

# Senate Standing Committee on Environment, Communications and the Arts

Answers to questions on notice

## Environment, Water, Heritage and the Arts portfolio

Additional Estimates, February 2009

<b>Outcome:</b>	1.	<b>Question No:</b>	126
<b>Output:</b>	1.3		
<b>Division/Agency:</b>	Marine Division		
<b>Topic:</b>	Great Barrier Reef Structural Adjustment Program		
<b>Hansard Page ECA:</b>	Written Question on Notice		

### Senator Siewert asked:

1. How many individual payments were made?
2. Have there been any second or follow-up payments? How much were they?
3. What was the range of the individual payments that were made? What were the minimum and maximum payments?
4. I am assuming there was a set list of criteria that people had to meet for an allocation?

### Answers:

1.

The following numbers and total payments have been made to each component of the package as at 27 January 2009:

- 122 licences were removed under a licence buy-out at a total cost of \$33 million.
- 410 applications for Simplified Business Restructuring Assistance have been paid at a total of just over \$10 million.
- 429 Full Business Restructuring Assistance grants have been paid a total of about \$157 million.
- 118 skippers, crew and land based business employees have been paid a total of \$454,000 in Employee Assistance to help them with relocation and retraining costs.
- 14 Fishery Related Business Exit Assistance grants have been paid a total of just over \$3 million.
- 3 businesses received assistance under the Community Assistance component of the package totalling \$1.4 million.
- Counselling assistance of \$327,000 has been provided through the Department of Families, Housing, Community Services and Indigenous Affairs.
- 687 businesses have been paid a total of \$658,000 to help with business advice (usually paid alongside other payments above).

Records are held of the individual payments made to date if required.

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2.

There have been many second or follow-up payments made under the package, principally as part of the FBRA assessments. Given the large number and complexity of payments involved, specifying the actual number and individual amounts would take a considerable amount of time. As a summary:

- All successful FBRA applicants were offered an additional 20% on top of their FBRA as of 26 May 2006 to cover other pressures on these businesses. All FBRA offers made prior to that date were amended to include the additional 20%.
- Similarly, the same press release removed the 2/3rds rule on payments (where businesses with healthy profits were previously required to share the cost of the restructure). FBRA offers made prior to 26 May 2006, where this rule was applied, were amended to provide the full amount of restructuring assistance.
- On 22 February 2006 the \$500,000 cap on FBRA offers was removed. Offers made prior to this date which had been capped were subsequently amended.
- Additional payments have been made to many applicants following the appeals process. Of the 189 appeals completed to date there has been an additional \$19,065,288 offered to the appellants on top of their original offers.
- Where the FBRA restructure option has involved the purchase of a capital item the offer was based on a best estimate of the cost of the item at the time of offer. Where the actual cost was greater, additional payments have been made to cover the difference. In general these amounts have been relatively small.
- A few applicants who applied and accepted SBRA but were subsequently accepted for FBRA due to specific individual circumstances have had increased offers made.

3.

- 668 individual applications under various components of the package were declined and thus received no payment.
- In total 1,661 individual applications were successful under various components of the package.
- The minimum payment made was \$35 under the Simplified Business Restructure Assistance (SBRA) component of the package.
- The maximum payment made was \$10,513,270 (plus 20% and Business Advice Assistance) made under the Full Business Restructure Assistance (FBRA) component of the package.

4.

The GBR Structural Adjustment Package comprised 6 different components: Business Advice Assistance; Business Exit Assistance; Business Restructuring Assistance; Employee Assistance; Social Assistance; and Community Assistance with the eligibility criteria specified under the relevant Guidelines or against the relevant component of the package.

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#### *Business Advice Assistance*

Up to \$1000 was available to reimburse an applicant for costs associated with obtaining financial, business planning or legal advice. Payment under this component of the package was on invoice.

*Eligibility criteria under the Business Advice Assistance component of the package were:*

- an applicant had to be a licensed fishing operator, licence lessee or fishery related business owner; and
- an application for assistance under the package had to be lodged.

#### *Business Exit Assistance (BEA)*

There were three components under this assistance package, they were:

- Licence Buy out
- Full Business Exit
- Partial Business Exit

#### *Licence Buy Out (LBO)*

All fishers active within the GBRMP were entitled to submit a tender under the LBO component of the of the package. Successful applicants were decided by a competitive tender process and must have meet the following eligibility criteria:

- needed to be able to demonstrate that the rezoning had a significant negative impact on its commercial operation;
- must have had a valid licence and permitted to fish in the GBRMP;
- must have had current fishery symbols, effort units and/or quota attached to the applicant's licence(s);
- must have had a history of fishing in the GBRMP in those areas closed to fishing through the rezoning from 1 July 2004 or adjacent to those zones;
- must have met or likely to have met any Queensland Department of Primary Industry and Fisheries (QDPIF) criteria for continuation in the fishery; and
- must have lodged an application within the specified period.

#### *Full Business Exit (FBE) Assistance*

FBE was for those businesses that could prove that as a result of the rezoning their business was rendered financially non-viable. Further they also needed to prove that there was no valid restructure option available and that the only option was exit from the industry. Eligibility criteria for this component of the package were that an applicant had to:

- demonstrate that the impacts of the GBRMP rezoning were so great that exiting the industry was the only realistic option;
- be a licensed fishing operator, licence lessee or fishery related business owner;
- demonstrate direct and significant business linkages to the commercial and recreational catching sector or that were holding a commercial fishing licensee that had been temporarily transferred to them (lessees);

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- supply business records of transactions with the above mentioned fishers; and
- Lodge an application within the specified period.

#### Partial Business Exit (PBE)

If a business had been adversely impacted by the GBRMP rezoning but wished to continue with their remaining operations in the fishery related industry they were able to apply for PBE assistance for that component of the business rendered financially non-viable.

Eligibility criteria for this component of the package was that an applicant had to:

- demonstrate that the business was adversely affected by the rezoning of the GBRMP over the qualifying period;
- be a licensed fishing operator, licence lessee or fishery related business owner;
- demonstrate direct and significant business linkages to the commercial and recreational fishing industry, particularly those fishers operating within zones of the GBRMP from 1 July 2004;
- supply business records of transactions with the above mentioned fishers; and
- Lodge an application within the specified period.

#### Business Restructuring Assistance

Businesses could apply for either Simplified (SBRA) or Full Business Restructuring Assistance (FBRA). The SBRA component was a quick process defined by a formula with the maximum payment of \$50,000. These components of the package were to assist businesses with restructuring so that they could manage the negative impacts experienced as a result of the GBRMP rezoning. Eligibility criteria under the Business Restructuring component of the package were that an applicant had to:

- be a licensed fishing operator (FBRA and SBRA), licence lessee or fishery related business owner (FBRA only);
- be viable or have good prospects of future viability (FBRA only);
- demonstrate that the business was adversely affected by the rezoning of the GBRMP over the qualifying period; and
- lodge an application within the specified period.

#### Employee Assistance

In order to assist employees with retraining, short-term dislocation costs, potential relocation costs etc. one-off assistance was available for those skippers and crew who become unemployed as a result of the employer terminating an employee following voluntary surrender of licences under the Package. Applicants that were assessed as eligible under this package received a one-off lump sum payment. Eligibility criteria under the Business Restructuring component of the package were that an applicant had to:

- have been directly employed within the fishing industry or have been a licence lessee; or
- have been a full time employee (earning the majority of income) in a licensed fishing operation that no longer requires their services as a result of the rezoning; or

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- have been a full time employee (earning the majority of income) in a fishery related business with direct and significant linkages to the commercial or recreational fishing industry that no longer requires their services as a result of the rezoning; or
- have been employed by the licence holder, other licence holders, or held the temporary transfer/lease on licence during the financial year 03/04 for a total period of 6 months. This includes intermittent employment (eg. 1 month on, 1 month off), as long as the employment of the 03/04 period equals the total of 6 months; and
- provided verification of employment history through appropriate and relevant taxation records.

#### Social Assistance

The Social Assistance component of the Package involved a range of initiatives including:

- providing industry based personnel within organisations, such as the Queensland Seafood Industry Association, to provide a link between fishers and support agencies
- provision of training and professional development briefings to key agencies that may be called upon to provide support for fishers and their families
- providing crisis (financial and relationship) counselling to those impacted by the rezoning

This component of the Package was developed in consultation with industry, community interests and government agencies. There were no eligibility criteria for applicants under this component of the package.

#### Community Assistance

The Community Assistance component aimed to assist communities and regions to adjust to any major economic and social change experienced as a result of the rezoning of the Great Barrier Reef Marine Park.

Funding for Community Assistance projects was through the Regional Partnerships Programme administered by the Department of Transport and Regional Services (DOTARS).

Project applications under the package were assessed against the following criteria:

- How the rezoning of the Great Barrier Reef Marine Park impacted on the applicant's community; and
- How the project would address the impact of the rezoning on the community.

In addition to meeting the above criteria applicants were also assessed under as the Regional Partnerships Programme criteria with priority given to those projects that demonstrated value for money by achieving their outcomes through the most efficient and effective means, securing appropriate funding from other sources and/or having exhausted other funding options.

Regional Partnerships Programme criteria were that an applicant must have been able to demonstrate that their project would:  
provide benefits for the community by:

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- meeting a demonstrated need or community demand for the project's outcomes;
- filling a market gap or adding value to existing resources, products or business.

create or enhance opportunities in the community by:

- establishing a new, diversified or expanded business in response to demonstrated markets;
- creating new economic/employment opportunities, including job creation;
- providing infrastructure that enhances economic/social opportunities;
- enhancing interaction in the community that would lead to an improvement to the community as a whole;
- deliver diversification of skills and/or demographics in a location; or
- increase the uptake of innovation, best practice or new technologies.

