

## **APPLICATION FOR AN AQUACULTURE LICENCE**

Sections 92 & 135

### **Information Relating to Applications**

This form is to be used to apply for an aquaculture licence and is to be lodged with the CEO of Department of Fisheries at the address indicated. Any additional information required in support of the application (additional information requirements for species are referred to below) must accompany the application.

**Application Fee** The prescribed application fee must accompany this form. The application fee will vary depending on whether the place is freehold or non-freehold including coastal waters. See Part 2-11 of Schedule 1 to the regulations. (Note: Fees may be subject to change)

Aquaculture is a developing industry in Western Australia and licensing policies for specific aquaculture species are under constant review. Applicants should therefore ensure that the latest information is obtained from Department of Fisheries on current and proposed licensing policies for the fish species that are the subject of the aquaculture proposal.

### **Standard Criteria for Grant of Licence**

The standard criteria that must be met before an aquaculture licence maybe granted are that the CEO must be satisfied that —

- (a) the person is a fit and proper person to hold such a licence;
- (b) it is in the better interests of the aquaculture industry to grant the licence;
- (c) the activities to be conducted under the licence are unlikely to adversely affect other fish or the aquatic environment; and
- (d) the activities to be conducted under the licence have been approved by other relevant authorities.

### **Publication of Notice of Decision - Reviews**

Before granting, varying or transferring an aquaculture licence, the CEO must —

- (a) cause notice of the decision to be published in a newspaper, or in a fishing magazine, circulating generally in the State or in such other manner as is prescribed; and
- (b) give affected persons the opportunity to apply for review of the decision under Part 14 of the Act.

**NOTE: An affected person has 28 days after publication of the decision to apply for review of the decision in accordance with the Act.**

### **ADDITIONAL INFORMATION REQUIREMENTS**

Specific Additional Information Sheets must be completed for certain species ie marron, yabbies, koonacs, gilgies, trout, inland finfish, ornamental fish, silver perch and barramundi; and submitted with this form. Additional Information Sheets form part of your application.

If the aquaculture proposal affects land other than private land eg Crown land or waters (including coastal waters), a more detailed set of guidelines and an additional information sheet is available.

### **CONDITIONS**

An aquaculture licence is issued subject to the conditions set out in Regulation 69 of the *Fish Resources Management Regulations 1995* and as may be specified in the licence by the CEO\* (who may vary or cancel a condition by notice in writing).

\* On 1 July 2006 the Machinery of Government Act 2006, commenced operation. Under s.242 of that Act, any reference to "Executive Director" in the regulations is to be taken to be a reference to "CEO".

### **Attention**

Fisheries legislation changes from time to time. To assist fishers, aquaculturists and members of the public to access fisheries legislation, the Chief Executive Officer has arranged for up-to-date fisheries legislation to be made available on the internet. Fisheries legislation may be viewed by logging on to the Department of Fisheries website ([www.fish.wa.gov.au](http://www.fish.wa.gov.au)) and clicking on the Legislation link at the top of the home page. The Chief Executive Officer recommends the licence holders and persons acting on their behalf (e.g. employees) regularly access this legislation service and make themselves aware of the fisheries legislation that relates to their activities.

## INSTRUCTIONS FOR COMPLETING THIS FORM -

### PART A

1. Before completing this form **read** these instructions. Use **BLOCK LETTERS** when completing the form.

A faxed, copied or electronically reproduced copy of the form may be used. The originally executed form must be lodged.

2. **Applicant** - An applicant must be a person or a company. State the **full name** of each applicant. Print the Australian Company Number ("ACN") of a corporate applicant. State the full **business address** including the postcode. The business address must be a place, not a post office box number, and is normally the office address of the business. State a **telephone and facsimile number** (where available). State the mailing address of the applicant(s) (where this is the same as the business address write "as above").

### PART B

3. **Description of place (site) where aquaculture is to be conducted** - State the full description (address) of the location of the place where the aquaculture activity is to be conducted including the nearest road. If the aquaculture activities are proposed to be conducted in or on a place that is not private land (including a site in coastal waters), state whether the place is in an area that has been determined to be suitable for the proposed aquaculture activities. If the site is located in coastal waters and has not been determined as available for aquaculture activities of the type proposed, the application will be assessed taking into account Ministerial Policy Guideline No. 8 titled "Assessment of applications for new authorisations for aquaculture and pearling in coastal waters of Western Australia".

4. **Registered proprietor(s) of place** - State the full name(s) of each registered proprietor(s) (that is, owner(s)) of the place where the aquaculture activity is to be conducted.

**Nature of applicant's tenure** - Where an applicant is not the registered proprietor (owner), details of the applicants' relevant tenure arrangements (right to use the premises/place) must accompany this application together with a copy of any relevant documents (eg. "Deed of Lease").

5. **Scale plan** - Attach a detailed plan showing existing and proposed tanks, dams and other structures. - e.g. in the case of "marron" applications, the total water surface area (m<sup>2</sup>) is to be given. Please ensure that you clearly differentiate between existing and proposed dams, ponds and tanks. Any streams or rivers on the property must be marked on the plan.

6. **Approvals** - written approvals from the Local Government Authority (Shire), Department of Water, Department of Environment and Conservation and the Environmental Protection Authority may be required to support your application. You may need to submit a copy of your application to those organisations to ensure it meets their requirements. Applications will not be considered by Department of Fisheries unless they are accompanied by relevant approvals and / or clear reference has been made to the steps taken in this regard. In general, Local Government approval will be required for most applications. Approval from the Department of Environment & Conservation may be required for applications in respect of finfish and prawns, particularly for open systems or systems that result in effluent discharge. Suitability-of-site issues in coastal waters may be the subject of Ministerial Guidelines. Further information is available from Department of Fisheries.

### PART C

7. **Aquaculture Species** - State both the common and scientific names of the species of fish it is proposed will be the subject of the aquaculture activities. (See Additional Information Sheets for relevant species).

8. **Additional Information Sheets (AIS)** - Indicate which AIS are submitted with this form. If there is no specific AIS for the species requested provide details of source of breeding stock, culture techniques, water consumption and other approvals where applicable eg Local Authority, Dept of Water, Dept of Environment & Conservation.

