

**Senate Rural Affairs and Transport Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

Supplementary Budget Estimates October 2011

**Agriculture, Fisheries and Forestry**

**Question: 124**

**Division/Agency:** SRM/AFMA – Sustainable Resource Management Division/Australian Fisheries Management Authority

**Topic:** Western Australian shark fisheries

**Proof Hansard page:** Written

**Senator COLBECK asked:**

1. Is the Minister aware of the issues associated with two Western Australian shark fisheries which have effectively been shut down due to the WA Department of Fisheries not undertaking the process of assessment under the EPBC Act?
2. What action has been taken / is planned to address the situation and damage to this export fishing industry?

**Answer:**

1. The Australian Government is aware that export approvals for the Joint Authority Northern Shark Fishery and the state-jurisdiction North Coast Shark Fishery have lapsed. The management of the North Coast Shark Fishery is solely a matter for the Western Australian Government
2. The Australian Government understands that the Western Australian Department of Fisheries will be meeting with stakeholders at the end of November 2011 to discuss the future of its Northern Shark and North Coast shark fisheries.

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**Agriculture, Fisheries and Forestry**

**Question: 160**

**Division/Agency:** SRM/AFMA – Sustainable Resource Management/Australian Fisheries Management Authority

**Topic:** Dolphin protection

**Proof Hansard page:** Written

**Senator COLBECK asked:**

1. Dolphin closures are in addition to the Sea Lion closures – there is some overlap with the Australian Sea Lion (ASL) closures.
2. What has been industry's response to the Sea Lion and Dolphin closures?
3. What are the triggers for closures? Is it number of encounters, % change in number of encounters?
4. What analysis has been undertaken to determine the cause(s) for the increase in encounters?
5. The information on the web states that there are “significant discrepancies” between the independent observer data and the data from fishing logbooks, and that “some fishers are underreporting the level of interactions with threatened, endangered and protected species”. What data is available to support these assertions?
6. What are the likely causes of the discrepancies in reporting?
7. There is an opportunity for gillnet fishers to move to approved hook methods for the period of the temporary order if they can “demonstrate a significant level of effort during the period May 2009 to June 2011”. What constitutes a “significant level of effort”?
8. What are the “approved hook methods”?
9. What consideration has been given to the OH&S issues related to manually baiting hooks?

**Answer:**

1. Yes.
2. The reaction has been mixed.
3. There are no trigger limits for dolphin interactions in the fishery.
4. For sea lions, independent observer data has been collected since mid 2010, however the existing data is not sufficient to indicate the exact scale of interactions and additional data is still required. From 1 May 2011, all gillnet fishing vessels operating off South Australia were required to have either an AFMA observer and/or electronic monitoring system onboard the vessel before commencing fishing. This data will assist in understanding the scale of sea lion interactions.

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**Question: 160 (continued)**

In relation to the apparent increase in interactions with dolphins a number of potential causes may be responsible for the increased number of reported interactions such as changes in oceanographic conditions, concentration of prey species, increased turbidity due to runoff from the Murray River or as a result of increased AFMA monitoring. While an exact cause is presently unknown, AFMA continues to examine the nature and extent of dolphin interactions in the Southern Eastern Scalefish and Shark Fishery.

5. AFMA conducted its own internal analysis and consulted with Australian Bureau of Agricultural and Resource Economics and Sciences on the discrepancy between independent observed mortalities and logbook reports. AFMA considered that the difference between these rates was significant and therefore warranted immediate action.
6. There are several reasons why observer data and logbook data may differ including non-reporting by fishers, reporting by observers of events not seen by fishers, and differing levels of expertise between observers and fishers.
7. To be eligible to use hooks under the Dolphin Temporary Order (Fisheries Management (Southern and Eastern Scalefish and Shark Fishery Management Plan 2003) Temporary Order 2011 No. 2) an operator must have 25 per cent or more of their total gillnet effort within the area of the Dolphin Gillnet Closure, for the period 1 May 2009 to 30 June 2011.
8. The Temporary Order authorises the use of 'hook methods' where the method authorised is demersal longlines without the use of automatic baiting equipment.
9. Occupational Health and Safety (OH&S) issues are a matter for vessel operators.

