

Senate Standing Committee on Rural and Regional Affairs and Transport

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October 2008

Agriculture, Fisheries and Forestry

Question: AFMA 01

Division/Agency: Australian Fisheries Management Authority

Topic: Boundaries of the Western Trawl Fisheries

Hansard Page: 132 (20/10/2008)

Senator Siewert asked:

Senator SIEWERT—I would like to ask around changing basically the boundaries of the Western Trawl Fisheries. Who do I ask about that? I have got a letter here from the department of fisheries in WA that says AFMA have proposed new boundaries to the Commonwealth's Western Deepwater Trawl Fishery and North West Slope Trawl Fishery.

Mr Hurry—That is correct, Senator. That happened probably seven or eight months ago.

Senator SIEWERT—Has it already been changed?

Mr Hurry—That was about a small area of water in the top of WA where there were some problems with a boat operating in there which should not have been operating in there, if I remember this one quite correctly.

Senator SIEWERT—Is it? Because I have a letter here from the WA department that says the consultation on the boundaries is happening until 1 November 2008.

Mr Hurry—Senator, I will take it on notice and follow it through for you. But my understanding is that we actually resolved that issue with WA fisheries and a letter came out later. But let me take it on notice and I will come back to you and confirm that.

Answer:

The current Western Deepwater Trawl Fishery and North West Slope Trawl Fishery boundaries are determined by an agreement between the Commonwealth and Western Australian Governments. The Commonwealth manages waters "seaward of the 200 metre isobath".

Subsequent to the agreement it has been found that the North East boundary of the North West Slope Trawl Fishery includes areas of water shallower than 200m.

AFMA undertook consultation with its stakeholders in early 2008 through the relevant Management Advisory Committee and industry agreed that an amendment to the boundary should be made to reflect the original intent of the agreement between governments.

On 19 May 2008, the proposed revised boundary was provided to the Western Australian Department of Fisheries. On 17 September 2008, WA Fisheries commenced its consultation on this boundary which ends on 1 November 2008. WA fisheries has not committed to a timeframe to settle the amended boundary.

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Question: AFMA 01 (continued)

Until agreement is reached between the Commonwealth and the Western Australian governments, AFMA has closed the waters less than the 200m isobath in the North West Slope Trawl Fishery to reflect the intent of the original agreement.

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Question: AFMA 02

Division/Agency: Australian Fisheries Management Authority

Topic: Disposal by Tender - Foreign Fishing Vessel Taruman

Hansard Page: Written

Senator Abetz asked:

1. When was the successful bid for the Taruman put in?
2. Was it late?
3. Was it sold to an international bidder?
4. Was extra legal advice needed because of the international bidder?
5. If the successful bidder was from another country how will the Taruman pass out of Australian waters?
6. Under what flag?
7. Under what insurance provisions in relation to its travel through Australian waters?
8. How long has the delay been from the first tender process?
9. What extra costs in wharfage, legal costs, re advertising, office time and effort have been spent in relation to the delay?
10. For what price did the Taruman actually sell?

Answer:

1. AFMA received the tender bid which was ultimately successful on Friday 4 April 2008 at 16.00 hrs Central Standard Time.
2. No, the tender document required tenders to be lodged before close of business Central Standard Time on Friday 4 April 2008.
3. Yes
4. Legal advice was obtained during the tender process to ensure that best practice procurement was followed.
5. The Taruman will leave Australia under its own steam and travel by the most direct route to Mumbai.
6. Democratic Peoples Republic of Korea
7. The Australian Maritime Safety Authority advise that there is insurance in place with regard to the Taruman which satisfies the requirements of the International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001. This fulfils the requirements under the *Protection of the Sea (Civil Liabilities Act) 1981* (Commonwealth).
8. The first tender terminated on 21 November 2007 upon formal advice from AFMA to the preferred tenderer that they had failed to meet their tender obligations. The second tender was finalised by formal transfer of ownership of the vessel from the Commonwealth to the successful tenderer on 15 September 2008.

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Question: AFMA 02 (continued)

9. Total costs incurred by the Commonwealth due to the failure of the first preferred tenderer to comply with the tender requirements amounts to \$60,000. This includes additional vessel caretaking, wharfage, legal advice and total staffing time and advertising for the re tender process.
10. The sale price received for the Taruman was \$624,700 AUD.