

Registration of interest – Water opportunities for Aboriginal legal entities in NSW



The NSW Government is offering water access licences to eligible Aboriginal legal entities. You can register your interest in some of this water.

About this Registration of interest process

In NSW, the right to take and access water is often provided through water access licences (**WALs**) which are granted under the Water Management Act 2000 (**WM Act**). A WAL gives its holder the right to a share in the available water in a specific water source (this is known as a **share component**).

If a WAL holder wants to change the share of available water in that WAL, or to buy or sell a WAL, they will usually do that by water trading on the open market.

The NSW Government is committed to Closing the Gap, including developing a bespoke jurisdictional target for water. Priority 2 of the NSW Water Strategy 2021 is to ‘Recognise Aboriginal peoples’ water rights and values, and increase access to, and ownership of water for cultural, social, educational, and economic purposes’. Priority 1 in the NSW Aboriginal Water Strategy is to ‘Increase Aboriginal peoples’ access to and ownership of water to support cultural, social, economic and intergenerational outcomes’. Visit water.nsw.gov.au/nsw-water-strategy and water.nsw.gov.au/aboriginal-water-strategy for more information.

The Minister for Water is currently holding a number of WALs that have been surrendered. The Department of Climate Change, Energy, the Environment and Water (**the department**) is conducting this Registration of Interest (**ROI**) process for surrendered WALs to help increase Aboriginal ownership of water.

The department proposes to offer the shares on these WALs to eligible Aboriginal legal entities (as defined in the eligibility criteria below), either by granting them new WALs containing some or all of the available shares or by transferring some or all of the available shares to their existing WALs.

Completing this form will register your nominated legal entity’s interest to receive some of the WALs or some of the available shares in those WALs, but participating in the ROI process and registering an interest **doesn’t guarantee** that the legal entity will receive a WAL or any shares, or the amount of shares in which the entity registered interest.

If you are an Aboriginal legal entity and would like to participate in this ROI process and register your interest to receive one of these WALs or some of the available shares associated with those WALs, you will need to carefully review and complete this form. We refer to the legal entity that participates in this ROI process as "you" or the "participant".

This form will ask you to:

- prove your eligibility to be granted a WAL or a water share under this ROI process
- specify your interest in specific water sources
- provide some warranties and declarations about your participation in the ROI process.

Specific purpose access licences

This ROI process does not deal with specific purpose access licences (**SPALs**), which are a kind of WAL created for a specific purpose and are sometimes granted to Aboriginal peoples or entities. If you would like more information on SPALs, including information about how to apply, please refer to the department's website at water.nsw.gov.au/licensing-and-approvals > [Specific purpose access licence](#).

Participant response sections

Sections A to C must be completed by all participants

Section A – Declaration and acknowledgement

A1	I have read and understood the Eligibility Criteria	<input type="checkbox"/> Yes <input type="checkbox"/> No
A2	I have read and understood <i>How to fill out the participant response sections</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
A3	I have read and understood the <i>Costs if you are successful</i> section <i>This means that if I receive a WAL(s) or water shares as a result of this ROI, I will become responsible to pay any further fees and charges associated with that WAL(s) or any water shares and any dealings with it.</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
A4	I have read and accept the <i>Terms of Participation</i> section	<input type="checkbox"/> Yes <input type="checkbox"/> No
A5	I have read and understood the <i>Participant's acknowledgements</i> section	<input type="checkbox"/> Yes <input type="checkbox"/> No
A6	I have read and understood the <i>Participant's warranties and declarations</i> section	<input type="checkbox"/> Yes <input type="checkbox"/> No
A7	I have read and understood the <i>Privacy</i> section	<input type="checkbox"/> Yes <input type="checkbox"/> No
A8	I have read and understood the <i>Exchange of information</i> section	<input type="checkbox"/> Yes <input type="checkbox"/> No
A9	I have read and understood the <i>How to submit this ROI form</i> section	<input type="checkbox"/> Yes <input type="checkbox"/> No
A10	I have read and understood the <i>Notification of outcomes and next steps</i> section	<input type="checkbox"/> Yes <input type="checkbox"/> No
A11	Does the participant have any real, potential or perceived conflict of interest in connection with this ROI process?	<input type="checkbox"/> Yes <input type="checkbox"/> No
A12	If yes to A11, please disclose the nature of the conflict.	

