



Senator the Hon. Joe Ludwig

Minister for Agriculture, Fisheries and Forestry
Senator for Queensland

REF: MNMC2012-05914

The Hon Michael Polley
Speaker of the Tasmanian House of Assembly
Parliament House
Hobart Tasmania 7000

Dear Speaker,

Thank you for your letter today about the potential operation of the large mid-water trawl vessel FV *Margiris* in Australian waters.

At the time of writing, the Australian Fisheries Management Authority (AFMA)—the organisation responsible for managing Commonwealth fisheries—had not received an application for the FV *Margiris* to fish in Australian waters. However, I am aware that a Commonwealth fishing concession holder has indicated interest in operating the FV *Margiris* in the Commonwealth Small Pelagic Fishery (SPF) and has begun a process with the Australian Maritime Safety Authority to have the FV *Margiris* flagged as an Australian vessel. Should an application be received, AFMA will consider it on its merits, in accordance with the requirements of the *Fisheries Management Act 1991*.

Australian Government fisheries and environmental legislation require that Commonwealth fisheries apply the principles of ecologically sustainable development. The principles include exercising a precautionary approach, as well as having regard to the effects of fishing on non-target species and the long-term sustainability of the marine environment.

Key commercial species in the SPF are managed under the Commonwealth Fisheries Harvest Strategy Policy. This provides for a strategic, science-based approach to setting targets, limits and decision rules that maintain appropriate catch levels on a fishery-by-fishery basis. The policy explicitly requires that fisheries' harvest strategies consider ecosystem interactions, such as the role of species in the food web or community. The harvest strategy for the SPF recognises that small pelagic fish are important components of the wider marine ecosystem, providing food for a range of predators. Accordingly, the harvest strategy sets total allowable catches at precautionary levels designed to maintain biodiversity and ecosystem health. These settings are considered conservative compared to internationally recognised best practice standards for similar species.

In setting the quotas for species within the fishery the harvest strategy policy takes into account the important role small pelagic species play in the ecosystem, particularly as a food source for higher order predators. This precautionary approach also considers the timing since the most recent stock assessment, reducing the quota to account for the time elapsed since that

assessment. For this reason the total allowable catch for the small pelagic fishery is currently set at less than 10 per cent of the spawning biomass estimate.

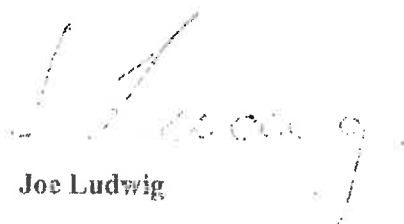
Total allowable catches of key species in the SPF are divided among a number of operators in the form of individual, transferable quotas. Importantly, the total catch allowed remains the same irrespective of whether it is shared among many vessels or is used by just one.

Other measures in place to ensure the ecological sustainability of Commonwealth fisheries include satellite vessel monitoring systems, compulsory reporting of interactions with threatened and other protected species, mandatory participation in independent observer programs that verify reporting, and the use of bycatch reduction devices.

The motion raises the issue of access to ports in Tasmania and asserts that this is a responsibility of the Commonwealth. You should be aware that access to ports is a responsibility of local port authorities. It is local port authorities that have powers to prevent entry of ships into their ports at their discretion. If the State Parliament or State Government wishes address issues of port access they should direct them to the appropriate authority.

For further information you can refer to the AFMA website frequently asked questions on the FV *Margiris* at <http://www.afma.gov.au/2012/06/super-trawler-faqs/>

Yours sincerely,



Joe Ludwig

✓ Minister for Agriculture, Fisheries and Forestry
✓ Senator for Queensland

✓ 27 August 2012