

# SEA COUNTRY

INDIGENOUS ISSUES OF THE GREAT BARRIER REEF MARINE PARK

NUMBER 9

AUGUST 2002

## Representative Areas Program Launched 7 May 2002

The ninth issue of Sea Country was compiled by staff of the Great Barrier Reef Marine Park Authority (GBRMPA). If you have any questions or would like to go on our mailing list, contact us at the address on the back.

### LOOK INSIDE

- **Representative Areas - GBRMPA's Representative Areas Program Community Participation Phase 1** has started
- **Darumbal Rangers - Traditional Owners** working in the Marine Park
- **Great Barrier Reef Consultative Committee - new Indigenous members**

### NOTICE BOARD

The Far Northern Section of the Great Barrier Reef Marine Park has been proclaimed.

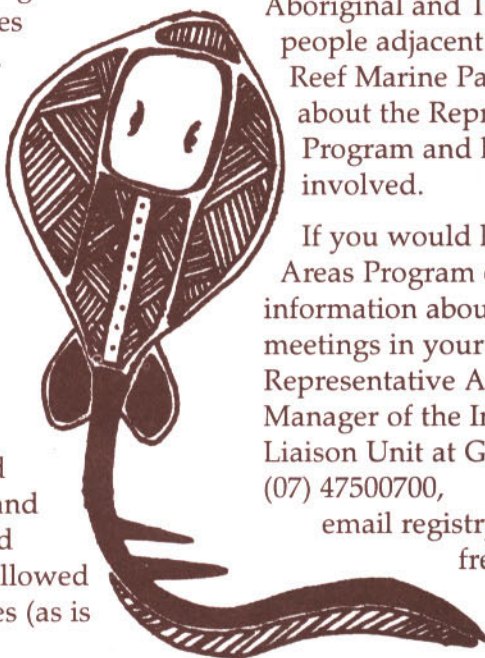
Do you want to know how to get traditional names for your reefs and sea country on Maps? Then contact Leon Jackson, the Murri Cartographer at GBRMPA to talk about how you can do it. Telephone (07) 47500 889

Illustrations by Lockhart River Art Gang.

The Great Barrier Reef is well known worldwide for its 2900 coral reefs and its huge variety of wildlife – but there's more to it than just coral reefs. The Great Barrier Reef World Heritage Area (GBRWHA) includes many different community types, groups of animals and plants, which live together in habitats such as sponge gardens, soft coral gardens, mangroves, seagrass beds, sandbanks, mudflats, estuaries and reef drop-offs. These animals, plants and their habitats make up the 'biodiversity' of the GBRWHA.

The Representative Areas Program (RAP) aims to protect the range of biodiversity by protecting examples of the different habitats that occur in the Great Barrier Reef Marine Park: these examples will be 'representative' of these habitats. This will be implemented by creating a new network of Green Zones (National Park Zones).

In the new green zones, people will be allowed to visit these areas but they can't take things from them. Non-extractive activities will be allowed such as boating, diving, snorkelling, non-extractive research and tourism. Commercial and recreational fishing and collecting will not be allowed in the new Green Zones (as is currently the case).



### Community Participation Phases

There will be two formal stages of public participation – the Community Participation Phase 1 leading up to the drafting of a new zoning plan for the whole of the Great Barrier Reef Marine Park, and the Community Participation Phase 2 when the draft zoning plan is available for comment. The first formal Community Participation Phase commenced early in May. The second phase will be the crucial stage for you to have your say. Once the Great Barrier Reef Marine Park Authority has taken into account all the comments, a final plan will be submitted for Ministerial and Parliamentary approval.

The Indigenous Policy and Liaison Unit (IPLU) has started consulting with Aboriginal and Torres Strait Islander people adjacent to the Great Barrier Reef Marine Park to inform them about the Representative Areas Program and how they can get involved.

If you would like the Representative Areas Program overview or more information about the program or meetings in your area, contact the Representative Areas Planning Team or Manager of the Indigenous Policy and Liaison Unit at GBRMPA on (07) 47500700,

email [registry@gbbrmpa.gov.au](mailto:registry@gbbrmpa.gov.au),  
freecall 1800 990 177 or  
write to PO Box 1379,  
Townsville Q 4810.



GREAT BARRIER REEF  
MARINE PARK AUTHORITY

SEA COUNTRY

An education initiative from  
the Indigenous Policy and  
Liaison Unit.

