



Sea Country

**Summary Report of a workshop held as part of the
TNRM 2017 Conference, 21-24th November, Darwin**

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20-Dec-17**

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This report has been prepared by Paul Josif and Jackie Gould as a summary of the presentations and discussion which occurred during the workshop. This summary has been compiled using notes taken by number of volunteers and does not necessarily reflect the views of TNRM or the authors.

Workshop Objectives

The Workshop objectives were for *Indigenous sea rangers from all around the NT to share stories, hear stories from other agencies, and to talk about the current and future challenges of working on sea country*. To facilitate the achievement of this goal, three (3) broad themes for discussion underpinned the workshop: 1. *Research priorities to support ranger work*; 2. *The future of sea country Indigenous Protected Areas*; and 3. *The role of rangers*.

Welcome to Country and Introduction

A short introduction about the background to the extension of caring for country supported rangers into sea ranger work was given by Wayne Barbour (TNRM), and Donna Jackson (Larrakia Nation) gave a welcome to country. A short scene setting introduction was given by the Facilitators (Paul Josif and Jackie Gould) which outlined the beginnings of the sea ranger movement.

Paul reflected on the early sea country work of rangers, which included: supporting marine turtle research (Dhimurru), checking for unauthorised access to sacred sites, illegal commercial fishing on sacred sites, detecting more than sixty IFFV engaged in shark finning which had eluded sophisticated government operations (Djelk rangers), and the unifying sea turtle and dugong management work, which also had the effect of spreading sea ranger work across northern Australia under the auspices of NAILSMA. Sea rangers also led the on ground work to establish and then facilitate ghost net removal auspiced by Ghost nets Australia.

Paul continued, noting how the findings of the now well discredited National Indigenous and Recreational Fisheries Survey 2003¹ had massively misrepresented the numbers and types of turtles being hunted by Indigenous people:

I (as the NLC Land and Sea Management Manager at that time) was confronted by significant Indigenous concerns and anger at the findings, which were shown to have significant methodological flaws (which distorted for example, sea turtle catch numbers, as the survey seems certain to have included fresh water turtles in the totals); and a wider community backlash against Indigenous hunting of marine animals including turtle and dugong. This in turn raised questions about research that apparently failed to have informed Indigenous participation and consent.

This acted as a critical driver for Indigenous Australians to take on their own capacity building to better be involved in their own marine research and monitoring. This funding for marine turtles and dugong helped support sea rangers to start up in the early 2000s.

The workshop would focus on the ability of Indigenous sea country people to drive their own research agenda; and more particularly about the ongoing challenges of, and issues around managing access to sea country ten years after the Blue Mud Bay Decision*.

**The Blue Mud Bay case was the name given to a court case with original reference to the ownership of fishing rights in tidal waters overlying Aboriginal land at Blue Mud Bay. The case was eventually decided by the [High Court of Australia](#) on 23 July 2008 when it ruled on an appeal made by the*

¹ Henry, G. W., & Lyle, J. M. (2003) *The National Recreational and Indigenous Fishing Survey*. NSW Fisheries, Cronulla, NSW.

Northern Territory, the Commonwealth of Australia and the Northern Territory Seafood Council against a decision made by a lower court in March 2007.

The High Court ruled that the water lying over Aboriginal land should not be treated differently from the land itself. Ownership of Aboriginal land adjoining marine waters in the Northern Territory generally extends to the [low tide](#) level. Since people have always had to obtain permission from the traditional owners or the appropriate [Land Council](#) to go on to Aboriginal land, the Court made it clear that such permission is also required to go on to water overlying that land.

Presentations

1. Thamarrurr Rangers, Wadeye: Turtle Harvest Video

The Thamarrurr Rangers from Wadeye presented a video they made about sustainable harvest of turtle. The video was developed due to concerns about people harvesting too many turtle eggs and turtles. The main audience for the video is the community, where it is shown on the digital TV loop.

