

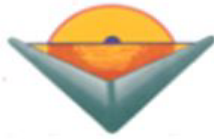
**INQUIRY INTO COMMERCIAL FISHING IN NEW SOUTH
WALES**

Name: Mrs Elvina Paulson-Oxley

Date received: 9 December 2016

All Rights Reserved Biological Property Data Ghinbraa (Elvina Paulson Chief Custodian Elvina AKA Jean Oxley)

Great Seal Personal Heraldry Elvina©



Sui Generis / Sui Juris

Email address:

Mobile:

Ghinbraa Djillanilliu©
Tobwabba Yuri Worimi
Gattung-guba Wyeebulbah

Jean Oxley©

AUSTRALIA

First in time first in law

26 November 2016

ABN 13064120812

Fiduciary
The Hon. Niall Blair, MLC
New South Wales Minister for Primary Industries, Lands and Water
Minister For Fisheries & Environment
Parliament House
Macquarie Street
SYDNEY NSW 2000

GPO Box 5341
SYDNEY NSW 2001

And All Heirs And Successors To The Above

Notice

Notice To The Principal Is Notice To The Agent Notice To The Agent Is Notice To The Principal

I Know It Is My Will And My Duty To Instruct And Keep You Informed Of Anything That Comes Before Parliament Or Must Come Before Parliament when national/InterNational issues infringe upon my Grassroots / Local Ancestral Inherent Birthright as Ghinbraa (Chief Custodian Elvina).

Mr. Blair, As The Fiduciary And Bound By The Doctrine Of Uberrima Fides As All Honourable Fiduciaries Are, I Am Addressing You In Your Fiduciary Capacity To Inform You Of the Dishonour & Harm that will be Caused Either Knowingly Or Unknowingly By Your Agents Against Wallis Lake Fishermen's Co-op – East Coast New South Wales And All Other Professional Fishermen In Your Stead As The Honourable Minister For Fisheries & Environment if you allow the Fishermen's commercial livelihood to be interfered with by a political process meant to serve the government's purpose only.

I Make Submission For And On Behalf Of The Proper Cultural Protocol Of The East Coast – Coastal Waters Of New South Wales. Essentially Commercial Fishermen Hold In Common The Waters Of The Pacific Ocean And The Tasman Sea As Their Major Source Of Livelihood In The Commercial Fishing Industry.

This Submission Addresses The Areas Of The General Purpose Standing Committee No. 5 Inquiry Into Commercial Fishing Identified. Specifically, from a tribal bloodline Elvina Jean Paulson-Oxley.

It Is With Knowledge A Submission In Favour And Support Of The 10,000 Signatures Who Honour The Fishermen's Commercial Business Industry As A Generational Livelihood. It Is Highly Unlikely, International Agreement Or Business Decisions By The Australian State And Federal Ministerial Cabinets Include Real Concerns Commercial Fishermen Face Should Political / Ministerial Decisions Dictate The Failure To Associate The Present Situation These Fishermen Are Anxious To Know What Your Government Is Going To Decide About The Fishing Industry Among Them The Wallis Lake Fishermen's Co-Op.

Submission Re: General Purpose Standing Committee No. 5
Inquiry Into Commercial Fishing

- (a) The history of commercial fishing in New South Wales, including reforms to the Industry since 1994.



I come from the First Oldest Family Of Fishermen of the Gattung language speaking country of Worimi, Mid North East Coast Being an original direct family bloodline-ancestral descendant. My Great Grandfather and Grandfather belonged to the First Tribal Subsistence Fishing Industry in these coastal waters.

The two fishermen in picture are Neil Morcomb and Charles Murray who fished in the Camden Haven and Port Macquarie district. Using three pronged spears and bark canoes with a small deep clay modelled dish to place green vegetation in to smoke away any insects and to cook the fish in the canoe.

Mullet runs provided the scope to trade fish for other handy tools and foods but mainly the mullet run meant family gatherings and ceremonial times as the mullet run was a time of glad tidings.



My Great grandfather, Cuumba, was said to stand on the top of Cape Hawke and could spot fish five miles out to sea. The mullet run each year is a very big part of acknowledgement of the traditional fishing times when many men would come together.

