

## **BEFORE THE ABORIGINAL LAND COMMISSIONER**

### **ABORIGINAL LAND RIGHTS (NORTHERN TERRITORY) ACT 1976**

**Lower Roper River Land Claim No. 70;**

**Mataranka Area (NT Portion 916) Land Claim No. 129;**

**Western Roper River (Bed and Banks) Land Claim No. 141;**

**Roper Valley Area Land Claim No. 164**

Statement of David Ciaravolo, Executive Officer, the Amateur Fishermen's Association of the Northern Territory (AFANT), PO Box 40694, Casuarina NT 0811.

1. I was appointed as the Executive Officer at AFANT in February 2017. Prior to that I worked as the Executive Director at RecFish SA, the South Australian recreational fishing peak body, for a period of 2 years.
2. As Executive Officer of AFANT, I have responsibility for the achievement of AFANT's mission/objectives and the management of AFANT's operations. I work with the Committee on the development and achievement of agreed strategy, and I represent AFANT on government and non-government committees, groups and projects.
3. AFANT was formed in 1980 to represent NT recreational fishers on all matters of importance to the sector. This includes fisheries management, development strategies, access to areas for the purpose of recreational fishing, and responding to project proposals that may influence the quality or access for recreational anglers in the NT. AFANT has approximately 3500 members, however has been engaged formally by the NTG to consult with and provide advice to on behalf of (all) recreational fishers in the Northern Territory.
4. This statement updates issues raised in correspondence and statements provided by AFANT to previous Aboriginal Land Commissioner (Olney) in the Lower Roper River Land Claim No. 70, and the Upper Roper River Land Claims comprising; Mataranka Area Land Claim No. 129; Western Roper River (Bed and Banks) Land Claim No. 141; Roper Valley Area Land Claim No. 164. This updated statement is intended to provide contemporary evidence to the Commissioner for consideration, and to bring focus to the matters of detriment AFANT now views as most relevant; particularly those arising by effect of the decision of the High Court of Australia in Northern Territory of Australia v Arnhem Land Aboriginal Land Trust [2008] HCA 29 on 30 July 2008 (the Blue Mud Bay decision).
5. The immediate effect of a grant of these Claims, without Open Access declarations or other negotiated agreement(s), would be that the lands and waters of the Claim areas would become Aboriginal land and that access to the waters overlying those lands would be prohibited (in the absence of a permit).
6. AFANT are of the view that to inform current usage and potential detriment issues, the data held by the Northern Territory Government, eg., the results

from the 2010 Recreational Fishing Survey, can be usefully be complimented by contemporary data collected about fishing activity specifically within the Claim Areas.

7. Owing to the high importance of the Roper River (especially the Lower Roper River) Claim Areas, and previous issues identifying and providing evidence of fishing activity in the Upper Roper River Land Claim Areas; AFANT conducted a community consultation survey, the “AFANT – Roper River Land Claims Survey” (**Appendix A**), to ask recreational fishers about their activities in the Claim Areas.
8. Due to time and human resource constraints (the 16 Bed and Bank Land Claims Detriment Reviews, and the current open Inquiries into LC’s 167, 188, 189, 190 & 192 has placed considerable strain on AFANT’s resources and ability to invest time into consultation and into the preparation of responses for individual claims), the opportunity to participate in the survey was made available to fishers for only a full 3-day period. It was sent to Members and made available online via AFANT’s social media accounts. 285 individuals participated in the consultation. Of these 22% identified as not being a resident of the NT; highlighting the interest of visiting fishers/ fishing tourism in this area.

**ALC Reports 65 & 68 - comments on detriment to recreational fishing and the updates AFANT views as necessary.**

9. In ALC Report 65 (Lower Roper River Land Claim 70) Commissioner Olney appeared to support AFANT’s main contentions being that fishing in the Roper River could suffer as result of the grant of the Claim and that there are other areas of the NT, being Aboriginal Land, that are not freely accessible to recreational fishers. In referring to evidence submitted by AFANT Commissioner Olney stated at 91:

*There is no doubt that AFANT represents the views of a significant number of Northern Territory residents and tourists who regularly engage in fishing, for recreational purposes. Nor is it open to question that large portions of the Northern Territory coast and some of its rivers are Aboriginal land which is not freely accessible to recreational anglers. There is substance in AFANT’s concern that in the absence of suitable arrangements being entered into with the traditional owners or the NLC the granting of title to the claim area could impact adversely on recreational fishing and tourism generally in the Roper River region.*

10. In his summary on detriment at 116(e), Commissioner Olney commented that exempting points of public access to the waters of the Roper River from a future grant of Claim, could significantly limit the detriment to recreational fishing. He stated at 116(e):

*Commercial and recreational fishers would suffer detriment if as a result of a grant of title access to the river and its bed and banks were to be prohibited or restricted. The extent of the detriment would be considerably diminished if the land occupied by the Roper Bar, St Vidgeon and Port Roper boat ramps were to be excluded from the grant.*

AFANT draws attention to the fact that this option for diminishing the acknowledged detriment is no longer relevant because the Blue Mud Bay decision by the High Court has made it clear that it is an offence to remain upon Aboriginal Land (Aboriginal Freehold Land), whether or not it is overlain by water.

11. The potential for (already acknowledged) detriment to recreational fishers, has become more significant, and more complex to address since the time of Commissioner Olney's reports 65 & 68. Where in 2003/4 the matters of concern to recreational fishers were primarily limited to access points to the waters of the river (crossing the banks) and potentially the right to anchor or otherwise interact with the bed of the river; it is now clear that the immediate result of the granting of the bed and banks claim(s) would be to replace the currently enjoyed right-of-access by fishers to the waters overlying what are Crown lands, and to legally exclude recreational fishers from the waters overlying what would become Aboriginal lands.

### **Recreational Fishing in the Northern Territory**

12. Recreational fishing is an important social and cultural component of the Northern Territory lifestyle. It is also a major tourism drawcard and a significant contributor to the economy.
13. The [2010 NT Recreational Fishing Survey](#) (West *et al.*, 2012) indicates that more than 30,500 Non-Indigenous Territory residents went fishing in 12 months between April 2009 – March 2010. The Tourism NT, Fishing Segment Profile documents that there were over 40,000 fishing visitors to the NT in 2014 ([http://www.tourismnt.com.au/~media/files/corporate/marketing/fishing-segment-profile\\_northern-territory-australia.ashx](http://www.tourismnt.com.au/~media/files/corporate/marketing/fishing-segment-profile_northern-territory-australia.ashx)).
14. [NT Government Recreational Fishing Development Plan \(2012-2022\)](#), provides that 70% of recreational fishing in the Northern Territory occurs in regional areas, where it is often the primary economic and development driver.
15. In the 2010 NT Recreational Fishing Survey (West *et al.*, 2012), annual resident fisher expenditure was estimated at \$51M.
16. [The Fishery Status Reports 2012 \(NTG, 2014\)](#) estimates the NT guided fishing industry to contribute \$26M annually to the NT economy.

## Recreational fishing in the region

17. The East Coast / Gulf Area region where the Claim Areas are located accounted for approximately 7% of all fishing effort by NT Residents in 2009/10. (West et al. 2012. p.33)
18. The West Coast region where the Claim Areas are located, accounted for approximately 12% of all Barramundi caught by NT Residents in 2009/10 (West et al. 2012, p.47). This is significant given the remote location of the area.

## Recreational Fishing in the Lower Roper River Land Claim No. 70 Claim Areas

19. Recreational Fishing is currently permitted in the Claim Area without the need to obtain a permit.
20. In the AFANT –Roper River Land Claim Survey, 272 respondents (over 3 days) said they have fished in the Lower Roper River (LC 70 Claim Area), as shown to respondents on a Map (figure 1), and highlighted in red.

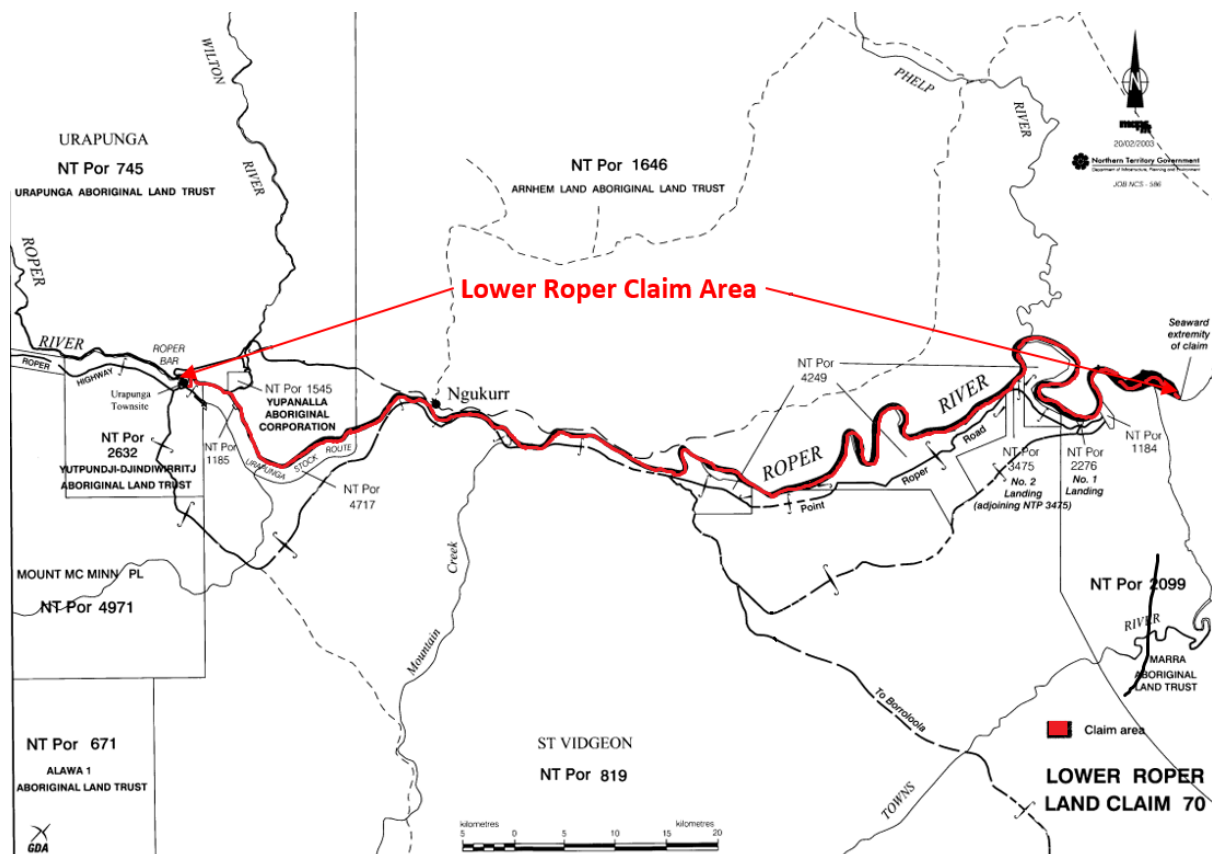


Figure 1 LC 70 Claim Area from AFANT Survey (enhanced from ALC Report 65)

21. There are three boat ramps that serve as the most important access points for recreational fishing in the LC 70 Claim Area. These are Munbililla - Tomato Island, Roper Bar and Port Roper boat ramps. This is supported in the AFANT – Roper River Land Claims Survey (Q7), where 198, 182 & 149 people, respectively, confirmed that when fishing the Lower Roper River Claim Area, they launched at the ramps listed.



22. Question 7 in the AFANT – Roper River Land Claims Survey also invited comments from respondents about other avenues of access to the LC 70 Claim Area. Those listed included Ngukurr boat ramp (5 respondents), Groote Eylandt (3 respondents) and Mountain Creek campground bank launch (2 respondents).
23. Owing to the distance from major centres, camping while fishing is common practice at the Lower Roper River. In the AFANT – Roper River Land Claims Survey, camping on the Boat was reported by the highest number of participants (170), followed closely by staying at Munbililla (Tomato Island) Campground (161) and Roper Bar (132). Other camping locations the AFANT survey included were Mountain Creek where 30 respondents reported having stayed, and Didi Baba (Jacana) Campground with 14 self-reports recorded. Participants were also invited to leave written comments and 33 individuals said that they have camped at Port Roper.
24. Land based fishing in the LC 70 Claim Area was reported by 200 respondents in the AFANT – Roper River Land Claims Survey (Q9). The most popular location was Roper Bar (167 respondents), followed by the area near the Roper Bar ramp (101 respondents), Tomato Island (Munbililla) Campground (87 respondents) and Port Roper (67 respondents). Fifteen written comments referred to a range of other areas including the new bridge and Ngukurr.
25. As there appears to be some lack of practical clarity about the LC 70 Claim Area as it interreacts with Aboriginal land vested with the Marra and Arnhem Land Aboriginal Land Trusts; AFANT sought to be able to explicitly confirm that when fishing after launching at Port Roper, recreational fishers are indeed fishing within the LC 70 Claim Area (as it is defined). Shown a map of Port Roper with the boat ramp location identified (figure 2), participants were asked about their fishing upstream and downstream. The results received confirm that recreational fishing occurs regularly in both directions from the Port Roper ramp, with 166 respondents (92% of those who answered question 10) reporting fishing both upstream and downstream.



Figure 2: Map from AFANT Survey Q10 - Port Roper Ramp Location

### *Special significance of the Claim Area*

26. The Lower Roper River Claim Area is a widely celebrated NT recreational fishing area. Its significance as a fishing location highlights the potential social impacts (detriment) that would accompany a loss or restriction of access. It is our contention that a loss of access to the Claim Area would impact upon not only people's choice to visit the area, but also many people's overall enjoyment of fishing in the Northern Territory.
27. AFANT understands (from engaging with members and other fishers) that the Claim Area is of special significance to recreational fishers and is known for the size and quantity of Barramundi, its rugged natural values and the coupling of fishing and camping experiences. This is supported by the views of 260 AFANT – Roper River Land Claims Survey respondents (95.5% of question 13 respondents), who did not think the fishing experience on offer in the LC 70 Claim Area can be replaced by another location. We contend that it is only logical that detriment in the form of social impacts and loss of amenity would result if fishing access is lost.
28. Clearly, visitation to the area is likely to suffer in the event of a loss of access for fishing in the Claim Area. However, it is important to note the sentiment that the loss of access to this iconic location would have flow-on effects that influence how fishers evaluate the overall activity of fishing in the Northern Territory. This is supported by the views of 267 AFANT – Roper River Land Claims Survey respondents (98% of those who answered the question), who agreed that their enjoyment of fishing in the NT (as a whole) would suffer if they could not go fishing in the Lower Roper River Claim Area.

### **Recreational Fishing in the Upper Roper River Bed and Banks Claims LC 141 and LC 129**

29. In the AFANT – Roper River Land Claims Survey, 99 respondents said they have fished Upper Roper River Bed and Banks Claim Areas 141 or within Claim area 129, shown on a map (figure 3), marked in orange and hatched in blue respectively.

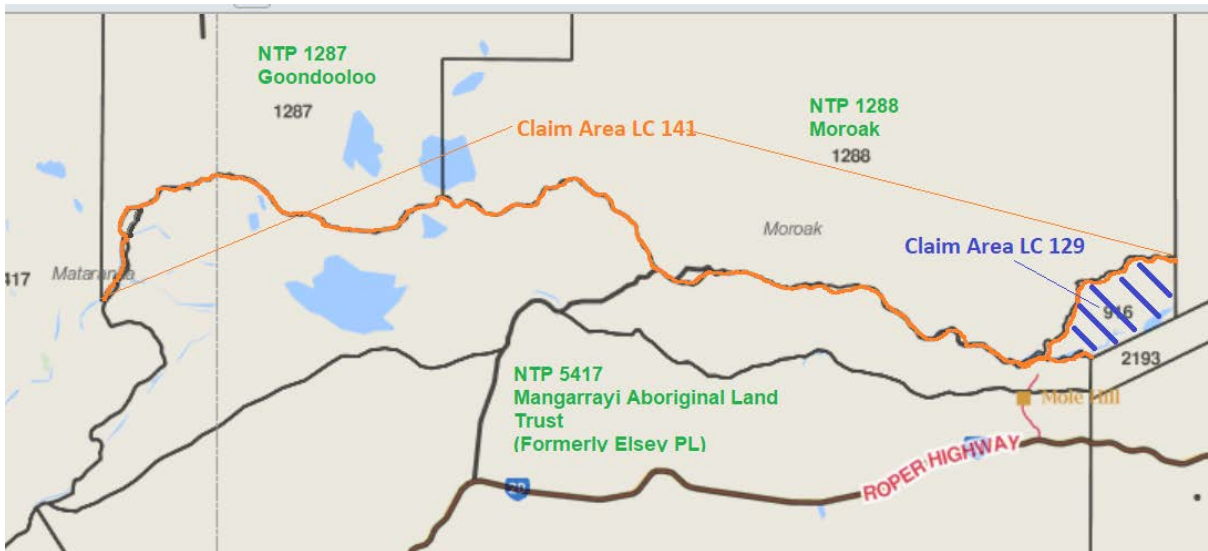


Figure 3 LC 141 & 129 Claim Areas from AFANT Roper River Land Claims Survey Q15

30. In the AFANT – Roper River Land Claims Survey, 60 respondents (68%) reported gaining access with the permission of Pastoral Lease owners, while 28 respondents (32%) reported gaining access with the permission of Traditional Owners.

### Recreational Fishing in the Upper Roper River Bed and Banks Claims LC 164

31. In the AFANT – Roper River Land Claims Survey (Q17), 70 respondents said they have fished LC 164 Claim Area (i) between Flying Fox and Lonesome Dove stations, shown on a map (figure 4) and marked in red.

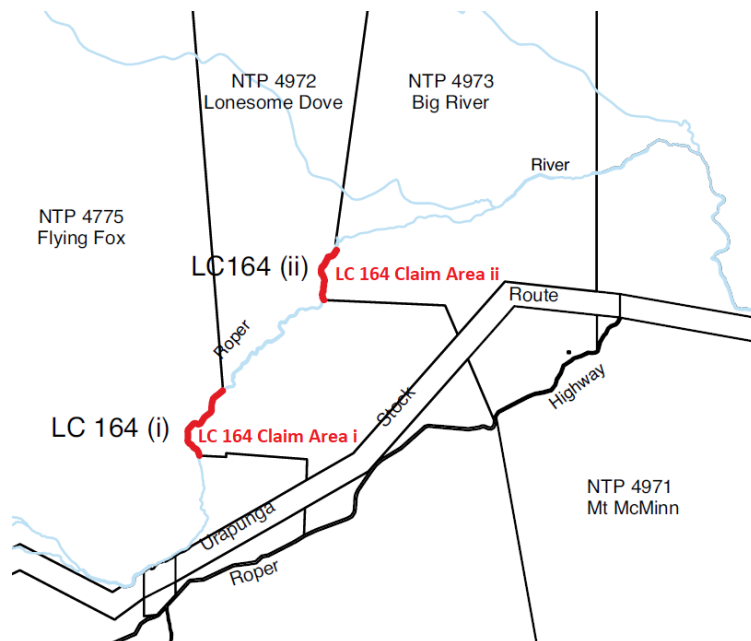


Figure 4: LC 164 Claim Areas (i) & (ii) – Enhanced from ALC Report 68

32. In the AFANT – Roper River Land Claims Survey (Q17), 49 respondents said they have fished LC 164 Claim Area (ii) between Lonesome Dove and Big River stations, shown on a map (figure 4) and marked in red.
33. In the AFANT – Roper River Land Claims Survey (Q18), 101 respondents said they have fished LC 164 Claim Area (iii) land-based immediately upstream of the Roper Bar. Twenty-seven respondents reported fishing elsewhere in the LC 164 (iii) Claim Area, with 7 written comments referring to launching boats off of the public road (Roper Bar crossing). The Claim area was shown to respondents on a map (figure 5) and marked in red.

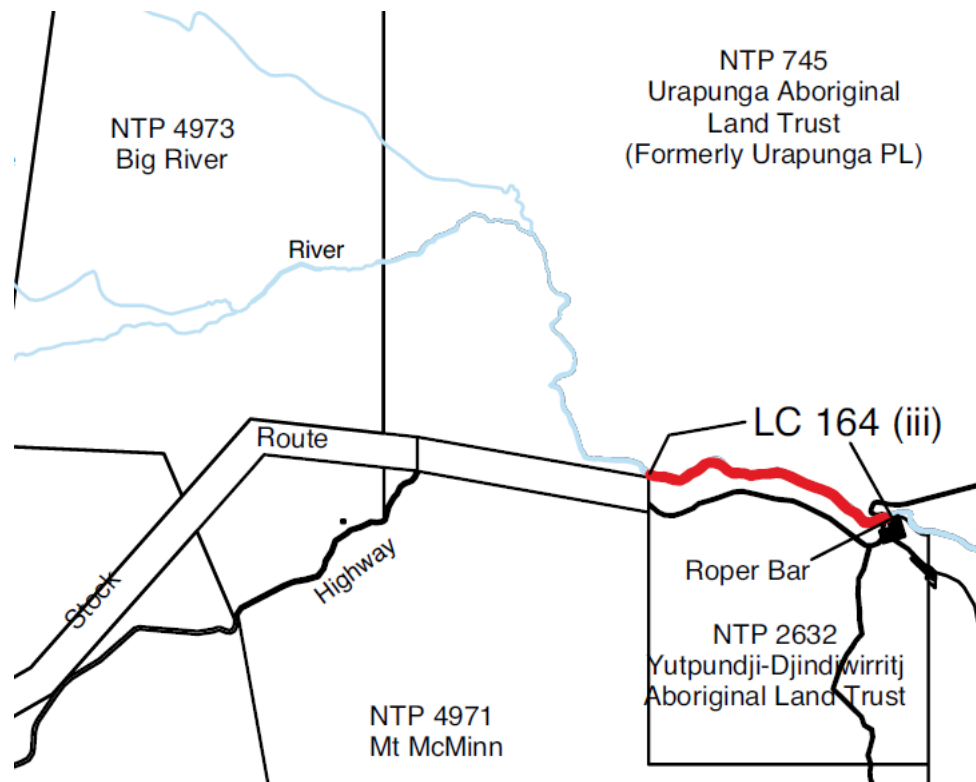


Figure 5: LC 164 Claim Area (iii) – Enhanced from ALC Report 68

### Cumulative Impacts

34. It has been raised by AFANT in response to other Land Claims (167, 188, 189, 68, 190, 192, 71, 198, 199, 184, 185 & 178), that there is potential for cumulative detriment to arise/accrue as a result of the granting of a number of Bed and Bank, and Intertidal Zone Land Claims in a given area, and across the Territory.
35. It has been put forward that cumulative detriment may occur should a system of permits be introduced resulting in the need for fishers to expend time and money obtaining permits for different areas. And we have contended that either the introduction of permits, or the closure of areas to recreational fishing, would put pressure on the resources, and by extension, the fishing experiences in other areas. In our view, this consideration is also relevant to these Claims, especially LC 70.

