



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



**THE SENATE**

**PROOF**

**REGULATIONS AND DETERMINATIONS**

**Small Pelagic Fishery Total Allowable  
Catch (Quota Species) Determination 2012**

**Disallowance**

**SPEECH**

**Wednesday, 22 August 2012**

BY AUTHORITY OF THE SENATE

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## SPEECH

<p><b>Date</b> Wednesday, 22 August 2012  <b>Page</b> 95  <b>Questioner</b>  <b>Speaker</b> Siewert, Sen Rachel</p>	<p><b>Source</b> Senate  <b>Proof</b> Yes  <b>Responder</b>  <b>Question No.</b></p>
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**Senator SIEWERT** (Western Australia—Australian Greens Whip) (18:23): I rise to support this disallowance motion, and I put on the record that, yes, this will succeed if people vote for it. What we are seeing here is a doubling of the quota without scientific support to show the super trawler will deplete our local fish and also take bycatch, which I will address in a minute. But I also go back to the science that Senator Scullion was talking about. He was waving around the *Commonwealth Small Pelagic Fishery: general background to the scientific issues* report, and he quoted from it. I am aware that Senator Whish-Wilson also quoted from it, but I put in context Senator Scullion's quote. He quoted the first bit of an important point when he said:

Localised depletion is evaluated as unlikely with the proposed harvesting fractions applied in the SPF because most small pelagic species—

and Senator Scullion articulated that. But he left off the important bit:

However given uncertainties about detailed movement patterns of several of the species targeted in the SPF, it would be prudent to distribute catches to minimise the chance of local depletion. This is consistent with global scientific advice on best practice for managing such species.

Of course, there is not the appropriate data to do a proper risk assessment on the likelihood of localised depletions occurring, and there is not any adequate information on the movement of target species in the region. That is also from scientific papers. So, on this issue that we will just have to rely on the science, that paper is saying we need more information.

We are particularly concerned about the impact that this super trawler will have on our fisheries in Australia. I will point out here that there has been some mention of whether this super trawler is subsidised and whether it is getting subsidised for this action. The fact is that, to operate, this super trawler has to be, has been and is subsidised by the European Union. Whether it is being subsidised to actually operate in our waters is important to know but is not the full story. The fact is that to exist it needs a subsidy. If it is being subsidised to exist, it is therefore being subsidised to operate in our waters.

It is very important that we deal with this quota issue, and it has highlighted the science arguments around our fisheries and the fact that we do not have as much information about our fisheries as AFMA would have us think. If this gets passed, it will send a clear message that we need better management of our fisheries and we are not prepared to support massive super trawlers—in this case the second biggest in the world—to come and fish in a rapacious manner in our waters. As I think other people have said, this super trawler is a game changer in the way we manage our fisheries in Australia, and that is why you are finding fishers, conservationists and industry standing up around Australia—particularly focused in Tasmania—to say no to this sort of fishing in our waters. Australia has in the past claimed that we have some of the best-managed fisheries in the world, and I have in this chamber acknowledged that also, for some fisheries. But this clearly demonstrates that we cannot just rely on our so-called reputation as being among the best fisheries managers in the world. We need to demonstrate that on the water as well.

I know that Senator Whish-Wilson has articulated some of the key issues, but I particularly want to focus on the issues around bycatch and point to what happened in New Zealand, where they have had some issues with the super trawlers there. The New Zealand government experienced difficulty in effectively enforcing fisheries regulations in their well-managed fisheries, and it should provide us with a very sobering lesson about the realities of super trawlers and the way they operate. Recently a local New Zealand company chartered Korean super trawlers to fish New Zealand waters, with observers from the New Zealand government on board. However, the observers were unable to monitor the whole ship the whole time. Catches were done when the observers were either asleep, on the other side of the boat or looking at something else, and the quota apparently was surpassed. As with many super trawlers around the world, the New Zealand experience has ended in legal action and is a very sorry example of the impact that super trawlers can have.

Have we learnt from this experience? It looks as if we may not have when we go back to the issue of bycatch. Apparently we are supposed to believe that this massive, great, big ship will move on when it sights a dolphin, but we have no assurances that this

boat will have enough observer coverage to even flag that there is a dolphin there, without contemplating the issue of whether the ship will, in fact, move on or not. I draw attention to our most recent experience in Australia around bycatch, and that is the South Australian experience with sea lions. As we know, AFMA has had to close trawl fisheries in South Australia because of the question of bycatch. I also need to acknowledge that my colleague Senator Wright put a lot of effort into following up this issue. In fact, in this very chamber she raised questions about it. When they started looking at observer studies in that fishery, they identified that 374 sea lions were dying in 18 months.

