



## **Cape York Turtle and Dugong Regional Plan**



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## **Acknowledgements**

The Cape York Turtle and Dugong Regional Plan was developed by the Traditional Owners of Cape York with support from Balkanu Cape York Development Corporation.

Many Traditional Owners gave their time and expertise to the development of the plan. In particular the Cape York Turtle and Dugong Taskforce members.

The Federal Minister for Environment the Honourable Tony Burke was instrumental in providing funding for the development of this and community based sea country management plans.

Staff from the Department of Environment and Heritage Protection and James Cook University (Helene Marsh in particular) provided valuable technical assistance in the development of the regional and local management plans for management of turtle and dugong.

## Traditional Owner endorsement

The Cape York Turtle and Dugong Taskforce members as representatives from groups on Cape York engaged in turtle and dugong sustainable management and conservation endorse this management plan.

Mr Brent Pearson-Bagarmugu

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Mr Reagan Hart- Ambilmungu Ngarra

Mr Gordon Jacko-Juunjuwarra

Mr Gregory Pascoe-Kuuku Ya'u

Mr Loddy Chippendale-Wuthathi

Mr Ernest Madua Jnr-Napranum

Mr Aaron Woolla-Aurukun

Mr Brian Cobus- Bagarmugu

Mr Patrick Butcher-Uutaalngunu

Mrs Johanne Omeenyo-Umpila

Mr Greg Omeenyo-Kanthanampu

Mr Roger Williams-Angamuthi



## Background to Regional Plan

The Cape York Turtle and Dugong Regional Plan is part of a wider Cape York turtle and dugong strategy which emerged from a workshop at Djarragun Wilderness Lodge in November 2011. It was more than 30 years in the making. Over this time Cape York Traditional Owners have made ongoing efforts to manage human impacts on turtle, dugong and sea country, both in partnership with government, and independently.

Traditional Owners have a responsibility to manage the impacts of human activity on land and sea, and the animals in those environments, in a way that maintains the well-being of humans, animals, land and sea. Traditional authority, the capacity to make and enforce decisions based on traditional law and practice requires a suite of rights to give Traditional Owners the power to deliver on this responsibility. While Traditional Owners currently have the right to hunt turtle and dugong, they do not have the full suite of rights and resources to enable them exercise their responsibilities to these animals, to their communities and to their sea country.

Traditional Owners want to strengthen their exercise of traditional authority. This authority relates to a wide range of actions such as managing hunting, restoring habitat, and reducing the impacts of feral pigs. Some actions are possible currently. Some actions will require new resources and legal mechanisms (e.g. legal backing to regulate traditional hunting).

In September 2011, a group of senior Traditional Owners from Cape York came together in Cairns to discuss turtle, dugong, culture and identity. Government announcements were pending on new funding to support Traditional Owners to manage their impacts on turtle and dugong and the Traditional Owners wanted to refocus the debate from reaction to strategic action. The group believed there was willingness in their communities to step up and address their impacts on these species, as long as other Australians took responsibility for their own impacts. The strategy started taking shape.

The outcome of the Djarragun workshop was the draft Cape York Turtle and Dugong Strategy which was sent to Minister Burke. Included in this draft Strategy, was a proposed process to finalise the draft, enable establishment of a Cape York Turtle and Dugong Taskforce of Traditional Owners (the Taskforce), and implement the finalised strategy under the guidance of the Taskforce. The Cape York Turtle and Dugong Taskforce has been in place for since October and during that time community based sea country management plans have been developed in full partnership with Traditional Owner groups. This regional plan aims to bring together key elements of community based sea country management plans to provide a guiding direction for management of turtle and dugong at a Cape wide regional level and to provide support for the effective management of turtle and dugong by Traditional Owners.

# Draft Cape York Peninsula Turtle and Dugong Strategy

**Our people...**

**Our question:**  
How can we maintain and defend cultural and legal rights in the proper way?

**Our place...**

**A Present situation**

Media and Politics

Traditional Knowledge and Science

Cultural Ethics and Traditional Authority

Local management

**C Strategy – how we get there**

Our cultural ethics must be consistent with traditional knowledge and science

We must reinstate indigenous authority to restore indigenous self responsibility

We must confront impact of technology on sustainability and make culturally ethical management decisions

We must ensure that cultural ethics, identity, lore, protocol and skills are maintained and transferred to our next generation

We must develop effective internal and inter-indigenous regulation through indigenous lore and law

We must secure a settlement on turtle and dugong conservation under a Cultural Deal between ourselves (TOs) and Government

We must direct and inform necessary research that enables effective management

We must work with others to create a more balanced, informed public debate

We must create viable Indigenous economies

We must work with Indigenous people outside Australia on regional conservation issues

We must work with Indigenous groups within Queensland and across the north on the range of shared turtle and dugong stocks

We must demand equitable action on indigenous and non-indigenous impacts

We must consider strategic wins

**D Our Action Plan**

Step 1:  
Finalise draft strategy through Local TO Saltwater workshops

Step 2:  
Taskforce will:

- Support each local saltwater group to develop sea country management plans at local level which consider:
  - cultural ethics, identity, lore and protocol
  - what they want authority over and how they want to implement this authority
  - 'no hunting' areas
  - the protection of key rookery, nursery and feeding areas
  - management tools developed by scientists and community members
  - managing the impact of technology
  - managing the impact of roads and boat ramps
  - how to stop the black market in turtle and dugong meat
  - other locally relevant sea country management issues
- investigate options to reinstate authority of traditional owners to manage turtle and dugong based on local plan
- develop a long term resourcing plan and build the partnerships required to enable implementation of local plans
- develop a communication strategy aimed at a more balanced media debate and enabling engagement with other traditional owners with whom we share these stocks

**B Future Vision**

Strong sustainable future for turtle, dugong and our Indigenous culture and identity

Indigenous authority that has statutory enforcement power to achieve this vision

To work with Indigenous peoples inside and outside of Australian waters to achieve regional sustainability of shared turtle and dugong stocks recognising the diversity of communities and cultures who share these

Balkanu Cape York Institute Cape York Land Council Sponsored by the Australian Government

## Introduction

The vision of the Traditional Owners of Cape York for turtle and dugong has been developed based on traditional lore, custom and culture. This document describes the way forward for sustainable management of turtle and dugong for all people. The regional plan has been developed using a community based participatory approach whereby community management plans have been developed, with the key themes and unanimous agreements reflected in this regional plan. The plan has taken into account best practice from both science and traditional knowledge and utilises the most up to day information on turtles and dugong populations and their threats. This management plan aligns with state and commonwealth obligations and objectives of turtle and dugong management.

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## **Vision**

We, the Traditional Custodians of Cape York, want a strong sustainable future for turtle, dugong and our Indigenous culture and identity.

We, the Traditional Custodians of Cape York, want turtle and dugong for future generations.

We, the Traditional Custodians of Cape York, want hunting to be done in the proper way, incorporating customary lore and education.

We, the Traditional Custodians of Cape York, want to be living and working on country, and have the power to exercise our rights to manage, make rules and take responsibility.

We, the Traditional Custodians of Cape York, want Indigenous authority that has statutory enforcement power to achieve this vision.

We, the Traditional Custodians of Cape York, want to work with Indigenous peoples inside and outside of Australian waters to achieve, regional sustainability of shared turtle and dugong stocks recognising the diversity of communities and cultures.

We, the Traditional Custodians of Cape York, want a strong, indigenous regional authority to manage turtle and dugong and will work together to achieve this goal within the next five years.



## Objectives

The plan has developed four overarching objectives for the sustainable management and conservation of turtle and dugong on Cape York.

Objective 1. Right way hunting

Objective 2. Sustainability

Objective 3. Indigenous authority over sustainable management and conservation of turtle and dugong

