

Integrating a collaborative Social-Legal Licence Pathway into the approval process

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ABSTRACT

Building social licence is often hindered by the seriously limited access that communities and even regulators have to the assessment process. In far too many cases stakeholders have merely been paid lip service, leading to opposition, distrust and lack of legitimacy about the project and the process. A Socio-Legal Licence Pathway operating cutting-edge open-source web technologies and participatory modelling tools—honed and vetted for decades in natural resource management contexts—could democratise traditional approval processes by allowing members of the community to engage in the construction and use of scientific models that aid in the description, solution, and decision-making actions of the group. The proposed Pathway can be implemented through existing laws and policies or implanted into approval requirements to mandate or incentivise the Pathway's use. The process follows six steps:

1. Conform a leadership team that includes the proponent, relevant agencies, a modelling panel and an independent facilitator is conformed;
2. Assemble and publish all available datasets are on a web-based data platform (e.g., Geonode);
3. Leverage participatory modelling techniques to allow the leadership team (1) mediate a robust stakeholder engagement process that identifies and generates consensus on priorities, indicators, and thresholds of concern;
4. The modelling panel conduct a trade-off analysis on the issues identified in (3) using open-source numerical codes;
5. The regulator makes and publishes a decision; and, if approved,
6. The public audits and monitors the project “on-line” through the web-based data platform (2) against the performance measures agreed in (3)

The Pathway proposes a new standard for proponents and regulators to make robust decisions, and to build and maintain community trust through assessment, approval and ongoing project monitoring.