

AQUACULTURE REVIEW – FINAL RECOMMENDATIONS AS ADOPTED BY THE MINISTER FOR FISHERIES
PROPOSED STRATEGY FOR THE DEVELOPMENT OF THE WESTERN AUSTRALIAN AQUACULTURE INDUSTRY

Consultant's Report by Zelco Lendich

Developmental Framework

Consultant's Recommendation	Ministerial Response	Priority Ranking	Minister's Recommendation
1. Encourage the State Government to, in parallel with the development of a Federal policy statement on Aquaculture, develop and release a state policy statement emphasizing the State Government's recognition of Aquaculture's strategic importance and its commitment to aquaculture's ongoing development.	Adopt recommendation.	H	Encourage the State Government to, in parallel with the development of a Federal policy statement on Aquaculture, develop and release a state policy statement emphasizing the State Government's recognition of Aquaculture's strategic importance and its commitment to aquaculture's ongoing development.
2. Establish an expertise based Aquaculture Development Group (ADG) Board to advise the Minister on Aquaculture Development as outlined in Exhibit. This board should assume most of the activities currently undertaken by the Aquaculture Development Council (ADC).	Agree in principle. Adopt revised recommendation.	H	Empower the ADC so that it provides a clear agenda of strategic and proactive development. In the longer term, amend the FRMA to allow for an alternative development council structure and revise the ADC accordingly.
3. Allow the proposed ADG Board to assume most of the activities currently undertaken by the Aquaculture Development Council (ADC) and amend the FRMA to discontinue the operations of the ADC.	Adopt revised recommendation.		In the longer term, amend the FRMA to discontinue the operations of the ADC and review the need for a newly designed ADG Board.
4. Establish a small Aquaculture Development Group to support the activities of the Aquaculture Development Group Board as outlined in Exhibit 4.	Adopt recommendation. Also, adopt additional recommendation.	H H	Establish a small Aquaculture Development Group to support the activities of the Aquaculture Development Group Board as outlined in Exhibit 4. Review the performance of the ADG after a three year period.

H =High priority; M=Medium priority; L=Low priority; R=Reject the recommendation.

5. Encourage individual species associations to continue to liaise directly with the Minister, the Department of Fisheries, Aquaculture Council of WA and the Aquaculture Development Group on issues associated with their sector.	Adopt recommendation. Also, adopt additional recommendation.	L L	Encourage individual species associations to continue to liaise directly with the Minister, the Department of Fisheries, Aquaculture Council of WA and the Aquaculture Development Group on issues associated with their sector. Review funding arrangements for the Aquaculture Council of Western Australia in line with it altered role as referred to in recommendation above.
6. Ask the Board of the Aquaculture Council of WA to review their operations with due consideration to the issues outlined in Exhibit 2.	Adopt recommendation.	H	Ask the Board of the Aquaculture Council of WA to review their operations with due consideration to the issues outlined in Exhibit 2.
7. Encourage the ADG, via the Minister to make use of currently established infrastructure to present aquaculture issues for consideration by a broader whole of government audience. ie. via Cabinet, Regional Development Council or the Strategic Management Council.	Adopt recommendation.	H	Encourage the ADG, via the Minister to make use of currently established infrastructure to present aquaculture issues for consideration by a broader whole of government audience. ie. via Cabinet, Regional Development Council or the Strategic management Council.
8. Ask the new Aquaculture Development Group Board to review the recommended priority species incorporated as Exhibit 1 prior to recommending its priority species to the Minister and prioritizing its development activities accordingly.	Adopt revised recommendation. This will allow for other aspects of aquaculture eg. Indigenous, technology development, feed development etc, to be contained within this prioritisation.	H	Ask the new Aquaculture Development Group Board to develop criteria and recommend priority aquaculture <i>areas</i> prior to recommending its priority sectors to the Minister and prioritizing its development activities accordingly.
9. Discontinue the use of the Aquaculture Development Fund (ADF) and devolve responsibilities to the Aquaculture Development Group.	Adopt recommendation.	H	Discontinue the use of the Aquaculture Development Fund (ADF) and devolve responsibilities to the Aquaculture Development Group.

