

EXTRACT FROM FIN FISH INQUIRY REPORT:

EXECUTIVE SUMMARY

An Executive Summary is presented here in consideration of the substantial length of this report. Key matters from each Term of Reference are mentioned briefly in this Summary and readers are encouraged to go to the full content of the report for a comprehensive presentation of all matters considered and evidence relating to all findings and recommendations.

Term of Reference 1

1. *The implementation of the Sustainable Industry Growth Plan for the Salmon Industry and its impact on commercial finfish farming operations and local communities, including:*
 - a) *data collection and publication;*
 - b) *progress in the development of an industry wide biosecurity plan;*
- In relation to the **Salmon Industry Growth Plan**, released in 2017, questions were raised over the lack of comprehensive consultation, especially with non-industry stakeholders, and the lack of a transparent evidence base for the areas identified for industry expansion and growth target of \$2 billion.
- The Sub-Committee recommends a revised Salmon Industry Growth Plan and growth target be developed as part of an overarching Marine Plan for Tasmania, through a marine spatial planning process and comprehensive stakeholder consultation.
- Until a revised Salmon Industry Growth Plan is finalised, the Sub-Committee recommends no further expansion of the Tasmanian fin fish farming industry (the Industry).
- It is recommended that a plan is also developed, in consultation with industry, scientific and community stakeholders, to reduce inshore fin fish farming sites, with priority given to ceasing operations in sensitive, sheltered and biodiverse areas.
- The independence, credibility and public release of **data and information** relating to the Industry is important to deliver transparency and accountability, and improve public confidence in the industry and its effective regulation.
- Improving and expanding the scope of the online data portal is recommended to present Industry-related data and information to a degree that meets or exceeds better practice in other jurisdictions.
- **Biosecurity** is fundamental to the success of the Industry in Tasmania. The development of an industry-wide Biosecurity Plan is yet to be finalised, however industry operators have been proactive in introducing biosecurity measures on a voluntary basis.
- The Sub-Committee recommends expansion of the Industry be postponed until the Biosecurity Plan has been completed and the regulations to give it effect are implemented and applied to all existing leases.

Term of Reference 2

2. Application of the Marine Farming Planning Act 1995 relating to:

- a) preparation and approval process for marine farming development plans, including modifications and amendments to marine farming development plans;
- b) allocation of leases, applications for and granting of leases;
- c) management of finfish farming operations with respect to the prevention of environmental harm;

- The Sub-Committee considers it timely to review the **Marine Farming Planning Act 1995**, as the legislative basis for the regulation of the Industry, noting particular concerns with the current Act in regards to decision-making accountability, opportunity for community input, transparency and publication of information, access to appeal rights and recognition of social, recreational, cultural and natural values.
- Concerns were raised relating to a perceived lack of independence in the **EPA**, a lack of transparency in relation to Water Quality Objectives and inadequate resourcing of the EPA.
- Increasing the independence of the EPA as a statutory body is recommended, and an increase in resourcing is required to enable it to undertake comprehensive monitoring, investigation, enforcement and reporting activities relevant to the Industry.
- Issues were raised relating to the **allocation of leases**, opportunities for a tender process, the length of lease periods, the reassessment or review of leases and the intersection of lease periods with the mandated 10-year reviews of Marine Farming Development Plans.
- There is an opportunity to legislate lease allocation processes to be government-led rather than proponent-led and include a transparent tender process by which to gain greatest benefit for the Tasmanian community.
- Concerns were raised relating to the current process granting **Environmental Licences**, including a lack of opportunity for public involvement or appeal and a lack of transparent criteria for decision-making.
- The Sub-Committee recommends environmental licence conditions for all existing fin fish farms be reviewed and include defined limits of total biomass, dissolved nitrogen and other key nutrients. Similarly, any new environmental licences should include the same.
- The Sub-Committee notes that while the Industry has grown significantly, there are concerns that returns to the State Government and Tasmanian community are insufficient, relative to social and environmental impact, and some jurisdictions set **fees and levies** to provide a comparatively greater return.
- To ensure appropriate returns to the Tasmanian community, the Sub-Committee recommends an independent review of fees and levies for the Industry. Consideration should also be given to applying environmental bonds to ensure sufficient funds for any remedial work.

