

**INQUIRY INTO THE ADMINISTRATION AND MANAGEMENT OF
MATTERS RELATING TO THE TORRES STRAIT REGION**

**SENATE STANDING COMMITTEE ON FOREIGN AFFAIRS,
DEFENCE AND TRADE**

**SUBMISSION BY THE DEPARTMENT OF THE ENVIRONMENT,
WATER, HERITAGE AND THE ARTS**

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Introduction

Agencies in the Federal Environment, Heritage and Arts Portfolio undertake a number of activities that relate to the Torres Strait and in some cases may intersect with the terms of the Inquiry. The Portfolio's primary focus in the region is on the maintenance of healthy terrestrial and marine systems, which are fundamental to sustaining livelihoods, social values and economic certainty in this highly vulnerable and changing region. The Torres Strait is also a focus for measures aimed at preventing the introduction of threats to Australia's biodiversity from overseas. Relevant activities are outlined below.

Caring for our Country

DEWHA provides Australian Government support for the Torres Strait Regional Authority, local government and Traditional Owners to effectively manage the region's natural resources with funding under Caring for our Country.

Caring for our Country is the Australian Government's ongoing environmental and sustainable resource management initiative, with an initial investment of \$2 billion over five years (2008-09 to 2012-13). This initiative brings leadership, accountability and an integrated approach to the protection of Australia's environment.

The Torres Strait Regional Authority (TSRA) is a Commonwealth statutory authority that operates within the Department of Families, Housing, Community Services and Indigenous Affairs. This organisation has been identified to coordinate and deliver the Caring for our Country regional base-level funding for the Torres Strait.

The Torres Strait region will receive a minimum of \$4,228,000 in Caring for our Country regional base-level funding over five years to deliver Caring for our Country outcomes and targets. This funding is aimed at addressing Caring for our Country national priorities, including biodiversity and natural icons, coastal environments and critical aquatic habitats and community skills, knowledge and engagement.

A number of competitive Caring for our Country projects have been funded in addition to the base-level funding to assist in addressing key issues in the area including:

- Eradication of Pacific rats on Mer Island, Torres Strait (\$294,900) - This project aims to eradicate exotic Pacific rats from Mer Island, over three years to protect threatened species on the island. Baiting will be conducted to eradicate rats on the island by Indigenous Rangers in collaboration with the University of Queensland scientists. Pilot baiting trials will be used to determine and improve the efficacy of bait station in species-specific delivery to Pacific rats.
- Local Indigenous Solutions for a Global Problem in Northern Australia (\$2,800,000 – across many regions and multiple jurisdictions) - This proposal builds on the strong foundations and momentum of the multi-award winning Carpentaria Ghost Nets Programme (CGNP). The established network of Indigenous communities in northern Australia have reduced the EPBC-recognised threats to ecologically, culturally and economically significant wildlife from derelict fishing gear (ghost nets). The on-ground activities undertaken by Indigenous rangers have, to date, achieved great strides in removing the latent threats caused by ghost nets and establishing robust data regarding the abundance, distribution and impacts of this menace. This project will:

- Restore a further 1500kms of untouched coastal and aquatic habitats so that the connectivity of habitats and migratory pathways for species, vulnerable to the impact of ghost nets, remain intact.
 - Providing skills and information to Indigenous communities to enable them to self manage the ghost net threat.
 - Address the causal factors of the ghost net and marine debris threats by contributing to the implementation of the "Threat Abatement Plan for Marine Debris", raising awareness and building on the existing data to find the point sources of the problem and using this information to build international partnerships to advocate change and design outreach tools aimed at fishers in Australasia.
- Indigenous partnerships for better management of Australia's remote northern coastal and aquatic environments - The Saltwater People Network (\$2,400,000—across many regions and multiple jurisdictions) - The proposal brings indigenous communities and ranger organisations together with non-Indigenous experts to better manage remote coastal and aquatic environments in northern Australia.