Cuumba's Territorial land and waters included the Wallis Lake with its river systems as tribal land and waters. Wambuynbaa (Forster) Daan.gaari (Tuncurry) is where Wallis Lake Fishermen's Co-op is located in my now territory. In Great Grandfather's time the size of the fish caught were very large and there can be no comparison to the catches in the Lake today. Daan.gaari of Tuncurry as it is spelt and pronounced today, means where there are silvery waters there are plenty of fish. Noticeable when the fish turned their bodies near the surface of the waters. In Cuumba's time he made his nets out of ropes transported to him from the Chinese Sydney Markets.

Cuumba was meticulous in his nature in preparation of plaiting nets. He treated with patience each step of the process as if he was in preparation for an tribal ceremony (verbal communications and written account). His favourite catch was the big jewfish that would travel up river at times. However, other men of the tribe fished the Cape Hawke area and caught extra-large lobsters carried them home hung through the neck on a long stick carried on two men's shoulder.



My grandfather Robert 'Barney' Simon had taken up a business in tourism fishing when visitors came into the Great Lakes area. The government had made it

impossible to be a commercial operation as they prohibited commercial activity to take place. Later, Barney would take his sons out fishing in the shallows of the upper reaches of Wallis Lake near Tiona and there they would walk out into the shallow waters and through their hand held nets. Today, the men go rock fishing and they also go prawning to get food whilst others will be fined for getting oysters of the rocks and the women who are few will row their boats across the lake and set themselves up for fishing for most of the day. But only a few do this. From this point of history the changes made by government have been extraordinary there are no real enterprise businesses set up as a consequence of the government wilful act of stopping the first fishermen's commercial fishing industry. The families of Paulson, Yettica, Simon, Leon, Cunningham, Bolt and Ridgeway continue the connection to fishing the waters of the Wallis Lake and surrounding areas being original families to the Worimi Country from Port Stephens in the south to the Manning river to the north as part of Gattung language area.

Two generations before the current generations of family fishermen and women our Grandfather Robert 'Barney' Simon attempted to become active in commercial fishing business taking the initiative to become independent and running his own business but all his equipment and dreams were taken from him by the government of the day.

Reforms to the Industry since 1994:



Reforms that occurred with the men in the First Fisherman's Family from the traditional past to the present indicate the government were not allowing the Fishermen to continue commercial viability of the fishing industry. As a consequence problems my Grandfather experienced are also indicative with today's situation with the professional fisherman involved in the commercial fishing industry Wallis Lake Fishermen's Co-op as was with the men of my family heritage line. The past holds the key to the practice of government as the same tactics are being used to make the fishing industry suffer by making the independence of fishing rights to earn a living an impossible projection whilst the government make politics out of the livelihood of professional fishermen and their families where it has been generational practice of not only survival but the industry itself made to suffer and the families.

During 1994 Marine Management and Aborigines Inherent Rights to Subsistence Living was the theme of the Nature Conservation Agency Conference in Sydney funded by the Australian Nature Conservation Agency under the Contract Employment Program for Aborigines Interested in Nature Conservation and Cultural Resource Management, (CEPANCRM).

The Heritage Officer, Jean Oxley, Cultural Resource Management Services attended. A Heritage Report was completed with recommendations June 93 /May 94. Oxley the Heritage Officer felt at that time the importance of recorded outcomes were invaluable not just to the Aborigines peoples, (reminiscent of my Great Grandfather and Grandfather and the families) but to the wider community interest as Oxley knew the plight of Aboriginal commercial fishermen and the local commercial fishermen's issues were the same.

In retrospect, this marine conference was about legislation of the Australia and International law relating to traditional responsibilities and rights of the Aboriginal and Torres Strait Islander people and how Aboriginal people feel about their roles and custodial rights where marine resource management is concerned.

With respect since these times Oxley is extending the original report into these contemporary underpinnings of the issues confronting the commercial fishing industry, in particular, Wallis Lake Fishermen's Co-op, as an example of all Co-ops and Indigenous peoples affected by government politics. The report further takes into account Indigenous peoples having a natural affinity with the land which is a timeless concept of our existence as tribal bloodline.

