

Aboriginal Cultural Fishing

FACTSHEET

Aboriginal Cultural Fishing Local Management Plan (trials)

The NSW Department of Primary Industries (DPI) is partnering with the Hastings and Tweed coastal Aboriginal communities to trial a new approach to cultural fishing management.

What is a Local Management Plan (LMP)?

A Local Management Plan is a collective of arrangements that provides for access to fisheries resources for a local Aboriginal community in pursuit of their cultural practices. It also presents communities with the opportunity for involvement in fisheries management. The LMP seeks to cover all cultural fishing arrangements applicable to those communities which can extend beyond what is laid out in fisheries legislation.

What is cultural fishing?

Fishing is an important part of cultural life for Aboriginal communities, forming an integral component that connects communities to their traditional Country. Cultural fishing is fishing activities and practices carried out by Aboriginal persons for the purpose of satisfying their personal, domestic or communal needs, or for educational, ceremonial or other traditional purposes. Cultural fishing can involve a small number of people fishing on behalf of many and in ways that are not recognised as permitted activities under existing fishing rules. For LMP purposes, cultural fishing does not extend to a commercial fishing activity.

What does the trial aim to achieve?

LMPs will test the effectiveness of a customised management framework that recognises the need for Aboriginal community access to fisheries resources for cultural purposes. The LMP approach recognises the need and desire for Aboriginal communities to have greater input in fisheries management at a local level. Evaluation of this project will inform future decisions about how Aboriginal cultural fishing in NSW is managed into the future.

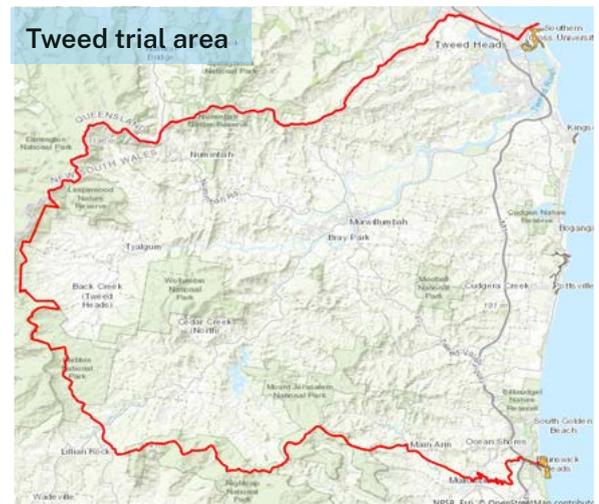
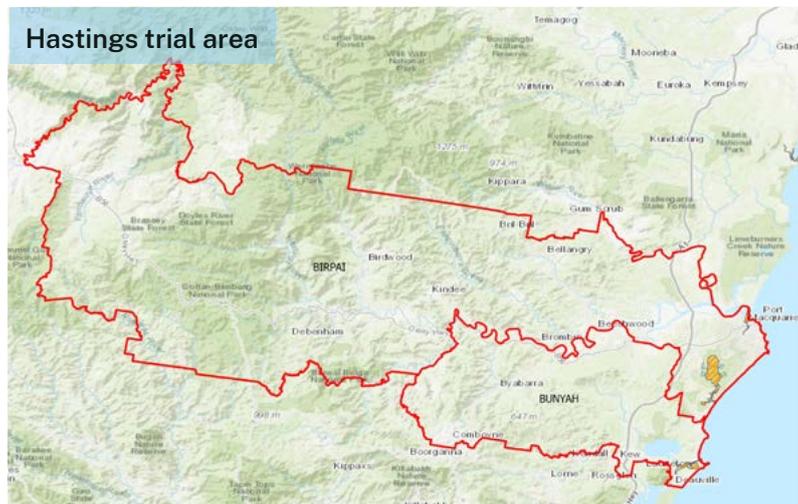
How have Aboriginal communities been involved in LMP development?

DPI has engaged with Aboriginal people within the trial areas throughout the design and development of the LMPs. This process has been guided by an engagement protocol established in partnership with these communities which focusses on free and informed consent. Community needs and aspirations have been captured through the engagement process and considered when finalising appropriate management arrangements in the LMP trial.



Where will the trials be conducted?

The trials will be conducted in specific areas within the Tweed region on the far north coast and Hastings region on the mid north coast of NSW. It is important to note the trial areas involved do not represent or describe traditional Aboriginal lands of the communities involved.



What will the LMP cover?

The LMP covers matters such as:

- areas of fishing and fishing equipment to be used
- species of fish, including those of particular significance
- take and possession limits
- direct involvement in management of the trial and community-based management of cultural fishing

How will this affect current Aboriginal fishing arrangements?

The LMP applies to Aboriginal cultural fishing in the area defined within the plan and to those Aboriginal people covered by the plan, during the trial. For areas not covered by the LMP, the Aboriginal Cultural Fishing Interim Access Arrangement (ACFIA) continues to apply for Aboriginal people seeking to exercise their cultural fishing. Applications, under section 37 of the Fisheries Management Act 1994 (the Act), will continue to provide authority to fish beyond what is provided for under the ACFIA.

Will LMP arrangements affect Native Title rights?

LMP arrangements do not authorise activities inconsistent with Native Title rights and interests under an approved determination of Native Title or within the terms of an Indigenous Land Use Agreement. Native title rights exist, and individuals' rights are not affected by the LMP trial.

Is access provided for under the LMP Trials sustainable and equitable?

The LMP trial arrangements have been designed with recognition of resource sharing across user groups and in line with the sustainable management of fisheries sources. A Review of Environmental Factors has also been undertaken for activities listed in the LMP that differ from arrangements under the ACFIA (i.e. increases in bag limits for certain species).

INFORMATION

For further information on the LMP trials, and Aboriginal Cultural Fishing arrangements please visit:

Website www.dpi.nsw.gov.au/fishing/aboriginal-fishing
Email aboriginal.fishing@dpi.nsw.gov.au
Phone 02 4916 3826

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