



Response to the Legislative Council Government Administration Sub-Committee “A” Report on Finfish Farming in Tasmania

16 August 2022

Background

This Government recognises the considerable time and effort of those involved with the Inquiry and its administration. In particular we acknowledge those members of the public, community groups and industry who took the time to contribute to the process.

The salmon industry is one of Tasmania’s success stories. Since the industry began in the 1980s Tasmanian companies have been pioneers in fish farming, animal health, technology, and environmental improvement to match our unique local conditions. It is an industry Tasmanian’s can be proud of.

With a production value of over \$1 billion in 2020-21, Tasmanian salmon is Australia’s largest aquaculture industry. The *Sustainable Industry Growth Plan for the Salmonid Industry*, the “Salmon Plan”, released in 2017, aimed to support the industry to achieve its growth target. The Salmon Plan Second Progress report, released in September 2021, outlines the substantial achievements that have been made against the many sustainability initiatives in the Salmon Plan.

At that same time, the Government embarked on a new process to engage in a community conversation with Tasmanians to develop a new 10- Year Salmon Plan. The intent of the new Plan is to build on the progress of steady reform in recent years that has demonstrably improved regulatory oversight and process improvement by both Government and industry. Looking forward, the new Plan will set a vision for what a modern, sustainable and innovative Tasmanian aquaculture industry, dominated by salmon, can be in 2033 and what steps are required to achieve that vision.

This Government’s intent is to set good public policy for enabling a modern aquaculture industry in Tasmania; one that fosters world-leading and sustainable businesses, underpinned by robust independent environmental regulation and contemporary standards, with appropriate safeguards of monitoring, compliance and enforcement.

Accordingly, through the new 10-Year Salmon Plan the Government aims to further establish Tasmania’s place as a leader in sustainable aquaculture that produces the food and ocean products that Tasmanians and the rest of the world value, and which Tasmanians can continue to be proud of.

The Government's aquaculture aspirations for 2033 include enabling a vibrant salmon sector – one that continues to strive to be sustainable, resilient and innovative.

Government Response to the Inquiry Recommendations

The Government acknowledges the considerable time, effort, and work of the Legislative Council members of the Inquiry, and the many community and industry submissions that led to the release of the Final Report and Recommendations in May 2022. We appreciate the time required to conduct such a comprehensive Inquiry and the complexity of the matters arising. The Government monitored the progress of the Inquiry over the three year duration and is pleased to report that significant progress has been made on many of the issues the Inquiry identified, and which the findings and recommendations address.

The Government observes that the current policy environment is different to that when the Inquiry was first established in 2019. At that time, the Inquiry was in part responding to community perceptions that the industry had (has) an unbridled and unsustainable spatial growth agenda, which to date, has not materialised beyond approved marine farming areas or those areas subject to exploratory research permits. A new 10-Year Salmon Plan is currently being developed via an extensive community consultation process which provides the context and opportunity for continuous improvement to address many of the recommendations from the Inquiry, and indeed many additional matters. The Inquiry report forms a significant input and is being considered as part of the consultation process underway for the development of the new Plan.

The Government has carefully scrutinised the Committee's 68 recommendations and has responded to each in further detail below. The Government 'supports' or 'supports in principle' the majority of the Inquiry recommendations. This includes supporting 21 recommendations outright, all of which this Government has either already implemented, has commenced, or will be considered through the development of the 10-year plan.

Another 43 recommendations are 'supported in principle'. This is in recognition that the Government on initial analysis appreciates the premise of the recommendation, however, further policy analysis or consideration is required to fully understand the nature, implications, complementary or alternative information, and the opportunities arising, before settling on a definitive response. The Government assures Legislative Council Inquiry members, the public and industry that it however does so with goodwill consistent with the intent of the recommendations.

In many cases other processes afoot will provide the means to address the recommendations and these are outlined in further detail below. The Government has 'supported in part' 2 recommendations and has 'not supported' 2 recommendations – in these cases because a relevant provision or alternative approach exists that addresses the issue, or perhaps the case for change in the information was not readily apparent.

The Government also acknowledges the 194 findings of the Inquiry and in doing so notes that it does not necessarily agree with the premise or basis for some findings. However, on balance, the findings will be considered further over time as relevant to inform current and future policy and practices.