## INFO

For further information about getting involved in the Representative Areas Program or other Marine Parks planning talk to the Indigenous Policy and Liaison Unit on (07) 47500 700, Freecall 1800 802 251 or email [registry@gbrmpa.gov.au](mailto:registry@gbrmpa.gov.au)

Lockhart River Art Gang Illustrations this issue:

Front Page,  
Silas Hobson  
Page 3. Silas Hobson  
Page 4. Edna Johnson  
Page 5. Steven Short  
Page 6. David Michael

# Lets find out about the Indigenous Policy and Liaison Unit

The Great Barrier Reef Marine Park Authority (GBRMPA) employed its first Aboriginal and Torres Strait Islander Liaison officer in 1992 and later created the Indigenous Cultural Liaison Unit in 1995. In 2001, the unit changed its name and is now known as the Indigenous Policy and Liaison Unit (IPLU).

Along with information dissemination, the unit facilitates the involvement of Aboriginal and Torres Strait Islander people in major GBRMPA projects such as the Representative Areas Program, species conservation, fisheries management and other planning and permit processes. IPLU also works on developing co-operative management arrangements with Aboriginal and Torres Strait Islander people for natural resource management, including turtle and dugong.

This will be a busy six months for the unit with staff frequently out in the field visiting communities. Keep an eye out for them when they visit your region.

IPLU's four staff members are:

## **Leanne Sommer** (Manager)

Leanne Sommer has been Manager of the unit since October 2000. Some of you may know Leanne already from her previous work as a Planner with GBRMPA from 1994 to 2000. She grew up with the Kunjen (Mitchell River) people at Kowanyama on western Cape York, and has studied natural resource management at university. Leanne has worked in four Australian World Heritage Areas (Kakadu, Wet Tropics, Great Barrier Reef, and Riversleigh Fossil Sites) and has a desire to see Aboriginal and Torres Strait Islander people receive greater recognition of their management roles in caring for their land and sea country.

## **Chicka Turner**

(Project Manager)

Chicka was born in Cairns and raised in South East Queensland. He has spent the last 10 years in North Queensland. He has

worked as a boilermaker, builder's labourer, National and Marine Parks Ranger, Community Liaison Officer, Project Officer for DPI Fisheries and Community Ranger Co-ordinator for GBRMPA. A lot of Aboriginal and Torres Strait Islander communities may remember him from when he was at GBRMPA from 1993 to 1996.

Chicka returned to GBRMPA in January this year and is responsible for managing the unit's projects. These include turtle and dugong management projects, co-operative management arrangements for Aboriginal Traditional Owner groups and consultation with Indigenous communities for the Representative Areas Program.

## **John Tapim** (Project Officer)

John Tapim was born and raised in Townsville. His mother's family is from Murray Island in the Eastern Torres Strait. Since June 2000, John's role as Liaison Officer has taken him to various coastal areas in Queensland from as far south as Rockhampton and north to the Torres Strait. He is tasked with providing information to communities on management issues relating to the Marine Park. This helps community groups to make informed decisions and raises the awareness and level of involvement of Aboriginal and Torres Strait Islander people in various programs that the Great Barrier Reef Marine Park Authority (GBRMPA) is undertaking. He is also active in providing advice to other units within GBRMPA that seek to undertake consultation and negotiation with Aboriginal and Torres Strait Islander people.

## **Holly Savage**

(Administrative Officer)

Holly was born and raised in Cairns and is the third last child in a family of nine. Her parents are from the Eastern Islands in the Torres Strait. She has been the Administrative Officer with the unit since October 2000 and has assisted with fieldwork in Mackay, Cardwell and north Queensland. Holly has a keen interest in broad aspects of the marine environment and through her job aims to raise staff awareness of the importance of sea country to Aboriginal and Torres Strait Islander people.