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**Question: 161**

**Division/Agency:** SRM/AFMA – Sustainable Resource Management/Australian Fisheries Management Authority

**Topic:** North West Slope Trawl Fishery

**Proof Hansard page:** Written

**Senator COLBECK asked:**

1. Why weren't the negotiated changes to prevent Commonwealth trawl fishers entering the North West Slopes Fishery actually implemented?
2. What are the issues?
3. Why has the government not been able to rectify this situation in a timely manner?
4. As the last voluntary closure of this fishery lapsed on 1 October the fishery is currently unprotected. What is being done to resolve this situation in a timely manner?

**Answer:**

1. The Australian and Western Australian Governments have not agreed to any changes to the 1998 Offshore Constitutional Settlement (OCS) arrangement. In accordance with the long-standing formal agreement, trawl operators are able to fish in all waters of the fishery as defined in Schedule 1 of that agreement.
2. The issues relate to the boundary description of the North West Slope Trawl Fishery and Western Deepwater Trawl Fishery as defined by coordinates in the 1998 OCS arrangement versus the 200 metre depth contour.
3. Changes to the 1998 OCS arrangements require agreement by both the Australian and Western Australian Governments.
4. Prior to the cessation of the closure, AFMA developed, and has implemented a revised Western Trawl Fisheries Harvest Strategy. Operators must fish in accordance with permit conditions which establish compulsory observer requirements and move-on provisions for interactions with vulnerable marine ecosystems.

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**Question: 162**

**Division/Agency:** SRM/AFMA – Sustainable Resource Management Division/Australian Fisheries Management Authority

**Topic:** Marine bioregional planning

**Proof Hansard page:** Written

**Senator COLBECK asked:**

Why has the Department not provided advice to the Environment Minister regarding the Displaced Effort policy or with regard to the Marine Bioregional Planning process? (QoN 259 May 2011).

**Answer:**

The Department of Agriculture, Fisheries and Forestry (DAFF) regularly provides advice regarding both of these issues.

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**Question: 216**

**Division/Agency:** SRM/AFMA – Sustainable Resource Management/Australian Fisheries Management Authority

**Topic: Report on the Coral Sea fishery**

**Proof Hansard page:** Written

**Senator MACDONALD asked:**

Can you give me up an up to date report on the Coral Sea Fishery, advising the number of licensees, tonnage of catch and other relevant information.

What consultation has there been with AFMA by other Commonwealth agencies with regard to proposals to limit fishing activity in the Coral Sea?

**Answer:**

**Coral Sea Fishery**

- The Coral Sea Fishery (CSF) is a small multi-species fishery with a small number of operators. There are currently 16 fishing permits for the five sectors:
  - Aquarium Sector (2 permits)
  - Line and Trap Sector (8 permits)
  - Trawl and Trap Sector (2 permits)
  - Lobster and Trochus Sector (2 permits)
  - Sea Cucumber Sector (2 permits)
- CSF catches in tonnes (excluding live Aquarium Sector catch) and GVP data (including Aquarium Sector):

Year	Total retained catch (t)	GVP \$
2009–10	4	392 800
2010–11	54	418 800

- The CSF lies completely in the Coral Sea Conservation Zone.
- Major species caught include reef fish, trochus, lobster, aquarium fish and sea cucumber.

**Consultations**

During 2011 AFMA participated in a number of inter-departmental meetings (IDMs) involving SEWPaC and the Department of Agriculture, Fisheries and Forestry in relation to Marine Bioregional Planning including the Coral Sea Conservation Zone. The IDMs were set up by SEWPaC as part of the consultation process with relevant Commonwealth agencies.