Site Selection

Consultant's Recommendation	Ministerial Response	Priority Ranking	Minister's Recommendation
-----------------------------	----------------------	------------------	---------------------------

H =High priority; M=Medium priority; L=Low priority; R=Reject the recommendation.

10. Finalise recent land based marine aquaculture site studies and secure appropriate aquaculture zoning provisions for high priority sites.	Adopt revised recommendation.	H	Implement recently developed land based marine aquaculture site studies and secure appropriate aquaculture zoning provisions for high priority sites.
11. Initiate new, species specific, site studies in consultation with local governments and regional development commissions to jointly identify, secure and where appropriate promote suitable sites for future investment opportunities.	Adopt recommendation.	L-M	Initiate new, species specific, site studies in consultation with local governments and regional development commissions to jointly identify, secure and where appropriate promote suitable sites for future investment opportunities.

Infrastructure Assistance

Consultant's Recommendation	Ministerial Response	Priority Ranking	Minister's Recommendation
12. Develop an appropriate process whereby market driven infrastructure assistance proposals can be prepared and fast tracked through the department, ministerial and cabinet structure.	Adopt revised recommendation.	H	Encourage Government to develop an appropriate process whereby market driven infrastructure assistance proposals can be prepared and fast tracked through the department, ministerial and cabinet structure.
13. Provide infrastructure-funding assistance to approved aquaculture projects through appropriate budgetary provisions in regional and industry development funding programs.	Adopt recommendation.	H	Provide infrastructure-funding assistance to approved aquaculture projects through appropriate budgetary provisions in regional and industry development funding programs.
14. Re-introduce the government regional headworks scheme and Western Power's contributory extension scheme, and provide funding to projects, where the regional benefits outweigh the costs to individual government enterprises.	Adopt recommendation.	H	Re-introduce the government regional headworks scheme and Western Power's contributory extension scheme, and provide funding to projects, where the regional benefits outweigh the costs to individual government enterprises.

H =High priority; M=Medium priority; L=Low priority; R=Reject the recommendation.

15. Assist in the establishment of pilot prawn farms with appropriate industry participation.	This recommendation is not adopted, as it is a duplication of the outcomes that the KSRP project will deliver and as such will not be catalytic to the development of the prawn aquaculture industry in Western Australia.	R	None.
16. Investigate the feasibility of building a suitable commercial jetty capable of servicing the needs of tuna operators in an appropriate location on the south coast (Albany to Esperance).	Adopt revised recommendation.	H	Encourage the increased expansion and development of the existing harbour facilities on the south coast to a standard capable of servicing the needs of tuna operators in an appropriate location.
17. Investigate the feasibility of providing hatchery facilities to serve the expanding pearling (non-Pinctada Maxima) industry.	Reject recommendation on the basis that hatcheries already exist.	R	None.
18. Investigate the feasibility of providing appropriately structured financial assistance to the abalone industry.	Reject original recommendation and adopt revised recommendation	M	Give in-principle support to proving the aquaculture industry with structured financial assistance in terms of a loan under the Industry and Technology Development Act or such, until such time as the lack of investment capital is overcome.
19. Examine the viability of establishing an Inland Saline pilot prawn farm.	Adopt revised recommendation.	M	In consultation with the ADG Board and industry examine the viability of establishing an Inland Saline pilot prawn farm.

Investment Interface

Consultant's Recommendation	Ministerial Response	Priority Ranking	Minister's Recommendation
20. Educate Aquaculture industry	Adopt	Concept is H,	Educate Aquaculture industry proponents on the needs of the

H =High priority; M=Medium priority; L=Low priority; R=Reject the recommendation.