In response to the Inquiry, and consistent with our principle of world's best practice through continuous improvement, the Government intends to propose a timetable for introducing six new initiatives in the new 10-Year Salmon Plan, a draft of which will be presented for community consultation later in 2022. These are to:

- 1) Expand the information available on the Tasmanian Salmon Farming Data Website (the "Salmon Portal") and other transparency measures, including public reporting aligned to new Aquaculture Standards as they are enacted (e.g. Biosecurity, Environment and Marine Farming Management Controls). This includes reviewing the hosting organisation and costs of the Salmon Portal platform and conducting an international comparison of publicly available marine farming information.
- 2) Conduct a review of the *Marine Farming Planning Act 1995* with the scope and terms of reference to take into account the relevant recommendations of the Inquiry.
- 3) The phase out flow through systems for all freshwater salmonid fish farms over a certain size. This will involve working with industry to establish timeframes for transition of existing flow through systems to fully recirculating systems.
- 4) Develop two new additional Aquaculture Standards: the first is a new Freshwater Fish Farm Standard that will define performance measures for all salmonid fish farms. The second is a new Wildlife Interactions Standard to replace and modernise the current seal management framework. This recognises the potential for interactions to occur with marine wildlife with risks to the animals and health and safety of farm workers.
- 5) Review penalties and compliance frameworks that apply to finfish farming under the *Environmental Management and Pollution Control Act 1994*, *Marine Farming Planning Act 1995* and *Living Marine Resources Management Act 1995*. Such a review will be coordinated with implementation of other relevant initiatives and involve public consultation.
- 6) Update the marine debris zero tolerance policy. Significant improvements have been made by the salmon industry in tracking, monitoring and cleaning up their equipment, and in complementary Government processes since zero tolerance was first adopted in 2017. With five years now passed, it is timely to review and update the policy. In doing so the Government notes that all forms of marine aquaculture and other water uses can contribute to marine debris and litter.

Further information on these initiatives and other responses to the Inquiry recommendations, is provided in Table I below.

In closing, the Government commends and thanks the members of the Legislative Council and support staff in their conduct of the Inquiry.

Table I. Tasmanian Government response to the Inquiry Recommendations of May 2022.

	Inquiry Recommendations	Government Response	
1	<p>A revised Salmon Industry Growth Plan be developed as one aspect of an overarching Marine Plan for Tasmania, through a process that:</p> <ul style="list-style-type: none"> • includes comprehensive stakeholder consultation; • is informed by assessment of environmental, social and recreational values; and • has a transparent evidence base. 	Support	<p>Underway.</p> <p>In September 2021 the Government announced the development of a new Ten Year Salmon Plan to replace the current Sustainable Industry Growth Plan for the Salmon Industry that ends in 2023. Further information is available at "New 10 Year Salmon Plan".</p> <p>The Government established four principles to guide the development of a new 10-Year Salmon Plan, to be enacted in 2023.</p> <ol style="list-style-type: none"> 1. There will be no net increase in leased farming areas in Tasmanian waters* 2. Innovation – future growth lies in land-based and offshore salmon farming 3. World-best practice through continuous improvement 4. Strict independent regulation <p>* In conjunction with Government’s announcement on development of the 10-Year Plan, it announced a moratorium that would apply for a period of 12 months whilst the 10-Year Salmon Plan was being drafted. This moratorium will expire in September 2022.</p> <p>The first principle in relation to no net increase in total leasable area for finfish farming will apply, as will the remaining principles until the new Plan is finalised and takes effect.</p> <p>The intention of the new Plan is to build on the strong foundations set by the 2017 <i>Sustainable Industry Growth Plan for the Salmon Industry</i>, achieving this through improved management, regulation and transparency, new research and innovation programs, and a new industry fee structure to re-invest into compliance and monitoring, and to ensure full cost recovery and an appropriate return to the Tasmanian community.</p> <p>A discussion paper for consultation was released in July following initial consultation with stakeholders, including but not limited to scientific institutions, NGOs, community groups, farmers, industry supply chain members, peak bodies, and different levels of government. It is anticipated that a draft Plan will be released for further consultation before the end of 2022.</p> <p>On the broader question of a Marine Plan for Tasmania, separate to the development of the 10-Year Salmon Plan, the Government is conducting a review of the <i>Living Marine Resources Management Act 1995</i>. Further information is available from: Review of the Living Marine Resources Management Act 1995 Department of Natural Resources and Environment Tasmania (nre.tas.gov.au) As the name suggests, this Act provides the primary legislative framework for the administration, management, and protection of</p>