<https://www.dropbox.com/s/ha6ji0if5a6uucp/WAD%20TURTLE%20LONG%20w.m4v?dl=0>

Most questions focused on the Ranger's practical efforts to manage turtles, as well as seeking more information on threatening processes. The Rangers explained that signs have been installed on the beach in language and English, at the request of Traditional Owners, asking people not to hunt all the nests. There are only a few main beaches where turtles nest. Rangers monitor the nests and hide some of them. People don't tend to drive on the beaches, the main impact is from egg harvesting. There does not seem to be overharvesting of the turtles themselves. Pigs, and occasionally goannas or dingoes, also predate on the eggs. Seeing goannas is a good sign because their numbers dropped after the arrival of cane toads.

Several questions related to other access and use management issues. Local non-indigenous people generally ask permission for fishing and camping, usually from TOs or via the Rangers. During the dry season there can be issues with people driving in from further away without getting permits. They should obtain an NLC permit but the system can't keep up. Lots of people are coming in illegally - fishing pressures are increasing as people move west.

2. Anindilyakwa Rangers, Groote Eylandt: Managing Sea Country

The Anindilyakwa Rangers have a team of 12 full time rangers. They undertake at least 30 marine patrols annually. Some of the rangers have coxswains and have undertaken compliance training. Patrols include surveillance and compliance patrols with NT policy and NT fisheries.

A critical sea country management issue is marine debris and ghost nets. The rangers showed a current map depicting where marine debris moves. They noted that they are finding less turtles trapped in the ghost nets year on year, but don't know why. They showed a video of a net found recently, which really showed the scale and logistical challenges of removing the nets. Some ghost nets are up to 32 metres wide. They also had some amazing drone footage!

Marine debris includes gas bottles, plastic drums and containers, thongs, metal, timber and bamboo, lots of plastic water bottles and plastic bags, and plastic bottle tops. In one activity involving the CDP team, 30 people collected 1.2 tonne debris in 2 hours.

The Rangers are actively involved in a number of research projects. These include habitat mapping for turtle, tagging false killer whales, research on quolls (they have lots of quolls!) and NAQS termite work.

A major research project at the moment is in collaboration with AIMS (Australian Institute of Marine Science). This involves BRUVs - Baited Remote Underwater Videos. GoPro cameras are put in various habitat zones to document what kinds of fish can be found there. A video showing how the BRUVs are deployed was shown. There was some drone footage in the video which highlighted the effectiveness of this technology in monitoring and surveillance.

The Rangers noted that they can see the difference in fish populations in bleached versus non bleached coral reef areas. The project is also doing benthic surveys. This is the first time underwater topography has been mapped in the NT outside of Darwin Harbour. AIMS' research vessel RV Solander has been surveying the deeper waters with the Rangers using their smaller vessels to do the mapping where the water is 15m or less deep. Another part of the project is working with the community to document their knowledge of *makarda* (sea country), and create habitat maps from this information.

The project responds to Traditional Owner (TO) concerns about possible sea bed mining for manganese. The partnership with AIMS is working well because the Rangers have been able to decide what tasks they want to undertake and decide whether it is suited to local capacity. At the same time it works hand in hand with Indigenous Ecological Knowledge (IEK). AIMS will provide training if you need and want it. The Rangers could choose to do the video analysis in house or send it away to AIMS - it's up to you how much you want to get out of it.

The questions from the participants focussed on the topic of drones and their use in research work. Jeff Tsang from AIMS referred to drone technology being developed by AIMS. The Rangers said that they are making videos with a \$2000.00 drone and an iPhone. They plan to use social media more from now on, for example Instagram and YouTube. Drones can be used for beach patrols.

3. Tony Griffiths, NT Department of Environment and Natural Resources: Coastal and Marine Management Strategy for the Northern Territory

The development of the Strategy was an election commitment in 2015. The Strategy will have a 10 year timeframe and commence in 2018. At present the NT is the only State or Territory which does not have some form of marine management strategy.