proponents on the needs of the investment community and where necessary provide access to specialist expertise.	recommendation.	however not role of government group.	investment community and where necessary provide access to specialist expertise.
21. Educate targeted investors and the investment community on the risks, returns and capital needs of the aquaculture industry.	Adopt recommendation.	H	Educate targeted investors and the investment community on the risks, returns and capital needs of the aquaculture industry.
22. Assist individual project proponents to obtain commercial finance for projects based on individual project needs.	Adopt recommendation.	H	Assist individual project proponents to obtain commercial finance for projects based on individual project needs.
23. Develop, maintain and make available to proponents a database of high net worth investors and investment organisations particularly those with an existing exposure to or interest in the seafood industry.	Adopt revised recommendation.	H	Ensure that aquaculturists have access to a database of high net worth investors and investment organisations particularly those with an existing exposure to or interest in the seafood industry.
24. Promote the establishment of a suitably funded Innovative Investment Fund similar to those developed for the biotechnology and information technology sectors.	Adopt revised recommendation.	H	Support and encourage the establishment of a Federally funded Innovative Investment Fund similar to those developed for the biotechnology and information technology sectors; and encourage the use of the Regional Investment Fund for aquaculture investment.
25. Investigate the feasibility of other tax and accelerated depreciation schemes with potential benefit to the aquaculture industry.	Adopt recommendation.	H	Investigate the feasibility of other tax and accelerated depreciation schemes with potential benefit to the aquaculture industry.

Ecological Sustainability

Consultant's Recommendation	Ministerial Response	Priority Ranking	Minister's Recommendation
26. Employ a credible environmental expert with a background in aquaculture to advise on and co-ordinate environmental issues.	Reject recommendation and replace with alternative.	H	Ensure that appropriate environmental assistance is provided to large-scale aquaculture applications.
27. Establish an environmental reference group to develop joint industry/environmental guidelines on sustainability issues in key species and high potential sites.	Adopt recommendation.	M	Establish an environmental reference group to develop joint industry/environmental guidelines on sustainability issues in key species and high potential sites.

H =High priority; M=Medium priority; L=Low priority; R=Reject the recommendation.

28. Develop appropriate classification guidelines and application fee structure to assist in the prioritization of projects for the purpose of assisting in the effective allocation of resources and improving the quality of project proposals.	Adopt revised recommendation.	L	The Department of Fisheries to review the current aquaculture licence fee structure with the possible outcome of the development of a classification guideline to assist in the prioritisation of projects for the purpose of assisting in the effective allocation of resources and improving the quality of project proposals.
29. Continue to streamline and simplify the approvals process to minimize the time taken to secure licences/leases and minimize uncertainty relating to environmental and indigenous issues.	Adopt revised recommendation.	M	Continue to streamline and simplify the approvals process to minimize the time taken to secure licences/leases and minimize uncertainty relating to environmental and native title issues.
30. Seek to change current government policy on Expressions of Interest guidelines for crown land via an appropriate cabinet submission.	Adopt recommendation.	L	Seek to change current government policy on Expressions of Interest guidelines for crown land via an appropriate cabinet submission.
31. Implement clear licence/lease performance criteria (land and water) for all licences/leases issued.	Adopt revised recommendation.	H	Continue to implement clear licence and lease performance criteria for all water and non-freehold land based sites.
32. Review and amend the tenure and transferability process of leases/licences to be more consistent with the needs of the investment market along the lines recommended by the Legislative Review.	Adopt recommendation.	M	Review and amend the tenure and transferability process of leases/licences to be more consistent with the needs of the investment market along the lines recommended by the Legislative Review.
33. Initiate processes leading to the development of a new Aquaculture Act on the condition that sufficient resources are first allocated to ensure all key recommendations contained in this report can be effectively implemented.	Reject recommendation and replace with alternative.	M	Amend the FRMA to address those issues that are identified as impediments to industry development and review the need for a dedicated Act for the regulation of aquaculture activities in 2008.

Market Interface and Industry Consultation

Consultant's Recommendation	Ministerial Response	Priority Ranking	Minister's Recommendation
34. Develop and implement a focused, relevant and cost effective stakeholder communication strategy incorporating appropriate materials and an implementation timeline.	Agree with recommendation in principle. Adopt revised	H	Encourage industry to take a lead role in the communication strategy for the aquaculture industry and allow government to focus on the development of new projects and the communications around those projects.

