and even meaningless, for Indigenous people to talk about water management separately from other aspects of natural resource management and from culture in general.

The separation of water from land in the current water reforms requires Indigenous people to now articulate their rights to waters separately in a language which governments can understand in the context of the property system.

This was also a key finding of the Lingiari report:

Aboriginal peoples have never drawn a distinction between the land and the waters that flow over, rest upon or flow beneath it. The land and waters are equal components of 'country', all that require care and nurturing, and for which there are ongoing responsibilities (Lingiari Foundation 2002:6).

As a facilitator, learning to understand the aspirations of Traditional Owners for water management requires an approach that corresponds to Indigenous ways of knowing and conceptions of country. This means that your engagement and facilitation process will not be limited to aspirations only in terms of the water resource. Aboriginal rights and interests in water and healthy rivers cannot be separated from their interests in economic self-determination, cultural heritage and spiritual traditions.

The need for an integrated approach echoes the statements of Paula Douglas, previously the Assistant Commissioner of the NSW Healthy Rivers Commission, who said:

... to date natural resource agencies have not provided the whole system management approach which has been the Aboriginal way for millennia. Aboriginal people do not relate to what they term "bit-management". (Douglas 2004: 13 cited in McFarlane 2004).

Previous facilitators have taken to referring to their programs as 'Water Country' or 'Freshwater Country' to better reflect the ways in which decisions about water are integrated with other aspects of land management and Indigenous interests generally. Due to regional variations across north Australia, different language groups will have preferred ways of describing their relationships with water and the surrounding landscape.

As always, you should be guided by the direction of the Traditional Owners in how your water program is part of their overall aspirations for the management of country.

Here are some of the ways that a facilitator can work to improve their understanding of how the concept of country relates to water management.

1. **Spend time on country with Traditional Owners:** Indigenous interests in water are very specific to local places, and the ways in which cultural and

THE LAND AND WATERS ARE EQUAL COMPONENTS OF 'COUNTRY', ALL THAT REQUIRE CARE AND NURTURING, AND FOR WHICH THERE ARE ONGOING RESPONSIBILITIES.

spiritual values form unique relationships with the water, land, plants and animals of those places. Spending time out on country with Traditional Owners learning about these relationships will be part of the foundational learning that most Traditional Owners will expect you undertake as a water facilitator. This will help build your own understanding, and enable you to better represent Indigenous interests if you engage with other stakeholders.

2. **Listen closely to the concerns and issues that Traditional Owners raise in conversations about water:** Some of your initial discussions with Traditional Owners may cut across issues that seem unrelated to your primary focus on water. For instance, concerns may be raised about land use impacts, employment opportunities or access to sites of significance. It is important to understand and tailor your work as a water facilitator to the concerns of the community. People generally are more likely to be involved in activities that can address problems that they have identified with the way things are, or can lead to some benefit to them. Look at what problems in the community need to be addressed, and the aspirations that the Traditional Owners have for their community. You may need to identify creative ways in which water management can play a part in addressing some of these wider concerns.
3. **Work with Traditional Owners to develop appropriate ways to communicate with government staff and other stakeholders about country:** Part of the work of the facilitator is also working with other stakeholders to adjust their expectations and methods of Indigenous engagement. In most cases, agency staff will be open and willing to be flexible in their approach, provided it can be explained and demonstrated. It may be part of your responsibility to communicate with them about why an integrated approach to water management is necessary from an Indigenous perspective. This can lead to a mutual process of development and capacity building, whilst at the same time building cultural literacy of the government agency staff. It is important to get permission from Traditional Owners about what can be said, as some of the knowledge that you obtain about country may be privileged or culturally sensitive.
4. **Become an advocate for whole of country management approaches:** All government agencies have very specific areas that they are responsible for, and the management of natural resources is likely to be the responsibility of several government departments. You may need to work in close collaboration with a number of different agencies outside of those focused on water management to best communicate Indigenous interests at a 'whole of country' scale.

Resources

- The TRaCK publication **Collaborative Water Planning: Context and Practice** reviews the research and publications on water planning in Australia and internationally to identify how communities, industries and Traditional Owners can better participate in water management. Part Four of this review focuses on issues of Indigenous participation in water planning, including negotiating between the different ways Indigenous and non-Indigenous people know, value and talk about water.

  Tan, P.L., Jackson, S., Oliver, P. Mackenzie, J. Proctor, W. and Ayre, M. 2008. *Collaborative Water Planning: Context and Practice.* Tropical Rivers and Coastal Knowledge Research Hub (TRaCK). Canberra: Land and Water Australia.

  Available online at:

  www.waterplanning.org.au/track

- Deborah Bird Rose's book **Nourishing Terrains** is essential reading for anyone who wants to better understand the Indigenous meaning of the word "country" and how it informs traditional practices of

land management and ecological knowledge. It was commissioned by the Australian Heritage Commission as a study of the relationships of Indigenous Australians to their homelands through the concepts of landscape and wilderness. The book uses stories, songs and song-poems in an attempt to explore what she describes as the 'sacred geographies' in cultural knowledge to non-Indigenous audiences.

Rose, D. 1996. *Nourishing Terrains; Australian Aboriginal views of Landscape and Wilderness.* Canberra: Australian Heritage Commission.

See also: Sutton, P. 1995. Country: Aboriginal Boundaries and Land Ownership in Australia. Monograph 3. Canberra: Aboriginal History.

- In 2002, the **Indigenous Rights to Waters Report and Recommendations** was published by the Lingiari Foundation. The report was written specifically for Indigenous people to start thinking about and discussing their rights, responsibilities and interests in freshwater and marine environments and resources across the north of Australia. The Lingiari Water Rights booklets were redrafted, updated and republished by Lingiari Foundation and NAILSMA in 2008, and the new publication contains an overview of information important to understanding Indigenous rights and interests in onshore and offshore water.

  Lingiari Foundation. 2002. *Indigenous Rights to Waters Report and Recommendations*. Broome: Lingiari Foundation.

  Armstrong, R. 2008. *An Overview of Indigenous Rights in Water Resource Management: Revised Onshore and Offshore Water Rights Discussion Booklets (Lingiari Foundation).* Darwin: Lingiari Foundation and NAILSMA.

  Available online at:

  www.nailsma.org.au

  Bardy McFarlane from the National Native Title Tribunal delivered the presentation "National Water Initiative and acknowledging indigenous interests in planning" to the National Water Conference in Sydney in 2004. The presentation outlines a model that can incorporate Indigenous interests within the water management framework while taking into account cultural practice and responsibility. The integrated model that is proposed is useful for thinking about how to develop an approach to natural resource management that reflects Indigenous ideas of country.

  McFarlane, B. 2004. The *National Water Initiative and Acknowledging Indigenous Interests in Planning.* Canberra: Native Title Tribunal.

  See also Douglas, P. 2004. "Healthy Rivers and Indigenous Interests". *Indigenous Law Bulletin* 6(29): 12-15.

  Available online at:

  http://www.nntt.gov.au/news-and-communications/speeches-and-papers/documents/2004/speeches%20national%20water%20initiative%20mcfarlane%20november%202004.pdf

- The AIATSIS research discussion paper **Indigenous Rights to Water in the Murray Darling Basin** is based on the outcomes of consultation between the Murray Darling Basin Commission and the Murray Darling River Indigenous Nations in 2003 as part of the Living Murray Initiative. It elaborates on the key themes which arose consistently in these consultations, including respect for country.

  Morgan, M., Strelein, L. and Weir, J. 2004. *Indigenous Rights to Water in the Murray Darling Basin In Support of the Indigenous Final Report to the Living Murray Initiative.* AIATSIS Research Discussion Paper 14. Canberra: Australian Institute of Aboriginal and Torres Strait Islander Studies.

  Morgan, M., Strelein, L. and Weir, J. 2004. Indigenous Water Rights within the Murray-Darling Basin. *Indigenous Law Bulletin* 5(29): 17-20.

  Available online at:

  http://www.track.org.au/publications/registry/track938

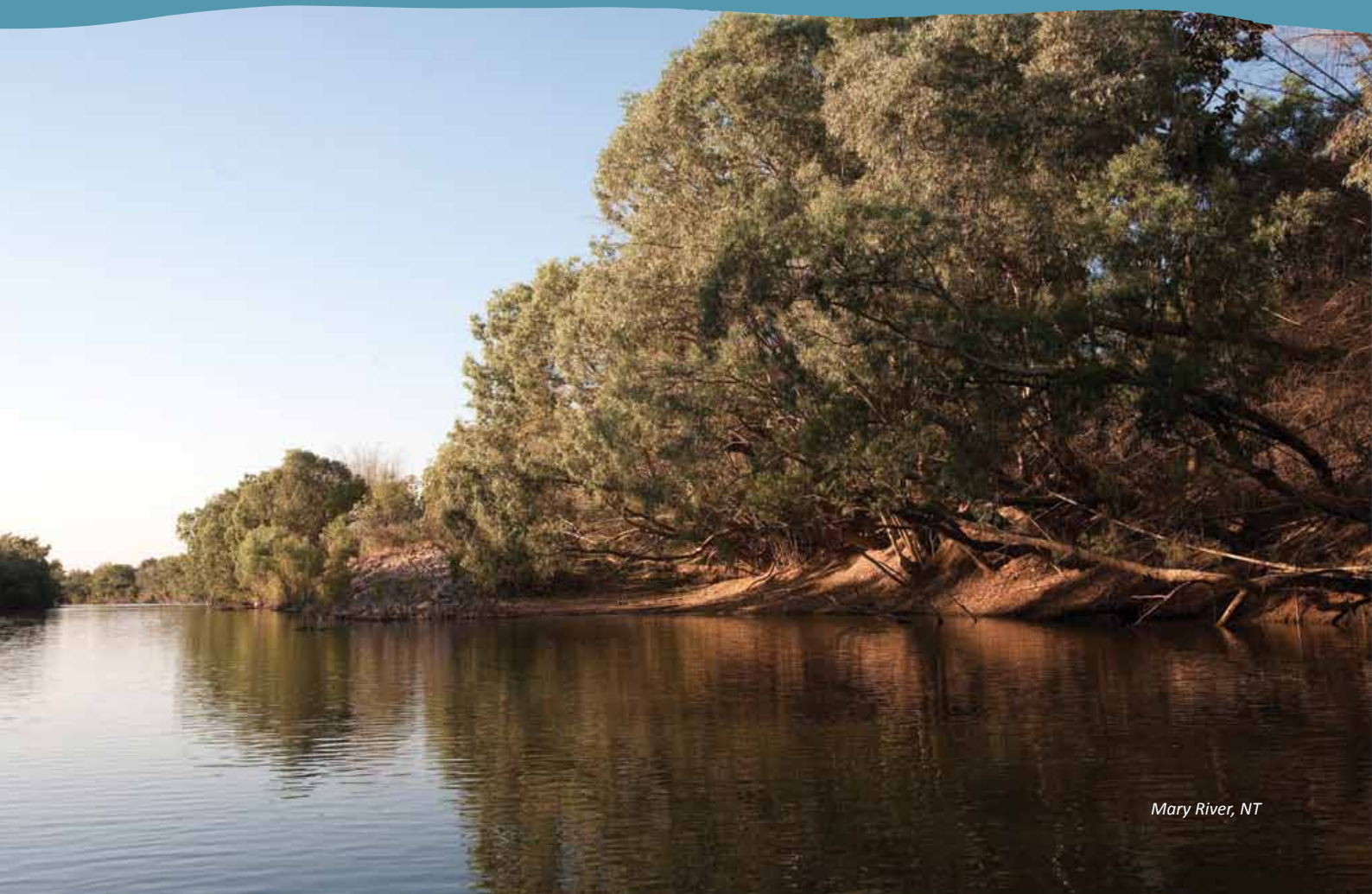
What are the principles for good Indigenous engagement?

One of the big changes in Australian water reform has been the recognition by all levels of government that they must get a better understanding of Indigenous people's knowledge and use of water. Water planners know that this information can help us to make better decisions, but also helps recognise the unique and special interests that Indigenous people have in water.

These principles are intended to assist water planners to understand the needs and interests of Indigenous communities in water planning in a general way. They were developed by TRaCK researcher Sue Jackson as advice to the National Water Commission (Jackson 2009).

They outline a standard that governments should adhere to when conducting water planning with Indigenous people. Because they incorporate the suggestions made by Indigenous people all over the country, they can be used to present to other stakeholders who want more information about Indigenous expectations for engagement in water use planning and decision making.

1. *Water planning should improve the capacity of water planners and the wider community to see the water resource from everyone's perspective.* A greater general awareness of Indigenous concepts of 'country', the nature and extent of Indigenous interests in water, and their relationship to other Indigenous values is needed by water planners and the wider community.
2. *Indigenous people should be involved throughout all stages of the water planning cycle and in water policy debates.* Indigenous people are entitled to be involved in assessing the water resource, setting objectives, deciding on water sharing arrangements



Mary River, NT

and allocation decisions, and monitoring the outcomes from water plans. Planners should be encouraged to engage appropriately with Traditional Owner groups as well as resident Indigenous groups.

3. *Water planning processes need to build capacity for Indigenous representatives to fulfil this difficult role in culturally respectful ways.* Water planners should work collaboratively with Indigenous community groups and organisations to establish appropriate terms of engagement which allow Indigenous communities to express their rights and create relationships based on inclusion and collaboration.
4. *Planning needs to be based on the recognition that Indigenous people have diverse interests in water.* Indigenous people involved have diverse interests in many aspects of water management and use, which include not only cultural values and heritage, but also interests in commercial opportunities for developing enterprises, participation in environmental management, training, research and water monitoring.
5. *The impacts of water resource development on Indigenous heritage should be properly considered.* Water plans should adhere to the established procedures for heritage impact assessment and for the protection of Indigenous heritage values when making decisions about the allocation of water.
6. *Indigenous people should be included in environmental flow assessment, in selecting criteria for determining environmental flows and in ongoing environmental water management.* Governments should implement reforms to ensure the allocation of water for the environment also considers cultural water requirements, which would include water of sufficient quantity and quality to improve the social, economic and environmental condition of Indigenous nations.
7. *Indigenous water use requirements need to be determined for each water plan as a matter of priority.* Priority should be given to determining how much water is necessary to meet cultural practices, customary management activities and livelihood needs of Indigenous communities who depend upon those water resources.
8. *More attention needs to be given to the effect of water-use decisions on native title rights and interests.* Transparent, robust and equitable mechanisms should be developed for making consistent decisions on the allocation and use of water for native title holders.
9. *Indigenous access to water can be improved through a range of statutory and policy mechanisms.* Legal and policy mechanisms have been successfully implemented for providing an Indigenous share of water from the consumptive pool for the cultural, social and economic benefit of Indigenous people.
10. *Equity issues should be considered in water allocation decisions.* Water planning should take into account the long-term future aspirations of Indigenous people to ensure the accessibility and availability of water to meet Indigenous people's needs.
11. *Water plan objectives should be monitored and evaluated.* There are many benefits from improving Indigenous access and participation in water planning and management, but these need to be consistently measured and evaluated.

Resource

Jackson, S. 2009. *Good Practice Guide to Indigenous Participation in Water Planning.* Report to the National Water Commission, CSIRO, Canberra.

Umbrawarra Gorge, Daly River catchment, NT

STEP 1: PREPARATION AND SETTING THE SCENE

A successful engagement program must be designed to meet the unique needs and circumstances of the community you are working with. As a community facilitator, there is no substitute for beginning with thorough preparation before commencing engagement activities. Previous facilitators found at times that they were too eager to get into meetings and start discussions with the community, without taking that time to understand the issues, the community and the laws and policy on water.

It is respectful to the Traditional Owners that you will be working with to take the time in advance to prepare.

Traditional Owners already have a wide range of responsibilities, and many demands on their time for meetings and consultation. Preparation is also essential to ensure that later meetings are focused, relevant and have sufficient context to elicit direct answers to questions where possible. It will also help to demonstrate your ability and intention to sustain support for the community over an extended period. Traditional Owners deserve focused consultations based on the best quality input that you are able to provide, and clear information about the decisions they are required to make.

Knowing the history of the region and consultation processes that have come before you is vital. Indigenous groups are often asked to give the same information several times by different bodies – by taking the time to find out what has been done, you will demonstrate your commitment to good practice, save yourself time in the long run, and build community confidence in your work.

It will also help you to identify the relevance of your project for the community before you begin. In many locations in north Australia, water availability, security and supply are not considered pressing issues by the community. Where the need for water planning and management is not yet apparent, it will be more difficult to demonstrate the relevance of the project.

By taking the time to gather a complete understanding of the situation, you will be able to better understand how the water program fits into the wide variety of activities and programs targeted at Indigenous communities.

Some of the preparation you might consider as a facilitator involves personal preparation as well. Not all facilitators will have worked with Indigenous groups before. Even for those who have, it is worthwhile participating in a cultural awareness training or induction program. If such a program is offered by the community that you will be working with, this would be ideal. However, you will find that there are many opportunities for this type of training.

It is not necessary to try and get across all of the information yourself. Instead, you should focus on those areas that you need more information on, and identify the right people to give you advice and guidance. In this way, preparation is also about getting an understanding of how different stakeholders can provide support to the water program, and to establish the right conditions to enter into productive partnerships as the program evolves.

These preparatory steps are about finding ways up front that create the conditions for community ownership in the longer term. There are seven components in the preparation process.

1. Understanding water reform
2. Learning about the catchment
3. Getting to know the community
4. Assessing engagement readiness
5. Developing your proposal
6. Free prior and informed consent
7. Working out protocols for engagement

At the end of the preparation phase you should have:

- a collection of information about the catchment and the communities, including maps, diagrams, photos, video and audio recordings;
- a project proposal which outlines the aims, objectives and methods of the project, and includes information for the community about how they will be involved in the project;
- approval from the relevant Traditional Owners, and their consent to work to a schedule;
- an engagement protocol (either a formal document or an informal working relationship) that outlines the rights and responsibilities that you and the Traditional Owners expect from each other; and

- a preliminary understanding of what outcomes the community wants from your project, and how this fits within their aspirations for the management of country more generally.

The experience of the NAILSMA Indigenous Community Water Facilitator Network (ICWFN) project and TRaCK research is that preparation, including contractual arrangements and organising the set-up with a host organisation, may take between 6-12 months, depending on factors such as:

- your familiarity with the region and the language groups and Indigenous organisations within the region;
- the history of your host organisation and its relationships in the region;
- the scale of the region, in terms of area, complexity, population and accessibility (including seasonal constraints);
- external pressures and pre-existing commitments for the community; and
- previous levels of engagement and participation in water planning and management activities with government and private sector partnerships.

1. Understanding water reform

State and federal governments have been investing in improving the way we manage and maintain our water in Australia for the last thirty years. The ICWFN Project sits within a bigger picture of water reform in Australia. These reforms have been directed towards managing water in a more sustainable way.

Water reform began in 1994 when the Council of Australian Governments (CoAG) agreed to a strategic framework for improving water policy. This was in direct response to the observation of environmental damage and water quality decline in some of the country's most important river systems. This strategic framework made a number of important changes, such as:

- separating water entitlements from land title;
- providing greater detail about water entitlements in terms of ownership, reliability, volume and transferability;
- allocating water for the environment;
- establishing arrangements for trading water entitlements; and
- improving the way that communities are involved in water management and planning.