*Cumulative (effort related) impacts;*

36. The Lower Roper River is a popular fishing location, held in esteem for its high quality fishing. It is reasonable to expect that if this fishing effort was disrupted or relocated, that there could be increased pressure in other fishing areas.
37. The vast majority of respondents to the AFANT – Roper River Land Claims Survey (263 individuals / 96%) agreed that if people could not fish in the Lower Roper River Claim Area (LC 70); the fishing in other areas would be likely to be impacted through increased fishing pressure. One hundred respondents left comments to this question (Q14) which included:

*There's always quite a lot of fishermen in the area where we fish and if not able to continue in this locality they would have to go elsewhere and so add pressure to that area – Respondent #245*

*People will target smaller systems and potentially stress these areas more. The Roper is a large system and is suited to higher amounts of recreational fishing. – Respondent #200*

*All major rivers in the NT close to Darwin see a lot of boat traffic. We try to go more remote like to the Roper to avoid the crowds. Closing this river will congest the other rivers further – Respondent #3*

*its remote and usually reliable fishing in the claim area. many people travel from Darwin and Katherine here to avoid crowded fishing, therefore these people will divert to other areas where there's already heavy fishing pressure – Respondent #103*

*The fishing pressure, bag and size limits of all fish and crabs in the NT need to be monitored regularly to maintain our fishing ecosystem. Closing this area will increase pressures in other NT areas. It will also impact on tourism which is critical to the NT. – Respondent #26*

*Cumulative (Social) impacts*

38. The enjoyment of recreational fishing is about much more than just the catching of fish; for participants the activity is about the experience as a whole. The enjoyment, social and lifestyle values of recreational fishing experiences can be impacted by informal competition with, or the presence of, other fishers on the water. This is especially the case in regional settings where enjoying space on the water is usually an intrinsic part of the valued experience.
39. Increased competition, or the presence of many others, is one way that cumulative detriment from more fishers being squeezed in to fewer locations may be seen to extend beyond resource sustainability/availability, and to also impact upon social and amenity values (the availability of a valued experience).

## **Permits**

40. With respect to this Claim, and for other Claims before the Commissioner (167, 188, 189, 68, 190, 192, 71, 198, 199, 184, 185 & 178) it is AFANT's position that the financial cost, as well as the time taken to apply for and receive a permit may result in detriment. It is also contended that delays in processing a permit could, and the refusal of a permit certainly would, result in detriment to recreational fishers.
41. That the technology exists to support an efficient permit system is not disputed, however the fact remains that to date the NLC have been largely unable to effectively consult with Traditional Owners and where desirable (to TO's) organise standing orders to enable a reasonable and reliable permit system for access to Aboriginal lands.

## **Invitation to comment on relations with Local Aboriginal Communities**

42. AFANT has contact with a number of people in the Aboriginal Communities of the Claim Areas and organisational representatives.
43. AFANT's President Warren de With maintains dialogue with William Blackley, CEO of the Yugul Mangi Development Corporation.
44. I have contact with Jim Williams from the Urapunga Aboriginal Land Corporation. Topics of discussion include developing opportunities for the Aboriginal community through businesses that offer services to recreational fishing visitors.
45. As a matter of courtesy, AFANT informed William and Jim before commencing public consultation on the Land Claims.

## **Invitation to comment on the timing of detriment arising and the extent to which Commissioner Olney's recommendations in Report No. 65 and Report 68 were considered in making any decisions that may have resulted in new detriment concerns.**

46. The Commissioner has asked for comment from parties about when matters of detriment arose (especially whether this was subsequent to the recommendations of Commissioner Olney). There is little doubt that some of the recreational fishers who may suffer detriment, will have started fishing after 2003/4. Yet with respect to recreational fishers (who are making non-commercial decisions to go fishing), this matter is most difficult to address. Indeed, there may be some 30,000 potentially interested individuals, who have resided in the Territory for different amounts of time, and for whom due diligence before a fishing trip usually only relates to checking the NT Government boat ramp website and perhaps sometimes the road condition report. As such, AFANT are of the view that the question itself, as it applies to recreational fishers, requires further comment.

AFANT suggests it is unreasonable to expect individual recreational fishers who are making decisions to go fishing based upon the current land tenure conditions (the waters currently overlay Crown Land) and the existence of public boat ramps, to understand the complex matter of Bed, Bank and Intertidal Land Claims; let alone the potential impacts of these claims on their future activities. This is especially the case when we consider the practical complexities of the matter (e.g. what areas are actually under claim / what areas are not) and also the evolving legal status of key issues, and therefore the evolving potential for detriment. For example, the outcome of the Blue Mud Bay case was 3-4 years after Commissioner Olney's recommendations were handed down, hence even after the Commissioner's recommendations the matter has continued to evolve (if only theoretically as a responsible Minister is still yet to make an actual decision). It seems unrealistic that the fisher be expected to keep up, when for them, nothing on the ground has changed for over two decades since the last claims were lodged (and most are probably not aware, even of that fact).

AFANT contends that it would be highly unreasonable to expect that recreational fishers would not continue (or indeed begin) patterns of visitation after the claims were lodged, or after they were recommended for grant, or following the Blue Mud Bay decision. None of these milestones are stop-go points of decision-making for ordinary families practically enjoying a legal recreation. Nor do we consider it reasonable that individual fishers would be expected to understand the evolution of the legal or procedural complexities and the possible implications for them in the future.

Even if we did accept that individual casual fishers were across such complexities, their decision-making would presumably, also be tempered by the uncertainty over the unknown final decision of the Minister for Indigenous Affairs. And even then, assuming that the Minister grants the claim(s); whether or not the Minister also causes any area to be declared an Open Area under ALRA or causes (and resources) some other form of arrangement enabling fishing access to continue (as successive NT Governments have so promised). And again, all of this is to be appreciated in the context that some 14 years has passed since the Commissioners recommendation without any tangible progress.

It is AFANT's contention that recreational fishing certainly occurred before the Claims were made, and before Commissioner Olney's recommendations. And that fishing most certainly continues in the Claim Areas to this day. Furthermore, AFANT does not accept that individual fishers would be reasonably capable of becoming and remaining fully informed of the complexities of claims under ALRA. Nor ultimately, is the timing of an individual beginning their fishing activity in the Claim Areas of reasonable relevance as to whether they would suffer future detriment should that activity be prohibited, limited, or met with new costs. Presumably, that there would be changes in detriment issues over time and with the evolution of important legal matters (especially Blue Mud Bay) is appreciated by the Minister, and that this was an important part of the reasoning for the 16 reviews the Minister has instructed.

I DECLARE that I have read this statement carefully before signing it, and that I believe it to be true and correct,

Signed:

A handwritten signature in black ink, appearing to read 'David Ciaravolo', with a stylized, cursive script.

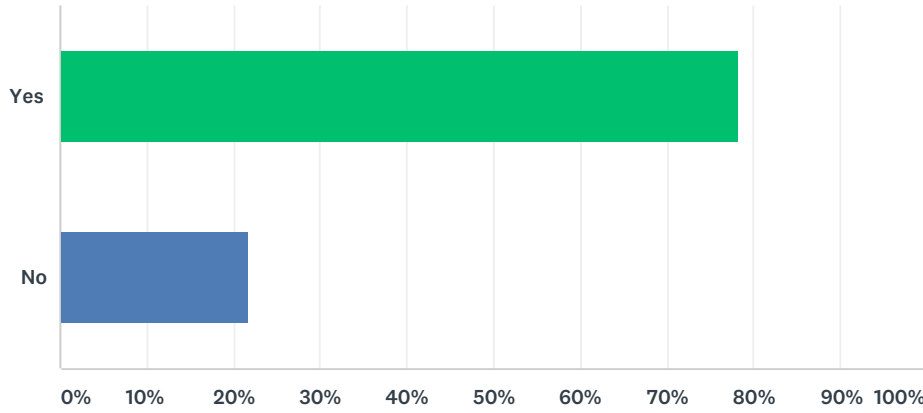
David Ciaravolo

Date: 4/06/2018



## Q1 Are you a resident of the Northern Territory

Answered: 285 Skipped: 0



| ANSWER CHOICES | RESPONSES |     |
|----------------|-----------|-----|
| Yes            | 78.25%    | 223 |
| No             | 21.75%    | 62  |
| TOTAL          |           | 285 |

## Q2 In what postcode is your home located?

Answered: 285 Skipped: 0

| #  | RESPONSES | DATE              |
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| 3  | 800       | 6/4/2018 10:53 AM |
| 4  | 850       | 6/4/2018 10:22 AM |
| 5  | 810       | 6/4/2018 9:51 AM  |
| 6  | 812       | 6/4/2018 9:38 AM  |
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| 9  | 4879      | 6/4/2018 8:48 AM  |
| 10 | 850       | 6/4/2018 8:48 AM  |
| 11 | 2316      | 6/4/2018 8:10 AM  |
| 12 | 852       | 6/4/2018 6:03 AM  |
| 13 | 850       | 6/4/2018 5:29 AM  |
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| 24 | 2428      | 6/3/2018 3:11 PM  |
| 25 | 3806      | 6/3/2018 3:07 PM  |
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AFANT - Roper River Land Claims Survey

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| 50 | 4053 | 6/3/2018 8:02 AM  |
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AFANT - Roper River Land Claims Survey

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| 84  | 4740 | 6/2/2018 4:52 PM  |
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| 114 | 830  | 6/2/2018 11:31 AM |
| 115 | 810  | 6/2/2018 11:26 AM |
| 116 | 836  | 6/2/2018 10:50 AM |
| 117 | 2612 | 6/2/2018 10:44 AM |

AFANT - Roper River Land Claims Survey

|     |      |                   |
|-----|------|-------------------|
| 118 | 852  | 6/2/2018 10:31 AM |
| 119 | 4750 | 6/2/2018 10:17 AM |
| 120 | 850  | 6/2/2018 10:15 AM |
| 121 | 822  | 6/2/2018 10:14 AM |
| 122 | 810  | 6/2/2018 10:09 AM |
| 123 | 835  | 6/2/2018 10:05 AM |
| 124 | 831  | 6/2/2018 10:02 AM |
| 125 | 854  | 6/2/2018 9:45 AM  |
| 126 | 853  | 6/2/2018 9:45 AM  |
| 127 | 835  | 6/2/2018 9:45 AM  |
| 128 | 850  | 6/2/2018 9:42 AM  |
| 129 | 852  | 6/2/2018 9:40 AM  |
| 130 | 2321 | 6/2/2018 9:21 AM  |
| 131 | 846  | 6/2/2018 9:19 AM  |
| 132 | 852  | 6/2/2018 9:18 AM  |
| 133 | 840  | 6/2/2018 9:17 AM  |
| 134 | 852  | 6/2/2018 9:05 AM  |
| 135 | 851  | 6/2/2018 9:01 AM  |
| 136 | 852  | 6/2/2018 8:59 AM  |
| 137 | 835  | 6/2/2018 8:52 AM  |
| 138 | 830  | 6/2/2018 8:49 AM  |
| 139 | 831  | 6/2/2018 8:37 AM  |
| 140 | 810  | 6/2/2018 8:10 AM  |
| 141 | 832  | 6/2/2018 8:09 AM  |
| 142 | 880  | 6/2/2018 7:58 AM  |
| 143 | 850  | 6/2/2018 7:48 AM  |
| 144 | 845  | 6/2/2018 7:48 AM  |
| 145 | 812  | 6/2/2018 7:48 AM  |
| 146 | 832  | 6/2/2018 7:40 AM  |
| 147 | 851  | 6/2/2018 7:37 AM  |
| 148 | 836  | 6/2/2018 7:32 AM  |
| 149 | 850  | 6/2/2018 7:26 AM  |
| 150 | 850  | 6/2/2018 7:22 AM  |
| 151 | 830  | 6/2/2018 7:21 AM  |
| 152 | 830  | 6/2/2018 7:10 AM  |
| 153 | 840  | 6/2/2018 7:08 AM  |
| 154 | 852  | 6/2/2018 7:05 AM  |
| 155 | 812  | 6/2/2018 6:10 AM  |
| 156 | 4659 | 6/2/2018 4:48 AM  |
| 157 | 4670 | 6/2/2018 4:39 AM  |
| 158 | 820  | 6/2/2018 4:31 AM  |

AFANT - Roper River Land Claims Survey

|     |      |                   |
|-----|------|-------------------|
| 159 | 830  | 6/2/2018 4:23 AM  |
| 160 | 832  | 6/2/2018 3:59 AM  |
| 161 | 832  | 6/2/2018 3:36 AM  |
| 162 | 812  | 6/2/2018 2:23 AM  |
| 163 | 850  | 6/2/2018 1:59 AM  |
| 164 | 832  | 6/2/2018 12:36 AM |
| 165 | 820  | 6/1/2018 11:24 PM |
| 166 | 846  | 6/1/2018 11:16 PM |
| 167 | 812  | 6/1/2018 11:09 PM |
| 168 | 850  | 6/1/2018 10:58 PM |
| 169 | 6280 | 6/1/2018 10:47 PM |
| 170 | 853  | 6/1/2018 10:29 PM |
| 171 | 836  | 6/1/2018 10:05 PM |
| 172 | 850  | 6/1/2018 10:01 PM |
| 173 | 822  | 6/1/2018 9:44 PM  |
| 174 | 832  | 6/1/2018 9:44 PM  |
| 175 | 836  | 6/1/2018 9:44 PM  |
| 176 | 832  | 6/1/2018 9:44 PM  |
| 177 | 850  | 6/1/2018 9:30 PM  |
| 178 | 836  | 6/1/2018 9:16 PM  |
| 179 | 835  | 6/1/2018 9:14 PM  |
| 180 | 3850 | 6/1/2018 9:09 PM  |
| 181 | 4455 | 6/1/2018 9:09 PM  |
| 182 | 820  | 6/1/2018 9:03 PM  |
| 183 | 850  | 6/1/2018 9:01 PM  |
| 184 | 836  | 6/1/2018 8:42 PM  |
| 185 | 812  | 6/1/2018 8:37 PM  |
| 186 | 810  | 6/1/2018 8:37 PM  |
| 187 | 852  | 6/1/2018 8:31 PM  |
| 188 | 828  | 6/1/2018 8:27 PM  |
| 189 | 812  | 6/1/2018 8:26 PM  |
| 190 | 812  | 6/1/2018 8:24 PM  |
| 191 | 2528 | 6/1/2018 8:23 PM  |
| 192 | 810  | 6/1/2018 8:22 PM  |
| 193 | 850  | 6/1/2018 8:21 PM  |
| 194 | 850  | 6/1/2018 8:15 PM  |
| 195 | 850  | 6/1/2018 8:14 PM  |
| 196 | 850  | 6/1/2018 8:13 PM  |
| 197 | 810  | 6/1/2018 8:04 PM  |
| 198 | 836  | 6/1/2018 7:58 PM  |
| 199 | 2317 | 6/1/2018 7:58 PM  |

AFANT - Roper River Land Claims Survey

|     |      |                  |
|-----|------|------------------|
| 200 | 835  | 6/1/2018 7:55 PM |
| 201 | 830  | 6/1/2018 7:45 PM |
| 202 | 832  | 6/1/2018 7:40 PM |
| 203 | 812  | 6/1/2018 7:38 PM |
| 204 | 836  | 6/1/2018 7:34 PM |
| 205 | 4753 | 6/1/2018 7:32 PM |
| 206 | 810  | 6/1/2018 7:29 PM |
| 207 | 833  | 6/1/2018 7:26 PM |
| 208 | 3568 | 6/1/2018 7:18 PM |
| 209 | 820  | 6/1/2018 7:17 PM |
| 210 | 810  | 6/1/2018 7:10 PM |
| 211 | 850  | 6/1/2018 7:04 PM |
| 212 | 830  | 6/1/2018 7:03 PM |
| 213 | 850  | 6/1/2018 6:57 PM |
| 214 | 853  | 6/1/2018 6:57 PM |
| 215 | 5204 | 6/1/2018 6:55 PM |
| 216 | 839  | 6/1/2018 6:54 PM |
| 217 | 832  | 6/1/2018 6:38 PM |
| 218 | 828  | 6/1/2018 6:36 PM |
| 219 | 832  | 6/1/2018 6:27 PM |
| 220 | 845  | 6/1/2018 6:19 PM |
| 221 | 836  | 6/1/2018 6:14 PM |
| 222 | 810  | 6/1/2018 6:00 PM |
| 223 | 820  | 6/1/2018 5:51 PM |
| 224 | 832  | 6/1/2018 5:49 PM |
| 225 | 2431 | 6/1/2018 5:42 PM |
| 226 | 832  | 6/1/2018 5:36 PM |
| 227 | 836  | 6/1/2018 5:36 PM |
| 228 | 812  | 6/1/2018 5:36 PM |
| 229 | 3916 | 6/1/2018 5:34 PM |
| 230 | 850  | 6/1/2018 5:29 PM |
| 231 | 830  | 6/1/2018 5:21 PM |
| 232 | 832  | 6/1/2018 5:19 PM |
| 233 | 830  | 6/1/2018 5:18 PM |
| 234 | 2620 | 6/1/2018 4:56 PM |
| 235 | 820  | 6/1/2018 4:56 PM |
| 236 | 832  | 6/1/2018 4:55 PM |
| 237 | 812  | 6/1/2018 4:52 PM |
| 238 | 820  | 6/1/2018 4:51 PM |
| 239 | 852  | 6/1/2018 4:51 PM |
| 240 | 820  | 6/1/2018 4:46 PM |

AFANT - Roper River Land Claims Survey

|     |      |                  |
|-----|------|------------------|
| 241 | 835  | 6/1/2018 4:44 PM |
| 242 | 836  | 6/1/2018 4:34 PM |
| 243 | 850  | 6/1/2018 4:30 PM |
| 244 | 835  | 6/1/2018 4:26 PM |
| 245 | 820  | 6/1/2018 4:24 PM |
| 246 | 839  | 6/1/2018 4:22 PM |
| 247 | 810  | 6/1/2018 4:18 PM |
| 248 | 850  | 6/1/2018 4:08 PM |
| 249 | 812  | 6/1/2018 4:03 PM |
| 250 | 820  | 6/1/2018 4:00 PM |
| 251 | 832  | 6/1/2018 3:55 PM |
| 252 | 832  | 6/1/2018 3:53 PM |
| 253 | 830  | 6/1/2018 3:52 PM |
| 254 | 822  | 6/1/2018 3:51 PM |
| 255 | 820  | 6/1/2018 3:48 PM |
| 256 | 800  | 6/1/2018 3:24 PM |
| 257 | 820  | 6/1/2018 3:21 PM |
| 258 | 812  | 6/1/2018 3:19 PM |
| 259 | 850  | 6/1/2018 3:17 PM |
| 260 | 830  | 6/1/2018 3:17 PM |
| 261 | 812  | 6/1/2018 3:16 PM |
| 262 | 810  | 6/1/2018 3:12 PM |
| 263 | 812  | 6/1/2018 3:04 PM |
| 264 | 836  | 6/1/2018 3:03 PM |
| 265 | 810  | 6/1/2018 3:01 PM |
| 266 | 820  | 6/1/2018 2:59 PM |
| 267 | 832  | 6/1/2018 2:42 PM |
| 268 | 4874 | 6/1/2018 2:40 PM |
| 269 | 4074 | 6/1/2018 2:39 PM |
| 270 | 837  | 6/1/2018 2:38 PM |
| 271 | 6714 | 6/1/2018 2:34 PM |
| 272 | 850  | 6/1/2018 2:33 PM |
| 273 | 841  | 6/1/2018 2:27 PM |
| 274 | 2325 | 6/1/2018 2:23 PM |
| 275 | 836  | 6/1/2018 2:22 PM |
| 276 | 812  | 6/1/2018 2:21 PM |
| 277 | 836  | 6/1/2018 2:18 PM |
| 278 | 3121 | 6/1/2018 2:18 PM |
| 279 | 830  | 6/1/2018 2:05 PM |
| 280 | 830  | 6/1/2018 1:56 PM |
| 281 | 830  | 6/1/2018 1:56 PM |

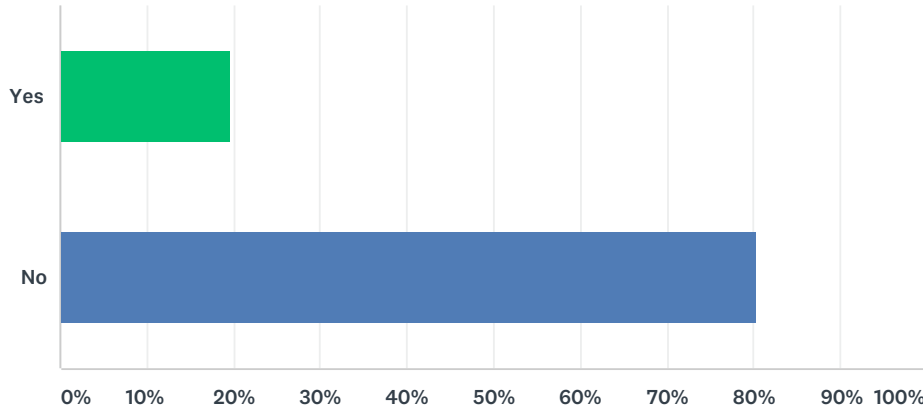


AFANT - Roper River Land Claims Survey

|     |     |                  |
|-----|-----|------------------|
| 282 | 850 | 6/1/2018 1:55 PM |
| 283 | 850 | 6/1/2018 1:41 PM |
| 284 | 830 | 6/1/2018 1:38 PM |
| 285 | 850 | 6/1/2018 1:10 PM |

### Q3 Are you an AFANT Member

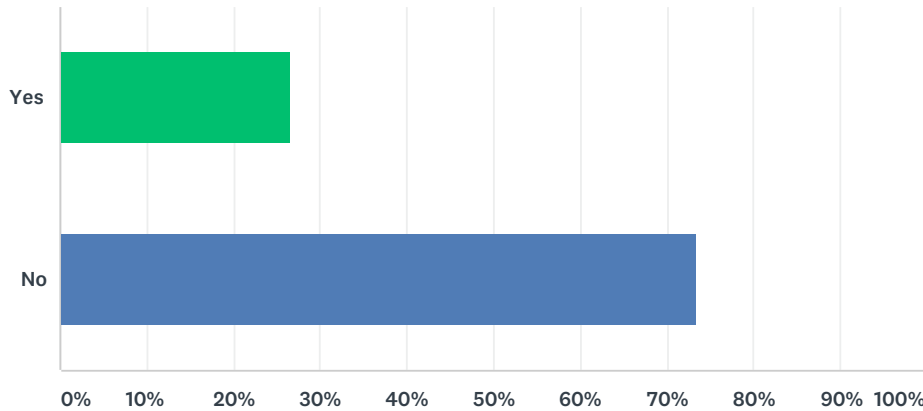
Answered: 285 Skipped: 0



| ANSWER CHOICES | RESPONSES |     |
|----------------|-----------|-----|
| Yes            | 19.65%    | 56  |
| No             | 80.35%    | 229 |
| TOTAL          |           | 285 |

### Q4 Are you a member of a fishing club (eg King Ash bay Fishing Club, Darwin Game Fishing Club, etc) - affiliated with AFANT

Answered: 285 Skipped: 0



| ANSWER CHOICES | RESPONSES |            |
|----------------|-----------|------------|
| Yes            | 26.67%    | 76         |
| No             | 73.33%    | 209        |
| <b>TOTAL</b>   |           | <b>285</b> |

| #  | IF YES, PLEASE TELL US WHICH CLUB(S).                                  | DATE              |
|----|--|-------------------|
| 1  | Katherine Game Fishing Club  | 6/4/2018 12:00 PM |
| 2  | Katherine game fishing club  | 6/4/2018 10:22 AM |
| 3  | Darwin Flyrodders  | 6/4/2018 9:28 AM  |
| 4  | Palmerston Game Fishing Club, King Ash Bay and Darwin Flyrodders       | 6/4/2018 8:56 AM  |
| 5  | katherine game fishing club  | 6/4/2018 8:48 AM  |
| 6  | Mataranka  | 6/4/2018 6:03 AM  |
| 7  | DGFC   | 6/3/2018 8:44 PM  |
| 8  | Kgfc   | 6/3/2018 7:17 PM  |
| 9  | Katherine game fishing club  | 6/3/2018 5:56 PM  |
| 10 | DGFC   | 6/3/2018 3:49 PM  |
| 11 | RAAF Tindal Fishing Club   | 6/3/2018 1:58 PM  |
| 12 | RAAF Tindal Fishing Club   | 6/3/2018 1:45 PM  |
| 13 | Katherine fishing club   | 6/3/2018 1:32 PM  |
| 14 | Groote Eylandt sport fishing club                                      | 6/3/2018 11:20 AM |
| 15 | Mataranka sporting fishing & recreation & katherine game fishing club. | 6/3/2018 10:13 AM |
| 16 | KGFG   | 6/3/2018 9:16 AM  |
| 17 | DGFC Pfc kgfc raff   | 6/3/2018 8:55 AM  |
| 18 | Darwin game  | 6/3/2018 7:00 AM  |
| 19 | Katherine Game Fishing   | 6/3/2018 6:47 AM  |

