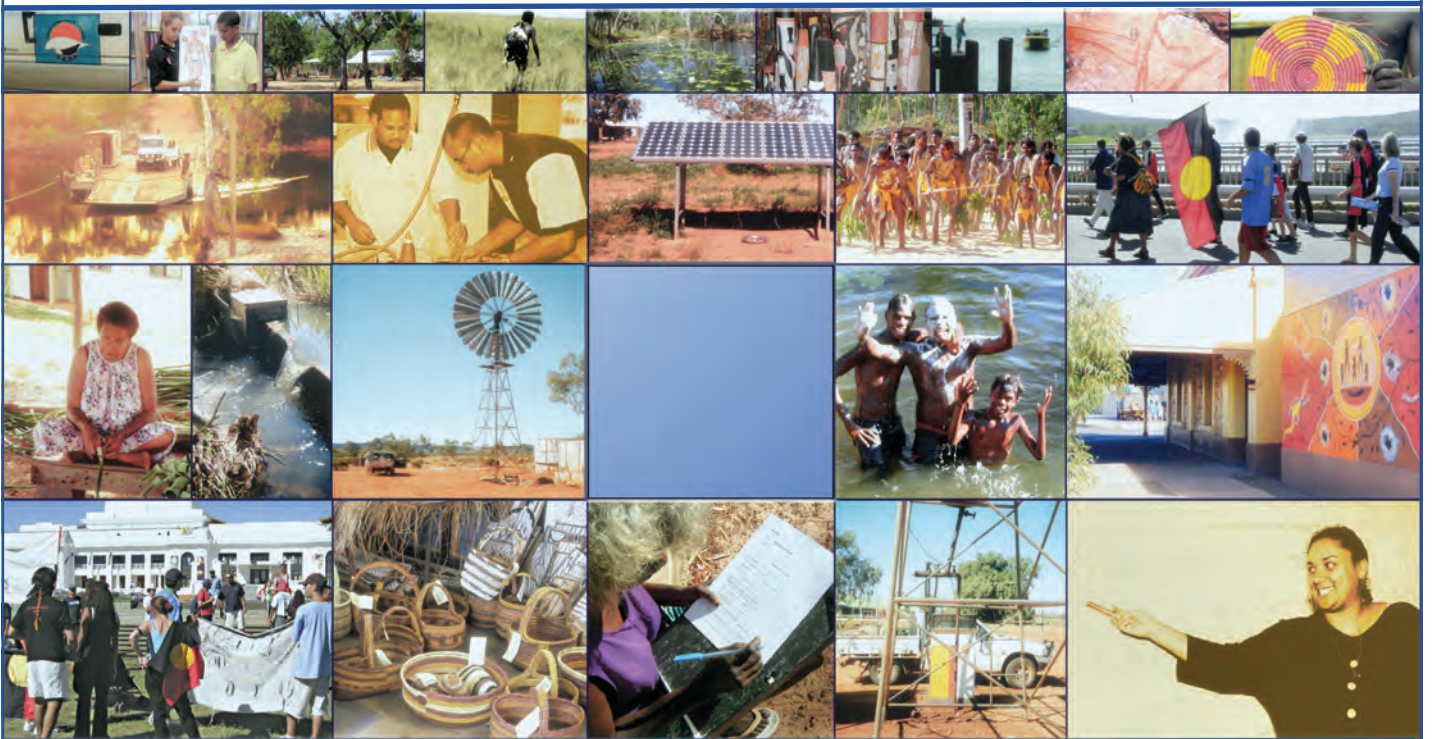


CENTRE FOR ABORIGINAL ECONOMIC
POLICY RESEARCH



Water licences and allocations to Indigenous people for commercial purposes: An Australia-wide scoping exercise

A report prepared for the National Water Commission
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Introduction and Scope

The following report is the outcome of a desk-top scoping exercise commissioned by the National Water Commission (NWC) which aims to determine the water licences and allocations to Indigenous people for commercial use across all States and Territories (except the ACT) in Australia. This preliminary study was carried out between mid December 2008 and early February, 2009.

The scoping exercise complements two other pieces of research commissioned by the NWC. The first is Poh Ling Tan's 'A review of the legal basis for Indigenous access to water' (Tan 2009). The second is Sue Jackson's 'Background paper on Indigenous participation in water planning and access to water' (Jackson 2009). All three pieces of work are intended to inform a National Indigenous Water Planning Forum to be held on the 19 and 20 February 2009 in Adelaide.

The first two pieces of research provide an outline of the legal and planning frameworks for allocating water and planning its use. This third piece of research is far more empirical, attempting to document for the first time actual allocations of water licences and entitlements to identified Indigenous users on a state-by-state jurisdictional basis.

Our specific tasks were to:

- a. Contact the main Indigenous business institutions to determine what Indigenous businesses use water, and potentially have a water access entitlement
- b. Contact the relevant jurisdictional water licensing officers to clarify if a water access entitlement had been issued, and if so, general details of the licence; and
- c. Collate information into a table and summarise the findings.

It must be emphasised that we focused here on allocation of water to Indigenous businesses for commercial purposes and not for customary (non-market) purposes that can have a significant impact on people's livelihoods (see Altman 2008 for example). Some comment on the distinction between commercial and customary use will be made in later discussion.

Methodology

While this scoping study was defined as desk-top, it would be more accurate to describe it as desk-bound. Besides surveying the literature, an array of electronic resources was accessed and discussions were held with numerous contacts in all jurisdictions by telephone and email. The study was carried out in two stages.

Stage 1: Locating the Indigenous water users

A standard questionnaire was distributed electronically to the lead Indigenous agencies and Native Title Representative Bodies and Land Councils (listed in Appendix A) who were asked to identify Indigenous users of water for commercial purposes

from their records or from their local knowledge of Indigenous businesses. Other relevant literature that could provide information about commercial water users was reviewed; these included several annual reports and web sites as listed in Appendix C: Sources consulted.

Those approached were asked to attempt to identify the following information:

Name of business activity using water for commercial purposes*	Type of business activity using the water**	Name of nearest town to the business activity	Is this a current business activity? *** (Yes, No or Don't know)	Is this a planned future business activity? **** (Yes, No or Don't know)	If it is a planned future activity, what year might it start up?
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* A private business, or a community business name, a pastoral station name, etc.