There are a substantial number of coastal user groups, interests and pressures which need to be brought into the Strategy. A Discussion Paper has been prepared with 15 Partner organisations and several NTG departments. This is currently before Cabinet and will go to the public for consultation early in 2018. There will be a six week timeframe for comments and feedback. There will be briefings in some coastal communities. An Implementation Plan will be developed in Oct/Nov 2018. A budget commitment for implementation is required, but the expectation is that others need to invest too.

A draft goal has been established: *Our Coasts and Seas are healthy and productive. Their cultural significance is recognised and they continue to support our lifestyle, livelihoods and sustainable industries.* The goal for the Strategy is instrumental and doesn't include sustainability or resilience- 'healthy and productive'. 'Working Together' is a key objective of the Strategy. Currently there is an ad hoc approach to working together. How do stakeholders work together?

A set of Guiding Principles and six Objectives have also been established (see attached copy of PowerPoint presentation). Actions, responsibilities, timeframes and indicators will be identified in the Implementation Plan, once the Strategy is endorsed by Government. The NT Government Aboriginal Ranger grants program provides strategic funds for planning support and other on ground works.

4. Jackie Gould, CDU-AIMS: Sea Country Protected Areas in the NT

Indigenous ranger groups have been established across the Territory coastline. They undertake a range of critical sea country management activities. Some ranger groups have sought to formally declare their management areas as IPAs.

Jackie presented some statistics on sea country IPAs. The Dhimurru and Anindilyakwa IPAs have already been dedicated. These cover about 11% of NT coastal waters (plus some more of Commonwealth waters). Yirralka Stage 2 and Djelk have been dedicated by TOs and are being processed by PM&C. These cover another 9.5% of NT waters. Crocodile Islands are just about to release their draft IPA management plan for comment. That IPA will be 4.5% of NT waters. This means that over 20% of the NT's waters are part of an internationally recognised protected area system, increasing to 25% when Croc Islands dedicate their IPA next year.

Currently, just over 4% of NT waters are within Marine Parks declared by NTG. IPAs are not the only strategy for managing sea country, and groups who don't have IPAs also do vital work and need to be recognised. It is just harder to figure out what area is covered.

To declare an IPA, groups have to consult widely with TOs and develop a management plan, and a monitoring and evaluation framework. This kind of planning can be really useful even where rangers don't decide to create an IPA.

IPAs do not have any statutory weight – they do not impact on any parties' rights or interests. Most terrestrial IPAs in the NT are over Aboriginal Land, where TOs have exclusive ownership to the mean low water mark. But Sea Country IPAs require collaboration with other parties who have rights in marine areas – such as fishing licences. Whilst this can be challenging, what is happening is that TOs/Rangers are emerging at the central point for coordinating and leading marine management across sectors in the NT. It is something really unique and not found in other parts of Australia where government marine parks are more common than IPAs. Many stakeholders, including NTG departments, are really supportive of IPAs and working within IPA planning processes.

Indigenous Territorians are providing leadership and the work they are doing now is providing a powerful example. Rangers should be really proud of what they have achieved. Intertidal zone is Aboriginal freehold title land under the provisions of the Aboriginal Land Rights Act (NT) 1976, and 84% of the coast is Aboriginal owned.

5. Dhimurru Rangers, Gove: Planning for inclusion of sea country within the Dhimurru IPA

Dhimurru spoke about the history of their IPA, and the journey to including Sea Country within their IPA. The original IPA was declared in 2000, and included sea country sacred sites registered with AAPA. It was the first IPA to incorporate sea country. Dhimurru then developed the [Yolngu Monuk Gapu Plan of Management](#) in 2006, and in 2013 released the [Yolngu Monuk Gapu IPA Sea Country Management Plan 2013-2015](#). From 2015 land and sea have been incorporated into a single [management plan](#) for all country within the IPA.

Sea country was important to bring into the IPA because land and sea are both part of people's country, and Yolngu have deep cultural connections to both. 'We Yolngu people put it into two categories- when we talk about the sea and the land we put it into *Yirritja* and *Dhuwa*. The Yolngu own the sea and own everything that's in the sea and in the land' (Djalinda). There was a lot of frustration amongst Yolngu regarding rights in the sea, but they pursued sea rights and built capacity for sea country management. A project at *Dhambaliya* documented cultural and natural values, mapped the sea country and recorded the sacred sites around that island. Gatha spoke about having compliance training on how to approach people in recreation areas. He is mentoring a new ranger at Dhimurru.