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<b>Outcome:</b>	1	<b>Question No:</b>	127
<b>Output:</b>	1.3		
<b>Division/Agency:</b>	Marine Division		
<b>Topic:</b>	Japanese whaling vessel in Southern Ocean		
<b>Hansard Page ECA:</b>	73 (24/2/09)		

**Senator BARNETT**—Thank you, Minister. Can you advise what communication, if any, the minister undertook following receipt of that advice?

**Senator Wong**—I can take it on notice. I do not have that information.

**Senator BARNETT**—...Can you please advise what communication he had, if any, from Japanese government officials or other key stakeholder groups related to the incident?

**Senator Wong**—Yes, I will take that on notice.

**Answer:**

Minister Garrett's office was informed via email from the office of the Minister for Home Affairs just before noon on Friday 20 February 2009.

The office was informed of this matter by the Department of the Environment, Water, Heritage and the Arts via email later in the afternoon of Friday 20 February 2009.

The office was informed that this matter was strictly operational and that any queries should be directed to the AFP.

No communication was therefore undertaken by the Minister.

The Minister did not have any communication with Japanese Government officials or other key stakeholders in relation to the incident.

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<b>Outcome:</b>	1	<b>Question No:</b>	128
<b>Output:</b>	1.3		
<b>Division/Agency:</b>	Marine Division		
<b>Topic:</b>	Japanese whaling vessels in the Southern Ocean		
<b>Hansard Page ECA:</b>	79 (24/2/09)		

### Senator Siewert asked:

**Senator SIEWERT**—Will we be asking the Japanese whether they were in our waters and how many whales they took?

**Senator Wong**—I would have to refer that question to Minister Garrett, unless Ms Petrachenko can assist. In relation to my last answer, obviously the point is that if there is no particular monitoring then we would not necessarily be aware. Of course Australia's Defence, customs and other services may well be monitoring. I do not have any information on that point. I can take that on notice and see if I can provide anything to you. In relation to your second question, which is whether the government is going to seek information from the Japanese, I will have to take that question on notice.

**Senator SIEWERT**—... I would like to know how long they were there and what they took, if anything, from Australian waters? If you could take that on notice, that would be appreciated.

### Answer/s:

Each year Japan submits the cruise report for its lethal whale research programs under special permit to the International Whaling Commission Scientific Committee. Once this information is assessed by the Scientific Committee, the cruise report becomes public information. The cruise report will contain details of the total number of whales caught during the 2008/09 Japanese Whale Research Program under Special permit in the Antarctic; where whales were caught; and the period of time whaling activities were undertaken.

The Scientific Committee will consider the report at its annual meeting on 31 May-12 June 2009.

The Government did not direct Border Protection Command to undertake any monitoring of whaling operations for the 2009 whaling season and therefore can't provide any detail regarding activity.

The decision to undertake further monitoring of Japanese whaling activity is subject to Government policy.

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**Outcome:** 1 **Question No:** 129  
**Output:** 1.3  
**Division/Agency:** Marine Division  
**Topic:** Whaling Envoy - travel  
**Hansard Page ECA:** 82 (24/2/09)

**Senator BIRMINGHAM asked:**

**Senator BIRMINGHAM**—... What countries has Mr Hollway visited since his appointment?

**Ms Petrachenko**—... He was in the United Kingdom and Prague, and I can take on notice for you his full itinerary.

**Senator BIRMINGHAM**—If you could provide details of accompaniments when you provide the full list of countries—and those accompanying the envoy and the costs associated with those trips—that would be appreciated.

**Answer/s:**

Since his appointment as the Special Envoy for Whales, on 5 October 2008, Mr Hollway has visited Japan, the United States and New Zealand. At the time of Senate Estimates, Mr Hollway was engaged in travel to South Africa, Kenya, England, Germany, the Czech Republic, Spain, Portugal and Sweden.

5-12 October 2008 – Japan and the United States

*United States 8 - 12 October 2008*

A DEWHA official travelled with Mr Hollway to the United States. Costs associated were \$6 119.14

*Japan 5 - 8 October 2008*

A DEWHA official travelled with Mr Hollway to Japan, with associated costs of \$8 485.26.

28-29 October 2008 – Japan

A DEWHA official accompanied Mr Hollway in Japan as part of a trip which included his attendance at the first International Round Table Meeting of the World Ocean Conference 2009 in Indonesia. Costs for travel, including the Indonesian component of the trip, were \$14 414.25.

14-15 January 2009 – New Zealand

A DEWHA official accompanied Mr Hollway to New Zealand with associated costs of \$2 727.25

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February 13 – March 3 2009 - Africa, Europe and Japan

A DEWHA official accompanied Mr Hollway to the following countries: South Africa, Kenya, the United Kingdom, Germany, The Czech Republic, Spain, Portugal, Sweden and Japan. Airfares for the DEWHA official's travel totalled \$19,225.25. Other costs associated with the travel are currently in the process of being acquitted.

Mr Hollway was also accompanied by an officer from the Department of Foreign Affairs and Trade on all the above trips except the travel to South Africa and Kenya.

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<b>Outcome:</b>	1	<b>Question No:</b>	130
<b>Output:</b>	1.3		
<b>Division/Agency:</b>	Marine Division		
<b>Topic:</b>	Shark Fisheries - exports		
<b>Hansard Page ECA:</b>	83 (24/2/09)		

**Senator Siewert asked:**

**Senator SIEWERT**—I will not get you to give me the range of Commonwealth ones now, but could you take on notice the Commonwealth fisheries that have export licences?

**Ms Petrachenko**—Yes.

**Answer/s:**

All Commonwealth fisheries that have been assessed and accredited against the export provisions under Part 13A of the *Environment Protection and Biodiversity Conservation Act 1999* may export product, including shark products, providing they were taken in accordance with the management regime of the fishery.

Of the Commonwealth fisheries, 6 are known to retain sharks. Those fisheries are:

- Southern and Eastern Scalefish and Shark Fishery;
- Coral Sea Fishery;
- Southern and Western Tuna and Billfish Fishery;
- Eastern Tuna and Billfish Fishery;
- Skipjack Tuna Fishery; and
- Western Deepwater Trawl Fishery.

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<b>Outcome:</b>	1	<b>Question No's:</b>	131 & 132
<b>Output:</b>	1.3		
<b>Division/Agency:</b>	Land and Coasts Division		
<b>Topic:</b>	Caring for our Country – Reef Rescue funding allocations		
<b>Hansard Page ECA:</b>	85 (24/2/09) and 86 (24/2/09)		

### Senator Ian Macdonald asked:

**Senator IAN MACDONALD**—Perhaps on notice can you just tell me how much has gone to each one, or can you tell me now? ... Is there anywhere I would find this? I think we might go back to where we started; can you give me on notice all of that \$23 million?

...

**Senator IAN MACDONALD**—That is fine. I am simply wanting to know that the money has gone, and you have told me it has. Can you give me a list for that? If it is easy to do, or even if it is not, even a headline indication of what projects each of those six bodies and the however many peak bodies were going to spend their money on?

**Mr Taylor**—Yes.

...

**Ms Rankin**—It might clarify things if we take that on notice. We will table for you the cash flow for five years for Reef Rescue as well as the breakdown in the expenditure this year for the different components of the Reef Rescue program.

**Senator IAN MACDONALD**—That would be good, thank you. But I am very keen to see what has already gone from all of those programs. I think Mr Reichelt said the monitoring was his.

**Mr Taylor**—Water quality.

**Senator IAN MACDONALD**—Water quality.

**Mr Taylor**—And reporting, yes.

**Ms Rankin**—He is also responsible for the Land and Sea Country Indigenous Partnerships component.

**Senator IAN MACDONALD**—That is right. Yes, he did say that. That is the bit that I am very keen to see.

**Ms Rankin**—We can give you a breakdown on approved projects for each one of those components.

### Answer/s:

The allocations made to Queensland natural resource management bodies, industry peak bodies, the Queensland Environmental Protection Agency and the Great Barrier Reef Marine

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Park Authority for delivery of Reef Rescue in 2008-09, together with a brief description of the main projects they have been contracted to deliver is provided below.

Cape York Sustainable Futures (2008-09): **\$234,000**

Main projects to be delivered:

- Grazing extension/education activities: \$60,000
- Grazing water quality grants: \$22,000
- Horticulture water quality grants: \$22,000
- Program co-ordination and management/capacity building: \$120,000
- Communication activities: \$10,000

Terrain Natural Resource Management (NRM) (2008-09): **\$6,804,650**

Main projects to be delivered:

- Sugarcane extension/education activities: \$315,000
- Sugarcane water quality grants: \$2,018,700
- Sugarcane research and development: \$210,650
- Horticulture extension/education activities: \$135,000
- Horticulture water quality grants: \$723,600
- Horticulture research and development: \$92,000
- Grazing extension/education activities: \$108,000
- Grazing water quality grants: \$180,000
- Dairy extension/education activities: \$56,700
- Dairy water quality grants: \$258,300
- Wetland rehabilitation in the agricultural landscape: \$1,408,500
- Cross commodity reef partnership activities: \$648,000
- Program coordination and management: \$650,200

Burdekin Dry Tropics (2008-09): **\$3,546,300**

Main projects to be delivered:

- Sugarcane extension/education activities: \$270,000
- Sugarcane water quality grants: \$1,147,500
- Horticulture extension/education activities: \$96,000
- Horticulture water quality grants: \$504,000
- Grazing extension/education activities: \$255,000
- Grazing water quality grants: \$472,500
- Wetland rehabilitation in the agricultural landscape: \$230,000
- Cross commodity reef partnership activities: \$286,300
- Program coordination and management: \$285,000