** A shop, vineyard, fish processing operation, hotel, supermarket, bakery, cattle station, nursery, etc. (However, the water had to be used for commercial purposes; that is to say, the business must trade.)

*** A business activity currently operating and using water for commercial purposes.

**** A business planned for the future that would use water for commercial purposes.

Lists of potential users were prepared from these sources for each State/Territory. As noted below, these lists were made as inclusive as possible and included all of the businesses or potential businesses that could be identified in the time available for this scoping exercise.

Stage 2: Locating Indigenous water licences and allocations

The very inclusive lists produced in Stage 1 were modified in collaboration with the NWC with the aim of refining the entries so that they contained only those entities that were most likely to be commercial water users.

Questionnaires were constructed in collaboration with the NWC and distributed to each jurisdiction (listed in Appendix B) asking these to provide the following for each entity we provided to them and for any others they knew of but were not on our lists.

Type of business	Nearest town or Shire	If the licence is for Stock and Domestic use	Date of issue of licence	Volume of allocation per year
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Lists of licence holders and their allocations (where these were provided) were constructed from the information provided by each jurisdiction and these are in Tables 3 to 9 below. Only those entities to which licences have been issued are included in these final lists.

Results

Stage 1: Locating the Indigenous water users

Specific information on the Indigenous use of water for commercial or any other purpose is not held by any of the Indigenous bodies that we approached. Furthermore, not all of the bodies listed in Appendix A that were approached were able to provide information.

The data received, plus that obtained from the sources noted in Appendix C was combined and gave the numbers of potential users shown in Column A of Table 1.¹ These estimates were very inclusive incorporating all entities that it was imagined might use water—in the broadest sense—such as Community Development Employment Projects (CDEP) organisations, community-based Ranger Programs, Cattle Stations, Aquaculture projects, Orchards, Farms, Health Centres, small businesses and some administration buildings. In part, these estimates were made from people's local or program knowledge. For instance, the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) kindly provided a list of CDEP organisations and projects that, according to their program managers, might be linked to water management or use water for commercial purposes.

As noted earlier, in collaboration with the NWC this master list was refined so that it contained only those entities that were thought most likely to use water for commercial purposes. This abbreviated list gave the numbers in Column B of Table 1. It was this abbreviated list that was distributed to each jurisdiction listed in Appendix B.

Table 1. Estimate of Indigenous users of water for commercial purposes

	Column A	Column B	Column C	Column D
State/Territory	Number of potential users, from Indigenous agencies etc. ^a	Number of potential users, after consultation with NWC	Number of licences identified by jurisdictions	Column C as % of Total
Western Australia	123	89	3	2
Northern Territory	90	39	4	2
Victoria	49	17	5 ^b	3
Queensland	48	29	23	14
New South Wales	27	19	122	75
South Australia	25	21	4	2
Tasmania	9	5	1	1
Total	371	219	162	100

Sources: As indicated in the text.

Notes:

a) As noted in the text this total tended to represent all of the Indigenous entities and programs that might conceivably use water; i.e. it was compiled to be as inclusive as possible.

b) Excludes Goulburn Murray Water region, as noted in the text.

The distribution in Column A shows a certain northern or north-western weighting that may be explained in part by the number of Indigenous pastoral properties in Western Australia and the number of Ranger Programs in the Northern Territory. However, Column C of Table 1 indicates the estimated number of commercial water-use licences identified by the water authorities in each State and Territory and shows a very different distribution. Most commercial licences are held by Indigenous entities in New South Wales. This no doubt reflects the probability that businesses in New South Wales are more likely to use water for irrigation purposes than are those in the north and northwest.

¹ The names of these entities are held in a data base at CAEPR and with the NWC.

It should also be noted that it is possible that the numbers in Column A, at least for the north of the country, may provide a more accurate indication of the use of water for commercial purposes than suggested by the licence numbers in Column C. This is because, as noted above, water may be used on a large number of small commercial projects on cattle stations and in land management in the north without any statutory requirement for licensing.

Stage 2: Indigenous licences and allocations identified by the jurisdictions

It is our understanding that no State or Territory has an administrative Indigenous identifier in their databases for water. The number of licences identified in each jurisdiction is in Column C of Table 1. The results for each jurisdiction are provided on a state-by-state basis in Tables 3 to 9. It has not been possible to standardise these at this stage. Empty cells in the tables denote where it has not been possible to obtain information.

New South Wales

Licensees identified in New South Wales are in Table 3. In New South Wales, water licence records were provided by the Licensing Administration System in the Department of Natural Resources. As in the other jurisdictions, the New South Wales database does not have an Indigenous identifier. Rather the licensees were identified personally by the system managers, from their local knowledge and from a search they made of their database using key words such as 'Aboriginal', 'tribal', etc. The data managers are confident that their record is fairly complete. In some cases Indigenous land holders lease out their land to non-Indigenous commercial entities and in those cases the water licence is in the name of the lessee. It could be argued that to be comprehensive, any future water register should include details of the lessor as well as of the lessee.

As shown in Table 1, the number of licensees identified in New South Wales was much greater than our original estimate: we estimated 19 users, the New South Wales authorities identified some 54 users holding some 122 licences. Furthermore, none of the 19 potential users that were on our original list were in fact licence holders. These are significant findings, as they highlight how little we know about Indigenous users of commercial water. It is possible that our estimates of potential users in other jurisdictions—shown in Column B of Table 1—might be underestimates of a similar magnitude although this is unlikely.

Major and relevant licensing classifications in the New South Wales system are High Security (HS) and General Security (GS). HS may include water for irrigation of enterprises such as commercial orchards and GS may apply to entities such as irrigated pasture. In times of water scarcity HS licences are less likely to have their allocations reduced, or conversely to have their allocations guaranteed. An additional category is Irrigation (I) that is neither HS nor GS. In New South Wales most water is allocated to the GS category (Table 2).

In the absence of information on the overall proportion of Indigenous businesses in New South Wales we turn to population to estimate relative water use. The estimated resident Indigenous population of New South Wales from the 2006 Census was 148,200 representing 2.2 per cent of the State's total population. Table 2 indicates

that Indigenous allocation is well below this percentage suggesting that Indigenous people are statistically underrepresented in the allocation of water for commercial purposes. This in turn suggests that Indigenous businesses are less likely to be involved in commercial activities that use water than non-Indigenous businesses.