- Concerns regarding **environmental harm** were identified, including visual amenity, noise, light, marine debris, ecosystem and habitat modification, impacts on wildlife, nutrient loading, water quality and cumulative environmental impacts.
- The Sub-Committee notes the Industry regards measures taken to minimise environmental harm are highly regulated through federal and state legislation, supported by industry policies and practises, and validated by third party accreditation.
- Public confidence in prevention of industry environmental harm would be strengthened through improved public reporting of compliance and actions taken on non-compliance. The Sub-Committee recommends the online data portal provide improved public reporting of the environmental management of Industry activities.
- The Sub-Committee notes **penalties** for breach of environmental regulations are set at lower levels than in some jurisdictions. A review of penalties and scope of liability in regulation is recommended to reflect the potential serious environmental consequences and strengthen the deterrent effect.
- The Sub-Committee notes the EPA is developing an **Environmental Standard** to provide a consistent, more rigorous and comprehensive approach to environmental management of the Industry. Once implemented, the Standard should provide greater public confidence in the environmental management and accountability of the Industry.
- Concerns were raised that the current monitoring and reporting framework is not sufficient to support an effective **adaptive management approach** in regulation of the Industry. Public confidence in an adaptive management approach would be increased with independent collection and greater transparency of data.
- Clarification is required in the *Marine Farming Planning Act 1995* on the appropriate application of both the precautionary and adaptive management approaches.
- A framework for an adaptive management approach could be legislated and implemented, including a requirement for validated models, performance monitoring, clear triggers for management, regular review and transparent reporting.

Term of Reference 3

3. *Any other matter incidental thereto.*

- Appreciation was expressed for **benefits to local communities** provided by the Industry, including employment, economic activity and support to local clubs/associations/schools. Further evidence raised concerns the Industry 'purchases' social licence through contributions made locally.
- Competing claims were made regarding the **economic value and employment contribution** made by the Industry. The Sub-Committee considers it would be valuable to clarify through an independent assessment both local and state-wide economic benefits provided.
- The issue of **marine debris** was a matter of significant concern, including safety risks, environmental impact and potential for debris to increase with rapid expansion of the industry.

- It is acknowledged that not all marine debris is produced by fin fish farming operations, and that extreme weather and high energy offshore sites present an ongoing challenge.
- While the Zero Tolerance approach to marine debris in the Salmon Industry Growth Plan has not been comprehensively implemented, an Industry voluntary code was put in place, including the development of a marine debris hotline and Debris Tracker app.
- It is recommended an Industry marine debris policy be developed, implemented, monitored, enforced and reported on publicly. It is timely to review penalties associated with Industry marine debris.
- **Seal management**, including the use of deterrent devices, was raised as a matter of ongoing concern. The practice of seal relocation has been phased out since 2017, however the Seal Management Framework allows for special permits to capture, hold and relocate seals in certain circumstances.
- The Sub-Committee recommends there be a review of the Seal Management Framework, including the efficacy and safety of all seal management devices, and require transparent public reporting of seal deterrent usage and special permits granted in relation to seals.
- **Noise and light** generated by the Industry has caused significant distress and has a negative impact on the health and well-being of some community members. The Sub-Committee recommends a central point of contact for information, complaints, and feedback in relation to noise and light.
- While decibel levels may be set in regulation, the impact of noise can also be related to tone, frequency, regularity and time of occurrence which are not regulated. Matters relating to noise could be codified in the Environmental Standard.
- In response to noise complaints, the EPA stated it does little monitoring of Industry generated noise. The Sub-Committee recommends an increase in funding for the EPA to effectively monitor and enforce site-specific regulated limits.
- **Other matters** under Term of Reference 3 included research and development; antibiotic use; heavy metal contamination; fish escapes; jellyfish blooms; and impacts on Tasmania's clean green image, tourism and brand, native fish, birds and the abalone industry.