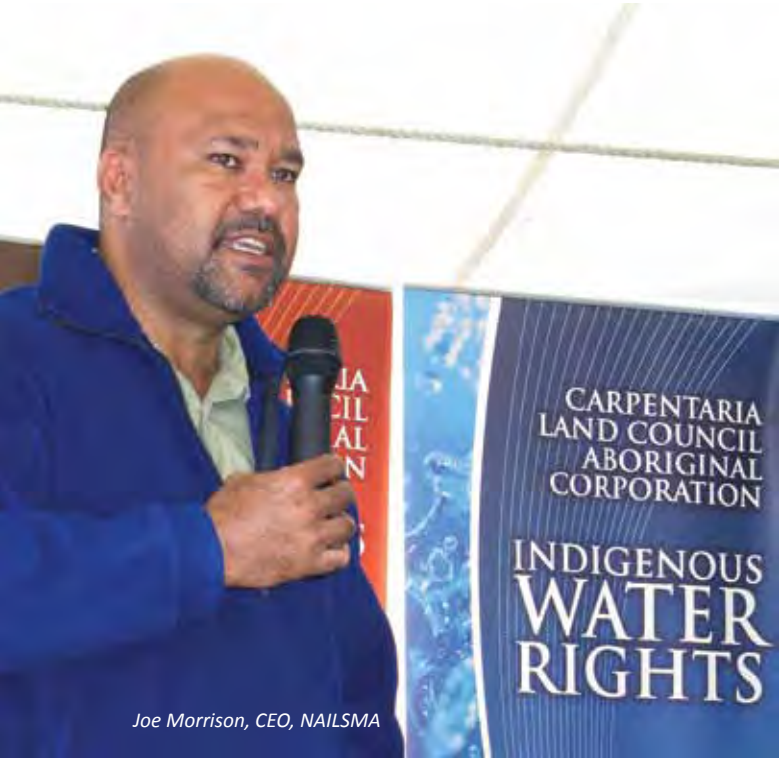
The second milestone occurred in 2004 when CoAG renewed its commitment to water reform by developing the National Water Initiative (NWI). The main aim of the NWI is to continue the work of the first round of reforms through improvements to planning, regulation and water markets. Key targets of the NWI included:

- restoring and maintaining the water needs of the environment by securing water for environmental assets at a catchment scale;
- improving the security and reliability of water entitlements for both water users and the environment;
- encouraging the 'best use' of water resources through the water markets and trading; and
- investing in more efficient water use, particularly in urban environments.

The NWI outlined a range of changes to the management of water, including better accounting systems, licensing arrangements, water efficiencies and legislative changes. One of the main focuses of water reform is water plans.

Water plans are usually catchment-based or cover a specific geographical area. They define how water in surface and groundwater systems is to be allocated. In some cases, they outline how water is to be shared between different uses and users. In other cases, water plans define how much water can be extracted from the system without causing damage to the environment – this information is used to limit the amount of water that is available to be taken out of the river or groundwater system in licenses. Water plans also outline the rules for water access and use, including rules for water extraction, and the rules for water trading in the catchment, if water trading is relevant.

The main way that water use is managed is through the granting of water access entitlements (through licensing) and setting water allocation limits. By limiting water entitlements or placing conditions on extraction, governments can find ways to make sure there is enough



Joe Morrison, CEO, NAILSMA

water in the environment and for future use and public drinking water supply. Water plans are used to set these limits or to assess water license applications.

Water plans vary across states and territories, and the ways in which plans are developed is flexible to match the different circumstances in each region. In all areas, though, the plans are based on detailed scientific and technical assessments to determine the appropriate balance between allocation for water users for extraction and the maintenance of environmental flows.

Importantly, the NWI recognised the importance of Indigenous engagement for effective water planning. In this way, the NWI is a critical document for understanding the background to the facilitator program.

Water law and policy is one of the most complicated areas of government responsibility. Below are some resources to help you get a better understanding of where the facilitation program sits within the history of water reform. In addition, the resource modules contain more information about the history of water reform in north Australia.

- **The National Water Initiative** (or the Intergovernmental Agreement on a National Water Initiative) is described as the blueprint of water reform in Australia. Important sections of the NWI for water facilitators include Objectives (s23), Water Planning (s36-40), Indigenous Access (s52-54), and Guidelines for Water Plans (Schedule E).

  Available online at:

  www.nwc.gov.au/reform/nwi

- Under the NWI, all governments agreed to the establishment of the **National Water Commission** (NWC). The NWC is an independent body with seven commissioners appointed for their expertise in relevant areas. The NWC plays an important role in assessing government progress in implementing water reform. This is mainly done through their reviews of water reform every two years. These reviews, which are commonly referred to as 'the biennials', are important documents for understanding the success of water reforms, and the key areas for improvement.

  Available online at:

  www.nwc.gov.au/reform/assessing/biennial

  O'Donnell, M. 2011. *Indigenous Rights in Water in northern Australia*, John Toohey Chambers, Darwin, Northern Territory, Australia. Report to the Tropical Rivers and Coastal Knowledge Program.

- A comprehensive reference for Indigenous Water Rights in northern Australia, including Queensland, Northern Territory and Western Australia.

  Available online at:

  www.track.gov.au/sites/track.boab.info/files/uploads/TRaCKPub6.2Final_Mar11%20-%20Michael%20O'Donnel.web_.pdf

Indigenous Interests and the National Water Initiative is a review of current knowledge of relevance to the implementation of the National Water Initiative compiled for the north Australian Indigenous Water Policy Group. The report was intended to provide background to understanding the Australian water sector, its institutional arrangements and recent policy reforms to assist in the consideration of Indigenous water rights and interests.

It builds on previous work, primarily **Indigenous Perspectives on Water Management, Reforms and Implementation**. These documents provide a solid background understanding on the history and progress of water reform for Indigenous audiences.

Resources

Jackson, S. 2007. *Indigenous Interests and the National Water Initiative*. Darwin: CSIRO and NAILSMA.

Jackson, S. and Morrison, J. 2007. *Indigenous Perspectives on Water Management, Reforms and Implementation*. In Hussey, K and Dovers, S. (eds.), *Managing water for Australia: the social and institutional challenges*. CSIRO, Melbourne: 23-42.

Available online at:

www.nailsma.org.au

Water governance

While the National Water Initiative sets up the framework for consistent water management across the country, each state and territory manages water in a different way to match their priorities and their individual circumstances. There are also variations in each of the states about how they conduct water planning. Two resources are recommended to assist your understanding of the status of water governance arrangements in Australia.

- The National Water Commission **Water Governance** website provides extensive details about the institutions and legislative and administrative arrangements for each Australian state and territory. Each set of water governance arrangements are explained with diagrams and plain English summaries of the various laws and institutions in each state, and cover the topics below:
    - rural and regional water planning and management;
    - metropolitan water planning and management;
    - water markets;
    - water pricing and economic regulation;
    - water supply and services;
    - drinking water management;
    - recycled water management; and
    - environmental health management.

  National Water Commission (NWC). *Water Governance Arrangements in Australia*. Canberra, NWC.

  ### Available online at:

  http://nwc.gov.au/home/water-governancearrangements-in-australia

- Additional background information on the water management arrangements in north Australia can also be obtained from the **TRaCK Collaborative Water Planning** reports. These reports focus on water allocation plans in north Australia, and in particular the ways that communities, industries and Indigenous people have been involved in water planning activities.
    - **Volume One** chronicles the history of water management in Australia, highlighting the evolution of water policy and changes that

have occurred as a result of Council of Australian Governments (CoAG) reform.

- **Volume Two** provides an overview of strategies and techniques that can be used to resolve public disputes over natural resources, and outlines an engagement model to limit community conflict around resources.
- **Volume Three** outlines the legal and policy frameworks for water planning in north Australia. It looks in depth at the legislative requirements at a State level, and provides a description and analysis of the water planning legal framework state by state.

Tan, P.L. et al 2008. *Collaborative Water Planning: Context and Practice*. Collaborative Water Planning Project Volume 1. Report to the Tropical Rivers and Coastal Knowledge Program. Canberra: Land and Water Australia.

Elix, J. 2008. *Best Practice Strategies and Techniques in the Resolution of Public Disputes over Natural Resources*. Collaborative Water Planning Project Volume 2. Report to the Tropical Rivers and Coastal Knowledge Program. Canberra: Land and Water Australia.

Tan, P.L. 2008. *Collaborative Water Planning: Legal and Policy Analysis*. Collaborative Water Planning Project Volume 3. Report to the Tropical Rivers and Coastal Knowledge Program. Canberra: Land and Water Australia.

Available online at:

www.track.org.au or
www.waterplanning.org.au/track

Progress on Indigenous interests in water reform

Indigenous interests in water reform have been a more recent concern and a number of initiatives have been funded by the National Water Commission to improve Indigenous participation and engagement. Two important advisory groups have been established to provide policy advice and strategic direction.

- The **First Peoples Water Engagement Council** (FPWEC) is a recently formed advisory group which provides advice to the National Water Commission on future directions and program priorities. In March 2011, the FPWEC produced a comprehensive overview of Indigenous water planning and management issues, and submitted it as part of the National Water Commission's assessment of progress in implementing the National Water Initiative. This submission made many recommendations for improving Indigenous engagement, including the need to develop culturally appropriate resources to build the capacity of Indigenous people to participate effectively. They also recommended that trained facilitators be engaged where appropriate to provide this information more effectively to communities.

Available online at:

http://nwc.gov.au/planning/fpwec

- The NAILSMA **Indigenous Water Policy Group** (IWPG) has a focus on north Australia. It is made up of representatives from key organisations across the north, and is supported by an advisory group. The IWPG has developed a policy statement outlining the expectations that communities across north Australia have for water management. The IWPG undertakes a range of programs to advocate for the achievement of these water reforms, including research to define and quantify commercial and non-commercial Indigenous access to water, and convening regional forums to discuss and identify Indigenous community aspirations toward ongoing and future development and management of land and water across north Australia.

Available online at:

www.nailsma.org.au

Indigenous Freshwater Planning Forum

In February 2009 the National Water Commission (NWC) convened the first national Indigenous Freshwater Planning Forum. In organising the Forum, the NWC was assisted by an Indigenous steering group, NAILSMA and the Murray Lower Darling Rivers Indigenous Nations (MLDRIN). The Indigenous Water Planning Forum, held over two days on 19 and 20 February 2009, aimed to provide an opportunity for Indigenous people and State/Territory water agency staff from across Australia to discuss Indigenous participation in water allocation planning processes.

The specific objectives of the Forum were to:

- describe the Australian water plans that have involved Indigenous participation;
- bring together Indigenous community members and jurisdictional water planners who have previously participated in water planning processes;
- document the best examples of Indigenous engagement in water planning processes; and
- refine a statement of principles for Indigenous engagement and improved access to water.

The Forum included presentations based on three commissioned papers circulated to the participants prior to the event.

1. A legal and policy analysis of water planning frameworks in New South Wales, Queensland, Northern Territory, Western Australia, South Australia, and Victoria.
2. A desktop study to identify the water planning processes around Australia that have included Indigenous engagement and allocation of water resources as per the NWI.
3. A desktop study to identify specific allocations of water to Indigenous people from the consumptive pool for economic development outcomes.

All three reports are available for download here:

http://waterplanning.org.au/news/indigenous-freshwater-planning-forum-report

A final report detailing the outcomes from this Forum is available online:

http://nwc-web01.squiz.net/__data/assets/pdf_file/0017/11519/Outcomes_of_NWC_Indigenous_Fresh_Water_Planning_Forum_outcomes2.pdf

Resources

Jackson, S. 2009. *Background paper on Indigenous participation in water planning and access to water*. Paper prepared for the National Water Commission. CSIRO Sustainable Ecosystems, Winnelle, NT.

Tan, P.L. 2009. Legal Basis for Indigenous Access to Water. Paper prepared for the National Water Commission. Brisbane: Griffith University.

Timeline of Indigenous water resource management in north Australia

2002: Onshore and Offshore Water Rights discussion booklets published by the Lingiari Foundation. NAILSMA established to support practical approaches to caring for country and sea by Indigenous people.

2004: Council of Australian Governments agree to the National Water Initiative as a way for water to be managed across the whole of Australia.

2006: NAILSMA establishes the Indigenous Water Policy Group (IWPG) with funding from Land and Water Australia to improve Indigenous communities' awareness about the NWI and to engage in research relating to Indigenous rights, responsibilities and interests in north Australia's water resources.

2007: The IWPG works with the TRaCK research program to deliver research about Indigenous community interests in legal rights, water markets and collaborative water planning arrangements. NAILSMA secures funding from the National Water Commission to undertake Indigenous water initiatives and initiates the Indigenous Community Water Facilitator Network (ICWFN).

2008: IWPG expands its membership to include a research advisory group and policy engagement group. Hosts the Garma meeting where an international water declaration is developed. Facilitators are employed in six key regions.

2009: NWC hosts the first national Indigenous Freshwater Planning Forum. Mary River Statement agreed to.

2010: The IWPG Indigenous Water Policy Statement is launched at Parliament House.

2011: The ICWFN project concludes and is evaluated, with key learnings identified. Second generation facilitation program proposed and developed.

2. Learning about the catchment

As a facilitator, you should also try as part of your preparation to get a better understanding of the catchment where you will be working. No two catchments are alike. Catchments, communities that live in them, the water governance arrangements and their climates and the rivers themselves, are different in many ways. A facilitator program will reflect these differences.

Before you commence, it will be important to have a basic understanding about the following topics.

- The major rivers, waterways, aquifers and springs that are located in the catchment.
- The basic hydrology of the system, including the patterns of water availability and how much water is in the system at different times of the year.
- The major water users in the area, and some information about their water use.
- Major land uses in the area, and their impact on the water.
- The locations of any major water infrastructure, such as dams, weirs and diversions.
- Future plans for water use in the area, either by Indigenous people or others.
- Current water planning, management or natural resource management arrangements that are in place in the area.

You should introduce yourself to the state government planner and planning team at your earliest convenience. They are likely to have access to the best available information on these topics. Over the course of the project, you should agree to ways to keep them informed about what you are doing, and for them to make suggestions about how this work can be integrated with statutory water plans. It is vital to make sure that this connection is maintained, but it is crucial that you maintain your independence of government and avoid taking on their responsibilities. Bringing government representatives to negotiations with Indigenous communities can be mutually beneficial, but it is important to be clear about the expectations of these engagements, and how they relate to the community.

One place to begin is by finding out if a water plan exists for the area. Other useful resources include the TRaCK Digital Atlas, data directories, research documents, natural resource management plans and published environmental impact assessments. Guidance on accessing these resources is provided below.

Using information in water plans

Water plans contain useful information that will help you get a better understanding of how water is allocated and managed. A completed water plan will give you a range of information, including:

- how much water is available for consumptive use;
- how much of this water has been allocated to different users, and if there is any remaining for consumptive purposes;
- what the rules are for gaining access to that additional water; and
- if any water been allocated for Indigenous purposes, such as cultural or commercial allocations.

In developing a water plan, it is common for government agencies to commission or undertake technical studies to guide their decisions. These studies will have important information that you can use to build your understanding of the catchment and the water system.

- **Hydrological assessments:** these assessments outline the flow regime – which includes information about how much water is in the system. To produce these assessments, planners will sometimes work with hydrologists to develop models – you should try and find out whether a model has been developed as part of the water plan.
- **Environmental water requirements:** this outlines the water needs of the system to maintain environmental health, and may identify important environmental sites or requirements.

- **Land use assessments:** this outlines the soil and other characteristics of the environment and can provide a better understanding of the future land uses that may be possible in the area, such as areas suitable for cropping or horticulture.
- **Socio-economic assessments:** this is used to identify the current water users, what their current water use is, and what future water uses are anticipated. It will sometimes include consideration of the water needs of Indigenous communities.

Water plans are typically reviewed every five to ten years, and participation in the review of the water plan is also an excellent opportunity for future Indigenous engagement. Find out when the timeframes for review are, and consider using this as a key part of your engagement outline.

If there is no water plan in the area, you should find out if there is one planned for the area, and if any pre-planning assessments are being conducted. Water plans typically take around three years to produce and the pre-planning assessments can take up to a year of this time.

There may be an opportunity to work with the planner to identify opportunities for the Indigenous community to participate in these assessments, including environmental monitoring or consultation about environmental features in the landscape. Find out if there is a plan to undertake an Indigenous cultural assessment, and the timeframes for this. An Indigenous cultural assessment would be an excellent opportunity for a facilitator to work with the community, and provides a direct line of input into the water planning process.

If there is no plan in the area, and there is not one scheduled, the government water planners should still be able to provide you with information on current water licenses in the area, and any planned future developments that may impact on water in the area.

Resources

- The National Water Commission has developed an online search for water plans as part of the **National Water Planning Report Card**. It includes evaluations of all 157 water plans that have been developed in Australia against the requirements of the National Water Initiative.

Available online at:

www.nwc.gov.au/reform/assessing/continuing/report-card/advanced-search

Spatial Data

Maps are central communication tools for facilitators. A laminated map can be used as a consultation tool to assist in communicating the concept of a water catchment, and to record information provided by the Traditional Owners. It will also be essential for working with land councils and others in identifying the key Indigenous stakeholders and Traditional Owners. If you have access to a GIS (Geographical Information System) officer in your organisation, you can get their assistance in producing a map which contains much of this information.

Below are some useful sources of data:

- Many of the data layers required to produce a catchment map are freely available from Geoscience Australia.
  www.ga.gov.au/products-services/data-applications.html
- Each state and territory government will have access to a data download facility where you can access additional information. These government data sites often allow you to access data to develop maps online, or purchase datasets yourself.
  Northern Territory:
  www.nretas.nt.gov.au/home/nretasmaps
  Queensland:
  http://dds.information.qld.gov.au/dds/
  Western Australia:
  www2.landgate.wa.gov.au/bmvf/app/waatlas/
- The Australian Government hosts the Environmental Resources Information Network (ERIN) as part of the Department of Sustainability, Environment, Water, Population and Communities. ERIN also hosts the Discover Information Geographically (DIG) service, which can assist in directing you towards environmental-based datasets.
  www.environment.gov.au/erin/index.html

Additional information sources

- **Tropical Rivers and Coastal Knowledge:** Research conducted by the TRaCK program over six years has provided important information about the rivers and environments of north Australia. Most of the TRaCK research focused on three catchments – the Fitzroy, Daly and the Mitchell. Some of the projects had a whole of region focus, and have put together datasets for the whole of the region.
  www.track.org.au
- **Sustainable Yields Project:** CSIRO has been undertaking a comprehensive scientific assessment of current and future water availability in major water systems. As part of this national project, CSIRO produced the Northern Australia Sustainable Yields (NASY) publication that includes summary reports and fact sheets for each of the catchments of north Australia.
  http://www.csiro.au/Organisation-Structure/Flagships/Water-for-a-Healthy-Country-Flagship/Sustainable-Yields-Projects/NASY.aspx
- **Northern Australia Land and Water Science Review:** The Northern Australia Land and Water Taskforce commissioned a comprehensive review of north Australian land and water science in 2009. The project was coordinated by CSIRO in collaboration with over 80 of Australia's leading scientists working on northern land and water issues. Some of the information in the review includes detailed case studies on individual catchments, while others look at conditions, trends and pressures on water resources that are common across all northern catchments.
  www.nalwt.gov.au/science_review.aspx
- **Natural Resource Management Plans:** Each of the 56 NRM regions across Australia have developed natural resource management plans that contain condition assessments and investment strategies for the management of resources. Regional bodies for north Australia include Rangelands NRM in Western Australia, Territory NRM in the Northern Territory, and Southern Gulf Catchments, Northern Gulf NRM, Cape York NRM and Terrain Natural Resource Management in the Wet Tropics.
  www.nrm.gov.au/about/nrm/regions/index.html

The TRaCK Digital Atlas

The TRaCK Digital Atlas has been developed to provide a centralised repository of all of TRaCK's research outputs. Users can access information through a metadata catalogue, or using a map-based search and display to access research material based on areas of interest. The Altas links together reports, publications and journal articles with data layers and maps.