Table 2. Allocations of water in New South Wales

	Allocation to Indigenous licensees (Megalitres)	Allocation to all licensees (Megalitres)	Indigenous allocation as a percentage of all allocations
General Security Licences	13,341	5,800,000	0.2 %
High Security Licences	3,030	580,000	0.5 %
Irrigation Licences	7,366	No data	No data

Source: New South Wales Department of Natural Resources

Victoria

Victorian water is the responsibility of the Victorian Water Industry Association (VicWater) and licensing is organised under four regional bodies, namely Goulburn Murray Water, Lower Murray Water, Grampian Wimmera Water, and Southern Rural Water, all of whom were provided with our list of potential users for Victoria and our request for information. Goulburn Murray Water advised that they were not able to provide licence information to the public, but that they were not aware of any Indigenous licensees in their region.

Licensees located in Victoria are presented in Table 4 for three of the four regional bodies, although it is possible that these data represent allocations across all regional bodies.

Since July 2007, and the unbundling of water entitlements, the definitive source of information regarding all water entitlements is the Victorian Water Register and water documents can be sourced from this system. However, to access the system requires the reference number for each document, and licensee. Time did not allow for these reference numbers to be obtained. Given that licences are allocated by the four water bodies that were approached and noted above, it is thought that the list in Table 4 is quite comprehensive.

Tasmania

Licensees identified in Tasmania are in Table 5. For Tasmania, on the recommendation of the Department of Primary Industry and Water, we searched their Water Information System of Tasmania (WIST) at their web site using the names and locations of possible Indigenous users from our list derived in Stage 1. This search located one licence.

South Australia

In South Australia the Licensing section of the Department of Water, Land and Biodiversity Conservation hold licence data. The section identified four licences issued to Indigenous parties as shown in Table 6.

Western Australia

Licensees identified in Western Australia are in Table 7. In Western Australia, the Department of Water identified three possible licensees from the list we provided of 89 potential users. It was noted that invariably aquaculture projects use salt, not fresh, water. An assessment of the economic impact of the Ord River Irrigation Project Stage 1 undertaken in 2004 proposed that the most direct way of ensuring that traditional owners had a commercial stake in the region in the future would be via an investment in their water rights to provide them with a guaranteed share of water (KLC 2004). A search of the Ord Final Agreement (2006) indicates that such a hypothecated or quarantined allocation of water rights for commercial purposes was not made (Western Australian Government 2006).

Northern Territory

Licensees identified in the Northern Territory are in Table 8. In the Northern Territory, licensing is the responsibility of the Director of Water Management, Natural Resources Division, Natural Resources, Environment, the Arts and Sport. The Division identified between 3 and 7 possible licensees. The licence register for the Territory at <http://www.nt.gov.au/nreta/water/manage/register/index.html> is publicly available. We searched this online database and no additional licensees were identified.

Division staff explained that the low number of licences in the Territory can be explained by the fact that extracting water for stock and domestic use in the Northern Territory does not require a licence. The Division noted, however, that licences in the Territory are 'attached' to the land and so without a property description, e.g. a lot number, or the licensee's full name; it is difficult to confirm the presence or absence of a licence. It is also possible that in some situations Aboriginal-owned land is leased under s.19 of the *Aboriginal Land Rights (Northern Territory) Act 1976* and that the lessee holds the commercial licence. Hence the number of licences identified in Table 7 may be an underestimate.

As in Western Australia, licences are not required for the extraction of salt water for aquaculture at operations such as the crab farm at Kulaluk and the prawn farm at Yirra Badoo. In addition, licences are not required to take groundwater, outside Water Control Districts and in the Darwin District at an extraction rate of less than 15 litres per second, and so many of the smaller and more remote commercial operations are exempt.

Queensland

Licences located in Queensland are in Table 9. In Queensland, water licences are the responsibility of the Water Management Branch of the Department of Natural Resources and Water. Some 23 licences were identified by the Branch (Column C, Table 1). Of these some 13 were on the list of 29 we sent to them (Column B, Table 1). This would suggest that Indigenous agencies and bodies have some knowledge of the Indigenous water users in Queensland.

Discussion

This scoping study has sought to quantify any available information on allocation of licences and water for commercial purposes to Indigenous people throughout Australia. On the basis of what we have found from this preliminary work we make the following observations, some focused specifically on water and some on broader economic development issues.

Knowledge of commercial water use in the Indigenous domain

Our initial inquiries to key agencies that administer Indigenous-specific programs indicate that there is a low knowledge base about those Indigenous businesses that are commercial water users. Not all Indigenous businesses, of course, are assisted by agencies such as the Indigenous Land Corporation or Indigenous Business Australia. In the absence of any database about Indigenous businesses it is difficult to know what proportion receive government assistance (Australian Government 2008). The information from New South Wales, where the most comprehensive data were available, indicated that none of our identified potential users of water were actually licensees. This demonstrates how little is known about Indigenous businesses that currently use water or that may wish to use water in the future.

Knowledge of water licences allocated to Indigenous users

There is currently no standard facility for identifying Indigenous licensees in state-by-state jurisdictional databases. The managers of water licences in each jurisdiction utilised their own methods and their local knowledge to identify possible licensees. It would seem that a significant amount of local or corporate knowledge is held by individual managers of water in each jurisdiction. Respondents suggested that given more time they could provide better information.

New South Wales staff believe that their data are fairly complete. The issue of using Indigenous identifiers in administrative databases generally has a long and complex history (see Dunn 1992) and further discussion is needed with Indigenous stakeholders to see if this is a high priority issue. There is no doubt though that an identifier would be essential for providing a baseline benchmark for future evaluations of the effect of any new policy initiatives to encourage greater Indigenous participation in the water economy.

An important observation from this work relates to the New South Wales Aboriginal specific purpose licences, none of which have been granted to date (Jackson 2009). The results here show that there is in fact demand for commercial water allocation from Indigenous enterprises in New South Wales. However, specific purpose licenses are only determined through macro water sharing plans that apply to areas generally characterised by low water usage. The low uptake may be because Indigenous people have not been involved in the macro water sharing planning process or because it is an area of low water usage, where there is no demand. It appears likely that the poor uptake can be attributed to institutional barriers (like onerous terms or poor awareness) or a preference for a commercial license over the specific purpose license rather than low or non-existent demand.