**Marron** - There are two types of aquaculture licence for marron. They are "Marron" and "Marron (Limited)". The criteria for the grant of each type of licence may be found on the Marron Additional Information Sheet.

**Yabbies, Koonacs and Gilgies** - There are two types of aquaculture licence available for yabbies, koonacs and gilgies. They are commonly known as "Growers" and "Harvesters". The criteria for each type of licence may be found on the Yabbie/Koonac/Gilgie Information Sheet.

9. **Fit & Proper Person Criterion** - Specify why the applicant is a 'fit & proper person' taking into account honesty, knowledge & ability. Where a specific Additional Information Sheet exists complete this.

10. **Declaration** - there are penalties under the *Fish Resources Management Act 1994* for making false or misleading statements in applications.

11. **Execution of Documents**

**Signatures** - if the licence is to be held by more than one person, then all persons to be named on the licence must sign and date this Application.

**Corporations** - The company must properly execute the form. A copy of the register of directors/officers (names & addresses), together with a copy of that part of the constitution governing the use of the seal (if any) **must be provided** with the form. Where the form is executed by a sole director & sole company secretary, the relevant declaration under s.129 of the *Corporations Act 2001* must be made.

**Attorney** - if the applicant has appointed an Attorney, the Attorney signing must produce the relevant Power of Attorney instrument for viewing and a copy for recording.

Department of Fisheries  
 3<sup>rd</sup> Floor, SGIO Atrium  
 168-170 St George's Terrace  
 PERTH WA 6000  
 Phone: (08) 9482 7333  
 Facsimile (08) 9482 7390

Office Use Only	
Date Received:	
Fee Paid:	
Receipt No.:	

*Fish Resources Management Act 1994*  
**APPLICATION FOR AN AQUACULTURE LICENCE**  
 Sections 92 & 135

**To the Chief Executive Officer  
 Department of Fisheries**

The applicant named in Part A hereby applies for an aquaculture licence to engage in aquaculture activities at the place described in Part B in relation to the species and techniques specified in Part C and the relevant Additional Information Sheet(s).

**PART A**

1. **I declare** that I have read 'Information Relating to Applications' and 'Instructions for Completing This Form'.
2. Applicant(s):  
 .....  
 ACN: (if applicable) .....  
 Business Address: .....  
 .....  
 Postal Address:.....  
 ☎: (....) ..... Fax:: (....)..... Email: .....

**PART B**

3. Description of Location of Place where aquaculture is to be conducted: .....  
 .....  
 .....
4. Registered Proprietor(s) of Premises/Place (*where relevant*):  
 Nature of Applicant's Tenure Arrangements .....
5. Scale Plan attached Yes / No.....
6. Approvals Obtained Local Government Authority  Department of Environment & Conservation  
 Environmental Protection Authority  Department of Water

**PART C**

7. Aquaculture Species:.....  
 .....
8. Additional Information Sheets - Are there any Additional Information Sheets submitted with this form? Yes / No If yes, specify the Additional Information Sheets submitted.

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\_\_\_\_\_

If No, provide details, for each species requested, of the source of breeding stock, culture techniques, water consumption and other approvals where applicable eg Local Authority, Dept of Water, Dept of Environment & Conservation.

9. **Fit & Proper Person Criterion**

Provide comment on your honesty, knowledge and ability to conduct the activities you are applying to undertake. (If an Additional Information Sheet on this has been submitted with this form, please indicate this.)

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10. **Applicant's Declaration**

I/We declare that the statements made in this Application, including Additional Information Sheets, are true and correct.

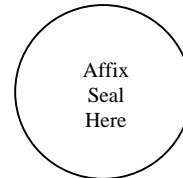
11. **Execution of Application**

**Individual persons/partnership**

..... (signature)	..... (print name)	..... (date)
..... (signature)	..... (print name)	..... (date)
..... (signature)	..... (print name)	..... (date)
..... (signature)	..... (print name)	..... (date)

**Corporation**

The Common Seal of the authorisation holder is hereunto affixed in accordance with the corporation's Constitution:



Director : .....  
(signature) (print name) (date)

Director/Secretary: .....  
(signature) (print name) (date)

**Declaration where sole director/secretary (if applicable):**

I.....declare that I am the sole director and sole company secretary of  
(print name)

.....  
(print company name) (signature) (date)

**Attorney**

Attorney under Power: .....  
(signature) (print name) (date)

**INSERT**

**ADDITIONAL INFORMATION SHEET TO SUPPORT APPLICATION FOR AN  
AQUACULTURE LICENCE**

**(COASTAL WATERS AND LARGER SCALE LAND BASED PROPOSALS)**

**Please complete all Sections and attach additional sheets where necessary.**

**1. Applicant**

If applicant is a partnership, company, trust or joint venture a list of all registered partners or directors listed on formal Australian Securities Commission documents must be attached together with a copy of the Memorandum and Articles of Association for each company.

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If applicant is a company, provide details of major shareholding and State of registration together with an official copy of the list of Directors.

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**2. SITE(S) - DETAILS OF AREA(S) PROPOSED**  
**(See Section 2 of "Further Instructions")**

Is an onshore site required?

**YES** - Please complete Section A below.

**NO** - Please proceed to Section B.

**SECTION A - ONSHORE SITE**

**Please attach a recognised map or chart indicating the precise area required for the development of your proposed aquaculture facility.**

(a) Ownership of land(s) (if applicable).

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(b) Geographic location (ie closest town).

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(c) Distance of proposed site from the nearest town.

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(d) Distance from nearest residential area.

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(e) Distance from nearest building.

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(f) Zoning or designation of site(s).

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(g) Present use of land (if applicable).

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(h) Location/lot number(s) of site(s).

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(i) Approximate area sought (in hectares).

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(j) Proposed access route(s).

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(k) Degree of consultation, in any, with land owner.

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**SECTION B - OFFSHORE SITE**

**If offshore site required, please attach a navigational plan or chart indicating the proposed area.**

The following details are also required:

- (a) Approximate area sought (in hectares).

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- (b) General location.

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- (c) Name of Authority which has jurisdiction over area, if known (eg Port Authority, Department of Transport).

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- (d) Proposed access (boat only, shore).

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(Details of navigation and mooring for offshore sites should be provided in Section 6 of this Insert).

