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# Landscape map

Organisations with a role in First Nations  
water rights & interests in Australia

March 2024

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Watertrust Australia remains impartial about any position taken by the First Nations water working group and others based on the analysis in this paper.

### **Credits**

A First Nations water working group chaired by Prof. Peter Yu (Vice President, First Nations Portfolio, ANU) initiated this discussion paper. Advice provided by Rene Woods, Prof. Anne Poelina, Dr Phil Duncan, Joe Morrison, Jamie Lowe, Ricky Archer and Guy Fitzhardinge is gratefully acknowledged.

The discussion paper was prepared by Peter Horne (Watertrust Australia) and Ed Wensing (SGS Economics and Planning).

Watertrust Australia acknowledges the Traditional Owners of Country throughout Australia and their continuing connection to land, sea and community. We pay our respects to them and their cultures, and to their Elders past and present.

# Summary

The next five years will see major water policy reforms at national and at state/territory levels in Australia. Over the past 16 months, a First Nations water working group has been considering how First Nations can have a more consequential influence on these water reform processes and whether a new national body is needed to complement existing organisations in achieving that goal.

To assist them with this assessment, the working group sought a 'landscape map' of organisations in Australia that have a role in First Nations water rights and interests. This paper presents that organisational landscape map.

Twenty nine organisations were mapped using four attributes that the Working Group regarded as important to differentiate if a new body was needed:

- 1.** focus on First Nations water rights and interests
- 2.** national versus local mandate
- 3.** convened by government or independent of government
- 4.** fixed term or enduring.

The organisational landscape analysis, supported by discussions with working group members and other specialists in First Nations water rights and interests, revealed an 'influence and information gap' between the few organisations that have a core First Nations water focus at the national level and the many organisations that represent First Nations water rights and interests in the regions, states and territories.

# Background

First Nations Peoples in Australia have long highlighted their collective and diverse rights and interests in water. In 2012, the First Peoples' Water Engagement Council (FPWEC) advised the National Water Commission that:

*A key part of understanding Aboriginal Water is to recognise that it is not simply about the physical delivery of water to specified locations. It is as much about the positioning of Aboriginal people in the process as it is about achieving particular physical outcomes. Aboriginal involvement in the decision-making process is a central and inherent objective, not simply an instrumental means for identifying what it is that water resource managers should do. Aboriginal Water is not capable of being 'delivered' as a passive product or service. It is about the empowerment of Aboriginal peoples to exercise true self-determination and custodianship over Country.*

The Commonwealth recently committed to exploring new engagement approaches with First Nations on water. They also committed to working with states and territories to renew the National Water Initiative to provide for increased Indigenous influence in water resource management. At the same time, at least four jurisdictions are defining new processes to improve participation of First Nations in water policy and planning:

- 1. Victoria:** the Water is Life program establishes a framework to increase Traditional Owner roles in and resources for water management across Victoria (commenced 2022).
- 2. Queensland:** a 3 year process commenced in 2023 to “establish a more meaningful engagement with First Nations communities, and more culturally inclusive water planning”.
- 3. Northern Territory:** establishing an Aboriginal Water Council (2024) as part of the Territory Water Plan (2023) and developing a new Water Act by 2026.
- 4. New South Wales:** establishing a Regional Aboriginal Engagement body as part of developing a new Aboriginal Water Strategy (commenced 2023).

These new processes of engagement coincide with new water policy reforms at national and state/territory levels, including:

- 1.** Water Amendment (Restoring Our Rivers) Act – 2023
- 2.** National Water Initiative – renewal 2024 (and Productivity Commission review of NWI 2024)
- 3.** Closing the Gap – 2024 inland water target
- 4.** Basin Plan review – 2026
- 5.** a new National Water Commission
- 6.** Water Act (2007) review – by 2027
- 7.** substantial water policy reforms in most states and territories (such as the new water plan in the Northern Territory leading to a new Water Act by 2026).

For the past 16 months, a First Nations water working group has been assessing how First Nations Peoples can have a more consequential voice into these water reform processes<sup>1</sup>.

The working group first convened to help shape a Ministerial roundtable with the Hon Tanya Plibersek MP (Minister for the Environment and Water) on 6 December 2022. It then reconvened prior to a subsequent National First Nations Water Roundtable held in Canberra in May 2023<sup>2</sup>, co-hosted by the Australian National University, the Indigenous Land and Sea Corporation and the National Native Title Council. A communique from this second roundtable included the following two recommendations:

1. a First Nations working group be convened to facilitate the development of a First Nations led, nationally consistent approach to First Nations' water rights.
2. the role of the working group should extend to facilitating the establishment of a First Nations alliance that can negotiate and seek to reach a national accord with all Australian governments to implement this new approach.

To support their response to these recommendations, the working group sought a 'landscape map' of organisations in Australia that have a role in First Nations water rights and interests. This paper is a response to that request.

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<sup>1</sup>The working group includes **Prof. Peter Yu** (Vice President, First Nations Portfolio, Australian National University), **Prof. Anne Poelina** (Chair, Martuwarra/Fitzroy River Council and Chair Indigenous Knowledges, the University of Notre Dame Australia), **Joe Morrison** (Group CEO, Indigenous Land and Sea Corporation), **Jamie Lowe** (CEO, National Native Title Council), **Barry Hunter** (interim CEO, North Australian Indigenous Land and Sea Management Alliance (NAILSMA)) and **Dr. Guy Fitzhardinge** (Chair, NAILSMA)

<sup>2</sup><https://anufirstnations.com.au/mayiny-galang-ngadyang-peoples-water-national-first-nations-water-roundtable-2/>

# The approach

## Relevant organisations were identified and summarised

Twenty-nine organisations and agencies were identified that have a connection with First Nations water rights and interests.<sup>1</sup> A description of each organisation is provided in Annex 1. Each description includes:

- What is it?
- What does it do?
- How does it function?
- What is its role in First Nations water issues?

## The organisational landscape was mapped and governance models described

The organisations were mapped against four attributes identified from discussions with Working Group members as being important for differentiating between the organisations:

1. focus on First Nations water rights and interests
2. national versus local mandate
3. convened by government or independent of government
4. fixed term or enduring.

Four governance models identified from the organisation descriptions were summarised to inform the Working Group's considerations about what form a national alliance might take should it be convened.

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<sup>1</sup>Four additional organisations were included in the one page summaries that do not have a direct role in First Nations water rights and interests, but have instructive governance arrangements.

# Landscape map

The Organisational Landscape map is presented in Figure 1. While there are large differences between the 29 organisations in terms of scale, mandate and capability, the map does highlight one significant opportunity.

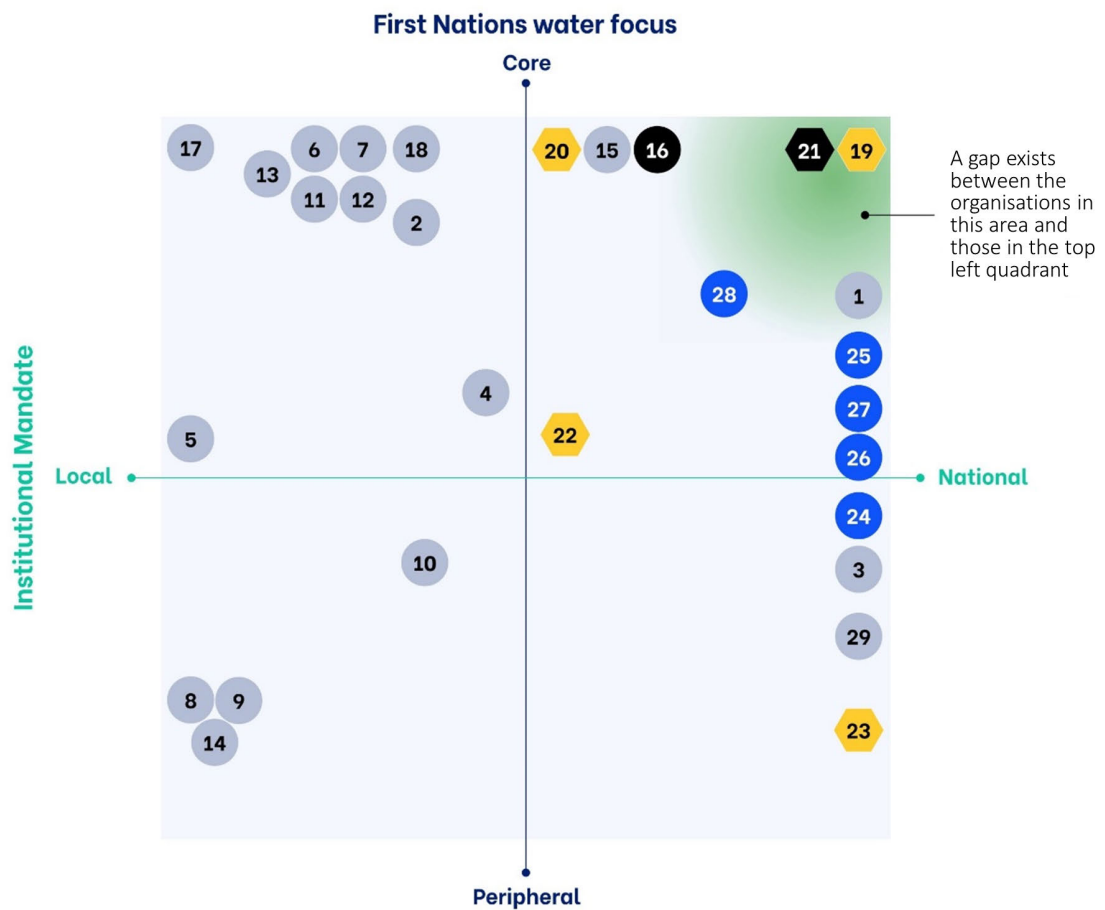
The **top right quadrant** contains organisations with a core First Nations water focus and a national mandate. It contains several government bodies and significant national First Nations organisations but no independent, enduring organisations with a core First Nations water focus and a national mandate. There are two organisations in the top right. The First Peoples' Water Engagement Council (FPWEC, 21) no longer exists. The Committee on Aboriginal and Torres Strait Islander Water Interests (CAWI, 19) is a significant body with a core focus on First Nations water rights and interests that provides advice to governments.

The **top left quadrant** in Figure 1 contains a large (and growing) number of independent, enduring organisations with a strong First Nations water focus and a local mandate. New government-sponsored bodies aimed at strengthening First Nations participation in water processes at state and territory level are expected to be added to the top-left quadrant in the next 1-4 years.

Discussions about the landscape map with members of the working group, and other specialists in First Nations water rights and interests, highlighted an 'influence and information gap' between the few organisations that have a core First Nations water focus at the national level (top right quadrant of Figure 1) and the many organisations that represent First Nations water rights and interests in the regions, states and territories (top left of Figure 1).

The ability of First Nations to contribute to national and state/territory water reforms in a consequential way will be strengthened by finding ways to bridge this gap.





