



Land to Sea  
CONSULTING

DECEMBER 2015

# Indigenous Cultural Fishing and Fisheries Governance

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FRDC PROJECT NO 2012/216

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ISBN 978-1-925983-46-3

Alkassab, L. (eds), 2020, Indigenous Cultural Fishing and Fisheries Governance, Melbourne, November 2020. CC BY 3.0

2020

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**We acknowledge the Traditional Owners of Country throughout Australia and recognise their continuing connection to land and water.**

**We pay our respects to their Elders past, present and emerging.**

FRDC-IRG funded projects use ethical methodologies and take place on Country with the consent of Traditional Owners.

This summary booklet was prepared by Leila Alkassab and Hanna Gallagher of Land to Sea Consulting Pty Ltd. as part of FRDC-IRG project 2018-183 'Identifying and synthesising key messages from projects funded by the FRDC Indigenous Reference Group.'

Artwork by Beau Pennefather Motlop

# Background

In 2011 the Fisheries Research and Development Corporation (FRDC) sponsored a national Indigenous fisheries forum to discuss and identify issues impacting the involvement of Indigenous people in Australia's fisheries. An Indigenous Reference Group (IRG) then collated this work and developed a set of research priorities to guide research, development and extension.

These research priorities were subsequently endorsed in 2012 by the original national forum. Using these research priorities the FRDC-IRG have supported a number of projects focused on Aboriginal and Torres Strait Islander fisheries.

## 1 PRIMACY FOR INDIGENOUS PEOPLE

Indigenous people have certain recognised rights associated with and based on the prior and continuing occupation of country and water and activities (e.g. fishing, gathering) associated with the use and management of these.

## 3 SELF DETERMINATION OF INDIGENOUS RIGHTS TO USE AND MANAGE CULTURAL ASSETS AND RESOURCES

Indigenous people have the right to determine courses of action in relation to use and management of aquatic biological resources.

## 5 CAPACITY BUILDING OPPORTUNITIES FOR INDIGENOUS PEOPLE ARE ENHANCED

Indigenous people have the right to access capacity building activities to further their aspirations in the use and management of aquatic biological resources.

## 2 ACKNOWLEDGEMENT OF INDIGENOUS CULTURAL PRACTICES

Indigenous people have the right to maintain and develop cultural practices to address spiritual, cultural, social and economic needs associated with aquatic resources and landscapes.

## 4 ECONOMIC DEVELOPMENT OPPORTUNITIES ARISING FROM INDIGENOUS PEOPLES CULTURAL ASSETS AND ASSOCIATED RIGHTS

Indigenous people have the right to engage in economic activity based on the use of traditional aquatic biological resources and/or the right to share in the benefits derived from the exploitation of aquatic biological resources.



# About the project...

In 2012, the FRDC-IRG funded a pilot project which examined the nature and dimensions of Aboriginal cultural fishing in the Tweed region of New South Wales (2012/038).

Having previously worked with the communities, the researchers were provided with funding for this project to begin developing a Draft Tweed Local Aboriginal Fisheries Management Plan (The Tweed plan) and also to collect catch data in other communities and identify communities. Therefore, this project builds on the previous pilot project by adapting its methodology to address aspects of the Indigenous fishing RD&E priority areas. It consists of two components:

## COMPONENT 1

Collect data on Aboriginal cultural catch in some coastal and inland waters of New South Wales.

## COMPONENT 2

Facilitate a local Aboriginal fisheries management strategy/plan for the Tweed region (The Tweed Plan).

## Ethical research methodologies

Both components of this project were undertaken in accordance with national and international protocols for research in Indigenous communities.

This project relied on developing trust in and working with the communities, all of which takes time, but has the benefit of a two-way exchange of knowledge with researchers, which in turn allows for capacity building activities to occur within the participating communities.

A collaborative approach was adopted involving culturally appropriate engagement with Indigenous people as both 'givers' and 'receivers' of information.

1.Schnierer, S. (2011). Aboriginal fisheries in New South Wales: determining catch, cultural significance of species and traditional fishing knowledge needs. Report to the Fisheries Research and Development Corporation, Canberra.

# Aboriginal cultural catch

123 Aboriginal fishers were surveyed about cultural catch across three regions in New South Wales.

- Region 1 (the inland, west of the Great Dividing Range) covering Kamilaroi and Wailwan country, Wiradjuri and Ngunawal country,
- Region 2 (southern coastal NSW) covering Yuin country.
- Region 3 (northern coastal NSW) covering Worimi, Biripi, Daingatti and Gumbainggir country.

Information about cultural catch may assist in:

- Informing policy and strategy development attuned to the needs of Aboriginal communities dependent on fisheries resources.
- Providing Aboriginal communities with documented evidence about their fisheries that could be used to for a fairer share of fisheries resources in New South Wales.

## What they found...

Aboriginal cultural fishing continues to be practiced on a regular basis, usually within ten kilometres from the fishers' home. Fishing often occurs with children, providing opportunities for the transfer of traditional knowledge about the environment and fishing.

- Over 50% of participants indicated they fished on a weekly basis,
- Participants consumed fish (or invertebrates) at least once a week but preferred to eat these foods more frequently.
- The average number of hours fished by participants each day was 3.4.
- Most participants fished from the shore but use of boats was also common.
- Hook and line was the predominant fishing method used.
- Most participants identified their household as the main destination for their catch followed by immediate and extended family.
- Fish consumed by participants came from personal or family catch and some fish was obtained through the fish co-op and Aboriginal commercial fishers,



## REGION 1: INLAND CATCH

- 40% finfish, 59% invertebrates, 1% other vertebrates.
- Finfish caught for food and non-food (pest). Species include European carp, golden perch, Murray cod, eel-tail catfish, rainbow trout, redfin perch, brown trout, silver perch, longfin eel, and river blackfish.
- Invertebrates caught for food and for bait. Species include the freshwater yabby, earth worms, Murray crayfish, bloodworms. Pipis, school prawns and Sydney rock oysters were caught by fishers from Region 1 when visiting the coast.