The first sea country plan (2006) was almost entirely about starting a conversation. It explained Yolngu rights and responsibilities and identified all stakeholders and potential collaborators and how we might work together to achieve joint outcomes. It was an invitation: 'Bringing people ... getting them on the ship and starting to work together.' (Steve Roeger).

The Dhimurru IPA Stage 2 was dedicated in 2013. It pushed the IPA boundary 40 km out to sea. Most *Wanga* (country) are within the line of sight to the horizon (but not all). Good governance is critical at Dhimurru: 17 clans are represented and the corporation is governed by an elected board of 10 members (*Wanga Watangu* [TOs]).

Governance is also important for sea country, and TOs were extensively consulted about sea country management. It has also been important to bring other stakeholders into the governance framework. At first there was a lot of opposition from local *Ngapaki* (non-Yolngu people) to inclusion of sea country in the IPA. Dhimurru's Senior Ranger led the public consultation and explained that it wasn't a threat to others.

Accordingly a sea country planning forum was held with a large group of stakeholders committed to a coordinated approach. There was a strong recognition of the rights of Yolngu to lead the sea country management agenda. An Advisory Group was developed, based on the idea that all stakeholders bring "backpacks" of authority, capacity, interests and responsibility. The Advisory Group process helped people realise that they can achieve more together than on their own.

The Sea Country IPA plan identifies management aims for sea country, and establishes the IUCN category for the IPA. Dhimurru IPA is listed under Category V, and is termed a "country based IPA". This is because the IPA includes land which is not under Aboriginal ownership. IPA's that are exclusively on Aboriginal land are termed "tenure based IPA's".

There was a lot of conversation generated by the presentation. The Thamarrurr Rangers noted that they have lost funding for their IPA, but think TOs would be interested in extending the IPA to sea country. There is \$15 million being made available from next year for new IPAs. Steve Roeger noted concerns about how the IPA program has been bundled into the *Indigenous Advancement Strategy* agenda (e.g. welfare/Closing the Gap) under the Department of Prime Minister and Cabinet (PM&C), and is losing its connection to the Environment portfolio where the National Reserve System sits.

Clarry Rogers (Senior *Yugal Mangi* Ranger) spoke about having worked as a ranger for 15 years and his relationship to the South East Arnhem Land IPA. Clarry explained how when he was studying Natural and Cultural Resource Management at Batchelor, he did 3 weeks work experience at Dhimurru. *'They told me about their plan of management. We sing our songlines along the beach. The IPA is very important for us; not just for us but for future generations'* (Clarry Rogers).

The Tiwi Rangers spoke about their interest in declaring an IPA. They mentioned how they have opened up areas to the public whilst other areas are closed (red zone) areas (burial sites, songlines).

There was discussion about using an IPA to claim the whole land/sea back because it's open to the public. The facilitator clarified that you can't keep people out because an area is a marine IPA. Marine IPAs involve negotiating with other stakeholders, and do not imply exclusivity, as they are a cultural and natural resource management arrangement agreed by TOs.

An IPA is a clear statement of intent to manage. Opportunities are arising for Indigenous sea rangers to fulfil their responsibilities for managing sea country. The so called Red Zones are however legally enforceable because they are based on a Blue Mud Bay agreement (and explicitly on the ALRA).

6. Robbie Dalton, NT Fisheries: Fisheries Marine Ranger Engagement

Robbie outlined the Indigenous Community Marine Ranger Program, and spoke about the important role of rangers in fisheries compliance. Rangers have been and still are the eyes and ears of Fisheries. Robbie emphasised the fact that Fisheries staff do not have any actual compliance powers, only the police do. There are only a small number of water police, but there are 170 marine rangers.