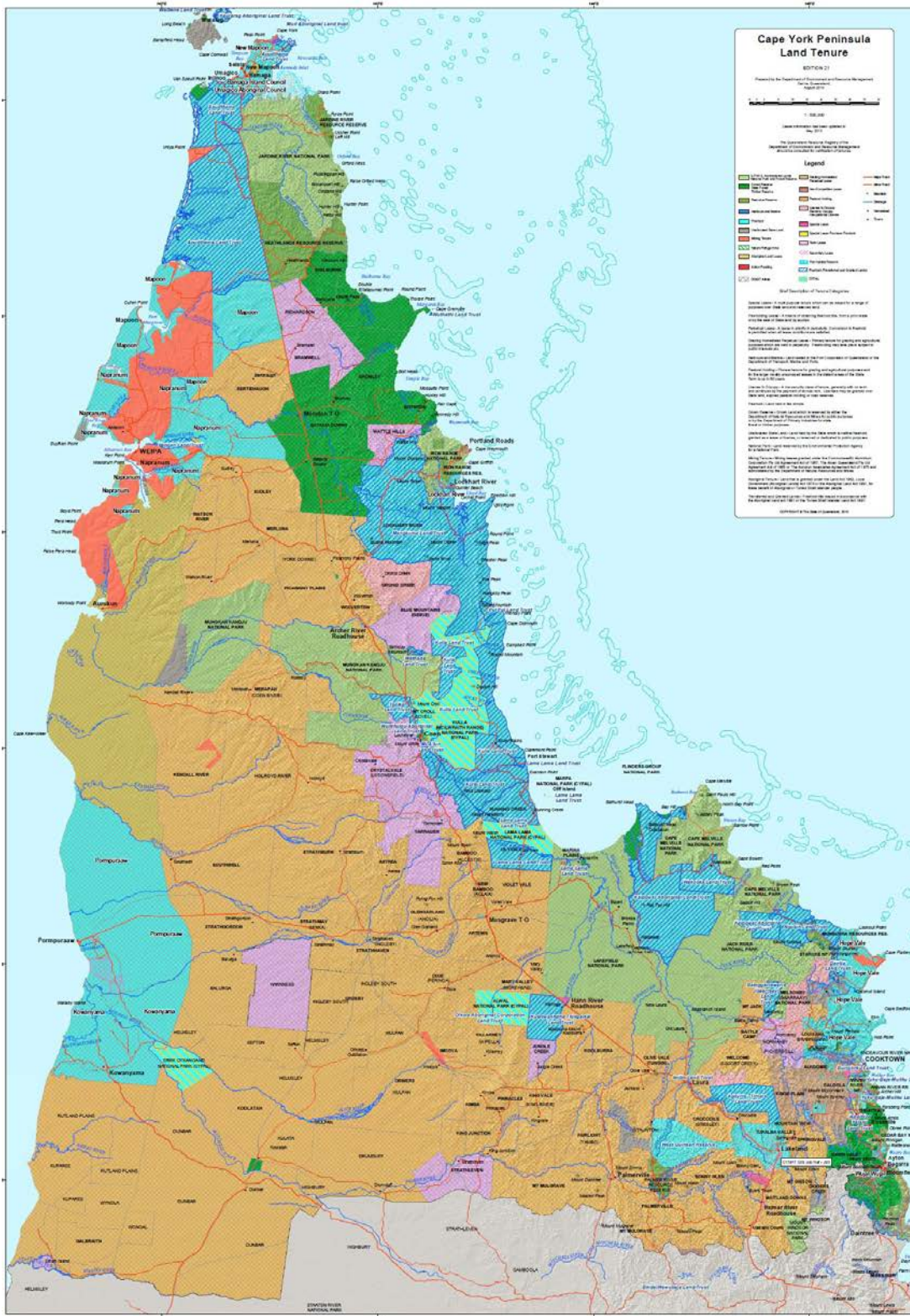
Objective 4. Effective management



**Table 1: Cape York Turtle and Dugong – participating groups**

<b>Participating Group (planning unit)</b>	<b>Clan Group(s)</b>
North Yalanji (Jajikal)	Muka Muka Jajikal
South Yalanji (Jabalbina)	Banabila Kulki/ Kaba Kaba Kubirri)
Hopevale	Congress of Clans
Hopevale (Starcke)	Juunjuwarra
Hopevale	Bagarmugu Ambiilmungu Ngarra
Archer Point	Yuku Baja Muliku
Port Stewart	Lama Lama
Lockhart River (Kapay Kuyan)	Utaalngunu Umpila Kuuku Ya'u Wuthathi Kanthanampu Kantju / Pul Pul
Injinoo (Aputhama)	Angkamuthi Gudang Yaidagana
Mapoon	6 clans
Napranum	3 clans
Pormpuraaw	Thiorre Wik Mungkan
Aurukun	
Kowanyama	Watching brief
<b>TOTAL</b>	

### Location: Cape York Peninsula





## Turtle and dugong legislation

Turtles and dugong are protected species under Australian federal and state legislation. However, the Australian government recognises and acknowledges that indigenous people have legal rights to hunt turtle and dugong in Queensland waters through the following two provisions:

- A native title right under section 211 of the *Native Title Act 1993*; and
- Section 61 of the *Aboriginal and Torres Strait Islander Communities (Justice, Lands, and Other Matters) Act 1984*.

(See appendix one for full details of legislation)

## Current status and threats to turtle and dugong

Turtle and dugong face many threats, both anthropogenic and natural. This section outlines some of these threats and provides the context for the sustainable management of turtle and dugong on Cape York. Information is drawn from a combination of published sources as well as traditional knowledge.

The data in this document is intended for Cape York Peninsula Turtle and Dugong Strategy planning purposes only. Data is courtesy of the Great Barrier Reef Marine Park Authority, publically available sources, private agreements and the Department of Natural Resources and Mines, under Creative Commons – Attribute 3 licensing, specifically:

- Coles, RG, McKenzie, L.J. & Yoshida, R.L. (2001) Validation and GIS of seagrass surveys between Cape York and Tarrant Point – October/November 1986. CD Rom.
- Coles, RG, McKenzie, L.J. & Yoshida, R.L. (2001) Validation and GIS of seagrass surveys between Cape York and Cairns – November 1984. CD Rom.
- Department of Natural Resources and Mines. (2008) General Purpose Map Major Road Network Queensland – data package. Retrieved from: <http://dds.information.qld.gov.au/DDS/Search.aspx>
- Great Barrier Reef Marine Park Authority. (2001) Bioregions 2005. CD Rom.
- Grech, A, & Marsh, H. (2007) Great Barrier Reef dugong distribution and relative density Spatial model of aerial surveys from 1986 – 2005. CD Rom.
- Limpus, C. (n.d.) Personal Database, 1915-2001. CD Rom.

All practical efforts have been made to ensure that the visually represented data is accurate, however, use for purposes other than the intended is not recommended. Unless otherwise stated, displayed boundaries are for administrative purposes only and do not necessarily represent legally or culturally accepted borders.

## Impacts and threats

### Turtles

The **green turtle** is listed as vulnerable and migratory under the EPBC Act, and is also featured on the ICUN Red List as endangered. Globally the population of the species is declining, despite its international distribution. Traditionally, it is the only marine turtle that is hunted and eaten for cultural purposes on Cape York, making it culturally significant to many people in the region. Despite its significance, populations on Cape York have suffered a similar, yet arguably less drastic, decline to the global population. A number of threats have been identified for the Cape York Turtle populations. These include:

- Climate change impacting habitat, including changes to sea temperature, sea level rise and an associated impact on breeding locations;
- Marine debris from a range of sources including ghost nets and plastics;
- Growths and other diseases;
- Noise pollution as a pressure of potential concern. However, there is limited data on the potential impacts of noise pollution on marine turtles;
- Sea grass habitat destruction caused by turbid flood plumes;
- Light pollution associated with onshore and offshore activities;

- Pigs and other invasive species increasing predation pressure on nesting sites;
- Pressures from natural predators such as goannas and crocodiles;
- Beach erosion caused by vehicles;
- Accidental mortality from boat strikes.

In the northern Great Barrier Reef it is estimated that 90% of the population nests at the Raine Island and Moulter Cay rookeries. The Raine Island rookery itself is the largest remaining green turtle rookery remaining in the world, with up to 20,000 females recorded nesting on a given night. However, nesting success has decreased to approximately 15% of the total eggs laid on the island. This is roughly one fifth of the number required to sustain a viable population into the future. As a result, the failure of the Raine Island rookery is a major threat to green turtles on Cape York. The Queensland Parks and Wildlife Service, in conjunction with Wuthathi and Torres Strait Traditional Owners, have been working to resolve these issues and strengthen this important environmental and cultural site.

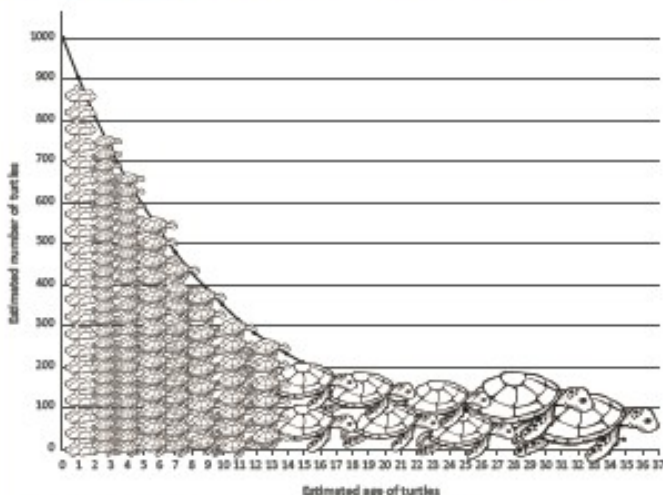
Despite these factors, the green turtle population in Cape York is comparatively well off when compared to global trends, however, the sharp decline in nesting success associated with the Raine Island rookery combined with additional pressures brought on by the modern world has resulted in the prediction that the green turtle populations may crash within the next ten years.