## REGION 2: SOUTH COAST CATCH

- 7% finfish, 93% invertebrates.
- Finfish species include sea mullet, Australian salmon, dusky flathead, sand mullet, tailor, trevally, snapper, sand whiting, Eastern sea garfish and yellow-fin bream.
- Invertebrate species include the Eastern king prawn, school prawn, hairy mussel, Sydney rock oyster, Pacific oyster, abalone, pipi, Eastern rock-lobster, beach worms, and soldier crab.

## REGION 3: NORTH COAST CATCH

- Finfish 33% and invertebrates 67%.
- Finfish species include sea mullet, sand mullet, yellow-eye mullet, luderick, yellow-fin bream, dusky flathead, sand whiting, tailor, tarwhine and swallow tail dart.
- Invertebrate species include: the Eastern king prawn, school prawn, hairy mussel, Sydney rock oyster, Pacific oyster, pipi, abalone, beach worm, blue swimmer crab and bait yabby.

\* It is important to note that the percentages above are based on numerical counts rather than weight data which would have produced different percentages. Numerical counts emphasise large numbers of small catch rather than small numbers of large catch. These do not reflect the importance or value of the species collected.







## Recommendations...

- 1 Further research is needed to increase the sample size of cultural fishers and to strengthen the findings of this project.
- 2 Trust and relationships between Aboriginal fishers, researchers, managers and other stakeholders needs to be developed across New South Wales.

## Conclusions...

The research provided an emerging picture about the size and nature of the Aboriginal cultural fishing catch in New South Wales.

Given that the total sample size in this project was 123 for all regions, future research should consider increasing the sample size to strengthen the data.





## Component 2

# Aboriginal cultural fisheries management plan (The Tweed Plan)

The study site for this component of the project was the Tweed Aboriginal peoples' country. This includes all flood plains and coastal areas from the NSW-Queensland border in the north to the southern bank of the Brunswick River in the south as well as all offshore islands and waters within this region.

From the coast in the north it follows along the border west to the Border Ranges and makes its way south along the eastern ridgeline to Mt Burrell through the north-eastern side of Night Cap National Park to reach the Brunswick River,

The Tweed Plan was developed over a period of two years during which the research team conducted five comprehensive workshops with representatives from local and regional Aboriginal organisations and government agencies.

The Tweed Plan was shaped and driven entirely by the Tweed Aboriginal community.

An outline of the structure of The Tweed Plan was agreed upon at the first community workshop and the research team then designed appropriate methodological instruments to collect the information needed for the content of The Tweed Plan. Subsequent community meetings refined the various aspects of The Tweed Plan.



## What they found...

- There was only one existing Aboriginal management plan to provide guidance for researchers and communities to draw on apart from the Yandruwandha Yawarrawarrka Aboriginal Traditional Fishing Management Plan.
- During the life of this project there was an interim compliance policy on bag limits which was twice the limit for recreational fishing in NSW. This was used as an element of the development of The Tweed Plan. With the exception of a few key culturally important species, participants were supportive of the interim limits as a basis for the development of their own bag limits. This is consistent with previous research conducted on Indigenous fishing in NSW (2).
- There were certain cultural sensitivities regarding the special nature of cultural fishing, some of which were not appropriate to be shared openly in a public management plan.
- In developing the draft management plan there were delays in relation to community consultation and data collection activities. While time consuming, this methodology is essential to building trust and respect between researchers and participants.
- Representatives from the Department of Primary Industries, Fisheries were included as observers in meetings with the permission of Indigenous participants. They provided participants with information about the rules and regulations of the agency. In turn, these representatives also benefited from the process by gaining an understanding of community concerns and needs. This allowed for a two-way sharing of information to take place, benefiting all parties involved.
- In accordance with ethical research methodologies researchers constantly communicated the outcomes of meetings and gained feedback from the community. This process ensured that views were shared and accepted.

2. Schnierer S, Egan H (2011) Aboriginal fisheries in New South Wales: determining catch, cultural significance of species and traditional fishing knowledge needs. Report to the Fisheries Research and Development Corporation, Canberra, ACT.





## Recommendations...

- 1 Recognise that the plan has culturally sensitive information that needs to be protected. Therefore, the community must be able to develop and control the process before other stakeholders have input.
- 2 When appropriate, and with the community's permission, elements of the draft plan to be disseminated through educational material to broader fisheries stakeholders to raise community awareness.
- 3 Establish an Aboriginal Tweed plan advisory group to negotiate with the Department of Primary Industries, Fisheries and further refine the plan for ultimate implementation.

## Conclusions...

The design of the Tweed Plan was shaped and driven entirely by the Tweed Aboriginal community. The research team facilitated this via a series of community workshops.

Data collected was used to make a submission to the Department of Primary Industries, Fisheries, on the formulation of cultural bag limits. Recommendations by the Tweed community were incorporated into the subsequent development of the Aboriginal Cultural Fishing Interim Access arrangements. A draft of a plan is available for use in negotiations between the Tweed Aboriginal community and the Department of Primary Industries, Fisheries.

Communities in South coast NSW and the inland have expressed interest in developing local plans. Since the completion of this project there has been work done on two regional management plans in Port Macquarie and the Tweed resulting in ministerial sign off for the Port Macquarie region and ongoing work on the Tweed Plan.