



Dorset Waterwatch Group Inc.
P.O. Box 360, Scottsdale, Tas. 7260

The following report should be viewed in association with information Dorset Waterwatch has presented to DPIWE in correspondence of September 17, 2003. In that correspondence, Dorset Waterwatch informed DPIWE that it rescinds its original sign off of the Great Forester River Water Management Plan (GFRWMP) and has requested that a "sign off under duress with a dissenting report" be recorded. This report aims to clarify the Dorset Waterwatch position and explains the events that led Dorset Waterwatch to conclude the above action was warranted.

REPORT ON THE DORSET WATERWATCH POSITION IN REGARD TO THE SIGN OFF OF THE GREAT FORESTER RIVER WATER MANAGEMENT PLAN

Background to establishment of Community Consultative Committee

Dorset Waterwatch (DWW) representatives participated in all Water Management Planning Workshops for the Great Forester River Water Management Plan (GFRWMP) from the beginning of the process to the release of the first draft plan in January 2002.

On March 27, 2002, two meetings were called at Scottsdale by DPIWE, ostensibly to discuss the Irrigation and Water Reliability Project Report by David Armstrong. The first meeting, for irrigators only, was held in the morning. The second meeting for all interested parties, was held the same evening. As this report was already widely available, only one DWW representative attended the meeting,

Previously, on March 15, 2002, DPIWE circulated a notice (attachment 1) to stakeholders announcing the upcoming meetings, stating the purpose of the meetings was "to discuss the report". It is clear from examination of e-mail correspondence of April 15, 2002, from Phil Roberts, DPIWE, to DWW Coordinator Debbie Searle (attachment 2) and the official record of the meetings, *The Great Forester River – Report on Water Management Planning Meetings March 27, 2002* (attachment 3) that DPIWE's objective in calling the meetings was not only to discuss the Armstrong Report but to encourage the formation of a CCC, though this second objective was not made public prior to the meetings.

The official report on the meetings clearly shows the key outcome from the earlier Irrigators Meeting was that a motion to establish a CCC was not supported among the 16 irrigators present. However, the report mentions that during discussion at this meeting "it was indicated that any representation on the CCC should be weighted to use of water and that at least 60% should be irrigators".

The report states that at the Public Meeting later that same day “The majority of the participants at the meeting were irrigators, including a high proportion of irrigators that had attended the Irrigators Meeting earlier in the day.” It goes on to state that on a show of hands, the majority voted to support a motion calling for the establishment of a CCC with 60% irrigator representation, with at least one representative from each irrigation industry entity.

However, DWW and the wider public remained unaware of DPIWE’s intention to encourage the establishment of a Community Consultative Committee (CCC) at the meeting, a move that had failed to attract a majority vote at the previous public meeting of February 14, 2002. Had the intention by DPIWE to propose the establishment of the CCC been appropriately circulated, it is likely that a greater number of community members, many who had participated in the process to date, would have attended the meeting and thus had the opportunity to voice their views on the proposal and in particular, the proposed balance of the committee representation. This was a grave oversight on the part of DPIWE at an important moment in the development of the consultative process, which was to greatly contribute to erosion of community confidence in the plan.

Action taken by DWW to attempt to remedy the CCC imbalance

In correspondence of April 24, 2002, from Dorset Waterwatch to John Pretty, DPIWE, the group called on DPIWE to reverse the decision to allow the above irrigator dominated representation on the CCC as it was seen to be unrepresentative of the catchment and did not strike an appropriate balance between social, economic and environmental considerations. To our severe disappointment, the issues raised by DWW were never satisfactorily resolved. In spite of the difficulties posed by the unbalanced nature of the committee, DWW continued to hold a position on the CCC in the interest of maintaining community input into the plan.

Dorset Waterwatch ongoing concerns with the GFRWMP

Our representative regularly reported back to DWW that she felt we were able to have only limited input into achieving better environmental outcomes through the plan, such as EWP’s based on the best science available and a firm commitment to achieving moderate risk levels, due to opposition from the irrigator dominated sector of the CCC. It was in this light, in recognition that the community was thoroughly outnumbered by vested interests at the committee level and in spite of our grave reservations over poor process and questionable science used in the development of the plan, DWW originally signed off.

However, after careful consideration and in light of the opportunities presented by the current appeal for the community to further examine the plan, we have taken the action to rescind our original sign off. It remains our opinion that many areas of the plan are flawed or severely compromised, including the Environmental Water Provision figures (see letter to the Minister, attachment 4), due to lack of appropriate community input and scrutiny. DWW maintains that these flaws will inhibit the achievement of best available outcomes for all parties concerned with the plan and do not meet community expectations of good water management planning.