Water and Indigenous enterprise development

Comparing our more inclusive list of the potential users of water with the data provided on licence holders suggests that the former may more fully reflect the place of water in Indigenous commercial development. This is because surface and ground water that does not require licensing may be used on a large number of small projects on cattle stations and in land management projects across the north and centre of Australia. Consequently it is likely that the estimates of commercial allocation provided to us by State and Territory water authorities are an underestimate in such jurisdictions.

Water and 'closing the gap'

In the broader and currently over-arching policy framework of 'closing the gap' ambitious targets have been set to reduce socioeconomic disparities and very specifically the employment gap, between Indigenous and other Australians, in the next decade (Council of Australian Governments 2008). Reducing gaps suggests that Indigenous engagement in commerce will need to be one strategy pursued. Data on the Indigenous proportions of States and Territories either by population (Australian Bureau of Statistics 2008) or land holdings (Altman, Buchanan and Larsen 2007) indicate an under-allocation of commercial water at least according to the preliminary data collected here. This raises important policy issues about the means that might be available to provide guaranteed access to water to Indigenous users as outlined for New South Wales by Tan (2009).

Indigenous economic development and water

It is important to recognise that Indigenous economic development aspirations are diverse and do not correlate with commercial development in all contexts. It has been noted elsewhere that just as there is a link between the Indigenous customary economy and the market sector, so there is a link between Indigenous customary rights in water for non-commercial (native title) purposes and Indigenous commercial rights as fresh water for both generally comes from similar sources (Altman 2008). For example, an Aboriginal community might run a recreational fishery enterprise that is commercially dependent on adequate flows of fresh water, as are the customary fishing activities for livelihood of community members. A livelihoods approach to Indigenous development as distinct to a 'closing the gap' approach might need different considerations of Indigenous rights and interests in water.

The way ahead: Water as property

The National Water Initiative, launched in 2004, contains limited reference to Indigenous access to water at paras 52–54 except to note that water planning needs to account for those native title rights to water that have been claimed and/or determined. Interestingly at para 54 it is suggested that water allocated to native title holders (for non-commercial purposes) will be accounted for. The implication here is that some form of national Indigenous water register will be required to provide a comprehensive database on Indigenous commercial and customary use of water.

In recent years as other new forms of Indigenous property, like native title determinations have emerged in Australian law, knowledge about land holdings has improved (see Altman, Buchanan and Larsen 2007). However, while the land ownership database is improving, it remains far from perfect, especially at the

property level. Without good knowledge of present or future water allocation and use, it is difficult to see how Indigenous users can be properly incorporated into planning or allocation processes.

Next steps

This background paper provides a first attempt to determine Indigenous users of water for commercial purposes. This provisional estimate has been far more successful in documenting licences than allocations and must be seen as the early beginnings of the development of a more comprehensive database that might take the form of a national Indigenous water register. A far more comprehensive research effort will be needed if such an objective were to be pursued.

This paper provides some encouraging evidence that progress can be made. For example, the volumetric data for New South Wales could be replicated with greater research effort for other States and Territories. Filling some of the obvious gaps that could not be addressed owing to strict time constraints, such as thoroughly searching the Victorian Water Register, could also be considered.

Ultimately though, broad National Water Initiative objectives aside, it will be important to decide what questions might be answered by the development and then maintenance of a National Indigenous Water Register as a policy instrument.

Table 3. New South Wales licence data

Licence	Status	Name	Date issued	Annual allocation ML	Purpose	Town
80AL704180	CURRENT	ELLIMATTA HOUSING ABORIGINAL CORPORATION	1-Jul-08	100	AQ	COONAMBLE
30AL300738	CURRENT	KEMPSEY LOCAL ABORIGINAL LAND COUNCIL	1-Jul-04	60	AQ	KEMPSEY
80AL703359	CURRENT	NARROMINE LOCAL ABORIGINAL LAND COUNCIL	1-Oct-06	20	AQ	NARROMINE
90AL811218	CURRENT	TOOMELAH LOCAL ABORIGINAL LAND COUNCIL	1-Jul-08	44	AQ	BOGGABILLA
90AL807449	CURRENT	WALHALLOW MURRI ENTERPRISE ABORIGINAL CORPORATION	1-Nov-06	176	AQ	CAROONA
85AL751218	CURRENT	INDIGENOUS LAND CORPORATION	1-Jul-08	5	AQ	BRISBANE
90BL110479	ACTIVE	ABORIGINAL LAND FUND	29-Aug-79		D	WODEN
90BL250110	ACTIVE	MRANGALLI ABORIGINAL CORPORATION	20-Mar-01		D	TINGHA
80BL240992	ACTIVE	WEILAN LOCAL ABORIGINAL LAND COUNCIL	30-Sep-02		D	BRISBANE
80BL241029	ACTIVE	WEILAN LOCAL ABORIGINAL LAND COUNCIL	21-Oct-02		D	BRISBANE
80BL154333	ACTIVE	DUBBO GA LOCAL ABORIGINAL LAND COUNCIL	11-Apr-94	19	D & R	DUBBO
40BL134982	ACTIVE	ABORIGINAL EVANGELICAL FL/SHIP	29-May-87		D & S	COOTAMUNDRA
20BL152115	ACTIVE	ABORIGINAL HOSTELS LTD	27-Aug-97		D & S	WODEN
30BL104937	ACTIVE	ABORIGINAL LAND FUND	2-Jun-76		D & S	WODEN
80BL116403	ACTIVE	ABORIGINAL LANDS FUND	19-May-81		D & S	WODEN
30BL121976	ACTIVE	ABORIGINAL LANDS TRUST	16-Nov-83		D & S	WALCHA
40AL401089	CURRENT	BALRANALD LOCAL ABORIGINAL LAND COUNCIL	1-Jul-04	5	D & S	BALRANALD
40AL403265	CURRENT	BALRANALD LOCAL ABORIGINAL LAND COUNCIL	19-Sep-05	8	D & S	BALRANALD
30BL177611	ACTIVE	BARYULGIL ABORIGINAL LANDS COUNCIL	21-Jan-00		D & S	BARYULGIL
30SL048442	ACTIVE	BARYULGIL LOCAL ABORIGINAL LAND COUNCIL	9-May-91		D & S	BARYULGIL
60AL581179	CURRENT	BILLA DOWNS ABORIGINAL CORPORATION	1-Jul-04	8	D & S	EUSTON
80AL702422	CURRENT	DUBBO LOCAL ABORIGINAL LAND COUNCIL	1-Jul-04	100	D & S	DUBBO
90BL252877	ACTIVE	EDGERTON-KWIEMBAL ABORIGINAL CORPORATION	19-Sep-05		D & S	ASHFORD
50AL500990	CURRENT	INDIGENOUS BUSINESS AUSTRALIA	1-Jul-04	8	D & S	WODEN