The Atlas is particularly useful to access basic material about a catchment, and to produce maps of the catchment without the need for complex mapping software. Individual maps can be compiled and included in presentations or communication materials. As more information is added to the Atlas, researchers, water planners and the wider community will be able to draw on a widening range of resources to better understand tropical rivers.

In particular, two features of the Digital Atlas will be relevant to your work:

- The **High Conservation Value Aquatic Ecosystems** component of the Atlas identifies priority areas for preservation, based on a wide variety of research.

- The **Socio-Economic Profile** maps provide useful information at a catchment scale, including population profiles, employment and industry representation. This information can be compared across other catchments.

Available online at:

http://atlas.track.org.au

Using GIS

As the capability of Geographical Information Systems, or GIS, has expanded, it is increasingly being used by land and sea management groups in north Australia and by Indigenous communities all around the world. At its most basic, GIS is a way of organising information and data spatially. Through the use of GIS software and computer-based cartography, spatial knowledge, including traditional and cultural knowledge, can be combined with biophysical and topographic information to produce maps and other diagrams. These products can be used as databases, but also as a basis for discussion, information exchange and to support decisionmaking.

Resources

- An overview of **Participatory GIS** by Giacomo Rambaldi, Mike McCall, Daniel Weiner, Peter Mbile and Peter Kyem has been produced by Integrated Approaches to Participatory Development (IAPAD). It acts as focal point for sharing information and technical progress on community-based mapping and Public Participation GIS (PPGIS). The website provides ample documentation on Participatory 3D Modelling (P3DM), an efficient tool for merging Indigenous technical knowledge and traditional spatial information.

Available Online at:

www.iapad.org/participatory_gis.htm

- The **Open Forum on Participatory Geographic Information Systems and Technologies** serves as a global avenue for discussing issues, sharing experiences and good practices related to community mapping, Public Participation GIS (PPGIS), Participatory GIS (PGIS) and other geographic information technologies used to support integrated conservation and development, sustainable natural resource management and customary property rights in developing countries and among Indigenous people worldwide.

Online at: www.ppgis.net/

- An **annotated bibliography** on public participation and GIS has been compiled by Sue Laurie in 2006, and is available online at: http://dusk2.geo.orst.edu/gis/student_bibs/slurie.htm
- A slideshow developed by Steve Cinderby on **GIS for Participation: The UK context – successes and challenges** can be viewed online at: http://www.slideshare.net/mukih/steve-cinderby-sei-york-mapping-for-sustainable-communities-170608
- **What PPGIS Really Is** was a conference paper by David Tulloch from the Department of Landscape Architecture and Center for Remote Sensing and Spatial Analysis presented at the 2003 PPGIS Conference in Portland, Oregon, and can be accessed online at: http://deathstar.rutgers.edu/ppgis/Tulloch.PPGIS.2003.htm

Smoking ceremony to welcome strangers to country

Indigenous values in the catchment

Some previous programs in your catchment may have documented Indigenous interests in a region. You can use existing information and material to map the known expressions of Indigenous values in the landscape through consulting material that is publicly available. This will not give you a complete understanding of Indigenous values in the area, but it will provide you with a foundational understanding of where Indigenous interests related to water have already been identified.

You should find out if there have been any native title determinations in your area. Information about native title in the area can be obtained from the **Native Title Tribunal** website, which has information on native title determinations, registered claims and Indigenous Land Use Agreements (ILUAs). Native title spatial data can be downloaded from Geoscience Australia. www.nntt.gov.au/Pages/default.aspx

Below are some useful sources of information to look for.

- Identified cultural sites on government registers.
- Historic sites such as mission buildings, special schools, and places of incarceration.
- Locations of present and past communities.
- National parks and equivalent reserves in joint management arrangements.
- Rural land holdings such as those acquired under various historic arrangements, current land rights legislation and purchased through organisations such as local land trusts or the Indigenous Land Corporation.

3. Getting to know the community

Working out who to work with and correctly identifying the relevant groups for an engagement process is a common issue for people who work with Indigenous communities. Part of the difficulty comes from the definition of the word 'community'. As Moore suggests (2001), the term community can have many different meanings depending on the context. In engagement programs, the 'community' tends to refer to people who live in a particular area or region. However, when discussing issues to do with the water, and the management of natural and cultural resources, it is a priority to work with the Traditional Owner groups that have a historical and accepted responsibility for caring for a particular country.

Working with the Traditional Owners is not the same as working with the community (Moore 2001). This is not to suggest that the wider Indigenous community – the people who live in the area – should not be engaged. The wider Indigenous community is likely to have their own interests in the management of water and country in the area that they live, and will likely be impacted by these decisions. However, the highest priority for preparing to work with the community is to identify and work with the Traditional Owner family groups that speak for the different parts of the catchment.

Traditional Owners are authorised to speak for country and its heritage. Authorisation to speak for country and heritage may be as a senior Traditional Owner, an elder, or in more recent times, as a registered native title claimant family or group.

Anthropological records and native title claims are useful starting points for your research. In addition, you should find out about relevant Aboriginal organisations, local Aboriginal land councils and community service providers in the area. They can provide advice on who the most appropriate people to speak to are.

As with any community, there will be diversity in views, opinions and ideas amongst the Traditional Owners – and some significant divisions within the Traditional Owner groups – such as young and old, men and women, and differences among family groups. You should try to understand and be respectful of the different structures within a language group, and ensure that all of these different groups are included in your consultation and in making decisions. If there are multiple family groups, make sure that all family groups are provided with an opportunity to participate.

Constructing a people map

In **Planning for Country** (Walsh and Mitchell 2002), the authors describe the use of a tool known as a people map. Essentially, it is a diagram that can be produced through a group or one-on-one discussion that indicates relationships between people and country. A people map can include key landscape features, language group boundaries, clan estates or other forms of custodial tenure. In the examples they provide, a people map more closely resembles a family tree, although the content and format of the diagram is likely to vary in each location.

By working with people to develop the map, you can start to get a sense of the different Traditional Ownership arrangements, main family groups and their histories, preferred names and language groups, and how these relate to each other and the region.

Working with Traditional Owners can be more challenging than working with land councils, prescribed body corporates or other organisations. Traditional Owners are less likely to have an office or a formal organisational structure with elected representatives, staff or regular meetings. A further complication is that Traditional Owners may no longer live in the area that they have custodial responsibilities for, and you may need to make special arrangements to ensure that non-resident Traditional Owners are also identified and engaged.

Previous facilitators have noted some of the factors that influence your relationship with the community in the early stages.

- **Build on existing networks** by finding out what community organisations and service providers are in place and engaging the community effectively. You can discuss with representatives from these organisations the history of engagement programs in the area, including what types of processes have worked most effectively. You should also find out if similar consultations have recently occurred before another request to consult is made with Aboriginal communities.
- **Recognising key personalities/champions** for your project at the beginning will help to build community support for your project. For example, it may be that land and sea rangers can be drawn upon for their skills and knowledge, to build community interest in water issues, and provide introductions and links to Traditional Owners.
- **Be responsive and available** to invitations and requests from the community, and be prepared to meet at times and locations that are most suitable to the community.

There will be a range of people, groups, organisations and industries that will have an important role to play in contributing to your facilitator program. Many of these people have an interest, or a ‘stake’ in the success of the project, or have the ability to influence whether or not the objectives of the project are achieved. Some of these interests may be negatively impacted by the program – for instance, there may be a reduction in available water entitlements for irrigation, or extractive industries may be prevented from undertaking certain activities that risk cultural water values.

Working out the range of external stakeholders and understanding how to work with them will help you to do your work as a facilitator more effectively. It will be important to work with multiple players, including government, mining, fishing, industry and environmental groups.

Resources

Information for this section has been obtained from a range of different sources – each of which is highly valuable for getting advice for working with identifying communities.

- **Assisting Indigenous Extension Services** was written by Dave Brown and Derek Foster to identify key aspects of service delivery that are important to consider when dealing with Indigenous communities. Information from this document has contributed significantly to this Guide, particularly in applying extension principles for a facilitator program.

Brown, D. and Foster D. 2001. *Assisting Indigenous Extension Services: Key Guidelines for Training and Development of Extension Officers Dealing with Indigenous Communities*. Canberra: APEN.

Available online at:

http://www.iisd.org/pdf/2011/participatory_research.pdf

- **Working with Aboriginal People and Communities: A Practice Resource** was developed by the Aboriginal Services Branch of the NSW Department of Community Services. It provides a wealth of information and practice tips for working with Aboriginal people and communities, but with an emphasis on New South Wales.

Aboriginal Services Branch (ASB). 2009. *Working with Aboriginal People and Communities: A Practice Resource*. Ashfield: New South Wales Department of Community Services.

- **Working with Aboriginal Communities** was developed to support teachers in including Aboriginal perspectives across the curriculum. It was intended to provide teachers with clear guidelines to begin the process of consulting with local Aboriginal communities to allow them to include Aboriginal people in their teaching.

Participant observation

Participant observation is a method of collecting information about the operation of, and attitudes existing in, a community through a researcher living in the area for an extended period.

The participant observer becomes known within the community, and gets to know the community in a more intimate and detailed way than someone who simply comes to do a survey and leaves.

The participant observer consequently is given much more detailed information, and may identify specific issues and assist groups to address these by developing mutually agreed principles and practices.

As an ethical consideration, you should not undertake participant observation without informing the community of your intention to do so. It should not be undertaken without first introducing yourself to the community and openly stating your intentions.

It is important to systematise the process, and provide information and records of the work conducted as an observer.

Resources

- The **International Institute for Sustainable Development** has a brief overview of Participant Observation techniques, as one element of their Participatory Research for Sustainable Livelihoods Program.

Available online at:

www.iisd.org/casl/CASLGuide/ParticipantObserver.htm

Participants, Wenlock Catchment Traditional Owner Forum, 2010

Byron, A. et al 2008. *Working with Aboriginal Communities: A Guide to Community Consultation and Protocols*. Sydney: Board of Studies NSW.

- There are a number of useful guides for Indigenous engagement with a focus on natural resource management.

Australian Government (2003). *Guidelines for Indigenous Participation In Natural Resource Management*, Canberra, Australian Government.

Available online at:

http://www.nrm.gov.au/publications/guidelines/indigenous-participation.html

Government of South Australia (2008) *Engaging South Australian Aboriginal Communities in Natural Resources Management - A Practical Resource Manual.* Adelaide: Department of Department of Water, Land and Biodiversity Conservation.

Moore, G. 2001. "Culture and Communication in Aboriginal Land Management in NSW: A Koori Perspective". In *Working on Country: Contemporary Indigenous Management of Australian Lands and Coastal Regions*. South Melbourne: Oxford University Press.

4. Assessing engagement readiness

There will be a need for flexibility in the way that you approach your facilitation program, based on scoping the political landscape. Regional facilitators need to navigate the dynamics of political, social, cultural environments at all levels of governance, including traditional governance, prescribed bodies corporate, regional bodies, local organisations including local government, national agencies, government departments and the research community. Previous experience has shown that these dynamics impact on the ability of facilitators to lead the development of CAPs or strategies. For instance:

- **Catchments with existing water management plans** can provide a framework for engagement in water management and planning by water facilitators. In many regions, structures are already in place for the management of land and sea resources as a result of community initiatives or access to funding programs. In this situation, the facilitator would work to incorporate a water management component into existing activities. It can also provide foundations on which to strengthen groups so that they can articulate aspirations for Indigenous-led research and management programs.
- Where there are **little or no foundations for engagement**, it may take more time to demonstrate the need for and value of the facilitation program. Indigenous groups first need to articulate the cultural significance of water and their obligations under customary law to look after country in culturally appropriate ways before they can engage in government planning and policy development. In some cases, the facilitator may need to work with other organisations to help identify the appropriate Traditional Owners for the area.
- When **complex relationships exist** between PBCs and other stakeholders, caution needs to be applied that Indigenous planning activities do not conflict with development aspirations and existing strategic priorities of the representative body.

In recognition of these complexities, facilitators can adopt a concept of 'escalating involvement'. Previous facilitators identified four distinct stages in the course of their water program. Not all facilitators observed this process, but it is a useful guide to begin thinking about the structure of your engagement program. There is a need to develop a plan of engagement for each of these stages, recognising that the actual transition between these stages can be sudden or unanticipated.

THERE WILL BE A NEED FOR FLEXIBILITY IN THE WAY THAT YOU APPROACH YOUR FACILITATION PROGRAM, BASED ON SCOPING THE POLITICAL LANDSCAPE.

1. The initial stage involves identifying the framework for meaningful discussions. Although this stage may not necessarily lead to tangible outcomes, it is about creating or strengthening local capacity for people to talk about water. A key part of this stage is about language and definition, and ensuring that there is mutual understanding about key terms used in water planning. Terms such as cultural values, spiritual water use or customary practice can have very different meanings for different groups. Concept development that allows the community to be fully informed before decisions are made can take a significant amount of time. Some facilitators reported that they spent most of their program working on this alone.
2. In the second stage, the community takes more of an active role, by seeking out information and requesting to be kept up to date with water facilitation work. At this time, there may be interest from key organisations and representative bodies, but they are unlikely to dedicate resources or specific attention to issues. Over this period, the facilitator seeks to build engagement readiness (interest, knowledge, resources and confidence). Joint projects that allow for wide participation and demonstrate tangible results during this stage help to build credibility and demonstrate the relevance of the program. Facilitators also play a key role in lending support to existing community projects.
3. The third stage is usually marked by a trigger event that brings the work of the facilitator into wider recognition. This can happen in a range of ways: for example, the involvement or commitment of key community leaders; bringing the community together in a regional forum; the announcement of a government development or water plan; or an external pressure that creates a risk that requires a whole of community response. While these types of events may be unanticipated, they are likely to expand community interest in the facilitator program, and highlight the need for a systematic approach to engagement on water issues.
4. The fourth stage is characterised by increasing community ownership of the program. In this stage, the community takes on organising the terms of engagement themselves – setting up reference groups, seeking information, engaging research and developing plans.

Assessing community readiness

Understanding community readiness for a facilitator program from the outset can ensure that the program is tailored to the specific circumstances that you are working in. The following questionnaire could be used to determine the best approach to facilitation given the situation that you are working in. Completing this questionnaire will depend on your existing relationship with the community. If you are already familar with the community, you can work with a select number of key leaders to answer these questions. However, if you do not have an existing relationship, you can get advice and information by talking with the regional land council, NAILSMA, the water planning agency or by drawing on your own research. These questions will help you to define the scope of the program.

This questionnaire can also be useful for monitoring and evaluating the achievements of the program over time. If you find that the community has a high score initially, you may need to think about whether the community actually requires the involvement of a facilitator or a facilitator program at all.

Community Readiness Questionnaire

Questions		Y /N
Identification of Traditional Owners	Have the Traditional Owners for the language groups and clan estates in the catchment area been identified? Are they known to the regional land council? Do the Traditional Owners have native title holdings? Have they formed a formal organisation, such as a corporation, association, body corporate or cultural heritage organisation? Does this organisation have engagement protocols or agreements with government or corporations that describe how business should occur?	
Catchment Scale	Are the Traditional Owners across the catchment known to one another? Are the boundaries between those groups identified and well-known? Are there any organisations or processes that these multiple groups are involved in together? Are any of these organisations concerned with issues related to natural and cultural resource management?	
Natural and Cultural Resource Management	Have there been any environmental or cultural projects that have engaged the Traditional Owners or the wider community on water issues, such as traditional knowledge recording or cultural mapping? Has the community been involved in any projects funded under natural resource management, such as Landcare, Working on Country or Caring for Country? Is there a local ranger group operating within the community?	
Water Planning and Management	Is there a water plan in the area already? Was the community involved in the development of that plan? Is there a water plan draft or review scheduled for the area? Does the community have a prior engagement record with the water planner or water agency? Has the community previously negotiated with government, business or philanthropic groups on issues relating to water rights and access?	

Results (Number of Ys)	Description of Phase	Action	Suggested activities
0-5 Ys	Preparatory phase: at this stage, it is likely that there are some structures in place for you to begin working with; however, the community is not likely to be in a position to work directly on water related issues until some groundwork has been done.	Raise community awareness about water management.	• Scoping existing or building new consultation frameworks. • Identifying or establishing formal or informal engagement protocols with the community. • Beginning conversations with community members about their interests in water and water reform.
5-10 Ys	Capacity building: at this stage, there is likely to be some existing capacity within the community to participate in the water program, and the community's aspirations for the management of country may be documented.	Gather information and access resources to assist the community in making decisions about how they would like to participate in water management .	• Working with a select group to build their awareness and understanding of water reform in parthership with government agencies. • Generating community interest in water management and planning. • Dedicating or obtaining resources to develop water-related projects of interest to the community. • Developing the confidence of the community to speak about their interests in water.
10 or more Ys	Community ownership: at this stage, the community is likely to have a well-developed understanding of water issues, and are looking to build on this understanding towards taking responsibility for leading the water project on their own terms.	Co-ordinate efforts and activities to feed into a planning process.	• Supporting information gathering activities in response to community identified needs. • Organising community consultation to gather the range of views in the community. • Working with the community to develop a negotiation position. • Developing a CAP.

In completing this survey, if you find that there are mostly "yes" answers to these questions, there may not be a need for a facilitator program at all.

Resources

- The Community Readiness Model was developed at the Tri-Ethnic Center to assess how ready a community is to address an issue. The Community Readiness Model has been used to assess readiness for a variety of issues, including drug and alcohol use, domestic and sexual violence, head injury, HIV/AIDS, suicide, animal control issues, and environmental issues.

Kelly, K., Edwards, R., Comello, M. L. G., Plested, B. A., Jumper-Thurman, P., & Slater, M. (2003). *The Community Readiness Model: A complementary approach to social marketing*. Marketing Theory, 3(4), 411-425.

Available online at:

http://triethniccenter.colostate.edu/communityReadiness_home.htm

5. Developing your proposal

Once you have an understanding of the region and the community, the next stage is to develop a proposal that introduces you and the facilitation project to the community. A project proposal is intended to make sure that the community you will be working with, and the wider community with an interest in water decision making, have a complete picture of your project and what it aims to achieve.

One of the greatest difficulties that will be faced by a facilitator is getting commitment and buy-in to the project from the community and other stakeholders. Your proposal will help you to explain what the project is, why it is being conducted and how it will benefit the community. It is also an essential part of gaining the free, prior and informed consent of the community for the project to be undertaken – this will be discussed in more detail later on.

The proposal is the foundation document for the program. It describes the program, and is used as the basis to get agreement on the scope and activities of the program. At the proposal stage, it is unlikely that you will be able to provide much information on the full extent of the activities that you will be undertaking in your role. Instead, you should outline what steps you intend to take to develop a work schedule for the facilitation program. These activities might include interviews, workshops, group meetings, visits to country, research, forming partnerships or other activities that are directed by the Traditional Owners.

The proposal should specify what the outcome of the project will be. In the area of project management, this is sometimes referred to as a 'deliverable'. For most facilitation projects, the major 'deliverable' will be the Catchment Action Plan with agreed implementation strategies, actions and partnerships.

The proposal should also outline specifically and in concrete terms the benefits that the community will obtain through their participation and involvement. Although some possible benefits are listed in this Guide, you should make sure that the actual and specific benefits are outlined to the community. You should be realistic and not overstate these benefits.