Reef Catchments (Mackay Whitsunday) (2008-09): **\$5,808,124**

Main projects to be delivered:

- Sugarcane extension/education activities: \$315,000
- Sugarcane water quality grants: \$3,865,000
- Horticulture extension/education activities: \$20,416

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- Horticulture water quality grants: \$300,000
- Grazing and grains extension/education activities: \$132,708
- Grazing and grains water quality grants: \$575,000
- Program coordination and management: \$600,000

Fitzroy Basin Association (2008-09): **\$3,379,973**

Main projects to be delivered:

- Cropping water quality grants: \$1,228,844
- Horticulture water quality grants: \$125,000
- Grazing water quality grants: \$2,026,129

Burnett Mary Regional Group (2008-09): **\$3,063,000**

Main projects to be delivered:

- Sugarcane extension/education activities: \$300,000
- Sugarcane water quality grants: \$850,000
- Horticulture extension/education activities: \$108,000
- Horticulture water quality grants: \$610,000
- Grazing and grains extension/education activities: \$240,000
- Grazing and grains water quality grants: \$470,000
- Dairy extension/education activities: \$59,500
- Dairy water quality grants: \$60,500
- Program coordination and management: \$365,000

Funding to industry and NRM peak bodies for developing consistent land management practice frameworks across the Reef regions and for cross-regional coordination, monitoring and reporting of Reef Rescue activities in 2008-09 was **\$714,333**, comprising:

- Queensland regional Groups Collective: \$60,000
- Cotton Australia: \$30,000
- Queensland Farmers Federation: \$60,000
- AgForce: \$189,333
- Canegrowers: \$225,000
- Queensland Dairyfarmer's Organisation: \$150,000

Great Barrier Reef Marine Park Authority (2008-09): **\$3,520,900**

Programs to be delivered:

- Reef Rescue Marine Monitoring Program: \$2,520,900
- Land and Sea Country Indigenous Partnerships Program: \$1,000,000

Queensland Environmental Protection Agency – Wetlands Program (2008-09): **\$500,000**

Main activities to be undertaken:

- Engagement of regional wetland management stakeholders in Reef Rescue wetlands projects in regional/industry priority Reef Rescue investment areas to reduce

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nutrients, chemicals and sediments delivered to the Great Barrier Reef. This will be achieved through:

- Extension, capacity building, education and communication of integrated wetland management in Farm Management System and Grazing Land Management systems in the Great Barrier Reef catchments;
- Economic analysis demonstrating the financial and environmental benefits of integrating best practice wetland management and best practice farm management systems in the Great Barrier Reef catchments.

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<b>Outcome:</b>	1	<b>Question No:</b>	133
<b>Output:</b>	1.3		
<b>Division/Agency:</b>	Land and Coasts Division		
<b>Topic:</b>	Caring for Country – funding in QLD		
<b>Hansard Page ECA:</b>	88 (24/2/2009)		

**Senator the Hon Ian Macdonald asked:**

Can you perhaps identify for me the projects that have gone out of the Caring for our Country money to state and federal government agencies? I am particularly interested in Queensland. I am not sure if anyone else wants them from anywhere else. If nobody else speaks up I will stop it there and just ask that for Queensland. Could you indicate to me what has gone in those allocations to NRM bodies, local and state government agencies, currently and projected?

**Answer:**

Projects funded under Caring for our Country in Queensland to NRM bodies, local and state government agencies are found at:

Attachment A - Caring for Our Country 2008/2009 allocated funds

Attachment B - Caring for Our Country estimated 2009/10 allocation

**Caring for Our Country - 2008/2009 Allocated funds**

**ATTACHMENT A**

<b>Funding Area</b>	<b>Title</b>	<b>Organisation</b>	<b>Organisation Type</b>	<b>Year funded</b>	<b>Funding Dollars</b>
Open Grant	Southeast Queensland Partnership to Establish Protected Areas on Private Land (stage 2)	Brisbane City Council	Local Government	2008/2009	80,000
Community Coastcare +	Engaging our local government in the Reef Guardian best management practice program	Bundaberg Regional Council	Local Government	2008/2009	7,105
Community Coastcare +	Protect and preserve Burdekin beaches	Burdekin Shire Council	Local Government	2008/2009	45,409
Community Coastcare +	Revegetation of section of Saltwater Creek Catchment, Mossman Golf Club	Cairns Regional Council	Local Government	2008/2009	45,282
Community Coastcare +	Improved management of coastal reserves within the Cassowary Coast region	Cassowary Coast Regional Council	Local Government	2008/2009	45,447
Community Coastcare +	Implementing the National Wallum frog recovery plan in the Great Sandy Strait Ramsar wetland	Gympie Regional Council	Local Government	2008/2009	10,368
Community Coastcare +	Construction of controlled beach access and weed control in Hinchinbrook coastal reserves	Hinchinbrook Shire Council	Local Government	2008/2009	44,082
Community Coastcare +	Protecting coastal habitats (Hays Inlet and Burpengary Creek) from trail bike and 4WD impacts through fencing	Moreton Bay Regional Council	Local Government	2008/2009	147,924
Community Coastcare +	Restoring natural biodiversity along the coastal buffer of Saltwater Creek and Hays Inlet	Moreton Bay Regional Council	Local Government	2008/2009	20,818
Community Coastcare +	Water quality enhancement of the Eprapah Creek Catchment	Redland City Council	Local Government	2008/2009	31,763
Community Coastcare +	Kemp Beach rehabilitation and	Rockhampton	Local	2008/2009	35,345

**Caring for Our Country - 2008/2009 Allocated funds**

**ATTACHMENT A**

	community education project	Regional Council	Government		
Community Coastcare +	Sunshine Coast turtle conservation through community partnerships project	Sunshine Coast Regional Council	Local Government	2008/2009	147,071
Community Coastcare +	TreeLine - Creative schools engagement in the coastal environment	Sunshine Coast Regional Council	Local Government	2008/2009	24,727
Community Coastcare +	Townsville coastal access management	Townsville City Council	Local Government	2008/2009	49,637
Community Coastcare +	Rowes Bay local government coastal wetlands interpretive project	Townsville City Council	Local Government	2008/2009	42,782
Community Coastcare +	Alma Bay native vegetation rehabilitation: Native vegetation rehabilitation on a world heritage island	Townsville City Council	Local Government	2008/2009	9,242
Community Coastcare +	Building partnerships to restore native vegetation along the Bowen foreshore	Whitsunday Regional Council	Local Government	2008/2009	45,227
Reef Rescue	Burdekin Reef Rescue RIS	Burdekin Dry Tropics NRM	Regional body	2008/2009	3,546,300
Regional delivery	Burdekin - Caring for our Country Regional Investment Strategy	Burdekin Dry Tropics NRM	Regional body	2008-2009	2,670,000
Partnering Indigenous Communities	Bunya Mountains Project - Caring for our Country Action Plan	Burnett Mary Regional Group	Regional body	2008/2009	60,000
Reef Rescue	Burnett Mary RIS	Burnett Mary Regional Group	Regional body	2008/2009	3,063,000
Regional delivery	Burnett Mary - Caring for our Country Regional Investment Strategy	Burnett Mary Regional Group	Regional body	2008-2009	2,050,000
Community Coastcare +	Feathering the future of Burnett Mary shorebirds	Burnett Mary Regional Group	Regional body	2008/2009	44,050

**Caring for Our Country - 2008/2009 Allocated funds**

**ATTACHMENT A**

		for NRM			
Community Coastcare +	Developing a code of practice for 4WD in tidal wetlands and saltmarsh	Burnett Mary Regional Group for NRM	Regional body	2008/2009	13,777
Landcare Sustainable Practices	Super Graze – maximising adoption of sustainable grazing practices in Southern Queensland	Burnett Mary Regional Group for NRM	Regional body	2008/2009	975,850
Regional delivery	Condamine - Caring for our Country Regional Investment Strategy	Condamine Alliance	Regional body	2008-2009	1,980,000
Regional delivery	Desert Channels - Caring for our Country Regional Investment Strategy	Desert Channels Queensland	Regional body	2008-2009	1,600,000
Community Coastcare +	Capricorn Coast regional coastcare activities - looking after the coastal scrub	Fitzroy Basin Association Inc.	Regional body	2008/2009	43,864
Community Coastcare +	Community monitoring, awareness and education of reef biodiversity in the Central Queensland region (Woppaburra) of the Great Barrier Reef	Fitzroy Basin Association Inc.	Regional body	2008/2009	44,818
Landcare Sustainable Practices	CQBEEF - Sustainable grazing businesses for Central Queensland	Fitzroy Basin Association Inc.	Regional body	2008/2009	148,374
Landcare Sustainable Practices	Healthy soils, Healthy future – bridging the gaps in soil health for improved sustainable Agriculture	Fitzroy Basin Association Inc.	Regional body	2008/2009	169,434
Open Grant	Encouraging sustainable farm practices via adoption of Grains Best Management Practices in Queensland	Fitzroy Basin Association Inc.	Regional body	2008/2009	146,084
Reef Rescue	Fitzroy RIS	Fitzroy Basin Association Inc.	Regional body	2008/2009	3,611,654
Regional delivery	Fitzroy Basin - Caring for our Country Regional Investment Strategy	Fitzroy Basin Association Inc.	Regional body	2008-2009	2,860,000
Landcare Sustainable Practices	Develop best management practices	Northern Gulf	Regional body	2008/2009	234,900