In addition, DEWHA is supporting the Torres Strait Regional Authority, local government and Traditional Owners to effectively manage the region's natural resources, with the Australian Government investing up to \$13,888,950 over the next four years in the Torres Strait Indigenous Ranger Program through the Working on Country element of the Caring for Our Country initiative. The grant is provided by DEWHA/Caring for Our Country to the Torres Strait Regional Authority (TSRA), through its Land and Sea Management Unit. Each of the community ranger groups will undertake activities including marine turtle and dugong monitoring and management, ghost net collection, fire management, invasive species management and other natural resource management activities, as identified in the land and sea management strategy for the Torres Strait. All rangers will also be undertaking accredited (Certificate II/III) training in fisheries management and/or conservation and land management.

There is significant interest in establishing ranger groups in additional communities, and the Australian Government is working with the TSRA in developing options to achieve this.

The key issues that affect the effectiveness of the above program are access to infrastructure, sound governance and/or support for native title and substantive holders in managing their country, capacity of the people involved, high cost of business and actions/threats that are beyond the control of local management, such as actions taken in Papua New Guinea or by Papua New Guinea nationals.

All community ranger groups have expressed a strong interest in undertaking a compliance role, particularly in relation to the take of turtle and dugong by Papua New Guinea nationals in the Torres Strait Protected Zone under the Torres Strait Treaty. While a compliance role may be possible in future, there are no arrangements for this to occur in the existing project. Delegation of such authority to community based ranger groups is legislatively challenging and would need to be arranged through the Protected Zone Joint Authority, Australian Fisheries Management Authority and the Queensland Government.

Cooperative Research

As a part of the \$100 million Commonwealth Environment Research Facilities Program, \$40 million has been allocated for the Australian Government Marine and Tropical

Sciences Research Facility (MTSRF), from July 2006 until July 2010. The MTSRF is supporting public good environmental research in north Queensland, including in the Torres Strait. This research is contributing to the protection, conservation, sustainable use and management of environmental assets as well as improved socio-economic outcomes for indigenous communities. The program is also facilitating capacity-building in the Torres Strait, including enhancing ecologically sustainable development, in partnership with local communities, the Torres Strait Regional Authority, the Queensland Government and research institutions, including the CSIRO and Australian Institute of Marine Science.

Torres Strait Environmental Management Committee

The Department co-chairs, with PNG's Department of the Environment and Conservation (DEC), the Environmental Management Committee (EMC) which reports directly to the Joint Advisory Council (JAC) under the terms of the Torres Strait Treaty. Committee membership includes DEWHA, DFAT – through the Treaty Liaison Officer based on Thursday Island – TSRA, DAFF, AFMA and Queensland Government officials, as well as PNG's DEC and National Fisheries Authority (NFA), and the Australian and PNG members of the Torres Strait Traditional Inhabitants Council.

The EMC is provides a forum for Australian and PNG officials to share information and collaborate on issues affecting the environment within the Torres Strait Treaty Zone and surrounding region. It oversees and reports on a range of issues relating to environmental aspects of the Treaty. These include marine issues, such as the sustainable management of sea turtle and dugong resources, drift-nets and other fisheries-related matters arising from the parallel Australia and PNG fisheries bilateral meetings; community-based issues, such as management plans for the protection and sustainable use of resources; coastal management issues; and Torres Strait research. The Coral Triangle Initiative (CTI) is now reported on as a standing agenda item given that PNG is a CTI member and its national plan of action relates to the Torres Strait (see below).

Sea turtle and dugong issues will continue to be addressed by the EMC, with both Australia and PNG seeking ways and means to implement a framework for their sustainable management.

With the anticipated closure of the open-cut operation at the Ok Tedi mine in mid- to late-2013, the EMC is expected to become more involved in discussions about rehabilitation strategies at the outflow of the Fly River into the Torres Strait.

Coral Triangle Initiative on Coral Reefs, Fisheries and Food Security

The Coral Triangle Initiative on Coral Reefs, Fisheries and Food Security (CTI) is a new partnership of six neighbouring countries, including Papua New Guinea and Indonesia, which will facilitate greatly enhanced ocean resource security and oceans governance. This is considered a critical partnership by the Government given the initiative's dynamic approach to ocean resource security in uncertain times and its unique integration of environmental, economic and social considerations to enable cooperative and comprehensive policy and programmatic responses in areas such as sustainable livelihoods, regional security, coral reef adaptation, oceans governance and food security.