Alongside the benefits, you will also have to consider the potential risks associated with the project. As with the benefits, you should be realistic about these risks, but also be prepared to demonstrate how these risks will be minimised or eliminated through your work.

You should also provide some basic information about the timeframes and resources that are available for your project. Indigenous groups frequently asserted the need for the timeframe of engagement programs to be compatible with cultural protocols. While this can be difficult when working to a milestone-based reporting program, you may need to factor the need for flexibility into your proposal. Previous facilitators have developed a rule of thumb for the timelines for the facilitation program: you should be prepared to take the time it takes.

The importance of the proposal document cannot be over-stated. It will eventually form the basis of your work schedule, and will be the basis of your entire facilitator program. You should think of the proposal as a living document – as you present it to different members of the community and get outside input it is extremely likely that the structure and content of the proposal will change.

It is important that you consistently refer back to this document throughout your work, recognising that the activities that you undertake into the longer term could be much broader, based on the community's aspirations for your program. You may need to be prepared to work towards outcomes that are different from those that you initially anticipated.

Presenting the proposal

You might need to have the proposal reviewed by a local language centre or by a representative of the Traditional Owners to make sure that the language is clear and understandable, and that it is written in a style that is suitable for the language and communication needs of the community. The proposal can be put together in a variety of formats, such as a leaflet, poster, flipbook or presentation. You should consider including some photos or artwork that you have permission to use, and include maps of the area. Using larger fonts can make it easier for people who have poor eyesight to read, and images relevant to the local area can help to contextualise information for people.

Proposal template

This Guide provides a template that you can use to begin thinking about your proposal – you can adapt this as you require, or develop something else entirely that suits your needs.

Proposal Template	
Project Summary	• Provide a brief summary of a Catchment Action Plan (CAP). • Provide a map of the area, and include information about the land tenure and language groups. • Introduce yourself as a facilitator, and indicate what your role will be in assisting the community to develop a CAP.
Project Description	• Explain why there is a need for this project, and describe the specific problem that your work is trying to solve.
Project Outcomes	• What are the objectives of the project? • How will this project help to solve this problem? • How will the information in the CAP be used? • What will be the benefits of completing this project?
Benefits to the Community	• How will the community be involved? • What are the benefits of the community being involved? • What will the community get as a result of their participation?
Who is Involved	• Who is funding the project? • Who has been involved already? • Who are you hoping to work with? • List all partners and provide details about what their involvement will be in this project
How will you go about finalising the project plan? How will the community be involved?	• Identify the methods you will use to expand your consultation and negotiation. • Indicate why you have selected these methods. • Part 3 of this Guide offers some suggestions for techniques to document aspirations, concerns and values.
Timeframes	• What is the timeframe for this project? • When are you hoping to have the different parts of the project finished? • How have you allowed for flexibility in your timeframes?

What are the risks to the community of being involved? How have these risks been minimised?	• You should consider some of these risks to the community, which may include:
	  • impact of the work on native title negotiations or determinations;
	  • threats to intellectual and cultural property rights;
	  • potentially negative media coverage; and
	  • potential for conflict between different groups.

What resources are available for the completion of the project?	• While it is not necessary to include details about your budget, you should provide details about what roles you can fulfil in the process.
How can the community find out more information?	• Remember to include your contact details, including a recent photograph.

Talking water with Karajarri Traditional Owners, WA

Resources

- **Being Project Ready** is a project development guide produced by the NAILSMA water team to identify practical methods for project design and implementation for supporting Indigenous water and country planning across north Australia. This document outlines a 'program logic' approach to developing a proposal and includes monitoring and evaluation material to assess the achievements of a facilitation project against stated criteria.

  NAILSMA, 2011. *Being Project Ready: Key Project Development and Management Steps to Support Indigenous Community Water and Country Planning 2012 – 2016*. Darwin: North Australian Indigenous Land and Sea Management Alliance.

6. Free prior and informed consent

Engaging with Indigenous communities on any project that has the potential to impact on the traditional ownership and cultural values of country should not commence without obtaining the free, prior and informed consent of the Traditional Owners. The need for *free, prior and informed consent* (which is sometimes shortened to FPIC) is now recognised by international law. FPIC is best described as a process by which a community is informed of the risks and benefits of a proposed project, so that they can make an informed choice about whether they believe the project should go ahead, and how they would like to participate.

As a water facilitator, you will need to be familiar with the requirements for FPIC before you start work on your project. You will also need to ensure that these requirements are upheld by the water planning agencies when they are drafting a water allocation plan or granting water entitlements which could impact on traditional land or waters.

FPIC means that as a facilitator, you will have to allow for community input into the design of your program and be willing and prepared to modify your proposed activities based on community feedback. When presenting your proposal, you may need to provide the community with as much time as they need to make a decision. You may need to redesign your proposal several times before you get the required permission to proceed.

There are four requirements for FPIC:

1. **It must be free:** Traditional Owners must voluntarily agree to a project taking place. This means that Traditional Owners have the right to say no to the project if they do not believe it is in their best interest to allow it to proceed. It also means that the Traditional Owners can negotiate changes to the design of the project if they consider this is in their best interest.
2. **It must be informed:** Traditional Owners must have access to enough information about the project, including their rights and obligations, and the risks and benefits of the project, in order to make a decision. In your role as facilitator, you must provide as much information as possible up front about your plans and objectives, as well as additional information about the policies

Some of the Karajarri Water Strategy Meeting participants, WA, 2011

and laws related to water allocation and management. You should also be prepared to research additional information at the request of the community. Any information should be provided in the language and format that will make sure all members of the community fully understand the project and its consequences. You may need to involve translators or experts in cross-cultural communication to assist in this task. The community may also wish to seek independent advice about the impact of the process, and you should assist them getting access to this advice as far as possible.

3. **It must be prior:** This means that you must get the permission of the Traditional Owners to undertake the project before you do any work which is likely to impact on the community. If the community does not agree to the terms of the project, you may have to try and redesign your proposal to better meet their interests, and seek permission at a later date.
4. **There must be consent:** The Traditional Owners must make an agreement together to allow the project to proceed. This agreement should be recorded either in writing or as part of the official minutes of a community meeting. Not everyone will agree with a project going ahead, and while you do not need 100% agreement, you should try to avoid dividing the community into "for" and "against" groups through a vote. Instead, try to listen to the concerns of those who are against the project, and propose changes or amendments which address these concerns. By incorporating these changes, you are more likely to develop a project which meets the wider needs and aspirations of the community as a whole, while avoiding creating tension in the community, which can later impact on the success of your project.

FPIC for a water facilitation project

When you are proposing your water facilitation project to the Traditional Owners, you should be prepared to answer the questions below.

- What are the aims of the project? What is its intended outcome?
- What is the timeframe for the project?
- Who is funding the project? What are their aims and objectives?
- Who else will be involved in the project?
- Who has been involved in developing the project proposal so far?
- What are the potential benefits for the local community? Will these be temporary or permanent?
- What are the risks to the community in allowing this project to go ahead?
- How have appropriate cultural protocols been included in the design of the program?
- What activities will you be undertaking, and how will you ensure that the community is involved in these activities?
- What are your expectations for community participation? What are the benefits for the community in participating in this project?
- Have there been similar projects undertaken elsewhere? What have these projects achieved?
- How will you assess progress on the project? How will this be documented?
- How will you report to the community about your progress?
- How will you respond to any community concerns with the program?
- Who will have ownership of any outcomes, such as a Catchment Action Plan or documented traditional knowledge, from the program?
- How will you ensure that any Indigenous knowledge and practices are protected, and intellectual and cultural property rights are preserved and secured by the Traditional Owners?

You will already have answers to some of these questions based on the work that you have done in developing your proposal. Be prepared to go back to find out information that the community requires to progress this stage of the process.

Benefits of obtaining FPIC

Although obtaining permission before you proceed with your facilitation project may seem challenging and time consuming, there are many benefits that will result from being patient, flexible and accommodating at this stage. Without FPIC, it will be very difficult to find members of the community willing to participate in the proposed project activities later on. In addition to this, obtaining FPIC will help:

- improve the knowledge and understanding of water management;
- ensure that the program is aligned with community and cultural protocols;
- identify unanticipated gaps, issues or challenges which may limit the effectiveness of the program;
- build the community's trust and confidence in you and the program;
- ensure transparency and accountability in the project;
- build community ownership of the project through a shared understanding of objectives and outcomes;
- establish a reciprocal relationship based on information exchange, feedback and respect;
- ensure that the project is relevant and targeted to community needs and aspirations
- allow communities to maximise their benefits from the project; and
- address issues arising from past grievances where community development projects have not adhered to culturally appropriate protocols.

Resources

- The **United Nations Declaration on the Rights of Indigenous People** was adopted by the General Assembly of the UN in September 2007. Although Australia initially voted against the Declaration, it has since reversed this decision and now endorses the rights set out in the Declaration, including the right to FPIC for projects impacting on country. Article 32 of the Declaration outlines the right to FPIC, and Article 25 asserts the right to maintain cultural and spiritual relationships to country.

Available online at:
http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf

- The Convention on Biological Diversity (CBD) is another international agreement that places strong emphasis on the rights of Indigenous people to participate in decisions that affect biodiversity and traditional values. It emphasises the right of access and the need for equitable shares in the benefits from the use of traditional knowledge and practices in the management of natural resources.

Available online at:
www.cbd.int/

- An excellent resource is available from Oxfam Australia called The Guide to Free Prior and Informed Consent. This Guide has been produced to provide an introduction to how Indigenous groups can assert their right to FPIC in the context of a government or commercial development project which affects their country. It outlines a practical seven step approach which will be useful for water facilitators to ensure that community consent to water planning and management is genuine and based on informed negotiation.

Hill, C., Lillywhite, S. and Simon, M. 2010. *Guide to Free Prior and Informed Consent*. Carlton: Oxfam Australia.

Available online at:
www.oxfam.org.au

- NAILSMA has developed **Guidelines and Protocols for the Conduct of Research** which includes reference to the AIATSIS Guidelines for Ethical Research in Indigenous Studies. These two documents outline ethical research practices for working with Indigenous communities, and contain a number of recommendations for obtaining FPIC before commencing research. These recommendations are also practical in developing a water facilitation program.

Williams, N., Wearne, G., Wearne. J and Morrison, J. 2007. *Guidelines and Protocols for the Conduct of Research. Darwin: North Australian Indigenous Land and Sea Management Alliance*.

Available online at:
www.nailsma.org.au

7. Working out protocols for engagement

Once you have permission from the Traditional Owners to proceed with your work, the next critical next step is to work with Traditional Owner groups or representatives to develop an engagement protocol. Put simply, an engagement protocol is an agreement between you and the Traditional Owners about how you will do business together. Observing protocol means that your work is done in a way that is respectful of and consistent with local customs, and that your methods of communication and interaction are appropriate and relevant to the community (CAR 2000). Establishing these types of agreements should be considered as one way of furthering recognition of Indigenous rights, and are a part of the broader aims of self-determination.

Engagement protocols are not a template – you should think of them instead as a conversation. While it may be possible to learn from existing examples, the process of developing protocols is a social learning process.

Reaching agreement about how engagement in the project is undertaken is important, because it helps to formalise the relationship between you and the community. The agreement will provide the framework for how you conduct the facilitation project. At the same time, it works to establish a more level platform for negotiation, where ownership and control of the decision-making process is consistent with the traditional governance arrangements in the region (Mackenzie 2008).

In the past, Indigenous communities have been subjected to many 'consultations' where their only role has been to respond to the interests and objectives of government agencies. In such cases, the community are unable to

Jack Green and other participants of the North Australian Indigenous Water Experts Forum, Mary River, 2009

The Boonamulla Statement

The Boonamulla Statement gives a basis for Aboriginal involvement in natural resource management. It was the product of a two day workshop on natural resource planning for representatives of Aboriginal communities in New South Wales in 2002, assembled to prepare a statement about Aboriginal people's expectations of the NSW government's planning process for water, catchments and native vegetation.

The Boonamulla Statement outlines 11 principles for engagement.

1. Any planning must respect the timeframes of Aboriginal people. This must be defined and honoured in future protocols.
2. Aboriginal identity and traditional ownership and custodianship must be recognised in natural resource planning process.
3. Aboriginal culture and values must be identified, respected and incorporated in natural resource planning and implementation.
4. Aboriginal knowledge about vegetation, water and catchments must be recognised as important and where appropriate, active measures must be made to ensure legal protection of community intellectual property rights.
5. Cultural diversity must be respected – there is not one Aboriginal community, culture, or view. Culture and traditional practices differ across communities.
6. Aboriginal people are major stakeholders in natural resource management, because their lives and spirituality are related to the land. This should be acknowledged in any consultation process.
7. The economic benefits that flow from natural resource management must be shared with Aboriginal communities, as Aboriginal people have a traditional custodian's right in relation to natural resources, which they have never given up.
8. Plans which affect the lives of Traditional Owners must be made on the basis of their informed consent.
9. In recognising the rights and interests of Aboriginal people, government (and other) agencies must be willing to "negotiate" with Aboriginal people – not merely "consult".
10. Biodiversity must, as a minimum, be maintained at its current level.
11. The only Aboriginal people who can legitimately speak for country are those who are authorised by community leaders in their country and in accordance with any agreed community protocols for nominations and representation.

set the terms of the engagement, and are always at a disadvantage in negotiations.

When the Murray and Lower Darling Rivers Indigenous Nations (MLDRIN) were asked to respond to the Australian Government's Living Murray initiative, they wrote:

The initial building block for involvement by Traditional Owners should be protocols with Indigenous Nations about how they wish to do business with government and the general community on management of natural resources (MLDRIN 2003).

Engagement protocols serve a number of purposes:

- they provide the community (and you) with assurance and understanding about how the project will work and what everyone's roles and responsibilities are;
- they create more equitable conditions for consultation and negotiation;
- they provide a guarantee that the community will have control over the project and its outcomes;
- they help to protect Indigenous knowledge and cultural property; and
- they contribute to building longer term cross-cultural understanding.

Each community will have a different way that they prefer to do business. Just because something has been preferred in one area, you should not make the mistake of assuming it will be preferred somewhere else. Some communities will already have an idea about how they prefer to do their engagement. Some may even already have protocols in place as a result of other consultations they have done with government or industry. If so, it might be possible for you to adapt these existing protocols in collaboration with Traditional Owner groups or representatives.

If you are working with a group that has not yet had an opportunity to develop engagement protocols, then the water facilitation project

provides an excellent opportunity for you to work with the group to do so. The advantage of providing a structured method for developing an engagement protocol is that it can later become an important community document that can used as the basis for other consultation and negotiation that the community may be involved in.

Some groups will prefer to formalise the protocols in the form of a Memorandum of Understanding (MOU) between you and the Traditional Owners. This should be encouraged, but take the lead from the community itself. They can contain as much or as little information as is required. It could include guidelines on procedure, a code of behaviour or a set of rules on how you will work together. It is a useful way to begin a partnership without requiring legal input, and formalising the document is an important part of building trust.

You might like to look at other protocols for guidance on how to develop your own. For example, the "Aboriginal Nations Consultation and Engagement Protocols" developed by the Eyre Peninsula Integrated Natural Resource Management Region is an excellent model for the outcome of the negotiations for engagement protocols. The Desert Knowledge CRC has also developed an "Aboriginal Research Engagement Protocol" which outlines the structure of the agreement and includes points that are important to be discussed and negotiated with the community. The Boonamulla Statement, extracted below, also sets out a series of engagement principles.

These are useful starting points, but again it is imperative that you work with a select group of representatives to allow them the time to consider the issues surrounding engagement.

Capture, carry and complete

It is unlikely that you will be able to complete the engagement protocol at one meeting or workshop. A process described by Brown and Foster (2001) is known as 'capture, carry and complete', and recognises that it may be difficult to formulate engagement protocols without undertaking additional work in between meetings. Instead, they suggest that a facilitator uses a 'capture, carry and complete' process. The facilitator 'captures' the information based on the conversations, discussions and resolutions from the group, tidies up the information and returns it to the community for their consideration. It may take several processes before you arrive at a document that is acceptable to the community.

Protecting cultural and intellectual property rights

Indigenous cultural and intellectual property rights refers to the wide array of traditional knowledges, practices, beliefs and expressions of cultural values through ritual, community laws, performance and artistic works held by Indigenous people. It also includes any documentation of this heritage. Protection of these rights is of critical importance to Indigenous people, particularly in relation to the transmission of knowledge and practices that breach customary legal obligations. Developing a Catchment Action Plan is likely to involve the use of this knowledge and practices, such as those relating to the environment and its management.

There is no specific legislation in Australia that recognises and protects Indigenous cultural property rights. According to the National Copyright Unit, the most effective way to protect Indigenous cultural property rights is through the development of engagement protocols. They recommend a series of principles that can be used as part of an engagement protocol (NCU 2012).

- All Indigenous people are entitled to respect for their culture.
- All Indigenous cultural heritage, including cultural expression, is the intellectual property of Indigenous people.
- Indigenous people have the right to protect and manage the use of their cultural heritage and expression.
- Indigenous people have the right to benefits accruing from any activities that use their cultural heritage and expression.
- Indigenous people have a right to Government support in the protection and maintenance of their cultural heritage and expression.

Some important ways in which these principles can be reflected in an engagement protocol include:

- **Confidentiality:** The engagement protocols should specify that all information, knowledge or intellectual

IMAGE AND RECORDING PERMISSION FORM

EVENT:			**DATE:**
PERSONAL DETAILS:			
First Name:		Last Name:	
Job title:			
Organisation:		Language Group:	
Address:			
City:	Code:	Telephone:	Fax:
Email:		Web:	

PERMISSION: Your image and/or voice may be recorded at this event. You may be requested to make a recorded interview, which you may refuse. [Insert organisation name] requests your permission to use your image or voice according to the following conditions.

a) Your image and/or voice may be used in reports and other communication products generated by [insert organisation name] including but not limited to publications, website and e-news.

b) Any other uses of your image and/or voice will be discussed with you before publication.

c) Where practical, if the photo/image is published, [insert organisation name] will credit you according to the details provided above.

d) All media and data will be securely stored in electronic and/or hardcopy forms at [insert organisation name] premises.

e) [Insert organisation name] owns the copyright to images/recordings taken by [insert organisation name] staff; however you may request copies of your image/recording.

f) The photographer will be credited where possible.

g) Your image and/or voice will not be used for profit without your consent.