## AFANT - Roper River Land Claims Survey

|    |   |                   |
|----|---|-------------------|
| 20 | Katherine game fishing club                 | 6/3/2018 3:30 AM  |
| 21 | Katherine                                   | 6/3/2018 12:41 AM |
| 22 | Katherine game fishing club                 | 6/2/2018 10:23 PM |
| 23 | Darwin Game                                 | 6/2/2018 9:53 PM  |
| 24 | DGFC  | 6/2/2018 9:03 PM  |
| 25 | RAAF Darwin                                 | 6/2/2018 8:40 PM  |
| 26 | King ash bay                                | 6/2/2018 7:02 PM  |
| 27 | Palmerston                                  | 6/2/2018 5:01 PM  |
| 28 | PGFC  | 6/2/2018 4:43 PM  |
| 29 | GEGSFC                                      | 6/2/2018 4:18 PM  |
| 30 | RAAF Tindal                                 | 6/2/2018 4:16 PM  |
| 31 | Katherine Game Fishing Club                 | 6/2/2018 2:39 PM  |
| 32 | Darwin Game Fishing Club                    | 6/2/2018 2:36 PM  |
| 33 | Palmerston Game Fishing Club                | 6/2/2018 12:23 PM |
| 34 | katherine game fishing club                 | 6/2/2018 12:18 PM |
| 35 | RAAF Darwin Fishing club                    | 6/2/2018 11:32 AM |
| 36 | Katherine                                   | 6/2/2018 10:15 AM |
| 37 | Tindal fishing club                         | 6/2/2018 9:45 AM  |
| 38 | Clarence Town Fishing Club                  | 6/2/2018 9:21 AM  |
| 39 | Darwin Flyrodders                           | 6/2/2018 9:17 AM  |
| 40 | Howard springs tavern                       | 6/2/2018 8:52 AM  |
| 41 | Nhulunbuy regional sports fishing club      | 6/2/2018 7:58 AM  |
| 42 | Katherine game fishing club                 | 6/2/2018 7:48 AM  |
| 43 | Darwin trailer boat                         | 6/2/2018 7:48 AM  |
| 44 | Katherine                                   | 6/2/2018 7:26 AM  |
| 45 | Bundaberg Sport fishing                     | 6/2/2018 4:39 AM  |
| 46 | Katherine game fishing club                 | 6/2/2018 1:59 AM  |
| 47 | Katherine Game Fishing Club                 | 6/1/2018 11:16 PM |
| 48 | Rtfc  | 6/1/2018 10:58 PM |
| 49 | Alyangula                                   | 6/1/2018 10:05 PM |
| 50 | Katherine game fishing club                 | 6/1/2018 10:01 PM |
| 51 | Darwin game fishing club                    | 6/1/2018 9:44 PM  |
| 52 | Katherine Game Fishing Club                 | 6/1/2018 8:21 PM  |
| 53 | Katherine game fishing club                 | 6/1/2018 8:13 PM  |
| 54 | Tindal Fishing Club                         | 6/1/2018 7:58 PM  |
| 55 | Darwin flyrodders                           | 6/1/2018 7:55 PM  |
| 56 | Darwin Flyrodders                           | 6/1/2018 7:38 PM  |
| 57 | DGFC, PGFC                                  | 6/1/2018 7:29 PM  |
| 58 | Groote Eylandt Game and Sports Fishing Club | 6/1/2018 7:17 PM  |
| 59 | Darwin flyrodders                           | 6/1/2018 7:10 PM  |
| 60 | Katherine                                   | 6/1/2018 7:04 PM  |

## AFANT - Roper River Land Claims Survey

|    |                              |                  |
|----|------------------------------|------------------|
| 61 | Darwin Flyrodders            | 6/1/2018 7:03 PM |
| 62 | RAAF Tindal Fishing Club     | 6/1/2018 6:57 PM |
| 63 | Darwin game fish club        | 6/1/2018 5:51 PM |
| 64 | Darwin game fishing club     | 6/1/2018 5:49 PM |
| 65 | Palmerston game fishing club | 6/1/2018 5:36 PM |
| 66 | Katherine game fishing club  | 6/1/2018 5:29 PM |
| 67 | DGFC                         | 6/1/2018 4:26 PM |
| 68 | Palmerston Game Fishing Club | 6/1/2018 3:55 PM |
| 69 | DGFC                         | 6/1/2018 3:24 PM |
| 70 | Darwin gfc                   | 6/1/2018 3:21 PM |
| 71 | Darwin game fishing club     | 6/1/2018 3:19 PM |
| 72 | KGFC                         | 6/1/2018 3:17 PM |
| 73 | DGFC                         | 6/1/2018 3:16 PM |
| 74 | DGFC                         | 6/1/2018 2:59 PM |
| 75 | Moreton island               | 6/1/2018 2:39 PM |
| 76 | Dgfc                         | 6/1/2018 2:21 PM |
| 77 | KGFC                         | 6/1/2018 1:10 PM |

**Q5 Details to verify individual participants. (To help us collect evidence, your full name is required. Incomplete or false names will result in your survey response being deleted. We will keep your email address confidential)**

Answered: 285 Skipped: 0

| ANSWER CHOICES                      | RESPONSES |     |
|-------------------------------------|-----------|-----|
| Full Name (First and Last Required) | 100.00%   | 285 |
| Company                             | 0.00%     | 0   |
| Address                             | 0.00%     | 0   |
| Address 2                           | 0.00%     | 0   |
| City/Town                           | 0.00%     | 0   |
| State/Province                      | 0.00%     | 0   |
| ZIP/Postal Code                     | 0.00%     | 0   |
| Country                             | 0.00%     | 0   |
| Email Address                       | 100.00%   | 285 |
| Phone Number                        | 0.00%     | 0   |

| #  | FULL NAME (FIRST AND LAST REQUIRED) | DATE              |
|----|-------------------------------------|-------------------|
| 1  | [REDACTED]                          | 6/4/2018 12:00 PM |
| 2  | [REDACTED]                          | 6/4/2018 11:58 AM |
| 3  | [REDACTED]                          | 6/4/2018 10:53 AM |
| 4  | [REDACTED]                          | 6/4/2018 10:22 AM |
| 5  | [REDACTED]                          | 6/4/2018 9:51 AM  |
| 6  | [REDACTED]                          | 6/4/2018 9:38 AM  |
| 7  | [REDACTED]                          | 6/4/2018 9:28 AM  |
| 8  | [REDACTED]                          | 6/4/2018 8:56 AM  |
| 9  | [REDACTED]                          | 6/4/2018 8:48 AM  |
| 10 | [REDACTED]                          | 6/4/2018 8:48 AM  |
| 11 | [REDACTED]                          | 6/4/2018 8:10 AM  |
| 12 | [REDACTED]                          | 6/4/2018 6:03 AM  |
| 13 | [REDACTED]                          | 6/4/2018 5:29 AM  |
| 14 | [REDACTED]                          | 6/3/2018 8:52 PM  |
| 15 | [REDACTED]                          | 6/3/2018 8:44 PM  |
| 16 | [REDACTED]                          | 6/3/2018 8:24 PM  |
| 17 | [REDACTED]                          | 6/3/2018 7:17 PM  |
| 18 | [REDACTED]                          | 6/3/2018 6:08 PM  |
| 19 | [REDACTED]                          | 6/3/2018 5:56 PM  |

AFANT - Roper River Land Claims Survey

|    |            |                   |
|----|------------|-------------------|
| 20 | [REDACTED] | 6/3/2018 5:36 PM  |
| 21 | [REDACTED] | 6/3/2018 5:08 PM  |
| 22 | [REDACTED] | 6/3/2018 3:53 PM  |
| 23 | [REDACTED] | 6/3/2018 3:49 PM  |
| 24 | [REDACTED] | 6/3/2018 3:11 PM  |
| 25 | [REDACTED] | 6/3/2018 3:07 PM  |
| 26 | [REDACTED] | 6/3/2018 2:53 PM  |
| 27 | [REDACTED] | 6/3/2018 2:32 PM  |
| 28 | [REDACTED] | 6/3/2018 2:17 PM  |
| 29 | [REDACTED] | 6/3/2018 1:58 PM  |
| 30 | [REDACTED] | 6/3/2018 1:54 PM  |
| 31 | [REDACTED] | 6/3/2018 1:46 PM  |
| 32 | [REDACTED] | 6/3/2018 1:45 PM  |
| 33 | [REDACTED] | 6/3/2018 1:45 PM  |
| 34 | [REDACTED] | 6/3/2018 1:37 PM  |
| 35 | [REDACTED] | 6/3/2018 1:32 PM  |
| 36 | [REDACTED] | 6/3/2018 12:30 PM |
| 37 | [REDACTED] | 6/3/2018 12:29 PM |
| 38 | [REDACTED] | 6/3/2018 11:48 AM |
| 39 | [REDACTED] | 6/3/2018 11:41 AM |
| 40 | [REDACTED] | 6/3/2018 11:34 AM |
| 41 | [REDACTED] | 6/3/2018 11:27 AM |
| 42 | [REDACTED] | 6/3/2018 11:20 AM |
| 43 | [REDACTED] | 6/3/2018 11:13 AM |
| 44 | [REDACTED] | 6/3/2018 11:00 AM |
| 45 | [REDACTED] | 6/3/2018 10:50 AM |
| 46 | [REDACTED] | 6/3/2018 10:15 AM |
| 47 | [REDACTED] | 6/3/2018 10:13 AM |
| 48 | [REDACTED] | 6/3/2018 9:16 AM  |
| 49 | [REDACTED] | 6/3/2018 8:55 AM  |
| 50 | [REDACTED] | 6/3/2018 8:02 AM  |
| 51 | [REDACTED] | 6/3/2018 7:54 AM  |
| 52 | [REDACTED] | 6/3/2018 7:45 AM  |
| 53 | [REDACTED] | 6/3/2018 7:39 AM  |
| 54 | [REDACTED] | 6/3/2018 7:17 AM  |
| 55 | [REDACTED] | 6/3/2018 7:01 AM  |
| 56 | [REDACTED] | 6/3/2018 7:00 AM  |
| 57 | [REDACTED] | 6/3/2018 6:48 AM  |
| 58 | [REDACTED] | 6/3/2018 6:47 AM  |
| 59 | [REDACTED] | 6/3/2018 5:50 AM  |
| 60 | [REDACTED] | 6/3/2018 5:01 AM  |

AFANT - Roper River Land Claims Survey

|     |            |                   |
|-----|------------|-------------------|
| 61  | [REDACTED] | 6/3/2018 3:30 AM  |
| 62  | [REDACTED] | 6/3/2018 12:41 AM |
| 63  | [REDACTED] | 6/2/2018 11:20 PM |
| 64  | [REDACTED] | 6/2/2018 10:35 PM |
| 65  | [REDACTED] | 6/2/2018 10:27 PM |
| 66  | [REDACTED] | 6/2/2018 10:23 PM |
| 67  | [REDACTED] | 6/2/2018 10:06 PM |
| 68  | [REDACTED] | 6/2/2018 9:53 PM  |
| 69  | [REDACTED] | 6/2/2018 9:18 PM  |
| 70  | [REDACTED] | 6/2/2018 9:03 PM  |
| 71  | [REDACTED] | 6/2/2018 8:40 PM  |
| 72  | [REDACTED] | 6/2/2018 8:15 PM  |
| 73  | [REDACTED] | 6/2/2018 7:53 PM  |
| 74  | [REDACTED] | 6/2/2018 7:49 PM  |
| 75  | [REDACTED] | 6/2/2018 7:44 PM  |
| 76  | [REDACTED] | 6/2/2018 7:02 PM  |
| 77  | [REDACTED] | 6/2/2018 6:59 PM  |
| 78  | [REDACTED] | 6/2/2018 6:53 PM  |
| 79  | [REDACTED] | 6/2/2018 6:34 PM  |
| 80  | [REDACTED] | 6/2/2018 5:28 PM  |
| 81  | [REDACTED] | 6/2/2018 5:04 PM  |
| 82  | [REDACTED] | 6/2/2018 5:01 PM  |
| 83  | [REDACTED] | 6/2/2018 5:00 PM  |
| 84  | [REDACTED] | 6/2/2018 4:52 PM  |
| 85  | [REDACTED] | 6/2/2018 4:43 PM  |
| 86  | [REDACTED] | 6/2/2018 4:18 PM  |
| 87  | [REDACTED] | 6/2/2018 4:16 PM  |
| 88  | [REDACTED] | 6/2/2018 4:13 PM  |
| 89  | [REDACTED] | 6/2/2018 4:00 PM  |
| 90  | [REDACTED] | 6/2/2018 3:33 PM  |
| 91  | [REDACTED] | 6/2/2018 3:28 PM  |
| 92  | [REDACTED] | 6/2/2018 2:52 PM  |
| 93  | [REDACTED] | 6/2/2018 2:45 PM  |
| 94  | [REDACTED] | 6/2/2018 2:39 PM  |
| 95  | [REDACTED] | 6/2/2018 2:36 PM  |
| 96  | [REDACTED] | 6/2/2018 2:31 PM  |
| 97  | [REDACTED] | 6/2/2018 1:06 PM  |
| 98  | [REDACTED] | 6/2/2018 1:06 PM  |
| 99  | [REDACTED] | 6/2/2018 1:02 PM  |
| 100 | [REDACTED] | 6/2/2018 1:00 PM  |
| 101 | [REDACTED] | 6/2/2018 12:49 PM |



AFANT - Roper River Land Claims Survey

|     |            |                   |
|-----|------------|-------------------|
| 102 | [REDACTED] | 6/2/2018 12:43 PM |
| 103 | [REDACTED] | 6/2/2018 12:42 PM |
| 104 | [REDACTED] | 6/2/2018 12:41 PM |
| 105 | [REDACTED] | 6/2/2018 12:39 PM |
| 106 | [REDACTED] | 6/2/2018 12:38 PM |
| 107 | [REDACTED] | 6/2/2018 12:23 PM |
| 108 | [REDACTED] | 6/2/2018 12:20 PM |
| 109 | [REDACTED] | 6/2/2018 12:18 PM |
| 110 | [REDACTED] | 6/2/2018 12:09 PM |
| 111 | [REDACTED] | 6/2/2018 11:59 AM |
| 112 | [REDACTED] | 6/2/2018 11:38 AM |
| 113 | [REDACTED] | 6/2/2018 11:32 AM |
| 114 | [REDACTED] | 6/2/2018 11:31 AM |
| 115 | [REDACTED] | 6/2/2018 11:26 AM |
| 116 | [REDACTED] | 6/2/2018 10:50 AM |
| 117 | [REDACTED] | 6/2/2018 10:44 AM |
| 118 | [REDACTED] | 6/2/2018 10:31 AM |
| 119 | [REDACTED] | 6/2/2018 10:17 AM |
| 120 | [REDACTED] | 6/2/2018 10:15 AM |
| 121 | [REDACTED] | 6/2/2018 10:14 AM |
| 122 | [REDACTED] | 6/2/2018 10:09 AM |
| 123 | [REDACTED] | 6/2/2018 10:05 AM |
| 124 | [REDACTED] | 6/2/2018 10:02 AM |
| 125 | [REDACTED] | 6/2/2018 9:45 AM  |
| 126 | [REDACTED] | 6/2/2018 9:45 AM  |
| 127 | [REDACTED] | 6/2/2018 9:45 AM  |
| 128 | [REDACTED] | 6/2/2018 9:42 AM  |
| 129 | [REDACTED] | 6/2/2018 9:40 AM  |
| 130 | [REDACTED] | 6/2/2018 9:21 AM  |
| 131 | [REDACTED] | 6/2/2018 9:19 AM  |
| 132 | [REDACTED] | 6/2/2018 9:18 AM  |
| 133 | [REDACTED] | 6/2/2018 9:17 AM  |
| 134 | [REDACTED] | 6/2/2018 9:05 AM  |
| 135 | [REDACTED] | 6/2/2018 9:01 AM  |
| 136 | [REDACTED] | 6/2/2018 8:59 AM  |
| 137 | [REDACTED] | 6/2/2018 8:52 AM  |
| 138 | [REDACTED] | 6/2/2018 8:49 AM  |
| 139 | [REDACTED] | 6/2/2018 8:37 AM  |
| 140 | [REDACTED] | 6/2/2018 8:10 AM  |
| 141 | [REDACTED] | 6/2/2018 8:09 AM  |
| 142 | [REDACTED] | 6/2/2018 7:58 AM  |

AFANT - Roper River Land Claims Survey

|     |            |                   |
|-----|------------|-------------------|
| 143 | [REDACTED] | 6/2/2018 7:48 AM  |
| 144 | [REDACTED] | 6/2/2018 7:48 AM  |
| 145 | [REDACTED] | 6/2/2018 7:48 AM  |
| 146 | [REDACTED] | 6/2/2018 7:40 AM  |
| 147 | [REDACTED] | 6/2/2018 7:37 AM  |
| 148 | [REDACTED] | 6/2/2018 7:32 AM  |
| 149 | [REDACTED] | 6/2/2018 7:26 AM  |
| 150 | [REDACTED] | 6/2/2018 7:22 AM  |
| 151 | [REDACTED] | 6/2/2018 7:21 AM  |
| 152 | [REDACTED] | 6/2/2018 7:10 AM  |
| 153 | [REDACTED] | 6/2/2018 7:08 AM  |
| 154 | [REDACTED] | 6/2/2018 7:05 AM  |
| 155 | [REDACTED] | 6/2/2018 6:10 AM  |
| 156 | [REDACTED] | 6/2/2018 4:48 AM  |
| 157 | [REDACTED] | 6/2/2018 4:39 AM  |
| 158 | [REDACTED] | 6/2/2018 4:31 AM  |
| 159 | [REDACTED] | 6/2/2018 4:23 AM  |
| 160 | [REDACTED] | 6/2/2018 3:59 AM  |
| 161 | [REDACTED] | 6/2/2018 3:36 AM  |
| 162 | [REDACTED] | 6/2/2018 2:23 AM  |
| 163 | [REDACTED] | 6/2/2018 1:59 AM  |
| 164 | [REDACTED] | 6/2/2018 12:36 AM |
| 165 | [REDACTED] | 6/1/2018 11:24 PM |
| 166 | [REDACTED] | 6/1/2018 11:16 PM |
| 167 | [REDACTED] | 6/1/2018 11:09 PM |
| 168 | [REDACTED] | 6/1/2018 10:58 PM |
| 169 | [REDACTED] | 6/1/2018 10:47 PM |
| 170 | [REDACTED] | 6/1/2018 10:29 PM |
| 171 | [REDACTED] | 6/1/2018 10:05 PM |
| 172 | [REDACTED] | 6/1/2018 10:01 PM |
| 173 | [REDACTED] | 6/1/2018 9:44 PM  |
| 174 | [REDACTED] | 6/1/2018 9:44 PM  |
| 175 | [REDACTED] | 6/1/2018 9:44 PM  |
| 176 | [REDACTED] | 6/1/2018 9:44 PM  |
| 177 | [REDACTED] | 6/1/2018 9:30 PM  |
| 178 | [REDACTED] | 6/1/2018 9:16 PM  |
| 179 | [REDACTED] | 6/1/2018 9:14 PM  |
| 180 | [REDACTED] | 6/1/2018 9:09 PM  |
| 181 | [REDACTED] | 6/1/2018 9:09 PM  |
| 182 | [REDACTED] | 6/1/2018 9:03 PM  |
| 183 | [REDACTED] | 6/1/2018 9:01 PM  |

AFANT - Roper River Land Claims Survey

|     |            |                  |
|-----|------------|------------------|
| 184 | [REDACTED] | 6/1/2018 8:42 PM |
| 185 | [REDACTED] | 6/1/2018 8:37 PM |
| 186 | [REDACTED] | 6/1/2018 8:37 PM |
| 187 | [REDACTED] | 6/1/2018 8:31 PM |
| 188 | [REDACTED] | 6/1/2018 8:27 PM |
| 189 | [REDACTED] | 6/1/2018 8:26 PM |
| 190 | [REDACTED] | 6/1/2018 8:24 PM |
| 191 | [REDACTED] | 6/1/2018 8:23 PM |
| 192 | [REDACTED] | 6/1/2018 8:22 PM |
| 193 | [REDACTED] | 6/1/2018 8:21 PM |
| 194 | [REDACTED] | 6/1/2018 8:15 PM |
| 195 | [REDACTED] | 6/1/2018 8:14 PM |
| 196 | [REDACTED] | 6/1/2018 8:13 PM |
| 197 | [REDACTED] | 6/1/2018 8:04 PM |
| 198 | [REDACTED] | 6/1/2018 7:58 PM |
| 199 | [REDACTED] | 6/1/2018 7:58 PM |
| 200 | [REDACTED] | 6/1/2018 7:55 PM |
| 201 | [REDACTED] | 6/1/2018 7:45 PM |
| 202 | [REDACTED] | 6/1/2018 7:40 PM |
| 203 | [REDACTED] | 6/1/2018 7:38 PM |
| 204 | [REDACTED] | 6/1/2018 7:34 PM |
| 205 | [REDACTED] | 6/1/2018 7:32 PM |
| 206 | [REDACTED] | 6/1/2018 7:29 PM |
| 207 | [REDACTED] | 6/1/2018 7:26 PM |
| 208 | [REDACTED] | 6/1/2018 7:18 PM |
| 209 | [REDACTED] | 6/1/2018 7:17 PM |
| 210 | [REDACTED] | 6/1/2018 7:10 PM |
| 211 | [REDACTED] | 6/1/2018 7:04 PM |
| 212 | [REDACTED] | 6/1/2018 7:03 PM |
| 213 | [REDACTED] | 6/1/2018 6:57 PM |
| 214 | [REDACTED] | 6/1/2018 6:57 PM |
| 215 | [REDACTED] | 6/1/2018 6:55 PM |
| 216 | [REDACTED] | 6/1/2018 6:54 PM |
| 217 | [REDACTED] | 6/1/2018 6:38 PM |
| 218 | [REDACTED] | 6/1/2018 6:36 PM |
| 219 | [REDACTED] | 6/1/2018 6:27 PM |
| 220 | [REDACTED] | 6/1/2018 6:19 PM |
| 221 | [REDACTED] | 6/1/2018 6:14 PM |
| 222 | [REDACTED] | 6/1/2018 6:00 PM |
| 223 | [REDACTED] | 6/1/2018 5:51 PM |
| 224 | [REDACTED] | 6/1/2018 5:49 PM |

