

ACWA DISCUSSION PAPER

1. Subject: Aquaculture Act

Purpose

To seek an update on the ADC activities and advice from the Minister with respect to securing separate aquaculture legislation.

Background

The ACWA strategic goal is to secure separate aquaculture legislation. On the 17 March 2008, the Aquaculture Bill Task force tabled with the Minister its findings.

Current status

The aquaculture industry is seeking advice on:

1. What were the task force findings?
2. What is the Minister's or government's recommendation or response to the report?

2. Subject: Aquaculture environmental approvals.

Goal: to create an efficient and certain environmental approvals system by transforming the institutional and policy arrangements between WA government agencies.

Purpose

The purpose of this paper is to update the ADC on:

1. industry's view of the current status environmental approval reform, and
2. the merits of SME working group, under the auspices of the EPA process review, to facilitate accountability within the EPA assessment division, to deliver the necessary policy reforms.

Current Status

- The ACWA EO and two ACWA board members attended the EPA workshop on new ways of doing business held in early April.
- The key outcomes are contained in the following report for a summary of the issues
<http://www.odac.dpc.wa.gov.au/documents/2008StakeholderSurveyReport.ppt>
- The EPA has set up an overarching reference group, and two working groups (1) for the resource sector and (2) land development.
- There is no working group on Small to Medium Industry issues.
- The Dan Machin, ACWA, discussed the issue of the aquaculture approvals with Paul Vogel, EPA Chair. Mr. Vogel stated that, due to the focus on the resource sector, it was up to the Department of Fisheries to take a leadership role in creating any required reforms, this could include, but not limited to new administrative arrangements. He encouraged industry to work with DoF and DEC, in particular Mr. Colin Murray.
- ACWA has submitted the attached proposal to the EPA review process (Attachment 1).

- Fisheries are confident that the policy reform will be delivered by July 2009. MFA members are not concerned with this timeframe.
- Marine Finfish Assoc. members have met with Colin Murray. At this meeting Colin Murray stated that July 2009 would be unlikely. This advice would be consistent with the ACWA member's experience of EPA assessment division.
- On the basis, of the above, industry is concerned about government achieving the July 2009 deadline.
- ACWA has had discussions with Fiona vom Berg Department of Fisheries regarding Colin Murray's advice and possible strategies to ensure the accountability of EPA assessment division and the delivery of the July 2009¹.
- One option is to seek the set up of a SME working group, under the auspices of the EPA process review. This forum would assist in providing greater status and priority to SME & aquaculture industry issues.
- To this end ACWA has had preliminary discussions with
 - Christine Sherrington, EPA Review project Officers,
 - Michelle Andrews, Principal Policy Officer, Minister for Environment;
 - Small Business Development Corporation; and
 - Have written to Chamber of Commerce and Industry

on the formation of a SME working group, as part of the EPA process review. The working group would examine process improvement needed for SME.

- At this point in time, there is *in principle* support for such an approach. If SME can demonstrate they are being specifically impacted on by part IV assessment.
- ACWA is currently working on building this case.

Note

1. Through the above discussions it also became apparent that a strategic goal for the aquaculture industry, though both policy or research, is to decrease the number of part IV EPA formal assessments, by increasing the trigger level, for example, to 5000t. At this point in time the trigger point is 1 ton.
2. MRPA appealed of the EPA's level of assessment for Western Kingfish Ltd pilot project. The MPRA decision is, prime facie, symptomatic of the absence of policy in this area and understanding of the risks of finfish aquaculture to the objectives of the marine parks.
3. The EPA assessment division's granted an extension period for internal comment on the Marine Produce Australia PER. The comments raised new issues that should have been tabled as part of the competency assessment and extensive consultation with the company. This is, again, symptomatic of the absence of clear government policy.

3. Subject: matters that the ADC wish to raise with ACWA.

• ¹ Fiona vom berg did note that the EPA and DEC staff involved, Mark Jefferies and Peter Skipmore have been meeting milestones to date.