



Speech by

Andrew Cripps

MEMBER FOR HINCHINBROOK

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FISHERIES AMENDMENT BILL

Mr CRIPPS (Hinchinbrook—NPA) (3.58 pm): I rise to make a brief contribution to the debate on the Fisheries Amendment Bill 2008. The stated objective of the bill is to recognise the traditional and customary fishing rights of Aborigines and Torres Strait Islanders while balancing this with an ecologically sustainable approach to the management of Queensland's fisheries.

The bill provides for traditional fishing to be undertaken only for the purpose of personal, domestic and non-commercial communal use, specifies that traditional fishing can only be undertaken whilst using a recreational fishing apparatus approved under the Fisheries Act and prohibits traditional fishing from taking place in waters that are closed to all fishing activities. I note also the amendments circulated in the minister's name this morning that will allow Indigenous Queenslanders to undertake traditional fishing practices with traditional fishing apparatuses will be prescribed in the act.

The bill has come before the parliament as a result of a 2006 decision of the Queensland Court of Appeal which upheld the right of a traditional fisher to use commercial fishing nets under section 14 of the Fisheries Act. The decision raised questions about the correct balance between the desire to protect Aboriginal traditional and Torres Strait Islander customary fishing, how that fishing is undertaken by Indigenous Queenslanders and the need to promote ecologically sustainable use of fisheries resources across Queensland.

The bill does not affect opportunities for Indigenous people to obtain a commercial fishing licence to undertake commercial fishing activities in accordance with fisheries legislation, nor does it prevent Indigenous people from applying for Indigenous fishing permits outside closed waters. While Indigenous fishing permits are not a substitute for permanent commercial fishing licences they are used as an interim measure to assist Indigenous involvement in commercial fishing and to assist the development of properly constructed economic and business development projects.

Traditional use of marine resources is the undertaking of activities as part of Aboriginal and Torres Strait Islander custom or tradition for the purpose of satisfying personal, domestic or communal needs. The practice of traditional fishing describes both where fishing has traditionally been undertaken by Indigenous Queenslanders and the manner in which that fishing has been traditionally undertaken. It does not and should not relate only to where the fishing was undertaken or the manner in which it was undertaken.

While this legislation introduces amendments to make regulatory changes to avoid a situation where traditional fishing practices may impact negatively on the sustainable management of Queensland fisheries, I would like today to canvass an example of where local, practical and voluntary arrangements have already proven to be successful in establishing an environmentally friendly fisheries management framework in Queensland. In December 2005, traditional owners represented by the Giringun Aboriginal Corporation signed the first ever agreement in Australia for the management of traditional hunting of protected marine species. The Traditional Use Marine Resources Agreement, or TUMRA, signed by the traditional owners in the Hinchinbrook area, was subsequently accredited by the Great Barrier Reef Marine Park Authority and the Environmental Protection Agency and manages the traditional take of turtles and dugongs by Indigenous fishers in the area.

Traditional use activities in the Great Barrier Reef Marine Park are managed under the Great Barrier Reef Marine Park Act 1975 and the Great Barrier Reef Marine Park Regulations 1983. These acts provide for native title holders to undertake traditional use of marine resources in the Great Barrier Reef Marine Park. TUMRAs are formal agreements developed by traditional owner groups, accredited by the Great Barrier Reef Marine Park Authority and the Environmental Protection Agency, and describe how traditional owner groups intend to manage their take of marine species, particularly species such as turtle and dugong.

The Giringun TUMRA was the first to be accredited and represented the joint agreement by six sea country tribal groups represented by the Giringun Aboriginal Corporation being the Djiru, Gulnay, Girramay, Bandjin, Warragamay and Nywaigi people. The TUMRA applies to sea country of these traditional owners between Balgal Beach and Mission Beach.

I am very proud of the fact that the traditional owners in my electorate of Hinchinbrook demonstrated a very significant commitment to the sustainable use of marine resources in their traditional fishing groups. I am lucky to have a progressive, practical and professional organisation such as the Giringun Aboriginal Corporation representing the interests of Indigenous Queenslanders in my electorate and delivering the types of positive outcomes such as this TUMRA in the Hinchinbrook region. I pay tribute to the leadership of the chairman, John Andy, the members of the board and the chief executive officer, Philip Rist, and his staff.

I canvass that issue to demonstrate that it is possible for Queensland fisheries to be managed sustainably on a regional basis by way of agreement of relevant local stakeholders, including local traditional owners. Although today's legislation will be supported by the opposition to see traditional fishing undertaken in a sustainable fashion in Queensland, I encourage the minister to commit to working with local stakeholders where possible to develop regionally based fisheries management plans to reflect the local views, needs and opportunities of commercial, recreational and Indigenous fishers as an alternative to statewide regulation.