AFANT - Roper River Land Claims Survey

|     |            |                  |
|-----|------------|------------------|
| 225 | [REDACTED] | 6/1/2018 5:42 PM |
| 226 | [REDACTED] | 6/1/2018 5:36 PM |
| 227 | [REDACTED] | 6/1/2018 5:36 PM |
| 228 | [REDACTED] | 6/1/2018 5:36 PM |
| 229 | [REDACTED] | 6/1/2018 5:34 PM |
| 230 | [REDACTED] | 6/1/2018 5:29 PM |
| 231 | [REDACTED] | 6/1/2018 5:21 PM |
| 232 | [REDACTED] | 6/1/2018 5:19 PM |
| 233 | [REDACTED] | 6/1/2018 5:18 PM |
| 234 | [REDACTED] | 6/1/2018 4:56 PM |
| 235 | [REDACTED] | 6/1/2018 4:56 PM |
| 236 | [REDACTED] | 6/1/2018 4:55 PM |
| 237 | [REDACTED] | 6/1/2018 4:52 PM |
| 238 | [REDACTED] | 6/1/2018 4:51 PM |
| 239 | [REDACTED] | 6/1/2018 4:51 PM |
| 240 | [REDACTED] | 6/1/2018 4:46 PM |
| 241 | [REDACTED] | 6/1/2018 4:44 PM |
| 242 | [REDACTED] | 6/1/2018 4:34 PM |
| 243 | [REDACTED] | 6/1/2018 4:30 PM |
| 244 | [REDACTED] | 6/1/2018 4:26 PM |
| 245 | [REDACTED] | 6/1/2018 4:24 PM |
| 246 | [REDACTED] | 6/1/2018 4:22 PM |
| 247 | [REDACTED] | 6/1/2018 4:18 PM |
| 248 | [REDACTED] | 6/1/2018 4:08 PM |
| 249 | [REDACTED] | 6/1/2018 4:03 PM |
| 250 | [REDACTED] | 6/1/2018 4:00 PM |
| 251 | [REDACTED] | 6/1/2018 3:55 PM |
| 252 | [REDACTED] | 6/1/2018 3:53 PM |
| 253 | [REDACTED] | 6/1/2018 3:52 PM |
| 254 | [REDACTED] | 6/1/2018 3:51 PM |
| 255 | [REDACTED] | 6/1/2018 3:48 PM |
| 256 | [REDACTED] | 6/1/2018 3:24 PM |
| 257 | [REDACTED] | 6/1/2018 3:21 PM |
| 258 | [REDACTED] | 6/1/2018 3:19 PM |
| 259 | [REDACTED] | 6/1/2018 3:17 PM |
| 260 | [REDACTED] | 6/1/2018 3:17 PM |
| 261 | [REDACTED] | 6/1/2018 3:16 PM |
| 262 | [REDACTED] | 6/1/2018 3:12 PM |
| 263 | [REDACTED] | 6/1/2018 3:04 PM |
| 264 | [REDACTED] | 6/1/2018 3:03 PM |
| 265 | [REDACTED] | 6/1/2018 3:01 PM |

AFANT - Roper River Land Claims Survey

|     |            |                  |
|-----|------------|------------------|
| 266 | [REDACTED] | 6/1/2018 2:59 PM |
| 267 | [REDACTED] | 6/1/2018 2:42 PM |
| 268 | [REDACTED] | 6/1/2018 2:40 PM |
| 269 | [REDACTED] | 6/1/2018 2:39 PM |
| 270 | [REDACTED] | 6/1/2018 2:38 PM |
| 271 | [REDACTED] | 6/1/2018 2:34 PM |
| 272 | [REDACTED] | 6/1/2018 2:33 PM |
| 273 | [REDACTED] | 6/1/2018 2:27 PM |
| 274 | [REDACTED] | 6/1/2018 2:23 PM |
| 275 | [REDACTED] | 6/1/2018 2:22 PM |
| 276 | [REDACTED] | 6/1/2018 2:21 PM |
| 277 | [REDACTED] | 6/1/2018 2:18 PM |
| 278 | [REDACTED] | 6/1/2018 2:18 PM |
| 279 | [REDACTED] | 6/1/2018 2:05 PM |
| 280 | [REDACTED] | 6/1/2018 1:56 PM |
| 281 | [REDACTED] | 6/1/2018 1:56 PM |
| 282 | [REDACTED] | 6/1/2018 1:55 PM |
| 283 | [REDACTED] | 6/1/2018 1:41 PM |
| 284 | [REDACTED] | 6/1/2018 1:38 PM |
| 285 | [REDACTED] | 6/1/2018 1:10 PM |

| # | COMPANY | DATE |
|---|---------|------|
|---|---------|------|

There are no responses.

| # | ADDRESS | DATE |
|---|---------|------|
|---|---------|------|

There are no responses.

| # | ADDRESS 2 | DATE |
|---|-----------|------|
|---|-----------|------|

There are no responses.

| # | CITY/TOWN | DATE |
|---|-----------|------|
|---|-----------|------|

There are no responses.

| # | STATE/PROVINCE | DATE |
|---|----------------|------|
|---|----------------|------|

There are no responses.

| # | ZIP/POSTAL CODE | DATE |
|---|-----------------|------|
|---|-----------------|------|

There are no responses.

| # | COUNTRY | DATE |
|---|---------|------|
|---|---------|------|

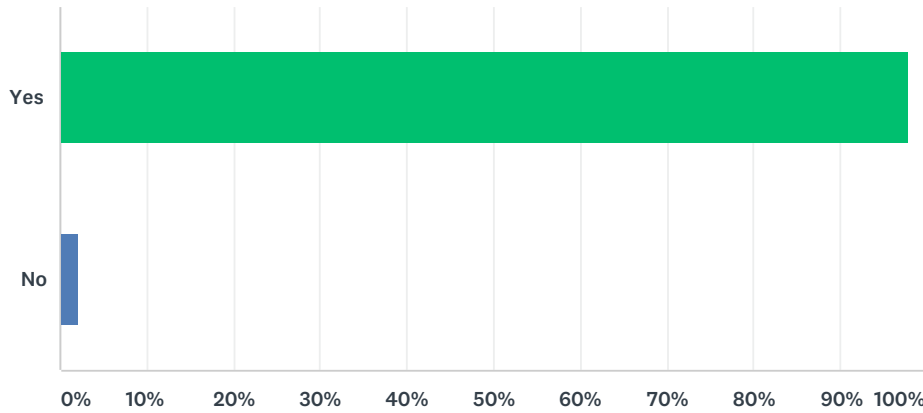
There are no responses.

| # | EMAIL ADDRESS | DATE |
|---|---------------|------|
|---|---------------|------|

1 Removed as per privacy condition of survey

### Q6 Do you or have you, fished the Lower Roper River Land Claim area shown above in red?

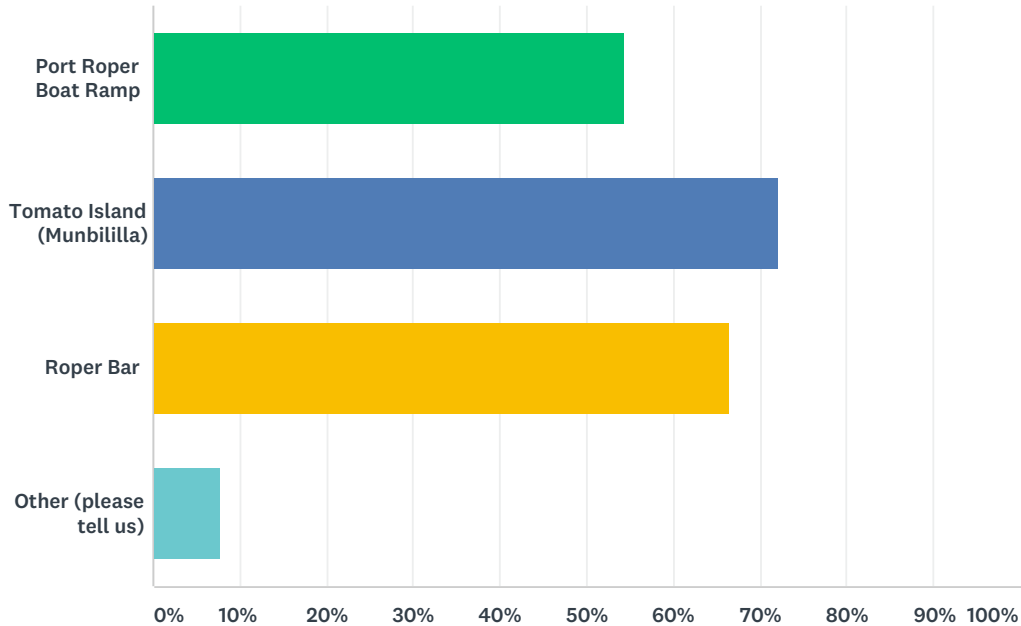
Answered: 278 Skipped: 7



| ANSWER CHOICES | RESPONSES |     |
|----------------|-----------|-----|
| Yes            | 97.84%    | 272 |
| No             | 2.16%     | 6   |
| TOTAL          |           | 278 |

**Q7 If you answered yes to fishing in the Lower Roper River (Claim Area) can you tell us which boat ramp(s) you used to access the river? (can choose multiple, or skip this question if you have not fished here)**

Answered: 274 Skipped: 11



| ANSWER CHOICES             | RESPONSES  |
|----------------------------|------------|
| Port Roper Boat Ramp       | 54.38% 149 |
| Tomato Island (Munbililla) | 72.26% 198 |
| Roper Bar                  | 66.42% 182 |
| Other (please tell us)     | 7.66% 21   |
| Total Respondents: 274     |            |

| #  | OTHER (PLEASE TELL US)         | DATE              |
|----|--------------------------------|-------------------|
| 1  | Ngukurr                        | 6/4/2018 10:23 AM |
| 2  | Fish upstream of new bridge    | 6/4/2018 8:58 AM  |
| 3  | Groote Eylandt                 | 6/3/2018 11:21 AM |
| 4  | Elsie station & mole hill camp | 6/3/2018 3:31 AM  |
| 5  | Ngukurr Boat Ramp              | 6/2/2018 9:55 PM  |
| 6  | Groote Eylandt                 | 6/2/2018 4:19 PM  |
| 7  | Bank fishing                   | 6/2/2018 2:48 PM  |
| 8  | Ngukurr                        | 6/2/2018 1:09 PM  |
| 9  | Phelp                          | 6/2/2018 10:34 AM |
| 10 | Land based fishing             | 6/2/2018 10:11 AM |
| 11 | Ngukurr ramp ? It's name?      | 6/1/2018 10:31 PM |

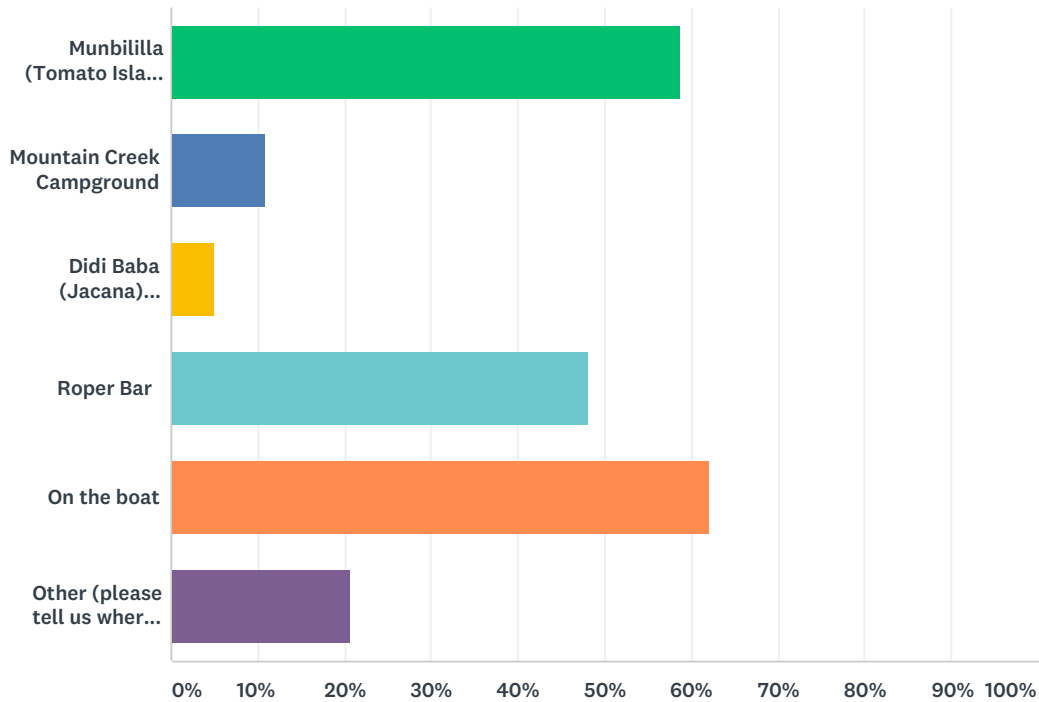
## AFANT - Roper River Land Claims Survey

|    |  |                  |
|----|--|------------------|
| 12 | 4 mile   | 6/1/2018 8:29 PM |
| 13 | Crabbers shack mud ramp.                                   | 6/1/2018 7:47 PM |
| 14 | Not fished there   | 6/1/2018 7:35 PM |
| 15 | Launch from Groote Eylandt and come in through the mouth.  | 6/1/2018 7:18 PM |
| 16 | There is a small but tricky launch site on Mountain Creek. | 6/1/2018 6:59 PM |
| 17 | Bank launch  | 6/1/2018 6:58 PM |
| 18 | Ngukurr  | 6/1/2018 5:38 PM |
| 19 | Ngukurr community  | 6/1/2018 3:15 PM |
| 20 | Mountain Creek   | 6/1/2018 2:42 PM |
| 21 | Roper Bar Stores boat ramp                                 | 6/1/2018 1:12 PM |



### Q8 When you have fished the Lower Roper River (Claim Area) can you tell us where you stayed? ( Can choose multiple or skip if you have not fished here)

Answered: 274 Skipped: 11



| ANSWER CHOICES                        | RESPONSES  |
|---------------------------------------|------------|
| Munbililla (Tomato Island) Campground | 58.76% 161 |
| Mountain Creek Campground             | 10.95% 30  |
| Didi Baba (Jacana) Campground         | 5.11% 14   |
| Roper Bar                             | 48.18% 132 |
| On the boat                           | 62.04% 170 |
| Other (please tell us where specify)  | 20.80% 57  |
| Total Respondents: 274                |            |

| # | OTHER (PLEASE TELL US WHERE SPECIFY)           | DATE              |
|---|--|-------------------|
| 1 | Port Roper                                     | 6/4/2018 9:52 AM  |
| 2 | port roper                                     | 6/4/2018 8:50 AM  |
| 3 | Camped on the flat near the ramp at port roper | 6/3/2018 8:46 PM  |
| 4 | Port Roper                                     | 6/3/2018 5:38 PM  |
| 5 | Port Roper                                     | 6/3/2018 4:01 PM  |
| 6 | Paul Reeds camp                                | 6/3/2018 2:19 PM  |
| 7 | Camped on the bank                             | 6/3/2018 11:31 AM |

## AFANT - Roper River Land Claims Survey

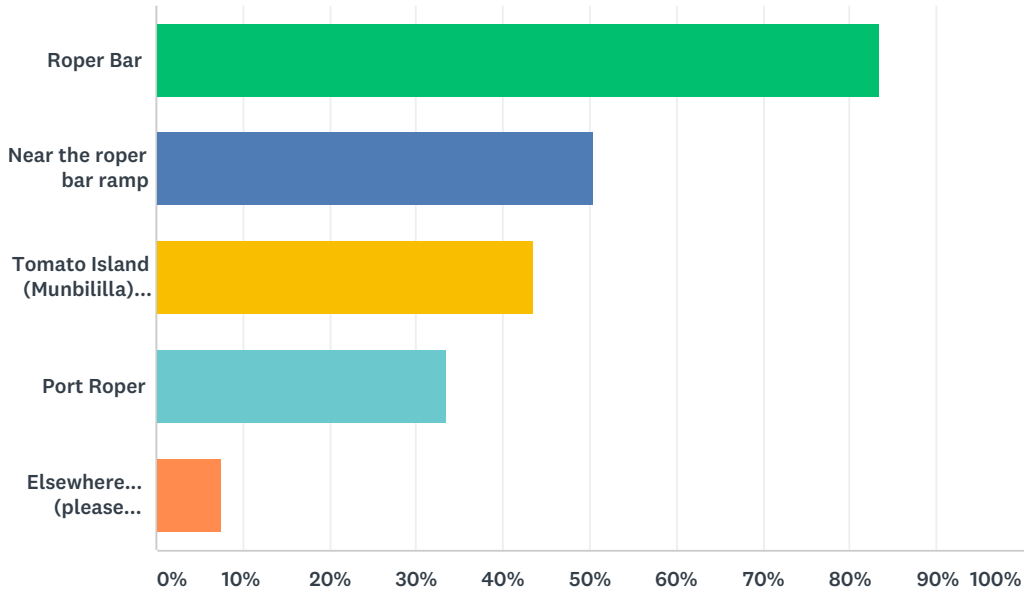
|    |  |                   |
|----|--|-------------------|
| 8  | Port roper & back creek                                  | 6/3/2018 10:16 AM |
| 9  | Via chopper  | 6/3/2018 7:47 AM  |
| 10 | I live in Ngukurr  | 6/2/2018 9:55 PM  |
| 11 | Port Roper   | 6/2/2018 8:41 PM  |
| 12 | port roper   | 6/2/2018 4:16 PM  |
| 13 | Port roper boat ramp                                     | 6/2/2018 3:32 PM  |
| 14 | River bank   | 6/2/2018 2:48 PM  |
| 15 | Camped at Port roper boat ramp                           | 6/2/2018 2:33 PM  |
| 16 | Port roper   | 6/2/2018 1:09 PM  |
| 17 | No 1 landing   | 6/2/2018 1:08 PM  |
| 18 | Port Roper   | 6/2/2018 12:10 PM |
| 19 | Port Roper   | 6/2/2018 10:46 AM |
| 20 | Port roper   | 6/2/2018 10:34 AM |
| 21 | Nathan River Ranger Station                              | 6/2/2018 10:11 AM |
| 22 | Port Roper   | 6/2/2018 9:42 AM  |
| 23 | Port roper   | 6/2/2018 9:07 AM  |
| 24 | Flying fox stn   | 6/2/2018 8:53 AM  |
| 25 | Private residence  | 6/2/2018 8:40 AM  |
| 26 | Port roper   | 6/2/2018 7:59 AM  |
| 27 | Port Roper   | 6/2/2018 7:06 AM  |
| 28 | Port Roper   | 6/2/2018 4:51 AM  |
| 29 | Ngukurr and a tiny island downstream                     | 6/1/2018 10:31 PM |
| 30 | Port Roper   | 6/1/2018 10:07 PM |
| 31 | Shale camp, sth side of river                            | 6/1/2018 9:10 PM  |
| 32 | Camping  | 6/1/2018 8:39 PM  |
| 33 | Bush camp below tomato island                            | 6/1/2018 8:38 PM  |
| 34 | Port Roper   | 6/1/2018 8:33 PM  |
| 35 | With Reidy at port roper                                 | 6/1/2018 8:29 PM  |
| 36 | Port roper   | 6/1/2018 8:26 PM  |
| 37 | Camping Wilton river area                                | 6/1/2018 8:16 PM  |
| 38 | Port roper boat ramp                                     | 6/1/2018 8:15 PM  |
| 39 | Roper boat ramp and crabbing shacks                      | 6/1/2018 7:47 PM  |
| 40 | Did not camp   | 6/1/2018 7:35 PM  |
| 41 | On bank at Mission Island pre 2013                       | 6/1/2018 7:21 PM  |
| 42 | port roper   | 6/1/2018 6:56 PM  |
| 43 | Camped on the land adjacent to the Port Roper boat ramp. | 6/1/2018 5:45 PM  |
| 44 | Port Roper   | 6/1/2018 5:38 PM  |
| 45 | Ngukurr  | 6/1/2018 5:38 PM  |
| 46 | Along the river bank before the national park existed    | 6/1/2018 4:56 PM  |
| 47 | Port Roper   | 6/1/2018 4:48 PM  |
| 48 | on the bank about 20 k downstream of Tomato island       | 6/1/2018 4:46 PM  |

## AFANT - Roper River Land Claims Survey

|    |   |                  |
|----|---|------------------|
| 49 | Camped at port roper                        | 6/1/2018 4:27 PM |
| 50 | Port Roper                                  | 6/1/2018 3:54 PM |
| 51 | Ngukurr                                     | 6/1/2018 3:20 PM |
| 52 | Ngukurr community as a resident for 2 years | 6/1/2018 3:15 PM |
| 53 | nearby cattle station                       | 6/1/2018 3:01 PM |
| 54 | At the ramp near the mouth                  | 6/1/2018 2:41 PM |
| 55 | Port Roper                                  | 6/1/2018 2:06 PM |
| 56 | Port Roper                                  | 6/1/2018 1:57 PM |
| 57 | Port Roper                                  | 6/1/2018 1:39 PM |

### Q9 If you have done any land-based fishing in the Lower Roper River (Claim Area) can you tell us where? (skip if you have not done any land-based fishing here)

Answered: 200 Skipped: 85



| ANSWER CHOICES                        | RESPONSES  |
|---------------------------------------|------------|
| Roper Bar                             | 83.50% 167 |
| Near the roper bar ramp               | 50.50% 101 |
| Tomato Island (Munbililla) Campground | 43.50% 87  |
| Port Roper                            | 33.50% 67  |
| Elsewhere... (please specify)         | 7.50% 15   |
| Total Respondents: 200                |            |

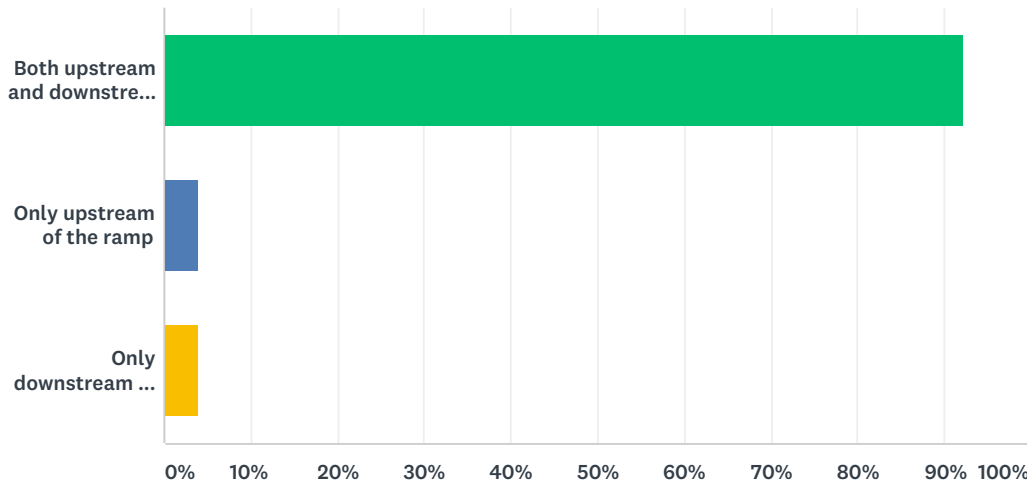
| #  | ELSEWHERE... (PLEASE SPECIFY)  | DATE              |
|----|--------------------------------|-------------------|
| 1  | Lonesome dove stn              | 6/4/2018 10:23 AM |
| 2  | Upstream of new bridge         | 6/4/2018 8:58 AM  |
| 3  | Upstream to the new bridge     | 6/3/2018 3:50 PM  |
| 4  | Via chopper                    | 6/3/2018 7:47 AM  |
| 5  | Ngukurr                        | 6/2/2018 9:55 PM  |
| 6  | Near ngukkar                   | 6/2/2018 6:35 PM  |
| 7  | All along river bank           | 6/2/2018 2:48 PM  |
| 8  | Along the banks and billabongs | 6/2/2018 11:28 AM |
| 9  | Wilton river                   | 6/2/2018 10:52 AM |
| 10 | Ngukurr                        | 6/1/2018 10:31 PM |
| 11 | All billabongs in between      | 6/1/2018 10:01 PM |

## AFANT - Roper River Land Claims Survey

|    |  |                  |
|----|--|------------------|
| 12 | Wilton River   | 6/1/2018 8:16 PM |
| 13 | Whirlpool creek  | 6/1/2018 8:00 PM |
| 14 | Anywhere accessible by vehicle along that stretch of river | 6/1/2018 7:47 PM |
| 15 | near the mouth   | 6/1/2018 3:01 PM |

Q10 The map above shows the location of the Port Roper Boat ramp. If you have launched here to fish, can you tell us where you have gone fishing? (Skip if you have not launched at Port Roper)

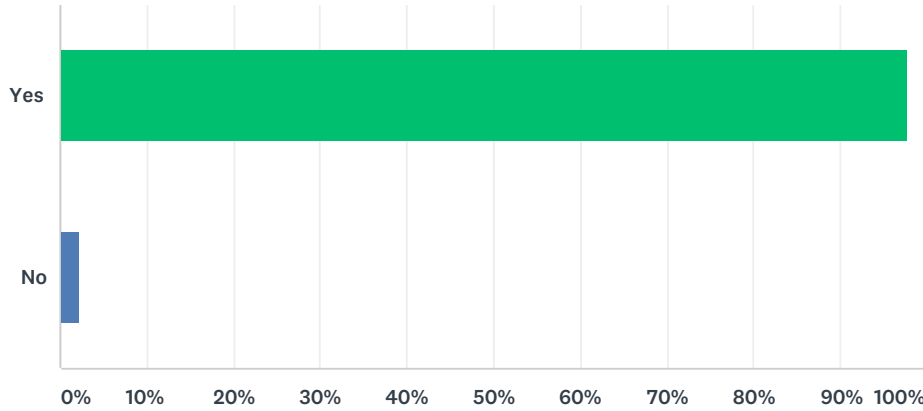
Answered: 180 Skipped: 105



| ANSWER CHOICES  | RESPONSES |     |
|---|-----------|-----|
| Both upstream and downstream of the ramp (may include out to sea) | 92.22%    | 166 |
| Only upstream of the ramp   | 3.89%     | 7   |
| Only downstream of the ramp (may include out to sea)              | 3.89%     | 7   |
| TOTAL   |           | 180 |

### Q11 Would your enjoyment of fishing in the NT (as a whole) suffer if you could not go fishing in the Lower Roper River Claim Area?

