

The Minister of Environment, Water, Heritage and the Arts  
The Hon Peter Garrett AM.MP  
PO Box 6022  
House of Representatives,  
Parliament House,  
CANBERRA ACT 2600

Re CMS and subsequent listing EPBC Mako Sharks

Minister

We write in regard to the above mentioned listing of which you are no doubt aware. We are concerned that the CMS listing was initiated in the main by European countries who, it seems, have managed, by extremely poor fishing practises, to have decimated stocks in that region. Also of concern is the Indonesian practise of shark finning that much has been written of but seems to continue unabated. It is also interesting to note that Australia is outside of the top twenty countries fishing for shark ([Trends in Global Shark Catch and Recent Developments in Management](#) (PDF, 800 KB) *Mary Lack and Glenn Sant (May 2009)*)

Australia has produced, as a result of it's membership to IPOA-Sharks a "National Plan of Action for the Conservation and Management of Sharks (Shark-plan)" that is described as:

"Australia's Shark-plan was developed according to guidelines as set out in the International Plan of Action for the Conservation and Management of Sharks (IPOA-Sharks). The overall objective of the IPOA-Sharks and Australia's Shark-plan is to ensure the conservation and management of sharks and their long-term sustainable use. The Shark-plan is a first for Australia in that it is a national guide for managers and interested stakeholders on how to better incorporate shark conservation and management issues into the management of fisheries and the broader marine environment.

The Shark-plan is split into two sections, whereby:

**PART A**

- provides a description of why the Shark-plan has been developed and how it will be implemented;
- lists the conservation and management issues the Shark-plan strives to address;
- presents the Shark-plan, and associated actions; and
- provides a discussion of issues relating to its implementation and review.

**PART B**

- provides a brief overview of Australia's shark fisheries; and
- provides a description of each of the conservation and management measures addressed by the Shark-plan. The reader is encouraged to refer to the Shark Assessment Report (Rose and SAG 2001) for more detailed information of the status of shark stocks and management of sharks in Australia<sup>1</sup>.

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<sup>1</sup> The Shark Assessment Report can be viewed at <http://www.daff.gov.au/sharkplan>"

The plan defines recreational obligations and in addition states have imposed recreational bag limits that have been set in place to secure sustainability of the species.

We find it difficult to understand that given all the above measures that have been put in place and that are specific to Australia how the EPBC Act of 1999 can require that any species listed on any Appendix of the Conservation of Migratory Species (CMS) must be listed under the Australian Act.

We cannot find any supporting data from the CMS or the federal Government on declining mako stocks in Australian waters.

Mako sharks are a very important species in regard to recreational fishing and given that the recreational catch is carefully monitored and managed as outlined in the Shark-plan should place no pressure on Australian stocks. It is worth noting that tag & release of the species is becoming the norm.

The value of this fishery in dollar terms to tourism, coastal towns, GST receipts on gear, boat and fuel etc should not be underestimated.

Neither should the voting power of the many thousand anglers who will be incensed should a ban on this species be imposed.

We urge you Minister to consider the following;

That you provide exemption for recreational anglers as provided for in Part 13 of the EPBC Act under s303A of the Act which states:

“The Minister may specify that any or all prohibitions in Part 13 do not apply to a person in relation to an action to which an exemption relates. However, the Minister may only grant an exemption under s303A if satisfied that it is in the national interest to do so.”

In our eyes it is certainly in the national interest.

Yours sincerely

John Brooker  
For and on behalf of the Southern Gamefish Club