In the 2016-17 financial year 300 days of patrols were undertaken by rangers, police and fisheries staff. 160 rangers have done the Cert II in Fisheries Compliance, and 14 have done Cert III. The first few fisheries inspectors should be appointed by end of December. Certificate IV is the equivalent to police training. It is very important for Ranger groups to understand there is a lot of risk associated with the fisheries compliance role (both to individuals and to organisations).

Robbie explained there are several tiers of Fisheries powers:

- Cert II means you can have Inspector Class 1 powers: inspect fishing gear in use and ask a person for their ID.
- Cert III means you can have Inspector Class 2 powers: inspect a vessel or vehicle for gear or fish, produce a licence/permit, take samples, and ask for information.

Changes to the Fisheries Act to allow rangers to have inspector powers came into force at the start of the year, and allow rangers to play much more active role in monitoring and controlling activities

on sea country. NT Fisheries in providing training support to rangers. The water police are working with rangers to train them in collecting evidence and working in enforcement roles.

Rangers need to stay safe when doing compliance work. Axon body cameras can be used by rangers to record encounters with people. Joint operations with Police/Fisheries Officers and Rangers working together are important to build trust capacity and mostly to look after country.

Sacred site legislation doesn't correlate with fisheries but nevertheless there is a tight relationship with the police and the principles of collecting evidence are the same. Because rangers are out doing patrols, it means that people breaking sacred site and land rights laws are more likely to be caught.

Robbie commented that the NTG recognises that not all TOs are willing to negotiate permit-free access to the intertidal zone.

Steve Roeger (Dhimurru Executive Officer) commented that: firstly, the system should accommodate the possibility of rangers becoming police officers. Secondly, there is a limit to what an organisation like Dhimurru (and implicitly other similarly placed ranger groups) could take on in terms of risk to the organisation (for example training up but then losing staff to other roles, legal risks involved in undertaking compliance work). He also spoke about how Dhimurru have an agreement with Parks and Wildlife - Section 73 (P&WC NT Act) agreement close to having rangers recognised as Honorary Conservation Officers which is just the beginning.

Movement on the terrestrial front, the NT Environment Minister wants to investigate whether the P&WC NT Act needs amending to accommodate Indigenous enforcement powers, and the Minister is keen to see consultation at the grass roots. An NT Government discussion paper on amending the Act is coming out tomorrow.

It is important for Fisheries to support a career path for Indigenous rangers. In WA, a 15 year program has supported Indigenous people to train and become fisheries officers. Not many have got through but those who have are highly trained.

7. Katherine Winchester, CEO Seafood Council NT

Katherine was unable to attend but delivered a message to TRNM Workshop Participants titled **Sea Country – a collaborative approach to sea management across the NT.**

Since the 2016 TNRM conference, the NT Seafood Council has focussed on learning more about the issues and concerns raised about some of our commercial fisheries. We now are focussed on developing project proposals to build our capacity to work together with Land Council's and key user groups to address these issues.

Work we have been doing includes:

- changing how the NT Seafood Council communicates and developing our new 5 year strategy which has the following goals:
 - Improve structures for an effective NT Seafood Council;
 - Build trust in our industry by our members, community and government; and

- Demonstrate sustainability.
- immediately responding to the social media video of barramundi nets across a river by:
 - Holding a meeting with NLC, NT Government, AFANT, NTFGIA and the Barramundi Licensee Committee to identify a solution
 - Wrote to Government seeking action on that solution
- meeting and talking with members of Maningrida community in response to their concerns lack about commercial fishing practices, lack of engagement from industry and lack of benefit it brings to the community
- participating in the Northern Land Council's Consultative meetings
- participating in the NLC project to identify economic opportunities for Borroloola
- undertaking discussions with over 40 people interviewed for the Barramundi, Mud Crab and Offshore Finfish Fishery as part of the '*Fixing our fisheries: we need your help*' project (see attached flyer).

Looking ahead there are opportunities to better involve indigenous communities in the fisheries management, work with key regional communities to trial new initiatives and approaches; and together develop and implement projects to aid access discussions and solutions. We want to secure long-term sustainable access to commercial fisheries by developing trusting relationships which can deliver the best possible outcome for the Northern Territory. We are seeking to work with the seafood industry and user groups to develop a staged approach to achieve a new approach.