## TURTLES

### Green turtles face many threats on their travels



**Raine Island:**  
 Australia's most important nesting ground, just 100 km off the coast of Cape York, is suffering from serious erosion and sea level rise



### Important information for hunters

- Females lay eggs for the first time at 35 years of age
- Out of every 1000 eggs there are only 13 females that survive to breed
- There are more 20 year old turtles than 35 year old turtles
- A 35 year old turtle is 110 cm, a 20 year old turtle is 90 cm
- Better to hunt 2 X 90 cm shells than 1 x 110 cm shell – there will be more meat this way

### Impacts on turtles

#### Commercial sea use

1. Fishing nets, hooks, gear
2. Boat strike
3. Ghost nets
4. Boat based pollution – oil spills, bilge water spreading exotic species

#### Habitat change

5. Climate change /Variability
6. Erosion
7. Feral pig predation
8. Diseases

#### Direct use/Harvest

9. Illegal take in Australia
10. Hunting for traditional purposes in Australia
11. Legal commercial /subsistence catch outside of Australian waters

#### Rural/Agricultural/Mining

12. Increased Sediment, pesticide and herbicide load through runoff
13. Tailings dam problems
14. Water table issues

#### Recreational

15. Vehicles on beaches
16. Boat strike
17. Shark nets

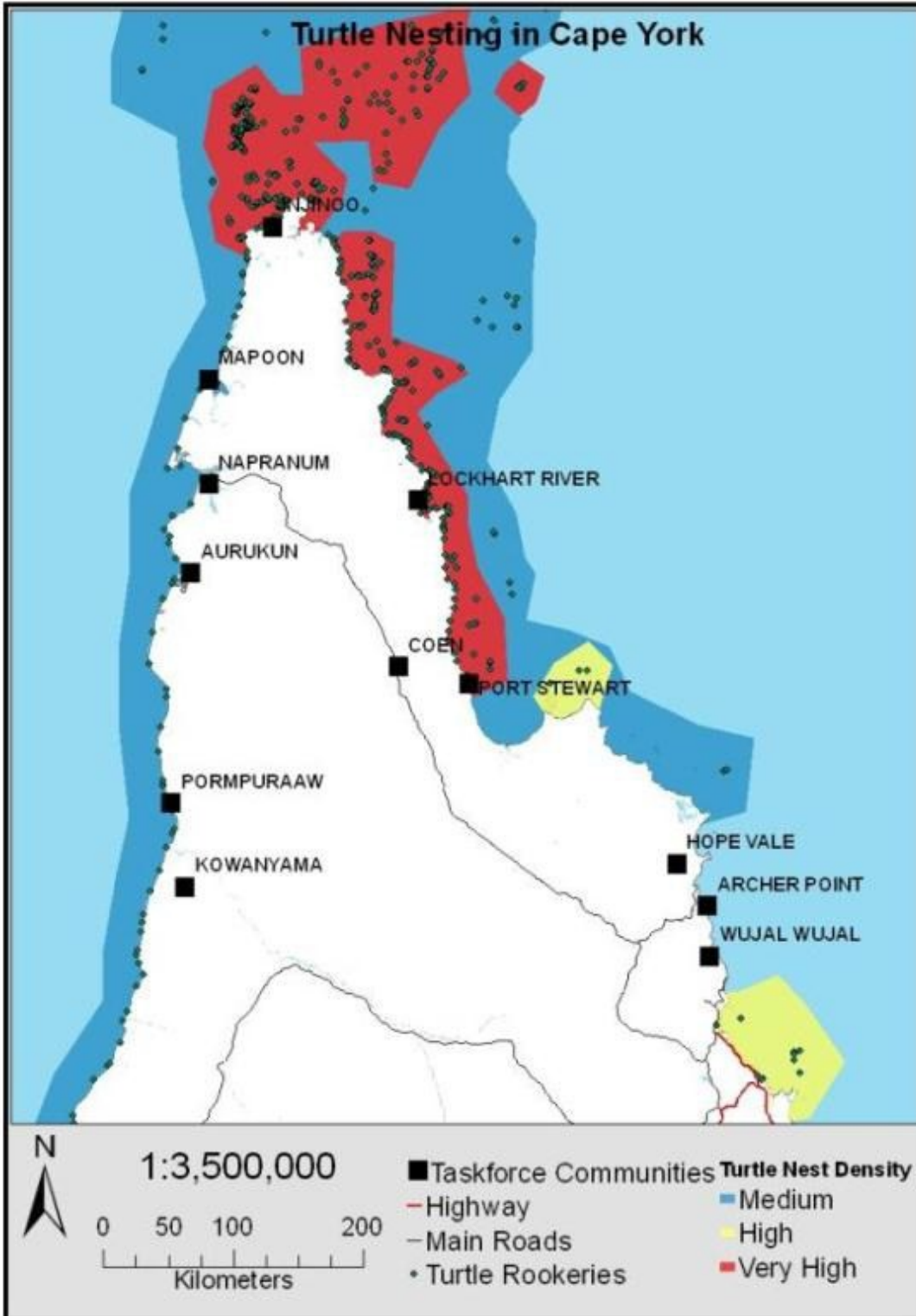
#### Urban

18. Rubbish/marine debris
19. Light pollution, increased sediment and pollution load through runoff
20. Development driven habitat loss



Feral pigs eat most of the eggs on the west coast

# Cape York Turtle Nesting Hotspots





## **Dugong**

The dugong is listed as vulnerable and migratory under the EPBC act and is also on the IUCN red list as endangered. Traditionally, Indigenous harvests occur in communities on Cape York and the dugong is an important animal both culturally and spiritually. Today there are a number of threats facing dugongs both in Australia and worldwide which include:

The low reproductive rate, long generation span and large investment in offspring may make dugongs vulnerable to overexploitation. It is estimated that the maximum rate of increase of the dugong population under optimum conditions when natural mortality is low would be around 5 per cent per year.

Modelling predicts that climate change will result in increased intensity of storms and storm surges. This is a primary way in which dugong populations might be severely affected by climate change, due to its impact on seagrass resources at the local scale. Seagrass availability can also be affected by storm events through decreased light availability and increased sediment deposits. Furthermore, storm surges can lead to the direct mortality of dugongs by dumping animals above the high-tide level. Increases in sea temperature as a result of climate change are expected to affect all Australian seagrass habitats through impacts on their growth, distribution, abundance and survival. The effect of seagrass loss or dieback on dugongs is twofold. Some dugongs remain in the affected area but lose body condition, reduce breeding and suffer increased mortality, while others move hundreds of kilometres with uncertain consequences.

While these threats are significant to dugong populations it is currently estimated that up to 95% of dugong density hotspots are protected from anthropogenic pressures due to their remote locations. It is thought that these areas act as naturally protected refuges for the animals

# DUGONG

## Impacts on dugong

### Commercial sea use

1. Fishing nets, hooks, gear
2. Boat strike
3. Ghost nets

### Habitat Change

4. Climate change /variability
5. Erosion
6. Diseases

### Direct Use/Harvest

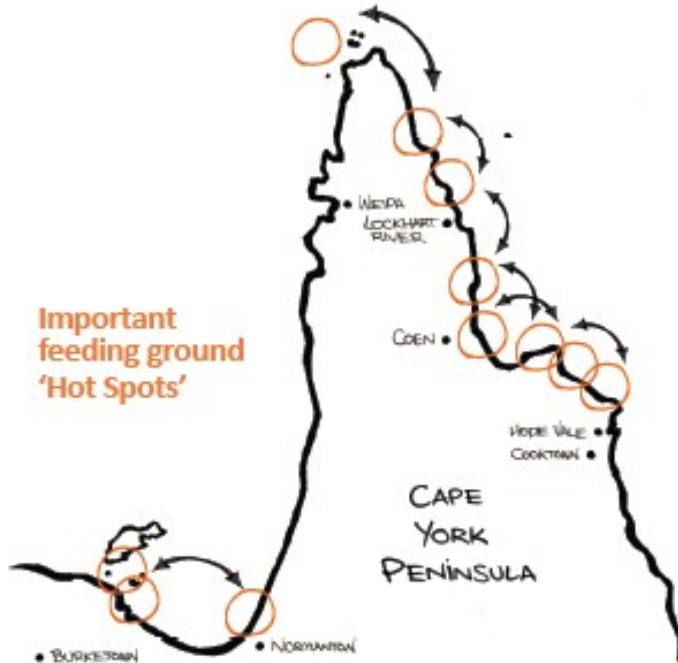
7. Illegal take in Australia
8. Hunting for traditional purposes in Australia
9. Legal commercial /subsistence catch outside of Australian waters