**Caring for Our Country - 2008/2009 Allocated funds**

**ATTACHMENT A**

	and a Code of Practice for grazing in the Northern Gulf	Resource Management Group			
Landcare Sustainable Practices	Improving adoption and innovation of agricultural best practice in Far North Queensland	Northern Gulf Resource Management Group	Regional body	2008/2009	196,939
Regional delivery	Northern Gulf - Caring for our Country Regional Investment Strategy	Northern Gulf Resource Management Group	Regional body	2008-2009	1,310,000
Environmental Stewardship	Box Gum Grassy Woodland, Large High-Quality Sites (Qld)	Queensland Murray Darling Committee	Regional body	2008/2009	200,210
Environmental Stewardship	Box Gum Grassy Woodland, Large High-Quality Sites (Qld)	Queensland Murray Darling Committee	Regional body	2008/2009	145,478.68
Landcare Sustainable Practices	BMP Grazing Strategies for Adapting to Climate Variability in the Maranoa-Balonne	Queensland Murray Darling Committee	Regional body	2008/2009	77,770
Landcare Sustainable Practices	Energy and greenhouse savings for Queensland Murray Darling farmers using the <i>Green Gauge</i> tool.	Queensland Murray Darling Committee	Regional body	2008/2009	114,000
Landcare Sustainable Practices	Implementing natural resource management practices in the Hodgson Landcare Group area	Queensland Murray Darling Committee	Regional body	2008/2009	191,137
Landcare Sustainable Practices	Accelerating Sustainable Forest & Woodland Production BMP uptake across Queensland	Queensland Murray Darling Committee	Regional body	2008/2009	405,200
Regional delivery	Queensland Murray Darling Committee - Caring for our Country Regional Investment Strategy	Queensland Murray Darling Committee	Regional body	2008-2009	2,640,000

**Caring for Our Country - 2008/2009 Allocated funds**

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Community Coastcare +	Island communities taskforce	Reef Catchments	Regional body	2008/2009	151,636
Open Grant	Co Management in the Central Qld Coast	Reef Catchments	Regional body	2008/2009	100,000
Reef Rescue	Mackay Whitsunday RIS	Reef Catchments	Regional body	2008/2009	5,808,124
Regional delivery	Mackay Whitsunday - Caring for our Country Regional Investment Strategy	Reef Catchments	Regional body	2008-2009	1,150,000
Community Coastcare +	Improving landscape resilience to climate change in South East Queensland - the flying-fox roost and forage conservation pilot project	South East Queensland Catchments	Regional body	2008/2009	181,439
Community Coastcare +	Continuation of the community based SEQ sea-grass watch program - Moreton Bay, Gold Coast and Noosa Heads regions	South East Queensland Catchments	Regional body	2008/2009	145,140
Community Coastcare +	Coordinated south east Queensland extension service to promote land stewardship	South East Queensland Catchments	Regional body	2008/2009	148,069
Community Coastcare +	Environmentally friendly mooring trial and development of a strategic moorings replacement program - Moreton Bay, Queensland.	South East Queensland Catchments	Regional body	2008/2009	4,095
Community Coastcare +	Community based investigation of land use influence on coastal streams and potable water supply - Tamborine Mountain	South East Queensland Catchments	Regional body	2008/2009	181,133
Landcare Sustainable Practices	Pineapple Sustainable Practices Project - Industry Roll Out to all Australian Pineapple Production Areas	South East Queensland Catchments	Regional body	2008/2009	115,000
Landcare Sustainable Practices	Commercial application of Polychaete sand filters for wastewater remediation	South East Queensland	Regional body	2008/2009	56,844

**Caring for Our Country - 2008/2009 Allocated funds**

**ATTACHMENT A**

	and broodstock feeds	Catchments			
Open Grant	South East Queensland Sustainable Trees on Farms Program	South East Queensland Catchments	Regional body	2008/2009	106,500
Regional delivery	South East Qld - Caring for our Country Regional Investment Strategy	South East Queensland Catchments	Regional body	2008-2009	2,640,000
Regional delivery	South West - Caring for our Country Regional Investment Strategy	South West NRM	Regional body	2008-2009	1,500,000
Regional delivery	Southern Gulf - Caring for our Country Regional Investment Strategy	Southern Gulf Catchments	Regional body	2008-2009	1,310,000
Community Coastcare +	Local government coastal reserve planning and management in far north Queensland	Terrain NRM Ltd	Regional body	2008/2009	180,727
Community Coastcare +	Cattana Wetlands - environmental education for sustainability	Terrain NRM Ltd	Regional body	2008/2009	24,820
Landcare Sustainable Practices	Improved uptake of best practice and FMS within the agriculture industry in the Wet Tropics.	Terrain NRM Ltd	Regional body	2008/2009	299,701
Reef Rescue	Wet Tropics Reef RescueRIS	Terrain NRM Ltd	Regional body	2008/2009	6,804,650
Regional delivery	Terrain - Caring for our Country Regional Investment Strategy	Terrain NRM Ltd	Regional body	2008-2009	1,450,000
Community Coastcare +	Training and capacity building tools for community based monitoring of water quality entering Moreton Bay	Department of Natural Resources And Water	State Government	2008/2009	154,473
Community Coastcare +	Caring for turtles - Collaborating communities increasing marine turtle breeding success	Environmental Protection Agency	State Government	2008/2009	113,725
Open Grant	Protected Areas on Private Land in	Environmental	State	2008/2009	400,000

**Caring for Our Country - 2008/2009 Allocated funds**

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	Queensland (stage 2)	Protection Agency	Government		
Reef Rescue	Queensland Wetlands Program	Environmental Protection Agency	State Government	2008/2009	500,000
Landcare Sustainable Practices	Implementation of Sustainable Horticultural Practices in Torres Strait	Torres Strait Regional Authority	Statutory Authority	2008/2009	145,500
Regional delivery	Torres Strait - Caring for our Country Regional Investment Strategy	Torres Strait Regional Authority	Statutory Authority	2008-2009	940,000
Open Grant	Queensland Grow Me Instead Project	Nursery & Garden Industry Queensland Industrial Union of Employers	Union	2008/2009	173,000
				<b>TOTAL</b>	<b>53,986,645</b>

(\*) Cape York does not have a regional body as yet and therefore activities are delivered by local community groups

(+) Community Coastcare 2008-009 figures contained in this sheet are approved but subject to contract negotiations



## Caring for Our Country estimated 2009/10 allocation

## ATTACHMENT B

Figures contained in this table are estimates and subject to either contract negotiations or funding approval via the 2009-10 Caring for Country business plan

\*\* This funding has been allocated to the Cape York region and the arrangement may change if a regional body is formed in the Cape

<b>Funding Area</b>	<b>Title</b>	<b>Organisation</b>	<b>Organisation Type</b>	<b>Year</b>	<b>Funding Dollars</b>
AGLC 133 Attachment A v.3.docRegional delivery	Cape York -- Caring for our Country Regional Investment Strategy	Cape York *	**	2009-2010 to 2012-2013 per year	1,530,000
Community Coastcare	Protecting coastal habitats (Hays Inlet and Burpengary Creek) from trail bike and 4WD impacts through fencing	Moreton Bay Regional Council	Local Government	2009/10	36,981
Community Coastcare	Sunshine Coast turtle conservation through community partnerships project	Sunshine Coast Regional Council	Local Government	2009/10	43,518
Landcare Sustainable Practices	Piloting Adoption of Grazing Best Management Practices for Improving Water Quality in the Burdekin Rangelands	Dalrymple Landcare Committee	NGO	2009/10	230,546
Regional delivery	Burdekin - Caring for our Country Regional Investment Strategy	Burdekin Dry Tropics NRM	Regional body	2009-2010 to 2012-2013 per year	1,843,000
Regional delivery	Burnett Mary - Caring for our Country Regional Investment Strategy	Burnett Mary Regional Group	Regional body	2009-2010 to 2012-2013 per year	2,028,000
Regional delivery	Condamine - Caring for our Country Regional	Condamine Alliance	Regional body	2009-2010 to 2012-2013	1,982,000

**Caring for Our Country estimated 2009/10 allocation**

**ATTACHMENT B**

	Investment Strategy			per year	
Regional delivery	Desert Channels - Caring for our Country Regional Investment Strategy	Desert Channels Queensland	Regional body	2009-2010 to 2012-2013 per year	1,543,000
Landcare Sustainable Practices	CQBEEF - Sustainable grazing businesses for Central Queensland	Fitzroy Basin Association Inc.	Regional body	2009/10	153,851
Landcare Sustainable Practices	Healthy soils, Healthy future – bridging the gaps in soil health for improved sustainable Agriculture	Fitzroy Basin Association Inc.	Regional body	2009/10	166,434
Landcare Open Grants	Encouraging sustainable farm practices via adoption of Grains Best Management Practices in Queensland	Fitzroy Basin Association Inc.	Regional body	2009/10	48,695
Regional delivery	Fitzroy Basin - Caring for our Country Regional Investment Strategy	Fitzroy Basin Association Inc.	Regional body	2009-2010 to 2012-2013 per year	2,304,000
Landcare Sustainable Practices	Develop best management practices and a Code of Practice for grazing in the Northern Gulf	Northern Gulf Resource Management Group	Regional body	2009/10	242,320
Landcare Sustainable Practices	Improving adoption and innovation of agricultural best practice in Far North Queensland	Northern Gulf Resource Management Group	Regional body	2009/10	199,495
Regional delivery	Northern Gulf - Caring for our Country Regional Investment Strategy	Northern Gulf Resource Management Group	Regional body	2009-2010 to 2012-2013 per year	1,171,000