September 30, 2003



Dorset Waterwatch Group Inc.
P.O. Box 360, Scottsdale, Tas. 7260

17/9/03

Dr. Mike Temple-Smith
Manager, Water Management
DPIWE
G.P.O. Box 44
Hobart, Tas. 7001

Dear Mike,

Dorset Waterwatch members met Tuesday, September 16 to discuss their position regarding outstanding issues surrounding the Great Forester Water Management Plan, in light of the pending appeal launched by the Tasmanian Conservation Trust. As spokesperson for the group I have been directed to inform you that at the meeting it was resolved that:

“Dorset Waterwatch rescind its original signing of the document and now request that a "sign-off under duress with dissenting report" be recorded.”

A report will be forthcoming within 14 days.

Of primary concern to the group was the legality of the Dorset Waterwatch sign-off given that the original concerns of our group, expressed in a letter dated April 24, 2002 to John Pretty, DPIWE, still have not been adequately addressed. To allow our representative to sign off when our group had grave concerns over the adequacy of wider community input into the plan was a regrettable oversight on behalf of Dorset Waterwatch and will now be rectified.

An examination of the consultative committee process, including the role of Dorset Waterwatch, has revealed a number of major concerns that appear to materially affect the true extent of broad community input, such that at this point in time Dorset Waterwatch feel that :

3. The consultative committee is disproportionately weighted toward persons with a financially vested interest;
2. The public meeting of February 27, 2002 was not adequately advertised to foreshadow the formation of the above consultative committee so as to guarantee broad community input. This was born out by the attendance records of the actual meeting;

3. Issues surrounding our documented concerns regarding the lack of social, economic and environmental balance in the committee makeup were not resolved, severely compromising our role as community representatives to the process.

We stress that in taking this action we do not wish to undermine the plan. Instead we seek to demonstrate that it is essential to have appropriate broad based input and balanced process to bring about better community understanding and acceptance for this and subsequent plans being developed around the state. Ultimately, we would like to see a much improved plan, one that is grounded in science and contains commitments to meeting the needs of the environment in balance with, and not subject to, social and economic considerations.

Yours Faithfully,

Kim Eastman
Spokesperson



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February 4, 2004

Dr. Mike Temple-Smith
Manager, Water Management
DPIWE
G.P.O. Box 44
Hobart, Tas. 7001

Dear Mike,

At the most recent general meeting of Dorset Waterwatch I was instructed by the members, as chairperson, to write to you subsequent to the recent Tribunal findings on the Great Forester Catchment Water Management Plan. The group would like me to outline our intention to work cooperatively and diligently with your department and members of the consultative committee to achieve a well balanced, workable and widely accepted plan by the end of the three year deadline.

The four main issues we raised at the hearing, we feel represent a real way forward which will bring greater awareness and acceptance within the wider community on water management issues surrounding the Great Forester River. To be perfectly clear, I will restate what those issues are:

- 1.) We believe that the consultative committee plays an important role in advising the Department in the development of the Plan as well as linking back into the community and as such, should be appropriately representative of stakeholders within the catchment. We suggest changes are required to the makeup of the committee to accommodate this balance. This move would send a message to the wider community that their interests, as stakeholders and taxpayers funding this process, are being fully considered. We also suggest that these changes to the committee will have the opportunity to produce effective communication and good will amongst all parties, as was evident in the early phase of the more inclusive water management workshops. This move would provide an opportunity to unite rather than to divide the community and to bring about creative, community generated solutions.

2.) We have made a call for the adoption of peer reviewed science and further suggest a newly balanced consultative committee would be the ideal “selection committee” for choosing appropriate independent scientists to conduct the peer review. The history of this particular water management plan shows us the pitfalls of reliance on science that has become dated or has not been subjected to adequate review.

3.) We have asked that the Department adopt an integrated risk assessment framework to allow all data collected on potential social, economic and environmental impacts, to be put forward in a timely, organised fashion. The need for such an integrated framework was amply demonstrated early in this process, when the first draft of the Plan was presented largely on the basis of environmental data alone, causing concern and mistrust within the irrigation community, who felt their needs had not being considered. It is our belief that well grounded, independent research findings presented to the consultative committee as part of an integrated, clearly articulated process, will bring about informed decisions based on fact, rather than reactions based on fear.

4.) Our final point calls for the development of a framework for corrective actions, to be immediately instigated, should it emerge from monitoring and research over the next three years, that these actions are warranted. Since much of the research has yet to be done to determine the health, or otherwise, of this river system, it seems prudent to develop an agreed set of corrective actions and their trigger points, which underpin and support the risk assessment framework.