A gap exists between the organisations in this area and those in the top left quadrant

**Key for Numbers**

- |               |           |           |
|---------------|-----------|-----------|
| 1 NNTC        | 11 KLC    | 21 FPWEC  |
| 2 NAILSMA     | 12 CYLC   | 22 IRG    |
| 3 CAPO        | 13 YMAC   | 23 IAC    |
| 4 NTRBs/NTSPs | 14 GBK    | 24 NIAA   |
| 5 PBCs/RNTBCs | 15 MLDRIN | 25 ILSC   |
| 6 CLC         | 16 NBAN   | 26 NWGA   |
| 7 NLC         | 17 MFRC   | 27 DCCEEW |
| 8 TLC         | 18 WILV   | 28 MDBA   |
| 9 ALC         | 19 CAWI   | 29 ALCA   |
| 10 NSWALC     | 20 WAB    |           |

**Key for Colours**

- Independent
- Government body
- Government appointed
- No longer active

**Key for Shapes**

- Enduring
- Fixed term

**Figure 1: Organisational Landscape Map**  
For full names associated with acronyms see page 12

# Governance models

The 33 organisations were found to fall into four broad governance models:

## 1. Alliances hosted or supported by other organisations

These alliances come in several forms:

### a. Alliances operating under a formal Governance Charter

An example is the First Nations Heritage Protection Alliance (FNHPA), which is a coalition of member organisations representing First Nations Peoples across Australia including major native title, land rights, traditional owner, and community-controlled organisations. A Leadership Working Group manages the business of the Alliance between general meetings. Under this charter, the National Native Title Council (NNTC) acts as an agent for the FNHPA in matters that require legal and contractual status and capability. NNTC also hosts the Alliance Secretariat. FNHPA is a signatory to a Partnership Agreement with the Commonwealth, which gives the Alliance membership of a Joint Working Group comprising equal representation of both parties and is primarily focused on the co-design of standalone First Nations cultural heritage legislation at the national level. The Partnership Agreement has a fixed term, which is due to expire in November 2024.

### b. Alliances operating under formal Terms of Reference

An example is the Coalition of Aboriginal and Torres Strait Islander Peak Organisations (CAPO) representing around 80 peak and community-controlled Aboriginal and Torres Strait Islander organisations in the refresh of the National Agreement on Closing the Gap. CAPO operates under a formal Terms of Reference, with a lead convenor elected by members. CAPO is supported by a small secretariat hosted by the National Aboriginal Community Controlled Health Organisations (NACCHO). Unlike the relationship between FNHPA and NNTC, NACCHO does not act for CAPO in matters that require legal and contractual status and capability.

### c. Alliances loosely supported by other organisations

An example is the First Nations Clean Energy Network (FNCEN), which is an independent network of First Nations groups, community organisations and land councils collaborating with unions, academics, industry groups, technical advisors, legal experts, renewables companies and others. It receives flexible support from Original Power and 16 “launch partners”. It is a less-formal alliance than the two alliance models above.

## **2. Organisations incorporated under Commonwealth statutes**

These bodies are typically established for very specific purposes, have formal constitutions and membership criteria, and sources of reasonably secure income from membership fees, external funding or the provision of goods or services for their members. They are able to be more business-minded and attract public and philanthropic funding to advance their purpose. A potential disadvantage is they may have less flexibility to adapt, and change should the need arise. Examples include the National Native Title Council (NNTC), Indigenous Carbon Industry Network (ICIN) and the North Australian Indigenous Land and Sea Management Alliance (NAILSMA) (noting that NNTC in that group is the only one that is largely government funded). These organisations are membership-based and play a vital representative and influential role in their respective areas of interest or focus.

## **3. Organisations established under Commonwealth or State statutes**

These bodies are established under specific Commonwealth or state statutes to perform specific functions set out in those statutes. Their governance arrangements are dictated by the statutes, with limited discretion for determining membership and their internal governance arrangements. Such entities established under Commonwealth law are subject to the *Public Governance, Performance and Accountability Act (2013)* (Cth) (PGPA Act) and the Public Governance, Performance and Accountability Rule 2014 (PGPA Rule), and are also subject to periodic performance review by the Auditor-General. They are also able to take on other functions that align with their primary purpose and consistent with their members' needs and aspirations. Examples include the four Land Councils in the Northern Territory and the NSW Aboriginal Land Council. These bodies are also membership based and are responsible for the internal governance and accountability of the organisations.

## **4. Advisory bodies appointed by governments**

These advisory bodies are typically established for specific purposes over a fixed term and whose membership is appointed by relevant Ministers or government departments based on a person's expertise and not on representation of a particular interest group or organisation. These include bodies such as CAWI, FPWEC, the Indigenous Reference Group (IRG) to the Ministerial Forum on Northern Development and the Indigenous Advisory Committee (IAC) under the EPBC Act. An advantage of these groups is that they are designed to have a direct influence on policy formulation within governments. Disadvantages are they can only advise governments on matters within the scope of their terms of reference and the longevity of many of these bodies in the past has been vulnerable to changes of government.

# Annex 1: Organisation summaries

Organisation	Summary Page #	Key to Map #
<b>Peak bodies</b>		
National Native Title Council (NNTC)	13	1
North Australia Indigenous Land and Sea Management Alliance (NAILSMA)	14	2
Coalition of Aboriginal and Torres Strait Islander Peak Organisations (CAPO)	15	3
<b>Statutory bodies</b>		
Native Title Representative Bodies / Native Title Service Providers (NTRBs/NTSPs)	16	4
Prescribed Body Corporates / Registered Native Title Body Corporates (PBCs/RNTBCs)	18	5
Central Land Council (CLC)	19	6
Northern Land Council (NLC)	20	7
Tiwi Land Council (TLC)	21	8
Anindilyakwa Land Council (ALC)	22	9
NSW Aboriginal Land Council (NSWALC)	23	10
<b>Non-Statutory bodies</b>		
Kimberley Land Council (KLC)	24	11
Cape York Land Council (CYLC)	25	12
Yamatji Marlpa Aboriginal Corporation (YMAC)	26	13
Gur A Baradharaw Kod Sea and Land Council Torres Strait Islander Corporation (GBK)	27	14
<b>Catchment - focussed bodies</b>		
Murray Lower Darling Rivers Indigenous Nations (MLDRIN)	28	15
Northern Basin Aboriginal Network Ltd (NBAN)	29	16
Martuwarra Fitzroy River Council (MFRC)	30	17
Water is Life – Victoria (WILV)	31	18
<b>Government - appointed advisory bodies</b>		
Committee on Aboriginal Water Interests (CAWI)	32	19
State and territory First Nations water advisory bodies (WAB)	33	20
First Peoples' Water Engagement Council (FPWEC)	34	21
Northern Australia Indigenous Reference Group (IRG)	35	22
Minister's Indigenous Advisory Committee (IAC) under the EPBC Act	36	23
<b>Government bodies</b>		
National Indigenous Australians Agency (NIAA)	37	24
Indigenous Land and Sea Corporation (ILSC)	38	25
National Water Grid Authority (NWGA)	39	26
Department of Climate Change, Energy, the Environment and Water (DCCEEW)	40	27
Murray-Darling Basin Authority (MDBA)	41	28
<b>Non-Government organisations</b>		
Australian Land Conservation Alliance (ALCA)	42	29
<b>Bodies assessed for Governance model only</b>		
First Nations Heritage Protection Alliance (FNHPA)	43	30
National Aboriginal Community Controlled Health Organisation (NACCHO)	44	31
First Nations Clean Energy Network (FNCEN)	45	32
Indigenous Carbon Industry Network (ICIN)	46	33

Note: Each organisation was asked to provide feedback on their one-page summary. Where feedback was received it has been incorporated.

# National Native Title Council



**What is it?** The National Native Title Council (NNTC) is a not-for-profit, peak body for Australia's Native Title Organisations. NNTC was formed in 2006 after the federal Aboriginal and Torres Strait Islander Commission (ATSIC) was abolished. Members include regional Native Title Representative Bodies (NTRBs), Native Title Service Providers (NTSPs), local Prescribed Bodies Corporate (PBCs) and Traditional Owner Corporations (TOCs) from across Australia.

**What does it do?** The NNTC's purpose is to strengthen the native title system to improve the economic, social and cultural well being of First Nations people. Through this it aims to improve the decision-making power of First Nations people over their own Country, community, lands, waters and resources. The NNTC (i) provides resources and support for First Nations' development, (ii) works with all levels of government to improve native title laws and policies and (iii) works with partners and industry to advance the rights and interests of First Nations people.

**How does it function?** The NNTC is a public company limited by guarantee under the *Corporations Act 2001 (Cth)*. The board comprises between three and ten Directors (85% Aboriginal and Torres Strait Islander peoples) selected using processes to ensure representation of the interests of all members. NNTC derives income from a combinations of membership fees and grants.

**What is its role in First Nations water rights?** The NNTC has a particular role in supporting native title bodies and traditional owner organisations in relation to native title and land rights law. First Nations water rights issues are largely played out outside the native title recognition space.

The NNTC and Coalition of Peaks negotiated a draft inland waters target for the Closing the Gap agreement with the Commonwealth state and territory governments. This draft target was agreed by Joint Council in August 2022.



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**? What**  
A peak body established as a public company under the *Corporations Act 2001 (Cth)*.

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**🔍 Focus**  
Representing its member Native Title Organisations and focusing on native title rights and interests.

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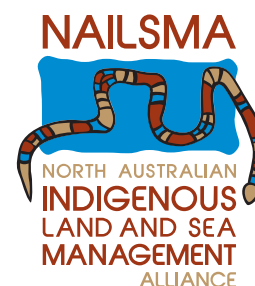
**💧 First Nations water**  
Water rights are not a primary focus but it has played a supporting role in First Nations water rights through *Closing the Gap*.

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**🌐 More info**  
[www.nntc.com.au](http://www.nntc.com.au)

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# North Australian Indigenous Land and Sea Management Alliance



**What is it?** The North Australian Indigenous Land and Sea Management Alliance (NAILSMA) is an Indigenous-led not-for-profit company operating across north Australia that has been in existence since the 1990s. The initial founding members of NAILSMA were the Northern Land Council, Balkanu Cape York Development Corporation Pty Ltd and Carpentaria Land Council Aboriginal Corporation. The Kimberley Land Council has also been admitted as a member. In 2013, NAILSMA was the first Indigenous-led Australian organisation to be admitted as a Member of the International Union for Conservation of Nature (IUCN). Over the past decade it has delivered projects valued at more than \$30 million across northern Australia.

**What does it do?** Combining Indigenous knowledge with science and research, NAILSMA implements projects to assist Indigenous people manage their country sustainably for future generations. It delivers projects across four program areas: (i) Land and Sea Management; (ii) Education, Training and Professional Development; (iii) Economic Development and Employment, and (iv) Collaborative Research Partnerships. NAILSMA contribute actively to policy formulation across the north and nationally.

**How does it function?** NAILSMA operates under a formal constitution with a governing board of Directors. The Members may appoint four independent directors to the Board who are able to contribute relevant skills and experience to the Board, including one director who shall be appointed as the independent chairman of the company.

**What is its role in First Nations water rights?** NAILSMA has on many occasions taken a lead in promoting indigenous water rights and interests, both in the north and nationally. In 2006, NAILSMA established the Indigenous Water Policy Group, which in subsequent years was very active in Indigenous water policy issues at a national level. It also ran a four-year Indigenous Community Water Facilitator Network (ICWFN) commencing in 2007 and funded by the National Water Commission. In 2009, NAILSMA convened a North Australian Indigenous Experts Water Futures Forum at Mary River NT in 2009. NAILSMA continues to be actively involved in promoting indigenous water rights and interests across the north and nationally.

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**?** **What**  
An indigenous-led not-for-profit company.

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**🔍** **Focus**  
Assist Indigenous people across northern Australia to manage country sustainably for future generations.

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**💧** **First Nations water**  
An active interest and role in First Nations water reform, both in the north and nationally.

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**🌐** **More info**  
[www.nailsma.org.au](http://www.nailsma.org.au)

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# Coalition of Aboriginal and Torres Strait Islander Peak Organisations



## Coalition of Peaks



**What is it?** The Coalition of Aboriginal and Torres Strait Islander Peak Organisations (also known as the Coalition of Peaks or CAPO) was formed in 2018 to represent First Nations interests in a refresh of *Closing the Gap*. Initially fourteen peak organisations, it has grown to be a representative body of around eighty Aboriginal and Torres Strait Islander community-controlled peak and member organisations which in turn represent about 800 organisations Australia-wide.