**3. DETAILS OF WATER USAGE, SOURCE(S) OF SUPPLY AND EFFLUENT DISPOSAL (QUALITY AND QUANTITY, LOCATION OF DISPOSAL) (See Section 3 of "Further Instructions")**

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**4. CULTURE SPECIES AND METHODOLOGY (FISHERIES IMPACTS) (See Section 4 of "Further Instructions")**

- (a) Species to be farmed (please list common name(s) and scientific name(s)).

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- (b) Describe any staging of proposal (ie research and development, pilot, commercial etc).

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(c) Brief description of culture method(s) for each species.

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(d) Requirements for breeding stock (if relevant).

Source of breeding stock \_\_\_\_\_

Number, sizes and ages in first year

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Estimate of subsequent requirements

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Source of juvenile stock (wild stocks, hatchery)

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Proposed method of capture (if relevant)

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Risk of introduction of disease and measures to be taken to minimise such risk

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Quarantine requirements for imported stock (if applicable and formally approved)

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State Agency that has provided disease certification

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(e) Details of stock to be produced.

Hatchery - estimated number per year \_\_\_\_\_

Grow-out - production estimates (quantity/hectare) \_\_\_\_\_

Nutritional requirements

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(f) Details of food supply (for both hatchery and grow-out facility as relevant).

Type \_\_\_\_\_

Source \_\_\_\_\_

Quantities required per annum \_\_\_\_\_

Expected nutrient loading to effluence water (phosphorous, nitrogen)

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(g) Details of hatchery (if relevant).

Proposed site \_\_\_\_\_

Area (in hectares) required for construction of hatchery \_\_\_\_\_

Salinity and temperature requirements of species

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Other water quality requirements

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Likely evaporation rate, and its effect on water quality and salinity and water requirements for flushing, dilution, maintaining water level

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(h) Grow-out ponds (if relevant).

Description of culture method \_\_\_\_\_

Proposed site \_\_\_\_\_

Area (in hectares) required for construction of grow-out ponds \_\_\_\_\_

Depth \_\_\_\_\_

Salinity and temperature requirements species.

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Other water quality requirements

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Likely evaporation rate, and its effect on water quality and salinity and water requirements

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(i) Proposed number of ponds, tanks, cages, racks or other apparatus to be used. If the project is staged, please provide description for each stage.

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(j) Describe method of construction and materials to be used.

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(k) Proposed harvesting method.

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(l) Describe any potential for ecological problems (eg pollution or escape of introduced species) and measures to be taken to reduce such risks.

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(m) Any link between this proposal and any other fish farming proposal or existing fish farm (eg source of stock, quarantine of fish, hatchery facilities etc).

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(n) Any unresolved biological and culture methodology aspects of the proposal, and research and development measures to be taken to resolve these.

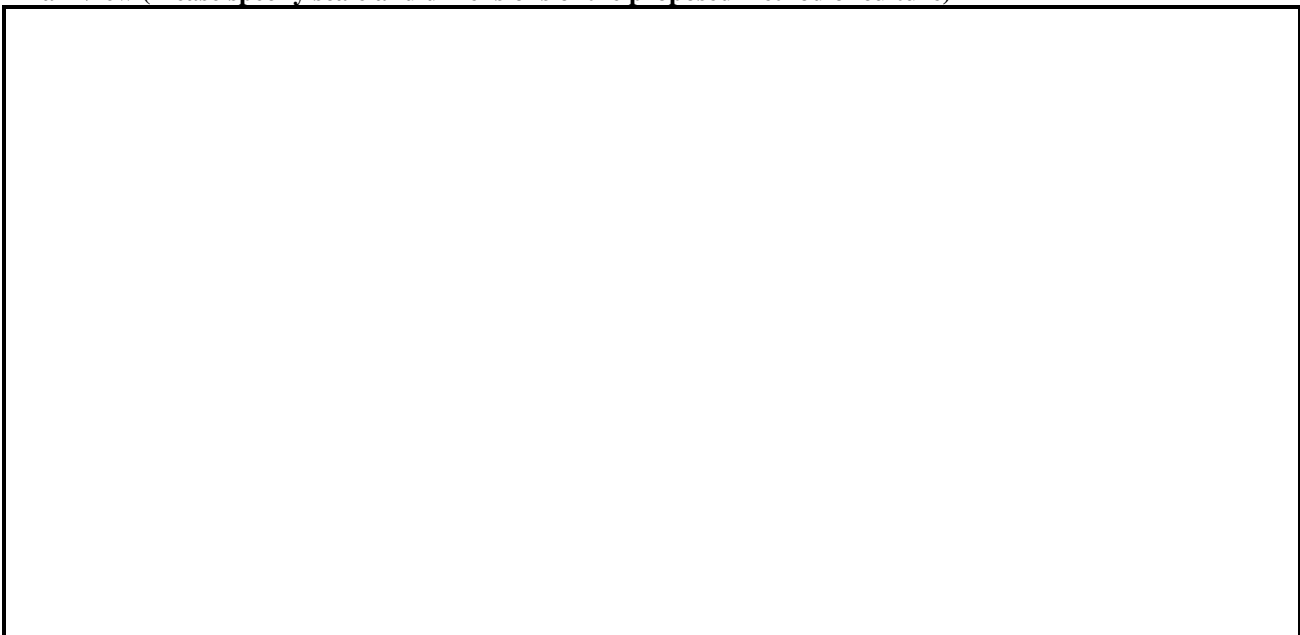
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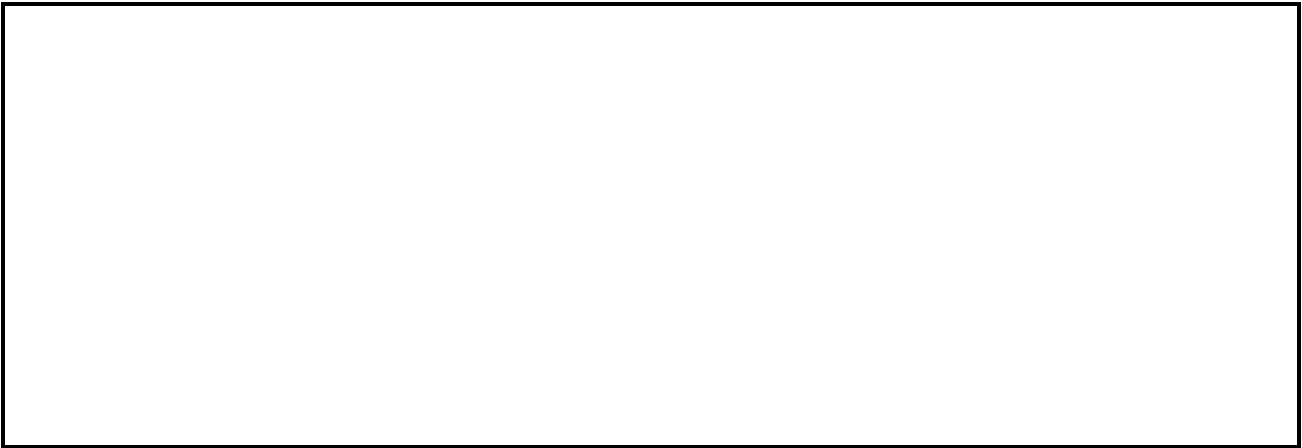
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**DIAGRAM OF CULTURE METHOD**