They also uncovered a further 56 dolphin deaths. Because they started looking, they actually worked out what was happening in that fishery. There were attempts to deal with that, and what has had to happen is that they have had to close some of those fisheries. AFMA had to take decisive action in that case because it was clearly demonstrated that there was adverse impact on bycatch. We are now talking about a boat that is much bigger and which has had a lot of other trouble dealing with bycatch in other areas.

I think that super trawlers have earned a bad name because of their impacts on local depletions and because of their impacts in other countries. In the past 15 years 20 super trawlers off the west coast of Africa are estimated to have killed in bycatch 1,500 critically endangered turtles, 18,000 giant rays and 60,000 sharks. And you can bet your bottom dollar that that number of deaths is adding to what we already know about the low stocks of sharks globally. As a result of this sort of behaviour by super trawlers in West Africa, Senegal has recently banned all super trawlers. Just like New Zealand, they have learnt their lesson the hard way.

Why does Australia have to learn its lesson the hard way? Surely we should be learning from the experiences of our neighbours and from experiences elsewhere? We know that our fish stocks are plummeting globally. Why does Australia have to contribute to that? Why are we so determined to allow that to happen in our waters? We have held ourselves high, saying that we are some of the best fisheries managers in the world, and now it seems like we are coming down to the lowest common denominator with a super trawler that is subsidised to exist.

We have always said, 'No, we shouldn't be doing that,' and yet now we are facilitating the entry into our waters of a super trawler that is subsidised—

**Senator Feeney:** Who subsidises it?

**Senator SIEWERT:** The European Union does. I do not know if you were here a bit earlier, Senator Feeney, when I was saying that whether it is being directly subsidised to operate in our waters or not—to exist—that boat has the potential to come into our waters. It is subsidised to do that. If it were not for European subsidies this super trawler would not be able to operate anywhere. It has to have that to exist.

We are talking about a game changer here. On Radio National this morning we heard that if this season is successful we can expect it to stay. This is not a once off; this is a game changer for the way we manage our fisheries in this country. We are saying that it is okay for massive, great big super trawlers to come into our waters and fish hundreds of tonnes of fish at a time. It is a super trawler that can go into a local area and scoop up all those fish. Not only are those fish important as far as recreational fishers are concerned but other industry players are also concerned that this will have an effect on our ecosystems and other fish species in those ecosystems. We need to think about what we are doing here.

We need to think about why there was a doubling of the quota to enable this super trawler to come into our waters. The background paper that was released yesterday by seven fisheries scientists concludes with this statement, 'It would be prudent to distribute catches to minimise the chance of local depletion'. We do not know what impact this is going to have on our fish species and we do not know what impact it is going to have on local depletions. We do know that fish stocks around the world are at risk and that we have tried hard to get an adequate and good management system in this country—and I am not about to stand here and say that I think it is perfect, because I have said on other occasions that it is not. But it is certainly better than in a lot of other countries. So instead of maintaining that standing and building on it, what we want to do is join the common denominator and let this sort of operation happen in our waters.

I have to say that it is a strange experience to be in the position where rec fishers are lobbying us to oppose something. I have not had that experience too often, I have to say, other than that there are a group of rec fishers who see the benefits of marine protected areas and the way that they operate to help fish stocks—and I am not going to go over that argument here. So I am not saying that we have not worked with rec fishers in the past, but it is fairly unusual for rec fishers to be lobbying us to oppose something like this. It is the same with the broader commercial industry; that is also unusual.

So there has to be something—and I will use it, pardon the pun—'fishy' about this particular proposal if there

are so many stakeholders that are opposed to this particular proposal. We need to be operating under the precautionary principle in our management of our fisheries. Any definition of the precautionary principle would say that you do not allow this sort of massive fish-gathering implement to operate in our waters when it will lead to local depletions and when we do not have the science. We do not know what impact it will have.

The science report that people are now holding up as saying that it supports it does not. It does not say it is okay to go ahead. We should be operating under the precautionary principle. We should not allow this material—

**Senator Colbeck:** It actually does. You are misrepresenting the science, as usual—no respect for science.

**Senator SIEWERT:** I hear the coalition across the chamber saying that we are no respecters of science. It is we who have been looking at the science around marine protected areas. It is we who have been looking at that.

**Senator Feeney:** What about climate change science?

**Senator SIEWERT:** Exactly! Do not lecture me about not looking at the science.

**Senator Colbeck:** Read the paper and give it its due!

The ACTING DEPUTY PRESIDENT ( Senator Boyce ): Senator Siewert, ignore the interjections.

**Senator SIEWERT:** I will take your direction, Madam Acting Deputy President, and I will ignore them.

This approach is not good enough. We should not be doubling the quota and we should not be allowing that super trawler to operate in Australian waters. We have too much to lose: our fisheries are too much to lose by allowing this operation to happen in our waters.