**What does it do?** The Coalition of Peaks signed a partnership agreement with the Council of Australian Governments (CoAG; now National cabinet) in 2019 that led to the *National Agreement on Closing the Gap* signed in July 2020. That agreement sets out a strategy and specific targets to close the gap through four priority reforms for transforming the way governments work with and for Aboriginal and Torres Strait Islander people. Through its role on the Joint Council on Closing the Gap, the Coalition of Peaks monitors progress against the seventeen targets in the agreement and advocates for change in the way governments work with Aboriginal and Torres Strait Islander peoples.

**How does it function?** The Coalition of Peaks is not an incorporated organisation but operates on the basis of a formal Terms of Reference. It has a lead convener elected by the members and a small secretariat focused on policy advice and communications hosted by the National Aboriginal Community Controlled Health Organisation (NACCHO). The Coalition regularly convenes its members to discuss and agree on positions that the Coalition can take to governments. It obtains funding support from the Commonwealth.

**What is its role in First Nations water rights?** The National Native Title Council and other Coalition members negotiated with the Commonwealth, state and territory governments on a draft inland waters target for the *Closing the Gap* agreement, which was agreed by Joint Council in August 2022. Once the target is finalised, the Coalition of Peaks will have a role in monitoring progress on Aboriginal and Torres Strait Islander interests in inland water bodies under state and territory water rights regimes. It has no direct role in national water reform processes.

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### ? What

A national peak body representing its member peak organisations.

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### 🔍 Focus

Monitoring progress on Closing the Gap Agreement and advocating for change.

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### 💧 First Nations water

No direct role but helped develop a water target in *Closing the Gap*.

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### 🌐 More info

[www.coalitionofpeaks.org.au](http://www.coalitionofpeaks.org.au)

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# Native Title Representative Bodies (NTRBs) & Native Title Service Providers (NTSPs)

**What are they?** A Native Title Representative Body (NTRB) is a body recognised under the Native Title Act 1993 (Cth) (NTA) to provide legal and research services to native title claimants and holders, including to establish and support Prescribed Body Corporates (PBCs). A Native Title Service Provider (NTSP) provides the same services as an NTRB in areas where there is no NTRB, but NTSPs are not recognised under the NTA.

**What do they do?** NTRBs/NTSPs facilitate and assist native title and Indigenous Land Use Agreement (ILUA) matters including identifying native title holders, consultation processes, applications, notifications, future-act representation, dispute resolution and decision review processes. Native title holders or claimants are not required to act only through an appointed NTRB/NTSP.

**How do they function?** All NTRBs/NTSPs are established independently under other Commonwealth statutes with responsibilities they must perform alongside their responsibilities under the NTA. The National Indigenous Australians Agency (NIAA) funds all 14 NTRBs/NTSPs across most of Australia (see Fig 2). NTRBs and NTSPs are appointed for a fixed period by the Attorney-General under Part 11 of the NTA.

**What is their role in First Nations water rights?** First Nations water rights may be recognised under the native title process but where they are recognised, they are communal or group rights, and the right is vested in the PBC. These water rights recognised under the native title system are for very limited purposes. NTRBs/NTSPs can assist native title holders with the recognition and protection of these water rights.



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**? What**  
Statutory bodies that are also recognised under the *Native Title Act 1993 (Cth)*.

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**🔍 Focus**  
To assist native title claimants/holders and their representative body corporates with all aspects of their native title claims.

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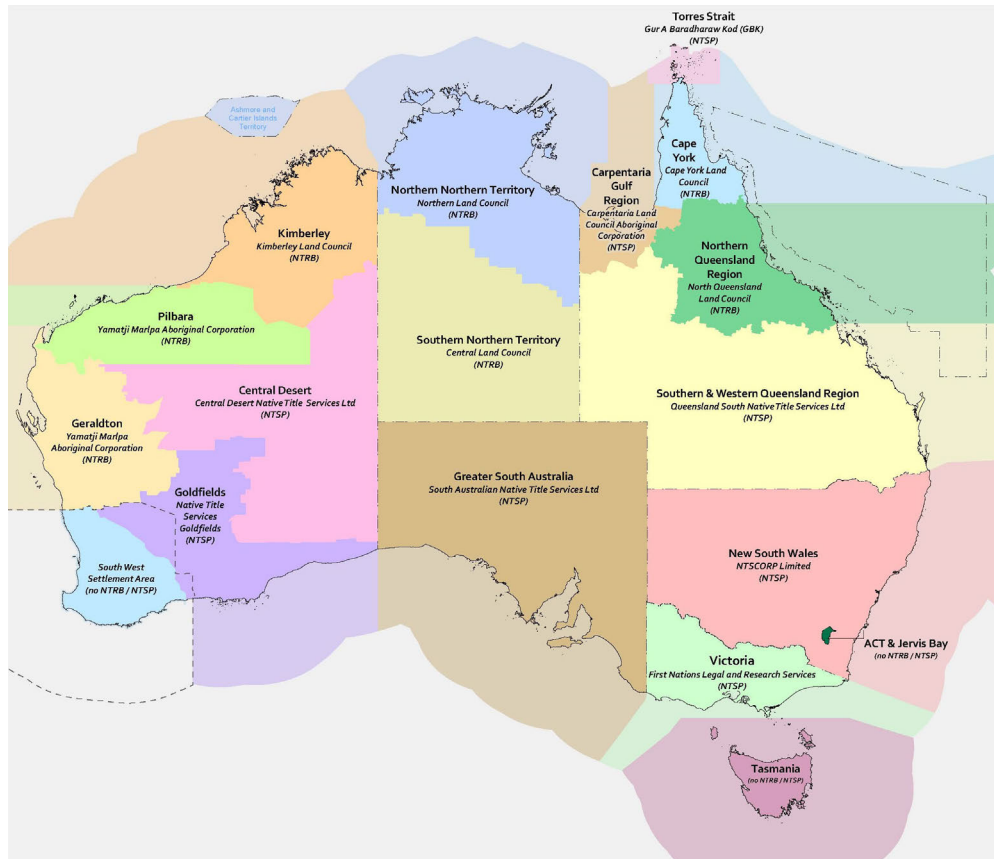
**💧 First Nations water**  
Assist native title holders to protect water rights recognised under the *Native Title Act 1993 (Cth)*.

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**🌐 More info**  
[www.niaa.gov.au/indigenous-affairs/land-and-housing/native-title-representative-bodies-and-service-providers](http://www.niaa.gov.au/indigenous-affairs/land-and-housing/native-title-representative-bodies-and-service-providers)

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**Figure 2: NTRB and NTSP areas**

Source: National Native Title Tribunal (2023).

# Prescribed Bodies Corporate (PBC) and Registered Native Title Bodies Corporate (RNTBC)



**What are they?** The *Native Title Act 1993 (Cth)* (NTA) states that when a native title determination is made, native title holders must establish a corporation called a Prescribed Body Corporate (PBC) to manage and protect their native title rights and interests. All PBCs must be incorporated as an Aboriginal Corporation under the *Corporations (Aboriginal and Torres Strait Islander Act) 2006* (CATSI ACT) and must be registered with the National Native Title Tribunal (NNTT). When a PBC is officially registered, it becomes a Registered Native Title Body Corporate (RNTBC). While RNTBC is the accurate name for these corporations, most people still call them PBCs.

**What do they do?** The main purpose of a PBC is to hold and manage native title rights and interests and look after country and culture according to the wishes of the members and native title group. This includes managing future acts (proposals for work that will affect native title), Indigenous Land Usage Agreements (ILUAs – negotiations between governments, companies and the PBC about future developments on the land), considering compensation matters and a range of activities associated with exercising, negotiating, implementing and monitoring native title agreements.

**How do they function?** The corporate design of a PBC is influenced by a range of considerations including the traditional laws and customs of the native title group, whether it is located in a remote, regional or urban area, as well as its size and future aspirations. Membership options include a participatory model (all adult native title holders can be members) or a representative model (a smaller number of native title holders are appointed to represent all native title holders). PBCs may also become involved in land and water management, tenure issues, cultural heritage biodiversity and environmental protection, and land use planning. NIAA supports PBCs through basic support funding or through a capacity building program.

**What are their roles in First Nations water rights?** First Nations water rights, like land, may be recognised in the native title process. Where they are recognised, they are communal or group rights, as the right is vested in the PBC. A PBC's principal role is to hold, manage and protect native title rights and interests, including water rights where they are included in a determination and in relation to the exercise of native title rights under s.211 of the Native Title Act.



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**? What**  
Statutory bodies incorporated under the CATSI Act.

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**🔍 Focus**  
To hold, protect and manage native title rights and interests.

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**💧 First Nations water**  
PBCs only have responsibility for water rights that are recognised within the native title system, and not First Nations' water rights under other systems. They have no direct role in national water reform processes.

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**🌐 More info**  
[www.nativetitle.org.au](http://www.nativetitle.org.au)

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# Central Land Council



**What is it?** The Central Land Council (CLC) was formed in response to the Woodward Royal Commission recommendation that Aboriginal Land Councils be established in the Northern Territory (NT). It is established under the Aboriginal Land Rights (Northern Territory) Act 1976 (Cth) (ALRA). The CLC is also a corporate Commonwealth entity and an appointed Native Title Representative Body under the *Native Title Act 1993 (NTA)*. Its jurisdiction covers 777,000 km<sup>2</sup>.

**What does it do?** The CLC performs a range of functions under both the ALRA and the NTA to ascertain and represent the interests of Aboriginal people in the southern half of the NT. These include supporting Traditional Owners and native title holders to negotiate agreements with third parties, assisting with land claims and the protection of sacred sites, consulting with Aboriginal people about the management of their land, assisting them with carrying out commercial activities on their land, supervising and providing administrative or other assistance for their Land Trusts, and the assessing permits to third parties for activities on Aboriginal land. The CLC also administers a wide range of programs for the benefit of our constituents including environmental management, community development, governance, cultural heritage, and customary practices.

**How does it function?** The CLC is a representative body of 90 Aboriginal people elected from communities in the southern half of the Northern Territory to represent their interests and set policy and direction of the CLC. The elected members represent 75 remote communities and outstations across nine regions. The CLC has 8 offices across these regions.

**What is its role in First Nations water rights?** Water is an integral part of Aboriginal land rights in the NT. The CLC has a legal responsibility to represent its constituents' land rights and interests, of which water rights and interests are an integral part. The CLC plays a very active role advocating on behalf of constituents to protect their water rights and influence water policy and regulation in the NT and in national water reforms.



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## ? What

A corporate entity established under the *Aboriginal Land Rights (Northern Territory) Act 1976 (Cth)*.

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## 🔍 Focus

Represents Aboriginal people in the southern region of the NT and assists them to manage their land and water rights and interests.

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## 💧 First Nations water

A legal responsibility to ascertain and represent Traditional Owners' interests. CLC advocates for its constituents water rights and interests in the NT and nationally.

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## 🌐 More info

[www.clc.org.au](http://www.clc.org.au)

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# Northern Land Council



**What is it?** The Northern Land Council (NLC) was formed in response to the Woodward Royal Commission recommendation that Aboriginal Land Councils be established in the Northern Territory (NT). It is established under the *Aboriginal Land Rights (Northern Territory) Act 1976 (Cth)* (ALRA). The NLC is also a corporate Commonwealth entity and an appointed Native Title Representative Body (NTRB) under the *Native Title Act 1993 (NTA)*. It is also the NTRB for the Tiwi Islands and Groote Eylandt. Its jurisdiction covers 605,800 km<sup>2</sup>.