In spite of the Department’s rejection of these proposed actions at the Tribunal hearing, we still see this as the most logical way forward. We feel the next three years represent an opportunity for this community to be leaders in the development of a process that will deliver an outcome that benefits us all and sets a positive model for water management planning across the state. The divisiveness that has proliferated in such processes around the country, including this one, should not be accepted nor should it be encouraged through faulty process. It is time to get this Plan back on track and in sync with what this community finds acceptable and that will take leadership, vision and cooperation from us all.

Thank you and we look forward to a continued dialogue with you regarding the above proposals.

Regards,

Kim Eastman
Chairperson

Ref: pe777.1A

28 October 2003

Ms Kim Eastman
Dorset Waterwatch Group Inc.
PO Box 360
SCOTTSDALE TAS 7260

Dear Ms Eastman

Thank you for your letter of 15 October 2003 to the Council's President regarding your group's concerns with the Tasmanian Government's process for the development of the final water management plan for the Great Forester catchment.

All State and Territory Governments, including Tasmania, are currently developing their water management arrangements against a target date of 2005 for the substantial completion of allocations for river systems and groundwater basins. While existing users' entitlements should be recognised, water management arrangements must recognise the environment as a legitimate user of water. Under the 1994 Council of Australian Governments (CoAG) water reform agreement, environmental requirements are to be determined, wherever possible, using the best scientific information available, and having regard to the water required to maintain the health and viability of river systems and groundwater basins. In systems where there are existing users, the provision of water for ecosystems should go as far as possible to meeting the water regime necessary to sustain ecological values while recognising the existing rights of other water users.

The Council's role in water management planning involves considering whether governments satisfactorily address their obligations under the 1994 CoAG water reform agreement. The Council's consideration of governments' water management activity forms part of its overall annual assessments of governments' compliance with the National Competition Policy (NCP) and related reforms and its recommendation to the Australian Treasurer on the eligibility of State and Territory governments for competition payments.

The Council considered a draft of the Great Forester water management plan in its 2003 NCP assessment. The 2003 assessment report has been submitted to the Australian Treasurer and will become public when the Treasurer announces his decision on 2003-04 competition payments. The Council's Communications manager will send you a copy of the water reform assessment (on CD ROM) when

it is public. The Council did not conclude on the Great Forester plan in the 2003 assessment because the final plan was not available in time. The Council will consider the final plan in the 2004 NCP assessment. Broadly speaking, when considering governments' water management arrangements, the Council seeks to ascertain that environmental flow provisions are determined on the basis of robust scientific and socioeconomic assessments, that the community reference groups which develop management plans are sufficiently representative of community interests and that there is sufficient information on the effects of different flow regimes available to the affected community. The Council has no authority, however, to direct that governments adopt a particular flow regime.

In preparation for the 2004 NCP assessment, I have raised your concerns with the Tasmanian Government and requested it to respond in its 2004 NCP annual report (due in April 2004). There is also an opportunity as part of the assessment process for interested parties to comment on governments' progress with reform implementation via a submission to the Council. I have arranged for a copy of the framework for the 2004 water reform assessment to be sent to you when it is finalised (likely late November). The framework will contain information on how to make a submission to the Council.

Yours sincerely

John Feil
Executive Director

Ref:pe777.1A

28 October 2003

Mr Chris Lock
Director Economic Policy
Department of Treasury and Finance
GPO Box 147
HOBART TAS 7001

Dear Mr Lock

The Council recently received correspondence from the Dorset Waterwatch Group raising concerns with the process for the development of the final water management plan for the Great Forester catchment. A copy of the group's letter is attached. I understand the group also raised its concerns directly with the Tasmanian Government and has joined an appeal by the Tasmanian Conservation Trust to the Resource Management and Planning Appeal Tribunal concerning the plan.

While the group indicated that it was satisfied with the process for the initial draft plan released in January 2002, it is concerned with the subsequent process for redrafting the plan, including:

- the composition of the community consultative committee, with irrigator representatives making up 60 per cent of the committee; and
- the availability of scientific research and documentation supporting the environmental flows adopted in the final plan.

The group is also concerned that, if the environmental flows prove to be inadequate, future improvements are constrained by the requirement in the plan for stakeholder agreement (given that irrigators have a majority on the consultative committee).

The group proposed several changes to the water management planning process:

- the inclusion of independent, peer reviewed science and risk assessment as the basis for establishing environmental water provisions;
- the adoption of a comprehensive framework and protocol for corrective action, if it proves to be necessary, in association with ongoing monitoring and research; and

- the reconstitution of consultative committees to better reflect the composition of water users and other interests in a catchment.

As you are aware, the Council will consider the final Great Forester plan, along with any other completed plans, against CoAG water reform obligations in the 2004 National Competition Policy (NCP) assessment. To assist the assessment, the Council would appreciate Tasmania including a formal response to the Dorset Waterwatch Group's concerns in its 2004 NCP annual report.

Yours sincerely

John Feil
Executive Director