**Caring for Our Country estimated 2009/10 allocation**

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Landcare Sustainable Practices	BMP Grazing Strategies for Adapting to Climate Variability in the Maranoa-Balonne	Queensland Murray Darling Committee	Regional body	2009/10	70,100
Environmental Stewardship	Box Gum Grassy Woodland, Large High-Quality Sites (Qld)	Queensland Murray Darling Committee	Regional body	2009/10	47,667
Environmental Stewardship	Box Gum Grassy Woodland, Large High-Quality Sites (Qld)	Queensland Murray Darling Committee	Regional body	2009/10	16,120
Environmental Stewardship	Box Gum Grassy Woodland, Large High-Quality Sites (Qld)	Queensland Murray Darling Committee	Regional body	2009/10	30,180
Regional delivery	Queensland Murray Darling Committee - Caring for our Country Regional Investment Strategy	Queensland Murray Darling Committee	Regional body	2009-2010 to 2012-2013 per year	2,489,000
Community Coastcare	Island communities taskforce	Reef Catchments	Regional body	2009/10	37,909
Regional delivery	Mackay Whitsunday - Caring for our Country Regional Investment Strategy	Reef Catchments	Regional body	2009-2010 to 2012-2013 per year	1,033,000
Community Coastcare	Improving landscape resilience to climate change in South East Queensland - the flying-fox roost and forage conservation pilot project	South East Queensland Catchments	Regional body	2009/10	45,360

**Caring for Our Country estimated 2009/10 allocation**

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Community Coastcare	Continuation of the community based SEQ sea-grass watch program - Moreton Bay, Gold Coast and Noosa Heads regions	South East Queensland Catchments	Regional body	2009/10	36,285
Community Coastcare	Coordinated south east Queensland extension service to promote land stewardship	South East Queensland Catchments	Regional body	2009/10	37,017
Community Coastcare	Community based investigation of land use influence on coastal streams and potable water supply - Tamborine Mountain	South East Queensland Catchments	Regional body	2009/10	45,283
Regional delivery	South East Qld - Caring for our Country Regional Investment Strategy	South East Queensland Catchments	Regional body	2009-2010 to 2012-2013 per year	2,304,000
Landcare Sustainable Practices	Pineapple Sustainable Practices Project - Industry Roll Out to all Australian Pineapple Production Areas	South East Queensland Catchments	Regional body	2009/10	15,000
Landcare Sustainable Practices	Commercial application of Polychaete sand filters for wastewater remediation and broodstock feeds	South East Queensland Catchments	Regional body	2009/10	125,141
Regional delivery	South West - Caring for our Country Regional Investment Strategy	South West NRM	Regional body	2009-2010 to 2012-2013 per year	1,390,000

**Caring for Our Country estimated 2009/10 allocation**

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Regional delivery	Southern Gulf - Caring for our Country Regional Investment Strategy	Southern Gulf Catchments	Regional body	2009-2010 to 2012-2013 per year	1,122,000
Community Coastcare	Local government coastal reserve planning and management in far north Queensland	Terrian NRM	Regional body	2009/10	45,182
Regional delivery	Terrain - Caring for our Country Regional Investment Strategy	Terrian NRM	Regional body	2009-2010 to 2012-2013 per year	1,459,000
Community Coastcare	Training and capacity building tools for community based monitoring of water quality entering Moreton Bay	Department of Natural Resources And Water	State Government	2009/10	38,618
Community Coastcare	Caring for turtles - Collaborating communities increasing marine turtle breeding success	Environmental Protection Agency	State Government	2009/10	28,431
Environmental Stewardship	Box Gum Grassy Woodland, Large High-Quality Sites (Qld)	Environmental Protection Agency	State Government	2009/10	31,500
Landcare Sustainable Practices	Implementation of Sustainable Horticultural Practices in Torres Strait	Torres Strait Regional Authority	Statutory Authority	2009/10	155,000
Regional delivery	Torres Strait - Caring for our Country Regional Investment Strategy	Torres Strait Regional Authority	Statutory Authority	2009-2010 to 2012-2013 per year	822,000
				<b>TOTAL</b>	<b>24,946,633</b>

**Senate Standing Committee on Environment, Communications and the Arts**

Answers to questions on notice

**Environment, Water, Heritage and the Arts portfolio**

Additional Estimates, February 2009

<b>Outcome:</b>	1	<b>Question No:</b>	134
<b>Output:</b>	1.3		
<b>Division/Agency:</b>	Land and Coasts Division		
<b>Topic:</b>	SeaNet		
<b>Hansard Page ECA:</b>	88 (24/02/09)		

**Senator Macdonald asked:**

**Senator IAN MACDONALD**—Someone might just tell me: is SeaNet all finished?

**Ms Rankin**—SeaNet has received funding this year through the open grants process.

**Senator IAN MACDONALD**—For one year?

**Ms Rankin**—Yes, at this stage, and they are obviously able to apply for continued funding through the business plan.

**Senator IAN MACDONALD**—Could you on notice give me the details of that, so I won't keep you now.

**Answer/s:**

OceanWatch Australia Limited received funding through the Caring for our Country Open Grants for the following projects:

- SeaNet East- the Environmental Fisheries Extension Program for Queensland, New South Wales and Victoria (\$398 545 across 2008-09 and 2009-10)
- SeaNet West - The Environmental Fisheries Extension Program for Northern Territory, Western Australia, South Australia and Tasmania (\$398 545 across 2008-09 and 2009-10)

These projects will engage with commercial seafood providers, managers, researchers and NRM stakeholders to reduce bycatch and encourage environmental best practice in their operations and activities.

**Senate Standing Committee on Environment, Communications and the Arts**

Answers to questions on notice

**Environment, Water, Heritage and the Arts portfolio**

Additional Estimates, February 2009

<b>Outcome:</b>	1	<b>Question No:</b>	135
<b>Output:</b>	1.3		
<b>Division/Agency:</b>	Marine Division		
<b>Topic:</b>	Cetacean conservation initiatives		
<b>Hansard Page ECA:</b>	88 (24/2/09)		

**Senator SIEWART asked:**

**Senator SIEWERT**—That was the last financial year. What are the totals to date for this financial year?

**Ms Petrachenko**—For this financial year we had \$414,000. That is the \$435,000 less the efficiency dividend. From transitional funding from Caring for our Country we had \$370,000, plus the additional funds which were approved and are in the portfolio budget statement for additional estimates—over \$5 million—for the new whale conservation initiatives. I will get the exact figure for you.

**Answer/s:**

2008-09 year to date expenditure for cetacean policy and management activities within the Marine Division (including staffing costs) is \$947,372.

In addition, \$226,000 has been expensed so far this financial year from the *International Whaling and Marine Mammal Conservation Initiative*. \$5.7 million has been allocated for this initiative in 2008-09.

The Australian Antarctic Division, also has cetacean-related funding programs.

**Senate Standing Committee on Environment, Communications and the Arts**

Answers to questions on notice

**Environment, Water, Heritage and the Arts portfolio**

Additional Estimates, February 2009

<b>Outcome:</b>	1	<b>Question No:</b>	136
<b>Output:</b>	1.3		
<b>Division/Agency:</b>	Marine Division		
<b>Topic:</b>	Caring for Country marine expenditure		
<b>Hansard Page ECA:</b>	88 (24/2/09)		

**Senator SIEWERT asked:**

**Senator SIEWERT**—I am now looking at marine expenditure. I am trying to compare marine expenditure. I know it is going to be tricky because it was in the 2007-08 year and you are crossing over NHT. Could you give me a level for marine conservation expenditure in 2007-08?

**Ms Petrachenko**—What is difficult—and I might have to take it on notice to give some detail—is that the appropriation for the division last year was for the Marine and Biodiversity Division. ... I can take that on notice and try to separate that out for you.

**Senator SIEWERT**—That would be appreciated. Is it possible to give me the figures that were marine conservation in 2006-07? You can see where I am coming from. I am trying to compare 2006-07, 2007-08 and how much you are going to spend this year.

**Answers:**

The departmental budget allocation for marine conservation activities for the 2006-07 financial year was \$17,250,442;  
For the 2007-08 financial year was \$19,608,381; and  
For the 2008-09 financial year is \$27,547,153.

The 2008-09 budget includes \$5.215m for International Whale Science and Diplomacy and \$2.211m carried forward from 2007-08. It is anticipated all these funds will be expensed during the 2008-09 financial year.

# Senate Standing Committee on Environment, Communications and the Arts

Answers to questions on notice

## Environment, Water, Heritage and the Arts portfolio

Additional Estimates, February 2009

<b>Outcome:</b>	1	<b>Question No:</b>	137
<b>Output:</b>	1.3		
<b>Division/Agency:</b>	Marine Division		
<b>Topic:</b>	Whales		
<b>Hansard Page ECA:</b>	Written question on notice		

### Senator Brown asked:

In the National Geographic documentary Kingdom of the Blue Whale researchers test the DNA of whale meat sold in Japan and find the whale was a hybrid of a Blue Whale (mother) and Fin whale (father).

1. To your knowledge, has the *Institute of Cetacean* Research published any scientific assessment of such a hybrid whale?
2. If the whale was not caught for scientific research by Japan, could you explain how such a whale could find its way to the Japanese whale meat market?
3. Will the Australian Government be pressing the International Whaling Commission to investigate this possible breach of a whaling ban?

### Answers:

1. The scientific assessment of the hybrid whale referred to in the National Geographic documentary was conducted by researchers from Harvard University. The Department is not aware of any scientific assessment on a hybrid whale conducted by the Institute of Cetacean Research.
2. It is highly likely that the hybrid whale meat sampled in a Japanese market in 1993 was from a whale that was killed near Iceland on 29 June 1989 and then exported from Iceland to Japan in 1990. When the Harvard University scientists analysed the meat from the Japanese market they found the DNA sequences matched perfectly with the hybrid whale killed near Iceland. This was discovered because the hybrid whale was originally genetically analysed by scientists from the University of Lund, Sweden and the DNA sequences submitted to a public database.