**What does it do?** The NLC performs a range of functions under both the ALRA and the NTA to represent the interests of Aboriginal people of the northern region of the NT. These include helping Traditional Owners negotiate agreements with third parties, assisting with land claims and the protection of sacred sites, consulting with Aboriginal people about the management of their land, assisting them with carrying out commercial activities on their land, supervising and providing administrative or other assistance for their Land Trusts, and the issue of permits to third parties for activities on Aboriginal land. The NLC also administers programs in relation to environmental management, community development, governance, cultural heritage, and customary practices.

**How does it function?** The NLC's Full Council, with 83 members, is the major decision-making body of the organisation. Councillors determine policies and directions, approve land use agreements and mining and exploration tenements for which Traditional Owners have given their consent. The NLC also has an Executive Council comprised of 14 members. The NLC has 12 offices across 7 regions.

**What is its role in First Nations water rights?** Water is an integral part of Aboriginal land rights in the NT. The NLC has a legal responsibility to represent its constituents' water rights and interests as an integral part of their land rights and interests. The NLC plays a very active role in influencing water policy and regulation in the NT and in national water reforms.



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**? What**  
A corporate Commonwealth entity established under the *Aboriginal Land Rights (Northern Territory) Act 1976 (Cth)*.

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**🔍 Focus**  
Represents Aboriginal people in the northern region of the NT and assists them to manage their land and water rights and interests.

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**💧 First Nations water**  
A legal responsibility to protect Traditional Owners' water rights and to represent their water interests nationally.

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**🌐 More info**  
[www.nlc.org.au](http://www.nlc.org.au)

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# Tiwi Land Council



**What is it?** The Tiwi Land Council (TLC) was formed in 1978 to represent the Aboriginal people of the Tiwi Islands, which includes Melville and Bathurst Islands. It was established following representations to the Federal Government by the Tiwi people for recognition of their distinct geographic and cultural identity. It was subsequently formally established under the *Aboriginal Land Rights (Northern Territory) Act 1976 (Cth)* (ALRA). The TLC is also a corporate Commonwealth entity.

**What does it do?** The TLC performs a range of functions under the ALRA, and other Commonwealth and NT legislation, to represent the interests of Tiwi people. These include helping Traditional Owners negotiate agreements with third parties, assisting with land claims and the protection of sacred sites, consulting with Aboriginal people about the management of their land, assisting them with carrying out commercial activities on their land, supervising and providing administrative or other assistance for their Land Trusts, and the issue of permits to third parties for activities on Aboriginal land. The TLC also administers programs in relation to environmental management, community development, governance, cultural heritage, and customary practices.

**How does it function?** The TLC's Council has 32 members comprised of four representatives from each of the eight clans or 'Country' groups of the Tiwi Islands. The TLC has 2 offices: one on Melville Island and the other in Darwin.

**What is its role in First Nations water rights?** Water is an integral part of Aboriginal land rights in the NT. The TLC has a legal responsibility to represent its constituents' water rights and interests as an integral part of their land rights and interests. The TLC has an active role in influencing water policy and regulation in the NT, especially with the development and subsequent monitoring of the 2013 Water Resource Strategy for the Tiwi Islands.



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## ? What

A corporate Commonwealth entity established under the *Aboriginal Land Rights (Northern Territory) Act 1976 (Cth)*.

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## 🔍 Focus

Represents Aboriginal people of the Tiwi Islands in the NT and assists them to manage their land and water rights and interests.

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## 💧 First Nations water

A legal responsibility to protect Traditional Owners' water rights and to represent their water interests nationally.

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## 🌐 More info

[www.tiwilandcouncil.com](http://www.tiwilandcouncil.com)

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**What is it?** The Anindilyakwa Land Council (ALC) is the peak representative body for the Traditional Owners of the Groote Archipelago. It was established in 1991 under the *Aboriginal Land Rights (Northern Territory) Act 1976 (Cth)* (ALRA). The ALC is also a corporate Commonwealth entity.

**What does it do?** The ALC performs a range of functions under the ALRA, and other Commonwealth and NT legislation, to represent the interests of its people. These include helping Traditional Owners negotiate agreements with third parties; assisting with land claims and the protection of sacred sites, consulting with Aboriginal people about the management of their land, supervising and providing administrative or other assistance for their Land Trusts, and the issue of permits to third parties for activities on Aboriginal land. The ALC also administers programs in relation to environmental management, community development, governance, cultural heritage, and customary practices.

**How does it function?** The ALC board comprises representatives from the 14 clans of the Groote Archipelago, and one community representative from each of the townships of Angurugu, Milyakburra and Umbakumba. The elected members serve a term of three years. The board provides the strategic vision and oversight of the ALC. The ALC Head Office is on Groote Eylandt with three other offices in the Archipelago.

**What is its role in First Nations water rights?** Water is an integral part of Aboriginal land rights in the NT. The ALC has a legal responsibility to represent its constituents' water rights and interests as an integral part of their land rights and interests. The position of the ALC on water rights is the same as it applies to land rights under ALRA. Water is as fundamental to Aboriginal cultural heritage and use of country as land.



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## ? What

A corporate Commonwealth entity established under the *Aboriginal Land Rights (Northern Territory) Act 1976 (Cth)*.

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## 🔍 Focus

Represents Aboriginal people in the Groote Archipelago of the NT and assists them to manage their land and water rights and interests.



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## First Nations water

A legal responsibility to represent and protect Traditional Owners' water rights and interests.



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## More info

[www.anindilyakwa.com.au](http://www.anindilyakwa.com.au)

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# New South Wales Aboriginal Land Council



**What is it?** The NSW Aboriginal Land Council, established in 1977, is the peak advocacy body for Aboriginal Land Rights in NSW. It represents 121 Local Aboriginal Land Councils (LALCs) across the state and, as such, is the largest member based Aboriginal organisation in NSW.

**What does it do?** NSWALC's functions include land acquisition, overseeing the administration of LALCs, policy and advice, administration of statutory accounts, Aboriginal culture and heritage, and financial stewardship of the network. The LALCs manage and deliver a range of support services to their communities at the local level including housing, employment, training, culture and heritage, property acquisition and management. The aim of the LALC structure is to achieve a high degree of participation by every Aboriginal person in the affairs of their local community. NSWALC also acts as an advisor to, and negotiates with, Governments, and other stakeholders, to ensure the preservation of Aboriginal land rights.

**How does it function?** NSWALC was formally constituted as a statutory corporation under the *Aboriginal Land Rights Act 1983 (NSW)* (ALRA) in 1983. Nine Councillors, representing each of the nine regions in NSW, are elected by registered voting members of each LALC for a four-year term. The elected Council then appoints a Chairperson and Deputy Chairperson for a two-year term, after which, they are eligible for re-election.

**What is its role in First Nations water rights?** NSWALC has been and remains a strong advocate for Aboriginal peoples' water rights. This includes attending commonwealth, state and regional forums advocating for water access/ownership and preparing submissions to commonwealth and state government agencies on a range of legislation and policy matters. Supporting LALCs to maximise the ownership, control and management of water for cultural, social, economic and environmental purposes is a key focus for NSWALC under the ALRA.

The importance of water rights is reflected in Socio-Economic Outcome 15 of the Closing the Gap NSW Implementation Plan, which recognises the deep relationships Aboriginal people have with their land and waters, and commits to streamlining support for Aboriginal people to realise their legal rights and interests over land, sea and inland water. NSWALC is a member of the NSW Coalition of Aboriginal Peak Organisations (NSW CAPO), which works in partnership with Aboriginal community-controlled organisations (ACCOs) and the NSW Government to address Outcome 15 in the *Closing the Gap NSW Implementation Plan*.



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**? What**  
A statutory corporation and peak body for Local Aboriginal Land Councils in NSW.

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**🔍 Focus**  
Aboriginal land rights in NSW.

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**💧 First Nations water**  
Working with NSW CAPO to address Target 15 relating to water in the *Closing the gap NSW Implementation Plan*.

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**🌐 More info**  
[www.alc.org.au](http://www.alc.org.au)

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# Kimberley Land Council



KIMBERLEY  
LAND COUNCIL

**What is it?** The Kimberley Land Council (KLC) is a registered Aboriginal Corporation under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006 (Cth)* (CATSI Act). It is also a corporate Commonwealth entity and an appointed Native Title Representative Body (NTRB) under the Native Title Act 1993 (NTA). It was established in 1978 working for and with Traditional Owners to ‘get back country, look after country and get control of the future’. KLC has grown to become the peak Indigenous body in the Kimberley region.

**What does it do?** The KLC works with Aboriginal people to secure native title, protect and enhance the high biodiversity values of the region, pursue cultural enterprise development and work to improve socioeconomic circumstances. As the native title representative body for the region, the KLC has achieved native title determinations across 97% of the Kimberley, and at the end of the reporting period there were 28 PBCs in the Kimberley managing native title rights and interests. The KLC works with PBCs to expand capacity and capability, as well as economic development opportunities and activities. The KLC is one of the biggest employers in the Kimberley, with about 130 staff across the divisions of native title, legal, land and sea management, corporate services and finance.

**How does it function?** The KLC is governed by an Executive Board comprising four Directors who are Cultural Advisors Directors and seven Directors who are Representative Council Directors. The Corporation must have a minimum of three Directors and a maximum of twelve Directors. It has offices in Broome, Kununurra and Derby as well as smaller satellite stations in remote communities.

**What is its role in First Nations water rights?** The KLC plays an active role in representing the water rights of Aboriginal people in the Kimberley, at both state and national levels. At the state level, the KLC has been providing input on the WA Government’s Water Reform Bill which will consolidate six water resource management Acts into one, and may involve new provisions for the creation of Aboriginal Water Reserves. The KLC has highlighted the need for further investigation, from an Indigenous perspective, into Aboriginal Water Reserves to better understand how they may or may not deliver benefits for Traditional Owners.



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## ? What

A registered corporation and the peak body for Aboriginal land rights and native title rights and interests in the Kimberley region.

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## 🔍 Focus

A registered corporation and the peak body for Aboriginal land rights and native title rights and interests in the Kimberley region.

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## 💧 First Nations water

Plays an active role at both state and national levels.

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## 🌐 More info

[www.klc.org.au](http://www.klc.org.au)

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# Cape York Land Council



**What is it?** The Cape York Land Council (CYLC) was established in 1990 to represent the Cape York Aboriginal peoples' land and sea rights and interests. The CYLC is incorporated under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006 (Cth)*. The CYLC is also the Native Title Representative Body (NTRB) for the Cape York region. The CYLC's role is to ensure that connection to Country remains strong, and that Aboriginal people on Cape York are able to manage and use land for cultural, economic and social purposes.

**What does it do?** The CYLC's key priority is enhancing Cape York Aboriginal peoples' rights and interests in land and sea by advocating and achieving changes to laws, policies, processes and services. Under its role as the NTRB for the region, the CYLC has established a Prescribed Body Corporate (PBC) Support Unit to provide support services to PBCs and Registered Native Title Bodies Corporate (RNTBCs) so that native title claimants and holders have legally compliant and capable organisations to represent their interests and achieve benefits from native title. Since 1990, the CYLC has secured native title rights on behalf of the Traditional Owners, covering 45% of the Cape, through 38 completed determinations. There is one active claim (Cape York United #1) which covers the remaining 55%.

