

TOURISM FEES — KIMBERLEY

Grievance

MS L. METTAM (Vasse) [9.41 am]: My grievance is to the Minister for Tourism, on an issue that was raised in this place last year. On 17 August 2017, I raised a grievance on negotiations between members of the Kimberley Marine Tourism Association and Aboriginal landowners along the Kimberley coast, who wished to charge landing fees to tourists accessing their traditional land. The groups were attempting to negotiate this new fee in good faith but were struggling to find a middle ground that would satisfy all parties now and in forthcoming years and would both respectfully compensate the traditional owners of the land and also ensure that the fees were sustainable, so that this niche micro-cruising market would be viable into the future. In response to my grievance the Minister for Tourism said —

The Department of the Premier and Cabinet is taking an informal lead on this issue ... There is an opportunity for us to provide leadership in the deliberations between the industry and the communities, and I am hopeful that we will resolve this issue ... We are taking action to try to resolve those problems in the near term to the benefit of the entire Kimberley and Western Australian tourism industry and, more importantly in many respects, to the Aboriginal communities that are directly affected.

From all reports, almost 12 months on there is no future surety. In fact, it appears that the state government has done very little to assist the relevant parties with this issue and, further, new issues have emerged with members of some groups now approaching negotiations with a number of tourism and business operators in a potentially illegal and certainly unconscionable manner.

I first speak to the ongoing negotiations with the cruise industry. As the minister would be aware, last year was the first year one of the groups, the Wunambal Gaambera Aboriginal Corporation, began charging cruise operators to access its sites along the coastline and inland between Broome and Wyndham. Following talks with members of the KMTA, the corporation resolved to charge operators \$200 per berth for the year, and the operators happily agreed to pay the fee. At present, the KMTA is negotiating on future costs over forward years. The Wunambal Gaambera Aboriginal Corporation is proposing to raise the fees to \$38 per individual per voyage this year, rising to \$152 per individual per voyage in 2020. I recently spoke with executive members of the KMTA, who say they are supportive of paying fees to the Aboriginal landowners and, in fact, are actively encouraging groups to have a more interactive presence, and to pay for this as well. They understand the value of and interest in Aboriginal tourism and would welcome the development of more cultural experiences for visitors to the region.

However, as the Wunambal Gaambera Aboriginal Corporation is one of at least three Aboriginal groups that own land along the stretch of Kimberley coastline between Broome and Wyndham, there is potential that, if the cruise operators agree to this fee structure with the Wunambal Gaambera Aboriginal Corporation, multiple other Aboriginal corporations will implement similar fees. Our Kimberley coastline offers a unique experience attracting visitors from all around the world, and it is very special land. Despite the luxury nature of the micro-cruising market, there is legitimate and significant concern that the implementation of a number of these types of fees is unsustainable, particularly for smaller operators, and has the potential to stifle development of this world-class experience. Some of the KMTA members have told me that although they will absorb the cost of the fees this year, in future years it will be passed on to passengers.

Last year, the KMTA proposed the development of an all-in-one permit for access to Aboriginal communities whose land is accessed by tour operators along the coastline and inland between Broome and Wyndham. Under this proposal, it would cost an amount similar to a Department of Biodiversity, Conservation and Attractions national park entrance fee and therefore when the cost is increased, it would be done annually and across all Kimberley native title groups. Additional funds could be raised by Aboriginal communities with the offering of culturally based events that enhance the knowledge, understanding and the experiences of all tourists to the region. Following my grievance last year, I wrote to the Minister for Tourism and the Minister for Aboriginal Affairs outlining this proposal and also requesting their urgent assistance to engage an independent mediator to ensure that a timely and equitable outcome could be reached for both the traditional landowners and tourism operators. However, I have received no response and operators have also spoken of their frustration at the lack of support, guidance and intervention from the state government to resolve this issue.

This brings me to the next issue of the concerning practices in broader business negotiations that have been brought to my attention by operators in the Kimberley. I have been made aware that some Aboriginal groups, or specifically members from within the groups, are not negotiating in good faith, with reports of senior leaders in these groups approaching potential business partners with bribes in return for help to get their ventures approved. In one case, a former high-level member of one of the groups requested a V8 utility and suggested it needed to be bought within a week for the business operator to receive his support and advocacy on a certain project. In another instance, one of the groups requested thousands of dollars in fees, simply for the business operator to meet with the board to

discuss a potential joint venture. I am sure that the minister will agree these practices are concerning and although they may be limited to a select few individuals, the implications for both the Aboriginal communities being compromised by these actions and the business operators attempting to negotiate in a fair manner are far-reaching and I urge the minister to ensure that this practice is investigated as a matter of urgency.