H =High priority; M=Medium priority; L=Low priority; R=Reject the recommendation.

	recommendation.		
35. Encourage and resource industry association, government bodies and industry leaders to implement avenues for greater industry cooperation; the establishment of marketing cooperatives; the increased contracting of specialist marketers; and the potential to access markets under one strong brand.	Adopt revised recommendation.	H	Encourage industry association, government bodies and industry leaders to implement avenues for greater industry cooperation; the establishment of marketing cooperatives; the increased contracting of specialist local, regional and export marketers; and the potential to access markets under one strong brand.
36. Initiate and resource the development of a post harvest industry strategy (national and species based) that outlines the sectors and identifies key constraints and responsibilities aimed at improving the aquaculture industry's access to and costs of servicing key markets.	Adopt revised recommendation.	H	Encourage State and National aquaculture industry bodies to work collaboratively to ensure complimentary post harvest industry strategies for aquaculture are developed.

Industry Driven Research

Consultant's Recommendation	Ministerial Response	Priority Ranking	Minister's Recommendation
37. Establish a co-operative research framework involving all key research providers together with a strong industry representation.	Adopt recommendation.	M	Establish a co-operative research framework involving all key research providers together with a strong industry representation.
38. Ensure research priorities are primarily driven by strategic, industry developmental, needs and structured so as to maximize access to FRDC funding.	Adopt recommendation.	M	Ensure research priorities are primarily driven by strategic, industry developmental needs and structured so as to maximize access to FRDC funding.
39. Enable the Aquaculture Development Group to have a significant role in WA Government Aquaculture research directions and funding priorities.	Adopt recommendation.	M	Enable the Aquaculture Development Group to have a significant role in WA Government Aquaculture research directions and funding priorities.
40. The ADG should prepare an appropriate R & D plan for all agreed priority species.	Adopt revised recommendation.	H	The ADG should prepare an appropriate R & D plan for all agreed priority species, in consultation with the Department of Fisheries and ACWA.
41. Encourage industry to adopt the National Aquaculture Development Committee recommendation relating to a	Adopt recommendation.	H	Encourage industry to adopt the National Aquaculture Development Committee recommendation relating to a 0.25% of Gross Value of Production levy going to the Fisheries Research

H =High priority; M=Medium priority; L=Low priority; R=Reject the recommendation.

0.25% of Gross Value of Production levy going to the Fisheries Research and Development Corporation to build a future funding base for research.			and Development Corporation to build a future funding base for research.
42. Review all current research projects and ensure a transition of priorities on the following basis: Away from lower research priority species to high priority species; Away from pure research into other development priorities as determined by the Aquaculture; Development Group in consultation with industry.	Adopt revised recommendation.	H	Review all current research projects in the context of the Strategic 5 year Plan.
43. Discontinue operations at Avondale after completion of the yabby hybrid commercialisation project.	Adopt revised recommendation.	H	Review the operations at Avondale, in consultation with industry, after completion of the review of the yabby hybrid commercialisation project.
44. Establish Pemberton Freshwater Research Centre as a standalone focal point for marron development, training and extension activities in collaboration with industry, TAFE and other interested stakeholders. This is in conjunction with its other roles in habitat protection and trout propagation.	Adopt revised recommendation.	H	Establish Pemberton Freshwater Research Centre as separate business unit managed by the Department of Fisheries.
45. Broaden the assessment of inland prawn, finfish, yabby and marron activities to incorporate social and regional development outcomes as opposed to purely economic and include local government authorities and Regional Development Commissions in decision making where appropriate.	Reject Recommendation. Adopt revised recommendation.	R M	Encourage Local Government Authorities and Regional Development Commissions to incorporate social and regional development outcomes in relation to the inland prawn, finfish, yabby and marron activities.