**How does it function?** The CYLC is governed by a Board of Directors comprising a representative from each of the 17 communities in the Cape York region. The Board of Directors is responsible for setting strategic direction, representing Council at political forums, seminars and meetings and the overall monitoring of operations. The CEO is appointed by the Board to manage the day-to-day business of the CYLC and executes directions from the Board through the daily operations of the CYLC.

**What is its role in First Nations water rights?** The CYLC is playing an increasingly influential role in representing the water rights of Cape York Aboriginal people at both state level. Queensland's Cape York Water Plan (2019) created tradable water entitlements for Cape York Aboriginal people with total volumes of up to 485 gigalitres per year. The CYLC is engaged in improving the opportunities for Cape York Aboriginal people to benefit from access to and control of this water.



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**? What**  
An Aboriginal corporation providing support and advocacy for Aboriginal people in Cape York.

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**🔍 Focus**  
Securing Cape York Aboriginal peoples' land and sea rights and interests.

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**💧 First Nations water**  
Increasingly important role in enabling opportunities for Aboriginal people to access, control and benefit from water allocations in Cape York.

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**🌐 More info**  
[www.cylc.org.au](http://www.cylc.org.au)

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# Yamatji Marlpa Aboriginal Corporation



Yamatji Marlpa  
ABORIGINAL CORPORATION

**What is it?** Yamatji Marlpa Aboriginal Corporation (YMAC) is recognised as a Native Title Representative Body (NTRB) under the *Native Title Act 1993 (Cth)* (NTA). In this role it preserves, protects and promotes the recognition of native title in the Yamatji (Geraldton) and Marlpa (Pilbara) regions of Western Australia. As an Aboriginal corporation, YMAC is governed by the *Corporations (Aboriginal and Torres Strait Islander) Act 2006 (Cth)* (CATSI Act). The YMAC represents over 20 Traditional Owner groups, all with their own language, culture and traditions, over one-third of Western Australia.

**What does it do?** The YMAC provides legal advice and representation for Traditional Owners, anthropological and cultural heritage services, governance and administrative support to Prescribed Bodies Corporate (PBCs) and Aboriginal corporations, natural resource management support (including ranger and land and sea management programs), and land administration. The YMAC provides a range of other services to its members including heritage protection services and programs in community and economic development and natural resource management.

**How does it function?** The strategic and policy direction of the YMAC is set by its Board of Directors who meet at least every four months. The Board also acts as an advocacy group for Traditional Owners in the Yamatji and Marlpa regions, particularly in relation to government policies and development activities affecting Country. The Board is accountable to the corporation's members and ultimately responsible for the performance of YMAC's statutory functions. The Board is comprised of members from YMAC's two committees – the Yamatji Regional Committee and the Pilbara Regional Committee – elected to represent their respective region at annual regional meetings. Six members from each committee join to form the twelve-member Board of Directors, providing equal representation for both regions.

**What is its role in First Nations water rights?** Through all its work, the YMAC aims to promote and protect the Traditional Owners' significant interests in and rights to water within its representative regions. This is achieved via a range of activities, including (but not limited to) providing advice and submissions to government and other related peak bodies, assisting in negotiations and agreement-making, and supporting several various land and sea management programs.



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**? What**  
The Native Title Representative Body for the Mid West, Murchison, Gascoyne & Pilbara regions of WA.

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**🔍 Focus**  
Assisting Yamatji and Marlpa people to achieve native title, as well as other positive outcomes for their Country & communities.

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**💧 First Nations water**  
YMAC represents the interests and aims to protect the rights of Traditional Owners in its representative regions, including their interests in and rights to water.

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**🌐 More info**  
[www.ymac.org.au](http://www.ymac.org.au)

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# Gur A Baradharaw Kod Sea and Land Council Torres Strait Islander Corporation



**What is it?** Gur A Baradharaw Kod Sea and Land Council Torres Strait Islander Corporation (GBK) is a not-for-profit organisation incorporated under the *Corporations (Aboriginal and Torres Strait Islander Act) 2006 (Cth)* (CATSI) Act. The Torres Strait is the only part of Australia that shares an international border and is directly impacted by rights protected under the Torres Strait Treaty.

**What does it do?** The GBK is the peak body of 22 Registered Native Title Bodies Corporate (RNTBC) across 18 inhabited islands in the Torres Strait. In that role it provides support to the native title holders and builds RNTBC capacity to fulfil their responsibilities to hold and manage their land and seas in accordance with traditional laws and customs. The GBK is also the Native Title Service Provider (NTSP) for the region, assisting Torres Strait Islander people with all aspects of native title under the *Native Title Act 1993 (Cth)*. In addition, the GBK delivers projects and programs focused on improving inequality and building sustainable communities.

**How does it function?** The GBK is managed by a council of 22 Torres Strait Islander directors representing each RNTBC.

**What is its role in First Nations water rights?** GBK represents the interests of traditional owners and native title holders throughout the region, including their fresh water and sea water interests. With the Torres Strait Regional Authority (TSRA), GBK developed the Land and Sea Management Strategy for Torres Strait 2016–2036, which has one focus on monitoring and managing marine water quality and the condition of coastal and freshwater wetlands.



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## ? What

A statutory body under the *Corporations (Aboriginal and Torres Strait Islander Act) 2006 (Cth)* Act and the regions Native Title Service Provider.

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## 🔍 Focus

Assisting Torres Strait Islander people to manage their land and seas in accordance with traditional laws and customs.



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## First Nations water

Represents the rights and interests of Traditional Owners in the region, including (fresh and sea) water.



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## More info

[www.gbk.org.au](http://www.gbk.org.au)

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# Murray Lower Darling Rivers Indigenous Nations



**What is it?** Murray Lower Darling Rivers Indigenous Nations (MLDRIN) is a not-for-profit company that was established in 1998 to secure water holdings for Traditional Owners and act as an advocacy body for Indigenous water rights in the Murray Darling Basin. It is a confederation of over 20 Indigenous Nations or Traditional Owners in the southern part of the Murray Darling Basin.

**What does it do?** MLDRIN facilitates and advocates with different levels of government to ensure participation of First Nations in decision making on the management of the Murray and Lower Darling river systems. MLDRIN has a role in assessing Water Resource Plans developed under the Murray Darling Basin Plan. MLDRIN also advances the water interests of First Nations people through research and implementation projects including the *Cultural Water for Cultural Economies* project in the state of Victoria, the *Cultural Flows* program which has worked with Nations to outline their water aspirations and the *Aboriginal Waterway Assessments* to assess cultural and environmental health of Country.

**How does it function?** MLDRIN is an Australian Public Company, limited by guarantee, under the *Corporations Act 2001* (Cth). Membership of MLDRIN Confederation is for Traditional Owner groups or Nations whose Country is within the Southern Murray-Darling Basin. MLDRIN currently represents 19 Nations.

**What is its role in First Nations water rights?** MLDRIN continues to play an active role in shaping water policy in the context of the Murray Darling Basin and nationally. In 2007 MLDRIN led the development of the Echuca Declaration that asserts the inherent rights of rivers and the Traditional Owners as custodians and formalised the concept of Cultural Flows: water entitlements that are owned and managed by First Nations for a range of cultural, social, environmental and economic purposes. The ideas contained in the Echuca Declaration have contributed to ongoing reform of water policy and management in Australia.



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**? What**  
A public company established under the *Corporations Act 2001* (Cth).

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**🔍 Focus**  
The water rights and interests of First Nations in the Lower Murray Darling Basin.

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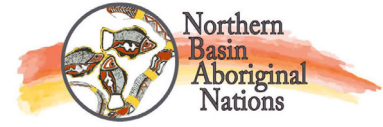
**💧 First Nations water**  
A prominent role in shaping water policy within the Lower Murray Darling Basin and nationally.

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**🌐 More info**  
[www.mldrin.org.au](http://www.mldrin.org.au)

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# Northern Basin Aboriginal Nations



**What is it?** The Northern Basin Aboriginal Nations (NBAN) is a Traditional Owner based not-for-profit company and peak body with a primary focus on cultural and natural resource management. It represents, advocates for and empowers First Nations in water management and ownership, in the northern Murray Darling Basin. NBAN was formed in April 2010.

**What does it do?** NBAN was formed to bring together Aboriginal interests in the northern part of the Murray–Darling Basin, matching MLDRIN in the southern part of the Basin. NBAN provides strategic advice on First Nations’ water rights, interests and ownership with a focus on improving its Nations’ spiritual, cultural, environmental, social and economic conditions, which are the main components of the Echuca Declaration.

**How does it function?** NBAN is an Australian Public Company, limited by guarantee, under the *Corporations Act 2001* (Cth). Membership comprises 22 Aboriginal Nation representatives from the northern part of the Murray Darling Basin plus representatives of the NSW Aboriginal Land Council, and the Southern Queensland Landscapes (formerly the Queensland Murray–Darling Committee, the Condamine Alliance and South West Queensland Natural Resources Management).

**What is its role in First Nations water rights?** From 2009, NBAN worked in parallel to MLDRIN shaping water policy in the Murray Darling Basin and nationally. In December 2022, collaboration between NBAN and the Murray Darling Basin Authority ended.



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## ? What

A public company established under the *Corporations Act 2001* (Cth).

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## 🔍 Focus

The rights and interests of First Nations in the northern Murray Darling Basin.

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## 💧 First Nations water

The water rights of Indigenous Nations in the northern Murray Darling Basin.

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## 🌐 More info

[www.facebook.com/northernbasinaboriginalnations/](https://www.facebook.com/northernbasinaboriginalnations/)

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# Martuwarra Fitzroy River Council



**What is it?** The Martuwarra Fitzroy River Council was established by Traditional Owners and their registered native title body corporates within the Fitzroy River Watershed in May 2018. The Council is a bottom-up governance model led by diverse senior elders as one society under First Law united as ‘one mind and one voice’. Council was formed in response to the Fitzroy River Declaration (2016) key principles set out in the Declaration to promote and protect Martuwarra, Fitzroy River. During 2018-2020 the WA state government conducted a series of key planning water forums resulting in a proposal to develop a management plan, water allocation plans and national parks along the Fitzroy River. The Council believes the Fitzroy River is a living ancestral serpent being, with a right to live and flow, an ‘asset in the commons’ for the benefit of all present and future generations.

**What does it do?** The Council has extensive national and global network of industry, legal scholars, multi-disciplinary university partners engaged in research and evidence-based practice to support consultative process with governments and other stakeholders. The Council promotes procedural and distributive justice to ensure co-decision making on water planning and adaptive management of Martuwarra Watershed. It focuses on community-led initiatives to develop sustainable lifeways and livelihoods. It acts as a knowledge broker to influence research, policy, law, and investment to transform climate, land and water justice in the pursuit of Indigenous rights.

**How does it function?** The Council is an incorporated association under the *Associations Incorporation Act 2015* (WA). The Council Directors are guided by senior elders with cultural authority.

**What is its role in First Nations water rights?** The Council plays a significant role in influencing water policy for Martuwarra in Western Australia. Building from its focus on Martuwarra, the Council also engages in broader First Nations water reform issues at state and national levels.



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## ? What

An incorporated association formed to represent and protect Martuwarra (Fitzroy River) as a living ancestral being.

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## 🔍 Focus

Protecting Martuwarra and developing sustainable economic opportunities for First Nations people.

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## 💧 First Nations water

A significant influence on water research, policy and law applying to Martuwarra.

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## 🌐 More info

[www.martuwarra.org](http://www.martuwarra.org)

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# Water is Life



**What is it?** *Water is Life* is not an organisation but a commitment from the Victorian Government to work with Traditional Owners to increase access to water entitlements under current frameworks and to increase cultural benefits from the way water is stored, delivered and used in Victoria. It is included in this analysis as an example of a growing number of substantial programs within jurisdictions that are focussed on furthering First Nations water rights and interests but are not in themselves organisations.