**Plan View (Please specify scale and dimensions of the proposed method of culture)**





**Side View (Please specify scale and dimensions of the proposed method of culture)**

**5. PROJECT CONSTRUCTION DETAILS**  
(see Section 5 of “Further Instructions”)

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**6. NAVIGATION AND MOORING (IF OFFSHORE SITE REQUIRED)**  
(See Section 6 of “Further Instructions”)

Please ensure a plan or marked up chart showing proposed area and co-ordinates is attached as requested in Section 2.

General comments (if relevant)

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**7. CONSERVATION ISSUES**  
(See Section 7 of “Further Instructions”)

State any conservation issues that may affect the proposal

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## 8. ENVIRONMENTAL IMPACT ASSESSMENT

(See Section 8 of “Further Instructions”)

The following information must be attached to the application form to enable proper environmental assessment of the application:-

### *Aquaculture using filter feeding organisms*

- (1) A map of the major benthic habitats (eg. seagrass meadows, coral or limestone reef, bare sand, mud) in and around the lease sites.

If the lease site and surrounds consists of bare sand or mud bottom only, then the scale within the lease site need not be highly detailed as the potential environmental impacts are expected to be minimal.

If the lease site is near or contains areas of high biological interest, such as seagrass or corals, then a greater level of detail in the habitat map will be required. This is necessary to be able to determine what species and communities presently exist at the site. It can also be used as a baseline information for future monitoring of the lease area provided the sampling sites or transects are representative of the major benthic habitats in the proposed lease area and that these sites can be accurately relocated. If portions of the lease site contain sensitive marine habitat, then a larger scale map of the site will be required to show where and what type of habitat occur within the lease site.

- (2) A qualitative description of water movement or map of general water circulation in and around the lease area should be provided, especially where sensitive marine communities are located within or close to the lease sites.

Information such as bathymetry and tidal range should also be provided. This will enable assessment of the likely flushing rates near the site and where the areas of highest impact are likely to be located.

- (3) A map of the important biological resources (eg. bird rookeries, seal or turtle nesting/haul-out beaches) in the proposed lease and surrounding area should be provided.
- (4) A description by the applicant of the potential environmental impacts from the proposal. If the Department of Environmental Protection decides that the lease application should be referred to the Environmental Protection Authority (EPA) for environmental impact assessment under Section 38 of the *Environmental Protection Act*, the EPA will assess the application and determine the level of environmental impact assessment required, based on the information provided to it. If insufficient information is supplied to adequately determine the potential environmental impacts, then a higher level of environmental impact assessment may be required or the determination of the level of assessment may be delayed until the additional information is received.

### *Aquaculture using organisms that require artificial feeding*

- (1) A map of the general water circulation patterns and information such as bathymetry and tidal range (which allow an estimation of flushing rates) in the proposed licence or lease area and surrounding waters (within 5 km of proposed lease boundary) should be provided so that the ‘zone of influence’ of possible off-site impacts can be adequately assessed.
- (2) A map of major benthic habitats (eg. seagrass meadows, coral or limestone reef, bare sand, mud) in the proposed licence or lease area and surrounding area. Mapping should cover the potential zone

of influence. For intensive, large scale operations this may equate to 5kms down-current of a proposed lease boundary.

- (3) A map of the important biological resources (eg. bird and turtle rookeries, seal and sea lion breeding/haul-out sites) which may be affected by activities in the proposed licence or lease area and surrounding area should be provided. This information will assist the Department of Conservation and Land Management (CALM) in assessing the potential impacts, on these resources, of the increased activity associated with the project.
- (4) Provide estimates of the organic and nutrient loading to the proposed licence or lease area based on the proposed feeding regime (ie kg nitrogen and phosphorus/day).

**9. COMMERCIAL ASPECTS AND MARKETING**  
**(See Section 9 of “Further Instructions”)**

- (a) Details of market research (if relevant).

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- (b) Proposed processing and marketing channels (ie local, interstate, overseas).

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- (c) Expected life of proposal. \_\_\_\_\_

- (d) Employment implications (number, source, training requirements). If the proposal is staged, provide description for each stage.

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- (e) Approximate level of investment (please indicate proposed level of investment for any staged development).

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- (f) Proposed commencement date. \_\_\_\_\_

**10. LIAISON WITH RELEVANT INDUSTRY AND COMMUNITY ORGANISATIONS**  
**(See Section 10 of “Further Instructions”)**

- (a) Commercial and recreational fishing organisations.

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- (b) Community organisations.

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**11. TECHNICAL KNOWLEDGE AND EXPERIENCE OF MANAGEMENT**  
(See Section 11 of “Further Instructions”)

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**12. FINANCIAL RESOURCES - REQUIREMENTS AND SOURCES**  
(See Section 12 of “Further Instructions”)

Information contained within Section 12 will be retained for the consideration of Fisheries WA and the Department of Commerce and Trade.

- (a) Estimated capital costs.