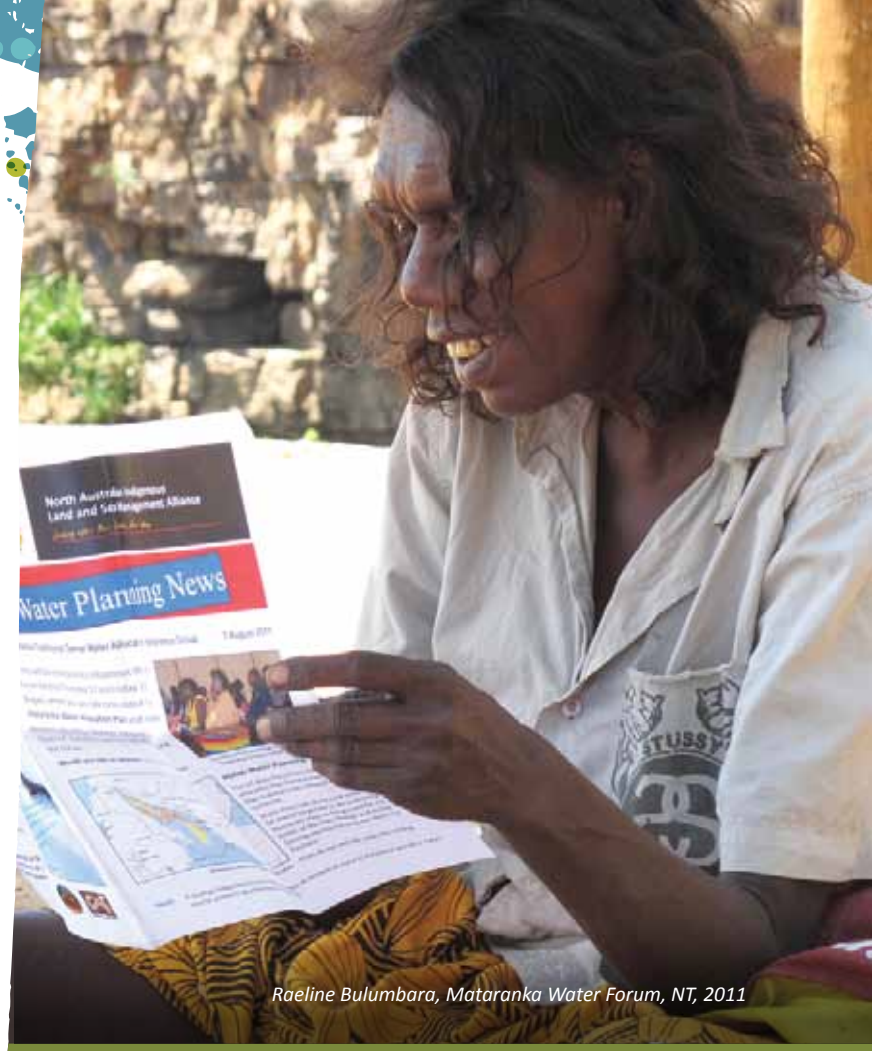
h) You can withdraw your authority at any time by writing to [insert organisation name]. However, it may not be possible to change, remove or alter communication materials that are in production or that have already been published.

PLEASE SIGN IF YOU AGREE TO THE ABOVE:	
Print Name:	
Signature:	**Date:**

property will remain strictly confidential at the request of the Traditional Owners. This relates not only to public access to this information, but may include requirements for how information and knowledge is stored, retrieved and identified.

- **Benefit sharing:** Any benefits from the use of that knowledge or property should be negotiated to ensure that an equitable distribution of those benefits is achieved. Publication or commercialisation of those materials should not proceed without the written approval of the knowledge holders or owners.
- **Media:** Reaching agreement on how you will work with the media is another element of an engagement protocol, especially for projects like the facilitator program when so many people are involved, and the topic of water is of such high political interest. Most organisations are very careful in how they deal with the media, to maintain their public image and to ensure smooth running of their organisations. The engagement protocols should outline approval processes for releasing promotional material and for responding to requests for information and comment.

A consent form developed by NAILSMA and used by previous facilitators is provided on p48 for obtaining permission to use images and recordings for the purposes most likely to be required by facilitators. Consent forms and other means of recording permissions can also be included in engagement protocols as appendices.



Raeline Bulumbara, Mataranka Water Forum, NT, 2011

Possible structure for an engagement protocol

- Provide a statement of cooperation and shared understanding about the water project and its objectives.
- Clarify the roles and responsibilities of you and the different members of the community.
- Develop or adopt principles for culturally appropriate engagement and specific engagement guidelines that are acceptable to the community.
- Include an agreement as to how people would like to be engaged in the project, including the level and timing of that engagement. This should specify in detail the structure and location of meetings, language used, how language will be translated where required, meeting processes, and procedural rules about how engagement will be conducted.
- Include fee for service or resourcing arrangements that are agreed to by both parties.
- Commit to providing regular and frequent updates about progress on the project, and how this reporting will be communicated and to whom.
- Include agreements about intellectual property rights and confidentiality of information obtained through the project.
- Include agreements for working with the media if relevant.
- Include arrangements for how audio/visual material generated by the project will be handled and copies of consent forms associated with photographs or recordings used for the project.

Resources

There are many useful resources on culturally appropriate protocols for consultation with Indigenous people. These should be taken as guides only, as many of the suggestions are general and will differ across communities. Although these provide useful advice, they should be used as a foundation for the negotiation of an agreement with individual communities.

- **Protocols for Consultation and Negotiation with Aboriginal People is a booklet** developed by the Queensland Department of Aboriginal and Torres Strait Islander Policy and Development on the basis of advice from an Aboriginal working party. It is a guide for Queensland Government staff who regularly need to consult with Queensland Aboriginal individuals, groups and/or communities. The information provided is intended to be useful in a variety of settings - urban, rural and remote.

Queensland Department of Aboriginal and Torres Strait Islander Policy and Development. 1999. Protocols for Consultation and Negotiation with Aboriginal People. Brisbane: Queensland Government.

Available online at:
http://www.indigenous.qld.gov.au/atsis/everybodys-business/protocols-for-consultation-and-negotiation-with-aboriginal-people

- **Toolkit for Local Reconciliation Groups** produced by the Council for Aboriginal Reconciliation has some additional guidelines about communication protocols and organising community meetings.

Council for Aboriginal Reconciliation. 2000. *Toolkit for Local Reconciliation Groups.*

Available online at:
www.austlii.edu.au/au/other/IndigLRes/car/2000/17/index.htm

- The National Copyright Unit has produced an **Indigenous Cultural and Intellectual Property Rights** guide as part of their 'Smart Copying' program. The National Copyright Unit (NCU) is a specialist copyright team responsible for copyright policy and administration for Australian schools and TAFE.

  Available online at:
  www.smartcopying.edu.au/scw/Jahia/lang/en/scw/go/pid/820

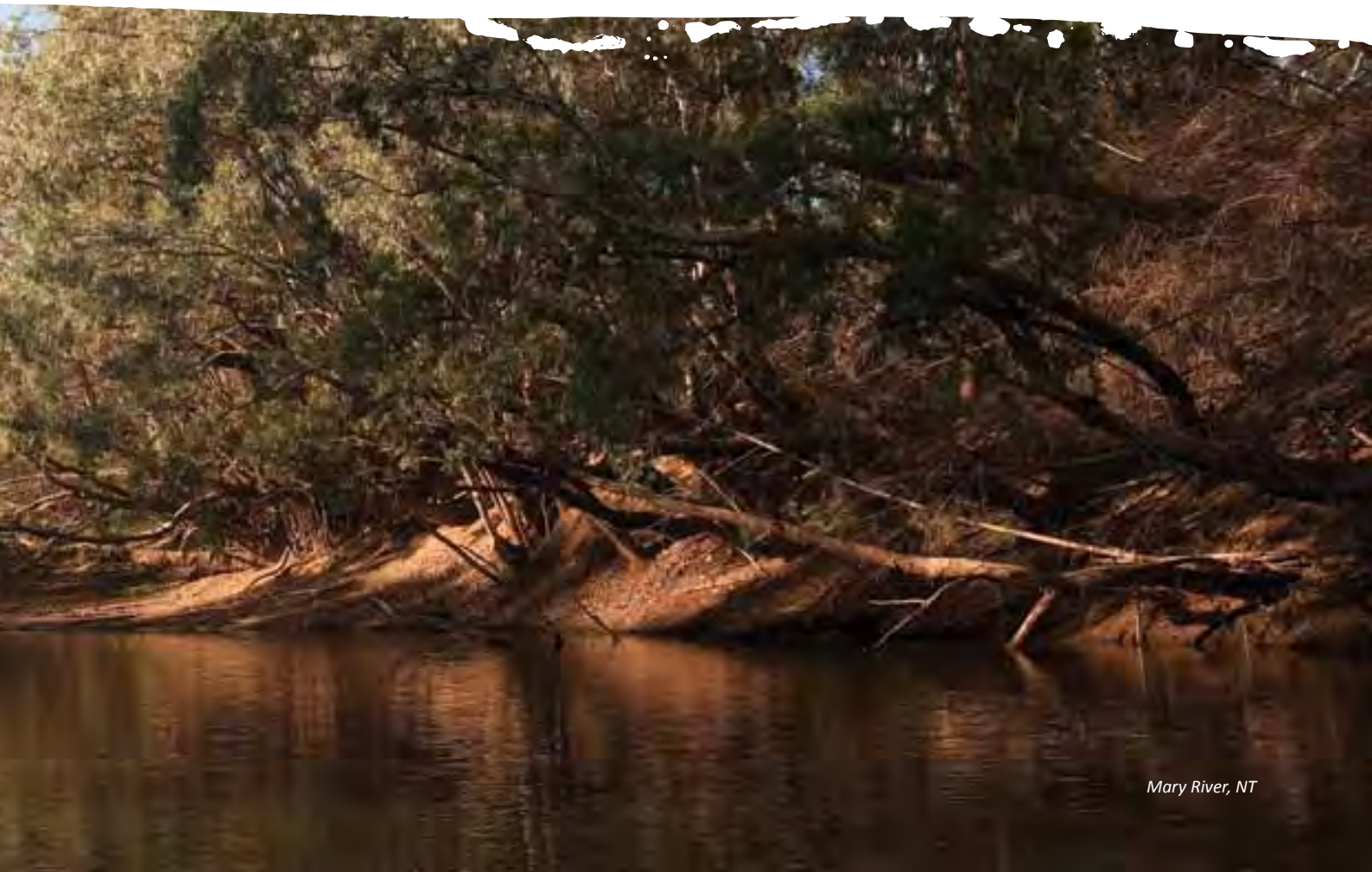
- The Desert Knowledge CRC has developed an **Aboriginal Research Engagement Protocol** that can also be used as a negotiation tool to enable researchers and community members to sit down and negotiate terms for research projects. It provides a highly relevant template that could be adapted and used by water facilitators.

  Available online at:
  www.desertknowledgecrc.com.au/publications/dkcrc-0060

- **Aboriginal Nations Consultation and Engagement Protocols** developed by the Eyre Peninsula Integrated Natural Resource Management Region is an excellent model for the outcome of the negotiations for engagement protocols. Developed by the four nations in the region, it is a guide for NRM practitioners and project proponents to assist them to best engage with the range of Indigenous organisations in the area.

  Eyre Peninsula Natural Resource Management Board (EPNRM). 2006. *Aboriginal Nations Consultation & Engagement Protocols For Natural Resource Management*. Port Lincoln: EPRNM.

  Available online at:
  www.aboriginalnrm.com.au/



Mary River, NT

Talking water with Mataranka Traditional Owners, NT

STEP 2: CAPACITY BUILDING

From the preparation phase, you should have an idea of the community's interests and expectations from your project, the appropriate people to engage with and how they want to be engaged. In the capacity building stage, you can begin your engagement activities more broadly. The type of capacity building program outlined here works with the community to identify activities that can be undertaken by the community to build understanding, interest and motivation, confidence in you and in the program, and gain access to resources.

Although there will be some cross-over between the work done in the capacity building phase and the future work outlined in the Catchment Action Plan, the key process here is to build the ability of the community to lead the development of a CAP.

The key question to be addressed through the capacity building stage is: What do you and the community need before you can develop a plan?

This section will take you through the process of:

- documenting the community's visions, aspirations and concerns;
- identifying knowledge needs and priorities;
- selecting capacity building activities that you can consider when working with the community, which may include:
  - language and traditional knowledge programs
  - developing communication and engagement materials
  - research and development activities
  - on-ground management works; and
- recording and assessing capacity building and engagement activities over time.

The activities conducted at this stage are crucial for establishing trust and building local relevance for your program. The initial information gathering stage allows you to refine your program to better match community aspirations and target pressing needs or issues. Based on this shared analysis of priorities, collaborative projects are jointly implemented by the facilitator and the community, drawing on external advisors or partner organisations where required.

Once you have permission from the Traditional Owners to proceed, you should develop a short introduction to the water facilitation project that you can adapt to meet the interests of other interested stakeholders. It should include information about the project, its aims and objectives, and why it might be relevant to them. It should include your contact details if they would like to get in touch with you for more information. It should also indicate in broad terms how they could be involved.

1. Identifying aspirations, needs and priorities

Identifying community aspirations, needs and priorities is essential to designing and implementing a water program that makes best use of the available resources and is most likely to generate community ownership.

Many of these needs and interests have not been documented in a format or at a scale at which they can be included in water plans. Targeted consultation is necessary to identify specific interests that the community may have for enterprise development or for securing water to meet cultural needs.

For the facilitation program, gathering this information will clarify the priority of community and Traditional Owner needs that can be addressed through capacity building activities, and provide foundational information necessary to the completion of the Catchment Action Plan.

Moving too quickly to identify needs and priorities can simplify or distort issues. This can mean that the water project is looking to solve problems that do not go to the heart of issues that are important to the community, or seeking to achieve outcomes that are marginal for the community. Some further awareness raising activities may be needed before issues, values and concerns can be accurately identified.

One approach could be to use a semi-structured interview framework that allows consistent information to be gathered using a variety of formats. In each case, the questions can be structured to allow for strategic questioning in interviews, small groups, or in large workshop contexts, which will help identify community aspirations, concerns and opportunities for capacity building.

Using the Resource Modules

This Guide contains a number of Resource Modules that are used to communicate the history, laws and practice of water management in north Australia. They have been developed using Microsoft PowerPoint for general use and are available as supplements to this Handbook. The Power Point files can be used as presentations or printed as booklets or flip charts. They are designed to be adapted in consultation with the community. Some of the ways that they can be adapted include changing the language or format, translating it into local language, and/or putting pictures of local sites or quotes from local people.

It is envisaged that they will be adapted to meet the needs of the community as part of an overall strategy of capacity building. Adapting the modules in consultation with the local water planning team provides a good opportunity to develop a collaborative working relationship.

Resources

- **Planning for Country** is an indispensible resource for the selection and facilitation of planning and capacity building tools for working with Indigenous communities and Traditional Owners. The book contains 15 planning techniques that have been developed internationally and applied in Central Australia. It is an essential resource for facilitators.

Walsh, F. And Mitchell, P. 2002. *Planning for Country: Cross Cultural Approaches to Decision-Making on Aboriginal Lands*. Alice Springs: Jukurrpa Books.

- The book **Measures of Success** is a guide to designing, managing and monitoring the impacts of conservation and development projects. It argues that the people in the best position to lead these projects are not specialist academics, but facilitators and community stakeholders, due to their familiarity with local conditions. It is particularly focused on measuring the outcomes of projects, but recognises that monitoring and measuring success includes a full process from design, to management and implementation. This book is a highly recommended resource.

Margoluis, R. And Salafsky, N. 1998. *Measures of Success: Designing, Managing and Monitoring Conservation and Development Projects*. Washington: Island Press.

- **Designing Conservation Projects** by Julian Caldecott looks at real-life examples of how local people have been able to achieve biodiversity conservation targets through direct involvement in projects and resource management. Based on reflection and learning from experience, this book offers some important guidance on open planning, group facilitation and conflict management for resource projects.

Caldecott, J. 1996. *Designing Conservation Projects*. Cambridge: Cambridge University Press.

- The approach towards capacity building for water and sanitation projects outlined in **Towards Participatory Research** developed by the World Bank proposes a number of activities can be adapted and used for joint fact finding and collaborative research projects that would suit certain facilitator projects. It outlines 33 participatory activities which have been used for this purpose around the world.

Narayan, D. 1996. *Towards Participatory Research*. Washington: The World Bank.

Rod Burke and Tonya Murray

Semi-structured interviews are a series of open-ended questions that are asked in a pre-determined order. By going through the questions in order, you can guide the people being interviewed through a logical structure – using this approach, the questions move from problems to solutions.

Semi-structured interviews differ from other forms of interviews or surveys in that the structure of the interview questions is more of a guide than a strictly followed process. A semi-structured interview is usually conducted in a more conversational manner. Questions can be followed up with further questions or clarifications until you have a deeper understanding in the responses (see Narayan 1996).

- Always begin with an introduction – even if the person is familiar with you and the water program. You should at least explain the purpose of the interview and how the information they provide will be used.
- Seek permission to record the interview, and observe any requirements for confidentiality and consent that have been specified in the engagement protocol. You should assure the people being interviewed that their names will not be recorded with their responses, nor will they be referred to in any documents by name without their explicit permission.
- You should practice asking the questions before going out to speak with people in the community. You will find it much easier to remember the questions if you rephrase the wording into your own words. It will also help ensure that you are more comfortable and that the interview flows more easily.
- Notes should be taken either during or shortly after the interview. All of the data from your interviews, including your notes, recordings and transcriptions, should be categorised in a way that ensures you do not lose any of the information provided.

Interview protocol for establishing priorities

Concern Questions:

- What are some of the main priorities and concerns for the community?
- What are some of the concerns you have about water in the community?
- What do you know for certain, and what are you unsure about?

Value Questions:

- What sites, places or practices relating to water are important to you? Can they be mapped?
- In what ways are these things important to you?

Condition, Trend and Pressure Questions:

- What condition are they in? How are they changing – for better or for worse?
- What are the pressures or threats on those things?

Aspiration Questions:

- What condition would you like them to be in for the future? How would you like to leave them for your grandchildren?

Planning Questions:

- What do we need to do to get them in that condition?
- What can we do now? How can the water facilitator support you and your community?

Answers to some of these questions may include privileged information that is not to be shared. In conducting these interviews, you should emphasise that specific information about those sites (such as stories) are not necessary, but that you are interested in where they are in the landscape and the nature of their significance. Also refer to your engagement protocol as a way of demonstrating that this information will not be made publicly available without permission.

Using Photovoice

Photovoice is a process of collecting information and expressing issues and concerns through photos. People are encouraged to share their concerns or points of view by taking photos, and then using these photos as a basis of discussion with the facilitator or in a group workshop. It can work very effectively when combined with visits to country. Alternatively, instead of photos, participants can produce artworks that become the basis of discussion and reflection.

Photovoice has three main goals, to:

- enable people to record and reflect their community's strengths and concerns;
- promote critical dialogue and knowledge about personal and community issues through large and small group discussions of photographs; and
- reach policy makers.

Photovoice is highly flexible and can be adapted to specific participatory goals (such as needs assessment, asset mapping, and evaluation), different groups and communities, and distinct policy and community issues.

Some of the strengths of a Photovoice consultation are that it:

- provides pictorial evidence of community issues (a picture being worth a thousand words;
- provides an alternative means of expression which may help include those who are more visual than literate;
- allows detailed information to be collected from individual participants;
- provides a snapshot of an area or issue from which to develop indicators and to gauge changes/responses; and
- can easily be used in the media.

Resources

- The Photovoice method was originally developed by Caroline Wang from the University of Michigan, who has documented some of the ideas about the methodology and how it can be used in articles published by the **Heath Education and Behaviour journal**.

Wang, C and M.A. Burris (1997). Photovoice: concept, methodology, and use for participatory needs assessment. *Health Education and Behaviour,* Vol 24 (3): 369-387.

Wang, C. and Y.A. Redwood-Jones (2001) Photovoice ethics: perspectives from Flint photovoice. *Health Education and Behaviour,* Vol 28 (5) 560-572.

- **The PhotoVoice** vision is for a world where disadvantaged and marginalised communities have a voice to represent themselves and achieve positive social change.

Available online at:

http://www.photovoiceaustralia.com.au/

Although the semi-structured interview approach is intended for working with individuals or small groups, it can also be conducted through larger workshops in conversations on trips to country. Different groups will have different preferences for how they prefer to contribute to these sorts of questionnaires. Some people like to get an idea of the questions you will ask in advance. The types of answers that you get may be significantly influenced by the method of gathering information. A diversity of methods of gathering information is preferable to an over-reliance on one technique.