The Coral Triangle region is adjacent to Australia's northern waters, and the CTI is a critical part of Australia's engagement in the Asia Pacific. The CTI Leaders' Summit held on 15 May 2009 in Manado, Indonesia, launched the implementation phase of the CTI. At

this meeting, PNG committed \$US2 million and Indonesia committed \$US5million to the implementation of the CTI. Australia responded to the priorities identified by the countries and committed to provide a phased, multi-year commitment to the CTI which includes an immediate \$AU2 million funding. At a recent CTI Senior Officials Meeting, Papua New Guinea officials indicated that its CTI National Plan of Action (still in development) will contain their Torres Strait marine program and that it will be looking to collaborate with Australia in its implementation.

Fisheries

Sustainable Fisheries

The Department of the Environment, Water, Heritage and the Arts is not responsible for the management of fisheries, which remains the responsibility of State, Territory and Commonwealth fisheries management agencies. While there are a number of fisheries operating in Torres Strait waters, the Protected Zone Joint Authority (PZJA) is responsible for the management of commercial and traditional fishing in the Australian area of the Torres Strait Protected Zone (TSPZ) and designated adjacent Torres Strait waters. Recreational fishing, including charter fishing is managed by the Queensland Government.

The Australian Fisheries Management Authority (AFMA) provides management and advisory services, and implements appropriate fisheries management arrangements in the Torres Strait fisheries on behalf of the PZJA, with the Department of Agriculture, Fisheries and Forestry (DAFF) responsible for developing policies and programs to address the effects of fishing on non-target species and the marine environment. The Minister for Agriculture, Fisheries and Forestry, the Hon Tony Burke MP, is the Commonwealth Minister on the PZJA.

Torres Strait fisheries, like all fisheries operating in Commonwealth waters and/or having an export component, undergo an independent impact assessment under Parts 13 and 13A of the *Environment Protection and Biodiversity Act 1999* (EPBC Act). This process is to ensure that these fisheries are being managed in an ecologically sustainable way and to encourage continuous improvement in their environmental performance. Copies of assessments can be found at the Department's Internet site www.environment.gov.au/coasts/fisheries/commonwealth/index.html.

Management of dugong and turtle fisheries

In Torres Strait, marine turtles and dugongs are traditional fisheries under the *Torres Strait Fisheries Act 1984* (C'wth) and *Torres Strait Fisheries Act 1984* (Qld). Efforts are being made by Australia and Papua New Guinea to co-operate and develop complementary mechanisms for the sustainable management of turtle and dugong fisheries, including continuing to develop culturally informed, community-based management plans.

The Torres Strait Regional Authority was funded through a Natural Heritage Trust project to develop community-based management plans for the marine turtle and dugong fisheries in eight communities. These plans were circulated to key government and research entities for endorsement and for feedback on plan content and for support for the implementation of recommended management tools. The Torres Strait Regional Authority has recently received *Caring for our Country* funding to implement these plans and develop plans in the remaining seven communities.

In recent years, eight communities, working in collaboration with the Torres Strait Regional Authority, have developed community-based management plans for turtle and dugong fisheries. These management plans have been reviewed by relevant scientists and

managers, including the Great Barrier Reef Marine Park Authority (GBRMPA). Although the area is outside the Great Barrier Reef (GBR) Marine Park, the populations of dugong and green turtle in question are part of the same stocks of animals that GBRMPA is responsible for protecting in the GBR Marine Park.

In many ways these plans are very innovative (and regionally relevant) because they include aspects of traditional and customary law in the management of the take of turtle and dugong together with spatial and seasonal closures to work towards an ecologically sustainable harvest. These management plans also acknowledge and articulate how to accommodate the take of turtle and dugong by hunters from Papua New Guinea as allowed under the Treaty.

A Strategic Assessment Report for the marine turtle and dugong fisheries was prepared by the Australian Fisheries Management Authority and sent out for public comment before submission to the then Minister for the Environment and Water Resources in July 2007.

The Department is assessing the sustainability of the Torres Strait turtle and dugong fishery in accordance with the EPBC Act and will provide recommendations for future management.