Education, Extension and Fish Health

Consultant's Recommendation	Ministerial Response	Priority Ranking	Minister's Recommendation
46. Industry to join with the Universities, TAFEs and other stakeholders to convene a forum to discuss competency standards and appropriate	Adopt revised recommendation.	M	Industry to join with the Universities, TAFEs and other stakeholders to convene a forum to discuss competency standards and implement appropriate accreditation for employees, consultants and trainers in the

H =High priority; M=Medium priority; L=Low priority; R=Reject the recommendation.

accreditation for employees, consultants and trainers in the Aquaculture industry.			aquaculture industry.’
47. Industry together with Government and other key stakeholders institute an appropriate mechanism to determine and review priorities in relation to education, training and extension.	Adopt recommendation.	M	Industry together with Government and other key stakeholders institute an appropriate mechanism to determine and review priorities in relation to education, training and extension.
48. The TAFE sector consider adopting a more strategic and coordinated approach to the delivery of educational, research and extension services to the aquaculture industry and act as a regional focus for collaboration where appropriate.	Adopt recommendation.	M	The TAFE sector consider adopting a more strategic and coordinated approach to the delivery of educational, research and extension services to the aquaculture industry and act as a regional focus for collaboration where appropriate.
49. The Department of Fisheries to continue to place a high priority on the funding of fish health diagnostic and related research activities in line with industry needs.	Adopt recommendation.	H	The Department of Fisheries to continue to place a high priority on the funding of fish health diagnostic and related research activities in line with industry needs.

Project Funding Priorities and Budget Allocation

Consultant's Recommendation	Ministerial Response	Priority Ranking	Minister's Recommendation
50. That the Aquaculture Development Group be allocated an operating budget of approximately \$1.22m in its first year.	Adopt revised recommendation.	H	Seek to secure a continued aquaculture budget. Provide Department of Fisheries with adequate funding to fulfil statutory responsibilities. Allocate available funds to the ADG.
51. The Aquaculture Development Group be allocated premises in the central city area separate to the Department of Fisheries.	Adopt revised recommendation.	M-H	The Aquaculture Development Group be allocated appropriate premises separate to the Department of Fisheries.
52. That an additional \$3m is placed in the Aquaculture capital budget for the next financial year.	Adopt revised recommendation.	H	The ADG Board should identify capital infrastructure needs and develop appropriate procurement plans in line with the budget process.

H =High priority; M=Medium priority; L=Low priority; R=Reject the recommendation.

Performance Measurements

Consultant's Recommendation	Ministerial Position	Priority Ranking	Minister's Recommendation
53. That the Aquaculture Development Group Board agrees appropriate performance measures with the Minister within the first three months of operation.	Adopt recommendation.	H	That the Aquaculture Development Group Board agrees appropriate performance measures with the Minister within the first three months of operation.
54. That the proposed developmental framework and the Aquaculture Development Group be reviewed at the end of 5 years or as determined by the Minister.	Adopt revised Recommendation.	H	That the proposed developmental framework and the Aquaculture Development Group be reviewed at the end of 3 years or as determined by the Minister.

H =High priority; M=Medium priority; L=Low priority; R=Reject the recommendation.

**REPORT TO THE MINISTER FOR FISHERIES ON THE REVIEW OF LEGISLATIVE ARRANGEMENTS IN THE AQUACULTURE INDUSTRY
IN WESTERN AUSTRALIA**

Consultant's Report by Anna Ciffolilli

**Administrative Arrangements,
Amendments to the FRM Act and
Regulations, a New Aquaculture
Act**

Consultant's Recommendation	Ministerial Position	Priority Ranking	Minister's Recommendation
1a. Administrative arrangements such as Memoranda of Understanding and Protocols be implemented between the Department of Fisheries and relevant government agencies.	Recommendation adopted.	H	Administrative arrangements such as Memoranda of Understanding and Protocols be implemented between the Department of Fisheries and relevant government agencies.
1b. Amendments to the FRM Act and FRM Regulations, as recommended be prepared and consideration be given to amending the title of the FRM Act to expressly refer to aquaculture.	Recommendation adopted.	H	Amendments to the FRM Act and FRM Regulations, as recommended be prepared and consideration be given to amending the title of the FRM Act to expressly refer to aquaculture.
1c. A new Aquaculture Act be prepared, as recommended in the <i>Proposed Strategy for the Development of the Western Australian Aquaculture Industry Final Report</i> .	Adopt revised recommendation.	L	Review the need for a new Aquaculture Act in 2008.

