

Committee Secretary
Senate Standing Committees on Rural and
Regional Affairs and Transport
PO Box 6100
Parliament House
Canberra ACT 2600

Phone: +61 2 6277 3511

Fax: +61 2 6277 5811

rrat.sen@aph.gov.au

Inquiry into: Coastal Trading (Revitalising
Australian Shipping) Bill 2017

Dear Committee

Thank You for the opportunity to make a
Public Submission to this Inquiry, noted at
13Nov2017 as statused still "Accepting
Submissions".

This Public Submissioner challenges, and
inquires into, the statement in the Inquiry's
information about the Bill that:

"This Bill is compatible with the human
rights and freedoms recognised or
declared in the international instruments

listed in section 3 of the Human Rights (Parliamentary Scrutiny) Act 2011.",

and aspects of the statement that:

"This Bill is consistent with international maritime practices under World Trade Organisation and Free Trade Agreement provisions which provide States with the ability to reserve its coastal trade and cabotage provisions."

This Public Submissioner also seeks more information about how it is said in regard to

"Human rights implications" that:

"This Bill does not engage any of the applicable rights or freedoms....

Conclusion(:) This Bill is compatible with human rights as it does not raise any human rights issues....(responsible Federal

Parliamentarian: Minister for Infrastructure and Transport, The Honourable Darren Chester MP)" .

Whenever the Commonwealth Parliament is deliberating now in a postMabo terra nullius voided legal and geographic landscape , this Submissioner asks that any Parliamentary

Inquiry consider a broad First Nations Social Justice approach to the Inquiry's Terms of Reference, and wider postMabo legal interpretations of Bills in relation to Aboriginal Islander Community notions of unceded Sovereignty , coupled with how advocacy, activism and dissenting, grassroots democracy, nonviolent protest for positions taken to reconcile these notions needs to be protected under the various relevant social, political and Indigenous United Nations Declarations/ Covenants as part of the guarantees of Australia as an International Citizen in a global civil society.

Because the Bill discusses "Coastal Trading" this Submissioner requests this Inquiry to review how the trading contemplated and the licence granting administration regime proposed to facilitate that coastal trade may intersect with roadsteads, sea lanes and marine ecosystems that have been, are, or may in the future be, claimed by First Nation Aboriginal Islander Indigenous Peoples in relation to inherent Cultural Land/Sea Rights that are

protected within various clauses of the United Nations Declaration on the Rights of Indigenous Peoples ('UNDRIP') and the International Convention on the Elimination of all Forms of Racial Discrimination, as well as other relevant Conventions/Covenants mentioned at "**HUMAN RIGHTS (PARLIAMENTARY SCRUTINY) ACT 2011 - SECT 3 Definitions**".

Some of these First Nation Indigenous perspectives were raised by Australian Federal Parliamentarians at the 2017 Global Greens Forum (Liverpool, England) with European and other International Parliamentarians in relation to maritime Cultural issues.

This Submission advocates for a Coastal Trading licence regime that recognises and allows for Indigenous Cultural Coastal Inter/National Trading contexts, and by this Submission requests the Inquiry to review the contextual circumstances of this Bill in more detail and amend/reverse its statement that, "This Bill is compatible with human rights as it does not raise any human rights issue".

Can the Inquiry Please provide this Submissioner with more detailed quantitative/qualitative information on how it is said in the Bill's Regulation Impact Statement, RIS, that: "..shipping is the mode of freight transport with lowest emissions." Indigenous Custodianship involves a growing contemporary encompassing responsibility for the Planet's greenhouse gas problem. Concern is expressed about the RIS "Affected/Party" statement: "Extending the geographical reach of the framework will allow vessels to carry petroleum from offshore installations to the mainland." , and the Submissioner seeks that the Inquiry request the RIS to be reconsidered in order to reapply an overall Climate Change ethos to the broader implications of the changes the Bill proposes as 'revitalisation'. In that reconsideration the Submissioner seeks an examination of the Climate Change values that underpin further facilitating offshore nonrenewables' industrial operations.

I Object to the Bill's deliberate changed capacity to be used for the petroleum industry, and require the Inquiry to produce a comprehensive Environmental Impact Statement along with an amended RIS. Caution is sought from the Inquiry against the Bill's capacity to open up increased competitive challenge to Australian flagged vessels by lessening the red tape on Temporary Licence applications from foreign shipping companies, and by pseudo deregulation allow more foreign vessels into the Australian domestic market competition for Coastal Trading.

A re-examination/re-calculation is sought from the Inquiry's RIS argument that Coastal Trading revitalisation effectively means "safer roads" and lower emissions, when the Bill effectively encourages increased foreign sea traffic with potentially varying and questionable environmental standards for operational sea worthiness.

Seafarer enhanced conditions and Australian shipping industry workforce protections are

commended progress from the Bill. It is demanded from the Inquiry's deliberations, that the Bill allow Australian Maritime Unions of Australia to be properly and early involved in any Public<~>Private Partnerships in the interests of Workers/Members that may result from the Bill's changes, if union supported. In the Bill's maritime workforce Inquiry, the Committee is asked to note the maritime training and capacity to contribute to First Nation perspectives in this context from The Tribal Warrior, Redfern, Sydney based Aboriginal Community Organisation, and other Aboriginal Islander Organizations involved in workforce training and education. To undo historically accumulative impacts from colonial accounts of invaders burning/destroying Aboriginal Islander canoes and sea transport vessels, the Inquiry is implored to recommend entrenching stronger InterIndigenous economic advancement and restorative employment related clauses into the Bill's efficacy to be inclusive of this type of Reconciliation strategy.

Please let me know if I am able to assist the
Inquiry further,
Yours in viable Australian Coastal Trading,
CRdominicWYKanak, Indigenous Greens
Councillor boondiboondi Bondi Ward
Waverley Council , Deputy Mayor;
President NSW Local Government Aboriginal
Network, LGAN;
ChairMan Eastern Region Local Government
Aboriginal Torres Strait Islander Forum,
ERLGATSIF.

ps: the views expressed by this Submissioner
are not necessarily those of Waverley
Council/lors, and the Organisational positions
noted, but are based on Community feedback
and personal experiences relevant to this
Inquiry

Sent from my iPad