50AL500565	CURRENT	INDIGENOUS LAND CORPORATION	1-Jul-04	15	D & S	ADELAIDE
60AL581385	CURRENT	INDIGENOUS LAND CORPORATION	1-Jul-04	8	D & S	ADELAIDE
30BL181949	ACTIVE	JUBAL ABORIGINAL CORPORATION	6-Jun-03		D & S	MALLANGANEE
50AL502714	CURRENT	LARNANGURAG ABORIGINAL ASSOCIATION INC	1-Jul-04	8	D & S	HALLAM
30SL044382	ACTIVE	MALABUGILMAH ABORIGINAL CORPORATION	12-Sep-84		D & S	BARYUGIL
30BL140549	ACTIVE	MIRRIWINNI GARDENS ABORIGINAL ACADEMY	21-Feb-90		D & S	VIA KEMPSEY
30BL141378	ACTIVE	MIRRIWINNI GARDENS ABORIGINAL ACADEMY	5-Jun-90		D & S	VIA KEMPSEY
90BL248962	ACTIVE	MOOMBAHLENE ABORIGINAL LAND COUNCIL	4-May-98	8	D & S	TENTERFIELD
70AL602392	CURRENT	MURRIN BRIDGE LOCAL ABORIGINAL LAND COUNCIL	1-Jul-04	5	D & S	LAKE CARGELLIGO
60BL028787	ACTIVE	N S W ABORIGINAL LAND COUNCIL	30-May-73		D & S	PARRAMATTA
70AL601973	CURRENT	N S W ABORIGINAL LAND COUNCIL	1-Jul-04	12	D & S	PARRAMATTA
40AL402433	CURRENT	NARI NARI TRIBAL COUNCIL INC	1-Jul-04	619	D & S	HAY
40AL403236	CURRENT	NARI NARI TRIBAL COUNCIL INC	1-Jun-05	171	D & S	HAY
40BL190516	ACTIVE	NARI NARI TRIBAL COUNCIL INC	28-Apr-05		D & S	HAY
85BL105271	ACTIVE	NEW SOUTH WALES ABORIGINAL LAND COUNCIL	25-Aug-76		D & S	WAGGA WAGGA
60AL580405	CURRENT	NYAMPA ABORIGINAL HOUSING COMPANY LTD	1-Jul-04	8	D & S	MENINDEE
10BL159262	ACTIVE	THARAWAL LOCAL ABORIGINAL LAND COUNCIL	13-Jul-99		D & S	BUXTON
80BL239781	ACTIVE	THUBBO ABORIGINAL MEDICAL CO - OP	8-May-02		D & S	DUBBO
90BL113613	ACTIVE	WALHALLOW MURRI ENTERPRISE ABORIGINAL CO	5-Sep-80		D & S	CAROONA
90BL253081	ACTIVE	WALHALLOW MURRI ENTERPRISE ABORIGINAL CORPORATION	6-Feb-06		D & S	CAROONA
50AL503126	CURRENT	WANDOO ABORIGINAL CORPORATION	1-Jul-04	3	D & S	ALBURY
70BL226507	ACTIVE	WEIGELLI CENTRE ABORIGINAL CORPORATION	24-Apr-97		D & S	COWRA
70SL090279	ACTIVE	WEIGELLI CENTRE ABORIGINAL CORPORATION	4-Aug-99		D & S	COWRA
80BL133657	ACTIVE	WILYAKALI ABORIGINAL CORP	10-Dec-85		D & S	BROKEN HILL
85BL103557	ACTIVE	WILYAKALI ABORIGINAL CORP	2-Sep-75		D & S	BROKEN HILL
80BL239165	ACTIVE	WIRADJURI WELLINGTON ABORIGINAL TOWN COMMON COMMITTEE	4-Dec-00		D & S	WELLINGTON
20BL168569	ACTIVE	YARNTEEN ABORIGINAL & TORRES STRAIT	20-Nov-02		D & S	CARDIFF
70BL230897	ACTIVE	YAWARRA HILLFORD ABORIGINAL CORPORATION	24-Aug-05		D & S	COWRA
40AL401088	CURRENT	BALRANALD LOCAL ABORIGINAL LAND COUNCIL	1-Jul-04	972	GS	BALRANALD

