

Environment and Communications References Committee  
ANSWERS TO QUESTIONS ON NOTICE  
Professor Tim Stephens  
Inquiry into Australia's faunal extinction crisis  
20 August 2019

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**QUESTION 1:** Hansard page 31 – Senator Marielle Smith

**Senator Marielle SMITH:** I just want to follow up on the southern bluefin tuna issue. I was under the understanding that there's some evidence to show that stocks of that tuna are rebuilding and growing again. Do you have a view on that or is there any evidence you can provide?

**Prof. Stephens:** I couldn't provide an informed view on that, no. So far as I'm aware, the IUCN still considers southern bluefin tuna to be in a pretty bad state. It may not be in as parlous a state as it was several years ago when, you may recall, Australia and New Zealand commenced proceedings against Japan in relation to Japan's experimental fishing program for southern bluefin tuna. It may have rebounded since then, but I simply can't help you. I'm sure I could provide a supplementary submission, if that would assist.

**ANSWER:**

SBT is listed as conservation dependent under the EPBC Act. The species is listed as critically endangered on the IUCN Red List of Threatened Species. The Scientific Committee of the Commission for the Conservation of Southern Blue Fine Tuna (CCSBT) assesses the stock to be at a low state, at around 13 per cent of initial spawning stock biomass. This represents a small improvement on previous assessments. Further information on the assessment can be found on the website of the CCSBT (<https://www.ccsbt.org/en/content/latest-stock-assessment>).

**QUESTION 2:** Hansard page 33 – Senator Rice (Chair)

**CHAIR:** So you haven't got the problems of Commonwealth-state interactions and who is responsible. Do the critical habitat mechanisms of the EPBC Act apply to marine areas?

**Prof. Stephens:** As far as I'm aware, they do, yes. I'm not sure whether any have been identified. I'm afraid I can't assist you on that.

**CHAIR:** Would you be able to take that on notice? Certainly the limitations of the critical habitat mechanism in the act are that it only applies to Commonwealth owned, let's say, land. If we're talking about the marine environment, I don't know whether it extends to Commonwealth managed marine environments. But, obviously, given that you have got Commonwealth jurisdiction over it, it wouldn't be a limitation with regard to the marine environment.

**ANSWER:**

Yes, under section 207A of the EPBC Act the Minister could list habitat in the Commonwealth marine area that is critical to the survival of a listed threatened species or listed threatened ecological community. However, at present there are only five items on the register of critical habitat, and all of these are in terrestrial areas (see <https://www.environment.gov.au/cgi-bin/sprat/public/publicregisterofcriticalhabitat.pl>).