**What does it do?** The *Water is Life* initiative is divided into three parts:

Part 1 is Caring for Cultural Water and Cultural Landscapes, encompassing water landscapes, partnerships, and historic land and water management.

Part 2 is Cultural Water and Cultural Economies, encompassing returning water to Traditional Owners, supporting cultural economies and self-determined water use, and culturally appropriate water entitlements.

Part 3 is Traditional Owner oversight of implementation of *Water is Life*.

A key component of the initiative is the development of 34 Nation Statements prepared by Traditional Owner groups. These statements document the depth and complexity of First Nations' water-related interests to inform partnerships between the water sector and Traditional Owners.

**How does it function?** A Victorian government initiative under the Department of Energy, Environment and Climate Action. The initiative includes 12 targeted outcomes reflecting what the Victorian Government heard from Traditional Owners, with specific actions over the short, medium and long terms. The targeted outcomes range from recognising that waterways and their surrounding lands are living, integrated, natural and cultural entities in law, with Traditional Owners as a unique 'voice' of the living entities, to Traditional Owners being able to hold and manage water in culturally appropriate ways.

**What is its role in First Nations water rights?** The *Water is Life* initiative is a key element in Victoria's Aboriginal Water Program and its overall state water policy, planning and management.



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## ? What

A Victorian government program.

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## 🔍 Focus

Return of water to Traditional Owners, enabling them to determine how they wish to hold, manage and use water in culturally appropriate ways.

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## 💧 First Nations water

Directly involved in implementing water reform.

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## 🌐 More info

[www.water.vic.gov.au/aboriginal-values/the-aboriginal-water-program](http://www.water.vic.gov.au/aboriginal-values/the-aboriginal-water-program)

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# Committee on Aboriginal and Torres Strait Islander Water Interests

**What is it?** The Committee on Aboriginal and Torres Strait Islander Water Interests (CAWI) is a non-statutory, independent committee established in 2020 to advise the National Water Reform Committee (NWRC) on Aboriginal and Torres Strait Islander water interests and reform. CAWI aims to elevate the cultural, spiritual, social, economic, and environmental interests of Aboriginal and Torres Strait Islander peoples within Australia's water policies, programs, and legislation, to ultimately ensure Aboriginal and Torres Strait Islander peoples have enduring access to, ownership and management of water.

**What does it do?** CAWI advises Commonwealth, state and territory governments on Aboriginal and Torres Strait Islander water interests. It identifies water policy principles to (i) support the development of a national policy framework that accommodates diversity of Aboriginal and Torres Strait Islander Peoples rights and interests, (ii) strengthen existing approaches that jurisdictions are taking regarding Aboriginal and Torres Strait Islander water interests and (iii) inform the development of the new National Water Initiative (NWI). A recent paper from CAWI<sup>1</sup> presents a set of Aboriginal and Torres Strait Islander water values, principles, and actions to be recognised within national water reforms.

**How does it function?** CAWI is led by a membership of Aboriginal and Torres Strait Islander Peoples with expertise across western and cultural water rights and interests, water science and management, and water planning. It is guided by a Terms of Reference and consists of up to 14 members (with 50:50 gender balance where possible) who are appointed based on their water expertise not their affiliation. It meets at least 4 times per year. CAWI's current term of appointment ends in December 2024 but is likely to be extended to December 2026. CAWI is supported by an Executive Officer and secretariat within the Commonwealth Department of Climate Change, Energy, the Environment and Water (DCCEEW).

**What is its role in First Nations water rights?** CAWI is integral to advocating for and influencing water policy reform to progress Aboriginal and Torres Strait Islander water interests. Specifically it (i) identifies national Aboriginal and Torres Strait Islander water policy principles to support the development of a national policy framework that accommodates diversity of Aboriginal and Torres Strait Islander interests and (ii) strengthens existing approaches that jurisdictions are taking regarding Aboriginal and Torres Strait Islander Water Interests, including advising on the development of national reforms to the NWI.



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## ? What

An advisory committee supported by a secretariat in DCCEEW.

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## 🔍 Focus

Ensuring Aboriginal and Torres Strait Islander peoples have enduring access to, ownership & management of water.



## First Nations water

Integral to national water reform. Advises on policies, programs and initiatives relevant to First Nations water rights and interests across jurisdictions.



## More info

[www.dcceew.gov.au/water/policy/first-nations/cawi](http://www.dcceew.gov.au/water/policy/first-nations/cawi)

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<sup>1</sup>CAWI (2023) *Insights Paper – Pathway to enduring recognition of Aboriginal and Torres Strait Islander Peoples' water interests in national water reform initiatives* (available at [dcceew.gov.au/water/policy/first-nations/cawi](http://dcceew.gov.au/water/policy/first-nations/cawi))



# State and Territory First Nations water advisory bodies

**What are they?** State and territory governments are primarily responsible for managing water within their jurisdictions. First Nations water advisory bodies have been (or are planned to be) established by the different jurisdictions to inform their water policy and decision-making processes. These are mostly special purpose, fixed-term bodies. Several of these bodies are currently being established.

**What do they do?** These water advisory bodies operate at various levels, from informing state and territory policy development to advising on context-specific water planning and allocation issues. Their common role is providing governments with an avenue for consultation on First Nations water rights and interests.

**How do they function?** These advisory bodies are typically established by state and territory agencies that are responsible for the statutes that manage water resources in that jurisdiction. Their functions vary between jurisdictions. The Department of Planning and Environment in NSW, for example, is calling for expressions of interest from Aboriginal people to join up to 12 Regional Aboriginal Water Committees that will enable Aboriginal people to contribute to water management in inland and coastal water catchment areas. Under the new Northern Territory Water Plan, the Department of Environment, Parks and Water Security will establish an Aboriginal Water Advisory Council in 2024 to advise the NT Government on strategic water issues, including the formulation of a new Water Act by 2026. In Western Australia, the Department of Water and Environmental Regulation is currently establishing an Aboriginal Water and Environment Advisory Group to ensure that Aboriginal knowledge, values and interests contribute to the management and regulation of the state's environment and water resources.

**What are their roles in First Nations water rights?** These state and territory First Nations water advisory bodies have a direct role and influence on water strategies, policies, programs and planning in each jurisdiction.



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**? What**  
Advisory bodies established by state and territory governments.

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**🔍 Focus**  
Provide governments with an avenue for consultation on First Nations water rights and interests.

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**💧 First Nations water**  
A direct role and influence on water strategies, policies, programs and planning in each jurisdiction.

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**🌐 More info**  
see websites for relevant departments in each jurisdiction.

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# First Peoples' Water Engagement Council



**What was it?** The First Peoples' Water Engagement Council (FPWEC) was established in 2010 to provide advice to the then National Water Commission (NWC) on Indigenous water issues; a priority established under the National Water Initiative (NWI).

**What did it do?** The FPWEC sought to advance Aboriginal people's engagement in water issues at the national level and to amplify the voice of regional groups participating in water planning. Specifically, it worked to (i) influence policy formulation for Aboriginal water and water allocations (ii) improve access for Aboriginal people to the consumptive water pool (iii) share information about Aboriginal water rights and interests and (iv) develop appropriate engagement of Aboriginal people in water planning processes in Australia. While the FPWEC consulted with Torres Strait Islanders and discussed water issues with them, the FPWEC did not represent Torres Strait Islander views at the national level.

**How did it function?** The FPWEC was an Aboriginal-led advisory body established and funded by the then NWC in 2009. It met on eight occasions, culminating in a First Peoples' National Water Summit in Adelaide in 2012. More than 70 Aboriginal delegates from across Australia participated in the Summit, which contributed policy advice to the NWC.

**What was its role in First Nations water rights?** As the FPWEC's mission was to investigate how to improve Indigenous access to water for cultural and economic purposes and to inform the NWC, it had a direct and consequential influence on national water reform at the time.



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## ? What

It was a fixed-term advisory committee established and funded by the Commonwealth.

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## 🔍 Focus

Provided advice to government on water policy relevant to First Nations water rights and interests.

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## 💧 First Nations water

Provided advice to government on water policy relevant to First Nations water rights and interests.

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## 🌐 More info

No longer available.

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# Northern Australia Indigenous Reference Group

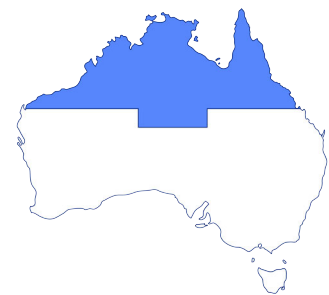


**What is it?** The Northern Australia Indigenous Reference Group (IRG) was established by the Commonwealth Department of Prime Minister and Cabinet in 2017. This was in response to concerns raised by Northern Australian First Nations leadership that limited consideration had been given in the Commonwealth Government’s Developing Northern Australia White Paper to the challenges and opportunities for First Nations peoples to participate in economic development of the North. The IRG is now convened by the Office of Northern Australia in the Commonwealth Department of Infrastructure, Transport, Regional Development, Communications and the Arts.

**What does it do?** The IRG functions as a standing advisory group to the Ministerial Forum on Northern Development (the ‘Ministerial Forum’) and is charged with engaging directly with, and providing policy advice to, the Ministerial Forum to ensure that First Nations perspectives are included in all its deliberations. Advice provided by the IRG to the Ministerial Forum has included a set of 36 specific policy recommendations (16 of which were endorsed by the Ministerial Forum for implementation). A significant achievement of the IRG was the execution of the Northern Australia Indigenous Development Accord; a non-legally binding, intergovernmental agreement signed by the Prime Minister, Chief Minister of the Northern Territory and Premiers of Western Australia and Queensland to work together to implement IRG policy recommendations as they are endorsed by the Ministerial Forum and in accordance with a prescribed workplan.

**How does it function?** The IRG is comprised of up to eight eminent First Nations business and community leaders from across Northern Australia and supported by a secretariat that was initially provided by the Department of Prime Minister and Cabinet and subsequently by the National Indigenous Australians Agency. It is also provided with resources to commission studies and other external advice to complement the expertise of the IRG and inform their deliberations.

**What is its role in First Nations water rights?** Given how essential water is to unlocking the economic potential of the sizeable First Nations land estate in northern Australia, water reform was a significant focus of the IRG’s earlier work and recommendations. Activating First Nations water interests in northern Australia was the focus of specific research commissioned by the IRG, a key subject in its policy recommendations and a subject of the implementation plan for the Northern Australian Indigenous Development Accord.



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**? What**  
Advisory committee to the Ministerial Forum on Northern Development.

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**🔍 Focus**  
Ensuring that First Nations perspectives are included in the Ministerial Forum on Northern Development.

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**💧 First Nations water**  
First Nations water rights have been one strong focus of this reference Group.

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**🌐 More info**  
[www.infrastructure.gov.au/territories-regions-cities/regional-australia/office-northern-australia/northern-australia-indigenous-reference-Group](http://www.infrastructure.gov.au/territories-regions-cities/regional-australia/office-northern-australia/northern-australia-indigenous-reference-Group)

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# Indigenous Advisory Committee operating under the EPBC Act

**What is it?** The Indigenous Advisory Committee (IAC) is a statutory committee established in 2000, under the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act). It sits within the Commonwealth Department of Climate Change, Energy, Environment and Water (DCCEEW).

**What does it do?** The Committee advises the Commonwealth Minister for the Environment and Water on the operation of the EPBC Act, taking into account the significance of First Nations peoples' knowledge of the management of land and sea and the conservation and sustainable use of biodiversity.