Land \_\_\_\_\_

Construction of culture facilities \_\_\_\_\_

Construction of associated infrastructure (other than in “Construction of culture facilities” above)

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Cost of initial breeding stock \_\_\_\_\_

Cost of initial grow-out stock \_\_\_\_\_

Other (ie not specified above) \_\_\_\_\_

- (b) Annual operating costs for each stage of the proposed development (please itemise).

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Expected annual production (quantity - please specify unit, value).

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In submitting this application I/We acknowledge that information concerning the proposal may be provided to fishing industry and/or community representative organisations in consideration of any impact this development may pose to existing operators or associated user groups. This information shall only be provided in accordance with the provisions of the *Fish Resources Management Act 1994*, Section 250.

Signature of Applicant(s)

Date

_____	_____
_____	_____
_____	_____
_____	_____

Please forward this Application Form together with the \$500 Application Fee to:

Fisheries WA  
3<sup>rd</sup> Floor  
SGIO Atrium  
168-170 St Georges Terrace  
PERTH WA 6000

**FURTHER INSTRUCTIONS FOR COMPLETING THE INSERT  
“ADDITIONAL INFORMATION SHEET TO SUPPORT APPLICATION  
FOR AN AQUACULTURE LICENCE”**

**(COASTAL WATERS AND LARGER SCALE LAND BASED PROPOSALS)**

**Section numbers refer to sections of the “Additional Information Sheet”.**

**2. DETAILS OF AREAS PROPOSED (Section 2 of “Additional Information Sheet”)**

**2.1 Land Held by Proponent**

Where the land for a proposal is held by the proponent (freehold, leasehold etc) details of size and land holding and the location and lot number should be provided. The location of the land must be accurately depicted on a suitable map of A4 or A3 size. Include any other areas which may be affected by the proposal.

**2.2 Land Sought by Proponent**

If land for a proposal is sought by the proponent a thorough search of the land tenure (ownership) should be carried out including adjoining areas likely to be affected. All details including size in hectares and location and lot number(s) should be provided. The location should be accurately shown on a suitable map of A4 or A3 size. The map should also show nearby watercourses and waterbodies and adjoining and downstream land use where applicable. Details of access in consultation, if necessary, with land owner, eg. Pastoral lessee, Local Authority should also be provided.

**2.3 Existing Reserves**

Land which is already classified as an “A” Class Reserve or recommended for reservation and land set aside for the “use and benefit of Aboriginal inhabitants” will not, in most instances, be made available for aquaculture. Although the surrender of portion of a pastoral lease or other special lease can be arranged (at the proponent’s expense) the consent of the lessee in writing must be obtained.

All Aboriginal Sites are protected under the provisions of the Aboriginal Heritage Act. A record of known sites is maintained by the Department of Aboriginal Sites, however, in areas being considered which may not have been previously examined, an archaeological survey may be required. It should be noted that there are many sites of Aboriginal interest associated with the ocean, coastline and islands, including mythological sites, fish traps, middens and burial areas.

Where a proponent is requested to commission a survey, any identified sites associated with the proposed development area are dealt with in accordance with the procedures specified under the Aboriginal Heritage Act. Additional information on this issue is available from the Department of Aboriginal Sites of the Western Australia Museum.

Reserves which are vested will require the permission of the vesting Authority prior to further consideration being given.

**2.4 Native Title**

The *Native Title Act (NTA)* is now operative in Western Australia. According to the *NTA*, offshore activities are permissible and valid provided the same procedural rights are observed regarding any native title holders as are acceptable to other persons holding corresponding rights and interests in the area.

Although there are usually no procedural rights for other interest holders, given that aquaculture leases are generally located offshore, Fisheries WA will provide notification of the intention to grant any new lease to relevant native title parties (ie any native title holders or claimants registered with the National Native Title Tribunal and representative bodies such as the Kimberley Land Council or Aboriginal and Torres Strait Islander Commission).

In cases where leases are required over Crown Land, native title rights and interests will have to be compulsorily acquired by the Department of Land Administration under Section 26 of the *NTA* in compliance with the right to negotiate regime. The Department of Land Administration will process the acquisition of any native title and grant a lease to the proponent or create a reserve vested in the Minister for Fisheries with power to lease. The *Public Works Act* has been amended to enable it to operate as a "Compulsory Acquisition Act" for this purpose.

Applicants for an aquaculture lease/licence should be aware of potential Aboriginal interests and would well be advised to discuss proposals with any relevant Aboriginal communities in the vicinity of their proposed site during the planning phase where possible.

If you require further information about the native title issue, please contact Patricia Summerfield, Policy Officer - Native Title, Fisheries WA, ☎ (08) 9482 7375.

## 2.5 Survey Requirements

Where the land area required is not readily defined on the ground land marks, a survey to mark the boundaries may be required. The costs of the survey is the responsibility of the applicant.

## 2.6 Offshore Lease

Any offshore area proposed for aquaculture should be accurately shown on a suitable map of A4 or A3 size. Definition of the corners can be either geographical or rectangular co-ordinates and relative to the co-ordinates of the Australian Map Grid. Geographical co-ordinates need only be shown to the nearest one second of arc and rectangular co-ordinates to the nearest five metres. Please ensure details of any associated land base are also provided.

## 2.7 Requirements of Local Government

Most local Government authorities have planning schemes that will determine whether approval can be given for shore based facilities. Often the land use zoning including rural and open space allows council discretionary approval for aquaculture facilities. Always check with the relevant council and ask for their written approval that the proposal in principle meets their planning and building requirements.

The construction and use of land based support or commercial aquaculture facilities must be approved under the relevant town planning scheme and comply with Local Government Authority requirements.

## 2.8 Information about Regions

If the proponent is not familiar with particular regions or would like more detailed information about a region such as availability of labour, housing etc, they should not hesitate to contact regional offices of the Department of State Development in the relevant Regional Development Authority (contact the Department of Commerce & Trade on ☎ (09) 327 5666).

