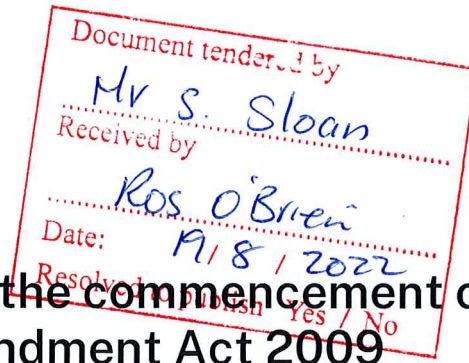


19 August 2022

# Cultural Fishing Inquiry into the commencement of the Fisheries Management Amendment Act 2009



## Timeline

### 2009

- Fisheries Management Amendment Bill 2009 introduced in the Legislative Assembly, including an objective and definition recognising Aboriginal cultural fishing and provision to issue (s 37) permits for Aboriginal cultural fishing purposes.
- After the Bill was introduced, the following amendments were made and passed: S21AA - special provisions for Aboriginal cultural fishing, Exempting Aboriginal persons from paying the recreational fishing fee, Providing for an Aboriginal Fishing Advisory Council

### 2010 – 2015

- The AFAC was established in 2011 and met eight times
- 2011 - Interim access arrangements for cultural fishers were developed, put in place and subsequently updated following broader consultation
- A regulation working group was established and met 6 times.
- A further broader working group was established that assisted in the development of a draft cultural fishing regulation met 3 times.
- State-wide Aboriginal community consultation was undertaken between 27 June 2014 and 15 September 2014, seeking input into developing the initial regulation.
- Following 2014 consultation, a draft regulation was developed based on the input of the AFAC working group.
- Further consultation was undertaken between 1 October 2015 and 9 November 2015.
- Fisheries Management Amendment Bill 2015, established (among other things) Aboriginal Fishing Trust Fund

### 2016

- NSW Aboriginal Land Council, NTSCORP and the AFAC, advised the NSW Government of their opposition to a state-wide regulation, which would prescribe take and possession limits for cultural fishing purposes, in favour of exploring a local management plan (LMP) approach. This was despite having originally assisted with the development of the state-wide cultural fishing regulation.
- AFAC was consulted on proposed trial approach
- Minister and Chair of AFAC met to discuss the LMPs

### 2017

- The Government's response to the report of the Standing Committee on State Development - Report on Economic Development in Aboriginal Communities (recommendation 39) - states that Government will investigate commencement of s21AA when outcomes of LMP trials are known
- Fisheries Management Amendment (Aboriginal Fishing) Bill 2017 passed including improvements to the operation of the AFTF.
- 2017 the NSW Govt announced \$1.5m of funding (over 3 years)
- Public call for nominations (AFTEC membership)
- AFAC met twice including agenda items on LMP concept
- Independent facilitator for LMP engagement contracted
- Engagement protocols established
- First Hastings LMP workshop with community conducted

## **2018**

- AFAC met three times including agenda items on LMP model and progress
- First Tweed LMP workshop with community conducted
- First Moama/Cummergunja (inland) LMP workshop with community conducted
- Second Moama/Cummergunja (inland) LMP workshop scheduled (nil attendance)
- Inland trial deferred based on independent facilitator report

## **2019**

- Draft Hastings LMP released for community review
- Evaluation framework for LMPs finalised

## **2020**

- AFAC met three times including agenda items on LMP progress
- First COVID-19 lockdown commenced, impacting community review and engagement
- Draft Tweed LMP released for community review

## **2021**

- AFAC met twice including agenda items on LMP progress
- Review and finalisation of Tweed and Hastings LMPs, ahead of 2022 trial commencement

## **2022**

- Feb - Hastings interim steering committee support the finalisation of their LMP
- AFAC - Membership of new AFAC approved in May for appointment and letters of offer distributed.
- New AFAC 1st meeting (#25 21-22 June)
- Round 5 of AFTF announced, closing date extended to 24 Aug with support of AFAC
- 17 June - Hastings LMP - Gazettal of section 37 Ministerial order supporting the commencement of the two-year trial of the Birpai Barray (Hastings) Aboriginal Cultural Fishing Local Management Plan.
- Tweed LMP - Final legal review of Ministerial Order and Tweed LMP underway with majority community support