### Recreational

10. Shark nets

### Urban

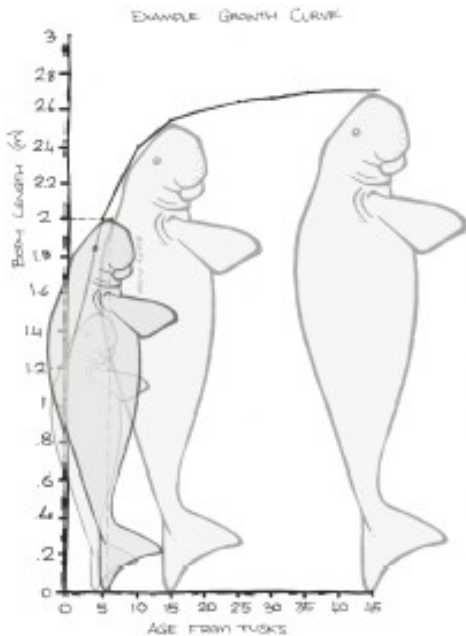
11. Development driven habitat loss



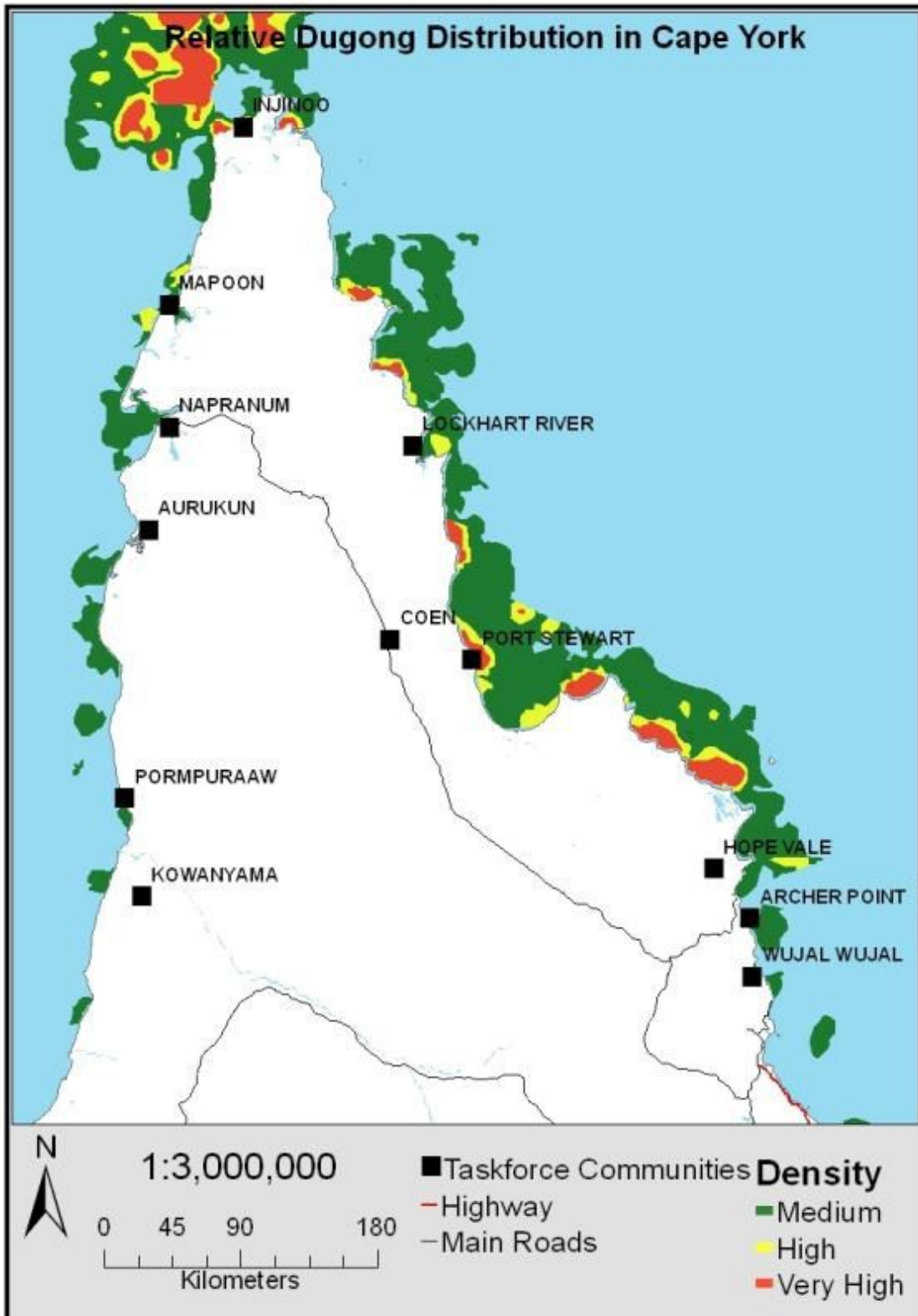
## Important feeding ground 'Hot Spots'

## Important information for hunters

- Best size to hunt is less than 2 metres
- Large females are the breeders and should be left alone
- For every 100 dugong, only 5 new are born each year
- In one year, only 2 dugong in every 100 should be taken



### Cape York Dugong hotspots



## **Regional Priorities**

- 1:** Develop and implement a regulatory mechanism for the traditional harvest of turtle and dugong in Cape York.
- 2.** Trial the legal mechanism/s for reinstatement of traditional authority
- 3.** Identify turtle and dugong hotspots
- 4.** Development of pilot programs for implementation of sustainable sea country management
- 5:** Support community groups across the Cape to implement their turtle and dugong management plans.
- 6.** Improve and develop (where appropriate) monitoring, evaluation, and reporting on turtle and dugong populations
- 7.** Participate in state, national and international efforts to manage and conserve turtle and dugong populations
- 8:** Develop and implement a communications plan for support of turtle and dugong management by Indigenous peoples
- 9.** Provide support for and protection of key nesting sites
- 10.** nsure long term financial support for turtle and dugong management on Cape York
- 11.** Develop infrastructure and acquire equipment required to implement the plans
- 12.** Within the next five years we will develop a single jurisdiction to manage turtle and dugong across Cape York.

## **Objective One. Right way hunting**

Traditional Lore and Custom for Indigenous peoples on Cape York has always dictated how hunting should be undertaken and the “right way” for hunting to take place. In the face of changes in land tenure, ownership, loss of control over management of natural resources and the decline of traditional authority, the Traditional Owners of Cape York set out below key areas whereby “right way” hunting is respected by all hunters and adhered to.

### **Regulatory system**

All individuals in Cape York will be subject to a Cape wide regulatory system for the hunting of turtle and dugong. Each group on Cape York will implement their own regulatory system within their traditional sea country. An education program will be developed in conjunction with the regulatory mechanism to ensure awareness and compliance. Each group will administer their own system except where two or more groups choose to do so together.

### **Traditional purposes**

Hunting is to be done for traditional purposes only and each group will be responsible for determining what are traditional purposes and outlining this in community based sea country plans.

### **Hunting activities**

All groups Cape York agree that there is to be no spotlight hunting of turtle and dugong.

As the processing of animals is a sensitive issue, all hunters on Cape York must process their catch safely and with sensitivity and the least public exposure. Each group will detail appropriate places and any restrictions for processing animals within local sea country plans.

### **General regulations**

It is acknowledged and endorsed that under Australian law it is illegal to for all people to trade, sell or turtle and dugong.

Hunting is to be undertaken only by Indigenous people in accordance with the law.

### **Animal cruelty and regulations**

The majority of Traditional Owners and hunters on Cape York are already exercising right way hunting techniques to ensure that animals do not suffer unnecessarily. It is acknowledged that changes in the *Animal Care and Protection Act 2001* now include traditional hunting within its jurisdiction and apply to Indigenous peoples.

Key areas addressed by this plan are:

Animals are not to be subject to mistreatment or unnecessary stress in the process of dispatch

In accordance with traditional lore, animals that are injured during the hunting process will be caught and processed.

No firearms are to be used in the hunting of turtle and dugong.

No baiting (when a calf is captured to lure the female) will be undertaken when catching dugong.

### **Recommendations**

In conjunction with the development and implementation of the regulatory system for Cape York, a comprehensive education program needs to be conducted.

A community education and awareness campaign needs to be undertaken to ensure all indigenous hunters and community members are aware that it is illegal under Australian law to sell turtle and dugong.

Research into humane methods of dispatch for turtle is currently being trialled in the Torres Strait and the Cape York Turtle and Dugong Steering committee will continue to monitor its progress and adopt successful and suitable process. Additionally, trials of the despatch method should also be conducted in Cape York.