A13	Name and position of the person completing this ROI form on behalf of the participant	
A14	The person named in item A13 above is duly authorised on behalf of the participant to complete this ROI form (and any attachments) and to accept the Terms of participation and to make the acknowledgments, warranties and declarations set out in this ROI form on behalf of the participant	<input type="checkbox"/> Yes <input type="checkbox"/> No

Section B – Applying on behalf of an Aboriginal-controlled entity – details and eligibility

Please answer questions B1–B14, then complete **Section C**.

B1	Participant's full legal name	
B2	Type of entity	<p>What type of legal entity are you:</p> <p><i>(State what type of legal entity the participant is, for example, corporation, incorporated association. Please note that this ROI process is not open to individuals or sole traders.)</i></p>
B3	Participant's trading name (if different from above)	
B4	ACN (if applicable)	
B5	ABN (if applicable)	
B6	Is the participant Aboriginal-controlled (this means that it must meet at least one of the criteria in the adjacent column)?	<p><input type="checkbox"/> Yes</p> <p>If yes, mark all that apply with a cross:</p> <p><input type="checkbox"/> an Aboriginal Corporation registered under the <u>Corporations (Aboriginal and Torres Strait Islander) Act 2006</u> (Cth)</p> <p><input type="checkbox"/> a Local Aboriginal Land Council (LALC) under the <u>Aboriginal Land Rights Act 1983</u> (NSW)</p> <p><input type="checkbox"/> a Prescribed Body Corporate (PBC) under the <u>Native Title Act 1993</u> (Cth)</p> <p><input type="checkbox"/> an Aboriginal Community-Controlled Organisation (ACCO) as set out in clause 44 of the <u>National Agreement on Closing the Gap</u></p> <p><input type="checkbox"/> another kind of legal entity that is not an individual or a sole trader and is at least 51% Aboriginal owned, managed and controlled as evidenced by the entity's ASIC Company Extract, Constitution, Articles or Memorandum of the Aboriginal board of governance.</p> <p><input type="checkbox"/> No</p>

[illegible]

B11	Participant's website (if applicable)	Website address: <i>(The website may be reviewed by the department to confirm your eligibility to participate in this ROI process. If you do not have a website, this will not adversely affect your application.)</i>
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Your authorised contact person for this ROI process

B12	Authorised contact person's full name and position	
B13	Authorised contact person's phone number	
B14	Authorised contract person's email address	

Evidence required

If you answered “Yes” to B6 you will need to provide us with relevant evidence that you are an Aboriginal-controlled entity and satisfy the criteria that you have selected in response to B6. The type of evidence that you need to provide to us depends on what type of entity you are. It may include, where applicable, evidence of the following:

- the organisation's ACCO status including evidence of registration with a NSW Aboriginal Land Council, Aboriginal Health and Medical Research Council of NSW, National Aboriginal Community-Controlled Organisation, Supply Nation or the NSW Indigenous Chamber of Commerce
- Certificate of Incorporation, or is an Aboriginal Land Council in NSW
- Registration with the Office of the Registrar of Indigenous Corporations (ORIC)
- Establishment as a Prescribed Body Corporate (PBC) under the [Native Title Act 1993](#) (Cth)
- the organisation's ASIC Company Extract, Constitution, Articles or Memorandum of the Aboriginal board of governance (demonstrating at least 51% Aboriginal control).

Please attach this evidence if you email your completed ROI form, or include it if you post the completed form to the department.