**How does it function?** The IAC meets twice a year. The eight committee members are First Australians and are not appointed to represent particular regions or organisations. Members are ministerially appointed based on expertise in land and sea management, conservation, sustainable use of biodiversity, and cultural heritage management. The IAC is an advisory (not decision-making) body, and is not generally used as a consultative mechanism to seek the view of stakeholders.

**What is its role in First Nations water rights?** The IAC does not play a key role in water reform. Its Terms of Reference specify, however, that the IAC may provide advice to the Minister on water related matters if requested by the Minister to do so.



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**? What**  
Ministerially-appointed advisory committee established under the *EPBC Act 1999* and convened by DCCEEW.

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**🔍 Focus**  
To advise the Minister on the operation of the EPBC Act.

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**💧 First Nations water**  
Not a primary focus but can be asked to provide advice to the Minister on water matters, if requested.

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**🌐 More info**  
[www.dcceew.gov.au/environment/epbc/our-role/advisory-committees/iacterms-of-reference](http://www.dcceew.gov.au/environment/epbc/our-role/advisory-committees/iacterms-of-reference)

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# National Indigenous Australians Agency



**What is it?** The National Indigenous Australians Agency (NIAA) is an Executive Agency, established in 2019, within the Prime Minister and Cabinet (PM&C) portfolio with both a service delivery and policy development role in Indigenous affairs.

**What does it do?** The NIAA leads and influences change across government to ensure Aboriginal and Torres Strait Islander peoples have a say in the decisions that affect them. This includes (i) coordinating Commonwealth policy development, program design and implementation and service delivery for Aboriginal and Torres Strait Islander peoples, (ii) providing advice to the Prime Minister and the Minister for Indigenous Australians on whole-of-government priorities for Aboriginal and Torres Strait Islander peoples, (iii) leading and coordinating the development and implementation of Australia's *Closing the Gap* targets and (iv) leading and coordinating Commonwealth activities to promote reconciliation, such as the Indigenous Protected Areas and Remote Jobs programs. The NIAA also funds a network of 14 native title representative bodies (NTRBs) and native title service providers (NTSPs) across most of Australia to assist native title claimants and holders.

**How does it function?** As an Executive Agency, the NIAA is separate from PM&C for staffing, accountability and reporting purposes. It is led by a CEO who reports directly to the Minister for Indigenous Australians. The NIAA's head office is in Canberra with 37 regional offices across Australia.

**What is its role in First Nations water rights?** The NIAA works in partnership with First Nations land and water holding groups to strengthen their role as representative bodies. It worked with First Nations representative bodies from 2018-2022 to develop the Aboriginal Water Entitlements Program (AWEP) and continues to support Department of Climate Change, Energy, the Environment and Water (DCCEEW) in its delivery of AWEP and to establish a First Nations Water Holder. More broadly, the NIAA works to influence water policy, legislation, programs and practices to benefit First Nations Peoples. This includes working in collaboration with DCCEEW, the Murray Darling Basin Authority (MDBA) and other government agencies. NIAA also works with the Attorney-General's Department, the National Native Title Council (NNTC), the Office of Registrar of Indigenous Corporations (ORIC) and other stakeholders in supporting Native Titleholders' rights and interests to access and use water, including fishing and taking resources.



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**? What**  
An Executive Agency within the Prime Minister and Cabinet (PM&C) portfolio.

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**🔍 Focus**  
Leads change across government to ensure Aboriginal and Torres Strait Islander peoples have a say in the decisions that affect them.

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**💧 First Nations water**  
No specific organisational mandate in water reform but strengthens First Nations land and water holding groups.

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**🌐 More info**  
[www.niaa.gov.au](http://www.niaa.gov.au)

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# Indigenous Land and Sea Corporation



PEOPLE. COUNTRY. OPPORTUNITY.

**What is it?** The Indigenous Land and Sea Corporation (ILSC) is a corporate Commonwealth entity that was established by the *Aboriginal and Torres Strait Islander Act 2005 (Cth)* (ATSI Act) in response to the High Court of Australia's judgement in *Mabo (No. 2)* (1992). It started out as the Indigenous Land Corporation (ILC) in 1995.

**What does it do?** The ILSC assists Aboriginal and Torres Strait Islander peoples to acquire land and water-related rights and to manage Indigenous-held land and waters so as to provide economic, environmental, social or cultural benefits for Aboriginal and Torres Strait Islander people. The ILSC's acquisition and management functions assist Indigenous Australians to maintain and grow the value and productivity of country; own and manage country sustainably; influence policy and opportunity for country and strengthen culture through re-connection to country.

To date, the ILSC has supported the return of over 6.3 million hectares of Country to Indigenous people - 280 properties and 4 water-based interests.

**How does it function?** Sitting within the portfolio of the Department of Prime Minister and Cabinet (PMC), the ILSC contributes to the achievement of the Australian Government's priorities in Indigenous Affairs and is accountable to the Parliament through the Minister for Indigenous Australians. It has a Board consisting of seven directors; five, including the Chairperson, must be Indigenous people.

**What is its role in First Nations water rights?** The ILSC's legislative remit was extended in 2019 to include salt and fresh water-related interests. Only since that time have water acquisitions become a focus of the ILSC's work. The extended remit has given the ILSC much greater scope to acquire water interests, particularly for Indigenous people who are unlikely to benefit from the Native Title or Land Rights systems.



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**? What**  
Government statutory corporation under dedicated Commonwealth laws

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**🔍 Focus**  
To assist Indigenous people to acquire land and water rights and to manage land and water so as to provide economic, environmental, social or cultural benefits.

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**💧 First Nations water**  
Legislative remit was extended in 2019 to include fresh surface and ground water and saltwater.

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**🌐 More info**  
[www.ilsc.gov.au](http://www.ilsc.gov.au)

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# National Water Grid Authority



**What is it?** The National Water Grid Authority (NWGA) is a Commonwealth entity that is subject to the *Public Governance, Performance and Accountability Act 2013* (Cth) and is the Australian Government's lead agency responsible for advising on and implementing investment in Australia's water infrastructure. It sits within the Department of Climate Change, Energy, Environment and Water (DCCEEW).

**What does it do?** The NWGA works with Australian Government agencies and state and territory governments to ensure water infrastructure investment decisions support national objectives and deliver against a range of social, environment, cultural and economic outcomes. Infrastructure includes town water supplies, dams, weirs, pipelines, water recycling and treatment plants and other water storage, distribution, research and scientific evidence-base.

**How does it function?** The NWGA manages (i) a National Water Grid Investment Framework (NWGIF; providing a long-term strategic approach to responsible and respectful investment in water infrastructure), (ii) a National Water Grid Fund (NWGF) and (iii) a Science program (that invests in research on emerging water security technologies and approaches and on sustainable, nature-positive development of water resources, particularly in northern Australia). State and territory governments are responsible for developing proposals for funding through the NWGF. The NWGA's science research portfolio is available to inform water infrastructure decisions.

**What is its role in First Nations water rights?** The NWGIF includes a guiding investment principle that project development must include engagement with the First Nations communities of potentially affected areas. The NWGF includes investments in water security and increasing the availability of clean and safe drinking water in regional and remote First Nations communities. In February 2023, \$150 million over four years was allocated in the NWGF to deliver water security projects that would provide safe, reliable water in regional and remote First Nations communities. This will deliver progress towards achieving Outcome 9b in the National Agreement on Closing the Gap.



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## ? What

A Commonwealth entity established under the *Public Governance, Performance and Accountability Act 2013* (Cth).

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## 🔍 Focus

Investing in Australia's water infrastructure to improve water access and security in regional and remote Australia.

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## 💧 First Nations water

Targeted financial investment in water security projects and reliable water in regional and remote First Nations communities.

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## 🌐 More info

[www.nationalwatergrid.gov.au](http://www.nationalwatergrid.gov.au)

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# Department of Climate Change, Energy, the Environment and Water



Australian Government  
Department of Climate Change, Energy,  
the Environment and Water

**What is it?** The Department of Climate Change, Energy, the Environment and Water (DCCEEW) is the Commonwealth department responsible for protecting Australia's natural environment and heritage sites, for helping Australia respond to climate change and for managing water and energy resources. In the water component of its portfolio, DCCEEW aims to improve the health of Australia's rivers and wetlands and deliver more sustainable, efficient and productive use and management of water resources for the environment, communities and agriculture.

**What does it do?** DCCEEW administers 78 different statutes (including the *Water Act 2007* (Cth)), delivers programs under its mandate, and has a range of independent statutory agencies and advisory bodies in its portfolio. Among these are bodies with water-related responsibilities including the Murray Darling Basin Authority (MDBA), the Committee on Aboriginal and Torres Strait Islander Water Interests (CAWI) and the National Water Grid Authority (NWGA).

**How does it function?** As an Australian government department, DCCEEW is subject to all the governance, procurement and accountability requirements that apply across public service agencies under the *Public Governance, Performance and Accountability Act 2013* (Cth) and other statutes. DCCEEW provides advice to the Government in its areas of responsibility through the Minister for Climate Change and Energy and the Minister for the Environment and Water.

**What is its role in First Nations water rights?** DCCEEW provides both policy advice and administers several programs relating to First Nations' water rights and interests. The First Nations Water Branch works with and supports the CAWI to provide advice to the National Water Reform Committee (NWRC) and the Australian Government more broadly on Aboriginal and Torres Strait Islander peoples' water rights and interests. The CAWI has an integral role in national water reform processes.

The Commonwealth Environmental Water Holder (CEWH) works with First Nations across the Murray-Darling Basin to plan, deliver and monitor water for the environment. The NWGA manages investments in water security and increasing the availability of clean and safe drinking water in regional and remote First Nations communities. DCCEEW currently oversees the \$100 million Aboriginal Water Entitlements Program (AWEP) to increase First Nations peoples' ownership of water in the Murray Darling Basin and is engaging with First Nations people on a potential world-leading and enduring mechanism to hold water entitlements for the benefit of all Aboriginal and Torres Strait Islander people nationally.



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**?** **What**  
Australian government department.

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**🔍** **Focus**  
To advise the Australian Government on climate change, energy, environment, heritage and water matters, and to develop policy, deliver programs, manage assets, and administer legislation and regulation.

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**💧** **First Nations water**  
A substantial role in policy advice and programs relating to First Nations' water rights and interests.

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**🌐** **More info**  
[www.dcceew.gov.au](http://www.dcceew.gov.au)

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# Murray-Darling Basin Authority



**What is it?** The Murray-Darling Basin Authority (MDBA) is an independent Commonwealth statutory agency established under the *Water Act 2007 (Cth)*. The MDBA is part of the portfolio of Department of Climate Change, Energy, the Environment and Water (DCCEEW). The Authority oversees the implementation of the Basin Plan, legislated in 2012, in coordination with Basin governments (New South Wales, Queensland, South Australia, Victoria and the Australian Capital Territory) and other stakeholders (including First Nations, industries, environmental groups and Basin communities). The Plan aims to find a balance between the water needs of all users to make sure communities, industries and environments continue to thrive.

**What does it do?** In addition to overseeing the implementation of the Basin Plan, the MDBA (i) operates the River Murray system on behalf of the partner Governments to deliver water to users, (ii) monitors the quality and quantity of the Basin's water, (iii) conducts research on the Basin's water resources and dependent ecosystems, (iv) provides water rights information to facilitate water trading and (v) communicates about all aspects of the Basin's water resources and management. The MDBA has 270+ staff (June 2022).