### **Objective two. Sustainability**

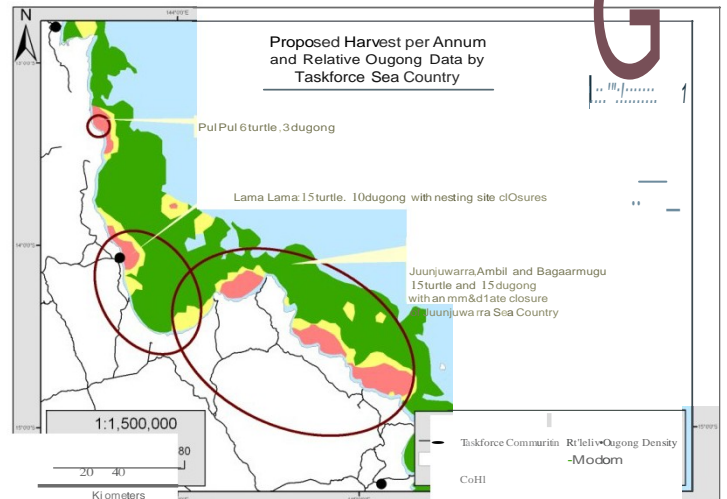
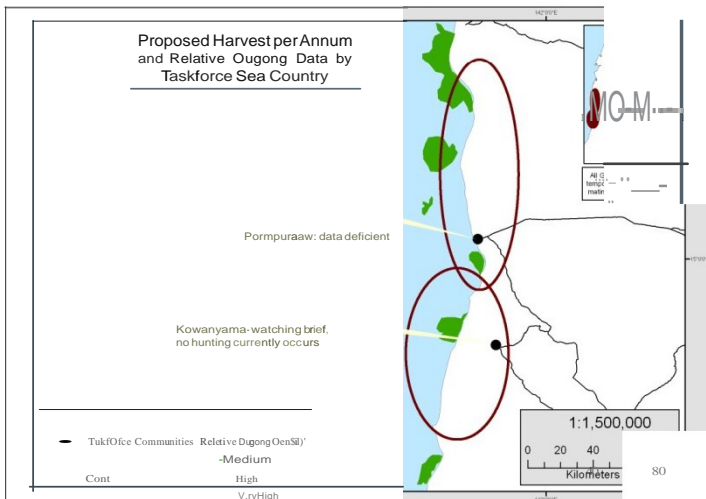
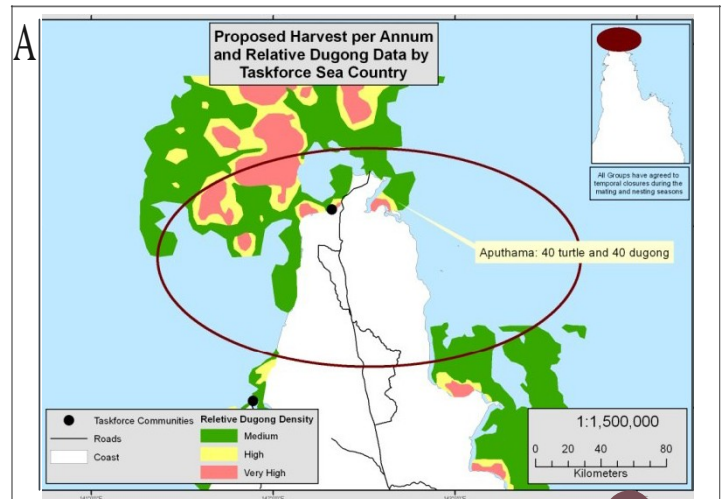
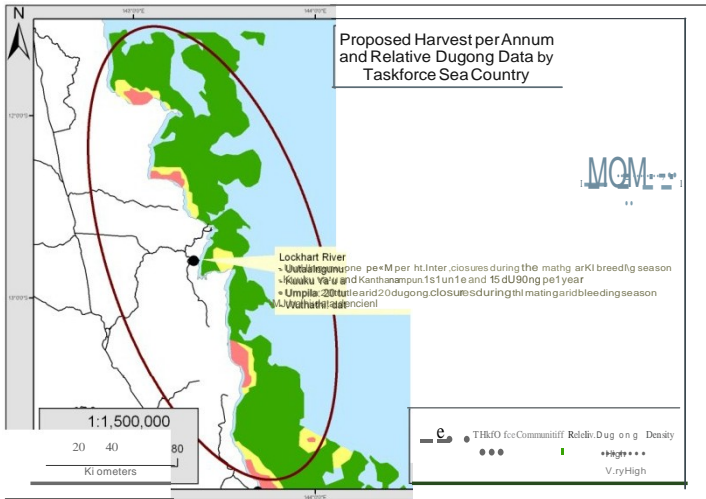
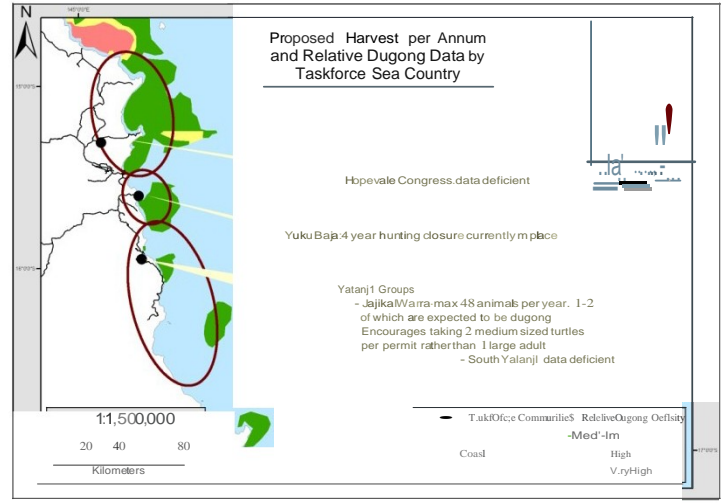
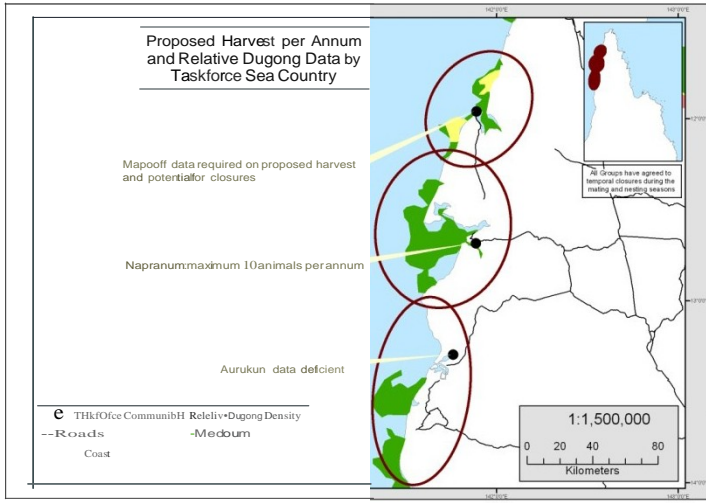
Traditional Owners have long practised and acknowledged the need for sustainability when hunting turtle and dugong as well as actions for their long term conservation. This objective addresses sustainability based on Traditional Knowledge and scientific research.

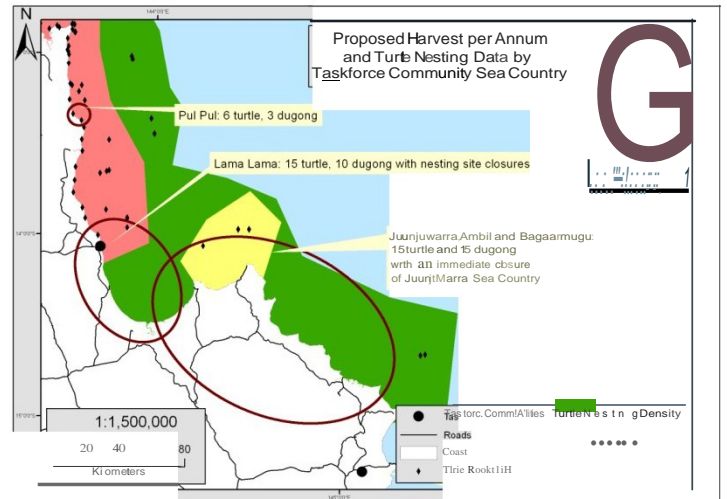
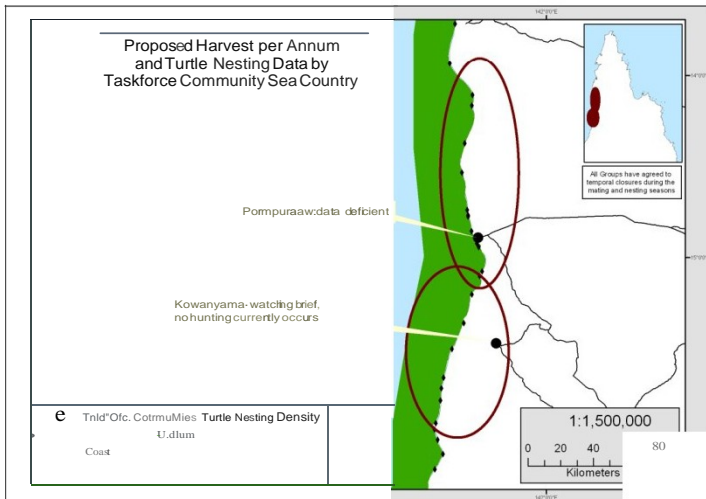
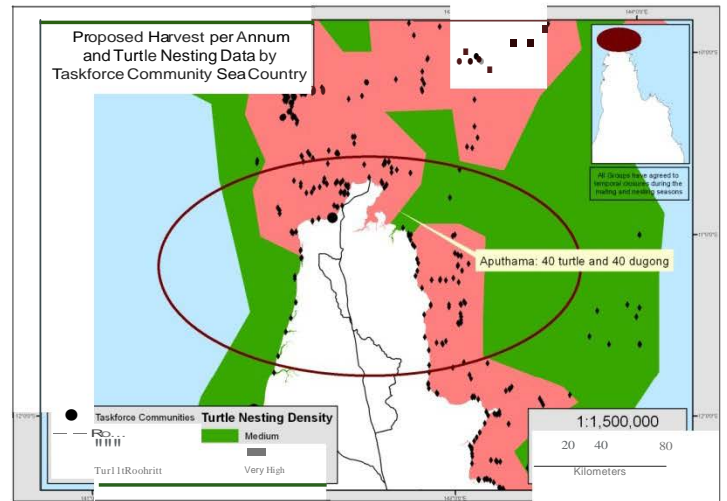
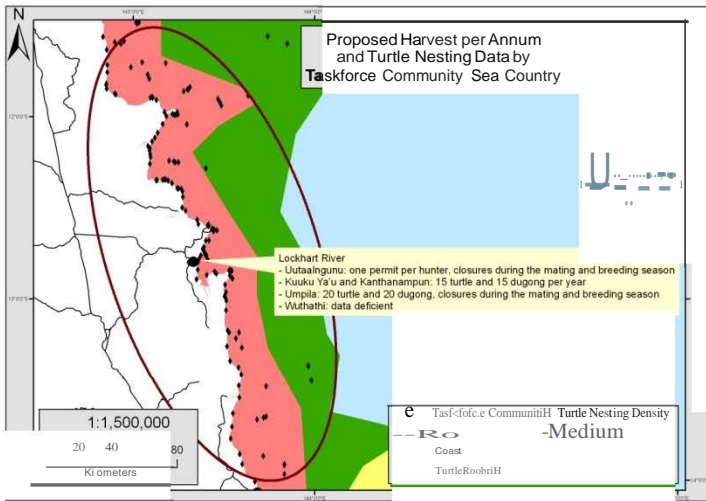
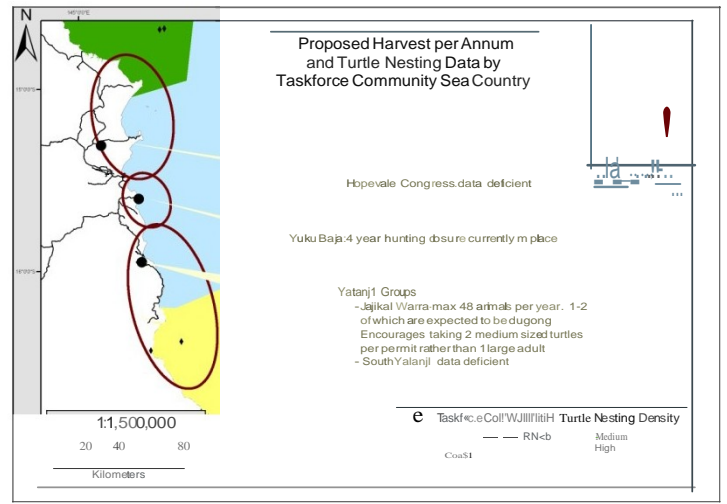
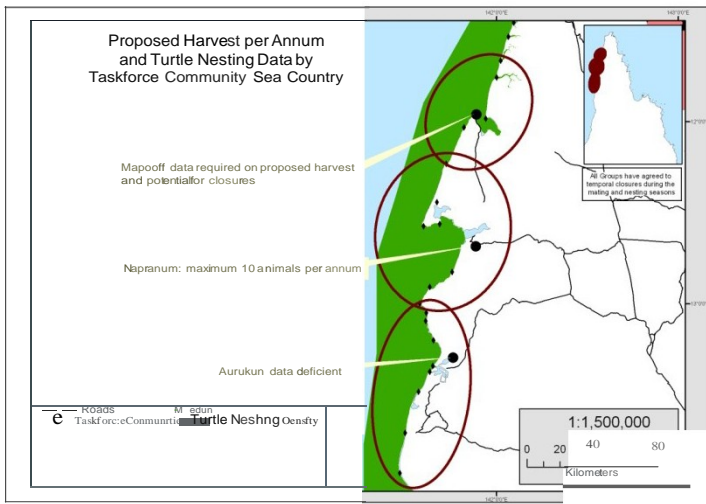
#### **Closures and Quotas**