### 3. DETAILS OF WATER USAGE, SOURCE(S) OF SUPPLY AND EFFLUENT DISPOSAL (Section 3 of Additional Information Sheet’)

In this Section, the proponent should provide details including:

- ★ Description of the proposed source(s) of water.
- ★ Description and layout of project facilities, including details of any staged development. Ponds or dams should be constructed using impermeable materials. They should be operated so that the stream base flow is passed on to downstream beneficial users eg. to a farmer for irrigation purposes or for a town water supply. Catchment dams may be built offstream without restriction, provided they are built to ensure safety from collapse of the dam wall under flood conditions.
- ★ A description of water requirements including:
  - approximate quantity required on an annual basis
  - approximate quantity required at peak periods (litres per second) (ie. Maximum amount of water required at any one particular time).
- ★ A description of water use in relation to impact on water quality eg. production of effluent, composition of effluent (salts, nutrients, heavy metals, toxins etc).
- ★ Impact of the project on the availability of water for other water users, including the environment. The Water Authority may require a change in the way water from a stream is used if such use interferes with another persons’ rights, damages property or is not in the public interest. It is the proponent’s responsibility to be aware of downstream water usage and the effects the proposal may have on the stream’s beneficial uses. Water extracted from a stream should be measured using a suitable metering device and recorded.
- ★ Description of the catchment area including current uses and proposed changes (eg. Percentage of catchment under agriculture, industrial development, fish farming etc). This information is readily obtainable from Agencies including the Department of Environmental Protection and Department of Agriculture.
- ★ There are a number of licensing requirements for the construction and use of bores and dams. For instance, if a dam comes under the classification of “Referrable Dams”, a Referable Dam Licence must be obtained from the Western Australia Water Authority. Referable Dams are defined as:
  - (a) A dam which is 10 metres or more in height with a capacity of more than 20,000 cu m.
  - (b) A dam which is 5 metres or more in height with a capacity of more than 50,000 cu m.
  - (c) A dam of any size if dam failure might constitute a danger to life or property.

If you are considering using a dam or bore in your fish farming operation please contact the Dams Branch or Groundwater Branch respectively at the Western Australia Water Authority who can provide detailed licensing guidelines.
- ★ Water quality considerations: The water quality of any stream must not be significantly impaired. The pollution control provisions of the Environmental Protection Act 1986 apply. Sludge, silt organic material must not be discharged into a stream as a result of pond emptying or cleaning. Possible degradation of water quality from erosion, fuel and oil spills etc should also be assessed in any proposal.

Information provided should include those factors likely to influence water quality such as stocking rates, details of influent and effluent stream qualities, fish feed sources and composition, feeding rates, unconsumed feed, total nutrient loading (peak and annual) from unused feed, fish faeces etc. Water quality parameters to be covered include pH, colour, odour, turbidity, suspended solids, five day biochemical oxygen demand, salinity, nitrogen (as ammonia and nitrate), phosphorus and any other parameters of special significance. Some of these details may be provided in Section 4.

- ★ Feasibility of treatment of effluent to minimise any adverse impacts of the proposal.
- ★ Number of employees, houses, etc to allow assessment of possible impact on the site's domestic water requirements or local water supplies.

#### 4. **CULTURE SPECIES AND METHODOLOGY (FISHERIES IMPACTS) (Section 4 of “Additional Information Sheet”)**

##### 4.1 **Purpose**

Under the *Fish Resources Management Act 1994* any person who farms fish or commences or carries on the business of conducting a fish farm for commercial gain, sale or reward requires a licence issued by Fisheries WA.

In submitting a proposal, the following points should be noted:

- ★ Aquaculture proposals should not unduly interfere with the activities of existing commercial or recreational fisheries. Consultation with these groups in the early stages will help identify any potential interaction or conflict.
- ★ There are approved fisheries management programs for a majority of Western Australia's commercial fisheries. It is essential that aquaculture ventures do not conflict with these programs. Additional information is available from Fisheries WA.
- ★ Fish shall not be taken from the wild for farming purposes without the prior written approval of the Executive Director of Fisheries WA.
- ★ Fish (including eggs) shall not be imported into Western Australia from interstate sources for farming purposes without the prior written authority of the Executive Director of Fisheries WA. Applications to import breeding stock or juveniles are considered on a case by case basis and any approval will be subject to disease-free testing and possibly a period of quarantine upon arrival in Western Australia. Any decision to import fish will also need to take account of the potential ecological or genetic risks associated with the introduction, and will be subject to formal translocation assessment.
- ★ Translocation issues associated with the transportation of breeding stock or juveniles between regions within the state need to be addressed in your application and will be subject to formal translocation assessment.
- ★ Proponents should also check minimum legal sizes on species caught in the wild. For example, it is likely that the sale of farm produced abalone less than the legal minimum size would not be permitted unless there was some form of documentation to prove stocks were from a licensed fish farm.

##### 4.2 **Processing**

Under the *Fish Resources Management Act 1994 (Part 7, Section 82(1))* a person must not process fish for a commercial purpose unless the person is authorised to do so by a fish processors licence except as in Subsection (2) or in any land or premises.

All fish destined for export must be processed in an export establishment registered pursuant to the Commonwealth Export Control Act 1982. Approval is needed from the Commonwealth Department of Primary Industries and Energy.

#### 4.3 **Predator Control**

Proponents must ensure that adequate precautions will be in place to prevent or minimise predation by birds, seals, water rats and other animals.

Complete or partial exclusion of predators may be necessary and this should be taken into consideration at the planning and design phases. Each farm site must therefore be assessed for its potential predator problems.

As all native animals (fauna) are protected throughout the State, any proposals which include active predator control will have to be checked to ensure compliance with restrictions or licensing requirements under the Wildlife Conservation Act, administered by the Department of Conservation and Land Management. Such proposals will also be subject to assessment and approval by the IDCA.

### 5. **PROJECT CONSTRUCTION DETAILS (Section 5 of “Additional Information Sheet”)**

#### 5.1 **Existing Infrastructure**

Maps and details of existing infrastructure should be provided (eg. Roads, causeways, electricity/gas, domestic water supply, other water supply, airstrip, housing, waste treatment and disposal, jetty facilities, navigation lights).

#### 5.2 **Proposed Infrastructure**

Scaled plans and details of any other infrastructure requirements or proposed constructions, should be provide (eg. pilot plant, processing works, jetty, groyne) with reference, where relevant, to any stages of the proposal.