Iceland is not a signatory to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Japan is a member of CITES but has filed a reservation on the listing of whales under Appendix I. These circumstances mean that the international trade of the hybrid whale meat was not in breach of CITES.

3. The hybrid whale was killed by an Icelandic scientific whaling program which Iceland claims is permitted under Article VIII of the International Convention for the Regulation of Whaling whereby the domestic consumption of the resulting whale products is not obligatory.

# Senate Standing Committee on Environment, Communications and the Arts

Answers to questions on notice

## Environment, Water, Heritage and the Arts portfolio

Additional Estimates, February 2009

<b>Outcome:</b>	1	<b>Question No:</b>	138
<b>Output:</b>	1.3		
<b>Division/Agency:</b>	Marine Division		
<b>Topic:</b>	Marine – Marine Parks		
<b>Hansard Page ECA:</b>	Written Question on Notice		

### Senator Siewert asked:

There is mounting scientific evidence about the benefits of no-take, eg: the doubling of coral trout in the GBR green zones, and the abundance of fish in Florida's large no take marine park at 12 times the levels prior to the declaration of the park.

The US Government has recently declared 2 large no take parks in the north- west Hawaiian Islands covering 365,000km<sup>2</sup> and 500,000km<sup>2</sup> in the Marianna Trench and Islands.

On page 73 of the *South West Bioregional profile*, produced under the Howard Government, the guiding principles state that the MPA network will aim to include some highly protected areas (IUCN I & II) in each bioregion.

1. Is this a backdown from the Australia Government's previous commitments to the NRSMPA including the 1998 ANZEC Guidelines?
2. Does this mean that the Rudd Government will not commit to ensuring that each bioregion is afforded no-take? If not, why not?

### Answer/s:

1. The text at page 73 of the *South-west Marine Bioregional Profile* is consistent with the text at page 6 of the 1998 *Guidelines for Establishing the National Representative System of Marine Protected Areas*, which states: "The NRSMPA will aim to include some highly protected areas (IUCN Categories I and II) in each bioregion".
2. The Government is committed to the establishment, in the South-west marine region, of a representative network of Commonwealth marine reserves, in accordance with the Goals and Principles outlined in Chapter 4 of the *South-west Bioregional Profile* and the 1998 *Guidelines for Establishing the National Representative System of Marine Protected Areas*.

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Answers to questions on notice

## Environment, Water, Heritage and the Arts portfolio

Additional Estimates, February 2009

<b>Outcome:</b>	1.	<b>Question No:</b>	139
<b>Output:</b>	1.3		
<b>Division/Agency:</b>	Marine Division		
<b>Topic:</b>	Marine Protected Areas		
<b>Hansard Page ECA:</b>	Written Question on Notice		

### Senator Siewert asked:

The Federal Environment Minister talks about the need for balance in management of the marine environment. Only around 4% of Australia's marine environment is properly protected from extractive use (IUCN I & II). In the South West marine region, the figure is 0.21% (state and commonwealth waters). A recent poll of Western Australians showed that 75% believe that current levels of marine protection are not enough. International recommendations (eg: the 2003 World Parks Congress) call for a minimum 20-30% of the world's marine bioregions to be receive no-take protected.

1. Does the Australian Government intend to significantly increase the proportion of Australia's marine environment that is highly protected?
2. If so, to what degree will this proportion be increased through the marine bioregional planning process?

### Answer/s:

1. Through marine bioregional planning, the Australian Government is currently developing regional networks of representative Commonwealth marine reserves in accordance with the Goals and Principles outlined in the Bioregional Profiles prepared for each marine region, and consistent with the 1998 *Guidelines for Establishing the National Representative System of Marine Protected Areas*. The proclamation of the networks will result in a significant increase in the proportion of Australia's marine environment that is highly protected, including highly protected areas (IUCN Categories I and II) in each bioregion.
2. The Government is not working to a predetermined proportion.

# Senate Standing Committee on Environment, Communications and the Arts Committee

Answers to questions on notice

## Environment, Water, Heritage and the Arts portfolio

Additional Estimates, February 2009

<b>Outcome:</b>	1	<b>Question No:</b>	140
<b>Output:</b>	1.3		
<b>Division/Agency:</b>	Marine		
<b>Topic:</b>	Sustainable Fisheries		
<b>Hansard Page ECA:</b>	Written Question on Notice		

### Senator Siewert asked:

The majority of Australia's fisheries are fished either at or beyond capacity or their status is unknown. In the South West marine region, the federal environment department found that there are targeted species that are overfished in two fisheries, fully fished in three fisheries and uncertain in two fisheries. And that four fisheries have not been assessed. In fisheries management in Australia, a fishery could be considered sustainable as long as it can maintain its stocks between 30% and 40% of the pre-fished biomass. This removal of large numbers of fish significantly modifies marine ecosystems. Globally, 90% of the world's large predatory fish stocks are gone.

1. To what degree do you believe Australia's fisheries are sustainably fished?
2. Does the environment department agree that fisheries management should not be a surrogate for marine conservation?
3. To what degree is the environment department relying on fisheries management in lieu of marine conservation measures i.e. marine protected areas, particularly no-take zones?

### Answer/s:

1. In exercising his powers under the *Environment Protection and Biodiversity Conservation Act 1999* the Minister for the Environment, Heritage and the Arts is required to assess the management arrangements of all export fisheries, Commonwealth fisheries and fisheries that operate in Commonwealth waters according to the *Guidelines for the Ecologically Sustainable Management of Fisheries – 2<sup>nd</sup> Edition* (the Guidelines) to ensure they are managed in an ecologically sustainable manner.
2. Yes, however ensuring the sustainability of fisheries has a positive contribution to the protection of marine biodiversity.
3. The Department does not rely on fisheries management in lieu of marine conservation measures. While some fisheries management measures positively contribute to conservation outcomes for marine biodiversity, their use is designed to improve the ecological sustainability of a fishery. They are not designed specifically for the conservation of biodiversity, which is a requirement for areas that form part of the National Representative System of Marine Protected Areas across Australia's Commonwealth waters.

# Senate Standing Committee on Environment, Communications and the Arts

Answers to questions on notice

## Environment, Water, Heritage and the Arts portfolio

Additional Estimates, February 2009

<b>Outcome:</b>	1	<b>Question No:</b>	141
<b>Output:</b>	1.3		
<b>Division/Agency:</b>	Marine Division		
<b>Topic:</b>	Marine Protected Areas		
<b>Hansard Page ECA:</b>	Written Question on Notice		

### Senator Siewert asked:

Many scientists consider MPAs to be an important tool in the battle against climate change – by reducing threats they can increase the resilience of marine life and ecosystems to climate change. A recent CSIRO report into the effect of climate change on fisheries found that southern fisheries, which are some of the most lucrative, are most susceptible to climate change.

1. In what way does regional marine planning for the Southwest Marine Region address the likely effects of climate change on marine life and marine ecosystems?

### Answer/s:

Marine bioregional planning in the South-west marine region will address likely effects of climate change primarily in the following ways:

- by recognising that an improved understanding of the long term effects of climate change on the Commonwealth marine area of the South-west marine region is a priority for the Australian Government
- by identifying matters of national environmental significance that, based on current scientific understanding, are likely to be impacted by climate change
- by ensuring the design of the marine reserves network is based on principles aimed at promoting resilience and anticipating possible shifts in ecological patterns, for example selecting large areas that are more likely to accommodate ecological shifts. In addition, resilience to climate change will be enhanced through the reduction of other pressures on the marine environment as a result of the creation of new reserves
- by developing practical indicators and monitoring programs that provide signals of ecosystem changes within marine regions.

# Senate Standing Committee on Environment, Communications and the Arts

Answers to questions on notice

## Environment, Water, Heritage and the Arts portfolio

Additional Estimates, February 2009

<b>Outcome:</b>	1	<b>Question No:</b>	142
<b>Output:</b>	1.3		
<b>Division/Agency:</b>	Marine Division		
<b>Topic:</b>	Marine Protected Areas		
<b>Hansard Page ECA:</b>	Written Question on Notice		

### Senator Siewert asked:

Australia prides itself on its leading international reputation in marine conservation. However, in a recent issue of *MPA News*, the highly respected online journal, leading Australia marine scientist, Dr Graham Edgar, indicated that Australia was being left behind on marine protection and could no longer be viewed as a world leader. Edgar is just the latest of a number of leading marine scientists who are publicly expressing this concern.

1. How does the Australian Government intend to regain this reputation?

### Answer/s:

The article by Trevor Ward, Graham Edgar and Hugh Possingham in the November 2008 edition of *MPA News (An Australian View on MPA Report Cards)* responded to a recent report card issued by the Living Oceans Society, David Suzuki Foundation and Sierra Club British Columbia comparing progress in Canada, the U.S. and Australia in implementing marine protected areas in their national waters. The report card rated Australia extremely highly against both the U.S. and Canada.

The comments in the November 2008 article relate, in particular, to progress in implementing marine protected areas in waters within State and Northern Territory jurisdictions and the need to deliver highly protected marine protected areas that represent the full variety of marine life.

The Australian, State and Territory Governments have committed to the establishment of a National Representative System of Marine Protected Areas by 2012. The primary goal of the National Representative System is to establish and manage a comprehensive, adequate and representative system of marine protected areas to contribute to the long-term ecological viability of marine and estuarine systems, maintain ecological processes and systems and protect Australia's biological diversity at all levels.