Each group will set closures, quotas or other appropriate mechanisms for determining how many, where and when turtles and dugong can be take in sea country and to ensure the long term conservation and sustainability.

Sustainability of closures and quotas will be determined at the regional and local levels and closures will be outlined in the community sea country management plans. Traditional Knowledge and scientific data will be used to establish the closures/quotas.

Numbers of animals and closures will be reviewed annually or more often if required.







## **Hunting regulations turtles/eggs**

The following conditions of turtle hunting are regulated under the plan:

There will be no hunting of turtle in breeding, mating and nesting season. Exemptions for special circumstances to take no more than one turtle may be granted as defined in the community sea country plans.

Limited numbers of eggs are being taken in most communities on Cape York and the practice has decreased over time. Current science suggests that only 15% of all turtle eggs should be taken to ensure sustainability, this recommendation has been adopted and agreed for Cape York.

Best practice sustainable hunting recommends taking turtles less than one metre in size (sub adult males). Females and large animals should not be taken. All hunters will endeavour to abide by the best practice recommendation.

## **Hunting regulations dugong**

The following conditions of hunting will be regulated under the plan:

There will be no take of pregnant females or calves anytime throughout the year.

There will be no hunting of dugong when breeding. Exemptions for special circumstances to take no more than one dugong may be granted as defined in the community sea country plans.

Best practice sustainable hunting for dugong recommends that animals less than 2 metres be taken as they are not yet breeding animals. All hunters will endeavour to abide by this best practice recommendation.

## **Recommendations**

All groups need to define the boundaries of closures with local sea country management plans and an extensive education campaign is needed to let people know where and when hunting can take place and the limits set on the numbers of animals and eggs that can be taken.

An education program to identify males /females and pregnant females should be undertaken which may include:

- Posters
- Signage
- Information
- Fact sheets

Identification cards for the animals, both turtle and dugong should be given when receiving a permit and catch monitoring data form and monitoring equipment. The ID cards will hold information on how to identify the sex of a turtle or dugong and whether or not the animal is pregnant to ensure that appropriate animals are taken.

Research and information is needed to determine the best way to ensure that only 15% of turtle eggs are taken and how community members determine how many eggs he/she can take and from which nests. Expert consultation needs to take place to ensure this can be effective.

## **Objective three. Strengthening Indigenous authority**

### **Strengthening Indigenous authority**

Traditional Owners want control and authority over their sea country to ensure effective management and long term sustainability. This includes a long term goal for statutory powers and engagement in the development of a legal mechanism to support this authority and working with existing authorities for compliance and enforcement.

### **Compliance and enforcement**

Each community will decide on appropriate penalties within their community sea country management plans.

Each community will decide who will administer their compliance and enforcement aspect of the management program.

Communities on Cape York will work together with the relevant authorities where required for effective compliance and enforcement.

### **Recommendations**

Groups in Cape York who want or need compliance and enforcement training and support will be given this opportunity and funding will be sourced to provide this.

## **Objective four. Effective Management**

Management actions across the Cape need to be coordinated to ensure consistency and cohesion of purpose for effective sustainability of turtle and dugong management and conservation efforts. Cape York has the potential to have a world class monitoring and management program for turtle and dugong. To ensure effective management, management actions need to take into account the existing and emerging ranger programs and rangers will be given a key role in management and implementation of local level community sea management plans.

### **Flags and hunter identification cards**

All hunters in Cape York must display a hunting flag when hunting on sea country to ensure that there is no confusion about who has hunting permissions and to ensure that hunters and or animals are not disturbed during the activity. Each community will have their own hunting flag, but each will either have the same colour on one side or a numbering system will be implemented on each flag for continuity across the Cape.

The use of hunter identification cards in conjunction with permits for hunting is to be determined

at the community level. Hunter Id's are to be used to identify approved hunters in the community but will not replace the need for permit.

### **Catch Monitoring**

All hunters must fill out catch monitoring data forms which will be issued at the same time as the permit. Penalties will be imposed at the discretion of the group if the catch monitoring data is not recorded.

All catch monitoring data belongs to the community who has collected it but groups will make it available to the regional steering committee and other relevant organisations subject to a data agreement.

Field kits will be developed with, measuring equipment, ID cards, forms and any other equipment hunters will need to be able to accurately record their catch. This will be made available on receiving the permits and returned at the end of the hunting activity.

Catch monitoring forms will be standardised across the cape with all hunters in all communities filling out the same forms and with standardised information capture (see appendix three for the forms).

### **Population and health monitoring**



There is a need for regional coordination and cooperation in the development of an effective Cape wide monitoring program for turtle, dugong, sea grass and other environmental and sea country management concerns. All community groups will, where appropriate, engage in this monitoring program.

Data sheets for turtle and dugong will be standardised across Cape York along with all information capture (see appendix three).

Each group will be supported to implement a monitoring program for turtle, dugong and any other environmental concerns which may include but will not be limited to sea grass monitoring, ghost nets, pollution, reef health and water quality.

## **Data management, access and collection**

Data collection, management and access to data are key concerns of groups on Cape York. To date large amounts of data have been provided or collected on Traditional Owner sea country with limited information and reports returning to communities.

Data sharing agreements will need to be secured before any data or collection of data is undertaken within Traditional Owner sea country. A proforma data management, access and collection agreement will be developed and made available for all groups on Cape York. All data sharing agreements will be based on the requirements of individual groups but will contain information relating to data access and benefit sharing.

All data collected by Traditional Owners will remain their intellectual property and will remain within the community.

Currently there is no regional database for turtle and dugong monitoring and catch data and with permission from each Traditional Owner group the steering committee will set up a regional database with access available to all communities subject to a data sharing agreement.

## **Communication**

It is acknowledged that information concerning sea country management, sustainable take and conservation of turtle and dugong needs to be shared across a broader audience. Additionally, there is a need for positive news and media and information surrounding Indigenous management of turtle and dugong. Communication of work being undertaken and future directions is therefore of importance to the effective implementation of plans at both local and regional scales.

Social media as a communication tool both within communities on Cape York and to an outside audience needs to be positive and reflect the good work and actions being undertaken and is not to be used as a space for airing any negative comments, concerns or grievances.

Signage will be developed and erected at key sites on Cape York to inform general public.

## **Steering committee for Cape York**

There is currently in place a Cape York Regional Taskforce for the development of management plans and rules around conservation and sustainable management of turtle and dugong on Cape York. With the development of the current regional plan it has been identified that there is a need for a long term ongoing steering committee for Cape York turtle and dugong management for regional action, decisions and support. The main aim of the steering committee will be to provide support, direction and advice to the implementation of the Cape York Regional Plan and to provide a platform for discussion of issues at a regional level and to advocate for support indigenous management of turtle and dugong.

Terms of reference for the Steering committee will be developed and agreed upon.

The steering committee will be supported by a secretariat (Balkanu currently undertakes this role) whose role will be to coordinate and manage the steering committee and regional plan actions.

The steering committee will meet three times per year and will be made up of representatives from groups in Cape York

### **Joint management**

Joint management of sea country and turtle and dugong management on Cape York has been lacking in a full participatory approach. It is acknowledged that for effective joint management it needs to:

- Be more culturally appropriate in regard to engagement and consultation
- Include aspirations (economic, socially, environmentally) of local groups
- Engage and consultant at all levels of planning and management, not just the end product
- Have formal agreements on roles, responsibilities

### **Recommendations for effective management**

**Hunting flags:** A design competition should be implemented in each community for the design of the hunting flags to help with awareness and engagement.

#### **Example of Flags from Napranum**



**Data management:** Data should be restricted with access via a database managed by the steering committee and information presented in good faith.

Data needs to be in a form that can be used and understood by Traditional Owners. A 'Cultural Systems Solution' could be utilised to manage and maintain data in community.

A media officer should be employed on an as need consultancy basis to prepare and developed material and media when required.