An Integrated Development Approval Process

Consultant's Recommendation	Ministerial Response	Priority Ranking	Minister's Recommendation
2. An integrated development approval process be introduced within Western Australia's legislation, and such process should make provision for integrated consents, relevant consent authorities and other approval authorities.	Reject recommendation. Adopt alternative recommendation.	R L	Continue to identify and implement means to provide greater integration of aquaculture approval processes.

EOI Process

Consultant's Recommendation	Ministerial Response	Priority Ranking	Minister's Recommendation
3. DOLA be invited to review its Policy Statement (No. 6.3.17) concerning the requirement to call for Expressions of Interest in circumstances where significant contribution has been made by an applicant, such as the expenditure of funds in the identification of the site.	Adopt recommendation.	L	DOLA be invited to review its Policy Statement (No. 6.3.17) concerning the requirement to call for Expressions of Interest in circumstances where significant contribution has been made by an applicant, such as the expenditure of funds in the identification of the site.

Emergency aquaculture leases

Consultant's Recommendation	Ministerial Response	Priority Ranking	Minister's Recommendation
4a. The FRM Act be amended to specifically provide for emergency aquaculture leases of three months duration (but renewable for a total of six months).	Adopt recommendation.	H	The FRM Act be amended to specifically provide for emergency aquaculture leases of three months duration (but renewable for a total of six months).
4b. The FRM Act be amended to define the matters constituting an "emergency".	Adopt recommendation.	H	The FRM Act be amended to define the matters constituting an "emergency".

Minister may Offer Lease by

H =High priority; M=Medium priority; L=Low priority; R=Reject the recommendation.

Auction, Public Tender or Ballot

Consultant's Recommendation	Ministerial Response	Priority Ranking	Minister's Recommendation
5. Section 97 of the FRM Act be amended so that the Minister may offer areas for lease by auction, public tender or ballot, but not where an application had already been made in relation to that area. Procedural matters should be dealt with by way of regulation.	Adopt revised recommendation.	M	Section 97 of the FRM Act be amended to add clarity to the power of the Minister to offer areas for lease by auction, public tender or ballot. Procedural matters should be dealt with by way of regulation.

Ability to Subdivide, Sublet and Transfer Aquaculture Leases

Consultant's Recommendation	Ministerial Response	Priority Ranking	Minister's Recommendation
6. The provisions of the FRM Act be amended to permit the subdivision, subletting and transfer of aquaculture leases, subject to the approval of the Minister. Any offence committed in respect of a sublease or by the person holding the sublease should be taken to be an offence committed by the lessee (the original holder of the lease).	Adopt recommendation.	M	The provisions of the FRM Act be amended to permit the subdivision, subletting and transfer of aquaculture leases, subject to the approval of the Minister. Any offence committed in respect of a sublease or by the person holding the sublease should be taken to be an offence committed by the lessee (the original holder of the lease).

Ability to Amalgamate (Consolidate) Aquaculture Leases

Consultant's Recommendation	Ministerial Response	Priority Ranking	Minister's Recommendation
7. The provisions of the FRM Act be amended, to permit the amalgamation (consolidation) of aquaculture leases, subject to the approval of the Minister.	Adopt recommendation.	M	The provisions of the FRM Act be amended, to permit the amalgamation (consolidation) of aquaculture leases, subject to the approval of the Minister.

Aquaculture Permits

Consultant's Recommendation	Ministerial Response	Priority Ranking	Minister's Recommendation
8. The FRM Act and FRM Regulations be amended to make provision for aquaculture permits to be granted by the Executive Director to enable the holder to carry out research or exploratory work or other similar operation for the purpose of developing aquaculture and in particular:	Reject recommendation.	R	Undertake a cost benefit analysis and investigate the feasibility of establishing a permit system for the collection of broodstock for aquaculture purposes.
a. The definition of "permit" in section 4 be amended to include aquaculture permits.	Adopt alternative recommendation.	H	

H =High priority; M=Medium priority; L=Low priority; R=Reject the recommendation.