- (b) The value of the commercial fishing industry to the New South Wales economy
 Figures indicate that 90% of the Australian population eat seafood and that the seafood industry is worth \$2B. Traditional responsibilities and rights to fish the seas within jurisdictional waters of the boundaries of the territorial waters may well best serve the purpose of a system that is GPS'ed rather than the regulatory system of paper administration imposed by State and Federal jurisdictions who contemplate their views and concerns at an international level of trade and commerce. The tracking system would allow commercial fishermen to bring into being a more profitable ability to work unimpeded by the burdens of government binding and enslavement.

- © The scientific research underpinning fisheries management,
 It is unacceptable at all levels. If we hold fast to proper management and protocols of the sea and its seasonal investments we are basically saying the sea holds more input than government politics can ever predict of the seas resources. Afterall, the scientific measurements are only as good as the management of the resource. We, invest in nature's law as the touchstone of our natural resources. Man-made politics and environments interfere.

- (d) Current arrangements for the assessment of fisheries by the NSW Department of Primary Industries Fisheries Resource Assessment Unit
 The most important aspect of commercial fishermen and the government issues is that it is government who have the issues. Fishermen cannot be expected to know current arrangements for the assessment of fisheries by NSW Department of Primary Industries Fisheries Resources Assessment Unit. Taking an assessment from observation of the catch and the areas fished are basic indicator of self-imposed monitoring fishermen hold as their knowledge base for future reference as with other resource areas. It is such the licencing requirements for commercial fishing industry operators need to take into account legislative powers are there to support the fishermen not make it so hard as to create a situation where fishermen are walking away from an industry that has supported their families throughout the generations. Of course, I am in support of these fishermen and I acknowledge they are know their business more so than any of us who support them or those government officials writing documents up to suit their international or national agendas.

- (e) the New South Wales Government's Commercial Fisheries Business Adjustment Program and its aims, including: the relevance of the Draft Productivity Commission Report into Marine Fisheries and Aquaculture,

- (ii) the implementation of the restructure to date,
- (iii) the impact on industry and regional communities to date, including economic, social and cultural impacts,
- (iv) the economic modelling underpinning the restructure and any independent analysis of that modelling,
- (v) the approach of other jurisdictions.

2. That the Committee table an interim or final report by 28 February 2017.

All of the above require a sensible approach to the issues confronting commercial fishing operators such as the Wallis Lake Fishermen's Co-op are not involved with these due processes of government. Any business adjustment programs and its aims need to be assessed on the relevance of the financial capacity of the commercial fishing industry of the fiduciary responsibilities of the Ministers. It cannot be put back on the fishermen as if there trawlers are the Cabinet.

What essentially, (e) (i)-(v) indicate are the government's considerations in what they think has to be carried out. It is well known when government consider such areas of issue of concern to them it is inevitable funding will be used to create infrastructure for them and in this the \$b's will be spent in areas which are not supportive of the commercial fishermen.

There is much respect that is attached to the honour of family generational fishermen regardless of government regulations, laws or policies. Nothing can be so strong as to impress that decision-making must render the whole of the Australian seafood industry is part of our livelihood regardless of the international standards set down that the Australian government may feel obliged to consider before the commercial fishing industry of the country Australia and of the People whose livelihood depend on productive fishing and the 90% of US who eat seafood.

Marrumbu

Thank you

Elvina Paulson-Oxley

Elvina Paulson-Oxley

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Committee membership

The Hon Robert Brown MLC Shooters, Fishers and Farmers Party (Chair)

The Hon Mick Veitch MLC Australian Labor Party (Deputy Chair)

The Hon Rick Colless MLC The Nationals

The Hon Justin Field MLC * The Greens

The Hon John Graham MLC* Australian Labor Party

Mr Scot MacDonald MLC Liberal Party

The Hon Greg Pearce MLC Liberal Party

* Mr Justin Field is substituting for Mr Jeremy Buckingham for the duration of the inquiry.

* Mr John Graham is substituting for Ms Penny Sharpe for the duration of the inquiry.

LEGISLATIVE COUNCIL

GENERAL PURPOSE STANDING COMMITTEE NO. 5