8. Dom Wundke, Northern Land Council: Intertidal Access and Management

What is the intertidal zone?

Aboriginal land adjacent to the sea, extends to the low tide mark. People need permission to access tidal waters between the high and low tide marks like any other Aboriginal Land. This includes tidal creeks, rivers, estuaries and mud flats. Some groups have already made agreements which set the terms of access to the intertidal zone, but a lot of the Aboriginal owned inter-tidal zone is not covered by agreement, and remains subject to a 'permit waiver' - which means that commercial and recreational fishers can enter these waters without a permit.

Meeting with Traditional Owners:

Throughout 2017, the NLC has tried to consult with as many TOs and ranger groups as possible. There were a range of messages that came from TOs including:

- "Rangers are the frontline for managing the intertidal zone". Rangers are vital to managing country
- TOs want to control access. They want to know what's going on
- Most support the development of local management plans

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- TOs want to be involved in fisheries management and economic activities
- Sea country does not end at the low tide mark
- Some TOs supported extending the permit waiver to 31 December 2018, others didn't.

Some of the messages that came from Rangers were:

- Problems with commercial fishers leaving equipment
- Recreational fishers leaving rubbish and wasting fish
- People disturbing sacred sites
- Protection of sacred sites is important
- Not enough power for rangers to protect
- Ranger groups need more training and equipment
- Need good communication
- More public education is needed
- Rangers want to be clear on the rules.

NLC plans to go back to the communities they have already consulted, as well as others. Communication is important, and TOs need to get enough information.

'Permit Waiver' extension:

The NLC's Full Council has 83 elected members. They act on behalf of their constituents. They had their meeting last week. Since the Blue Mud Bay case confirmed that TOs control access to the intertidal zone, arrangements have been in place that allow recreational and commercial fishermen into the intertidal zone until a local agreement has been reached. The current 'permit waiver' was due to expire on 31st December 2017. The Full Council made a decision to extend the waiver until 31st December 2018.

What NLC is planning

- Develop framework for TO management of sea country
- Support TOs to undertake local management planning for sea country
- Support Indigenous rangers-management and compliance
- Establish effective permit and licence system
- Training and support for Aboriginal employment and economic opportunities.

NLC acknowledge that people are very frustrated about the permit waiver- it's been too long since Blue Mud Bay decision. They also recognise that not all TOs agreed to latest the 12month waiver. The problem is that there is no system in place at the moment to issue permits, the current permit system can't cope and isn't appropriate for dealing with large numbers of fisherman. NLC is recruiting a Permit Reform Project Officer to develop a good system during the next year (2018). The NLC is also trying to secure funding – at the moment the NLC is not being resourced to undertake all the additional work involved in dealing with intertidal issues, and so is not able to address these issues in the way it would like.

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Discussion Session regarding the NLC Presentation

A lot of discussion was generated by the presentation. A senior Thamarrurr TO and Ranger said to the NLC representatives that everything [regarding the Blue Mud Bay decision outcomes] had dragged on for far too long: 'Get a real vision on your side. Be fair!' He was well supported by others at the workshop, and reflected general frustration about the time it has taken to resolve the strategic, operational and policy consequences of the Blue Mud Bay decision.

Dom acknowledged that 'We [NLC] are on notice and the NLC has to get this sorted. The problem is that the NLC doesn't have a permit system that can effectively control access'. A number of comments were made about the applicability of the permit system and the use of the Section 19 land use agreement provisions of the ALRA.

A Dhimurru representative commented that they already have a permit system, but had not been consulted by the NLC about how that system operated. They offered to talk with NLC so they could draw on what has been learned and what is working for them, rather than feeling they need to start all over again. Dhimurru also expressed that a top down solution is not appropriate, and that it is important that the system can work locally on the ground. One of the Anindilyakwa Rangers noted that Queensland has online permit system for National Parks. Dhimurru's system is online too.