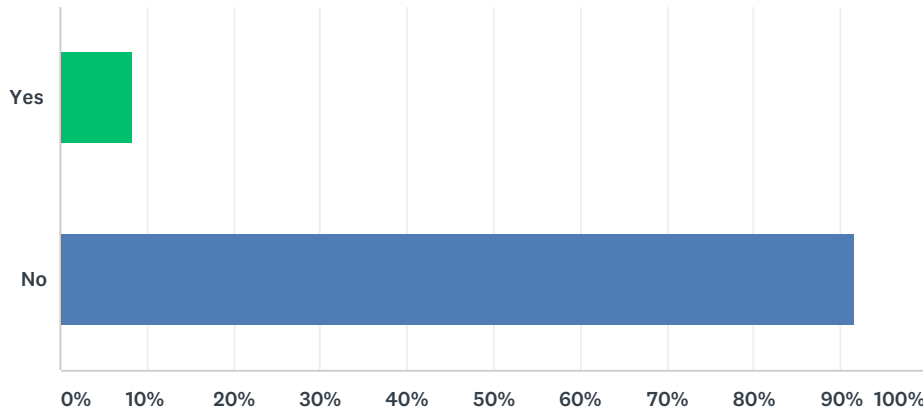
Answered: 273 Skipped: 12



| ANSWER CHOICES | RESPONSES |     |
|----------------|-----------|-----|
| Yes            | 97.80%    | 267 |
| No             | 2.20%     | 6   |
| TOTAL          |           | 273 |

### Q12 Have you ever fished the Lower Roper River (below Roper Bar) with a Fishing Guide (Fishing Tour Operator?)

Answered: 275 Skipped: 10

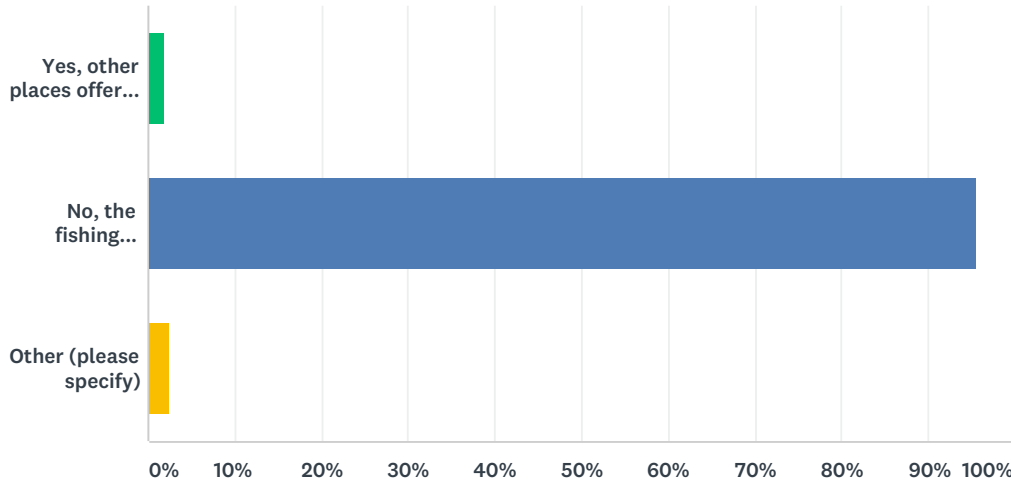


| ANSWER CHOICES | RESPONSES |     |
|----------------|-----------|-----|
| Yes            | 8.36%     | 23  |
| No             | 91.64%    | 252 |
| TOTAL          |           | 275 |



### Q13 If access was changed/denied in the future, do you think the fishing experience can be replaced by another location? (skip if you have not fished here)

Answered: 272 Skipped: 13

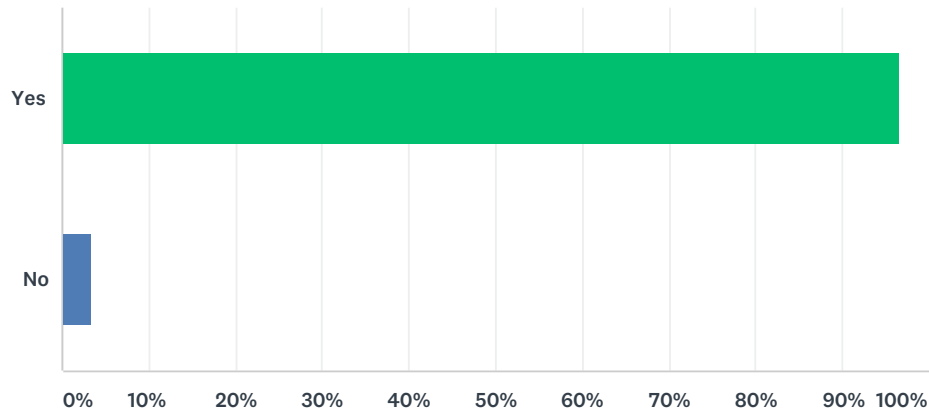


| ANSWER CHOICES  | RESPONSES |            |
|---|-----------|------------|
| Yes, other places offer similar experiences                 | 1.84%     | 5          |
| No, the fishing experience is unique and cannot be replaced | 95.59%    | 260        |
| Other (please specify)                                      | 2.57%     | 7          |
| <b>TOTAL</b>  |           | <b>272</b> |

| # | OTHER (PLEASE SPECIFY)   | DATE              |
|---|--|-------------------|
| 1 | I'm a local so no I would not like to move. We spend up to 6 weeks out fishing this river. | 6/3/2018 4:05 PM  |
| 2 | Areas should be open to everyone for fishing   | 6/3/2018 11:43 AM |
| 3 | Will be hard when I live on the Roper. (Ngukurr)   | 6/2/2018 10:01 PM |
| 4 | I have just purchased property at Mataranka. Fishing port roper is why we purchased it     | 6/2/2018 10:55 AM |
| 5 | The way its going leave NT   | 6/2/2018 9:49 AM  |
| 6 | Would probably continue to fish with Aboriginal people as guides                           | 6/1/2018 10:34 PM |
| 7 | I would like the opportunity to be able to fish here                                       | 6/1/2018 9:18 PM  |

## Q14 Do you think that fishing in other areas would be likely to be impacted through increased fishing pressure, if people could not fish in Lower Roper River (below Roper Bar) the future?

Answered: 272 Skipped: 13



| ANSWER CHOICES | RESPONSES |     |
|----------------|-----------|-----|
| Yes            | 96.69%    | 263 |
| No             | 3.31%     | 9   |
| TOTAL          |           | 272 |

| #  | CARE TO TELL US WHY/HOW?  | DATE              |
|----|---|-------------------|
| 1  | Concentrated fishing areas  | 6/4/2018 12:00 PM |
| 2  | Because when you take a river out of the system it will put pressure on all the other river systems   | 6/4/2018 10:50 AM |
| 3  | A lot of roper fishos would be put out so they would end up on the Vic, Daly, or any other river that holds Barra   | 6/4/2018 10:25 AM |
| 4  | People who had planned to fish there would likely come up with an alternative location, thus concentrating fishing pressure greatly reducing the enjoyment of the experience.   | 6/4/2018 9:34 AM  |
| 5  | Areas are already suffering from fishing pressure if you isolate further areas then these areas will suffer more pressure.  | 6/4/2018 9:01 AM  |
| 6  | the other rivers in the area are not as big so they would be impacted greatly   | 6/4/2018 8:53 AM  |
| 7  | Easy by restricting access to one area it forces the same amount of people fishing into a smaller area which can lead to confrontation between fishing groups due to a lack of room   | 6/4/2018 8:52 AM  |
| 8  | People would have to look for other areas to fish   | 6/4/2018 8:14 AM  |
| 9  | The Daly is busy enough now   | 6/4/2018 6:09 AM  |
| 10 | Less areas that are open, more population have to fish in areas that are allowed. NO ONE OWNS THE WATER!  | 6/3/2018 6:00 PM  |
| 11 | The more areas that are accessible the less fishing pressure on any location  | 6/3/2018 3:52 PM  |
| 12 | People who fish the Ropper River would likley use other ares to fish and as similar camping and caravan access is very hard to find that is similar to or as accesable as the Tomato Island, could not only impact the fishing but also the economy by not coming to the NT but going to other states. Fishermen are fishermen and they will find alternrnative places. | 6/3/2018 3:35 PM  |
| 13 | It's a popular place & if fishing is banned there people will move reluctantly to somewhere else  | 6/3/2018 2:36 PM  |

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|    |   |                   |
|----|---|-------------------|
| 14 | Other similar rivers will see more pressure such as Limmen, Towns or Victoria Rivers  | 6/3/2018 2:01 PM  |
| 15 | The caravan based tourists would need another low cost, long term camp that has similar fishing access. Vict river comes to mind but Big Horse Ck campground is too small. Perhaps the Limmen fishing camp will be an option for them.  | 6/3/2018 1:52 PM  |
| 16 | More concentrated fishing in other places resulting in overfishing.   | 6/3/2018 1:50 PM  |
| 17 | Closing a major river system like the roper would mean more fisho's having to fish other rivers which may results in fish populations being affected due to the extra boats fishing those systems   | 6/3/2018 1:38 PM  |
| 18 | There's always quite a lot of fishermen in the area where we fish and if not able to continue in this locality they would have to go elsewhere and so add pressure to that area   | 6/3/2018 11:39 AM |
| 19 | Fishers will be forced to other areas and thus put more pressure on those areas. Also tourists like ourselves who come to fish NT waters every year would be looking to other states to fish. Detriment to tourism guaranteed!  | 6/3/2018 11:05 AM |
| 20 | Over populated fishing hole. Congestion of ramps & camp grounds. No fish for our kids to experience.  | 6/3/2018 10:22 AM |
| 21 | Upper Roper Victoria River  | 6/3/2018 8:57 AM  |
| 22 | Puts more pressure on the remaining systems   | 6/3/2018 7:02 AM  |
| 23 | It means over fishing in other areas then   | 6/3/2018 5:54 AM  |
| 24 | Limmen is to far for the short periods that i am able to fish and the Vic camp grounds are usually full when i do get there   | 6/3/2018 12:45 AM |
| 25 | Of course closing off any fishing areas will impact other areas, fishing is a huge part of the NT lifestyle.  | 6/2/2018 11:28 PM |
| 26 | Top End is growing take away fishing destination recreational fishing will impact on places that are open, more boats more people.  | 6/2/2018 10:01 PM |
| 27 | It would increase the fishing on other areas, there are a lot of southeners that vist this area and they would be heading to areas such as the Daly and Vic rivers.   | 6/2/2018 9:21 PM  |
| 28 | More fishing pressure results in less fish.   | 6/2/2018 7:56 PM  |
| 29 | I doubt if I would return to this river to fish if this area was closed to fishing  | 6/2/2018 5:09 PM  |
| 30 | People will target smaller systems and potentially stress these areas more. The Roper is a large system and is suited to higher amounts of recreational fishing.  | 6/2/2018 4:21 PM  |
| 31 | because those people would simply fish in other areas   | 6/2/2018 4:18 PM  |
| 32 | We will fish somewhere. Plenty of regulars here love Roper & respect it It should belong to ALL Australians   | 6/2/2018 3:38 PM  |
| 33 | Reducing already limited access   | 6/2/2018 2:50 PM  |
| 34 | Due to unique location I think current roper river fishers would spread out   | 6/2/2018 2:34 PM  |
| 35 | People go to the Daly and other places.   | 6/2/2018 12:55 PM |
| 36 | People have been coming to the Lower Roper for a long time.If fishing access there is restricted then they will go to nearby areas to fish.This will increase pressure on those areas.  | 6/2/2018 12:31 PM |
| 37 | Katherine people fish roper a lot. They would all push to the daly or vic river   | 6/2/2018 11:29 AM |
| 38 | Closure would increase fishing pressure in other NT areas   | 6/2/2018 10:51 AM |
| 39 | Alot of people fish the lower part or the bar   | 6/2/2018 10:19 AM |
| 40 | as it is truly one of the nts best rivers for trophy sized barra  | 6/2/2018 10:08 AM |
| 41 | More restricted areas means more fishing pressure and boating pressure on another.  | 6/2/2018 10:04 AM |
| 42 | The residents of the top end in the Katherine region would seek other areas to fish. I know many locals who go to the roper river on long weekends and holidays to fish on the Roper River and enjoy the scenery. I would like to add that should restrictions come into effect it will affect the incomes of Mataranka, Urupunga and Ngukurr as anglers would not be accessing the shops and services as required. | 6/2/2018 9:53 AM  |

## AFANT - Roper River Land Claims Survey

|    |  |                   |
|----|--|-------------------|
| 43 | The question answers itself  | 6/2/2018 9:43 AM  |
| 44 | Well Darwin harbour will be mighty full with locals. Can't see many transient vistors turning up tho as they will just turn right at 3 ways or left at Katherine so that should ease some pressure in the harbour  | 6/2/2018 8:44 AM  |
| 45 | By limiting access to an area it will put pressure on other areas and therefor be more crowded . I like to fish all of the Roper because of its isolation and less crowds .  | 6/2/2018 7:58 AM  |
| 46 | We need to expanding fishing areas as our population increases & increased tourism   | 6/2/2018 7:51 AM  |
| 47 | More areas like Daly and shady camp will be used.  | 6/2/2018 7:33 AM  |
| 48 | More and more places are being affected by land claims. Closer places have already been impacted by overfishing. Hence the bag limits dropping. It is becoming harder to catch fish as it is. With increased fishing pressure, this will affect Darwin tourism making harder to catch one of Australia's premier sports fish. People will start heading to northern Queensland where accessibility is easier and more fish are easily available. | 6/2/2018 7:30 AM  |
| 49 | People would go to other fishing zones increasing the pressure on these areas  | 6/2/2018 7:09 AM  |
| 50 | Closing of this and other areas will increase pressure on the limited areas left   | 6/2/2018 6:13 AM  |
| 51 | less areas to fish will put increased pressure on other areas in relation to fish stocks and to many people, boats in other areas. this will also result in suppliers in remote areas to shut up shop.   | 6/2/2018 4:37 AM  |
| 52 | Fishing pressure already am issue in these NT. No reward for effort. Considering moving to north qld already   | 6/1/2018 11:17 PM |
| 53 | If people can't fish one area they dont just stop fishing. They will just go elsewhere. Which then leads to a concentration of fishing effort into smaller areas, increasing more localized fish population declines.  | 6/1/2018 10:50 PM |
| 54 | Reckon more people would head out to Numbulwar rivers and McArthur   | 6/1/2018 10:34 PM |
| 55 | Not enough waters to fish at present   | 6/1/2018 10:09 PM |
| 56 | More boats in a consintrated area because we are loosening more and more all the time.   | 6/1/2018 10:03 PM |
| 57 | Over fished  | 6/1/2018 9:46 PM  |
| 58 | Because of the vast amount of water that can be fished and the amount of locals and tourists that fish it ,they will inevitably go to another waterway hence putting pressure on that waterway.  | 6/1/2018 9:17 PM  |
| 59 | its remote and usually reliable fishing in the claim area. many people travel from darwin and katherine here to avoid crowded fishing, therefore these people will divert to other areas where theres already heavy fishing pressure   | 6/1/2018 9:09 PM  |
| 60 | Less places to access rivers means other locations have higher use and greater impact on fish populations.   | 6/1/2018 9:06 PM  |
| 61 | Because as more areas are locked up people have to go somewhere.   | 6/1/2018 8:41 PM  |
| 62 | If access to one area is removed,it automatically places increased pressure upon other areas.  | 6/1/2018 8:40 PM  |
| 63 | More people flooding other areas   | 6/1/2018 8:30 PM  |
| 64 | More people would go to the Daly, MacArthur, or Mary river systems. These have enough pressure on them now.  | 6/1/2018 8:03 PM  |
| 65 | Katherine to Alice springs will all need else where to fish not to mention people from everywhere else   | 6/1/2018 7:49 PM  |
| 66 | The amount of people that fish the roper all year round will astound you, they wont stop fishing just move onto systems that are not close impacting fish stocks   | 6/1/2018 7:43 PM  |
| 67 | People will populate other area's and this is an area that is expansive and can cope with a lot of fisherman. It is fully detrimental to the local people (with income from tourists and the like) and tourism in general.   | 6/1/2018 7:31 PM  |
| 68 | Increased intensity of boats in other rivers.  | 6/1/2018 7:20 PM  |
| 69 | Squeezing amateur fishermen into smaller areas will concentate pressure,   | 6/1/2018 7:01 PM  |

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|    |  |                  |
|----|--|------------------|
| 70 | Those that normally fish the roper will find other fishing areas so there will be more fishing in these areas  | 6/1/2018 7:00 PM |
| 71 | Because they keep taking spots off us which of course is increasing pressure in the already flogged out fishing areas  | 6/1/2018 6:41 PM |
| 72 | There'll be more people in other places. The NT has such a large amount of people who fish and places can tend to be busy enough as it is.   | 6/1/2018 6:39 PM |
| 73 | Close any more areas and pressure will be put on the few remaining areas   | 6/1/2018 6:17 PM |
| 74 | Crowding at boat ramps. Lack of parking for boat trailers in other areas, over crowded in other areas, out fishing in other waters   | 6/1/2018 5:55 PM |
| 75 | A lot of people visit the Tomato Island area throughout the season. These visitors would obviously look for other areas to frequent. This would undoubtedly add extra pressure to these other areas!   | 6/1/2018 5:49 PM |
| 76 | People will go to the next remote area and flog that area.   | 6/1/2018 5:40 PM |
| 77 | If you pull people out of different areas and throw them all into one area it's going to have a huge impact on both the river and he fishing   | 6/1/2018 4:59 PM |
| 78 | Fewer options means more fishos in remaining waterways   | 6/1/2018 4:54 PM |
| 79 | barring fishing anywhere obviously means more fishing elsewhere. fish plays a large role in the NT and other areas are already fairly heavily used.  | 6/1/2018 4:49 PM |
| 80 | More people fishing in the same areas  | 6/1/2018 4:37 PM |
| 81 | Some locals like the fact that other places around that area are kept secret from tourists   | 6/1/2018 4:35 PM |
| 82 | Extra crowds, less fish  | 6/1/2018 4:28 PM |
| 83 | Because I fish the lower Roper river every Easter with a group of friends and if that is taken away from us we will have to go somewhere else to fish therefore putting more pressure on that area where there is most likely already crowds.  | 6/1/2018 4:24 PM |
| 84 | This will push more people to the top end which is already heavily fished  | 6/1/2018 4:13 PM |
| 85 | More pressure on other waterways. More boats fishing the other locations. Probably darwin harbour alone going at this rate   | 6/1/2018 4:05 PM |
| 86 | If certain areas are restricted obviously those recreational fishers will fish elsewhere which would impact and possibly over fish those areas.  | 6/1/2018 3:56 PM |
| 87 | Fishing would be more concentrated in the only allowed spots left  | 6/1/2018 3:55 PM |
| 88 | because there would be more people in other areas who once fished in the lower roper river   | 6/1/2018 3:54 PM |
| 89 | More anglers will be compelled to fis in smaller & smaller accesable areas   | 6/1/2018 3:28 PM |
| 90 | Lots of people fish this area, they also travel from Katherine and Alice. This pressure would appear in other areas increasing the overall pressure on systems and fish in other area. We are simply running out of places to go fishing.  | 6/1/2018 3:21 PM |
| 91 | Reduced access to limited areas  | 6/1/2018 3:20 PM |
| 92 | The fishing pressure, bag and size limits of all fish and crabs in the NT need to monitored regularly to maintain our fishing ecosystem. Closing this area will increase pressures in other NT areas. It will also impact on tourism which is critical to the NT.                            | 6/1/2018 3:18 PM |
| 93 | This would be hard to determine. During the dry the majority of campers along this stretch of river are there specifically for the fishing. If fishing is limited or stopped all together then one would think the effort would move elsewhere. But how much and where is hard to determine. | 6/1/2018 3:11 PM |
| 94 | less places to fish = more congestion where you can fish   | 6/1/2018 3:07 PM |
| 95 | Reduction in these areas puts pressure on others.  | 6/1/2018 2:44 PM |
| 96 | Closing areas will Increased boats and competition which will increase the fishing pressure it will also impact on some of the other more remote areas that currently through there isolation and relatively low fishing pressure are extremely highly valued                                | 6/1/2018 2:41 PM |
| 97 | Less places to go, nore boats in the places left   | 6/1/2018 2:40 PM |
| 98 | Maybe not sure if it would have an effect  | 6/1/2018 2:21 PM |

## AFANT - Roper River Land Claims Survey

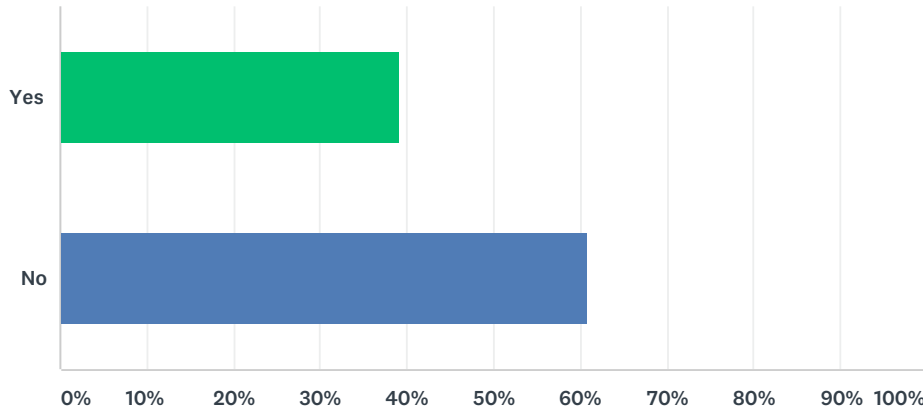
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|     |  |                  |
|-----|--|------------------|
| 99  | more boats in fewer places will limit the fish   | 6/1/2018 1:58 PM |
| 100 | All major rivers in the NT close to Darwin see a lot of boat traffic. We try to go more remote like to the Roper to avoid the crowds. Closing this river will congest the other rivers further | 6/1/2018 1:42 PM |

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Q15 Do you, or have you, fished the Upper Roper River Bed and Banks Claim Area 141 marked in Orange above or the Claim Area 129 hatched in Blue? (You can also refer to the map from ALC report 68 at the top of this page)