<p>b. Part 8 of the FRM Act be amended to provide –</p> <ul style="list-style-type: none"> - For the Executive Director to grant aquaculture permits provided that he is satisfied that the applicant is a fit and proper person and that it is in the better interests of the aquaculture industry to grant the permit. - For aquaculture permits to be subject to any conditions imposed by the Executive Director. - For aquaculture permits to be of 12 months duration (or lesser period) and renewable for a further term of up to 12 months. - That aquaculture permits are not transferable. 			
--	--	--	--

Duration of Aquaculture Licences

Consultant's Recommendation	Ministerial Response	Priority Ranking	Minister's Recommendation
9. The maximum duration of aquaculture licences in section 93 of the FRM Act be increased to 21 years.	Adopt recommendation.	H	The maximum duration of aquaculture licences in section 93 of the FRM Act be increased to 21 years.

Nexus between Aquaculture Leases and Licences

Consultant's Recommendation	Ministerial Response	Priority Ranking	Minister's Recommendation
10. There should be no requirement that the same person be the lessee and the aquaculture licence holder for the same area and to the extent necessary, the FRM Act be amended. However, licences should only be able to be used in a particular (corresponding) lease area.	Adopt alternative recommendation.	M	Investigate the feasibility of there being no requirement that the same person be the lessee and the aquaculture licence holder for the same area and to the extent necessary, the FRM Act be amended. The investigation should take account of product ownership, public liability, and risk and compliance issues.

Timeliness of Approvals and Removal of Overlap and Duplication; Amendment of Town Planning Schemes

Consultant's Recommendation	Ministerial Response	Priority Ranking	Minister's Recommendation
11a. Relevant approvals legislation should include	Adopt revised recommendation.	L	Review the ability of the

H =High priority; M=Medium priority; L=Low priority; R=Reject the recommendation.

processes and timelines, including stop the clock mechanisms, in sufficient detail to guide the process without introducing inflexibility into the system.			Department of Fisheries to introduce or clarify processes and timelines in relevant approvals legislation, including stop the clock mechanisms, in sufficient detail to guide the process without introducing inflexibility into the system.
11b. All environmental conditions related to a proposal that has been formally assessed under the EP Act should be considered in any subsequent approval to have been conclusively determined under the processes of that Act. Any other approvals should not revisit or reconsider those environmental matters and should frame their conditions to be entirely consistent with those conditions.	Adopt recommendation.	H	All environmental conditions related to a proposal that has been formally assessed under the EP Act should be considered in any subsequent approval to have been conclusively determined under the processes of that Act. Any other approvals should not revisit or reconsider those environmental matters and should frame their conditions to be entirely consistent with those conditions.
11c. Where a proposal is to be formally assessed under the EP Act and a works approval and licence will subsequently be required, and then the formal assessment process should focus on setting a framework approval through outcome-based conditions.	Adopt recommendation.	H	Where a proposal is to be formally assessed under the EP Act and a works approval and licence will subsequently be required, then the formal assessment process should focus on setting a framework approval through outcome-based conditions.
11d. Development approvals under Town Planning and Region Schemes should not cover environmental aspect of projects that have been covered in the conditions set through the formal assessment processes under the EP Act or in the conditions applied to a works approval and licence issued under the EP Act.	Adopt recommendation.	H	Development approvals under Town Planning and Region Schemes should not cover environmental aspect of projects that have been covered in the conditions set through the formal assessment processes under the EP Act or in the conditions applied to a works approval and licence issued under the EP Act.
11e. Matters (currently dealt with by the WRC) that relate to environmental or pollution concerns may be matters better dealt with under the EP Act – including matters such as the pollution of waters and the cycling of water from any waters through any industrial plant	Adopt recommendation.	H	Matters (currently dealt with by the WRC) that relate to environmental or pollution concerns may be matters better dealt with under the EP Act – including matters such as

H =High priority; M=Medium priority; L=Low priority; R=Reject the recommendation.