From left to right: Leanne Sommer, Holly Savage, John Tapim and Chicka Turner

## A snapshot of ten years of Indigenous liaison 1992-2002

| Year | Event   |
|------|---|
| 1992 | Appointment of the first Aboriginal Liaison Officer to the Authority. 13AC (4b) Regulation – recognising cultural and heritage values when assessing permits.   |
| 1993 | GBRMPA community ranger program commences.  |
| 1994 | Rezoning of the Far Northern Section commences.<br>Shoalwater Bay inquiry recognises aboriginal interests.<br>Far Northern Section community ranger land-based surveillance patrols.  |
| 1995 | Creation of the Indigenous Cultural Liaison Unit (ICLU) to identify the interests and needs of Indigenous peoples in relation to Native Title, governance, and the maintenance of the cultural and traditional values associated with the Great Barrier Reef.   |
| 1996 | Memorandum Of Understanding declared with Darumbal-Noolar Murree Aboriginal Corporation regarding Hunting of Dugong in Shoalwater Bay.<br>Lockhart River Traditional Owners liaison for MV Peacock grounding on Piper Reef (Far Northern Section).  |
| 1997 | Hopevale community commences work on a Turtle and Dugong Hunting Management Plan.<br>Cape York Peninsula Schools Dugong Art competition, winner announced at Laura Dance Festival.  |
| 1998 | GBRMPA involvement in the development of the Draft Recovery Plan for Marine Turtles in Australia.   |
| 1999 | GBR Ministerial Council decision to develop co-operative agreements with Aboriginal and Torres Strait Islander people.  |
| 2000 | Hopevale launches the Turtle and Dugong Hunting Management Plan and receives the Prime Minister's Environmental Award.  |
| 2001 | Darumbal-Noolar Murree Aboriginal Corporation project undertaken for involvement in Turtle and Dugong Management with QPWS.<br>Yarrabah Traditional Owner's involvement in monitoring of the Sudbury Reef Grounding (Cairns Section).   |
| 2002 | Sea Country Newsletter re-launched state-wide to include all Aboriginal and Torres Strait Islander east-coast communities.<br>Aboriginal and Torres Strait Islander consultation regarding GBRMPA's Representative Areas Program underway.<br>New Great Barrier Reef Consultative Committee appointments include a Woppaburra Traditional Owner, Bob Muir and ATSIC Commissioner for Qld North Zone, Jenny Pryor. |

## PHONE Nos.

Useful phone numbers to keep:

### Great Barrier Reef Marine Park Authority

Freecall:

**1800 802 251** – ask for Leanne, Chicka, John or Holly

### Great Barrier Reef Marine Park Authority

*Representative Areas Program (RAP) Hotline*

**1800 990 177** – contact the hotline for further information on RAP

### Marine Animal Hotline

**1300 360 898** – Call urgently to report injured or dead dugongs, whales, dolphins or turtles

### Environmental Protection Agency

*Pollution Hotline:*

**1300 130 372** – If you see any pollution incidents such as fish kills, oil spills, chemical leaks, dumping of waste or sewerage overflows, call the hotline for the cost a local call

### Department of Primary Industries

*Fishwatch Hotline:*

**1800 017 116** – Contact the Fishwatch Hotline to report illegal fishing in Queensland

**Department of  
Primary Industries**

*General Fishing  
Enquiries:*

**13 2523 -**

Contact the DPI Call Centre for the cost of a local call from anywhere in Queensland for any general fishing enquiries

**Australian  
Quarantine and  
Inspection Service**

*Redline:*

**1800 803 006 -**

The AQIS Redline is a freecall telephone service provided for people who would like to confidentially report someone they suspect is breaking Australian quarantine, meat or food inspection laws and jeopardising Australia's environment, agricultural industries and the general way of life

**Australian Search  
and Rescue -**

*Maritime*

**1800 641 792**

(24 hour) – This is the Rescue Co-ordination Centre for Australia's civil search and rescue activities

**Watch this space for updates on  
Native Title and Marine Issues**

**What's the Croker  
Island case all about?**

*The Commonwealth v Yarmirr  
[2001] HCA 56 (11 October 2001)*

**What was claimed?**

In 1994 the Mandilarri-Ildugji, Mangalarra, Muran, Gadurra, Minaga, Ngayndjagar and Mayorram Peoples (the Croker community) lodged a Native Title claim over 2,000 square kilometres of seas surrounding the Croker Island group. Croker Island is 200 kilometres north-east of Darwin.

Claimant Mary Yarmirr made it clear to the Court that, "to our people the land and the sea country are one" and that they have the same rights over their sea country as they do to their land country.

The Croker Island case was the first claim lodged under the Native Title Act for an area of sea. The court had to decide whether Native Title exists over the sea and if yes, in what form, as the Mabo decision left this question unanswered. Mabo was a determination over land only.

**Claim Background**

The claim was lodged in the Federal Court and heard by a single judge in the first instance. Justice Olney decided:

- that Native Title does exist over the sea;
- however, that the seas can only be used for subsistence (ie non-commercial purposes); and
- that Native Title holders must share their traditional seas with users (such as commercial fishers).

The Commonwealth, who was a respondent party to the Croker claim appealed Justice Olney's decision to the Full Federal Court, arguing that Native Title does not extend to the sea and even if it did, such Native Title had been extinguished in the Northern Territory. The Full Federal Court rejected the Commonwealth's arguments and upheld Justice Olney's decision.

Both, the Commonwealth and the claimants appealed the Full Federal Court's decision to the High Court, the Commonwealth arguing that there is no Native Title over the sea and the applicants maintaining that they had exclusive Native Title.

**What did the High Court  
Decide?**

A majority of the High Court found that:

- Native Title survived colonisation; but
- only limited Native Title rights could be determined under the Native Title Act in the offshore areas covered by the Croker Island Native Title claim.