	Inquiry Recommendations	Government Response	
			<p>living marine resources and the marine environment. Public submissions in relation to the Review Terms of Reference were received earlier in 2022. In response, the Government expects to release a draft White Paper from the Review process before the end of 2022. It is through this process that the Government will respond to issues or proposals associated with the overall planning and use of Tasmania’s marine environment.</p>
2	<p>Ensure a revised Salmon Industry Growth Plan specifies potential finfish farming areas identified through a process of marine spatial planning, and sets an industry growth target for these areas which is transparently developed, sustainable and evidence-based.</p>	<p>Support in principle</p>	<p>Refer to response to recommendation 1.</p> <p>The Government notes the reference in the recommendation to a “...growth target”. It should not be assumed that future Government Plans will set a target(s) as such for growth; noting that ‘growth’ might, for example, be measured in terms of spatial area, biomass production or in economic value. The 2017 <i>Sustainable Industry Growth Plan for the Salmon Industry</i> set out the policy framework for Government to support <u>the industry to achieve its target</u> (emphasis added) of becoming a \$2 billion a year industry by 2030. The Government’s aquaculture aspirations for 2033 includes enabling a vibrant salmon industry – one that continues to strive to be sustainable, resilient and innovative, and this is subject to public consultation as the Plan is finalised.</p> <p>One of the Government’s stated principles to guide the 10-Year Salmon Plan is that future growth lies in land-based and offshore salmon farming. This includes developing new research and innovation programs to support salmon farming further offshore, including Commonwealth waters, and to increase salmon farming in land-based systems.</p> <p>Spatial planning science and decision support tools have the potential to aid development of Government policy and the existing robust statutory marine farming planning process. In 2021, a state-wide finfish aquaculture spatial planning exercise was conducted by IMAS, in collaboration with NRE Tas and the University of Tasmania. The assessment focused on exploring the potential development of the finfish aquaculture industry in Tasmanian State waters, while considering other marine users, activities and areas of ecological value. The exercise was based on an initial Pilot Marine Spatial Assessment Tool that was developed by IMAS in 2020. Further information is available from:</p> <p>REPORT-Statewide-Finfish-Planning-Exercise-Dec2021-updated-Mar2022.pdf (utas.edu.au)</p> <p>The aim of this exercise was to develop tools to guide decision-makers and was not itself a policy or a plan for the growth of the finfish aquaculture industry. The modelling found locations most suitable for salmon aquaculture that minimised overlap with other uses of Tasmania’s marine space that could be explored for development, subject to statutory planning processes and/or any other Government policy settings regarding areas available for salmonid farming. The Government is furthering its marine spatial planning activities supporting the development of a Tasmanian Marine Atlas and undertaking a preliminary evaluation of biophysical potential for seaweed aquaculture. Further information on the Marine Atlas</p>

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			<p>Project is available from: Tasmania's Marine Atlas Project - Institute for Marine and Antarctic Studies University of Tasmania</p> <p>The Government has also not changed its stated policy position that it will not allow additional finfish farms on the East Coast. This includes the area between Tasman Island and Cape Portland and includes a related commitment not to convert existing East Coast shellfish and seaweed leases to finfish farming.</p>
3	<p>Develop a plan, in consultation with industry, scientific and community stakeholders, to reduce inshore finfish farming sites, with priority given to ceasing operations in sensitive, sheltered and biodiverse areas.</p>	<p>Support in part</p>	<p>Refer to response to recommendation 1.</p> <p>Government does support, in principle, a consultative process with industry, scientific and community stakeholders to develop a policy setting that encourages exploration of future growth in offshore and land-based finfish farming and this will be considered further through development of the new 10-Year Salmon Plan. Such an approach may realise an overall reduction in the number of inshore finfish lease areas.</p> <p>Government supports decision making that is underpinned by evidence-based science and consistent with the provisions of relevant legislation. In this regard, Government does not support a reduction in existing, sustainably operated inshore finfish sites that are subject to best practice environmental management and regulation by the independent EPA.</p> <p>Government notes that there are already provisions in place for the EPA to regulate and manage the environmental performance of existing operational finfish lease areas, to ensure effects are managed to an acceptable level and the health of the environment is maintained.</p> <p>The Director, EPA has previously taken action to reduce the scale of finfish farming in inshore areas, such as Macquarie Harbour, where there was a clear scientific basis to do so.</p> <p>Decisions to maintain or reduce the scale of farming at operational lease sites, will continue to be made independently by the EPA.</p>
4	<p>There be no further expansion of the finfish farming industry in the form of new farming areas or increased stocking limits until the revised Salmon Industry Growth Plan is finalised (refer to Recommendation 1).</p>	<p>Support</p>	<p>Implemented.</p> <p>In September 2021, the Government announced a 12-month moratorium on new finfish marine farming leases which continues until September 2022. The Government has stated that the four principles (referred in the response to recommendation 1 above) will continue to apply until the new Plan is finalised and takes effect in 2023.</p>
5	<p>Require through legislation/regulation government disclosure of data and</p>	<p>Support in principle</p>	<p>Underway. For consideration in the Ten Year Salmon Plan.</p>