(within a Management Area) currently dealt with under the Waterways Act and issues of pollution currently dealt with under the CAWS Act and MWSSD Act.			the pollution of waters and the cycling of water from any waters through any industrial plant (within a Management Area) currently dealt with under the Waterways Act and issues of pollution currently dealt with under the CAWS Act and MWSSD Act.
11f. Minor aquaculture developments could be a form of permitted development, under the town planning schemes of local authorities, and to that extent, relevant town planning schemes ought to be amended.	Adopt recommendation.	H	Minor aquaculture developments could be a form of permitted development, under the town planning schemes of local authorities, and to that extent, relevant town planning schemes ought to be amended.

Broodstock

Consultant's Recommendation	Ministerial Response	Priority Ranking	Minister's Recommendation
12ai. The FRM Act be amended to include a category of licence (to be known as a broodstock licence) and to that end: Section 73 of the FRM Act be amended so that a broodstock licence may authorise the holder (to the extent specified in the licence) to take fish by any method or by any specified method, from any waters or any specified waters in any other specified way, despite any provision of or made under the Act to the contrary;	Reject recommendation.	R	None (refer to Section 8 on Aquaculture Permits)
12aii. The FRM Act be amended to include a category of licence (to be known as a broodstock licence) and to that end: Section 257 of the FRM Act be amended so that the FRM Regulations may provide for the licensing of persons collecting broodstock.	Reject recommendation.	R	None (refer to Section 8 on Aquaculture Permits)
12aiii. The FRM Act be amended to include a category of licence (to be known as a broodstock licence) and to that end: The FRM Regulations be amended to include an additional category of licences to be known as "broodstock licences".	Reject recommendation.	R	None (refer to Section 8 on Aquaculture Permits)
12b. Alternatively, the FRM Act be amended to	Adopt recommendation.	M	None (refer to Section 8 on

H =High priority; M=Medium priority; L=Low priority; R=Reject the recommendation.

Demerit System

Consultant's Recommendation	Ministerial Response	Priority Ranking	Minister's Recommendation
15a. A demerit system be introduced in respect of offences committed by aquaculture licensees concerning aquaculture. That system ought to be introduced, preferably in the new Aquaculture Act, rather than by way of amendment to the existing FRM Act and FRM Regulations.	Reject recommendation and adopt the alternative recommendation.	H	An infringement system be introduced in respect of offences committed by aquaculture licensees concerning aquaculture. That system ought to be introduced by way as amendment to the FRM Regulations.
15b. Such a demerit system should be introduced with the following features: The demerit system operate in respect of infringement notices issued (and not challenged); Specific "demerit points" in respect of specific offences be provided for in the legislation; demerit points be in force for a period of five years; An offence be taken to have been committed on the date on which the act or conduct constituting the offence occurred; Persons (including relevant partnerships and bodies corporate) be disqualified from obtaining or holding a licence if 200 or more demerit points have been allocated during a period of five years; register of "demerit points" be maintained.	Reject the recommendation.	R	None.

Returns

Consultant's Recommendation	Ministerial Response	Priority Ranking	Minister's Recommendation
16a. The new Aquaculture Act or Regulations should require returns to be lodged six monthly, and if there are compliance issues, those returns will need to contain separate information in respect of each month.	Adopt revised recommendation.	H	Amend the FRMA to require returns to be lodged six or three monthly, and if there are compliance issues, those returns will need to contain separate information in respect of each month.
16b. Upon there being sufficient funding, provision ought to be made under the new Aquaculture Act or Regulations, so that returns may be lodged	Adopt revised recommendation.	M	Investigate the feasibility of the Department accepting electronically or facsimiled returns.

H =High priority; M=Medium priority; L=Low priority; R=Reject the recommendation.

electronically or by facsimile.			
---------------------------------	--	--	--

H =High priority; M=Medium priority; L=Low priority; R=Reject the recommendation.