The Croker Island case provides an important stepping stone towards full recognition of traditional rights and interests over sea country.

For more information on the Croker Island Case visit the Australasian Legal Information Institute (AustLII) website at <http://www.austlii.edu.au>

This site provides free internet access to one of the largest sources of Australian legal materials.



## New Indigenous Members to the Great Barrier Reef Consultative Committee



Under the *Great Barrier Reef Marine Park Act 1975*, the Consultative Committee operates as an independent advisory body for both the Great Barrier Reef Marine Park Authority and the Federal Minister for the Environment and Heritage, the Honourable Dr David Kemp. The Committee represents a wide cross-section of interests including tourism, fishing, science, conservation, aboriginal communities and local government.

Congratulations to Bob Muir a Woppaburra man from the Keppel Islands and Jenny Pryor who is the Commissioner for the Aboriginal and Torres Strait Islander Commissions Queensland North Zone. Both have been appointed as members to the Great Barrier Reef Consultative Committee for a three-year term from April 2002.



## SEA SPY

Barry Hunter who used to work for GBRMPA has been spotted in Cairns, now working with the Cape York Partnerships Team

A special thanks to the Lockhart River Art Gang for letting us use their artwork in the Sea Country Newsletter

Want to find out more about these stories and other sea country issues?

## Here are some interesting websites

Balkanu Cape York Development Corporation Pty Ltd  
<http://www.balkanu.com.au>

Cape York Partnerships  
[www.capeyorkpartnerships.com](http://www.capeyorkpartnerships.com)

Footprints before me  
<http://www.slq.qld.gov.au/publib/footprints/>

Great Barrier Reef Marine Park Authority  
<http://www.gbrmpa.gov.au>

Ilan Pasin, This is our way – A Cairns Regional Gallery Exhibition  
<http://www.cairnsregionalgallery.com.au/ilanpasin/>

Environmental Protection Agency - Cultural Heritage page  
<http://www.env.qld.gov.au/environment/culture/aboriginal/>

Department of Aboriginal and Torres Strait Islander Policy  
<http://www.indigenous.qld.gov.au/home.htm>

ABC Indigenous television  
<http://abc.net.au/message/television/default.htm>

Booderee National Park and Botanic Gardens – Environment Australia Page  
<http://www.ea.gov.au/parks/booderee/index.html>

Indigenous Libraries Unit (Administrative Centre) Cairns  
<http://www.slq.qld.gov.au/services/information/indigenous.htm>



## SOMETHING TO SAY ?

We welcome your contributions to Sea Country – talk or write to **Holly Savage** at the **Indigenous Policy and Liaison Unit**, PO Box 1379, Townsville Qld 4810

These articles are the views of the authors and do not necessarily represent the views of GBRMPA

## What's happening in Darumbal Country?

In August 2001, Darumbal Elder and QPWS Ranger Bill Mann along with fellow countrymen and Ranger Malcolm Mann, conducted the first Indigenous Marine Parks patrol, of the Port Clinton and Shoalwater Bay area aboard the 5.8m Marine Parks vessel 'Kanomie'.

The rangers have conducted a number of vessel and vehicle patrols in the area which included transporting and releasing stranded marine animals, monitoring and collection of seabirds, shorebird and marine mammal data, weed control, public contact, interpretation and education as well as compliance and enforcement operations.



Another part of Malcolm's fieldwork includes monitoring and recording culturally significant places and protecting these sensitive areas from further erosion, feral animals and human impacts. The Rangers also liaise with the Aboriginal and Torres Strait Islander community about marine issues.

Bill undertook a Ranger traineeship with the Darumbal Noolar-Murree Aboriginal Corporation for Land and Culture in 1997-98. Since then, he has completed a certificate course in Land Conservation and Restoration, worked as deckhand on the Marine Parks vessels and obtained his open Coxswain certificate.

The active involvement of traditional owners in Marine Park management in the Shoalwater Bay and Byfield region not only improves the conservation outcomes for flora and fauna in the area, it also strengthens the working relationship between Darumbal people and management agencies.

## Lets find out about Bycatch Reduction Devices on Prawn Trawlers

In an effort to reduce the impacts on non-target species in the fishing industry, the installation and use of Bycatch Reduction Devices (BRD's) became mandatory in the Great Barrier Reef Marine Park on 1 January 2002.

BRD's are fitted into trawl nets to allow unwanted animals to escape out of the nets while fishing. For example, Turtle Exclusion Devices (TED's) are specially designed BRD's that allow larger animals like turtles and rays to escape out of the nets while trawling.