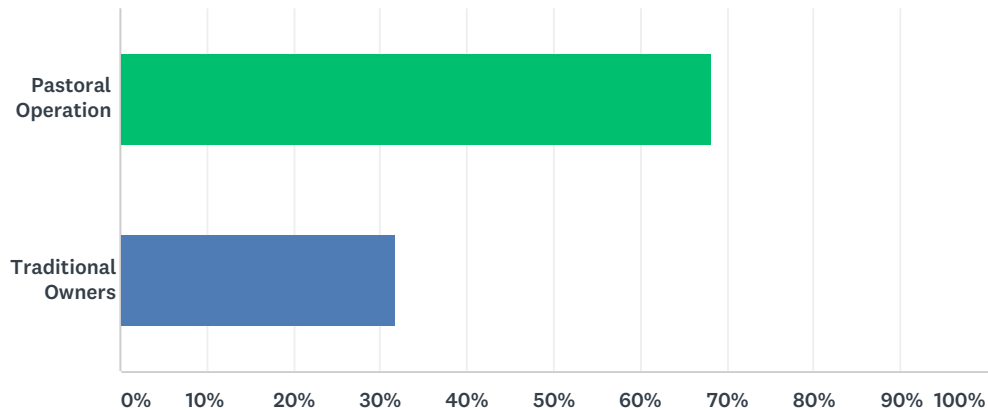
Answered: 253 Skipped: 32



| ANSWER CHOICES | RESPONSES |     |
|----------------|-----------|-----|
| Yes            | 39.13%    | 99  |
| No             | 60.87%    | 154 |
| TOTAL          |           | 253 |

**Q16 If you answered yes to fishing the Claim Area of LC 141 or 129 as shown in the map on question 13, can you tell us how you accessed the river and where you got permission from? (please skip if you have not fished here)**

Answered: 88 Skipped: 197



| ANSWER CHOICES     | RESPONSES |           |
|--------------------|-----------|-----------|
| Pastoral Operation | 68.18%    | 60        |
| Traditional Owners | 31.82%    | 28        |
| <b>TOTAL</b>       |           | <b>88</b> |

| #  | CAN YOU TELL US HOW / WHO YOU GOT PERMISSION FROM TO FISH HERE? OR ANY OTHER RELEVANT INFORMATION...   | DATE              |
|----|--|-------------------|
| 1  | Station owners and traditional owners  | 6/4/2018 12:03 PM |
| 2  | I got permission from previous owners of Moroak and Goondooloo as well as the present. We used to own Goondooloo, I take my kids back there at t lest twice a year for a week at a time. I also get permission fro the traditional; owners if I go in through Eley, I grew up with TO'S ihave never had any trouble getting access from them, they are a part of our family. | 6/4/2018 11:00 AM |
| 3  | Station owners on flying fox and lonesome dove STns  | 6/4/2018 10:29 AM |
| 4  | no   | 6/4/2018 8:57 AM  |
| 5  | Fishing club   | 6/4/2018 6:12 AM  |
| 6  | Through both pastoral owners and traditional owners  | 6/3/2018 6:03 PM  |
| 7  | Eley Nat park & Moroak Road hole nil permission is required  | 6/3/2018 3:59 PM  |
| 8  | Pastoral operators and TOs   | 6/3/2018 2:25 PM  |
| 9  | Have fished through Jilkminngan community with TO permission (used own boat)   | 6/3/2018 2:05 PM  |
| 10 | Ozzy Daylight Tim Baker  | 6/3/2018 10:29 AM |
| 11 | Was working  | 6/3/2018 7:23 AM  |
| 12 | Asked owners and they granted access   | 6/3/2018 3:39 AM  |
| 13 | Station that backs on to the Roper   | 6/2/2018 10:05 PM |
| 14 | Top of roper bar   | 6/2/2018 3:41 PM  |
| 15 | Leicharet,s crossing.  | 6/2/2018 1:01 PM  |

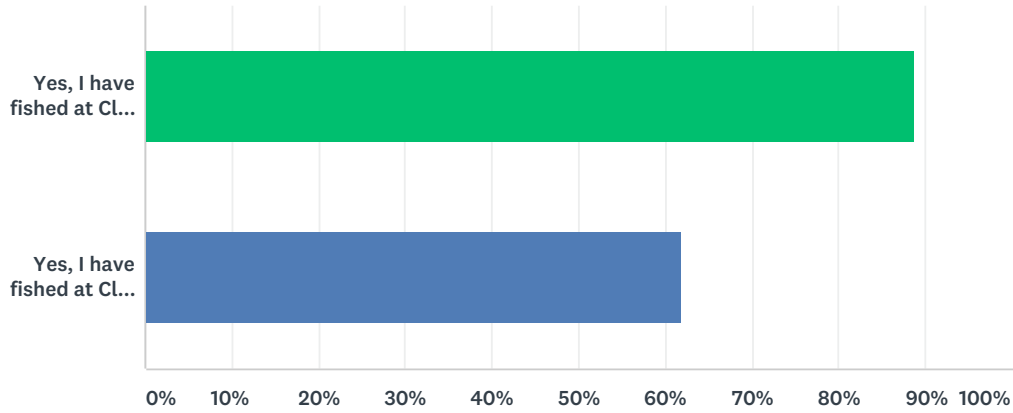


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|    |   |                   |
|----|---|-------------------|
| 16 | From roper bar crossing   | 6/2/2018 12:23 PM |
| 17 | All through Elsey station   | 6/2/2018 10:59 AM |
| 18 | Approached TOs  | 6/2/2018 9:47 AM  |
| 19 | By leasing a part of the mangarrayi land trust to run as a cattle station I have built relations with traditional owners and gained permission through friendship | 6/2/2018 9:11 AM  |
| 20 | Mining operators and local pastoralists   | 6/2/2018 8:47 AM  |
| 21 | I do have permission to fish here from Mole Hill TO Ossie Daylight but just haven't had opportunity to go yet   | 6/2/2018 8:44 AM  |
| 22 | I was working at Jikminggan   | 6/2/2018 7:56 AM  |
| 23 | Pick up phone and ring the correct person.  | 6/1/2018 10:07 PM |
| 24 | Max gorrance  | 6/1/2018 9:21 PM  |
| 25 | We gained permission from both station manager years ago and more recently TO's   | 6/1/2018 9:09 PM  |
| 26 | The owners/operators of local pastoral lease  | 6/1/2018 8:42 PM  |
| 27 | From the caretaker that lived at Mole Hill in 2010.   | 6/1/2018 8:08 PM  |
| 28 | Friends of mine have permits and permission to fish the entire system.  | 6/1/2018 7:53 PM  |
| 29 | Station manager at Lonesome Dove Station  | 6/1/2018 6:43 PM  |
| 30 | Through station owners  | 6/1/2018 6:20 PM  |
| 31 | From the traditional owners from jilkmingan and 57mile. And elsey station   | 6/1/2018 5:33 PM  |
| 32 | From public access road into Moroak station   | 6/1/2018 5:01 PM  |
| 33 | Red lily lagoon, permission from then manager of Elsey  | 6/1/2018 4:51 PM  |
| 34 | Drove into the river from the main road   | 6/1/2018 2:47 PM  |
| 35 | via Moroak station  | 6/1/2018 2:25 PM  |
| 36 | Moarok Station  | 6/1/2018 1:44 PM  |

**Q17 Do you, or have you, fished in either Claim Area (i) or (ii) sections of the Roper River (part of LC 164) and shown in red on the map above? (Can choose multiple or please skip if you have not fished here)**

Answered: 79 Skipped: 206



| ANSWER CHOICES  | RESPONSES |    |
|---|-----------|----|
| Yes, I have fished at Claim Area (i) (between Flying Fox and Lonesome Dove) | 88.61%    | 70 |
| Yes, I have fished at Claim Area (ii) (between Lonesome Dove and Big River) | 62.03%    | 49 |
| Total Respondents: 79   |           |    |

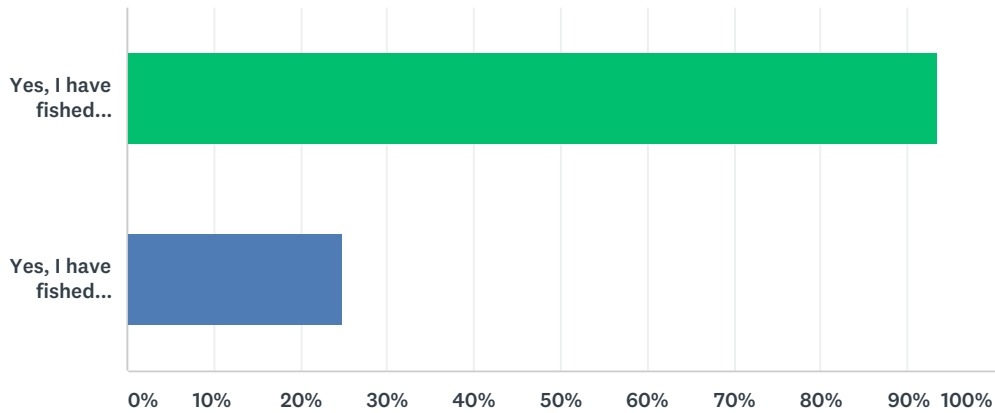
| #  | CAN YOU TELL US HOW YOU GOT ACCESS / PERMISSION?   | DATE              |
|----|--|-------------------|
| 1  | Station owners                                     | 6/4/2018 12:03 PM |
| 2  | no   | 6/4/2018 11:00 AM |
| 3  | no   | 6/4/2018 8:57 AM  |
| 4  | From downstream. Also via stations with permission | 6/3/2018 7:20 PM  |
| 5  | As above   | 6/3/2018 6:03 PM  |
| 6  | Flying Fox station access was through the owner    | 6/3/2018 3:59 PM  |
| 7  | Property owners at the time                        | 6/3/2018 1:41 PM  |
| 8  | Mark Sullivan Danial Tapp                          | 6/3/2018 10:29 AM |
| 9  | TO's   | 6/3/2018 8:59 AM  |
| 10 | Owner permission                                   | 6/3/2018 7:50 AM  |
| 11 | Owner  | 6/3/2018 6:52 AM  |
| 12 | Arranged light aircraft tour                       | 6/3/2018 5:11 AM  |
| 13 | Granted access from flying fox station owner       | 6/3/2018 3:39 AM  |
| 14 | Friends of station owner                           | 6/2/2018 11:31 PM |
| 15 | Station owner                                      | 6/2/2018 10:05 PM |
| 16 | Family own lonesome dove                           | 6/2/2018 2:43 PM  |
| 17 | Know the land owners                               | 6/2/2018 11:31 AM |
| 18 | Through property owners                            | 6/2/2018 10:59 AM |

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|    |  |                   |
|----|--|-------------------|
| 19 | Work   | 6/2/2018 7:56 AM  |
| 20 | Friends with all 3 station owners                                  | 6/2/2018 7:55 AM  |
| 21 | Land owner   | 6/2/2018 7:32 AM  |
| 22 | I own Lonesome Dove  | 6/1/2018 11:21 PM |
| 23 | Station  | 6/1/2018 10:12 PM |
| 24 | Pastorist owners   | 6/1/2018 9:47 PM  |
| 25 | William tapp   | 6/1/2018 9:21 PM  |
| 26 | P:ermission from the managers of Lonesome Dove Station             | 6/1/2018 8:42 PM  |
| 27 | Owner permission   | 6/1/2018 8:26 PM  |
| 28 | I have fished nearly every inch of this system                     | 6/1/2018 7:53 PM  |
| 29 | Land owners  | 6/1/2018 7:15 PM  |
| 30 | Through station owners   | 6/1/2018 6:20 PM  |
| 31 | contacted owner as i was a tradie enquiring about work advertised. | 6/1/2018 5:38 PM  |
| 32 | Pastoral owners  | 6/1/2018 3:21 PM  |
| 33 | Drove in off the main road stock route                             | 6/1/2018 2:47 PM  |
| 34 | Via Daniel Tapp and Mark Sullivan - Pastoral owners                | 6/1/2018 2:25 PM  |

Q18 Do you, or have you, fished in the LC 164 Claim Area (iii) section of the upper Roper River as shown in red on the map above? (Can choose multiple or please skip if you have not fished here)

Answered: 108 Skipped: 177



| ANSWER CHOICES  | RESPONSES  |
|---|------------|
| Yes, I have fished land-based immediately upstream of the Roper Bar (Access via Crown Land) | 93.52% 101 |
| Yes, I have fished elsewhere in Claim Area (iii)  | 25.00% 27  |
| Total Respondents: 108  |            |

| #  | CAN YOU TELL US MORE ABOUT WHERE YOU GOT ACCESS? ESPECIALLY IF YOU LAUNCHED A BOAT? WERE YOU REQUIRED TO OBTAIN PERMISSION TO ACCESS THIS AREA FROM URAPUNGA / YUTPUNDJI-DJINDIWIRITJ LAND TRUST? | DATE              |
|----|---|-------------------|
| 1  | Launched boat off roper bar   | 6/4/2018 10:29 AM |
| 2  | Launched a boat at Roper Bar and of the bank  | 6/4/2018 9:03 AM  |
| 3  | no i launched off a tax payer funded road and will do so until i am no longer physically able to do so  | 6/4/2018 8:57 AM  |
| 4  | Land based along the bank up to the new bridge  | 6/3/2018 3:59 PM  |
| 5  | We walked up from roper bar around 500m didn't get permission   | 6/3/2018 1:41 PM  |
| 6  | Launching off the bar   | 6/3/2018 10:29 AM |
| 7  | I did not get permission  | 6/3/2018 8:59 AM  |
| 8  | Private tour operator   | 6/3/2018 5:11 AM  |
| 9  | I have launched at Roper during floods as I live in Ngukurr   | 6/2/2018 10:05 PM |
| 10 | Oat launched. From the crossing. Permission not required.   | 6/2/2018 1:01 PM  |
| 11 | Know people in the area   | 6/2/2018 11:31 AM |
| 12 | Land based only. Fished on Roper bar store side.  | 6/2/2018 9:57 AM  |
| 13 | Access from the Bar   | 6/2/2018 9:47 AM  |
| 14 | Work, land based  | 6/2/2018 7:56 AM  |
| 15 | Went with Aboriginal people   | 6/1/2018 10:36 PM |
| 16 | Land base 2nd bar and boat upstream from bar  | 6/1/2018 10:12 PM |

## AFANT - Roper River Land Claims Survey

|    |   |                  |
|----|---|------------------|
| 17 | Walk into areas and drive as close to the river as possible. Once again permission going into areas with a friend that had permission and permits | 6/1/2018 7:53 PM |
| 18 | launched a boat did not obtain permission   | 6/1/2018 7:00 PM |
| 19 | Launched the boat off the crossing  | 6/1/2018 6:20 PM |
| 20 | Roperbar ramp and fished in immediate area before going further down stream typically   | 6/1/2018 3:10 PM |

## Q19 Was there anything else you wanted to add?

Answered: 76 Skipped: 209

| #  | RESPONSES   | DATE              |
|----|---|-------------------|
| 1  | no  | 6/4/2018 11:00 AM |
| 2  | They are going to kick fishos out and bring in frackers.....  | 6/4/2018 10:31 AM |
| 3  | The reduction on areas to fish only places further pressure on other areas and showing visitors the NT back yard will suffer.   | 6/4/2018 9:05 AM  |
| 4  | I was born in Katherine and my parents and I have been coming out here since the seventies now you want to stop me because I'm white or are you looking for sit down money  | 6/4/2018 9:00 AM  |
| 5  | Been going down the Roper every Easter for the past 5 years such a lovely place plenty of respect to the locals which we have made friends with over the time. Cheers, Jake Dowling   | 6/3/2018 9:00 PM  |
| 6  | Government needs to stop fighting with a government funded NLC.   | 6/3/2018 7:22 PM  |
| 7  | It's ridiculous that land claims are still being given when not even utilised, they are too busy living in town, getting money off the government and abusing our lifestyle. The younger generation has lost the ability to live traditionally and need grog and money handed out. NO ONE OWNS THE WATER  | 6/3/2018 6:07 PM  |
| 8  | During our 8-10 week stay at Tomato Island, we spend the following -: fuel \$ 1,000 shopping and groceries \$ 6-700 rent to NT parks \$ 8-900 mechanical repairs average \$ 500 ----- Total up to \$ 3000 multiply that by 50 to 70 camps \$ 150,000 to \$200,000 worth having?   | 6/3/2018 4:06 PM  |
| 9  | We think we should be able to fish here and think no one should have complete control of the river  | 6/3/2018 2:01 PM  |
| 10 | Fishing and fishermen result in millions in revenue and much of it going into the aboriginal community in places like Ngukurr. We also belong to this land and have every right to access these remote areas.   | 6/3/2018 1:55 PM  |
| 11 | All people should have access to the river. We support all the communities while we are in the area. The land is for all people not just one race. Make it fair to all  | 6/3/2018 1:55 PM  |
| 12 | Fishing should be available to everyone, as no one owns the river   | 6/3/2018 1:45 PM  |
| 13 | We live in the city and really appreciate and love to spend time at Roper Bar. It's a wonderful area that is precious to us   | 6/3/2018 11:44 AM |
| 14 | I personally fish recreationally and am worried about not being able to experience these beautiful and unique river systems in a country that I was born and now being stopped. I find it hard enough not being able to walk on parts of this great country due to land closures, now waterways are being targeted..... when will it stop.... keep up the great work AFANT!!! | 6/3/2018 11:33 AM |
| 15 | No  | 6/3/2018 11:21 AM |
| 16 | We have been returning to the NT waters every year for many months. If we the areas we come back to become too complicated to fish we will take our tourist dollars elsewhere. Truly disappointing.   | 6/3/2018 11:07 AM |
| 17 | Just because I have not had the time to fish in these locations yet does not mean I am not planning to.. it's a real shame to see this sort of divisive activity, locking locals out of our waterways is a good way to bring about more segregation! So good on you if that's what you're after   | 6/3/2018 10:56 AM |
| 18 | My family has fished the upper & lower Roper region for over 40 years. In this time we have cleaned up after the so called traditional owners including general rubbish, soiled nappies, alcohol containers ect. I would hate to see what this beautiful river would become if it was left unmaintained.  | 6/3/2018 10:39 AM |
| 19 | These areas are places I take my children and teach them about fishing how to be part of the country  | 6/3/2018 9:01 AM  |
| 20 | When is all this going to stop with the land claims it is getting ridiculous.   | 6/3/2018 7:04 AM  |

## AFANT - Roper River Land Claims Survey

|    |   |                   |
|----|---|-------------------|
| 21 | This must be stopped as it is not right to deny access to fish in any river system in the NT  | 6/3/2018 6:01 AM  |
| 22 | The roper river has been the river my family have fished for many years, we respect the river and ensure it is always left clean  | 6/3/2018 3:40 AM  |
| 23 | Good luck   | 6/2/2018 10:06 PM |
| 24 | The laws need to be revised in regards to blue mud bay and native title encroachment on average Australians being able to use wilderness land.  | 6/2/2018 8:45 PM  |
| 25 | Would be a backward step for tourism and N.T. if any rights are taken away from fishermen.  | 6/2/2018 8:04 PM  |
| 26 | We would be happy for all people to have access to all rivers that is the only fair way as we are all Australians   | 6/2/2018 7:13 PM  |
| 27 | Haven't noticed any "visitors" fishing in these areas leave rubbish on the banks such as plastic bags, disposable nappies, polystyrene trays from sausages etc, which are apparent after local persons /owners fish & picnic? there.  | 6/2/2018 5:03 PM  |
| 28 | Keep Australia Fishing A pastime for many Senior Citizens that should be available to us all  | 6/2/2018 3:42 PM  |
| 29 | To correct the mistakes of the past we are all striving to work towards social inclusion. This is a step backward in that process   | 6/2/2018 2:55 PM  |
| 30 | Please do not restrict access, most guests respect the land, river and local culture and restricting access would be very sad   | 6/2/2018 2:36 PM  |
| 31 | I love the roper river i was born there and will always fish it.  | 6/2/2018 1:13 PM  |
| 32 | Fishing at Roper Bar for some 20 years, would be hard not to come back  | 6/2/2018 12:25 PM |
| 33 | Territorians should have access to most near all areas along the Roper River  | 6/2/2018 11:49 AM |
| 34 | if we loose access to the roper river it will truly be heart breaking it is my Favorite river in the territory and that is saying something.  | 6/2/2018 10:11 AM |
| 35 | More access to the whole river via more boat ramps  | 6/2/2018 10:08 AM |
| 36 | It should not be a right of anyone to own a creek or river in this country. We all love and respect out waterways and enjoy taking friends and family out to show them what the NT has to offer. We spend thousands on equipment, boats, fuel, ice, food to spend time in these areas. We should never be locked out of them. | 6/2/2018 10:07 AM |
| 37 | They should not let any of this happen so much for a free country needs to stop now . All they are doing is dividing the country even more so much for reconciliation   | 6/2/2018 9:55 AM  |
| 38 | Every 2 years I travel 4000km one way to fish this river with my brother. A out to do it again in November this year. It will be a catastrophe for all Australians if we can't access this river or restrictions are put in place.  | 6/2/2018 9:28 AM  |
| 39 | No  | 6/2/2018 9:20 AM  |
| 40 | Where can people find info for areas not under, claim government maps ?   | 6/2/2018 8:50 AM  |
| 41 | If TO,s are making money of land claims they should be paying land rates , taxes etc. The money should all go back into jobs/improvements not cash payments   | 6/2/2018 8:46 AM  |
| 42 | These areas are still yet to be explored. I would hate to think our family fishing trips will be limited. Fishing is a huge part of our business and family life style.   | 6/2/2018 7:35 AM  |
| 43 | I have real concern about these claims and I am doing everything I can to keep these waters open to everyone. I have written to Nigel scullion and am promoting AFANTs cause as best as I can to stop this blatant racist money grab by the NLC.  | 6/2/2018 7:19 AM  |
| 44 | with all these clams we are we going to fish ????   | 6/2/2018 7:19 AM  |
| 45 | I think this whole claim idea is wrong, and the Local and federal Government should not allow it. Access and fishing all rivers/creeks should be for everyone.  | 6/2/2018 4:48 AM  |
| 46 | It would be a shame if access were restricted to these areas. Hopefully Mr Gunner and his team employ common sense when deliberating.   | 6/2/2018 4:07 AM  |