For each of the above, the following details should also be provided:

- ★ precise requirements (eg. location, size, standards required, capacity)
- ★ whether it is currently available
- ★ if not currently available, estimated cost of provision
- ★ when required
- ★ proposed extent of funding by proponent

#### 5.3 **Proposed Earthworks**

Scaled maps, plans and details of any proposed earthworks should be provided (eg. Dams, excavations, channels) together with details of any new waterbodies which would be created, or existing waterbodies which would be modified. Reference should be made where relevant, to any stages of the proposal.

For any new waterbody(s) to be created or for any existing waterbody to be modified, an indication should be given as to whether it would be drainable, and if so how, and frequency and destination of draining, and to where.

#### 5.4 **Layout of Proposal**

Scaled maps, plans and a description of the layout of the proposal should be provided, (eg hatchery ponds, grow-out ponds). Reference should be made, where relevant, to any stages of the proposal.

#### 5.5 **Effluent Treatment**

A description of effluent treatment and proposed treatment facilities should be provided together with proposed measures to minimise siltation problems, flood damage to grow out ponds and other facilities (if relevant).

#### 5.6 **Processing**

If on-site processing is required, factory effluent discharge licences will be required (ie air/water).

### 6. **NAVIGATION AND MOORING (Section 6 of “Additional Information Sheet”)**

#### 6.1 **Mooring Area Licence**

A Mooring Area Licence must be obtained from the Department of Transport covering the area proposed for the mooring of aquaculture apparatus.

Proponents must therefore provide a plan or marked up chart showing the proposed area and giving co-ordinates of the area intended for aquaculture purposes.

Depending on the size of the area requested, exclusive mooring rights will not necessarily apply.

#### 6.2 **General Conditions**

The general conditions dealing with mooring tackle, navigational aids, inspection, indemnity etc are available on request. These conditions will form part of the Mooring Area Licence and will be detailed on the issue of a Mooring Area Licence.

#### 6.3 **Jetty Licence**

Should an applicant wish to construct a jetty for the purpose of operating a business, then application must be made to the Department of Transport for a Jetty Licence in accordance with the Jetties Act.

The application for a Jetty Licence must be accompanied by a plan showing details of the jetty. The jetty must be designed by a practising consulting engineer.

#### 6.4 **Location of Aquaculture Apparatus**

Aquaculture rafts, rigs or moored facilities will generally not be approved in the following areas:

- (i) navigable channels;
- (ii) ski areas; and
- (iii) within boat harbours or safe anchorages.

Ancillary shore-based facilities must be designed in accordance with accepted coastal engineering practices, particularly with respect to setback, pipelines across the beach zone, etc.

Any comments you wish to make in relation to mooring and navigation should be provided in Section 6 of the Application Form.

## **7. CONSERVATION ISSUES (Section 7 of “Additional Information Sheet”)**

Within Western Australia, the Department of Conservation and Land Management (CALM) administers the Conservation and Land Management Act 1984, and the Wildlife Conservation Act 1950.

Proponents should note the following:

### **7.1 Proposals with Implications for CALM’s Estate**

Aquaculture proposals (and their support facilities) should not have an adverse impact on the purposes for which a reserve has been vested, whether this is conservation alone (ie nature reserves and marine nature reserves) or conservation and recreation (ie national parks and marine parks).

- Aquaculture projects which significantly affect aesthetic qualities, flora, fauna, air, water, soil quality or other aspects of the environment will be unlikely to be consistent with conservation reserves or terrestrial national parks.
- To be approved in marine parks, aquaculture projects should be consistent with zoning provisions of the park’s management plan (ie in General Use area only) and not interfere substantially with other uses of the zone or adjacent zones.
- Aquaculture projects will not be approved in a marine nature reserve.

The Department of Conservation and Land Management adopts a similar approach for areas proposed as parks or reserves in the future, including:

- Department of Environmental Protection Systems Recommendations;
- Department of Conservation and Land Management Area and Regional Management Plans;
- Department of Conservation and Land Management Marine Parks and Reserves Selection Working Group;
- Other relevant planning documents.

Aquaculture proposals on land adjacent to existing or proposed parks and reserves should not have a detrimental effect on these areas or their access.

Proposals should not have an adverse effect on the timber production, conservation or recreation values of State forest and timber reserves.

### **7.2 Proposals with Nature Conservation Impacts**

The siting and operation of aquaculture developments should be such as to minimise their impact on nature conservation. In particular, the Wildlife Conservation Act protects the State’s vertebrate fauna, flowering plants, algae and specified invertebrates.

Proposals with adverse impacts on flora and fauna will be discouraged. For example where:

- habitats of special importance (eg wetlands, mangroves, seagrasses or coral reefs) are threatened;
- there is competition from aquaculture for food sources, habitat or migration paths, or rare notable fauna (eg sea lions, whales, dugongs etc);
- interaction with indigenous fauna is likely to lead to requests to destroy fauna (eg seal and sea lion predation on cage culture of fish, interactions with crocodiles etc).

Proposals with potential future adverse impacts on nature conservation would be discouraged or subject to special conditions. These would include situations with:

- the possibility of introducing exotic diseases to native fauna or flora;
- the potential for altering the distribution of local or exotic species.

## **8. ENVIRONMENTAL IMPACT ASSESSMENT (Section 8 of “Additional Information Sheet”)**

The following information must be supplied to enable proper environmental assessment of the application. Please ensure that this information is attached to your application form:-

- a map of the major benthic habitats (eg. seagrass meadows, coral or limestone reef, bare sand, mud) in and around the lease sites.
- a qualitative description of water movement or map of general water circulation in and around the lease area should be provided, especially where sensitive marine communities are located within or close to the lease sites.
- a map of the important biological resources (eg. bird rookeries, seal or turtle nesting/haul-out beaches) in the proposed lease and surrounding area should be provided.
- A description by the applicant of the potential environmental impacts from the proposal.
- Position of intake and outlet plumbing.
- A detailed description of site works (including water based construction) and other processes likely to impact on the environment.

The degree to which the Department of Environmental Protection becomes involved in aquaculture proposals depends on the severity of potential environmental impacts.

If impacts are insufficient to warrant formal environmental assessment under Part IV of the Environmental Protection Act, the Authority may choose not to assess the proposal or provide advice directly to the Decision Making Authorities and the proponent on how to manage potential environmental impacts.