**How does it function?** The MDBA reports to the Commonwealth Minister for the Environment and Water and is part of the portfolio of DCCEEW. The seven-member Authority takes advice from advisory committees established under the Water Act, including the Advisory Committee on Social, Economic and Environmental Science (ACSEES) and the Basin Community Committee (BCC). The Authority collaborates with, and takes advice from the Department of Climate Change, Energy, the Environment and Water (DCCEEW) and Basin jurisdictions. As an Australian government agency, the MDBA is subject to all the governance and accountability requirements that apply under the *Public Governance, Performance and Accountability Act 2013 (Cth)* and other statutes.

**What is its role in First Nations water rights?** In overseeing the implementation of the Basin Plan, the MDBA works directly with more than 50 First Nations in the Basin through the Murray Lower Darling Rivers Indigenous Nations (MLDRIN), the Northern Basin Aboriginal Nations (NBAN; until December 2022) and other forums. The MDBA, First Nations and Basin governments are collaborating in research and planning to explore ways to integrate cultural flows into water management in the Basin.

The Basin Plan is set for review in 2026. The review will focus on four themes: Climate Change, Sustainable Water Limits, First Nations interests, and Regulatory Design. For First Nations interests, the key review question is "how can the Basin Plan be improved to recognise First Nations' values in water management and enhance their involvement?".



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**?** **What**  
An independent Commonwealth statutory agency in the DCCEEW portfolio.

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**🔍** **Focus**  
In partnership with Basin governments and stakeholders, manages the Murray-Darling Basin's water resources in the national interest.

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**💧** **First Nations water**  
A substantial role in enabling First Nations water rights and interests in the Murray-Darling Basin, including in the upcoming review of the Basin Plan.

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**🌐** **More info**  
[www.mdba.gov.au](http://www.mdba.gov.au)

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**What is it?** The Australian Land Conservation Alliance (ALCA) is the peak national body representing organisations that work to conserve, manage and restore nature on privately managed land. The ALCA is a public company limited by guarantee under the *Corporations Act 2001* (Cth). Its vision is a future where nature thrives Australia-wide, cared for by resilient communities. ALCA members include: Australian Wildlife Conservancy, Bush Heritage Australia, NSW Biodiversity Conservation Trust, Greencollar, Greening Australia, Landcare Australia, The Nature Conservancy, Nature Foundation, Odonata Foundation, Queensland Trust for Nature, South Endeavour Trust, Tasmanian Land Conservancy, Trust for Nature, World Wildlife Fund, and Arid Recovery.

**What does it do?** As the peak national body representing organisations that work to conserve, manage and restore nature on privately managed land, the ALCA is active in policy advocacy. Through their land management programs, the ALCA's member organisations engage directly with regional communities and economies, providing jobs, securing significant regional investment, and safeguarding remaining native habitat. In 2021-22 ALCA members employed 600 staff and engaged with >4,000 landholders.

**How does it function?** The ALCA recognises that for Aboriginal and Torres Strait Islander people, nature and culture are inextricably connected, and values the role Aboriginal and Torres Strait Islander people continue to play in managing Country today and their right to self-determination.

**What is its role in First Nations water rights?** While the ALCA does not play a direct role in First Nations water reform, ALCA members are engaged to varying degrees in enabling First Nations water interests. The Nature Conservancy, for example, led a consortium that purchased and handed back *Gayini* – an 88,000 hectare property enclosing wetlands of major significance on the Murrumbidgee floodplains – to be managed by its Traditional Custodians, the Nari Nari Tribal Council.



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## ? What

A public company under the *Corporations Act 2001* (Cth) and the national peak body representing organisations that work to conserve, manage and restore nature on privately managed land.

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## 🔍 Focus

Nature conservation on private landholdings.

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## 💧 First Nations water

First Nations Water rights not a primary focus of the ALCA.

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## 🌐 More info

[www.alca.gov.au](http://www.alca.gov.au) and Individual member websites

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# First Nations Heritage Protection Alliance



**First Nations**  
HERITAGE PROTECTION  
ALLIANCE

**What is it?** The First Nations Heritage Protection Alliance (FNHPA) is a coalition of member organisations representing First Nations Peoples from across Australia, including major Native Title, Land Rights, Traditional Owner, and community-controlled organisations nationally. It was formed after the destruction of Juukan Gorge Caves in the Pilbara Western Australia.

**What does it do?** The FNHPA's mandate is to strengthen and modernise cultural heritage laws and to create industry reforms that ensure Indigenous Cultural Heritage is valued and protected for the future. It aims to enhance the capacity of First Nations in Australia and elsewhere in the world to wholly control all aspects of their tangible and intangible cultural heritage.

**How does it function?** The FNHPA is an unincorporated association without legal status or contractual ability. The National Native Title Council (NNTC) acts as an agent for the FNHPA in matters that require legal and contractual status and capability. NNTC also hosts the Alliance Secretariat.

Member organisations come from every state and territory, consisting of national peak organisation members, regional representative members, local members and associate members. A seventeen-person Leadership Working Group (LWG) manages the business of the Alliance between General Meetings and in accordance with decisions made by the full Alliance. Members agree to operate collectively in accordance with the FNHPA's formal Governance Charter.

Through a Partnership Agreement, the FNHPA and the Commonwealth have established a Joint Working Group (JWG) to develop advice for the Minister for the Environment on options for modernising Aboriginal and Torres Strait Islander cultural heritage protections. Under this agreement, the LWG advises Alliance members about JWG actions and endorses the cultural heritage protection options presented to the federal Minister. The Partnership Agreement expires in November 2024.

**What is its role in First Nations water rights?** The FNHPA has no active role in First Nations water rights.



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## ? What

A fixed-term alliance hosted and managed by NNTC.

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## 🔍 Focus

Strengthening cultural heritage protections.



## First Nations water

No active role in First Nations water rights.



## More info

[www.culturalheritage.org.au](http://www.culturalheritage.org.au)

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# National Aboriginal Community Controlled Health Organisation



**What is it?** The National Aboriginal Community Controlled Health Organisation (NACCHO) is the national peak body representing 145 Aboriginal Community Controlled Health Organisations (ACCHOs) across the country on Aboriginal health and well-being issues.

**What does it do?** NACCHO provides advice and guidance to the Australian Government on policy and budget matters while advocating for community-developed health solutions that contribute to the quality of life and improved health outcomes for Aboriginal and Torres Strait Islander people. The 145 ACCHOs are initiated and operated by local Aboriginal and Torres Strait Islander communities. The sector is the largest employer of Aboriginal and Torres Strait Islander people across Australia, with well over half of its 6,000 staff being Aboriginal and Torres Strait Islander. NACCHO achieves its goals through policy development and advocacy, representation, raising awareness through focussed programs and projects, building partnerships, and information dissemination to the sector/community. NACCHO hosts the Coalition of Aboriginal and Torres Strait Islander Peak Organisations (CAPO) which monitors progress against the seventeen targets in the *National Agreement on Closing the Gap*.

**How does it function?** NACCHO is a company limited by guarantee under the *Corporations Act 2001* (Cth). It operates under a formal constitution with a board including a Chair and Deputy Chair (who are elected by the members directly serving three-year terms), with the remaining 14 directors appointed annually by the eight state/territory jurisdictions. The governance structure was designed to fulfil NACCHO's commitment to the principle of community control. The NACCHO Board sets organisational priorities and develops NACCHO's strategic directions, a formal five-year plan that is regularly reviewed, updated and published under the leadership of the Chair and with active support from the CEO.

**What is its role in First Nations water rights?** NACCHO does not have a direct role in First Nations water rights.



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## ? What

A peak body for the aboriginal health sector established as a company under the *Corporations Act 2001* (Cth).

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## 🔍 Focus

Advocating for improved health outcomes for Aboriginal and Torres Strait Islander people.



## First Nations water

No direct role in First Nations water rights.



## More info

[www.naccho.org.au](http://www.naccho.org.au)

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# First Nations Clean Energy Network



**What is it?** The First Nations Clean Energy Network (FNCEN) is an independent network of First Nations groups, community organisations and land councils that collaborates with unions, academics, industry groups, investors, technical advisors, legal experts, renewables companies and others to ensure that First Nations share in the benefits and opportunities of Australia’s clean energy transition as well as managing the risks.

**What does it do?** Australia is rapidly transitioning to renewable energy, which will require access to vast areas of land and waters, including for thousands of kilometres of new transmission infrastructure and for access to critical mineral reserves. FNCEN works to ensure that First Nations play a central role in this energy transition to share the economic benefits, job opportunities and ready access to lower-cost and reliable so First Nations peoples have the choice to continue to live and work on Country. FNCEN achieves this by (i) supporting communities to drive the development of clean energy projects, (ii) acting as an innovation hub promoting the implementation of best practice principles for companies when working with First Nations people in the renewable energy sector and (iii) advocacy for policy reform.

In addition, the FNCEN along with the Commonwealth Department of Climate Change, Energy, the Environment and Water (DCCEEW) and the National Indigenous Australians Agency (NIAA) is developing the First Nations Clean Energy Strategy as part of the Commonwealth’s National Energy Transformation Partnership.

**How does it function?** The FNCEN is a member-based national coalition led by a Steering Group of First Nations specialists in the energy sector. It was established in 2021 by Original Power (an Aboriginal community organisation and registered charity) along with 16 “launch partners”. FNCEN was modelled on a similar enterprise in Canada: the Indigenous Clean Energy Social Enterprise (ICE). It receives charitable donations and project funding.

**What is its role in First Nations water rights?** FNCEN does not have a direct role in First Nations water rights.



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**? What**  
An independent network.

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**🔍 Focus**  
To ensure First Nations share in the benefits and opportunities associated with Australia’s clean energy transition.

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**💧 First Nations water**  
No direct role in First Nations water rights.

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**🌐 More info**  
[www.firstnationscleanenergy.org.au](http://www.firstnationscleanenergy.org.au)

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# Indigenous Carbon Industry Network



**What is it?** The Indigenous Carbon Industry Network (ICIN), established in 2018, is a network of Indigenous-owned organisations that operate across Australia, particularly north Australia, to develop and deliver carbon projects, mainly through savanna fire management. ICIN is therefore the national peak body supporting First Nations engagement in the carbon industry. The ICIN is incorporated as a not-for-profit public company under the Corporations Act 2001 (Cth).

**What does it do?** The ICIN promotes and facilitates an innovative and Indigenous-led carbon industry supporting healthy country and better livelihoods for Indigenous people. Specifically, the ICIN seeks to enable and empower Indigenous people to benefit from carbon markets through their land and sea management practices by supporting an active network of Indigenous organisations working towards an Indigenous-led carbon industry supporting the advancements and aspirations of Indigenous people across Australia. The ICIN hosts two major annual Indigenous-led events: the annual North Australian Savanna Fire Forum (February) and the National Indigenous Carbon Forum (May). Full members include Australia's largest land councils: the Kimberley Land Council, Northern Land Council, Central Land Council as well as Balkanu Development Corporation (Cape York Land Council), Tiwi Resources (Tiwi Islands), along with the North Australian Indigenous Land and Sea Management Alliance (NAISMA).

**How does it function?** The ICIN is an Indigenous-led company owned by its Full Members - 25 Indigenous organisations that either own carbon projects or directly deliver carbon credits. ICIN has a Board, including seven Aboriginal leaders with experience in the carbon industry who are elected by members.

**What is its role in First Nations water rights?** The ICIN has no active role in First Nations water rights.



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## ? What

A not-for-profit public company under the *Corporations Act 2001* (Cth) and the national peak body supporting First Nations engagement in the carbon industry.

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## 🔍 Focus

Indigenous interests in the Australian Carbon Industry.

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## 💧 First Nations water

First Nations Water rights not a primary focus of the ICIN.

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## 🌐 More info

[www.icin.org.au](http://www.icin.org.au)

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