40AL402042	CURRENT	BALRANALD LOCAL ABORIGINAL LAND COUNCIL	1-Jul-04	90	GS	BALRANALD
40AL403248	CURRENT	BALRANALD LOCAL ABORIGINAL LAND COUNCIL	7-Mar-06	804	GS	BALRANALD
60AL580660	CURRENT	BILLA DOWNS ABORIGINAL CORPORATION	1-Jul-04	604	GS	EUSTON
60AL580707	CURRENT	BILLA DOWNS ABORIGINAL CORPORATION	1-Jul-04	928	GS	EUSTON
60AL581178	CURRENT	BILLA DOWNS ABORIGINAL CORPORATION	1-Jul-04	178	GS	EUSTON
70AL600802	CURRENT	COWRA LOCAL ABORIGINAL LAND COUNCIL	1-Jul-04	84	GS	COWRA
70AL600863	CURRENT	COWRA LOCAL ABORIGINAL LAND COUNCIL	1-Jul-04	135	GS	COWRA
50AL501185	CURRENT	CUMMERAGUNJA LOCAL ABORIGINAL LAND COUNCIL	1-Jul-04	834	GS	MOAMA
50AL502464	CURRENT	CUMMERAGUNJA LOCAL ABORIGINAL LAND COUNCIL	1-Jul-04	674	GS	MOAMA
50AL500989	CURRENT	INDIGENOUS BUSINESS AUSTRALIA	1-Jul-04	667	GS	WODEN
60AL580104	CURRENT	INDIGENOUS BUSINESS AUSTRALIA	1-Jul-04	30	GS	BRISBANE
50AL500564	CURRENT	INDIGENOUS LAND CORPORATION	1-Jul-04	2658	GS	ADELAIDE
60AL581239	CURRENT	INDIGENOUS LAND CORPORATION	1-Jul-04	16	GS	ADELAIDE
50AL502713	CURRENT	LARNANGURAG ABORIGINAL ASSOCIATION INC	1-Jul-04	411	GS	HALLAM
60AL580261	CURRENT	MENINDEE LOCAL ABORIGINAL LAND COUNCIL	1-Jul-04	729	GS	DUBBO
60AL580618	CURRENT	MILDURA ABORIGINAL CORPORATION	1-Jul-04	118	GS	MILDURA
60AL580684	CURRENT	MILDURA ABORIGINAL CORPORATION	1-Jul-04	232	GS	MILDURA
70AL601055	CURRENT	MURRIN BRIDGE LOCAL ABORIGINAL LAND COUNCIL	1-Jul-04	135	GS	LAKE CARGELLIGO
70AL602391	CURRENT	MURRIN BRIDGE LOCAL ABORIGINAL LAND COUNCIL	1-Jul-04	6	GS	LAKE CARGELLIGO
70AL602924	CURRENT	MURRIN BRIDGE LOCAL ABORIGINAL LAND COUNCIL	1-Jul-04	15	GS	LAKE CARGELLIGO
60AL580194	CURRENT	N S W ABORIGINAL LAND COUNCIL	1-Jul-04	240	GS	PARRAMATTA
40AL403235	CURRENT	NARI NARI TRIBAL COUNCIL INC	1-Jun-05	1944	GS	HAY
40AL400826	CURRENT	NARRANDERA LOCAL ABORIGINAL LAND COUNCIL	1-Jul-04	243	GS	NARRANDERA
60AL580404	CURRENT	NYAMPA ABORIGINAL HOUSING COMPANY LTD	1-Jul-04	492	GS	MENINDEE
40AL400956	CURRENT	SANDHILLS ADVANCEMENTABORIGINAL CORPORATION	1-Jul-04	25	GS	NARRANDERA
50AL503125	CURRENT	WANDOO ABORIGINAL CORPORATION	1-Jul-04	42	GS	ALBURY
80AL701396	CURRENT	WELLINGTON LOCAL ABORIGINAL LAND COUNCIL	1-Jul-04	20	GS	WELLINGTON
20AL200638	CURRENT	WONNARUA NATION ABORIGINAL CORPORATION	1-Jul-04	15	GS	SINGLETON DC
60AL580103	CURRENT	INDIGENOUS BUSINESS AUSTRALIA	1-Jul-04	49	HS	BRISBANE
60AL581238	CURRENT	INDIGENOUS LAND CORPORATION	1-Jul-04	8	HS	ADELAIDE

40AL403234	CURRENT	NARI NARI TRIBAL COUNCIL INC	1-Jun-05	3	HS	HAY
40AL404972	CURRENT	NARI NARI TRIBAL COUNCIL INC	13-Nov-07	2130	HS	HAY
40AL404973	CURRENT	NARI NARI TRIBAL COUNCIL INC	13-Nov-07	20	HS	HAY
40AL405414	CURRENT	NARI NARI TRIBAL COUNCIL INC	9-Jan-08	500	HS	HAY
60AL580403	CURRENT	NYAMPA ABORIGINAL HOUSING COMPANY LTD	1-Jul-04	280	HS	MENINDEE
80AL701395	CURRENT	WELLINGTON LOCAL ABORIGINAL LAND COUNCIL	1-Jul-04	40	HS	WELLINGTON
30BL178405	ACTIVE	BUNJUM ABORIGINAL CO-OPERATIVE	28-Sep-99	3	I	WARDELL
70BL122929	ACTIVE	COWRA LOCAL ABORIGINAL LAND COUNCIL	28-Sep-82	59	I	COWRA
90BL145313	ACTIVE	EDGERTON-KWIEMBAL ABORIGINAL CORPORATION	29-May-92	240	I	ASHFORD
90SL100051	ACTIVE	EDGERTON-KWIEMBAL ABORIGINAL CORPORATION	15-Feb-96	30	I	ASHFORD
80SL047055	ACTIVE	ELLIMATTA HOUSING ABORIGINAL CORPORATION	29-Mar-89	36	I	COONAMBLE
20BL168137	ACTIVE	FORSTER LOCAL ABORIGINAL LAND COUNCIL	11-Sep-01	80	I	FORSTER
30SL065571	ACTIVE	KEMPSEY LOCAL ABORIGINAL LAND COUNCIL	7-Jul-99	45	I	KEMPSEY
50SL004685	ACTIVE	LARNANGURAG ABORIGINAL ASSOCIATION INC	29-Dec-33	52	I	HALLAM
50SL040405	ACTIVE	LARNANGURAG ABORIGINAL ASSOCIATION INC	21-Nov-79	52	I	HALLAM
90BL249580	ACTIVE	MRANGALLI ABORIGINAL CORPORATION	3-Aug-99	19	I	TINGHA
30SL046040	ACTIVE	TWEED BYRON LOCAL ABORIGINAL LAND COUNCIL	1-Jul-87	2	I	CHINDERAH
85SL025591	SUSPENDED	WILCANNIA LOCAL ABORIGINAL LAND COUNCIL	24-May-66	2840	I	WILCANNIA
80SL013607	ACTIVE	WINDRADYNE ABORIGINAL LAND COUNCIL	22-Sep-54	9	I	BATHURST
30BL176824	ACTIVE	YARRAWARRA ABORIGINAL CORPORATION	5-Jun-95	7	I	CORINDI
90BL015549	ACTIVE	INDIGENOUS LAND CORPORATION	19-Jul-65	192	I	ADELAIDE
85SL048567	ACTIVE	INDIGENOUS LAND CORPORATION	6-Jun-91		I	BRISBANE
85SL050939	ACTIVE	MUNGINDI LOCAL ABORIGINAL LAND COUNCIL	21-Jun-96		I & S	MUNGINDI
85SL100380	ACTIVE	MUNGINDI LOCAL ABORIGINAL LAND COUNCIL	29-Dec-98	2430 + 6.5	I & S	MUNGINDI
30SL031159	ACTIVE	INDIGENOUS LAND CORPORATION	29-Oct-69	7 + 3	I & S	BRISBANE
90SL038731	ACTIVE	INDIGENOUS LAND CORPORATION	20-Oct-76	972 + 8	I & D & S	ADELAIDE
85SL045561	ACTIVE	INDIGENOUS LAND CORPORATION	18-Jun-86	168 + 8.5	I & D & S	BRISBANE