It is important to gather information in a way that respects and reflects the internal diversity of the community. As you record the information gathered at this stage, make sure that you provide enough qualifying information to best understand relevant differences in the community. You might like to record the feedback in terms of different language groups, genders, age or area. It might not be appropriate to present the information in this format back to the community, but for your own reference it will help to ensure that you have all of the concerns of the community represented, and that you have not strengthened the voice of some groups of participants at the expense of others.

Trust key informants, observations and qualitative interview data as appropriate sources on many issues. It is not recommended at this stage to use surveys as a way to gather this information. Instead, to make sure that what you are finding out is accurate, keep the community informed through the stages of your process, and seek feedback and clarification about what you are learning at this stage in the process.

Community consultation process in the Gulf catchments

Water facilitators working with the Carpentaria Land Council Aboriginal Corporation (CLCAC) undertook a two-stage consultation process to identify community aspirations, needs and concerns. An initial presentation was delivered to the CLCAC Board of Directors outlining the project and how it would be rolled out initially as a series of Traditional Owner consultations across the nine Traditional Owner groups represented by CLCAC. Community outreach activities were undertaken to inform people in the community about the project, and provided opportunities for scoping surveys and interviews to be conducted with interested community members.

Communication materials were developed to promote the water engagement project. CLCAC developed a general land & sea brochure highlighting all the natural resource management activities conducted across the region, including the water project. A more detailed brochure exclusively outlining the Water Project was also developed and distributed throughout communities.

The CLCAC held six large group consultations and a further two consultations specifically with elders over a three-month period. Approximately 115 people attended these large group consultations. These consultations were structured in order to:

- identify local understanding of water reform and water planning processes;
- identify community interests, concerns and aspirations in relation to water management; and
- jointly develop research and engagement activities that could contribute to sustainable livelihoods or enterprise initiatives.

This information was summarised, and a follow-up round of consultation was conducted. The main aims of the second round of consultation were to:

- provide feedback to all communities on the outcomes of the first round, and seek clarification on issues and concerns of different communities;
- start to identify values, interests and aspirations of communities in relation to water, and to reflect on the next stage of water facilitation activities;
- promote and prepare participants for the CLCAC Water Forum, Sweers Island; and
- gather information and reflections from participants for the ICWFN evaluation and to test approaches for development of the Facilitators' Guide.

Five workshops were conducted over a five-day period with approximately 62 Traditional Owners, rangers and community members. Discussion included an update on the ICWFN and final outputs from the project. Outcomes from previous consultations were presented and used to initiate conversations about values and aspirations related to water resource and future management arrangements. The information from these consultations is being used to draft a Catchment Action Plan.

Norman River, Gulf of Carpentaria, Qld.

2. Developing a community vision

There are a number of options available for gathering this information in the first instance, but the important component is to bring all of the information back to a representative group, or to the community as a whole. Presenting what you have heard back to the larger group, you can begin an open discussion about people's aspirations. This information is useful to better understand how the facilitator program can support the needs of the community as a whole. The objective is to use the information that you have gathered along with a facilitated process to piece together a vision that will be the ultimate objective of the Catchment Action Plan.

To prepare in advance, look at other documents that have been produced by the community which have a statement about goals and aspirations. It may be the case that when you present these statements back to the community, it may serve as a good vision for the water program.

Firstly, this process can begin with a simple series of questions.

- What do you think this landscape will look like in the future?
- How would you like it to be?
- How would you like the water resources in the region to be left to future generations?
- How would you like future generations to be involved in managing water and the landscape?
- What would need to change in order for this to be the case?
- What can be done now to move closer to this future vision of the landscape?

At times this conversation about aspirations and visions might seem like it is beyond the scope of the facilitator program, however it can be refined to reflect the scope of the facilitation work.

Secondly, identify a list of consequences that would be visible in the community if this vision was achieved. This will become an important part of monitoring the success of the program later on. Below are some of the questions that you could ask at this stage.

- If this program had been operating for ten years, what are some of the things it would have achieved?
- How would things be different from what they are like now?
- What changes would be visible in the community?

Vision and aspiration-based planning offers a number of benefits:

- sharing a vision rather than concentrating on a problem allows for a more effective discussion and negotiation of common interests;
- it moves the emphasis of the project away from a specific pre-occupation with water-based management, and looks to focus community motivation on underlying issues to be addressed; and
- it is more consistent with an approach that treats water management in the context of the management of a cultural landscape.

Participants of the CLCAC Water Forum, Sweers Island, Gulf of Carpentaria, Qld. 2011

Aspirations

Aspiration is used here to describe the targets that the community want to achieve from implementing a water program. Activities that are outlined in the Catchment Action Plan will each be one way of achieving these aspirations, and these aspirations should be steps along the way to reaching the community vision. It is likely that the aspirations the community has for water management will combine cultural, economic, and community needs, and management and planning goals.

Concerns

Conversations about visions and aspirations are likely to also generate a list of concerns that the community hold. Within catchment planning, this is sometimes referred to as 'problem analysis'. In areas of high disadvantage, emphasis will usually be on those problems that are immediate and pressing to the community, and although they may not be explicitly relevant to water, it is important that these are recorded and considered as part of catchment planning. Although it is sometimes counter-productive to dwell on these concerns, it does point the way to identifying where there are opportunities to develop activities to address these concerns.

There may be some key reasons to avoid a problem or concern-driven planning process.

a) Some of the concerns may be beyond the capacity of the community to impact or affect, particularly through the water facilitation program. Focusing attention on problems that cannot be addressed is a very disempowering way to think about planning.

b) Focusing on problems tends to be backwards looking. Franks and Blomley (2004) point out that planning based on addressing shortcomings or deficiencies can limit the attention that people give towards developing new ways of thinking and being. They do suggest that that a problem-based approach is particularly useful where the issue is relatively technical and there is a high degree of consensus among stakeholders about its cause. For example, a concern-based approach is probably more useful for confronting issues associated with a mining proposal.

Concerns are likely to range from general to highly localised. If people raise concerns, find out from them as much information as you can. Also, think about people who can provide more information about these concerns – such as government officers or private landholders.

Concerns will vary across communities. Some of the concerns that have been raised by communities in relation to water and management of country are listed in the checklist on page 61. This

Example of a vision: The Kowanyama Aboriginal Land and Natural Resource Office

The Kowanyama Aboriginal Land and Natural Resource Office has been involved in the natural and cultural resource management of the Mitchell Catchment in North Queensland since its foundation in the early 1990s. In its earliest formulation, the Council of Elders, the Kowanyama Council and the community developed a Strategic Directions document, based on the identification of six key goals for the community.

1. To promote recognition of the community's self-governance aims within the broader community.
2. To secure appropriate land and natural resource rights for all community members.
3. To assist people in the community to return to country and to meet their land aspirations.
4. To manage the community's land and natural resources to ensure their health for future generations.
5. To provide young people in the community with the skills to become responsible land and natural resource managers for the future.
6. To develop the Office to enable it to facilitate the community's land and natural resource management needs.

The following list of aspirations have been identified by communities across north Australia for their participation in water management and planning. You could use this list to stimulate people's thinking about their own aspirations for water.

Cultural aspirations

- Sufficient water volume and flow to sustain cultural activities, including maintaining resources for bush foods harvest, fishing, hunting, arts and crafts, story-telling, painting and recreational sites.
- Sufficient water volume, groundwater availability and flow to sustain sacred and significant sites, including story places.
- Maintain and enhance environmental conditions for the different animal and plant species that are vulnerable to variations in freshwater and are culturally significant to Indigenous people's interest, including sea grass beds in the saltwater country.
- Water availability for sites and locations associated with cultural practices including ceremonies and passing of knowledge to younger generations.
- Provision of water supply and environmental quality and site access to maintain connection for elders back on country.

Sustainable economic development

- Temporary water trading to selected industries, water users or contractors.
- Development of contractor businesses to provide water management services, such as town water supply quality monitoring, environmental health services, contractors for mining.
- Small business opportunities with long term economic viability and unique niche value based on access to the consumptive pool.
- Partnership-based research opportunities with science providers that transfer knowledge to the local community (for example, ranger participation in biodiversity surveys and land management trials).

Community needs

- Recognition and protection of the suite of species that contribute to Indigenous household incomes through customary use via environmental flow provisions.
- Supply of sufficient water supply of high quality standards to sustain Indigenous populations, including regional and remote locations, with reference to projected population growth.
- Appropriate and maintained water treatment facilities and infrastructure to meet water quality standards.
- Quality assurance mechanisms for the supplementary supply of water to outstations.
- Right to negotiate on land use change and planning decisions which may impact on the provision or quality of drinking water supply.
- Access to contamination control facilities and expertise to undertake routine and emergency activities.
- Build community awareness and understanding of water management through education and outreach.

Participation and governance

- Genuine recognition of Traditional Owners in engagement and participation in water planning.
- Recognition of Native Title rights and interests in water resources, including water entitlements consistent with Native Title estate.
- Defined role for Indigenous community in monitoring and management of waterways, and community capacity building to undertake management.
- Cultural and commercial allocations of water consistent with Indigenous defined needs.
- Long term sustainability in community consumption/ usage within defined limits to consumptive pool.
- Right to negotiate on potential impacts of developments which impact on significant sites with water values.
- Full-time Indigenous water facilitator and management officer to support participation in management and planning.

list is not intended to be definitive, but to give you a sense in advance about what some of the concerns that community members raise might look like.

Addressing concerns will form part of the management issues identified in the Catchment Action Plan. They can also become the basis of future capacity-building activities, through finding out more information, joint fact-finding, or localised community-based solutions to identified problems. Part of this process involves undertaking a formal or informal analysis of the different avenues through which these issues can be progressed or addressed.

Concerns can be used to begin a conversation about the types of actions that can be included in the catchment action. For each concern raised, you can work with a small group to analyse the causes and consequences. If there is more information required to better understand these causes and consequences, then you should note this as an information gap. On the basis of this discussion, consider any actions that may be available to address the causes or to limit the effects of the consequences.

See an example of a checklist of concerns in the below.

Resources

- A number of chapters in the Northern Australia Science Review identify the range of Indigenous concerns and interests in the water resources of north Australia. In particular, **Indigenous interests in land and water** by researchers at the Centre for Aboriginal Economic Policy Research in Canberra looks at how the diversity of Indigenous circumstances and aspirations requires detailed, targeted studies of local needs and interests in water-related development. The authors recognise that these interests will include commercial and customary interests.

  Jon Altman, Kirrily Jordan, Sean Kerins, Geoff Buchanan, Nicholas Biddle, Emilie-Jane Ens and Katherine May. 2009. *Indigenous interests in land & water. Northern Australia Science Review*.

- The book **Getting Biodiversity Projects to Work** is an honest and critical appraisal of the experience of 'integrated conservation and development projects', with a particular emphasis on biodiversity and so-called developing countries. They suggest that the results of these projects have been disappointing, and try to draw the lessons from experience to inform the next generation of conservation programs. A number of the chapters in this book have provided important insight into this section, and these are listed below:

  Franks, P and Blomley, T. 2004. "Fitting Integrated Conservation and Development Into A Project Framework: A CARE Perspective. In *Getting Biodiversity Projects to Work: Towards More Effective Conservation and Development*. McShane, T.O. and Wells, M.P. (eds). New York: Columbia University Press.

Example of a Checklist of Concerns

Concern	Cause	Consequences	Additional information required	Actions that can be undertaken
eg Water quality in rivers	• Farm runoff • Discharge from mining • Over-extraction of water during dry • Insufficient flushing water flows in wet season	• Environmental damage • Reduced availability of aquatic resources	Need to better understand the point sources for pollution of waterways Need to find more information about water quality measurement	• Investigate a waterways monitoring program • Work with government agencies to identify water quality thresholds

Communicating about water

In drafting the La Grange Water Management Plan, the Western Australian Department of Water organised for a field officer to work directly with the Bidyadanga community to improve their understanding of the plan and its potential impacts on their community. After they became aware that the terminology and concepts were not being understood by the community, an alternative approach was considered:

- the main points from the plan were summarised and simplified into plain English;
- the Kimberley Interpreting Service and a selected group of Traditional Owners worked to translate the plan into a Kriol/Karajarri language mix;
- the translated version was converted to a script, and one of the Traditional Owners was filmed on country reading the script and speaking about the water plan in language; and
- this footage was combined with photos, maps and local Karajarri music, and converted into a DVD that was circulated through the community.

In an article describing this process, the field officer explains how the DVD was used not only as a communication tool, but as a way for government and non-government organisations to engage with Indigenous people to talk about water while respecting Indigenous Law and culture.

Resource

- Mathews, D. 2008. "*Communicating About Water Management in Language Gets It Right", Kepa Wangki (Water Talk)*, Perth: Department of Water, Western Australia.

Sayer, J. And Wells, M.P. 2004. "The Pathology of Projects". In *Getting Biodiversity Projects to Work: Towards More Effective Conservation and Development*. McShane, T.O. and Wells, M.P. (eds). New York: Columbia University Press.

Salafsky, N. And Margoluis, R. 2004. "Using Adaptive Management to Improve Integrated Conservation and Development Projects". In *Getting Biodiversity Projects to Work: Towards More Effective Conservation and Development*. McShane, T.O. and Wells, M.P. (eds). New York: Columbia University Press.

See also: Li, T.M. 1993. *Gender Issues in Community-Based Resource Management: Theories, Applications and Phillipine Case Studies*. Halifax: Environment and Resources Management Project.

3. The importance of language

A key part of the capacity building work is in establishing a shared language. Water management is dominated by a technical approach using non-Indigenous science and technical information. Like all areas of management, it has its own language and uses terms that are unfamiliar to most people. Working through the issues of language in water planning and management is a process of mutual learning and exchange.

Often, the differences in the use of language can be an immediate barrier to effective participation. As Howitt argues, "In talking about their country, people should be able to use their language without hesitation or apology" (in Walsh and Mitchell 2002: 26). Part of the role of a facilitator is as an interpreter and translator of government language. It is vital that this is done in collaboration

Seasonal calendar notes, Keep River Water and Art Story Camp, 2010.

with water planners and agency staff to make sure that the information being delivered to the community is accurate and specific. However, translation also works the other way – you will be required to interpret and translate community values and aspirations in a way that can help decision makers ensure they are taken into account in water plans.

In some cases, the translation work done by facilitators is more literal. English will not always be the first language of the communities that you are working with, and translation activities undertaken by facilitators may include translating material into local languages. Previous facilitators have emphasised the importance of building connections with local language centres and professional translators; given that water policy can be conceptually difficult. Government agencies often have existing relationships with language centres and have undertaken translation work with them. Where possible, the community should be supported by the facilitators to undertake this work collaboratively with government staff – this allows for a highly valuable process building dual understanding of language barriers and conceptual differences. Working with language centres can identify the most appropriate means to communicate key concepts and produce locally appropriate communication materials.

Concept development which is done in a way that ensures you meet the 'informed' component of the free, prior and informed consent principle takes time. If you are involving specialists or researchers, work with them to develop plain English versions of their presentations. You can also encourage them to work directly with interpreters. There is a risk that the interpreter may not be able to understand the information, so it may be advisable to convert it into pictorial form or to plain English so that people can understand it for themselves directly.

Some practical examples include:

- working with a local language centre or other Indigenous organisation to jointly redevelop communication materials; and
- using video and audio recordings to create engaging communication material that has the potential to reach a wider audience. With a small amount of training, local people can lead the development of these materials.

4. Knowledge needs and priorities

To be empowered in the decision-making process, people will need to have access to enough information to make an informed decision. This information will need to be relevant, up-to-date and meet the needs of the people.

Ron Archer, Hugh Wallace Smith, Bill Sokolich.

Developing communication materials in the Mitchell

To develop communication products for Traditional Owners in the Mitchell River Catchment in north Queensland, the water facilitator used video recordings of interviews with respected elders on country. Interviewees were briefed beforehand, and invited to think how they would like to present Indigenous values and beliefs about water.

The videos were edited to include local art with water themes and footage from a helicopter tour of the catchment. A 20 minute DVD has been produced for viewing by the wider public as a way to demonstrate cultural values and Traditional Owner views about water.

Joe Ross, Chair of the NAILMSA Indigenous Water Policy Group

As a facilitator, you should seek to identify areas where the community desires more information. Good facilitation ensures two-way communication between knowledge providers and decision makers. This is a different approach from information giving, in that it requires dialogue and negotiation. Frequent contact, inclusion in knowledge generation processes, and improving understandings of needs and capacities between knowledge providers and decisionmakers can improve the effectiveness of this knowledge exchange.

In many Indigenous communities, there will be limited experience with formal water management, planning and in the technical approach to water. There will be, however, an extensive and detailed knowledge of water derived from traditional custom, law and practice. The major challenge is to allow for a two-way exchange of knowledge and information in a culturally sensitive and respectful manner. There needs to be pathways for this knowledge to be taken up by the existing policy and legislative frameworks.

Part of the role of a facilitator is about making existing information and previous research of water or the region available to the community in a way that is useful to them. Communication of technical information needs to be matched to the capacity of the community – too much is alienating, too little is patronising. You have to make sure that the complexity of the information is translated into a language that people can understand and engage with.

It is not the role of the facilitator to get across all of the information, but instead to identify the needs of the community in order to find experts or agency staff that can assist and provide the accurate information. Water management is actually a very complex framework (nationally and at a state level) and it is important to have accurate information. Facilitators are encouraged to have strong ongoing dialogue with water managers to get a good picture of planning opportunities and the management framework. Ideally the facilitators would facilitate dialogue between government, research providers and Indigenous people so the information does not get distorted through the chain of communications. This also fosters a direct relationship between government and community which is important beyond the role of the facilitators. In bringing people together, knowledge builds and relationships across sectors are improved.

Gambold (2002) talks about the risks of providing information. Once you start providing information, it is easy for people to assume that you're a community advisor, however you need to maintain the role of neutral facilitator. You can get bogged down trying to understand the information, and may not be able to present it in an accurate way – this can damage the credibility that you have with the community in the longer term.

To the right is a checklist of areas that the community might want more information about. Working with a core group or with the wider community can help to clarify where knowledge gaps are, and assist in devising solutions to meet information needs.


Fitzroy River, WA

Checklist of Community Information Needs

		I have sufficient knowledge about…	I would like more information about…
Institutional arrangements for water	State water laws and regulations	☐	☐
	The water allocation planning process	☐	☐
	Decision-making process for water allocation	☐	☐
	Existing licensing arrangements	☐	☐
	Water trading	☐	☐
	Water pricing	☐	☐
	Regional natural resource planning and management	☐	☐
Technical information	The science of hydrology including surface and groundwater flows	☐	☐
	River ecology and biology	☐	☐
	Surface/groundwater interactions	☐	☐
	Environmental flow requirements	☐	☐
	Hydrological modelling	☐	☐
	Water use efficiencies	☐	☐
	The impact of climate change on water availability	☐	☐
	Monitoring water quality	☐	☐
Regional information	Historical water use in the region	☐	☐
	Current water use in the region	☐	☐
	Requirements of existing water users	☐	☐
	Population and economic trends in the region	☐	☐
	Future water demands of the region	☐	☐
	Opportunities for water use for Indigenous communities	☐	☐

Nyungar participation in water planning

The Western Australian Department of Water has shown great interest in Indigenous knowledge of water. The Department has done a number of studies in areas where water use is growing, for example, the Ord River and the south west regions.

These studies describe the rich knowledge held by Indigenous groups, the value systems and institutions that govern Indigenous resource use and management, and the environmental and cultural outcomes that Traditional Owners want from water management.