Dom identified a need to talk about tools that would be needed eg. licensing for boats. Things like this require legislative change and so take time. He said a year is good because it's a window in which we can get commitment but it won't all be sorted. Dom said the NLC is considering a ranger forum.

Dhimurru commented that it is combining its IPA Advisory Group activities with Yirralka Rangers. But there is nothing that goes beyond that for coordination across other ranger groups "everyone needs to be linked up". If we want to get effective coordination and collaboration with other stakeholders we need to show them how we want to work (in a coordinated way).

Dhimurru is already somewhat compromised because they have already reached agreement with NLC and NTG, and at the time there was no possibility then for talking about other relevant issues. They said this time around we need to think clearly about the specific topics around access and permits that we need to negotiate, reach agreement about, and calculate the capacity required to implement.

Recommended and generally supported idea that the NLC convene a forum for all ranger groups to get together to look at all possibilities and identify what the needs and solutions are that rangers would recommend for a way ahead.

9. General Sea Country Management Discussion

The last session was dedicated to group discussion about key issues for sea country management. Given how passionate everyone was when talking about the permit system, it was considered timely

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to discuss what everyone thought a permit system should look like. Three questions were put to everyone to stimulate the discussion:

- What are TOs saying to you about sea country access?
- Who should manage the permits?
- What tools are required?

Workshop Breakout Groups: Summary of Results

Group 1

- NLC should give authority to local ranger groups to issue permits (land and Sea)
- Stop verbal agreements which cause a lot of problems
- Written permit stating: location; time frame; cost of fee/s; similar to “Channel Point system”
- TOs want rangers to issue the permits
- Rangers with power to issue permits need to have complementary enforcement powers
- Research needs to be able to inform rangers and TOs so access permits/use licences can be based on sustainable numbers/usage/extraction
- Administrative support/finance/resources are required for rangers to run a permit system
- Permit system will help rangers and TOs know who is/should be where and when
- Rangers need to always liaise with TOs before issuing permits
- Checkpoints to help deter permit avoiders
- Could use permit stickers, on line “apps”, number plate recognition software
- Need funding for staff, resourcing (apps software etc), hardware and appropriate stationary
- Map stating areas allowed with permit, and different permits or licences for different classes of activity (eg. recreational as distinct from commercial)
- Implementation plan needs to be agreed; suggested bringing ranger groups together to collaborate and put ideas together and better understand what works what could work better and discuss new ideas.

Group 2

- Intertidal management is not such a big issue at Groote Eylandt as have designated recreation areas and controls already in place. Also relatively low pressure: most non-Indigenous people are there to work (many are FIFO) and relatively small Indigenous community population. Good relationship with GEMCO in that “repeat offenders” (workers transgressing access rules) lose their jobs.
- TOs want to be in control and respected, and their knowledge used in decision making
- Industry support is critical, as is TO “authority” over commercial activity
- Local issuing points are required for permits, but need regional coordination and collaboration, so that permit systems are matching and consistent in design and architecture across the NT. Permits need to have mechanisms to respond to community needs, for example areas closed when someone passes away.

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- Different permits for different activities are required; need to distinguish commercial activities from other forms of access
- A consistent compliance arrangement across all regions is essential. Rangers are present at the local level to do compliance work.
- Some important tools and rules that are needed to fully implement a permit system:
 - Clearly designated areas available to access
 - Online and paper based permit issue systems
 - Rangers trained in compliance, and administrative staff/resources
 - Signage and other communication/interpretation infrastructure
 - Application software (development and implementation)
 - TO s, community and various industry (tourism, fishing, etc) partnership/s
 - User packages (eg. yachties may need access to water between distant recreation areas, and recreational fishers may have particular needs).