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	<p>information on the operations of the finfish farming industry to a degree that meets or exceeds better practice in other jurisdictions.</p>		<p>The Government is committed to further strengthening transparency including expanding the information disclosed currently on the Tasmanian Salmon Farming Data (the Salmon Portal) and through reporting proposed to be instituted by the independent EPA (refer below).</p> <p>Changes to the Portal and other transparency measures will be considered through the development of the 10-Year Salmon Plan. The Government intends to develop a timetable for a new initiative that:</p> <ol style="list-style-type: none"> 1. Expands the information available on the Salmon Portal including public reporting aligned to implementing the new Aquaculture Standards as they are enacted. For example, including and not limited to, the new Salmonid Biosecurity Program, Environmental Standard for Marine Finfish Farming, and Standardised Marine Farming Management Controls. <p>And considering the relevant Inquiry information and recommendations, as part of the new initiative the Government will:</p> <ol style="list-style-type: none"> 2. Determine the most appropriate arrangements for managing the Salmon Portal going forward including platform cost and hosting organisation(s). 3. Undertake a relevant international comparison of publicly available marine farming information in other jurisdictions. The Government would necessarily also consider any legal or legislative matters associated with privacy, commercial in confidence matters, compliance and enforcement of data disclosures. <p>For further information on the new Aquaculture Standards refer to: Draft Aquaculture Standards Department of Natural Resources and Environment Tasmania (nre.tas.gov.au)</p> <p>The Salmon Portal currently reports environmental data, fish health data, operational compliance data and production data. It also links to the Land Information System Tasmanian (the LIST) which provides information on marine and environmental licenses.</p> <p>It is noted that the <i>draft Environmental Management & Pollution Control Amendment Bill 2022</i> currently in development (and recently subject to a consultation process) proposes changes to enable the Director, EPA to publish or otherwise make available 'relevant information', including environmental monitoring information, without the consent of the person from whom the information was collected. For further information refer to: Draft Environmental Management and Pollution Control Amendment Bill 2022 Department of Natural Resources and Environment Tasmania (nre.tas.gov.au)</p>
6	<p>Review the basis on which finfish farming industry data or information may be withheld from the public under a claim of commercial confidentiality.</p>	<p>Support in principle</p>	<p>Refer to response to recommendation 5.</p>

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7	Review the online data portal in partnership with all key stakeholders, including community, industry and research.	Support in principle	Refer to response to recommendation 5.
8	Expand the scope of the data in the online portal and ensure it is presented in a format that connects directly to regulatory requirements and is comparable over time and between industry stakeholders, including references to when and by whom it was collected.	Support in principle	Refer to response to recommendation 5.
9	Legislate/regulate that finfish farming operators produce and make publicly available Annual Environmental Reports.	Support in principle	Refer to response to recommendation 5.
10	Further expansion of the finfish farming industry be postponed until the Biosecurity Plan has been completed and regulations are implemented and applied to all current farming operations.	Support in principle	<p>Underway. Refer to response to recommendation 4.</p> <p>The Government is committed to implementing a new Salmonid Industry Biosecurity Program that is regulated and enforced under the <i>Biosecurity Act 2019</i>. For further information refer to: Biosecurity Department of Natural Resources and Environment Tasmania (nre.tas.gov.au)</p> <p>The Biosecurity Regulations are due to be implemented by the end of 2022. The Regulations will begin the implementation process of the Biosecurity Program. Complete implementation of the Program will be ongoing into 2023 as government works with industry to finalise and approve site specific and zone-specific Biosecurity Management Plans for the purposes of the Program.</p>
11	<p>Review of the <i>Marine Farming Planning Act 1995</i>, including:</p> <ul style="list-style-type: none"> • purpose and objectives of the Act; • alignment with other legislated planning instruments; • role of the Planning Authority and powers of the Minister; • membership, general functions and powers of the Marine Farming Planning Review Panel; • stakeholder and public consultation; • criteria for and discretion in decision-making; • public release of information; 	Support in principle	<p>For consideration in the 10-Year Salmon Plan.</p> <p>Through the development of the Ten Year Salmon Plan the Government intends to develop a timetable to conduct a review of the <i>Marine Farming Planning Act 1995</i> that:</p> <ul style="list-style-type: none"> • Considers the scope and terms of reference for the Review, taking into account the relevant recommendations made by this Inquiry and other relevant matters; • Considers the time frames, capacity and capability of NRE Tasmania to first deliver on the existing review underway into the <i>Living Marine Resources Management Act 1995</i> and consequential White Paper, before making substantial progress on a review of the Marine Farming Planning Act. <p>It is noted that the <i>Marine Farming Planning Act 1995</i> and associated processes applies to all species</p>