- Nyungar people worked with the Western Australian Department of Water to incorporate their knowledge and values into long-term plans for water in the state's south west.
- Three workshops were held with Nyungar elders from the four native title claim areas of Gnalla Karla Booja, South West Boojarah, Wagyl Keip and Ballardong.
- The report of the workshops includes specific values, issues and needs for each different native title claim area regarding water and land management.
- As a result of the workshops a Nyungar Water Reference Committee has been proposed to secure ongoing participation of the Aboriginal community in all future water initiatives in the south west.

Resources

"Nyungar people add knowledge and values to water plans", Kepa Wangki (water talk), Autumn 2008. Department of Water, Western Australia.

What planners want to know from the community

Water planners have an obligation under their legislation to consult with Indigenous people as part of the planning process. Some of the information they require will be available for the community to negotiate access – other information will not be known to the community or may not be in a format that is relevant to a water planning scenario.

Information that may be required by water planners:

1. **Water use:** A water plan needs to balance the shares of water being extracted with the needs of the environment. A water plan may also provide arrangements to balance the shares of water given to different water users. To make decisions about future water use, they are interested to know how water is used in the area, and what future plans people have for the use of water. If people have future aspirations for commercial use of water, for example, through setting up nurseries and market gardens, or diversifying the commercial activities on cattle stations, then this is important information for the planners to assist them in making decisions.
2. **Understanding of the sites, practices and values that may be affected by changes in water availability:** Changes to the availability of water may impact on culturally significant sites or practices. Planners are likely to want to know from the community about sites and locations that are connected to water that may be impacted by water extraction at other parts of the catchment. This type of assessment can identify key cultural water values in the area, and can be used to ensure that water extraction in one location does not damage a site in another location. This may include recognised sites of cultural heritage or those which are subject to native title rights – but many of the water sites have not been formally recognised, so it is important to go beyond the information that is in the public domain.
3. **Local knowledge about water resources:** Hydrologists usually undertake assessments of water availability and environmental assessments as part of the planning process. Indigenous people often have first-hand knowledge of the water systems that scientists and others may not be aware of. Working with planners to provide this sort of information helps to build the understanding of planners, and recognises the contribution that traditional knowledge can play in making better management decisions.

MLDRIN and cultural flow

The Murray Lower Darling Rivers Indigenous Nations (MLDRIN) is an organisation formed of an alliance of ten Traditional Owner groups along the Murray River and its tributaries for Indigenous interests in natural resource management including water, among other activities. This group has developed a concept of 'cultural water' or 'cultural flow' as a means to meet Indigenous needs for water for cultural purposes. They have argued that each water plan should provide a specific allocation of water to be owned and managed by Indigenous communities. Some of the suggested uses of this water could include:

- growing native plants;
- sustainable harvesting of terrestrial and aquatic species;
- song, dance, art and ceremony;
- spiritual sites; and
- improved cultural-economic outcomes and health outcomes through provision of food, medicines and materials for art.

MLDRIN has argued that the difference between environmental and cultural water is 'that it is the Indigenous peoples themselves deciding where and when water should be delivered based on traditional knowledge and aspirations. This ensures Indigenous peoples are empowered to fulfil their responsibilities to care for country.

Water plans are now increasingly providing reserves of water specifically set aside for Indigenous people for cultural and commercial purposes in north Australia. These reserves are sometimes referred to as Strategic Indigenous Reserves (SIRs). They are a way of allocating water to meet the future economic and social aspirations of Indigenous communities. As the rules and processes for allocating and deciding how to access SIRs develop, Indigenous groups and organisations such as NAILSMA are taking the lead on developing governance arrangements so that communities can maximise their control over decision making for Indigenous water reserves.

If an Strategic Indigenous Reserve (SIR) has been allocated or is being considered in the community you are working with, there are a number of questions that need to be considered.

- Who can access the reserve?
- How will they show that they will use the water to help achieve local aspirations?
- Who will decide how the reserve will be divided between multiple groups?
- How should the benefits from the use of the resource be shared within the community?

Working with the community to identify their preferences for how cultural flows and SIRs can be managed is a way to increase community capacity and also provides ways of contributing to social and economic improvement directly.

Resources

Weir, J. 2008. 'Cultural Flows in the Murray Darling Basin' in Jackson, S,(ed) 2006, *Recognising and protecting Indigenous values in water resource management*, CSIRO, Darwin.

Weir, J. and Ross, S. 2007, '*Beyond native title: the Murray Lower Darling Rivers*'.

Indigenous Nations in Smith, B. and Morphy, F. *The Social Effects of native Title: Recognition, Translation, Coexistence*, Research Monography, ANU CAEPR Series, No 27, Canberra.

Available online at:

http://www.mldrin.org.au/publications/reports.htm

Some of the knowledge that the water planners require belongs to the Traditional Owners, and how that information is provided will need to be negotiated. It is important that the community is able to participate in this process in a way that is culturally appropriate and ensures that traditional knowledge is protected. It may be more appropriate for planners to engage directly with Traditional Owners to provide this information.

Consider meeting these information needs as part of the process:

1. **Work with the planner** to get a clear understanding of the information they require from the planning process. This includes getting an understanding about the scope of the water plan, and what opportunities there are for Indigenous input into the planning documents.
2. **Establish a forum** for the review of planning documents, and make decisions about how to organise community input into the plan. This forum will give the community an opportunity to improve their understanding of the purpose and content of the water plan, and to prepare questions and concerns that they have about the plan.
3. **Invite the planners and technical staff** to meet with the community.
4. **Identify resources** that the planners may have to assist in information-gathering activities.

Resources

- Nic Gambold's account of the **Responsibilities and Ethics in Participatory Planning** provides some useful insights into the ways he developed his own personal ethics for working as a facilitator. Some of the considerations that he discusses include maintaining the facilitator/advisor dichotomy, finding ways to deliver external information in impartial ways, and divesting yourself of ownership of the process and the outcomes.

Gambold, N. 2002. "Responsibilities and Ethics in Participatory Planning: A Personal View". Planning for Country: Cross Cultural Approaches to Decision-Making on Aboriginal Lands. Alice Springs, Jukurrpa Books. Walsh and Mitchell.

- The TRaCK Collaborative Water Planning Project has developed a **Guide to Monitoring and Evaluation**, which includes a table for identifying knowledge needs and information. This document also provides a series of tools for developing a monitoring and evaluation framework, which will be examined in Section 3.5 of this handbook.

Mackenzie, J., Nolan, S. and Whelan, J. 2009. *Collaborative Water Planning: Guide to Monitoring and Evaluating Public Participation*. Darwin: TRaCK Research Hub and Charles Darwin University. Available online: http://www.track.org.au/publications/registry/track821

- **Designing Field Studies for Biodiversity Conservation** provides a users' guide to incorporating scientific methods into conservation work, to assist in the design of projects for engaging scientists in community-based natural and cultural resource management.

Feinsinger, P. 2001. *Designing Field Studies for Biodiversity Conservation*. Washington: Island Press.

5. Building Community Capacity

Based on the review of aspirations, concerns and knowledge needs, there may be a number of projects that you can work with the community to undertake. You should consider the following when prioritising activities:

- How will this project contribute to the aspirations of the community?
- How will it address an identified concern or meet a knowledge need?
- How can the information from this process be incorporated into a Catchment Action Plan?
- What resources do you have available to undertake these activities?
- Are there any logical partners who might have an interest in working with you on this activity?
- Do you have enough support from the community to undertake this activity?
- Is there a logical timeline for capacity-building activities? What should be undertaken first?

It is recommended that the initial projects are not too ambitious, but can be contained within a timeframe, ensure high levels of participation, and demonstrate concrete results. Finding ways to celebrate the success of these activities is also recommended as a key means of building community ownership of water planning.

Monitoring is included as key component of this stage, so that a culture of learning by doing is re-iterated throughout the project.

You should have a clear idea of what the intended outcomes from the capacity-building activities are. In some cases, one activity could have multiple benefits. For example, coordinating group visits to country can be used to achieve multiple outcomes at the same time, such as bringing people together, surveying environmental condition, initiating conversations about hopes and aspirations, and exchanging knowledge and stories. Water facilitators have found that projects like developing a map that includes Indigenous language names for rivers and water features, or organising an art exhibition increase wider community awareness of the program, and help to develop source materials for catchment action planning.

As a general rule, the community should be involved in each stage of the capacity-building projects – from design, through to implementation and evaluation. Over time, the community that you are working with should become more competent at analysing problems, evaluating needs and seeking solutions without relying on the direction of the facilitator. Over time, the facilitator's role should move from co-ordinator to observer of community action. Small, celebrated achievements step the community along in this process.

The project-based approach to facilitation avoids the trap of planning versus implementation. In many cases, Indigenous programs place too much of an emphasis on planning. Detailed research projects are commissioned and detailed plans compiled by consultants. Experiences from these sorts of programs have shown that these outcomes are rarely used, can be culturally irrelevant and become obsolete (see Sayer and Wells 2004). It is more difficult to maintain enthusiasm for plans that do not lead to action. Using project-based work as a way of achieving planning outcomes has the advantage of momentum.

Documenting knowledge: seasonal calendars

Indigenous people in north Australia have a detailed knowledge of the distribution and seasonal availability of plants and animals and this information can contribute to our understanding of the region's hydrology. TRaCK researchers collected seasonal Indigenous knowledge and developed four calendars to show the cycle of resource use and management activity throughout the year. These calendars show aquatic and terrestrial resources that four Indigenous language groups source for food, medicinal and cultural purposes. They also reveal discrete seasonal cues for people to go fishing and hunting, and further demonstrate Indigenous social and cultural connection to rivers and water through stories and anecdotes. The calendars have been incorporated into several school curricula. The ecological indicators revealed in the calendars are expected to be of value to future monitoring and management of river systems, including understanding climate change impacts.

Resources

TRaCK Project 2.2: Representing traditional ecological knowledge – the Ngan'gi seasonal calendar. Available online at: http://www.track.org.au/publications/registry/track429

Documenting change

TRaCK researchers worked with Indigenous people to capture on film the changes they have seen in the Fitzroy and Mitchell river catchments. The knowledge complements scientific knowledge and the project helped communities record their knowledge and heritage.

The researchers involved Indigenous people as much as possible in all aspects of the production, filming and film-processing stages so that they gained knowledge and skills.

The filming was important to the communities in recording the history, empowering the people who took part, and building their self-esteem and their knowledge of filming.

However, it is important that the right people speak for their country at the right location, which makes this type of filming hard to organise and contain, both logistically and financially.

Reference

TRaCK Project 1.2: New ways of better involving Indigenous people in planning for our water and land resources.

Available online at:

http://www.track.org.au/research/project/102

The aim is for the community to demonstrate to itself that it can successfully manage its own development (Caldecott 1996).

This process of capacity building should by all accounts take around two to three years (for example, see Franks and Blomley 2004). Some of the factors that impact on time include the number of people who need to be involved, the scale of the catchment, the scale of the activity, the cooperation of other stakeholders, and competing demands on the community (Walsh and Mitchell 2002).

Previous reviews have shown that working in collaboration with research and science support has led to successful capacity building. Putnis et al (2007) have shown that when researchers work alongside Indigenous land and sea managers with their local ecological knowledge and skills, the 'two toolbox' improves the capacity of researchers and the community at the same time. If this work is based on identified knowledge needs that the community have expressed, then the community is also better able to direct the way that research is done on country, and to be in control of how information and knowledge is protected.

There is a recognised need to continue work on Indigenous values using Indigenous hydrological and ecological knowledge in water resource assessments, planning and monitoring. Multi-disciplinary research with Indigenous elders could focus on the development of indicators for land and water management monitoring and evaluation.

Cultural mapping

An increasingly common capacity-building technique is cultural mapping. Cultural mapping is a process for documenting values, resource use and land management by Traditional Owners by converting interview data into a map or other spatial document. Cultural mapping has a proven methodology and is becoming a well-established research and engagement activity. This is primarily as a result of more than forty years of successful implementation in Canada, and the work of Tobias (2000) in documenting and communicating the methodology.

Tobias refers to the method as 'Use and Occupancy Mapping', based on the specific type of data that is collected through interviews.

- **Use:** data and information on activities involving the harvest of traditional resources.
- **Occupancy:** data and information on an area that demonstrates a continuing relationship, such as continuing use, settlement, stories, naming, knowledge, and management.

Use and Occupancy Mapping is not the only form of cultural mapping, but it has been used effectively for developing catchment action strategies. It has been previously used in Australia as part of water planning in the Murray-Darling Basin (Joachim and Ward 2008).

Steps for Cultural Mapping Projects

Prepare to Collect Data	Collect Data	Process Data	Put Data into a Useable Form
1. Develop community support 2. Hire and train interviewers 3. Develop a research design and test the interview questions	4. Interview participants and collect map biographies	5. Make copies of raw data 6. Translate indigenous language recordings 7. Transcribe recordings 8. Review the transcript and map biography data 9. Digitize map biography data and produce digital composites 10. Eliminate redundant data from the composites	11. Enter transcript contents into a database 12. Print preliminary composite maps, verify them with community and revise 13. Describe the research methodology and results in a report

While Tobias suggests that there is no one way to conduct this type of mapping, he outlines 13 basic steps in the process as outlined in the table on p70:

Information that can be gathered through a cultural map for a catchment may include:

- places where plant and animal species form part of cultural practices or economic harvest, such as bush foods, fishing, hunting, arts and crafts, story-telling, painting and recreational sites;
- ecological knowledge of habitats and sites critical to the survival of important animal populations;
- habitation sites, such as settlements, homelands, outstations and burial grounds;
- spiritual or sacred places such as story places, ceremony sites, artworks, no-go areas, men's and women's sites, and birthing places;
- sites and locations associated with cultural practices including ceremonies and passing of knowledge to younger generations;
- stories and song-cycles about specific places;
- travel and trade routes; and
- traditional place names.

These maps are then used to develop theme maps of the catchment – where individual information is not visible, but the extent of activity and key sites of cultural activity can be identified. Not only does this provide an important basis of information for community, it can also be used to better clarify water needs and requirements, which can be later incorporated into water plans and water planning objectives.

Aquatic use surveys

The use of aquatic resource use surveys for Indigenous people in north Australia was pioneered by researchers as part of the TRaCK research program (Finn et al 2009; Jackson et al 2011). Through regular and frequent surveys with households in the community, you can generate an understanding of how water resources are used to provide food, medicinal and cultural supplies. This information can be used to inform planners about which resources need to be protected by water plans, and which species need to be prioritised when they are working out how much water to retain in the system.

The method follows three distinct stages.

- Firstly, traditional knowledge holders are interviewed to document ecological knowledge related to resource use and aquatic environments.
- Secondly, regular household surveys are conducted with Indigenous respondents from ninety-four households twice every three months over a two-year period to quantify wild resource harvest. This information can then be used to calculate the economic value of the consumed resources for inclusion in socio-economic assessments of water use.
- Thirdly, quantified analysis is used to assess the potential impacts of flow alterations on the species that contribute most substantially to Indigenous household income and livelihood.

Resources

Jackson, S., Finn, M., Woodward, E., Featherston, P. 2011. Indigenous socio-economic values and rivers flows - A Summary of Research Results: 2008-2010.

Available online at:
www.track.org.au/publications/registry/993

The Community Water Planner

One engagement tool that has been used successfully by facilitators in remote Indigenous communities is **The Community Water Planner**. The Planner consists of communication materials and a facilitated program to enable residents in remote Indigenous communities to manage and operate their water supply systems.

This is a very localised scale of planning – focused on the supply of drinking and household water supply through improving local infrastructure. It is a different type of water planning than that undertaken by governments. However, using this approach can initiate locally relevant discussions about water planning and management in meaningful ways.

The Planner outlines a community-driven process with four steps:

1. Discover the water supply: this is an information-gathering activity where community participants are involved in sitevisits, discussion and illustration of the local water supply.
2. Identify hazards and management activities: participants are introduced to the risks to the water supply, and discuss ways in which these can be managed.
3. Manage assets: the different components of the water supply are introduced to community participants, including the repair and maintenance requirements.
4. Identify roles and responsibilities: management activities are identified and these roles are assigned to people in the community.

Water facilitators have found that this process meaningfully engages communities on water issues, particularly in more remote settlements and outstations. The Planner includes a booklet, posters and activity sheets that can be customised and adapted.

The Planner was produced through collaboration between Water Quality Research Australia (WQRA) and the Centre for Appropriate Technology (CAT).

The Community Water Planner is available online at:

http://www.wqra.com.au/research/field-guide-to-the-community-water-planner/

Resources

- **Chief Kerry's Moose: a guidebook to land use and occupancy mapping, research design and data collection** is the leading resource worldwide for cultural mapping activities. It can be downloaded free from the Aboriginal Mapping Network website, which itself contains a host of information on cultural mapping.

  Tobias, T. 2000. *Chief Kerry's Moose: a guidebook to land use and occupancy mapping, research design and data collection*. Vancouver: Union of BC Indian Chiefs and Ecotrust Canada.

  Available online at:

  www.nativemaps.org/?q=node/1423

- **Effective Indigenous Involvement in The Living Murray** is a presentation delivered by Lee Joachim and Neil Ward to the Centre for Aboriginal Economic Policy Research in September 2008. This presentation explains Use and Occupancy Mapping and shows how it was used by Indigenous communities in the Murray-Darling Basin to demonstrate their objectives for water and land management.

  Joachim, L. and Ward, N. 2008. *Effective Indigenous Involvement in The Living Murray: Introducing Use and Occupancy Mapping*. Seminar for the Centre for Aboriginal Economic Policy Research, Australian National University, Canberra.

  Available online at:

  http://caepr.anu.edu.au/Seminars/08/Occasional-Seminars-Lectures/12_9_Seminar.php

Environmental monitoring

Indigenous groups, particularly those with active land and resource management programs, have frequently expressed a desire to be involved in water quality and biodiversity monitoring. Setting up an environmental monitoring pilot is one type of capacity-building program that can increase the involvement of the community in water management, and improve the community's familiarity with technical and scientific approaches to management. However, setting up a monitoring program can be expensive, and may require a long-term commitment before any changes are observed. Data quality is also a consideration, depending on what the information is intended to be used for.

Below are some questions to consider before embarking on an environmental monitoring program.

1. **Why do you want to undertake environmental monitoring?** Monitoring is especially useful for early detection of problems and for observing incremental environmental damage. But there may be other reasons, such as improving community skills and knowledge, taking a snap-shot of current condition or estimating the changes associated with sites or management activities.
2. **What are the threats to the system that you are trying to understand?** Threats and pressures may include feral animals, fire, land use changes or impacts as a result of agricultural or mining activities.
3. **In what ways are those threats likely to impact on the health of the river?** Are you likely to see changes in plant and animal species, in water levels in the river, in the quality of the water, or in people's health?
4. **How will any information from the monitoring program be used by the community?** What format will be most useful for the information from a monitoring program to improve community knowledge and action?

Once you have answers to these questions, you can work with scientists to develop a set of indicators to monitor to see if those threats are leading to the anticipated changes. Based on this, they can advise the best sampling methods to gather that information.

Resources

- The Queensland Government has produced the **Community Waterway Monitoring Manual** to assist community-based groups with all aspects of waterway monitoring, including projects that can contribute information to natural resource planning. The manual provides guidance on the full cycle of monitoring projects from identifying sites and setting objectives through to data interpretation and reporting.

Department of Environment and Resource Management. 2007. *Queensland community waterway monitoring manual*, Queensland Government, Brisbane.