## AFANT - Roper River Land Claims Survey

|    |   |                   |
|----|---|-------------------|
| 47 | I travel from Western Australia 2-3 times a year specifically to fish the Roper River. Mainly from the Roper Bar down to Port Roper. These trips involve me and my friends spending thousands of dollars each time in the NT. Everything from Car/Boat hire, to food, fuel and fishing tackle. These trips for us never see us taking fish home. Being mainly catch and release with a fish or two taken over a week to eat at camp that night. If access to this area for fishing like this stopped we would just take our thousands of dollars and do our 2-3 week long fishing trips to somewhere else instead. Papua New Guinea is starting to look more inviting for Barramundi fishing. | 6/1/2018 10:57 PM |
| 48 | Think there needs to be a compromise that allows Aboriginal people times when the river can't be hammered by boats during the good fishing times, so people whose land it really is can be assured of a good feed when they fish it - have been going there for 20 years and the increased traffic is really noticeable. Can understand why people from that area would want restrictions in place - boats are bigger, more of them and more equipt means more fish are getting pulled out. Some really sacred sites through that system too.   | 6/1/2018 10:42 PM |
| 49 | Can't we all fish together as we have for years?  | 6/1/2018 10:13 PM |
| 50 | If they going to bring in a permit system. Just make it a yearly permit for everywhere not each river because I go to most places in a year. Not dear either  | 6/1/2018 9:49 PM  |
| 51 | No  | 6/1/2018 9:19 PM  |
| 52 | Mole Hill, Urapunga and Ngukurr TOS are all dealing with permitting locals to access their stretch of the river. Generally a payment of fuel(diesel) food or cash are given in payment. These location need boat ramp and river bank access to protect the increasingly eroded river banks. Use is increasing, the TOS or residents are allow access, getting paid in one form or another and are happy with arrangement however there has been no planning, design or infrastructure to assist these potential emerging economic developments. Happy to discuss further  | 6/1/2018 9:14 PM  |
| 53 | No  | 6/1/2018 8:51 PM  |
| 54 | There should be a "Sunset Clause" placed upon land claims. This has been going on long enough   | 6/1/2018 8:43 PM  |
| 55 | Wishing you all the best with this objection. It is disheartening to see a land claim over these pristine locations. Our farmers have paid a lot of money to lease and develop this properties.   | 6/1/2018 8:30 PM  |
| 56 | The most beautiful system I have had the pleasure of fishing after the goomadere (junction bay west of maningrida) please do not mess with how it is now!   | 6/1/2018 7:55 PM  |
| 57 | We don't have swimming in our rivers, fishing is our real territory outlet to see the country, we contribute to the NT wealth.  | 6/1/2018 7:46 PM  |
| 58 | If this access is taken away, tourism and the local residents will suffer from the tourists that will NOT come to Tomato Island, Roper Bar and the various other close by areas. A foolish decision to cut this are off indeed.   | 6/1/2018 7:46 PM  |
| 59 | Keep the Roper open   | 6/1/2018 7:38 PM  |
| 60 | Will not come to NT if I can't fish Roper river at Tomato Island  | 6/1/2018 7:29 PM  |
| 61 | All we want is fair access for all Australians.   | 6/1/2018 7:16 PM  |
| 62 | This is going a bit to far, no one owns the water. When one group of poeple can profit by guilt   | 6/1/2018 7:16 PM  |
| 63 | I've fished a lot at 57 mile with access provided by traditional owners but I don't have any details - always been organised by friends we go with  | 6/1/2018 7:03 PM  |
| 64 | Stop the NLC being greedy, that's all this is about. Maybe they should start needing permits to use health services and supermarkets and learn to live off the land again if it means so much to them   | 6/1/2018 6:45 PM  |
| 65 | Keep areas open for everyone  | 6/1/2018 5:52 PM  |
| 66 | hoping to retire on my property at katherine hope i can still fish in remote places or il leave australia for good.   | 6/1/2018 5:40 PM  |
| 67 | We can not let this claim be approved!!!  | 6/1/2018 4:26 PM  |
| 68 | The majority of us can understand the cultural significance, but we do not go there to be destructive etc. We go there to enjoy the land and the water and the fishing etc. Take that away from us and we may as well move away from the territory. This is getting beyond a joke.  | 6/1/2018 4:09 PM  |
| 69 | I would be very disappointed if the access to the lwr Roper was removed. It is iconic Territory water. With the right regulation and protection it can be protected and enjoyed by all.   | 6/1/2018 3:22 PM  |



## AFANT - Roper River Land Claims Survey

|    |   |                  |
|----|---|------------------|
| 70 | its is getting serious if we cant fish here why live here, might as well some else where cost of living is better, more work better pay/conditions and pay tax there instead of here!   | 6/1/2018 3:21 PM |
| 71 | Have been going there for several years. Supporting shop at nkurrka, mataranka and Katherine. The roper bar shop was also supported.  | 6/1/2018 2:49 PM |
| 72 | Getting pissed of with all these land claims, seriously thinking about leaving the Northern Territory, born and bred here and feel like an outsider   | 6/1/2018 2:40 PM |
| 73 | Due to the location of the Roper River it is one of the few areas in the gulf that has open access to this unique stretch of coastline.   | 6/1/2018 2:39 PM |
| 74 | This is beyond a joke. Another money grab by the Land councils.   | 6/1/2018 2:30 PM |
| 75 | If they keep shutting down these areas the local economies of these small towns will suffer...  | 6/1/2018 2:30 PM |
| 76 | Introduce an IPAD to all the local fishing shops, CRAIG, Fishing and outdoor, tackle world, they can get the customers to fill out when purchasing, i was at the AGM i was bit suprised of the small amount of numbers who participated in other surveys, by doing this it will increase out impact | 6/1/2018 2:01 PM |

**Partners:**

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Ashley Heath  
Michael Grove  
Teresa Hall  
Kaliopi Hourdas

Our ref: 20181343:BST

26 September 2018

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Darwin NT 0801

**Senior Associates:**

Emma Farnell  
Tessa Czislawski

Dear Commissioner Mansfield

**Conveyancing Manager:**

Theresa Cocks

**RESPONSE TO SUBMISSIONS OF BEHALF OF CLAIMANTS:  
LOWER ROPER RIVER LAND CLAIM NO 70 AND UPPER ROPER RIVER  
LAND CLAIMS (GROUPING 5 LAND CLAIMS)**

**Darwin**

Level 7, NT House,  
22 Mitchell Street  
T 08 8946 2999

We are in receipt of your correspondence to Mr David Ciaravolo of the Amateur Fishermen's of the Association (AFANT) dated 12 September 2018. In particular, you have brought to our attention [10]-[24] of the NLC submissions and invited our response. Please find below the following responses provided on behalf of AFANT.

**Palmerston**

Suite 2  
6 Woodlake Boulevard  
T 08 8931 3388

As would be expected at this point of the detriment reviews, many of the assertions made by parties in the Grouping 5 Land Claims are similar to those raised in other detriment reviews for which submissions and responses have already been lodged. Our responses below will refer to correspondence we have previously provided in those land claims. For your convenience, we are attaching them as annexures to this correspondence and respectfully request they be incorporated herein by reference.

**Casuarina**

Unit 3  
293B Trower Road  
T 08 8942 2333

Paragraphs [10]-[12]

**Alice Springs**

Level 2, NT House  
44 Bath Street  
T 08 8952 4200

With regard to NLC submissions on its proposed permitting system, AFANT's concerns have been well documented in the following correspondence:

- Ward Keller to the Commissioner regarding the Lower Daly Land Claim No 68, dated 19 July 2018 (**Lower Daly response** - provided without attachments at **Annexure 1**);
- Ward Keller to the Commissioner regarding Garrwa Land Claim No 78m McArthur River Region Land Claim No 184, Manangoora Land Claim No 185, Seven Emu land Claim No 186, and Wollogorang Area II Land Claim No 187, dated 7 August 2018 (**Groupings 1/4 response** - provided without attachments at **Annexure 2**);
- Ward Keller to the Commissioner regarding Maria Island and Limmen Bight River Land Claim (No 71) and Maria Island Land Claim (No 198), Lorella Region Land Claim No 199, and part of Maria Island Land Claim No 198, dated 11 September 2018 (**Grouping 3 response** - provided without attachments at **Annexure 3**).

With regard to the source of AFANT's belief as to the lack of effective consultation by NLC with Traditional Owners LC "and where desirable (to TO's) organise standing orders to enable a reasonable and reliable permit system for access to Aboriginal lands", please refer to the AFANT Groupings 1/4 response at pages 1-3. We also point to NLC's statement at [12] that it does not believe detailed consultations are warranted at this time. That statement is of particular concern because NLC submissions in other land claims have faulted parties for failing to consult with NLC in advance of the potential grant of a land claim.

We also note the reference to "agreements for open access" in [24] of NLC's submissions, which appears to imply that such agreements are under consideration going forward. In its submissions on the Lower Daly Land Claim at Part 1.p, however, the Northern Territory Government provided that "there is no certainty that a future access agreement for mid-long term usage would be reached for fishing in the claimed waters in which case neither recreational or commercial fishers would have any access to the waters overlying the claimed land." NLC has provided no evidence of which we are aware to indicate that it has or is willing to provide "open" (permit free) access agreements as an option for Traditional Owners to consider during consultations. We consider it to be a lack of effective consultation if Traditional Owners have not been provided with the opportunity to consider any "open fishing" access agreement offer put to NLC by the Northern Territory government.

#### Paragraphs [13]-[16]

AFANT is pleased that in its submissions the NLC has engaged with the content of the answers to the AFANT survey questions, granting the information a level of credibility that can be relied upon to inform current practices. The questions relating to current access conditions were designed to provide a transparent and true account of how the survey respondents (not all fishers, just those who responded to the survey) are currently accessing the claim areas. AFANT aims for the Commissioner and the Minister to be availed of the best available information, and went to considerable effort to obtain first-hand accounts of fishers through the survey. Contrary to the NLC's contention nothing about the fact that some fishers are already seeking permission to access the land approaching the waters subject of these claim(s) alters the fact that the need for future additional permissions or costs would constitute detriment.

#### Paragraphs [18]-[24]

The complaints raised by NLC at [18]-[24] are without merit. A legal consequence of the grant of a land claim is the right to exclude others. There is nothing untoward about a survey question that asks if a respondent's enjoyment of fishing in the Northern Territory would suffer if that legal consequence is realised, and what they believe potential outcomes (such as overcrowding in other area) might be if that legal consequence is realised for the claim area. A significant purpose of the detriment reviews is to get to the heart of the potential consequences of likely settlement scenarios and to inform the Minister of those consequences and their impacts.

At the time the survey was prepared, NLC had provided no information on a permit system that would apply to recreational fishing areas should the land claims be granted. While NLC has since provided some information, AFANT's concerns over that information have been raised in other land claims responses, most specifically in its Groupings 1/4 response and Grouping 3 response. Again, we also point to [12] of NLC's submission acknowledging it has not seen it necessary to begin detailed consultations on long-term access arrangements at this time.



Thank you for your attention to this matter.

Yours faithfully  
**WARD KELLER**



**BRADLY TORGAN**  
Senior Lawyer  
Secretary: **Stella Noor**

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Land Commissioner  
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attachments

# **Annexure 1**

Partners:  
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Leon Loganathan  
Ashley Heath  
Michael Grove  
Teresa Hall  
Kaliopei Hourdas

Our ref: 20181343:BST

19 July 2018

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Conveyancing Manager:  
Theresa Cocks

Dear Commissioner Mansfield

## RESPONSE TO SUBMISSIONS ON BEHALF OF THE CLAIMANTS: LOWER DALY LAND CLAIM NO. 68

Darwin  
Level 7, NT House,  
22 Mitchell Street  
T 08 8946 2999

Pursuant to your correspondence to Mr David Ciaravolo of the Amateur Fishermen's Association of the Northern Territory (AFANT) dated 11 July, please find below the following responses provided on behalf of AFANT.

Palmerston  
Suite 2  
6 Woodlake Boulevard  
T 08 8931 3388

### Introduction

On 11 July 2018, the Aboriginal Land Commissioner (**Commissioner**) provided AFANT with eight (8) day to provide responses to submissions provided by NLC on behalf of the claimants. Additionally, the Commissioner asked for responses to specific requests he posed to AFANT regarding whether AFANT believes 'an agreement for access and recreational fishing, like that suggested by the NLC, is a workable and reasonable arrangement' and AFANT's position 'on the workability of the new permit system that is being developed by [NLC], which addresses some of the concerns outlined in AFANT's detriment submissions, such as the time taken to apply for permits'.

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293B Trower Road  
T 08 8942 2333

Alice Springs  
Suite 3, 1<sup>st</sup> Floor  
Mbantua Offices  
64 Todd Street  
T 08 8952 4200

Eight days is an inadequate time frame in which to adequately respond. We acknowledge that the timeframe of the Detriment Review does not allow the Commissioner to grant any time extensions; however, NLC was apparently granted an extension of three weeks – for a total of over nine weeks – in which to provide responses to the submissions on the Lower Daly Land Claim No 68 (LC 68); including comments addressing the claimed detriment interests, the relevance of any timing issues in relation to when such detriment interests were acquired, and proposals to address the claimed detriment interests. In creating such a time frame, AFANT has been significantly damaged in its ability to properly respond to significant and substantial submissions.

AFANT has nevertheless endeavoured to respond below as fully as possible. Please note that some of the responses will refer to relevant testimony in the

hearings on the Peron Island Area Land Claim No 190 (**Peron Island**) and Woolner/Mary River Region Land Claim No 192 (**Mary River**). Copies of relevant transcripts have been attached. Any reference to transcripts in this reply is a reference to the transcripts of those hearings and we respectfully request they be incorporated by reference.

NLC submission [5]

At the outset here, we recognize that the Terms of Reference for the Detriment Reviews does not allow the Commissioner to refuse to accept written submission received in respect to the review. Based on the Commissioner's evidentiary rulings in Peron Island and Mary River land claims, however, NLC's hearsay statements must be disregarded and given no weight. Fairness and consistency across all land claims, (both those undergoing detriment review and those going to hearing), dictates this result.

In the Peron Island and Mary River land claims, Claimant's counsel objected to the tender of AFANT's Shady Camp, Mary River, Wildman River & Channel Point/Peron Coast Land Claim Survey (**fisher survey**) in large part on hearsay grounds, grounds that are at least implicit in the Commissioner's sustaining the objection and refusing to enter the survey into evidence. Hearsay was also the basis of Claimant's counsel's objection to much of the testimony of Valerie Smith of the NT Department of Tourism and Culture (**NT Tourism**) in the Peron Island Claim with regard to the operations of numerous Fishing Tour Operators, many of whom had provided information to NT Tourism in the mistaken belief that letters sent directly to the Commissioner would be rejected if they were unable to appear at hearing. Again, many of the objections were sustained on hearsay grounds.

In light of this, the only portion of [5] for which the Commissioner should have regard is '...the NLC is presently developing a permit system with one objective being provision for applicants to obtain a permit and licence online for areas that are popularly used for recreation, such as the Daly River, based on standing instructions from the traditional land owners'. That no regard should be had for the remainder of the paragraph is reinforced by the contradictory testimony provided by Claimant's witness in the Peron Island and Mary River hearings Kane Bowden, that there are no negotiations being undertaken for open access recreational fishing, only consultations as to the introduction of NLC's permit system. See transcripts of 25.06.2018 at P-4 and P-11.

With regard to [5], the Commissioner has also provided the following:

I bring your attention to paragraph [5] of the submissions on behalf of the claimants. The Detriment Review is not the place to discuss the details of such proposals. However, I do request AFANT's response as to whether an agreement for access and recreational fishing, like that suggested by the NLC, is a workable and reasonable arrangement. If AFANT does not believe that it is, I request a brief explanation for why that is.

Presently, as the waters overlaying LC 68 are over Crown Land, recreational fishers enjoy the legal right to fish in the claim area. In order to resolve the significant detriment issues to fishers, AFANT favours long term / permanent fishing access agreements between the Northern Territory (on behalf of fishers) and Traditional Owners.



Agreements such as that between the Northern Territory and the Port Keats / Daly River Aboriginal Land Trust are preferable to any permit system, as permit systems are characterised by uncertainty. However, it must be distinguished that such fishing access agreements are/were a product of necessity and relate to waters that immediately became Aboriginal Land following High Court's 2008 Blue Mud Bay decision.

The present situation is significantly different to the context of the agreements referred to in the submissions in that the lands and waters under Claim in LC 68 are not presently Aboriginal Land. The Minister must clearly understand that the respective negotiating positions are different. Presumably, any talk of agreement is based upon the acceptance that the granting of the claim would result in detriment to recreational fishers. The Minister therefore has the responsibility and the opportunity to seek an optimal outcome and to set certain conditions that should be met before the claim is granted, if it is to be granted.

AFANT contends that in the case of LC 68, the Minister should seek to settle provisions for ongoing perpetual rights of access for recreational fishers. This should take place prior to any decision to grant of the claim (as was the case for the Kenbi Land Claim). In addition, with the benefit of having the experience of the Kenbi Land Claim settlement process and subsequent implementation, the process prior to grant should also necessitate the issuance of any Sacred Sites Certificates for the claim area, inclusive of any negotiated conditions of avoidance and access.

The Commissioner has also requested:

AFANT's response on the workability of the new permit system that is being developed [by NLC], which addresses some of the concerns outlined in AFANT's detriment submissions, such as the time taken to apply for permits. If AFANT does not believe this to be a reasonable arrangement if implemented, then I also request an explanation for why that is.

By way of response, AFANT first directs the Commissioner to the cross-examination testimony of Mr Ciaravolo on 26.06.2018 at P-214 to P215 (lines 1-12), P-219, and P-225 (lines 44-46) to P-226. Copies of those pages are attached for convenience.

The new permit system has been outlined in theory only. To put it mildly, it is simply a bridge too far to accept the assertions of the NLC in relation to the operation of the future permit system, however well intentioned. To be more direct, the testimony of Kane Bowden (transcript of 25.06.2018 at P-21) advising the Commissioner that the NLC seeks secure standing orders from 100 Traditional Owner Clan Groups in six-months is as alarming as it is naïve.

In any event, while the new permit system outlined by the NLC may (where standing orders are eventually received) reduce the time taken to apply for and receive a permit, this is hardly the major issue when it comes to claims yet to be granted. The permit system outlined is not any kind of long-term agreement recognising the detriment to fishers should they be excluded from the areas to which they currently enjoy legal access. There is no guarantee or even any assurance, that permits would be offered for areas that fishers want to access, nor can there be any certainty that if offered, the permits will continue to be available into the future.



The NLC has suggested that the permits will be free for three (3) years. Presumably this means that Traditional Owners must forego the financial benefits they may otherwise be able to access through fishing access agreements / settlements with the NTG, in favour of the NLC permit system. We first question whether the Traditional Owners have been advised of this in consultations with the NLC. This also raises serious concerns about the long-term viability of the permit system, not just from an operational point of view but in terms of offering Traditional Owners the opportunity to benefit from their ownership of Sea Country.

It is AFANT's contention that free permits are most unlikely to continue into the future and if we take the Dhimurru example; a yearly family permit for access to a relatively limited recreation area is \$160. AFANT's concern is that the permit system has potential to become a patchwork of access that comes at considerable cost. Or worse, access permits could be sold on the basis of exclusivity to the highest bidder. There is simply no guarantee of what the permit system will look like after three years.

AFANT does not consider the permit system outlined as an adequate or appropriate mechanism to address the detriment issues raised with respect to this claim.

NLC submission [13]

The AFANT – Lower Daly River Land Claim survey is useful and reliable for what it purports to be, a snapshot of the self-reported fishing activities and opinions of persons who fish the Lower Daly. The accounts were self-reported by AFANT members and recreational fishers. An invitation to participate in the survey was sent to 500 recipients on the AFANT mailing list and was posted and promoted on social media accounts (Facebook & Instagram). On Facebook, the post inviting participation in the survey reached 32,196 people (Facebook "reach" relates to the number of individual people that have seen a post at least once; so in this case over 32,000 different people saw the invitation and had the opportunity to do the survey.<sup>1</sup>

Over the 7-day period that the survey was open, 748 people participated. The survey was designed to only capture the reports of people who have fished the Claim Area (shown on a map in question 7). Twenty (20) respondents said that they had not fished the area. The survey logic filtered out these 20 participants and delivered them to questions 8 & 9 (about future intention to fish) and then delivered them to an early exit from the survey. Questions 8 & 9 were essentially polite exit questions designed to exclude these participants from the results while thanking them for their time.

NLC posits that self-reported surveys are *per se* invalid because those who self-report cannot be trusted to answer truthfully. AFANT categorically rejects this contention and draws attention to the fact that self-reports are commonplace in the collection of fisheries data. In addition, '[m]uch of social science relies on self-reported information. Because of this, there has been extensive research regarding the validity of self-reported data. Researchers have found that self-reported data are accurate when individuals understand

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<sup>1</sup> [https://www.facebook.com/business/help/710746785663278?helpref=fag\\_content](https://www.facebook.com/business/help/710746785663278?helpref=fag_content)

the questions and when there is a strong sense of anonymity and little fear of reprisal'.<sup>2</sup> The questions in the AFANT – Lower Daly River Land Claim survey are easy to understand and sufficient anonymity exists to provide respondents with a high enough level of comfort to provide honest answers. The degree to which dishonest answers may be a problem varies with the topic of the questionnaire; respondents are less likely to be fully truthful about measures relation to matters seen as socially unacceptable, like underage drinking or illicit drug use.<sup>3</sup> Those concerns are simply not present here.

AFANT, of course, is relying on the honesty of those responding. This is not meant, however, to assert 100% truthfulness; every survey has some margin of error. The results of the AFANT – Lower Daly River Land Claim survey, however, provide data of sufficient accuracy for the purpose for which it has been used; to support the professional knowledge of AFANT regarding fishing in the Claim Area.

NLC submission [15]

Claimant' counsel mischaracterises Mr Wilson's testimony in the Peron Island claim hearing, which Mr Wilson clarified during cross-examination. Firstly, visitors to Channel Point cannot book reservations twelve months in advance. Reservations can only be made three months in advance.<sup>4</sup> Secondly, Mr Wilson clarified his statement on cross-examination to note that people may plan vacations to Channel Point a year in advance because of factors unique to Channel Point. Access is seasonal, there is extremely limited supply (only 10 cars or 50 people per day, whichever comes first), and a person may only hold one reservation at a time.<sup>5</sup>

NLC submission [16]

AFANT does not accept NLC's contention that planning required for fishing at Channel Point can be extrapolated to all fishers. AFANT has acknowledged that people need to plan to go fishing at Channel Point. See cross-examination testimony of Mr Ciaravolo on 26.06.2018 at P-219 (lines 6-10). The situation at Channel Point, however, is unique based on seasonal limitations, limited supply of camping permits, and distance from population centres. The AFANT - Lower Daly River Land Claim Survey indicated that almost 49% of respondents answered yes to the question 'Do recent reports of good fishing either on social media or other media, influence your decision to visit the Lower Daly River to fish'. While NLC challenges the statistical rigor of the survey, the question is actually quite straight forward and provides general evidence that many decisions to fish are much more 'spur of the moment' than planning a vacation at Channel Point.

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<sup>2</sup> D Steslow, N Lasher, S Kong, 'Closing the Loop or Jumping Through Hoops: The Impact of Assessment on the Legal Studies Curricula' (2016) 33 *Journal of Legal Studies Education* 97, 103-104.

<sup>3</sup> N Brener, J Billy, W Grady, 'Assessment of Factors Affecting the Validity of Self-Reported Health-Risk Behavior Among Adolescents: Evidence From the Scientific Literature' (2003) 33 *Journal of Adolescent Health* 436, 436.

<sup>4</sup> <https://nt.gov.au/leisure/parks-reserves/permits-for-parks/bookings-channel-point> (accessed 12 July 2018)

<sup>5</sup> Ibid.



It should also be noted that the Channel Point boat ramp is not the most popular way that people access the LC 68 claim area for fishing. It is common knowledge in the fishing community that the Daly River boat ramp (Wooliana) and Dundee beach boat ramps are the locations that most people launch at to fish the lower Daly River. This should be obvious given the restrictions on access at Channel Point and is well supported by the self-reports in the AFANT - Lower Daly River Land Claim survey where launching at Channel point was the only the 3<sup>rd</sup> most popular launching option for fishers visiting the Claim Area - at 32%. The Wooliana ramp, by contrast, was reported by 82% of the 680 participants who answered the question.

NLC submission [17]

We draw the Commissioners attention to NLC's statement addressing AFANT's mention of the Malak Malak and Daly River/Port Keats Land Trusts agreements, '...the agency of traditional owners in these highly beneficial access agreements is not recognised as informing the likelihood that a future access agreement in this area, or an acceptable permit access regime, could be readily achieved'. We do so because we are unsure of the comment's meaning.

Mr Ciaravolo's statement at [17] and [51] simply pointed to the Malak Malak and Daly River / Port Keats agreements as evidence 'that access for recreational fishers to the Daly river system has been prioritised by the NT Government in recognition of the importance of this area to the fishing community,'<sup>6</sup> In providing the comment as a response to Mr Ciaravolo's statement, NLC appears to be lowering expectations and suggesting an unwillingness on its part to provide open access agreements like Malak Malak as an option in consultations with Traditional Owners. Is that the case?