Section C – Interest in water

For all ROI participants to complete. There is an interactive map on the [ROI webpage](https://water.nsw.gov.au/roi-for-transferring-wals-to-aboriginal-entities) which includes information on the water sources with water shares available. You can view the maps at water.nsw.gov.au/roi-for-transferring-wals-to-aboriginal-entities

The tables below ask you to nominate the water sources, and the number of water shares in each water source, in which you are expressing interest in this form. **You must nominate one or more water shares in one or more water sources to complete this form.**

Usually, the maximum amount of water that can be allocated per water share, per year is one megalitre or one million litres. However, as indicated earlier in this form, the amount of water provided in any given year varies according to availability and the applicable available water determination.

The following information about fees and charges is for information only. As noted earlier in this form, if you are successful in this ROI process, you will not need to pay any costs to obtain the WALs(s) and/or shares from the Minister for Water, but you will be responsible for any other costs associated with those WALs or water shares or any water under those WALs or water shares. You should consider this information in deciding how many water shares and which water sources you will nominate.

The minimum annual charge for the 2025–2026 water year (1 October 2025 – 30 June 2026) is \$295.66. This means that if the total annual water management charges for the water shares are less than this amount, the licence holder will still need to pay \$295.66 in the 2025–2026 water year, if the transfer dealing is completed and the water made available to you before 30 June 2026.

The water management charges apply each year and are adjusted annually. Charges and fees are exempt from GST.

Surface water – regulated river water sources

In regulated river systems, water shares are categorised as ‘high security’, ‘general security’ and ‘supplementary water’. Please refer to the department’s website to learn more about the difference between these types of water shares: water.nsw.gov.au/learn-about-water > An Introduction to Water > An introduction to water allocations.

The cost of supplementary water depends on the actual amount of water taken. Because of this, the prices for supplementary water are shown in the table as a maximum amount that would be charged if the licence holder used the maximum amount of water, which is 1 megalitre per water share.

Supplementary water share holders only pay for their usage, but holders of high and general security water shares pay the water share price PLUS a price for their usage. For example, a water share holder of a general security water share in the Hunter Regulated River pays \$24.03 PLUS max. \$27.20 (when 1 megalitre is used) for the 2025–2026 water year.

Regulated river water sources with shares available (tick which one you are interested in)	Licence category and number of shares available	Please tick the category of shares and enter how many shares you are registering your interest in	Annual water management charges (based on valley/river) PER SHARE for the 2025 2026 water year
<input type="checkbox"/> Bega And Brogo Regulated Rivers	General security: 10	<input type="checkbox"/> General security _____ shares	General security: \$25.94
<input type="checkbox"/> Hunter Regulated River	General security: 224.4 Supplementary water: 52.9	<input type="checkbox"/> General security _____ shares <input type="checkbox"/> Supplementary water _____ shares	General security: \$24.03 Supplementary water: max. \$27.20
<input type="checkbox"/> Lower Namoi Regulated River	Supplementary water: 5.2	<input type="checkbox"/> Supplementary water _____ shares	Supplementary water: max. \$40.94

Regulated river water sources with shares available (tick which one you are interested in)	Licence category and number of shares available	Please tick the category of shares and enter how many shares you are registering your interest in	Annual water management charges (based on valley/river) PER SHARE for the 2025 2026 water year
<input type="checkbox"/> Macquarie and Cudgegong Regulated Rivers	Supplementary water: 151.94	<input type="checkbox"/> Supplementary water _____ shares	Supplementary water: max. \$29.68
<input type="checkbox"/> Murrumbidgee Regulated River	General security: 3 Supplementary water: 9	<input type="checkbox"/> General security _____ shares <input type="checkbox"/> Supplementary water _____ shares	General security: \$4.69 Supplementary water: max. \$8.03
<input type="checkbox"/> New South Wales Murray Regulated River	General security: 1 Supplementary water: 4	<input type="checkbox"/> General security _____ shares <input type="checkbox"/> Supplementary water _____ shares	General security: \$8.12 Supplementary water: max. \$7.35
<input type="checkbox"/> Richmond Regulated River	General security: 330	<input type="checkbox"/> General security _____ shares	General security: \$18.21