Available online at:

www.qld.waterwatch.org.au/resources/pdf/cwmmanual/cwmmanual_small.pdf

6. Understanding the dynamics of participation

One of the key challenges for a facilitator is maintaining people's interest in the process over time. As your facilitator program evolves, there will be periods of greater and lesser community involvement. The selection of activities should seek to engage a broad base of the population, but the involvement of individuals in the community is not likely to be consistent throughout. The HarmoniCop Project (2005) developed a useful checklist for 'keeping the momentum' in planning activities.

- Remember that the process is about building the capacity of Traditional Owners to meet their needs. Try to understand what motivates their involvement, and work your engagement processes around that.
- Start thinking about who you are talking to, not just what you are talking about. Make sure that the way you are communicating is relevant to the audience you are speaking to.
- Keep adapting your engagement to local language, local interests, habits and customs. Build your understanding of people's motivations, interests and desires to make sense of the situation.
- Not all public processes will be successful. There is no guarantee that your efforts will improve people's interest or confidence. But by making sure that you have organised the process as best as possible, you increase the likelihood of building capacity.
- Be open to 'expected surprises'. Try to transform threats to the process into new opportunities for interaction by using them to improve your process of engagement.
- Try to assess the evolution of your own level of knowledge about the process, and in particular, ask yourself about how you can improve. Identify what you don't know about the community, their issues and motivations. See how your own knowledge changes over time.
- Don't rush the ending – make time for reflection.

Resources

- HarmoniCOP. 2005. *Learning Together to Manage Together: Improving Participation in Water Management*. Osnabruck: University of Osnabruck.

Available online at:

http://www.track.org.au/publications/registry/track1797

7. Monitoring your engagement

Monitoring and evaluating your engagement and capacity building activities will ensure your program is working effectively and is meeting the needs and goals identified by the community. When monitoring is done as part of the engagement program, it can help build a shared understanding of the achievements and a feeling of community ownership over problem solving and subsequent planning activities.

Monitoring can help improve your outcomes in a number of ways by:

- documenting successes and failures to improve future programs;
- improving transparency and accountability of the activities; and
- sharing learning by building reflection into participation.

There are four main steps that you can use to monitor and evaluate the success of the engagement activities:

1. **Identify the objectives of the activity:** any given activity will usually have a number of linked objectives. These may include: developing new resources, improving community knowledge, increasing the number of people involved, forming new partnerships or developing a position statement.
2. **Develop a list of consequences** that would demonstrate that these objectives have been achieved. For example, you could think about the question: if you had succeeded in achieving those objectives, how would things be different in the community?
3. **Develop a list of indicators** that you can use to measure if those consequences have occurred. For example, if your objective was to form new partnerships, you might measure how many MOUs or project agreements have been initiated, or what resources have been committed by partner organisations.
4. **Select focus questions** related to each of the consequences that can provide greater detail about the reasons why those consequences were achieved or not.

Selecting focus questions

The questions that you choose for your monitoring should be limited to issues most closely linked to the objectives of the public participation. This will keep the task of collecting information and reviewing changes over time manageable. Collecting information to answer these questions can be done by the facilitator, with a small steering or advisory group, or in collaboration with the participants in the engagement process. Different techniques are available for gathering this information – such as hand out questionnaires, interviews, focus groups or through self-assessment.

Focus questions that might guide your evaluation should look at the outcomes, the process and the changes that have resulted from the activity. Some guiding questions are provided below.

Outcomes

- Did the activity achieve what it set out to achieve?
- Has it had an impact in the community?
- Were the time and resources allocated to the project adequate?
- Could the resources allocated have been used more efficiently?
- Were there any unintended outcomes that have also been achieved?
- Could a plan have been completed without this activity?
- How do people who were involved perceive what was achieved? Are they likely to be involved in future activities?

Process

- Were the right people involved in the process? Did they represent all of the interests of country in the area?
- Did people understand the purpose of the activity?
- Did it provide enough opportunity for people to present ideas and raise questions?
- Was the process flexible enough to respond to issues and concerns raised by participants?
- What controversies arose through the process? How were these resolved?

- Was the information presented accessible, digestible and sufficient?
- Was the process informed by the best available knowledge?

Change

- Is change occurring:
  - in the understanding, motivation or intent of the participants?
  - in the understanding of the broader community?
  - in the ways planning agencies are organising themselves in relation to community engagement?
  - in the way groups and other stakeholders are relating to each other?
- Have new organisations or agreements been formed?
- Have new initiatives been developed or new resources allocated as a consequence of the activity?

The information collected from the monitoring activity can be used for two main purposes:

1. To provide **reports and updates** to the community, funding bodies and project partners. Putting together reports and newsletters based around the evaluation of your activities can be another way of engaging the community. In some cases, it has been the communities themselves who have recorded, written and compiled books and reports; but usually this documentation is completed by the facilitator (Walsh and Mitchell 2002).
2. To **reflect and integrate lessons learned** into practice. The information gathered from your evaluation should help you make judgements about how well the program is achieving its objectives. It will be important to make time for reflection on progress, and find ways to incorporate your lessons into future activities.

The importance of undertaking regular monitoring and keeping good records is especially important given that a facilitation program is likely to take a number of years to reach the output of a Catchment Action Plan. Over this time, the people in the community may have changed or moved onto other things, there will be ebbs and flows in enthusiasm, staff turnover in organisations, and perhaps even a new facilitator. Monitoring and managing the records of your activities and engagement should be handled in such a way that the work can be clearly communicated to other facilitators and used by those who follow on from your work is vital. Written records are necessary if they are to guide a long-term project and demonstrate consistent improvement.

Resources

- The monitoring and evaluation approach outlined here is based on the TRaCK Collaborative Water Planning **Guide to Monitoring and Evaluating Public Participation**. This guide was designed for water planners, but contains a set of tools to help assess the success of strategies and techniques for community engagement. It contains more detail about selecting indicators and focus questions, and also guides you through some of the information gathering strategies such as focus groups and interviews.

Mackenzie, J., Whelan, J. and Nolan, S. 2009. *Guide to Monitoring and Evaluating Public Participation*. Collaborative Water Planning Project Volume 5. Charles Darwin University, Darwin.

Available online at:

http://www.track.org.au/publications/registry/track821

Nyapajayi Kogolo

Standing Together for Water Rights

"We must take part in all Water Reforms."

"Water, land and people can't be separated."

"We are the bosses of country."

"We have cultural laws to look after water."

"We don't want younger generations to live with the same hardship we older ones did."

North Australian Indigenous Experts Water Futures Forum

In August 2009, about 80 Indigenous water experts from north Australia convened at Mary River Park in the N.T to discuss and present their water interests and issues to the Northern Land and Water Taskforce.

Convened by the North Australian Indigenous Land and Sea Management Alliance (NAILSMA), the Forum provided an opportunity to raise ideas and concerns about economic development and opportunities; the potential impacts of development in north Australia; and governance and institutional arrangements as they affect Indigenous community interests, aspirations and issues.

The Mary River Statement is the major outcome of the Forum. It demonstrates the seriousness of Indigenous people's contribution and participation in policy decision making.

Indigenous representatives visited during the Forum are ready to facilitate a broader dialogue with Indigenous groups across north Australia.

www.nailsma.org.au

NAILSMA

Balkanu

STEP 3. COMMUNITY OWNERSHIP

Over time, you should try to work towards a situation where the community is able to take ownership of the facilitator program. Facilitators have found that the transition between capacity building and community ownership is frequently unanticipated, or occurs as a result of events outside of your direct control.

There are a number of ways that the community can move from the capacity-building stage to active and engaged community ownership. Some of these can result from deliberate efforts from the facilitator, while others can occur as a consequence of actions outside of the facilitator's influence. In particular, the emergence of issues in the community that bring the community together, such as a mining proposal or recognition of impacts from an expanded tourist development, can generate a greater level of community input.

It is critical that you find ways to communicate regularly with the Traditional Owners about the achievements of the program. The process of feeding back findings from work jointly undertaken is likely to generate additional areas of inquiry and interest. These new findings provide a basis for commencing new activities. This is referred to by practitioners as 'iteration'.

Facilitators have also noted the importance of trigger events in creating ownership of the program. Some trigger events may include:

- commencement of a government water allocation plan or other consultation activity;
- a proposal from an organisation or business outside of the community with impacts on local water resources;
- funding opportunities from government, private sector or philanthropy organisations; and
- an unanticipated impact on local water resources that galvanises community interest.

It is important to make the most of these opportunities, as they may prove to be critical in moving the community from a state of awareness and confidence to active engagement.

Catchment Action Plan

A Catchment Action Plan (CAP) is the culmination of the facilitator program. The plan is put together by taking all of the information that you have gathered over the course of the program, and presenting it in a format that is an accurate reflection of the Traditional Owner and wider Indigenous community's interests, values and aspirations for freshwater resources.

A CAP is an agreement between all of the Traditional Owner groups in a catchment about how they will be involved in the management of freshwater resources on their country.

Developing a plan provides Traditional Owners and their communities with an opportunity to present a negotiation position to other water users and managers which outlines the community's rights, interests and responsibilities for management of freshwater.

It recognises the values and aspirations that Traditional Owners have for freshwater, and outlines the actions necessary to ensure these values are protected and enhanced. A CAP is also a vision for how Indigenous management of freshwater can be a part of the overall management of country.

Previous reviews have found that engagement and consultation are more effective when there has been support for Indigenous processes, rather than simply inviting Indigenous people to join onto processes initiated

Jeremy Wilson

Sea Country Planning

From 2003-2006, the Australian Government's National Oceans Office funded Sea Country planning as part of the regional marine planning activities under Australia's Oceans Policy. These Sea Country plans were developed by Traditional Owners and other local Indigenous people developed their goals, strategies and actions for protecting, managing and using their coastal and marine environments and resources. According to Smyth (2007), these plans marked an important shift towards the recognition of Indigenous definitions of 'country' as the appropriate basis for Indigenous management.

Although the pilot of Sea Country planning demonstrated the success of the approach, changes to government policy on marine protection meant that no further plans were developed.

The planning model and actual plans developed through this period provide clear examples of how a water facilitator can contribute to a similar product for catchment management.

Resources

- A special edition of the **Waves Magazine**, produced by the Marine and Coastal Community Network in 2007 focused on Sea Country Planning. There is an introductory article from Dermot Smyth about the planning process, and contributions from Dhimurru Land Management Aboriginal Corporation and elders from the Kirrae wurrong, Gundidj mara and Gadabund people about their Sea Country plans. Other articles look at other Traditional Owner management approaches for coastal and marine resources.

Smyth, D. 2007. "Sea Country Planning". *Waves* 13(2): 3.

Available online at:

www.nailsma.org.au

by someone else (Putnis et al 2007). One of the ways to achieve this is to organise a parallel planning process for Indigenous people where they can discuss their concerns and issues independently, and reach agreements in ways that align with traditional structures of governance (Smyth et al 2004). By developing their own negotiation position, Traditional Owners are able to negotiate more effectively with other stakeholders with an interest in water – such as in public meetings or in multi-stakeholder committees.

In this way, a CAP is not a substitute for Indigenous engagement in the other processes for water planning and management – it is a powerful tool for helping to make Indigenous participation more effective and equitable.

CAPs are one part of the whole of country management. It will be most effective when it is integrated with other plans that are being implemented by the land and sea management organisations, cultural resource management groups and ranger programs that manage the Indigenous estate. A CAP brings together the community' priorities and aspirations for freshwater management with existing community and cultural land management activities. In this way, it would sit alongside other natural resource management activities, such as Sea Country Plans.

As the final product from the facilitator program, it should outline a schedule of practical actions. Information about these actions should include who is responsible and what additional resources are necessary for these to be achieved. These actions can be used to structure future work programs; to seek funding from external services; to identify opportunities for the community to obtain social and economic benefits; and to help others better understand Indigenous interests in water management.

As described by Smyth (2011), community-owned plans provide an opportunity to tell the story of a Traditional Owner group and its country, and can be a catalyst for supporting culture, addressing concerns and achieving aspirations.

Although the CAP is suggested to be the major output from the facilitator program, it should be noted that even with a two-year preparation time, no previous water facilitators were able to produce a community

endorsed CAP. Instead, in each case the engagement and capacity-building activities were designed to provide input into a future plan. This highlights both the potentially extensive timeframes required to produce a CAP, and the extent of the challenges to producing them. The work that you have conducted towards the development of a CAP may be better suited to other community planning and resource management activities where a fully developed CAP may not be possible or of use to the community.

Structure of the Catchment Action Plan

Every Catchment Action Plan will be different, but many will share a similar basic structure. One form of this structure is outlined below and includes:

- Information about the freshwater resources in the catchment, including its current condition and trend.
- Indigenous concerns, values and aspirations for the freshwater resources.
- A community vision for the future of the resource, including the role that Traditional Owners want to have in the use, management and monitoring of freshwater.
- A review of current or proposed water allocation plans for the catchment, and how the community was involved or could be involved in water planning.
- Strategies for gathering, protecting and communicating Indigenous water knowledge that will be used to guide freshwater management.
- Any additional information that the community has identified that they want to know more about the freshwater resource, including potential areas of research.
- Networks and links with key stakeholders about areas of Indigenous interests in the resource, such as:
  - cultural and commercial water allocation;
  - water quality; and
  - cultural water knowledge.
- Strategies to improve links and relationships with state water planners and other agencies.
- An outline of an on-ground action schedule for a water program including what has been done and still needs doing. This should include information about what resources will be required and who should be involved.

Documenting the Catchment Action Plan

The Catchment Action Plan should be produced as a document and published after several rounds of consultations through the drafting stage. Consultation should provide people with an opportunity to raise additional ideas and make suggestions to the content of the plan. As part of the presentation of the plan, you should make it clear to the community why the proposed activities were selected, and what role they can play in implementing the plan.

Some participants of the Mataranka Water Forum, NT, 2001

ACKNOWLEDGEMENTS

The achievements of the NAILSMA Indigenous Water Facilitator Network Project (ICWFN) as a pilot program over a five-year period have demonstrated the value of catchment-based Indigenous water facilitators, especially when supported by access to research and practical expertise. In particular, the ICWFN has demonstrated effectiveness for catalysing community participation in water reform.

Drawing from the experiences of the NAILSMA Indigenous Water Facilitator Network and the full range of TRaCK research and publications, the Guide compiles the key findings from these programs as a field guide for facilitators to support Indigenous communities to better understand and participate in water planning, management and decision making.

The Guide has been developed using TRaCK-based research outputs. Content has been sourced from projects that specifically targeted improving Indigenous policy access and documenting Indigenous water values. Material has also been sourced from project findings that are relevant to Indigenous communities in general. For example, there has been significant interest among Indigenous communities in the science around aquatic biodiversity and the environmental water requirements for tropical rivers. Additional information from TRaCK's body of research has been used to build understanding of how science contributes to the planning and management of tropical river system resources, including basic overviews of methodologies, to enable communities to identify opportunities for participation and skill development in science and research.

The Guide particularly draws on the knowledge and experience of the NAILSMA ICWFN in relation to capturing critical success factors in their experiences across diverse settings. This includes findings from the evaluation of the ICWFN. The facilitators have led the engagement and material testing for the Guide, and have also provided structure, content and style advice and recommendations.

On the basis of this experience, resource modules for existing and future facilitators has been developed as part of the TRaCK Synthesis & Adoption Year to gather the learnings from the two projects into an accessible product. It is available on the TRaCK and NAILSMA websites.

The Guide draws on and acknowledges the work of the Indigenous Community Water Facilitator Network partners and the facilitators who provided input and direction to the Guide, with thanks to IWCFN coordinator Hugh Wallace-Smith, project coordinator Tristan Simpson, Robin MacGillivray, Ted Rowley, Jeremy Wilson, Peter Pender, Sonia Leonard, Natalie Young, Waubin Aken, Bill Sokolich and Rodney Whitfield. The Guide also acknowledges the contributions of a wide array of TRaCK researchers and staff, with particular thanks to Knowledge & Adoption coordinator Amy Kimber for leading the production of the Guide. The Guide has also benefited from review and feedback from representatives of the National Water Commission and the north Australian state and territory jurisdictions, with thanks to Michael Storrs, Susie Williams, Rob Cossart, Chris Wicks, Elizabeth Riegler and Kate Cranney.

Wetlands, Cape York Peninsula, Qld.

About this publication:

The Facilitators' Guide to Indigenous Water Planning is a field guide for facilitators to support Indigenous communities to better understand and participate in water planning, management and decision-making. The Guide is based on five years of TRaCK and NAILSMA research, engagement and capacity-building initiatives in progressing Traditional Owner and Indigenous community interests in water reform, including the NAILSMA Indigenous Water Facilitator Network (2007-2011). There are four parts to the Guide: Handbook; Indigenous Water Planning and Engagement Overview; Resource Modules Summary and Resource Modules Power Point Files. The last three are only available electronically.

The Guide is a joint project between the Tropical Rivers and Coastal Knowledge (TRaCK) program and the North Australian Indigenous Land and Sea Management Alliance Ltd. (NAILSMA).

Acknowledgement

This project was funded by the Australian Government through the National Water Commission's Raising National Water Standards Program.

Australian Government
National Water Commission

About TRaCK

TRaCK brings together leading tropical river researchers and managers from Charles Darwin University, Griffith University, the University of Western Australia, CSIRO, James Cook University, the Australian National University, Geoscience Australia, the Environmental Research Institute of the Supervising Scientist, the Australian Institute of Marine Science, the North Australia Indigenous Land and Sea Management Alliance, and the Governments of Queensland, the Northern Territory and Western Australia.

About NAILSMA

The North Australian Indigenous Land and Sea Management Alliance Ltd (NAILSMA) delivers large-scale initiatives across northern Australia and is committed to finding practical solutions that support Indigenous people and the management of their lands for future generations. Its culture-based economy approach aims to assist Indigenous people through livelihoods and employment on their country. NAILSMA is an Indigenous owned and managed not-for-profit company. It has a strong track record of delivering award-winning programs in challenging and complex settings.

Disclaimer

TRaCK and NAILSMA have published the information contained in this publication to assist public knowledge and discussion and to help improve the sustainable management of Australia's tropical rivers and coasts. Where technical information has been prepared by or contributed by authors external to TRaCK or NAILSMA, readers should contact the author(s), and conduct their own enquiries, before making use of that information. No person should act on the contents of this publication whether as to matters of fact or opinion or other content, without first obtaining specific independent professional advice which confirms the information contained within this publication.

While all reasonable efforts have been made to ensure that the information in this publication is correct, matters covered by the publication are subject to change. Charles Darwin University does not assume and hereby disclaims any express or implied liability whatsoever to any party for any loss or damage caused by errors or omissions, whether these errors or omissions result from negligence, accident or any other cause.

Copyright

Mackenzie, J. (2012). Facilitators' Guide to Indigenous Water Planning. Charles Darwin University, Darwin.

Further information:

John Mackenzie, Charles Darwin University: john.mackenzie@cdu.edu.au

TRaCK:	www.track.org.au	track@cdu.edu.au	08 89467444
NAILSMA:	www.nailsma.org.au	nailsma@cdu.edu.au	08 89467691

Publisher: Charles Darwin University, Darwin
Printer: Uniprint, Darwin
ISBN: 978-1-921576-69-0

Front cover: Mapoon community members consider a cultural mapping project for the Wenlock River, Cape York Peninsula, Qld.

TRaCK
Tropical Rivers and
Coastal Knowledge

www.track.org.au

NAILSMA
NORTH AUSTRALIAN
INDIGENOUS
LAND AND SEA
MANAGEMENT
ALLIANCE

www.nailsma.org.au