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	<ul style="list-style-type: none"> access to appeal rights and merits review; lease allocation process; and recognition of community amenity. 		farmed including finfish, oysters, shellfish and seaweeds. Accordingly, it is prudent to ensure that any proposed changes are well considered across all potential benefits and potential implications.
12	Require marine farming development plan and lease applications to demonstrate they relate to areas identified for finfish farming in a revised Salmon Industry Growth Plan through a comprehensive marine spatial planning process.	Support in principle	<p>Refer to response to recommendation 11</p> <p>The Government notes that the marine spatial planning referred to in the response to recommendation 2 above is a decision-support tool that can support planning at the regional scale, whereas detailed statutory and development approval processes are still required at the local scale. IMAS REPORT- Statewide-Finfish-Planning-Exercise-Dec2021-updated-Mar2022.pdf (utas.edu.au) (Page 60) states: “The sector-based assessment conducted in this exercise is meant to guide decision-makers in their understanding of the potential for growth of finfish aquaculture in Tasmania, and where such opportunities might lie. It must be stressed the outcomes of this assessment are potential foundations on which a rigorous regulatory approval process takes place, and is not in itself a plan for the growth of the finfish aquaculture industry. The Marine Farming Planning Act 1995 (MFPA) provides the basis to develop Marine Farming Development Plans (Plans). Plans are developed over an area, and aim to integrate marine farming with other uses, minimize adverse impacts, and take into account both adjacent land uses and the community’s right to show an interest in marine farming activities while meeting the objectives of the resource management and planning system of Tasmania. The planning process involves several steps, including an Environment Impact Statement (EIS), consultation, stakeholder engagement and public hearings and the review and recommendation of the draft Plan (or amendment to an existing Plan) by a Marine Farming Planning Review Panel to the Minister.”</p>
13	The marine farming development plan and lease application process to include a comprehensive assessment of the impact on social, recreational, cultural and natural values.	Support in principle	<p>Refer to response to recommendation 11</p> <p>Government notes that these matters are presently contained within the generic environmental impact statement guidelines for marine farming planning proposals. For further information refer to: Generic Environmental Impact Statement Guidelines (nre.tas.gov.au)</p>
14	Establish prescribed criteria on which the Minister can reject the recommendation of the Marine Farming Planning Review Panel in regard to marine farming development plans or amendments to Marine Farming Development Plans.	Support in principle	Refer to response to recommendation 11
15	Require decisions made by the Minister contrary to the Marine Farming Planning Review Panel’s recommendation in regard to Marine Farming Development Plans/Amendments, to be tabled in Parliament and include a statement of	Support in principle	Refer to response to recommendation 11