Implementation of the National Representative System in Commonwealth waters is being progressed through Australia's world-leading program of marine bioregional planning. A key outcome of the marine bioregional planning process will be the design of marine protected areas that include comprehensive, adequate and representative examples of the range of marine ecosystems that occur in each of the marine regions.

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Australia's marine protected areas estate currently covers approximately 88 million hectares or 10% of Australia's waters (excluding Antarctic waters). Approximately 43% of Australia's marine protected areas estate consists of highly protected sanctuary zones.

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<b>Outcome:</b>	1	<b>Question No:</b>	143
<b>Output:</b>	1.3		
<b>Division/Agency:</b>	Marine		
<b>Topic:</b>	Marine Planning		
<b>Hansard Page ECA:</b>	Written Question on Notice		

### Senator Siewert asked:

1. Is regional marine planning operating consistently within the Australian Government's cooperative federalism framework?
2. That is, what bilateral agreements are in place with the states for the development of the regional marine plans?
3. Do these agreements go beyond simply information sharing, to the extent of joint planning processes?

### Answer:

The Government's marine bioregional planning program applies to Commonwealth waters. The states and Northern Territory are undergoing their own planning processes, including those associated with the development of the National Representative System of Marine Protected Waters in state waters. State processes are being undertaken in accordance with each state's own planning processes and legislation, as appropriate. Nevertheless the Commonwealth and states have recognised the need to share information, to coordinate activities so as to minimise confusion and imposts on industry and community stakeholders.

While the Department of the Environment, Water, Heritage and the Arts is consulting relevant agencies in South Australia, New South Wales, Queensland and the Northern Territory, it is only in Western Australia and the Northern Territory that formal arrangements have been established and no further memoranda of understanding are currently planned. The Department has negotiated Memoranda of Understanding with relevant Western Australian and Northern Territory government agencies to facilitate cooperation and collaboration where appropriate in the development of the South-west/North-west and North Marine Bioregional Plans respectively. The Memoranda of Understanding do not provide for joint planning but have facilitated a high level of cooperation between agencies. Officials from DEWHA and relevant WA and NT agencies exchange information and coordinate their activities through Marine Planning Government Working Groups established under the MOU.

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<b>Outcome:</b>	1.	<b>Question No:</b>	144
<b>Output:</b>	1.3		
<b>Division/Agency:</b>	Marine		
<b>Topic:</b>	Marine planning		
<b>Hansard Page ECA:</b>	Written Question on Notice		

### Senator Siewert asked:

1. Is DEWHA using a process of systematic planning for determining the MPA boundaries and zoning?
2. If so, what process?
3. To what degree are stakeholders involved in the drafting of the boundaries?
4. What access to data (conservation and use) is being provided to the stakeholders?
5. What is the level of expenditure (in the last financial year, and planned for the coming financial year), per planning region, on active community engagement?
6. What success has DEWHA had so far in this endeavour?

### Answer/s:

1. Through the marine bioregional planning process the Department of the Environment, Water, Heritage and the Arts is using a systematic approach to identify a representative network of marine reserves in Commonwealth waters. This process involves both the identification of marine reserves and the development of proposed zoning arrangements.
2. Identification of new networks of marine reserves is undertaken in accordance with the goals and principles outlined in the Bioregional Profiles prepared for each marine region and consistent with the 1998 *Guidelines for Establishing the National Representative System of Marine Protected Areas*.
3. Key inputs to the process for identifying new Commonwealth marine reserves include scientific data and information on the location and distribution of human activities. As such, information obtained through engagement of relevant stakeholder groups, including scientists and marine resource users and managers, is a critical part of the development of new marine reserves.
4. All data developed and collated through the marine bioregional planning process, other than information that is protected through confidentiality agreements, are available to stakeholders through Departmental publications, the Department's website and on request.

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5. Expenditure on engagement with stakeholders in the marine bioregional planning process for the last financial year (2007/2008) was approximately \$240,000 for the South-west Marine Region, \$132,000 for the North-west Marine Region, \$150,000 for the North Marine Region and \$12,000 for the East Marine Region. Expenditure on stakeholder engagement in the marine bioregional planning process for the current financial year (2008/2009) will be approximately \$235,000 for the South-west Marine Region, \$131,000 for the North-west Marine Region, \$160,000 for the North Marine Region and \$39,000 for the East Marine Region. Proposed expenditure on stakeholder engagement for next financial year (2009/2010) is anticipated to be approximately \$230,000 for the South-west Marine Region, \$164,000 for the North-west Marine Region, \$130,000 for the North Marine Region and \$70,000 for the East Marine Region. These figures are inclusive of the costs associated with stakeholder liaison officers located in Perth and Darwin and reflect the stage of planning in each region.
6. The Marine Division has active and constructive working relationships with key stakeholder groups relevant to the marine bioregional planning process at national and regional scales. Relevant stakeholder groups, including state/Northern Territory government agencies, researchers, industry, conservation, Indigenous and community organisations, are actively involved through both formal and informal processes in the provision of advice, information-sharing and feedback on the process and outcomes of marine bioregional planning.

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<b>Outcome:</b>	1	<b>Question No:</b>	145
<b>Output:</b>	1.3		
<b>Division/Agency:</b>	Marine Division		
<b>Topic:</b>	Marine planning – structural adjustment		
<b>Hansard Page ECA:</b>	Written Question on Notice		

### Senator Siewert asked:

1. What work has been done on displaced effort buyout policy in DEWHA in the last 18 months or so?
2. Detail the nature of this work and its policy intentions. Is the environment department working with DAFF on addressing displaced effort through the deployment of structural adjustment schemes?
3. What is the Rudd Government's position on displaced effort buyout?
4. To what degree did the policy under the Howard Government of no-cost MPAs (as applied in the South East marine region) affect the declaration of no-take (IUCN I & II) zones?
5. To what degree is this policy still being applied in the current marine planning processes?

### Answer/s:

1. DEWHA has undertaken some internal work to identify requirements for the management of displaced fishing effort that may result from the declaration of marine protected areas in Commonwealth waters under the marine bioregional planning process. Further work on a displaced effort buyout policy is on hold pending the release of the independent review of the Great Barrier Reef Marine Park Structural Adjustment Program.
2. Please see the response to part 1. DEWHA recognises the importance of DAFF's involvement in the effective management of displaced fishing effort that may arise from the declaration of marine protected areas.
3. DEWHA is in the process of assessing the approach to displaced effort.
4. The South-east marine protected areas were implemented in line with the goals of the National Representative System of Marine Protected Areas (NSRMPA) and the previous Government's policy on displaced fishing effort: *Marine Protected Areas and Displaced Fishing: a Policy Statement*. The displaced fishing policy committed the Government to a process that minimized impacts on existing fishing activities while still maintaining scientific credibility and achieving conservation objectives. The marine protected area identification and subsequent zoning for the South-east were undertaken in line with this commitment. The cost of the displacement of fishing effort from the marine protected areas was included in the *Securing our Fishing Future* program administered by DAFF.
5. As noted above, DEWHA is in the process of assessing the approach to displaced effort.

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<b>Outcome:</b>	1	<b>Question No:</b>	146
<b>Output:</b>	1.3		
<b>Division/Agency:</b>	Marine Division		
<b>Topic:</b>	Marine Planning		
<b>Hansard Page ECA:</b>	Written Question on Notice		

**Senator Siewert asked:**

What is the timeline for the following:

- completion of each of the remaining regional marine plans
- completion of each of the systems of marine parks within the regions (including completion of the EPBC declaration and management planning process)?

**Answer/s:**

The schedule for completion of the Marine Bioregional Plans in the four marine regions is as follows:

- South-west, late 2009
- North and North West, mid 2010
- East, late 2010

It is anticipated that, in each region, the proclamation of the network of Commonwealth marine reserves would be completed approximately 6-12 months following the release of the Marine Bioregional Plan. The development of a Management Plan is then likely to take approximately 12 months from proclamation.

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<b>Outcome:</b>	1	<b>Question No:</b>	147
<b>Output:</b>	1.3		
<b>Division/Agency:</b>	Marine Division		
<b>Topic:</b>	Marine Protected Areas		
<b>Hansard Page ECA:</b>	Written Question on Notice		

### Senator Siewert asked:

1. Will oil and gas be restricted from operating in any of the MPAs planned for the remaining regional marine areas?
2. What is the Australian Government's policy and practice with respect of oil and gas in developing the marine protected area system and its zoning?
3. How is DEWHA treating areas of potential oil and gas prospectivity as indicated by Geoscience Australia, in the South west marine region's planning process for marine parks?

### Answers:

1. The MPA network established through the marine bioregional planning process will include both multiple use zones (equivalent to IUCN Category VI) and highly protected zones (equivalent to IUCN Categories I and II). Extractive industries, including the oil and gas industry, will not be permitted to operate in those parts of marine reserves zoned for high protection.
2. In identifying areas for possible inclusion in the National Representative System of Marine Protected Areas (NRSMPA), the Government's primary goal is to establish and manage a comprehensive, adequate and representative network of marine reserves that contributes to the long-term viability of marine systems, that maintains ecological processes and systems, and that protects Australia's biodiversity at all levels. In achieving this goal, the Government is seeking to minimise the socio-economic costs involved for both government and industry. A key consideration in the identification and zoning of marine reserves in areas under active petroleum lease or highly prospective for oil and gas is therefore minimising adverse impacts on petroleum exploration and development. The Government is taking a risk-based approach to the zoning of marine reserves, particularly in relation to activities permitted in areas zoned for multiple use. This means that activities that do not have an adverse impact on the conservation values or objectives pertaining to a multiple-use area are likely to be permitted, in conjunction with appropriate monitoring arrangements.
3. DEWHA is assessing the conservation and socio-economic values associated with areas of potential oil and gas prospectivity in the South-west Marine Region based on the advice of Geoscience Australia and the Bureau of Rural Sciences and in consultation with the Department of Resources, Energy and Tourism. The assessment will inform marine reserve boundary and zoning options to be developed for consideration by the Minister.