NLC submission [18]

Claimant's counsel asserts that because subjective detriment cannot be quantified it must be disregarded. There is no such restriction in section 50(3)(b) of the *Aboriginal Land Right (Northern Territory) Act 1976* and such a crimped interpretation of detriment would essentially write the recreational fishing community, through its peak body, out of the ability to provide comment on detriment pursuant to sections 50(3)(b) and 50(3)(c).

The Commissioner also rejected this assertion in the Peron Island and Mary River claims hearings. Even in sustaining objection to the tender of AFANT's fisher survey, the Commissioner noted:

I accept what Mr Torgan said, that the complaint – or the concern, not complaint – the concern of AFANT on behalf of recreational fishermen or fishers is not an economic one, not a financial one, but a value-based potential loss of what he called an experiential detriment, a subjective detriment of the joys of fishing in these areas.

See transcript of 26.06.2018 at P-196 (lines 13-17). A copy that page is attached.

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<sup>6</sup> Statement of David Ciaravolo, 03.08.2018, at [17].

NLC submission [34]

The NLC submission confuses overfishing (depletion of stock) with the social amenity of recreational fishing. The cumulative detriment that comes from crowding more recreational fishing into a smaller area is not primarily about depletion of stock to unsustainable levels, and no evidence has been provided to the contrary. The detriment that occurs from crowding more fishers into a smaller space is detriment to the social amenity and experiential value of recreational fishing. This was pointed out in [39]-[40] and [42]-[43] of Mr Ciaravolo's statement on behalf of AFANT:

39. The enjoyment of recreational fishing is about much more than just the catching of fish; for participants the activity is about the experience as a whole. The enjoyment, social and lifestyle values of recreational fishing experiences can be impacted by informal competition with, or the presence of, other fishers on the water. This is especially the case in regional settings where enjoying space on the water is usually an intrinsic part of the visitation experience.

40. Increased competition [and] the presence of others, is one way that cumulative detriment from more fishers being squeezed in to fewer locations may be seen to extend beyond resource sustainability/availability, and to also impact upon on social and amenity values (the availability of a valued experience).

...


42. It is reasonable to expect that increased pressure on existing infrastructure would also occur if more fishers are concentrated into fewer areas as the result of a loss of access or changed (less favourable) access conditions to a popular fishing area (such as the Claim area).

43. Congestion of limited infrastructure may also cause detriment through the cost of time, as well as through the impact on the social value/ enjoyment of a fishing trip...

NLC's proposal to address this detriment – desisting from promotional efforts to increase fishing efforts in the Northern Territory, and depressing the economic benefit that come with it – is not credible and should be disregarded.

We thank you for your consideration in this matter.

Yours faithfully  
**WARD KELLER**



**BRADLY TORGAN**  
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Attachments

# Annexure 2



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Dear Commissioner Mansfield

**RESPONSES TO SUBMISSIONS ON BEHALF OF CLAIMANTS: GARRWA  
LAND CLAIM NO 78, MCARTHUR RIVER REGION LAND CLAIM NO 184,  
MANANGOORA LAND CLAIM NO 185, SEVEN EMU LAND CLAIM NO 186,  
AND WOLLOGORANG AREA II LAND CLAIM NO 187**

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## Introduction

Pursuant to your correspondence to Mr David Ciaravolo of the Amateur Fishermen's Association of the Northern Territory (AFANT) dated 24 July 2018, please find below the following responses provided on behalf of AFANT.

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T 08 8931 3388

I note that some of the responses will refer to relevant testimony in the hearings on the Peron Island Area Land Claim No 190 (**Peron Island**) and Woolner/Mary River Region Land Claim No 192 (**Mary River**). Copies of relevant transcripts have been attached. Any reference to transcripts in this reply is a reference to the transcripts of those hearings and we respectfully request they be incorporated by reference.

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## Agreements and permit-making

You have brought to our attention NLC's submissions on agreements and permit making from page 2 and invited AFANT's reply.

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## Agreements

The fishing access agreements referred to in [9] of the NLC submission are permit-free open access agreements. The references to those agreements, along with the first sentence of [10] and references to the agreements sprinkled elsewhere throughout its submissions (see, e.g., [34], [40], [41], [42]), create the impression that permit-free open access agreements would be a realistic possibility if a land claim is granted or would be provided in exchange for a grant of a land claim. AFANT does not believe this impression is a correct one.

Based on the limited information available to us, we do not believe that permit-free open access agreements have been presented as an option to Traditional Owners who would be affected by the new permit system being created by NLC; only the permit system is being presented as an option, thus precluding informed consent on the part of the Traditional Owners. Similarly, we believe permit-free open access agreements are not and will not be presented as a potential option to land claim claimant groups.

AFANT noted in its Lower Daly Land Claim response to NLC submissions that the submissions actually appear to suggest an unwillingness on NLC's part to provide permit-free open access agreements as an option in consultation with Traditional Owners. We further pointed to the testimony provided by claimant's witness Kane Bowden in the Peron Island and Mary River hearings that there are no negotiations being undertaken for open access recreational fishing, only consultations as to the introduction of NLC's permit system. See transcripts of 25.06.2018 at P-4 and P-11.

The last line of [15] of NLC's submission gives us further reason to believe that the permit-free open access agreements like those identified in [9] have not been presented to Traditional Owners. That line is that the new permit system, a *fait accompli* at this point, "will be fee-free for the first three years but may be subject to an administration cost-recovery fee thereafter", citing Mr Bowden's testimony.

What this says is that Traditional Owners will not only forego the financial benefits they might otherwise secure through permit-free open access agreements for the first three years, but they will also forego financial benefits into the future beyond those three years because any revenue stream would be directed to NLC for cost recovery. AFANT does find this credible. We question whether the Traditional Owners have been advised of this in consultation with NLC and have been able to compare it to an option of a permit-free access agreement. Further reasons why AFANT does not find this credible are detailed below under 'permit making'.

AFANT also notes that NLC did not directly respond to the Northern Territory's submission in the Group 4 land claims that "The NLC has advised that it does not want to put the Territory's offer to the Traditional Owner groups", instead saying "Whether or not that is correct, the comment is irrelevant because, whatever the content of the NT offer was or is only relates to the tidal waters overlaying Aboriginal land. No similar offer has been made with respect to the areas in these land claims." NLC submission at [37].

The Northern Territory's submission referred to in the NLC submission at [37] is relevant and the lack of a direct response by NLC is telling. If NLC is unwilling to present a Northern Territory offer for a permit-free access agreement to one set of Traditional Owners<sup>1</sup>, that is probative evidence of the likelihood it will also be unwilling to present similar offers to claimants in these and other land claims should a claim be granted in whole or part.

In one respect, however, we are in accord with the submission of NLC. Paragraph [10] begins, "by their very nature these land claims require that proposed agreements may need to be evidenced in some circumstances in order for the Minister to consider the decisions he must make in response to the recommendations". This was a point AFANT made in its

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<sup>1</sup> AFANT notes it has no knowledge of the offer the Northern Territory asked NLC to present to the Traditional Owners.



Lower Daly submission, distinguishing agreements such as that between the Northern Territory and the Port Keats/Daly River Aboriginal Land Trust for the situation surrounding the Lower Daly Land Claim:

The present situation is significantly different to the context of the agreements referred to in the submissions in that the lands and waters under Claim in LC 68 are not presently Aboriginal Land. The Minister must clearly understand that the respective negotiating positions are different. Presumably, any talk of agreement is based upon the acceptance that the granting of the claim would result in detriment to recreational fishers. The Minister therefore has the responsibility and the opportunity to seek an optimal outcome and to set certain conditions that should be met before the claim is granted, if it is to be granted.

AFANT contends that in the case of LC 68, the Minister should seek to settle provisions for ongoing perpetual rights of access for recreational fishers. This should take place prior to any decision to grant of the claim (as was the case for the Kenbi Land Claim). In addition, with the benefit of having the experience of the Kenbi Land Claim settlement process and subsequent implementation, the process prior to grant should also necessitate the issuance of any Sacred Sites Certificates for the claim area, inclusive of any negotiated conditions of avoidance and access.<sup>2</sup>

This statement does not discount the relevance of NLC's unwillingness to present offers that include permit-free open access fishing to Traditional Owners. It is simply to note again that if NLC will not present an offer where Aboriginal land already exists, there is reason to believe that NLC will not present a similar offer where Aboriginal Land may exist in the future.

#### Permit making

AFANT first directs the Commissioner to the cross-examination testimony of Mr Ciaravolo on 26.06.2018 at P-214 to P215 (lines 1-12), P-219, and P-225 (lines 44-46) to P-226.

The new permit system has been outlined in theory only. It is simply a bridge too far to accept the assertions of the NLC in relation to the operation of the future permit system, however well intentioned. To be more direct, the testimony of Mr Bowden (transcript of 25.06.2018 at P-21) advising the Commissioner that the NLC seeks secure standing orders from 100 Traditional Owner Clan Groups in six-months is as alarming as it is naïve.

In any event, while the new permit system outlined by the NLC may (where standing orders are eventually received) reduce the time taken to apply for and receive a permit, that is not the major issue when it comes to claims yet to be granted, as NLC seems to suggest at [10]. The permit system propounded by Mr Bowden is not any kind of long-term agreement recognising the detriment to fishers should they be excluded from the areas to which they currently enjoy legal access. There is no guarantee, or even any assurance, that permits would be offered for areas that fishers want to access nor can there be any certainty that if offered the permits will continue to be available into the future.

<sup>2</sup> AFANT Response to NLC Submissions (Lower Daly River – LC 68) (19 July 2018) at 3.

As noted above, NLC's claim at [15] that the permits "will be fee-free for the first three years but may be subject to an administration cost-recovery fee thereafter" is not credible. The assertion raises serious concerns about the long-term viability of the permit system, not just from an operational point of view but in terms of offering Traditional Owners the opportunity to benefit from their ownership of Sea Country.

NLC's submission in regards to permit fees is also not credible because it has been directly and publicly contradicted by the CEO of the Northern Land Council. In an interview on ABC Radio Darwin on 31 July 2018, he said the following when questioned about whether permits would be fee-free for the first three years:<sup>3</sup>

Kate O'Toole: Is that promise going to be maintained? Free at least for three years?

Joe Morrison: "Well, I mean that's a decision for Traditional Owners. It's not a decision for staff at the Northern Land Council. Whatever has been said at the Aboriginal Land Commissioner hearing obviously is something that's been said and done, but as far as I am concerned as the CEO of the Northern Land Council it is up to Traditional Owners to make that decision..."

Based on this, no weight should be given to the submission or to Mr Bowden's testimony as to how the permit system will operate. Indeed, it casts doubt on the credibility of the entirety of Mr Bowden's testimony in this and all other land claims in which his testimony has been given or cited.<sup>4</sup>

Even assuming for argument's sake that permits will be free for the first three years, it is AFANT's contention that free permits are most unlikely to continue into the future. If we take the Dhimurru example, referred to in [16] of the NLC submission, a yearly family permit for access to a relatively limited recreation area is \$160. AFANT's concern is that the permit system has potential to become a patchwork of access that comes at considerable cost. Or worse, access permits could be sold on the basis of exclusivity to the highest bidder. There is simply no guarantee of what the permit system will look like after three years.

#### AFANT fishing surveys

You have also brought to our attention [33] of NLC's submission, which adopts its general observations challenging AFANT fishing surveys in the Lower Daly Land Claim, and have invited comment. See also NLC submission at [39].

We first note that NLC provides no specific challenge to any part of the AFANT Seven Emu, Robinson River (Manangoora) and Wollogorang Land Claims survey. We additionally note that NLC does rely, in part, on AFANT fishing surveys, referring to the McArthur River Land

<sup>3</sup> ABC Darwin Drive with Kate O'Toole, 31 July 2018 at 1h:09m:25s – 1h:10m:18s, <http://www.abc.net.au/radio/darwin/programs/drive/drive/10032294> (accessed 2 August 2018).

<sup>4</sup> Mr Bowden's testimony with regard to permit fees has also been entered into the record in numerous other Land Claims, including Fitzmaurice River Region Land Claim No 189, Legune Area Land Claim No 188, Gregory National Park/Victoria River Land Claim No 167, Peron Island Area Land Claim No 190, Mary River Region Land Claim No 192, and Lower Daly Land Claim No 68. It – and any submissions that rely on it – should be accorded no weight in any of those Land Claims.



Claim fishing survey in [16] of its submissions here. NLC cannot have it both ways. It either accepts the surveys as valid or it does not.

The AFANT Seven Emu, Robinson River (Manangoora) and Wollgorang Land Claims survey, along with the McArthur, Robinson, Wearyan Rivers and Bing Bong, Manangoora Coast Land Claim Survey (collectively, the **surveys**), is useful and reliable for what it purports to be, a snapshot of the self-reported fishing activities and opinions of persons who fish the claim area.

NLC posits that self-reported surveys are *per se* invalid because those who self-report cannot be trusted to answer truthfully. AFANT categorically rejects this contention and draws attention to the fact that self-reports are commonplace in the collection of fisheries data. In addition, '[m]uch of social science relies on self-reported information. Because of this, there has been extensive research regarding the validity of self-reported data. Researchers have found that self-reported data are accurate when individuals understand the questions and when there is a strong sense of anonymity and little fear of reprisal'.<sup>5</sup> The questions in the surveys are easy to understand and sufficient anonymity exists to provide respondents with a high enough level of comfort to provide honest answers. The degree to which dishonest answers may be a problem varies with the topic of the questionnaire; respondents may be less likely to be fully truthful about measures relation to matters seen as socially unacceptable, like underage drinking or illicit drug use.<sup>6</sup> Those concerns are simply not present here.

AFANT, of course, is relying on the honesty of those responding. This is not meant, however, to assert 100% truthfulness; every survey has some margin of error. The results of the survey, however, provide data of sufficient accuracy for the purpose for which it has been used; to support the professional knowledge of AFANT regarding fishing in the Claim Area.

#### Paragraph-specific responses

AFANT further provides responses to specific paragraphs of the NLC submissions to the extent those paragraphs are not addressed above.

#### Response to [39]

The NLC submission displays a misunderstanding of cumulative detriment, confusing overfishing (depletion of stock) with the social amenity of recreational fishing. AFANT here adopts its response to NLC's submission on the Lower Day Land Claim:<sup>7</sup>

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<sup>5</sup> D Steslow, N Lasher, S Kong, 'Closing the Loop or Jumping Through Hoops: The Impact of Assessment on the Legal Studies Curricula' (2016) 33 *Journal of Legal Studies Education* 97, 103-104. See also, W Baldwin, 'Information no one else knows' in A Stone et al (eds.), *The science of self-report: Implications for research and practice* (2000: Lawrence Erlbaum Publishers Inc., Mahwah, NJ) 3-5.

<sup>6</sup> N Brener, J Billy, W Grady, 'Assessment of Factors Affecting the Validity of Self-Reported Health-Risk Behavior Among Adolescents: Evidence From the Scientific Literature' (2003) 33 *Journal of Adolescent Health* 436, 436.

<sup>7</sup> *Supra*, n 2 at p 7.

The cumulative detriment that comes from crowding more recreational fishing into a smaller area is not primarily about depletion of stock to unsustainable levels, and no evidence has been provided to the contrary. The detriment that occurs from crowding more fishers into a smaller space is detriment to the social amenity and experiential value of recreational fishing. This was pointed out in [39]-[40] and [42]-[43] of Mr Ciaravolo's statement on behalf of AFANT [for the Lower Daly Land Claim]:

39. The enjoyment of recreational fishing is about much more than just the catching of fish; for participants the activity is about the experience as a whole. The enjoyment, social and lifestyle values of recreational fishing experiences can be impacted by informal competition with, or the presence of, other fishers on the water. This is especially the case in regional settings where enjoying space on the water is usually an intrinsic part of the visitation experience.

40. Increased competition [and] the presence of others, is one way that cumulative detriment from more fishers being squeezed in to fewer locations may be seen to extend beyond resource sustainability/availability, and to also impact upon on social and amenity values (the availability of a valued experience).

...

42. It is reasonable to expect that increased pressure on existing infrastructure would also occur if more fishers are concentrated into fewer areas as the result of a loss of access or changed (less favourable) access conditions to a popular fishing area (such as the Claim area).

43. Congestion of limited infrastructure may also cause detriment through the cost of time, as well as through the impact on the social value/ enjoyment of a fishing trip...

#### Response to [43]

The NLC assertion that it is hypocritical for the NT Government to assert cumulative detriment in the relocation of fishing from one place to another, while at the same promoting increased fishing effort across the board is simply a non-sequitur. At best, it is an assertion with no evidentiary support. The promotion of fishing is, as NLC notes, "across the board", as in across the entire Top End. Promotion of fishing throughout the entire Top End has no relationship to a concern that the grant of land claims will create cumulative detriment by squeezing fishers into a smaller and smaller area.

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What NLC is suggesting through its comment – the NT Government should desist from promotional efforts to increase fishing efforts in the Northern Territory in order to alleviate cumulative detriment – has no basis in fact. It is not credible and should be disregarded.

Yours faithfully  
**WARD KELLER**



**BRADLY TORGAN**  
Senior Lawyer  
Secretary: Stella Noor

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David Ciaravolo  
Executive Officer  
AFANT

Attachments

# Annexure 3



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Our ref: 20181343:BST

11 September 2018

**By Email: [AboriginalLandCommissioner@network.pmc.gov](mailto:AboriginalLandCommissioner@network.pmc.gov)**

Aboriginal Land Commissioner  
GPO 9932  
Darwin NT 0801

Dear Commissioner Mansfield

**RESPONSES TO SUBMISSIONS ON BEHALF OF CLAIMANTS: MARIA ISLAND AND LIMMEN BIGHT RIVER LAND CLAIM (NO 71) AND MARIA ISLAND LAND CLAIM (NO 198), LORELLA REGION LAND CLAIM (NO 199) AND PART OF MARIA ISLAND LAND CLAIM (NO 198)**

Pursuant to your correspondence to Mr David Ciaravolo of the Amateur Fishermen's Association of the Northern Territory (AFANT) dated 28 August 2018, please find below the following responses provided on behalf of AFANT.

You have, in particular, brought to our attention NLC's submissions on permit making in [25] and 'regional permits' in [13] and invited AFANT's reply. We are also providing a response to other assertions in those paragraphs.

**Paragraph [25]**

Paragraph [25] of NLC's submission merely dismisses AFANT's statement as the "usual refrain about permits as to cost, delay, and certainty." The submission further goes on to assert that NLC has addressed these issues previously and, as such, declines to address them in its submission on Land Claims 71, 198, and 199 (**Grouping 3**). Events that have occurred since AFANT's initial statement in these Grouping 3 Land Claims, however, have a significant impact on cost, delay, and certainty, and have not been addressed by NLC. These events are expressly detailed in other AFANT submissions<sup>1</sup> and were known to NLC and claimant's counsel at the time NLC's own Grouping 3 Land Claim submission was provided to the Land Commissioner.

In dismissing AFANT's concerns, NLC refers to [61] of AFANT's correspondence of 24 April 2018, which states:

<sup>1</sup> See correspondence of Bradly Torgan to Aboriginal Land Commissioner, Responses to Submissions on Behalf of Claimants: Garwa Land Claim No 78, McArthur River Region Land Claim No 184, Manangoora Land Claim No 185, Seven Emu Land Claim No 186, And Wollogorang Area II Land Claim No 187 (7 August 2018) at 3-4 (**Grouping 1 Submission**).

There may be no guarantee that the operation of a permit system will be sustainable, viable or even continued into the future, unless so explicitly agreed by the Claimants, before a Grant is made. In the absence of such guarantees, the state of uncertainty around access and potential for increased limitations, costs or conditions, could reasonably be seen as detriment to fishers when compared to the current situation which is the active right to access waters (overlying the lands) of the Northern Territory.

In virtually all its other contemporaneous land claim submissions NLC and claimant's counsel has touted development of new permit system that would be fee-free for the first three years as meeting AFANT's concerns, and in doing so has referred to the testimony of claimant witness Kane Bowden, NLC Permit Reform Manager, provided for the Fitzmaurice River Region Land Claim No 189 and submitted in virtually every other enquiry and on-going detriment review. The concerns raised in AFANT's Grouping 1 Submission, though, are not answered by Mr Bowden's testimony, NLC's Grouping 3 submission, or any other NLC submission. Those concerns are specifically:

The new permit system [touted by Mr Bowden] has been outlined in theory only. It is simply a bridge too far to accept the assertions of the NLC in relation to the operation of the future permit system, however well intentioned. To be more direct, the testimony of Mr Bowden...advising the Commissioner that the NLC seeks secure standing orders from 100 Traditional Owner Clan Groups in six-months is as alarming as it is naïve.

In any event, while the new permit system outlined by the NLC may (where standing orders are eventually received) reduce the time taken to apply for and receive a permit, that is not the major issue when it comes to claims yet to be granted...The permit system propounded by Mr Bowden is not any kind of long-term agreement recognising the detriment to fishers should they be excluded from the areas to which they currently enjoy legal access. There is no guarantee, or even any assurance, that permits would be offered for areas that fishers want to access nor can there be any certainty that if offered the permits will continue to be available into the future.

Additionally, any previous NLC submission in regards to permit fees (including that in its submission for Grouping 1 which it adopts for this grouping) is also not credible because it has been directly and publicly contradicted by the CEO of the NLC. In an interview on ABC Radio Darwin on 31 July 2018, he said the following when questioned about whether permits would be fee-free for the first three years:<sup>2</sup>

Kate O'Toole: Is that promise going to be maintained? Free at least for three years?

Joe Morrison: "Well, I mean that's a decision for Traditional Owners. It's not a decision for staff at the Northern Land Council. Whatever has been said at the Aboriginal Land Commissioner hearing obviously is something that's been said and

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<sup>2</sup> ABC Darwin Drive with Kate O'Toole, 31 July 2018 at 1h:09m:25s – 1h:10m:18s, <http://www.abc.net.au/radio/darwin/programs/drive/drive/10032294> (accessed 2 August 2018).



done, but as far as I am concerned as the CEO of the Northern Land Council it is up to Traditional Owners to make that decision..."

We note that NLC and claimants counsel were well aware of Mr Morrison's statement at the time it submitted its Grouping 3 submission. His statement was made on ABC Radio on 31 July 2018. It was reported in AFANT's Grouping 1 Submission to the Land Commissioner on 7 August 2018 and provided by the Land Commissioner's Office to claimant's counsel on 8 August 2018. NLC's submission on the Grouping 3 Land Claims, signed by claimant's counsel on behalf of NLC was submitted on 18 August 2018. A copy of AFANT's Grouping 1 submission is attached as **Annexure 1** to this correspondence and we ask that it be incorporated by reference.

Based on this, no weight or credibility should be given to Mr Bowden's testimony or any NLC submission as to how the permit system will operate. The claimed detriment to the recreational fishing community remains.

The NLC submission at [25] also suggests AFANT's statement that the payment of additional access fees could result in detriment while acknowledging that for some areas camping/access fees are already charged is ironic. That belies the intent of AFANT's submission. The paragraph to which NLC refers merely provides the Commissioner with an accurate and transparent description of current access arrangements. This does not change the fact that additional fees, restrictions on access, and on-going uncertainty constitute a detriment.

#### **Paragraph [13]**

Our concerns with 'regional' permits referred to in [13] are no different than the concerns AFANT has raised above with respect [25] and in its Group 1 submission of 7 August 2018. If anything, those concerns are greater because there is little, if anything, to suggest regional permits are under active consideration. We also note the last line of [13] raises the possibility of permit fees even though Mr Bowden's testimony was that there would be no fees for at least the first three years.

NLC's comment about intensity of use in the Claim Area appears to be an oblique reference to the AFANT survey. The number of responses to the survey should not be seen as indicative of the total number of people who fish recreationally in the Claim Area; AFANT has never presented the information for that proposition. The actual survey took place only over a three day period in April 2018 in order to provide information on usage patterns for the detriment review. AFANT does, however, acknowledge that there are places in the Northern Territory that see more recreational fishing activity.

Yours faithfully  
**WARD KELLER**



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