Group 3

- Raised key rhetorical questions: Who is managing the planning (there are many different perspectives)? Who is managing the permits (systems need to be improved to successfully manage delivery)? Whose country is it? A representative voice for rangers (referring to increased responsibilities and NT wide planning)?
- Tools required include: a good plan; a good map; training; TOs working closely with rangers; online access (permit/zoning/maintenance)
- Recognition of power (TOs and ALRA)
- Permit levels (affects cost of issuing and fees) → TOs and Rangers →management/training, capacity building
- Essential attention placed on: zoning for sacred sites, traditional use, seasonal closures/opening, recreational and commercial fishing interests; which correlates with good cultural and resource use mapping to assist with planning, sacred sites, safety
- Key issues for resolution are access levels and types of activities permitted, and criteria for identifying and implementing positive economic uses
- Consider a pilot program to test different models and systems.
- It will be a lot of responsibility for rangers. Needs to be good engagement with rangers when planning the process, and good communication with other stakeholders so things don't get ugly.

Group 4

- TOs want local control over the (currently NLC operated) ALRA regulated permit system
- TOs feel disempowered, alienated (TOs don't know how to manage the system), disappointed and confused about their rights under the current permit system
- Tiwi Islands (Melville and Bathurst islands) have a clan based system reported as operating more directly through TOs and administered by Tiwi Land Council [TLC]
- Consider a Code of Conduct to be attached to any permit or licence, but compliance will require resourcing and capacity building of/for ranger groups

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- Do not want “open access”, but “we want power over our sea country”
- TOs are the eyes and ears on country.

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Concluding Remarks

Need to be clear about the differences, and management/operational requirements for:

- Indigenous Protected Areas (sea country)
- Blue Mud Bay Management [BMB] areas with agreements
- Inter tidal areas (under BMB) as yet without formal access arrangement/agreements
- Marine Parks (NT legislation [eg. Gurig NP])
- Sea Closures [Aboriginal Land Act] and
- Sacred sites [NT Legislation]
- Commonwealth Marine Protected areas [eg. Kakadu NP, Commonwealth Marine Parks].

Comments from participants with regards to the Blue Mud Bay (BMB) decision:

- It's taken too long (10 years) to resolve the bigger permit/licence and access arrangements. NLC seems to have had no clear, workable and decisive plan to resolve this matter.
- What are being considered as the new rules about compliance and access for recreation and commercial permits/licences? There are different models already in operation (eg. Tiwi Land Council, Anindilyakwa Land Council, Dhimurru Recreation Permits); as well the Section 19 provisions of the ALRA are already in place. There have been no discussions yet with TOs/rangers about management mechanisms like licences for commercial or recreational fishers/boats.
- Concern voiced about the timeframe of "one year", this is not sufficient to consult properly, make informed decisions, and then to set up a suite of suitable access management systems [including training, public awareness, coordination with government, possible legislative change, and resolving 'bugs'].
- Rangers and TOs are doing the work on the ground under present systems but might be missing important elements (through lack of information filtering down).
- Some felt the NLC seemed to be taking a "top-down" decision making approach and not consulting properly with either TOs or ranger groups (rangers who are also TOs). Consultations to date have not been able to include all groups (decisions need to be made at each local level), or addressed important issues like future permit arrangements.
- Concerns about the governance around this matter and the need to ensure coordination and communication between ranger groups.
- There is a need for a clear and agreed goal about "where we want to be in relation to administration and management of the BMB access arrangements in the next 1 year, 2 years, and 10 years"
- Strongly agreed by attendees that there is a need to convene a forum for all affected Aboriginal ranger groups' senior TO and management representatives to discuss and agree on a way forward in relation to establishing commercial and recreational access management arrangements over the short to medium terms.
- Although voicing concerns about the process to date, most comments were an attempt to constructively reflect on what should happen next. All participants reiterated the primary importance of this issue and expressed a sense of responsibility as rangers and TOs to be

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involved in a collaborative effort to tackle the complexities of intertidal and broader sea country management.

- NLC representatives noted that the Full Council decision regarding the waiver extension and the next steps had only been made the previous week. Much of the process for moving forward would become clearer over the coming weeks. They were hopeful too that adequate resourcing would become available to the NLC so that a lot could be achieved in 2018 and looked forward to working with rangers and TOs over the coming months.