

Labor Environment Action Network, Queensland

<http://www.lean.net.au>.

Committee Secretary
State Development, Natural Resources and
Agricultural Industry Development Committee
Parliament House
George Street
Brisbane Qld 4000
Via email: sdnraidc@parliament.qld.gov.au



Wednesday, 26 September 2018

Submission to the Fisheries (Sustainable Fisheries Strategy) Amendment Bill 2018

Dear Committee Secretary,

Labor Environment Action Network Queensland (LEAN QLD) appreciates the opportunity to make a submission on the Fisheries (Sustainable Fisheries Strategy) Amendment Bill 2018. LEAN QLD is a Labor Association formed by a grassroots network of ALP members and supporters who:

- Advocate and where necessary campaign on a wide range of important issues that impact the lives of all Queenslanders. We do this so that Queenslanders can enjoy a healthy, sustained, flourishing and productive environment, now and for generations to come.
- Believe government must demonstrate leadership in Queensland on environmental policy.
- Believe climate change and environmental degradation threatens our way of life and this demands fundamental change in how we manage our resources within our economy.

Policy Objectives

LEAN QLD supports the changes to *Clause 54 – New section 89C (Offence to engage in trafficking activity for priority fish)*

New section 89C provides for a new offence to engage in trafficking activity for a priority fish. Priority species are defined in new section 89A to include high-value species such as mud crab, shark fin, coral trout, spanish mackerel and tropical rock lobster.

However we have concerns that the new legislation will not go far enough and is inconsistent with the commonwealth and some other states, the more progressive laws require all sharks to be landed with fins attached. In Queensland fins can be removed at sea creating an unnecessary opportunity for illegal shark finning¹.

Our major area of concern is with the management of the the Shark Control Program (SCP). The current agreed policy position is :

Labor will manage and expand marine conservation programs based on sound scientific evidence and advice, including an investigation and ongoing scientific review of non-lethal shark monitoring, control, and incident prevention measures that provide an effective level of public safety and recognise the need to protect important and vulnerable marine species.

¹<https://www.sunshnecoastda y.com.au/news/shark-fin-hau -has-day- n-court/3242570/>

This is not reflected in the amendments. The current and amended SCP is in effect a culling program, particularly for the 19 targeted species, and not a program that improves the safety of people using our waterways. It is at odds with our objective of nature conservation.

Culling programs have questionable efficacy in reducing shark attacks.

Reputational Risk

The SCP and the recent “knee jerk” response to incidents in the Whitsunday Islands, has the potential to damage the important and growing role ecotourism now plays in the state’s tourism sector. Queensland’s marine environment is endowed with a large number of unique and ecologically important natural and protected areas which is a significant drawcard for tourists, with millions of local, interstate, and international visitors to Queensland’s waters every year.

The increasing amount of incidences of endangered species of shark and other marine life such as whales and dolphins killed or injured in the SCP is now gaining regular worldwide attention. The prospect of local extinction of endangered species such as the Snubfin dolphin (*Orcaella heinsohni*) would significantly damage Queensland’s reputation as a custodian of its natural environment.

The design and operation of the SCP apparatus has been exposed as cruel, with target and non-target animals, dying slow and painful deaths once caught. There is evidence to suggest that in addition to the direct death toll, many animals have a significantly diminished ability to survive after release due to the extended trauma they sustain. This cruelty adds further reputational risk for Queensland.

The removal of relatively low-fecundity individual apex predators, like those targeted by the SCP, has a disproportionately large effect on the health and size of the local marine ecosystems and can have far reaching detrimental effects on local industries, including fisheries.

Shark diving tourism in particular has been estimated to be worth more than \$25.5 million² to Australia’s regional economy, and presents a growing and profitable part of the tourism industry which is at risk with the continued operation of the SCP. In comparable settings such as Hawaii, lethal shark control programs have been abandoned with the tourism value of sharks in mind.

Appropriate Management of the SCP

LEAN QLD believes the best way to create a positive image for Queensland’s waters is to have an open transparent process where science and evidence are the basis for policy development and deployment.

This is not the way the current SCP has been developed, in fact the program’s stated intent is to mitigate the danger to the public from shark attack. The recent experience has shown the well resourced rescue, ambulance, and emergency medical services along with good public education for first aid programs have proven to be the most effective mitigations.

The focus on “fishing out” the targeted species is inconsistent with SCP objectives and the program may be more appropriately managed in a different portfolio such as Environment or Science.

A world class and effective program could be developed if the accurate, verified and complete records of all the animals, including by-catch, were publicly available and biological samples collected for scientific evaluation. This is not done at present and animal carcasses are dumped,

² Huvneers, C., Meekan, M.G., Apps, K. et al. Rev Fish Biol Fish (2017) 27: 665. <https://doi.org/10.1007/s11160-017-9486-x>

at great expense, in deep off shore water without species verification or biological samples taken. At the very least the animals should be landed for scientific verification and species census data and all animals released should have video and photographic evidence of the release. The SCP should also include an independent inspection and audit of its operation and contractor behaviour.

The introduction of a 20 metre exclusion zone around SCP apparatus further decreases public transparency of the SCP especially for independent community based observers who are currently the only ones providing independent oversight. A better solution is a simple warning sign on the apparatus that would advise swimmers and water craft users of the danger of approaching the apparatus, ironically installed for their safety.

Recommendations for the Committee

In line with the aims of the Fisheries (Sustainable Fisheries Strategy) Amendment Bill 2018 to:

- 1. modernise the objectives of the Fisheries Act 1994 and recognise the interests of key stakeholder groups;*
- 2. clarify the roles of the Minister responsible for fisheries and the chief executive in the management of the State's fisheries;*
- 3. strengthen enforcement powers and penalties to address serious fisheries offences such as black-marketing; and*
- 4. reduce complexity and remove redundant provisions;*

LEAN QLD makes the following recommendations to the Committee:

1. The bill include a requirement to regularly and thoroughly audit, monitor, and publicly report on the performance and behaviour of publicly funded SCP contractors.

This could be achieved by various means, including, but not limited to:

- a. Utilisation of volunteer community observers on contractor vessels;
- b. Video surveillance of contractor operations;
- c. Return of species killed in the SCP to shore for data collection, service assurance, and research; and
- d. Regular audits and surveillance by Fisheries officers.

This recommendation meets aims 1 and 3.

2. The bill include stronger enforcement action and deterrents for SCP contractors operating outside the prescriptions of the program.

This recommendation meets aims 1 and 3.

3. The bill's 20-Metre Exclusion Zone be revised.

Especially if recommendations 1 and 2 above have not been adopted. Equipment that poses a hazard to swimmer safety should be phased out and replaced with safer options for example drones and electronic tagging.

This recommendation meets aim 1.

4. The bill remove the SCP from the purview of Fisheries Queensland to a more appropriate body.

An example would be moving SCP to another Act such as the Nature Conservation Act 1992.

This recommendation meets aims 1, 2, and 4.

5. **The Queensland Government implement the policy platform recommendation of a specific investigation and ongoing scientific review of non-lethal shark monitoring, control, and incident prevention measures.**

This should include a comprehensive study on Queenslanders' and Queensland water-users' attitudes towards the SCP.

This recommendation meets aim 1.

LEAN QLD thanks the Committee for the opportunity to comment on this bill and the SCP. We offer our assistance to help with policy and legislation that provides an effective level of public safety and industry confidence, while recognising the need to protect important and vulnerable marine species. Please feel free to contact LEAN QLD via email [REDACTED] [REDACTED].

Yours sincerely,



Peter Casey,
Secretary LEAN QLD
[Queens and LEAN](#)