Foreign fishing vessel compliance

The portfolio's primary compliance focus, as it relates to fishing in the Torres Strait, is the protection of species listed under the EPBC Act that may be harmed by Australian, foreign and illegal fishers. These compliance activities are undertaken in partnership with AFMA and state authorities and a close working relationship is maintained with Border Protection Command. While there are currently no Commonwealth marine protected areas in the Torres Strait, the portfolio monitors potential illegal activities in marine protected areas and the Coral Sea Conservation Zone, emanating from this region through Border Protection Command surveillance operations. There is also liaison between the GBRMPA and the agencies responsible for the surveillance of and response to foreign fishing vessels that may attempt to traverse the Torres Strait to fish inside the GBR Marine Park.

The GBR Marine Park was provided with \$1.99m over the three year period 2006/07 to 2008/09 to assist in its response to the Foreign Fishing Vessel (FFV) threat in the far north of the GBR Marine Park, however this did not include operations outside the GBRMP (although patrol vessels sometimes did travel to and from Thursday Island to the GBR Marine Park).

This funding was used to fund the construction of a fast response vessel (which was based for a time on Thursday Island to allow rapid response to the north of the GBR Marine Park), to employ additional field operations officers and to assist in the undertaking of vessel patrols in the far north of the GBR Marine Park aboard charter vessels. One Field Operations Team member was also based on Thursday Island during this period to enable effective liaison with the agencies tasked with managing the FFV threat in relation to the threat to the GBR Marine Park. This officer is currently still based on Thursday Island but is working primarily from Cairns and will be moving to Cairns in the next couple of months.

Marine debris

Harmful marine debris (including land sourced plastic garbage, derelict fishing gear and ship-sourced materials disposed of at sea) negatively impacts substantial numbers of Australia's marine wildlife. Affected species include protected birds, turtles and marine mammals found within the Torres Strait region. High concentrations of marine debris have

been reported in remote areas of northern Australia, including the far north Great Barrier Reef. This issue is a significant concern in the Torres Strait region with the broader impacts of marine debris including social, economic and aesthetic impacts on marine habitats and coastal communities.

The Australian Government is actively progressing implementation of a Threat Abatement Plan (TAP) for harmful marine debris, which has been made under the EPBC Act. The TAP provides a detailed framework to support a coordinated national approach to address the impacts of marine debris over the next five years. Activities supporting action items under the TAP are expected to have a positive impact towards addressing the marine debris issue in the Torres Strait region.

To effectively implement the TAP, the Australian Government is working across government and with other stakeholders to reduce threats at source, continue to remove existing harmful debris and to monitor debris to support a reduction over time. The Government is also engaging with our neighbours to tackle this issue in our region.

Biosecurity

The Torres Strait region is considered a high risk pathway for the entry of alien invasive species to Australia. This includes species that both have a human assisted vector (i.e. transported by people or on goods) and, due to the close proximity of islands, those that arrive via natural movement from northern countries (e.g. birds, fish). The Portfolio works closely with other agencies in this area.

The Northern Australian Quarantine Strategy (NAQS), administered by the Australian Quarantine and Inspection Service (AQIS), conducts surveys along our northern coastline and neighbouring countries for early signs of new pests or disease. NAQS also has a high presence in the Torres Strait, monitoring the movement of people and cargo between the Papua New Guinea and Australian mainlands and ensuring high public awareness of people living in this strategically important quarantine zone. NAQS overseas activities focus on Australia's nearest northern neighbours: Indonesia, Timor-Leste and Papua New Guinea. The focus of NAQS is for invasive species and pathogens that could impact on Australia's primary industries.

The main vectors for marine pests are biofouling and ballast water. The Australian Quarantine and Inspection Service (AQIS) implements marine invasive species policies, with pre-border and border management of marine pests falling under the AQIS Seaports Program. Dedicated ballast water and biofouling legislation is being developed as the next stage in this process.

International shipping routes travel through the Torres Strait into the GBR Marine Park. Effective management of shipping in the Torres Strait is essential to minimise risks of an accident occurring in the Strait that may impact the GBR Marine Park with oil spills or chemical spills. The GBRMPA also has concerns about the introduction of marine pests, particularly via hull fouling on vessels (large and small) from overseas ports as some vessels enter the Reef via Torres Strait. Marine Pests are a bio-security issue which could impact upon the health of the GBR. GBRMPA is one of many organisations interested in reducing risks to the GBR ecosystem from marine pests.