**Communication Activities:** Engage a consultant to do a media strategy for ranger programs and the Taskforce for long term planning for the wider community for Cape York turtle and dugong

management. Actions highlighted that need to be undertaken for communications in Cape York and broader community include:

- Travelling road show to get the message out
- More signage in the community
- User friendly information and
- Community meetings
- Brochures/flyers
- TV/Radio
- Schools
- Social media.

**Steering committee:** A key recommendation for the steering committee is that is made up of community champions and there needs to be an effective mechanism in place to ensure that information discussed and agreements made at a regional level is disseminated at a community level.

Further direction for the steering committee is that is a permanent statutory body comprised of Cape York representatives.

## **Education, training and awareness**

Education and training will be a key component of the effective implementation of the regional and community sea country management plans.

Training needs identified include:

Media and communications

Governance

Turtle and dugong monitoring

Compliance and enforcement

Biology and physiology of turtle and dugong

Permit administration

Right way hunting

Key partners identified in deliver of training include:

- Department of Environment and Heritage Protection
- Great Barrier Reef Marine park Authority
- James Cook University
- Mon Repos
- Cape York Ranger groups

The regional plan also acknowledges the existing expertise within communities and groups on Cape York and that these groups should be utilised to deliver training wherever possible and appropriate.

In addition to building expertise and skills on the ground, there is a need for a comprehensive awareness component of the plans and rules being implemented within each community and at a

regional level. Groups at the local level will be responsible for the development and implementation of their awareness programs with support from steering committee secretariat. Regionally the secretariat will be responsible for delivery education and awareness for the regional plan and the agreements made governing turtle and dugong for the whole of Cape York.

## **Funding**

There is a need for long term sustainable funding to support turtle and dugong management on Cape York. Funding needs to be diversified through a number of streams including but not limited to payment for ecosystem services, tourism enterprises and activities, fee for service work, and government and philanthropic funding.

All groups will be supported to develop their own funding programs as well as submission on behalf of Cape York for funding for turtle and dugong activities to be evenly distributed across groups for implementation of sea country management plans.

## **Recommendation**

The secretariat to include a full time fundraiser for the turtle and dugong program  
Coordinated approach to funding turtle and dugong on Cape York with all groups working towards the same funding aims and not duplication of effort or funds.

## **Plan Review**

The regional plan is a living document and designed for adaptive management. The plan will be reviewed after 2 years and subsequently reviewed every five years after that.

## **Appendix One: Overview of regulatory frameworks for turtle and dugong on the Cape York Peninsula**

The following provides an overview of the regulatory frameworks that apply in Queensland waters to preserve the rights of indigenous Australians to hunt turtle and dugong and that provide protection to the species under Australian domestic legislation in accordance with Australia's international obligations.

### ***Section 211 of the Native Title Act 1993 (Cth)***

Section 211 of the NT Act recognises the rights of Indigenous Australians to hunt turtle and dugong through the provision of an exemption for native title holders to exercise native title rights to hunt, fish, gather or undertake other cultural or spiritual activities where those activities would normally be restricted by Commonwealth, State or Territory legislation.

The section provides an exemption under both commonwealth and state legislation.

### ***Section 61 of the Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Act 1984 (Qld)***

Section 61 of the Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Act 1984 provides a defence under state law, subject to compliance with the Animal Care and Protection Act 2001, to residents of Indigenous Community Government areas or Indigenous Regional Council areas for taking turtle and dugong for consumption by members of the community.

### ***Environment Protection and Biodiversity Conservation Act 1999 (Cth)***

Chapter 5, Part 13

Sections 196-196E provide an offence where a person kills, injures, takes, trades, keeps or moves a member of a listed threatened species in a commonwealth area without authority.

Sections 211-211E provide an offence where a person kills, injures, takes, trades, keeps or moves a member of a listed migratory species in a commonwealth area without authority.

sections 254-254E provide an offence where a person kills, injures, takes, trades, keeps or moves a member of a listed marine species in a commonwealth area without authority.

### ***Nature Conservation Act 1992 (Qld)***

Part 5, Division 4

Sections 88, 88A, and 88B provide offences for the take, keep or use of a protected animal or native wildlife in certain circumstances unless authorised.



***Great Barrier Reef Marine Park Act 1975 (Cth)***

Part VAA, Division 2

Sections 38BA and 38BB provide offences for where a person enters or uses a zone of the commonwealth Great Barrier Reef Marine Park for the take of a protected species without authority.

***Marine Parks Act 2004 (Qld)***

Part 4

Section 44 provides an offence where a person enters or uses a zone of a state marine park for the purpose of taking a protected species without the authority.

***Animal Care and Protection Act 2001 (Qld)***

Section 17 imposes a duty of care towards an animal in certain circumstances and provides an offence for breaches of that duty.

Section 18 provides an offence for a person to be cruel to an animal

Section 41A provides an exemption in certain circumstances for aboriginal persons hunting under aboriginal tradition and for Torres Strait Islanders under Island custom where an act is done that would otherwise constitute cruelty, where the 'act is done in a way that causes the animal as little pain as is reasonable'.

Section 41A expressly states that a person who did one of the following acts would not be exempt from liability under section 17 or 18:

- injuring the animal to stop it escaping after it has been caught;
- injuring the animal or prolonging its life to attract another animal;
- taking flesh from the animal for human consumption before the animal is dead; or
- doing a thing or omitting to do a thing that causes the animal to die from dehydration or starvation.

## Appendix Two: Turtle and catch monitoring forms for Cape York Dugong and Turtle Catch Monitoring Record

### HUNTING DETAILS:

Date: \_\_\_\_\_ Start time: \_\_\_\_\_ Finish time: \_\_\_\_\_

Hunter: \_\_\_\_\_ No. in hunting party: \_\_\_\_\_

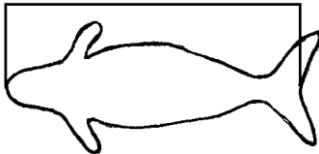

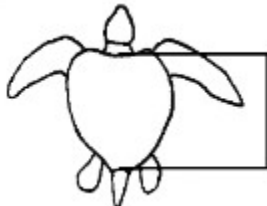
Location of catch: \_\_\_\_\_

Contact details (for tag returns only): \_\_\_\_\_

### HUNTING METHOD: Tick all that apply

- |   |   |  |   |
|---|---|--|---|
| <input type="checkbox"/> Dinghy only      | <input type="checkbox"/> Dinghy & spotlight | <input type="checkbox"/> Wap                 | <input type="checkbox"/> Hook (turtle)            |
| <input type="checkbox"/> Dinghy & clinker | <input type="checkbox"/> Zagul              | <input type="checkbox"/> Hand catch in water | <input type="checkbox"/> Turned over when nesting |

### CATCH DETAILS:

<input type="checkbox"/> <b>Dugong</b> Number caught: _____ Adult: _____ Calf: _____  <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <p>Body Length (cm)</p>  </div> <div style="text-align: center;"> <p>Tail Width (cm)</p>  </div> </div> <table border="0" style="width: 100%; margin-top: 10px;"> <tr> <td style="width: 33%;">AGE</td> <td style="width: 33%;">SEX</td> <td style="width: 33%;">PREGNANT</td> </tr> <tr> <td><input type="checkbox"/> Adult</td> <td><input type="checkbox"/> Female</td> <td><input type="checkbox"/> Yes</td> </tr> <tr> <td><input type="checkbox"/> Sub-adult</td> <td><input type="checkbox"/> Male</td> <td><input type="checkbox"/> No</td> </tr> <tr> <td><input type="checkbox"/> Calf</td> <td><input type="checkbox"/> Unknown</td> <td></td> </tr> </table> <p><b>SIZE</b></p> Body length (cm): _____ Tail width (cm): _____	AGE	SEX	PREGNANT	<input type="checkbox"/> Adult	<input type="checkbox"/> Female	<input type="checkbox"/> Yes	<input type="checkbox"/> Sub-adult	<input type="checkbox"/> Male	<input type="checkbox"/> No	<input type="checkbox"/> Calf	<input type="checkbox"/> Unknown		<input type="checkbox"/> <b>Turtle</b> Number caught: _____ Number of eggs (if any): _____  <div style="text-align: center;">  <p style="margin-left: 20px;">Shell length (cm)</p> </div> <table border="0" style="width: 100%; margin-top: 10px;"> <tr> <td style="width: 33%;">SPECIES</td> <td style="width: 33%;">AGE</td> <td style="width: 33%;">SEX</td> </tr> <tr> <td><input type="checkbox"/> Green</td> <td><input type="checkbox"/> Adult</td> <td><input type="checkbox"/> Female</td> </tr> <tr> <td><input type="checkbox"/> Hawksbill</td> <td><input type="checkbox"/> Juvenile</td> <td><input type="checkbox"/> Male</td> </tr> <tr> <td><input type="checkbox"/> Flatback</td> <td><input type="checkbox"/> Unknown</td> <td><input type="checkbox"/> unknown</td> </tr> </table> <p><b>SIZE</b></p> Shell length (cm): _____  <b>TAG NUMBERS</b> 1. _____ 2. _____	SPECIES	AGE	SEX	<input type="checkbox"/> Green	<input type="checkbox"/> Adult	<input type="checkbox"/> Female	<input type="checkbox"/> Hawksbill	<input type="checkbox"/> Juvenile	<input type="checkbox"/> Male	<input type="checkbox"/> Flatback	<input type="checkbox"/> Unknown	<input type="checkbox"/> unknown
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<input type="checkbox"/> Flatback	<input type="checkbox"/> Unknown	<input type="checkbox"/> unknown																							