85SL029624	ACTIVE	INDIGENOUS LAND CORPORATION	1-Nov-68	123 + 2	I & D	BRISBANE
80BL237234	SUSPENDED	COONABARABRAN LOCAL ABORIGINAL LANDS COU	5-Jun-97	1	Recreation	TAMWORTH
90SL034724	ACTIVE	MOREE LOCAL ABORIGINAL LAND COUNCIL	17-Jul-72	4.5	S	MOREE
85BL150937	ACTIVE	N S W ABORIGINAL LAND COUNCIL	16-Nov-92		S	COONAMBLE
85BL103556	ACTIVE	WILYAKALI ABORIGINAL CORP	2-Sep-75		S	BROKEN HILL
85BL143463	ACTIVE	WILYAKALI ABORIGINAL CORP	23-Aug-91		S	BROKEN HILL
85BL143464	ACTIVE	WILYAKALI ABORIGINAL CORP	23-Aug-91		S	BROKEN HILL
85BL143465	ACTIVE	WILYAKALI ABORIGINAL CORP	19-Jul-91		S	BROKEN HILL
85BL143466	ACTIVE	WILYAKALI ABORIGINAL CORP	19-Jul-91		S	BROKEN HILL
85BL143467	ACTIVE	WILYAKALI ABORIGINAL CORP	19-Jul-91		S	BROKEN HILL
50AL501186	CURRENT	CUMMERAGUNJA LOCAL ABORIGINAL LAND COUNCIL	1-Jul-04	258	SW	MOAMA
80AL701397	CURRENT	WELLINGTON LOCAL ABORIGINAL LAND COUNCIL	1-Jul-04	1.5	SW	WELLINGTON

Key	
WMA	Water Management Act
WA	Water Act
AL	Access Licence (WMA)
BL	Bore Licence (WA)
SL	Surface Licence (WA)
GS	General Security (WMA)
HS	High Security (WMA)
SW	Supplementary Water (WMA)
AQ	Aquifer (WMA)
I	Irrigation
D & S	Domestic and Stock (WMA & WA)
D	Domestic (WMA & WA)
S	Stock (WMA & WA)
R	Recreation

Source: New South Wales Department of Natural Resources

Notes:

1. The name of the town/location given is the address of the licensee not the address of the property using the water.
2. All the licences noted here are in effect active.
3. In those cases where licences have no allocation noted, these are either very small flows and/or allocations or are not given because the licences are subject to current changes in legislation.

Table 4. Victoria licence data

Name of entity	Type of business	Nearest town or Shire	Does the entity hold a water licence?	Is the licence for Stock and Domestic use?	Date of issue of licence	Volume of allocation per year
Framlingham Abgl Trust (1)	Aquaculture, Eel farm	Port Fairy/ Warrnambool				
Windamara Aboriginal Cooperative (Lake Condah) (2)	Eel aquaculture	Heywood				
Yorta Yorta Nation Abgl Corporation	Aquaculture and Horticulture	Echuca, Moama	Yes	n.d.		
Boundary Bend (ILC) (Held by ILC)	Citrus Orchard	Boundary Bend	Yes (2 licences)	No	2007	n.d.
Tol Tol Road (ILC) (Held by ILC)	Vineyard, (Orchard?)	Robinvale	Yes	No	2007	n.d.
ILC Property	Irrigation licence, no present water allocation	Murray Valley (2 Licences)	Yes	No	2007	n.d.
Boona Dairy (3)	Irrigated pasture	Warrnambool	Yes		2005	481.2 ML

Source: Lower Murray Water, Grampian Wimmera Water, and Southern Rural Water.

Notes:

1) There has been extensive discussion and preliminary research regarding the establishment of an aquaculture operation by Framlingham Aboriginal Trust however the areas where they have demonstrated interest no longer have entitlement available without trading from an existing licence holder.

2) The Winda Mara Co-operative does not hold a licence for Lake Condah as such. The Lake Condah Sustainable Development Project is managed by Winda Mara and seeks to restore a natural water flow to the ephemeral lake that has effectively been drained by implementing weirs along its tributary waterway. The lake will flood in natural circumstances and provide opportunity for traditional aquaculture activities although not, it is believed, in a commercial sense.

3) Framlingham Aboriginal Trust is the only licence holder with a groundwater extraction licence at the property "Boona" between Port Fairy and Yambuk. The licence is held in the name of Kirrae Whurrong Community Inc and was originally issued to the ILC on 19 November 1997.

Table 5. Tasmania licence data

Name of entity	Type of business	Nearest town, Shire or region	Does the entity hold a water licence?	Is the licence for Stock and Domestic use?	Date of issue of licence	Volume of allocation per year
Murrayfield & Kirkby Lodge (ILC) Licence allocated to the ILC	Aquaculture	Bruny Island, south west of Hobart	Yes, No. 7647	No	2005	54,385 ml

Source: Water Information System of Tasmania

Table 6. South Australia Licence data

Name of entity	Type of business	Nearest town or Shire	Does the entity hold a water licence?	Is the licence for Stock and Domestic use?	Date of issue of licence	Volume of allocation per year
Raukkan Farm Ngarrindjeri Pty Ltd.	Cattle agistment (Crop production, dairying)	Narrung	Yes No. 813	No	30/6/1975	694,700 kL irrigation
Manunka Farm, Manunka Abgl Corp (ILC)	Horticulture	Nildottie	Yes No. 404	Yes (partial)	4/3/1981	144,000 kL irrigation, 1,000 kL stock & domestic
Manunka Farm, Manunka Abgl Corp (ILC)	Horticulture	Nildottie	Yes No. 1309	Yes (partial)	May 1974	46,000 kL irrigation, 500kL stock & domestic
River Road, Sugar Shack Abgl Corp (ILC)			Yes No. 22381	Yes (partial)	9/1/2002	1,090 kL holding 2,000 kL taking stock & domestic

Source: Department of Water, Land and Biodiversity Conservation

Table 7. Western Australia licence data

Name of entity	Type of business	Nearest town or Shire	Does the entity hold a water licence?	Is the licence for Stock and Domestic use?	Date of issue of licence	Volume of allocation per year
Pandanus Park, Mowanjum Abgl. Corp. CDEP	Aquaculture, Gardening and Landscaping	Derby	Yes	No	2006	7500kL
Mowanjum Aboriginal Corporation	Pastoral property	Derby West Kimberley	Yes	No	2006	7500kL
Mowla Bluff	Pastoral property	Derby West Kimberley	Yes	Yes	2000	2500kL

