



NORTHERN
LAND COUNCIL

MEDIA RELEASE

Our Land, Our Sea, Our Life

Blue Mud Bay Implementation Action Plan will protect Aboriginal sea country rights

6 August 2020

On Wednesday 29 July 2020 the Northern Land Council (the NLC) and the Northern Territory Government (the NTG) signed the Blue Mud Bay Implementation Action Plan (the Action Plan).

In July 2008 the High Court of Australia, in the Blue Mud Bay case, found that Traditional Aboriginal Owners have the right to control access to waters overlying 'Aboriginal Land' including the intertidal zone. That means that Traditional Owners control access to around 85 per cent of the NT coastline.

On 26 June 2019 at Nitmiluk, the NTG, the NLC, the NT Seafood Council, the Amateur Fishermen's Association of the NT and the NT Guided Fishing Industry Association signed a Heads of Agreement document (the Nitmiluk Heads of Agreement).

The Action Plan implements the Nitmiluk Heads of Agreement with specific commitments up to the end of December 2022.

Under the agreed Action Plan, the Northern Territory Government will:

- Provide funding to support the establishment of an Aboriginal fishing entity to facilitate participation of Traditional Owners in fishing, aquaculture and other opportunities associated with fishing activities in the Northern Territory;
- Provide seed funding to assist this entity to support participation of Traditional Owners in fishing and aquaculture opportunities, job growth and associated enterprise development;
- Work collaboratively with the parties to the Nitmiluk Heads of Agreement, Traditional Owners and other key stakeholders in the drafting and introduction of a Fisheries Act amendment Bill;
- Expand Aboriginal Coastal Licences to increase commercial catch across all managed fisheries, including enabling greater incubation of small-scale commercial fishing in communities, potentially supported by the new Aboriginal fishing entity.
- Maintain commitments to Aboriginal Capacity Building Programs, such as ranger fisheries compliance training, fisheries inspector appointments, and the training and mentoring associated with Aboriginal Coastal Licences.

The Northern Land Council will:

- consult Traditional Owners on extending the permit free interim arrangements for fishing access in Blue Mud Bay tidal waters to 31 December 2022; and
- Subject to there being satisfactory progress under the Action Plan, consult Traditional Owners on long term permanent access arrangements post 31 December 2022.

Also under the Action Plan, the NTG and NLC commit to ongoing collaboration with the other parties to the Heads of Agreement and key stakeholders to implement the other elements of the Nitmuluk Heads of Agreement. The timeframe to complete these discussions and actions will be the end of 2022.

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Statements for attribution

Statement attributable to Northern Land Council CEO Marion Scrymgour.

This Action Plan was made between the NLC and the NT government with the full support of the Tiwi and Anindilyakwa Land Councils – both ‘sea country’ Land Councils – and the Central Land Council. This is the first time that a strong alliance of NT Land Councils have come together to help protect nearly 8,500 kilometres of NT sea country. The Action Plan will, again for the first time, provide sea country traditional owners with a clear pathway to achieving culturally appropriate economic and employment outcomes that will benefit our mob for generations to come.

Statement attributable to Northern Land Council Chairman Samuel Bush-Blanasi

Following the election we look forward to working closely with the NT government to develop and deliver a new Fisheries Act that will reflect the undeniable fact of Aboriginal ownership of sea country and the need to implement sustainable and appropriate policies for the future management of our fisheries and protection of this most precious resource.