### CULTURAL USE:

- |                                    |  |  |  |
|------------------------------------|--|--|--|
| <input type="checkbox"/> Tombstone | <input type="checkbox"/> Shaving ceremony    | <input type="checkbox"/> Coming of age | <input type="checkbox"/> Wedding             |
| <input type="checkbox"/> Funeral   | <input type="checkbox"/> Initiation ceremony | <input type="checkbox"/> Kai Kai       | How many families was it shared among: _____ |

## NESTING MARINE TURTLE DATASHEET

### BEACH

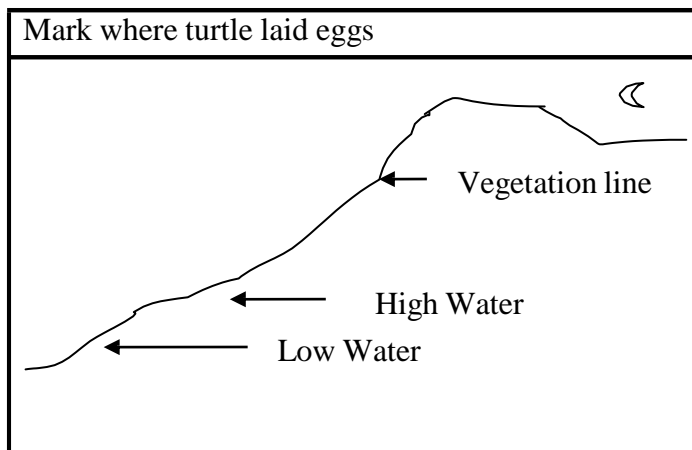
	Tick
Untagged turtle	
Already tagged	

Time _____	Date _____	Sector _____
---------------	---------------	-----------------

Turtle Type	Flatback	<input type="checkbox"/>
	Green	<input type="checkbox"/>
	Loggerhead	<input type="checkbox"/>

Nest marker number _____
--------------------------

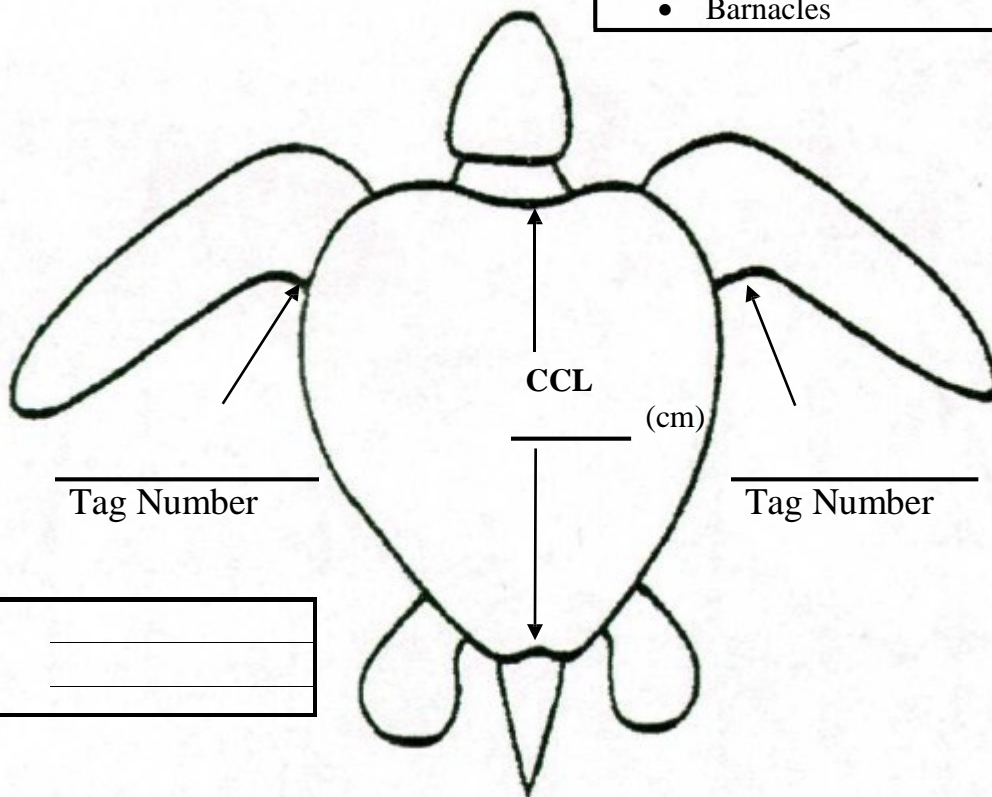
Did the turtle lay eggs?	Tick
Laid eggs	
Don't know	
Didn't lay eggs	



Who Measured the turtle?	_____
Who wrote down the data?	_____

Number of eggs in nest _____
------------------------------

- |   |
|---|
| Remember to mark on turtle:   |
| <ul style="list-style-type: none"> <li>• Damage</li> <li>• Barnacles</li> </ul> |



Latitude	_____
Longitude	_____

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**Notes**

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CCW	
Tail from Plastron	
Tail from carapace	
Tail from vent	
Head length	
Head width	
SCL	
SCW	
Carr's SCL	
Plastron Length	
Depth	
Weight	

### Appendix Three: Regional Strategy

<i>Key Outcomes</i>	<i>Strategy</i>	<i>Actions</i>
<b>Reinstatement and support for traditional authority for management of turtle and dugong on Cape York</b>	Development and implementation of a regulatory mechanism for the take of turtle and dugong in Cape York	Lobby government and appropriate agencies for support for legislative and policy change and amendment
	Trial the legal mechanism	Identify appropriate communities for pilot of legal mechanism
		Implement the legal mechanism within identified communities
	Support the development and implementation of permit system across Cape York	Develop ID cards for Hunters for local community groups
		Develop hunting flags
	Compliance and enforcement support and implementation	Implement identified legal mechanism for indigenous compliance and enforcement
		Develop relationships with existing compliance and enforcement bodies' to ensure integration of the alternative provisions with the existing enforcement mechanisms under legislation.
<b>Local plans of management for turtle and dugong traditional harvest and conservation</b>	Support community groups across the Cape to implement their turtle and dugong management plans	Provide materials and information for dissemination
		Develop appropriate signage and materials for each community
<b>Research and monitoring to inform conservation and sustainable harvest levels across Cape York</b>	Improve and development (where appropriate) monitoring , evaluation and reporting on turtle and dugong populations	Develop turtle and dugong ID cards for hunters
		Develop monitoring forms for catch and turtle nest monitoring for Cape
		Development of catch monitoring kits for community

		Development of turtle nesting kits for turtle monitoring
		Facilitate training in monitoring techniques
		Creation of a regional database
<b>Participate in state , national and international efforts to manage turtle and dugong</b>	Engage with all relevant stakeholders for long term sustainable management of turtle and dugong	Identify state, national and international initiatives for engagement
<b>Increased awareness and communication of Indigenous turtle and dugong management and conservation</b>	Communication at local regional, state and national levels	Development of a communication strategy and plan for dissemination locally, regionally and nationally for indigenous management of turtle and dugong on Cape York
	Education program around legal status of traditional harvest of turtle and dugong	Develop and disseminate educational materials such as brochures, fact sheets, leaflets, and plans
	Inform and educate people concerning the regional plan and its implications	Engage with local ranger groups where appropriate to engage them in education program
<b>Support for and protection of key nesting sites</b>		Liaison with QPWS and EHP on progress
		Facilitate where required monitoring and research work
<b>Ensure long term financial support to turtle and dugong management in Cape York</b>	Implementation of the turtle and dugong fundraising strategy	Develop PR materials for the program
		Approach donors for funding
		Research funding availability and options
<b>Sustainable management of turtle and dugong on Cape York</b>	Review of sustainability of traditional harvest	Scientific review of harvest levels and closures across Cape York
		Review quotas and closure annually to determine effectiveness and where required

## Appendix Four: Community based Management Plans by Community

Community/ (planning unit)	Group	Clan Group(s)	Sea country management
Jajikal warra North Yalanji		Muka Muka Jajikal	Turtle and Dugong Sea country management plan
Jalunji South Yalanji		Banabila Kulki/ Kaba Kaba Kubirri)	Land and Sea Management Plan
Hopevale		Congress of Clans	Turtle and Dugong Sea Country Management plan
Hopevale (Starcke)		Juunjuwarra x2 clans	Turtle and Dugong Sea Country Management plan
Hopevale (Ambiil)			Turtle and Dugong Sea Country Management plan
Archer Point		Yuku Baja Muliku	TUMRA
Port Stewart		Lama Lama	TUMRA
Coen (Pul Pul)		Kantju	Turtle and Dugong Sea Country Management plan
Lockhart River (Karpay Kuyan)		Uutalungu'nu Umpila Kuuku Ya'u Wuthati Kanthanampun	Turtle and Dugong Sea Country Management plan ILUA
Injinoo (Aputhama)		Angkamuthi Gudang	Turtle and Dugong Sea Country Management plan
Mapoon		5 clans	Turtle and Dugong Sea Country Management plan
Napranum		3 clans	Turtle and Dugong Sea Country Management plan
Pompuraaw		Thiorre Wik Mungkan	Land and Sea Management Plan
Aurukun		2+ clans	Ranger land and sea management plan- Pig abatement strategy
Kowanyama			Land and Sea Management Plan existing
Wuthathi			TUMRA

The Cape York Turtle and Dugong Regional Plan has been developed by the Cape York Turtle and Dugong Taskforce and supported by Balkanu Cape York Development Corporation