Source: West Australian Department of Water

Table 8. Northern Territory licence data

Name of entity	Type of business	Nearest town or Shire	Does the entity hold a water licence?	Is the licence for Stock and Domestic use?	Date of issue of licence	Volume of allocation per year
Centrefarm	Horticulture, agroforestry	Alice Springs	Yes	No	2008	100MI
Ali Curing, Warrabri ALT	Horticulture	Alice Springs	No, in process	-	To be issued in the future	-
Desert Garden Abgl Corp		Alice Springs	Yes			
Katherine region			Four (4) future licences	Yes, but also for irrigation of lawns and gardens	Future	Relatively small

Source: Water Management, Natural Resources Division, Natural Resources, Environment, the Arts and Sport.

Notes:

1) Issued to enable use on indigenous-owned land as per the forthcoming Katherine Tindal Water Allocation Plan

Table 9. Queensland licence data

Client	Name	Wauth	Status	Issued	Allocn ml	Purpose
11330E	BIDJARA ABORIGINAL HOUSING & LAND CORP LTD	50467E	Issued	14/09/1984		Stock
13577U	GEHGRE ABORIGINAL AND TORRES STRAIT ISLANDERS CORPORATION	31297U	Expired	16/09/1976		Stock
13577U	GEHGRE ABORIGINAL AND TORRES STRAIT ISLANDERS CORPORATION	31299U	Expired	18/01/1977		Irrigation, Stock
13705	YAAMBA ABORIGINAL & TORRES STRAIT ISLANDERS CORP FOR MEN	65314B	Issued	31/10/1988	5	Domestic Supply, Irrigation
13969	GUNGARDE COMMUNITY CENTRE ABORIGINAL CORPORATION	109251K	Issued	30/03/2000		Domestic Supply
15330	WOOLGAR VALLEY ABORIGINAL CORPORATION	183526	Issued	14/07/2005		Domestic Supply, Stock
17450K	PORMPURAABW ABORIGINAL COUNCIL	45600K	Issued	19/08/1983		Stock, Domestic Supply
18655K	ANG-GNARRA ABORIGINAL COUNCIL	92568K	Expired	8/01/1997		Domestic Supply, Stock
26591	KOWANYAMA ABORIGINAL SHIRE COUNCIL	178186	Issued	27/02/2004		Stock, Domestic Supply
26591	KOWANYAMA ABORIGINAL SHIRE COUNCIL	45068K	Issued	30/05/1977		Stock, Domestic Supply
43009	UWOYKAND TRIBAL ABORIGINAL CORPORATION	402454	Issued	16/04/2007		Domestic Supply, Stock

49718	CENTRAL WEST ABORIGINAL CORPORATION	409192	Issued	3/02/2009	0	Irrigation, Domestic Supply
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12011	Urannah, Urannah Properties Assen Inc (ILC)					Pastoral
11714	Thornhill, Meerooni Warro Thirnhill Abgl Corp (ILC)					Pastoral
15027	Murra Murra, Kooma Traditional Owners Assen (ILC)					Pastoral
16055	Murra Murra, Kooma Traditional Owners Assen (ILC)					Pastoral
18544	Badjuballa, Badjuballa Abgl Corp (ILC)					Pastoral
40666S	Hillgrove Station, Gidarjil Land Dev Corp Ltd (ILC)					Pastoral
30390F	Welcome Station (ILC)					Pastoral
37566	Coorumburra					Pastoral
17339	Woorabinda					Pastoral
40763S	Woorabinda					Pastoral
42478	Woorabinda					Pastoral

Source: Water Management Branch of the Department of Natural Resources and Water.

Appendix A: Agencies and bodies approached to estimate those entities that may use water for commercial purposes

Australian Institute of Aboriginal and Torres Strait Islander Studies
House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs
Indigenous Business Australia
Indigenous Land Corporation
National Native Title Tribunal
Northern Australia Indigenous Land and Sea Management Alliance
Office of Indigenous Policy Coordination, FaHCSIA
Office of the Registrar of Indigenous Corporations
Professor Dennis Foley
Reconciliation Australia
Staff at the Centre for Aboriginal Economic Policy Research, the ANU.

State

Aquaculture Council of Western Australia
Department of Environment and Conservation NSW
Department of Fisheries Western Australia
Kimberley Development Corporation
MILDRIN (Murray Lower Darling Rivers Indigenous Nations)
Murray Darling Commission
Victorian Indigenous Seafood Committee
WA State Department of Agriculture and Food Western Australia

Regional

Balkanu Cape York Development Corporation
Darebin Enterprise Centre
Desert Knowledge Cooperative Research Centre
Indigenous Stock Exchange
Koori Indigenous Business Network
Southeast Brisbane Indigenous Chamber of Commerce
Wunan Foundation

Native Title Representative Bodies

Cape York Land Council Aboriginal Corporation
Carpentaria Land Council Aboriginal Corporation
Central Desert Native Title Services (was Ngaanyatjarra Council)
Central Land Council
Goldfields Land and Sea Council Aboriginal Corporation
Kimberley Land Council (Aboriginal Corporation)
Native Title Services Victoria Ltd
North Queensland Land Council Native Title Representative Body Aboriginal Corporation
Northern Land Council
NTSCORP LTD (NSW)
Queensland South Native Title Services Ltd
South Australian Native Title Services
South West Aboriginal Land and Sea Council
Torres Strait Regional Authority
Yamatji Marlpa Barna Baba Maaja Aboriginal Corporation

Appendix B: Jurisdictional bodies approached for commercial licence information

Department of Primary Industries and Water, Tasmania

Department of Water Land Biodiversity Conservation, South Australia

Department of Water Resources, New South Wales

Goulburn-Murray Water, Victoria; Lower Murray Water, Victoria; Grampians Wimmera

Mallee Water, Victoria; Southern Rural Water, Victoria

Natural Resource Management, Department of Water, Western Australia

Water Management, Department of Natural Resources and Water, Queensland

Water Management, Natural Resources Division, Natural Resources, the Environment,
Arts and Sport, Northern Territory

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