MR P. PAPALIA (Warnbro — Minister for Tourism) [9.47 am]: At the outset, I thank the member for her grievance, and I acknowledge that it is one that she raised, in a similar fashion, in August of last year. I want to place on the record that the government recognises the right and fairness for Aboriginal communities to charge for access to their land and their sites. We also understand that tourism operators seek outcomes that provide certainty to their industry and their business while recognising the aspirations of the communities. I believe, and the government believes, that there is an opportunity, using the existing tourism market and increasing demand for Aboriginal cultural tourism products, to develop skills and capabilities in remote communities and enable them to, essentially, create an economy on country, which would be a wonderful outcome.

When this grievance was raised last year, I indicated that discussions had taken place between me and Minister Wyatt and, as a consequence, the Department of the Premier and Cabinet would take the lead on the issue, because Indigenous land use agreements were involved, and both the Minister for Aboriginal Affairs and I would take an interest. That did happen. Negotiations were conducted, and ended in January this year without resolution. It is a complex and challenging environment, and it was never going to be resolved in a rapid fashion. It is not a simple problem for which to find resolution. However, after those discussions, my office has been in contact with the Kimberley Marine Tourism Association people and the operators and, in collaboration with staff from Minister Wyatt's and Minister Dawson's offices, has met with relevant agencies to identify possible solutions.

In May 2018, Minister Dawson, Minister Wyatt and I met and agreed on direct discussions with Wunambal Gaambera. Minister Dawson also at that time agreed that for this season, in order to provide some cost relief for the tourism operators, fees would not be charged for access to parks for which the Uunguu visitor pass had been purchased. Minister Wyatt and I had hoped to have a meeting with Wunambal Gaambera in May, but that fell through because of the community, not because of us—we were up in the Kimberley but, unfortunately, we were not able to meet. Minister Wyatt then met with Wunambal Gaambera in Broome in early June. The member would have seen in the media that there was a large Kimberley Land Council meeting up there, and he took the opportunity to meet with it on native title issues and on Wunambal Gaambera's long-term development agenda, including the Uunguu visitor pass.

Following that meeting, Minister Wyatt proposed that a roundtable meeting involving tourism industry operators and representatives of the four native title corporations—Wunambal Gaambera, Djmbimangari, Willinggin and Balanggarra—be convened in the Kimberley. That will probably take place in September–October. The opportunity does not present very regularly, but it is a matter of getting all the representatives from those communities together, as well as the Kimberley tourism operators. The intent is to get them all in a room and have a discussion. The objective of the meeting will be to reach agreement on a uniform tourism permit fee structure across the four native title areas of the north Kimberley; seek a mechanism for administering the permit system; and look at strategic investment to enable the native title groups to participate in the tourism industry for the long-term benefit of those groups and the industry. As I have said, the government views this as a great opportunity not just for tourism, but also for the communities involved. There are very few fields of endeavour in which an economy on country can be achieved. However, tourism is clearly one of them. This part of the tourism sector represents a great opportunity. In my view, and I believe also in the government's view, it would not be a positive outcome if the only revenue stream available to these communities ended up being a fee associated with access. That is a reasonable and fair outcome, but it should not be viewed, in my opinion, as the primary outcome. The best outcome would be that we create a new cultural tourism product and that people acquire new skills and capabilities, including the business wherewithal to be able to manage a real tourism business. That would then provide a multigenerational benefit by enabling people to stay on country, establish a viable business that has long-term returns for the community, help develop skills, and attract kids and young people to stay on country and get a benefit. That is a great potential outcome. The meeting will be led by Minister Wyatt's office and be supported by my office and the Department of the Premier and Cabinet. For that meeting, we are looking at engaging facilitators with extensive experience in working with interest groups and native title corporations. I hope this meeting will assist in guiding the parties towards resolution. Obviously, we would like a resolution that meets the needs of all parties and grows jobs and tourism in the Kimberley.

I believe this government has done more than any government in history to promote tourism opportunities in the Kimberley. That is undeniable. The investment that is about to be committed in clearing the three obstructions in Broome harbour to enable 24/7 access for large cruise ships will massively change outcomes for the Kimberley more broadly. The affordable flights to Broome that were announced a while ago are a massive initiative and have huge potential. If we can demonstrate that there is a market in the Kimberley and encourage the airlines to meet that demand, there are unlimited outcomes for the Kimberley. Of course, there is also this government's multimillion dollar commitment over the next three years to seal Cape Leveque Road, all of which will give day

product to Broome and wider surrounds. It is an incredible opportunity for the Kimberley, thanks to the McGowan government. This is part of it, and we will be working to try to find resolution, as I indicated earlier.