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<b>Outcome:</b>	1	<b>Question No:</b>	148
<b>Output:</b>	1.3		
<b>Division/Agency:</b>	Marine Division		
<b>Topic:</b>	Marine Planning - Budget		
<b>Hansard Page ECA:</b>	Written Question on Notice		

**Senator Siewert asked:**

1. What is the remaining budget allocation for marine planning and marine park development for the 08/09 year?
2. What is the budget for the 09/10 year? Are there forward estimates for marine planning and marine park development beyond 2010?
3. If not, how does the Australian Government intend to fund the completion of the EPBC marine park declaration and management planning processes after the 09/10 year?

**Answers:**

1. The remaining budget allocation for marine planning and marine park development for 2008-09 was \$4,465,126 at 1 March 2009.
2. The forward estimate for marine planning and marine park development in 2009-10 is \$8.135 million. There are currently no forward estimates for marine planning and marine park development beyond 30 June 2010. It is expected that the preparation of marine bioregional plans will be completed by this time.
3. Please see the response to part 2 above.

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<b>Outcome:</b>	1	<b>Question No:</b>	149
<b>Output:</b>	1.3		
<b>Division/Agency:</b>	Marine Division		
<b>Topic:</b>	Sharks		
<b>Hansard Page ECA:</b>	Written Question on Notice		

### Senator Siewert asked:

1. Will the minister approve the QLD East Coast In-shore Fin Fish Fishery given that GBRMPA has suggested there should not be a shark fishery on the Great Barrier Reef at all because it cannot be clearly demonstrated that it is selective and sustainable" (ref QLD DPI and F 2007 Regulatory Impact Statement and Draft Public Benefit Test for the QLD East Coast Inshore Fin Fishery).
2. The QLD Gov is proposing limiting the fishery to 600 tonnes of sharks. Has DEWHA calculated how many sharks of each species caught this would be and whether the population of each species can sustain this level of fishing?
3. How can the Minister be assured that shark species the IUCN has classified as threatened or near threatened will not get caught in this fishery if he approves it?
4. Will the Minister direct the Threatened Species Scientific Committee to assess for listing on the EPBC Act the conservation status of all the sharks found in Australia that the IUCN has recently classified as threatened?

### Answers:

1. On 25 February 2009, the Minister for the Environment, Heritage and the Arts declared the Queensland East Coast Inshore Fin Fish Fishery a Wildlife Trade Operation under Part 13A of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) for a period of three years, subject to 18 conditions, and with 14 additional recommendations.
2. The Queensland Government will implement a 600 tonne total allowable catch limit for sharks as a precautionary management measure. The Queensland Government will also implement additional measures to protect shark species thought to be at higher risk in the fishery, including netting closures to three northern rivers and strict in-possession limits for white-spotted guitarfish, grey reef sharks and white-tip reef sharks. Further, as a condition of export approval, the Queensland Government will be collecting additional data to confirm the species composition of shark catches.

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3. While there are a number of shark species that are considered to be globally threatened or near threatened by the IUCN, not all of these species are threatened in Australian waters. Those species that are known to be threatened in Australia are listed under Part 13 of the EPBC Act. Some of these shark species may be found in Queensland waters, including whale sharks, white sharks, grey nurse sharks, spartooth sharks, green sawfish and freshwater sawfish. The Queensland Government has designated these species, and all other species of sawfish, as no-take species.
4. An invitation to the public to nominate species to be considered for listing under Part 13A of the EPBC Act is extended by the Minister each year ahead of a new assessment cycle. Public nominations of threatened species that satisfy the EPBC Regulations are forwarded to the Threatened Species Scientific Committee (TSSC) for consideration.

The TSSC prepares a Proposed Priority Assessment List (PPAL) of nominations for consideration by the Minister. The priority list approved by the Minister becomes the Finalised Priority Assessment List (FPAL) which is then published. Nominations included in the FPAL are assessed by the TSSC within the timeframe set by the Minister. The TSSC invites public and expert comment on these nominations during the assessment period. The TSSC's advice is forwarded to the Minister, who then decides whether the species is eligible for listing under the EPBC Act.

While some shark species are considered to be globally threatened or near threatened by the IUCN, not all of these species are threatened in Australian waters. The Minister will determine which species should be on the FPAL following receipt of the PPAL advice from the TSSC.

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<b>Outcome:</b>	1	<b>Question No:</b>	151
<b>Output:</b>	1.3		
<b>Division/Agency:</b>	Marine Division		
<b>Topic:</b>	Future of the IWC		
<b>Hansard Page ECA:</b>	Written Question on Notice		

### Senator Birmingham asked:

1. What role did the Australian Government play in drawing up plans for a secret deal – as reported by the AAP and The Age on 27 January 2008 (sic) – that would legalise Japanese commercial whaling in Australian (sic) coastal waters in return for reduced harvesting of whales in the Southern Ocean?
2. Mr Garrett has claimed that while Australia was part of those discussions, it did not necessarily agree with the conclusion of the report. (a) What exactly was Minister Garrett told would occur at the related meeting(s) when was he first told that the committee was considering a plan to allow commercial whaling? (b) Did he or the Australian Government lodge a formal protest against the plan? If so, when? (c) Did the government consider boycotting the discussions? (d) Please provide a copy of the proposed agreement.

### Answers:

1. Contrary to some press reports, the Government has not been involved in any ‘secret deal’.

Australia is a member of the Small Working Group which was established by the International Whaling Commission (IWC) at its 60<sup>th</sup> Annual Meeting (held in Santiago, 23-27 June 2008) and is tasked with discussing ways of reforming the IWC.

Japan identified coastal whaling as one of the 33 priority issues under consideration by the Small Working Group just as the Australian Government nominated proposals for Conservation Management Plans and Collaborative Non-Lethal Research Programs as priorities for discussion.

The Chairs’ Report on the results of initial Small Working Group deliberations was publicly released on 2 February 2009. In the report, the Chairs’ explicitly acknowledge that the document should not be seen as a final proposal for action by the IWC.

The Small Working Group is not a decision-making body and discussions are ongoing. The Government's engagement in this process is consistent with its objectives of securing a permanent end to commercial and ‘scientific’ whaling.

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2.

- (a) On 29 August 2008 the Minister was briefed that Japan had identified small-type coastal whaling as an issue of priority for the Small Working Group. On 8 September 2008, the Minister was further briefed on the role of the Small Working Group and the Department's expectations for the first meeting of the Group which was held in the United States on 15-19 September 2008. These expectations included discussion of Coastal Whaling, as one of the 33 issues identified for discussion by the Small Working Group.
- (b) No. The Small Working Group is not a decision-making body and discussions are ongoing. The Government's engagement in this process is consistent with its objectives of securing a permanent end to commercial and 'scientific' whaling
- (c) No. The Government's position has not changed and it will continue participating actively in negotiations in the IWC because it is the best available means of advancing our objectives at this time.
- (d) A copy of the Chairs' Report of the Small Working Group is available on the IWC Website.

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<b>Outcome:</b>	1	<b>Question No:</b>	152
<b>Output:</b>	1.3		
<b>Division/Agency:</b>	Marine Division		
<b>Topic:</b>	Whales		
<b>Hansard Page ECA:</b>	Written Question on Notice		

### Senator BIRMINGHAM asked:

1. What was the role of the Government in the seizure of videos and material from the Steve Irwin recently, at the behest of the Japanese? Was Minister Garrett consulted on the plan? Did he express any objection or comment? If so, what?
2. Will the Government release the videos that it took last season of whaling action? If not, why not? Will the rest of the photos be released?

### Answers:

1. The Australian Federal Police (AFP) is conducting preliminary inquiries in relation to the alleged incidents in the Southern Ocean. On 20 February 2009, the AFP boarded the MV *Steve Irwin* and executed a search warrant. This was an independent operational decision made by the AFP in line with their responsibility to investigate potential breaches of Australian law. Accordingly, the AFP did not seek advice from any Ministers, including Minister Garrett. The AFP has stated that its inquiries are in response to a request from Japanese authorities and are consistent with domestic and international law. As this is an operational matter for the AFP, it would not be appropriate for Minister Garrett to comment.
2. The key objective of monitoring by the Australian Government was to gather data for possible use in an international legal challenge to Japanese whaling. While legal action remains under consideration, the Government does not intend to release further video and photographic material as doing so may compromise any future case.

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<b>Outcome:</b>	1	<b>Question No:</b>	153
<b>Output:</b>	1.3		
<b>Division/Agency:</b>	Marine Division		
<b>Topic:</b>	Whales – Legal Action		
<b>Hansard Page ECA:</b>	Written question on notice		

**Senator BIRMINGHAM asked:**

1. Has the Government lodged any papers with the International Court of Justice (ICJ) to indicate impending legal action against whaling? If so, please provide full details.
2. What consultations have occurred with the Department of Foreign Affairs and Trade (DFAT) on the ICJ action? Has DFAT advised that to take such action against the Japanese might upset the Japanese and affect their support for Australia's place on the UN Security Council?

**Answers:**

1. No.
2. The Attorney-General's Department would have primary responsibility for the running of any international legal action. Advice to the Government on the matter has been coordinated by the Attorney-General's Department, in consultation with both the Department of Foreign Affairs and Trade and the Department of the Environment, Water, Heritage and the Arts. The nature of this advice remains confidential to Government.