A formal assessment means that the proponent is required to interact with the Department of Environmental Protection to identify potential environmental impacts and then submit to the Department of Environmental Protection, plans for managing those impacts. The Department of Environmental Protection would then assess the proposal and report to the Minister for Environment.

It should be noted that a small project proposed for an environmentally sensitive area may require a higher level of assessment than a larger proposal situated in a less sensitive location. Similarly, a well planned proposal that has already addressed environmental issues is more likely to have a lower level of assessment.

Proponents are strongly advised to liaise with the Department of Environmental Protection during the planning stages of the development to determine the likely level of assessment and avoid unnecessary delays in the assessment process.

Important environmental factors which should be considered in developing your aquaculture proposal include:

- ★ The proposal should be sited outside areas noted in the EPA Conservation Reserves for Western Australian Systems recommendations;
- ★ There should be no impact on habitats which have a major role in primary productivity (eg wetlands, watercourses, mangroves, seagrasses or coral reefs);
- ★ Proposals should preferably be sited in areas which are already cleared. If sited in areas of natural vegetation the project should ensure there are no significant unacceptable impacts on indigenous flora and fauna, particularly with respect to rare species.
- ★ Total annual pollutant loads to the environment, particularly with respect to nutrients, should be estimated and considered in the context either of assimilative capacity <sup>1</sup> of the environment and beneficial uses<sup>2</sup> downstream or in terms of minimising pollutant loads within reasonable treatment costs.  
It should be noted that in some parts of Western Australia, such as the Peel-Harvey Estuary catchment, nutrient pollution loads already exceed the assimilative capacity and new developments which increase the total nutrient load are generally not permitted. In some cases proposals may proceed in the Peel-Harvey Catchment if it can be shown that an equal or greater nutrient load will be removed from the catchment by some other activity which you undertake (eg tree planting).
- ★ Events such as flooding and cyclones should be considered, both in terms of damage to your facilities and the likely impacts on the environment as a result of the damage.
- ★ Off-site impacts resulting from the provision of access and additional infrastructure (eg powerlines, roads etc) or from material requirements (eg clay for lining ponds) must also be considered.
- ★ The importance of other potential impacts such as soil erosion, dust, noise, odour and oil and fuel spills should be considered. Where odorous activities take place wind and topography data should be provided and used to assess buffer zone requirements.
- ★ Rehabilitation when the project is decommissioned should be considered in the context of the site chosen.

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1. The assimilative damage is defined as the capacity of the receiving environment to absorb waste without causing long term damage. For example, Cockburn Sound can handle 1,000kg per day of nitrogen without any serious effects; when loads were increased to 2,000kg per day serious effects were noted.
  2. A beneficial use of the environment is defined as a designated use of a specified part of the environment for the overall benefit of the community. For example a particular part of Cockburn Sound might be designated for direct contact recreation such as swimming.
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In many cases, Works Approval and licensing may be required. To assist the Department in determining the need for Works Approval and licensing the following information should be supplied:

- ★ Nature of construction, works alterations, installations or other replacements
- ★ Nature and quantity of waste products (gaseous, liquid and solid) and noise emissions likely to be produced
- ★ Nature and quantity of raw materials used, combustible material to be burnt and products to be produced.

Information for grow-out facilities and processing facilities should be provided separately.

Much of the information required to assess these factors is also required by other Agencies.

**9. COMMERCIAL ASPECTS AND MARKETING (Section 9 of “Additional Information Sheet”)**

This information will allow IDCA members to gauge the scale of development, and estimated production and capital expenditure.

Details of each of the following aspects should be provided.

- ★ Proposed level of investment to be incurred in developing the proposal.
- ★ Details of market research undertaken and sources of information.
- ★ Proposed marketing strategy (local, interstate and overseas)
- ★ Proposed mode(s) and routes(s) to send produce to market(s).
- ★ Any right of “exclusivity” sought for any species or location(s), or both. If so, provide details and justification, together with the period of time for which exclusivity is sought.

**10. LIAISON WITH RELEVANT INDUSTRY AND COMMUNITY ORGANISATIONS (Section 10)**

Please specify any liaison undertaken with any industry representative body and/or community organisation.

In providing information, please specify the full title of the representative body and/or community organisation, including the nominated person/official/member contacted.

The IDCA will liaise with the Western Australian Fishing Industry Council (WAFIC) and the Aquaculture Council of Western Australia (ACWA) to identify any impact the proposed development may pose to the existing commercial fishing and aquaculture industries respectively.

WAFIC and ACWA are independent bodies representing the commercial fishing and aquaculture industries within Western Australia.

The IDCA will liaise with the relevant Regional Recreational Fishing Liaison Committee to identify any impact the proposed development may pose to areas popular with recreational fishers.

The Regional Recreational Fishing Liaison Committees have been established to enable consultation to occur on recreational issues at a regional level.

For further details of Consultation with Representative Community and Industry Groups please refer to Ministerial Guideline No8 (4c).

**11. TECHNICAL KNOWLEDGE AND EXPERIENCE OF MANAGEMENT (Section 11)**

To assist in the consideration of your proposal you should attach to your application all supporting documentation, scientific papers, letters etc which demonstrate your level of expertise and experience, or qualifications of proposed employees and the commercial viability of the proposal.

**12. FINANCIAL INVESTMENT - REQUIREMENTS AND SOURCES (Section 12)**

To adequately assess your proposal and provide appropriate comments and advice, Fisheries WA and the Department of Commerce and Trade require information about the commercial and financial aspects of your proposals. All information provided will remain confidential and will not be released without the prior written consent of the proponent.

Please provide two copies of this advice.

## 12.1 **Financial Investment**

An indication of the financial resources available for the proposal, and their source (eg proponents own capital, loan, shareholders funds) should be provided.

Please ensure you distinguish between financial resources:

- ★ already expended (in technical and market research);
- ★ now available, subject to approvals being granted for the proposal to proceed and;
- ★ to be negotiated.

These figures should be related to the staging of the project, where appropriate.

In addition, you should indicate the financial resources available to you, to cater for:

- ★ unforeseen contingencies (eg anticipated production rates not reached);
- ★ early wind-up of the project (eg for rehabilitation);

Details of the levels and types of security held and expected to be held against the assets of the proponents in the development of the proponents should be provided.