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	reasons.		
16	Require Environmental Impact Statements [EIS] within marine farming development plan applications to be made publicly available, including the independent modelling, data and evidence on which they are based.	Support	<p><i>In place.</i></p> <p>The Government notes that EIS's, including all appendices, are publicly available when there is public exhibition of a draft Marine Farming Development Plan and draft Plan Amendment (consistent with Sections 26 and 38 of the <i>Marine Farming Planning Act 1995</i>). An EIS must accompany a draft plan or draft plan amendment and must therefore be in the public domain when a draft plan or amendment is publicly exhibited. For further information refer to: Marine Farming Development Process Department of Natural Resources and Environment Tasmania (nre.tas.gov.au)</p>
17	Establish a framework, with criteria, for the consideration and weighting of economic, social and environmental factors in the assessment and approval of marine farming development plans.	Support in principle	<p><i>Refer to response to recommendation 11</i></p> <p>The Government notes that these matters are presently contained within the generic environmental impact statement guidelines for marine farming planning proposals. For further information refer to: Generic Environmental Impact Statement Guidelines (nre.tas.gov.au) Recommendations 17 and 18 will be considered further as part of the scope of the proposed review of the <i>Marine Farming Planning Act 1995</i>.</p>
18	Require consideration of cumulative environmental and social impacts of marine farming in the assessment of marine farming development plans.	Support in principle	<p><i>Refer to response to recommendation 11</i></p>
19	Require Marine Farming Development Plans to specify biomass and nitrogen limits, and any proposal to increase the biomass or nitrogen limits be considered an amendment to the plan.	Not support	<p><i>Alternative.</i></p> <p>The Government does not support this specific recommendation (ie tying biomass and nitrogen limits to amendments to Marine Farming Development Plans) because, if implemented as recommended, it could hamper timely decision-making by the independent EPA to respond urgently and modify biomass or nitrogen limits in the event that action was required to be taken to protect the environment.</p> <p>There are more appropriate regulatory instruments than Marine Farming Development Plans to set specific biomass and nitrogen limits. Existing finfish Marine Farming Development Plans specify controls by way of what methods are available to the Director, EPA to set biomass and nitrogen limits for maximum stocking density and nitrogen outputs. The Director, EPA can make determinations for biomass and nitrogen under existing controls and direct salmon companies in writing and the EPA publishes these determinations on their website. It is impractical to require a Plan amendment to alter biomass or nitrogen limits as such changes are often required to be set by the EPA in short time periods, hence incompatible with the longer duration necessitated from the statutory timeframes required under the <i>Marine Farming Planning Act 1995</i> for a Plan amendment process; which can take years to effect. This approach would be inconsistent with what we interpret the Inquiry members</p>

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			recommended as an environmental protection and compliance measure. The Government is advised that the EPA intends to regulate biomass and nitrogen limits more explicitly in environmental licenses. The Government is strengthening the independence of the EPA, through both administrative separation and proposed legislative amendments, to support decisions around biomass and nitrogen outputs based on independent consideration of the available evidence.
20	As part of a review of the <i>Marine Farming Planning Act 1995</i> , commission an independent examination of the membership and governance requirements of the Marine Farming Planning Review Panel, including assessment of representation, qualifications and expertise in Panel membership.	Support in principle	Refer to response to recommendation 11
21	Publish the relevant credentials, skills and experience of Marine Farming Planning Review Panel members and their tenure on the Panel.	Support in principle	Refer to response to recommendation 11
22	Require a statement of reasons to be published in relation to decisions/recommendations of the Marine Farming Planning Review Panel.	Support in principle	Refer to response to recommendation 11
23	Review opportunities for the Marine Farming Review Panel public hearings to be documented and made publicly available.	Support in principle	Refer to response to recommendation 11
24	As part of a review of the <i>Marine Farming Planning Act 1995</i> , expand access to merits review and appeal rights, including standing and grounds for appeal, in relation to the assessment of marine farming development plans and amendments marine farming development plans, consistent with other legislated State planning instruments.	Support in principle	Refer to response to recommendation 11 The Government notes that the Parliament at the time intentionally limited the scope of appeal rights in the <i>Marine Farming Planning Act 1995</i> . Accordingly, the Government will carefully consider this matter when determining the scope and terms of reference for a review of the Act. The Act applies to all potentially farmed species for example, finfish, oysters, shell fish, seaweeds, and to ensure that changes recommended by the Inquiry aimed at one sector do not have a potential perverse impact on other sectors.
25	As a matter of priority, develop, publish and apply state-wide Water Quality Objectives as per the State Policy on Water Quality Management 1997 and as required under	Support	Provisions are in place. Water Quality Objectives can be set by the EPA Board through its environmental impact assessment process and are published as a matter of course in the Environmental Assessment Report for the

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	the <i>Environmental Management and Pollution Control Act 1994</i> .		<p>relevant activity (development). For further information refer to: Water Quality Objectives for Tasmania EPA Tasmania</p> <p>The State Policy on Water Quality Management 1997 (SPWQM) states that “Water quality objectives for a <i>specific body of water</i> are the most stringent set of water quality guidelines which should be met to achieve all of the protected environmental values nominated for that body of water.” As such, the Government understands this recommendation goes to the setting and publication of water quality guideline values more generally.</p> <p>The process for deriving water quality guideline values, and the use of those values in the water quality objective setting process by the EPA Board reflects the current national management framework. The SPWQM applies the water quality management approach recommended by the National Water Quality Management Strategy (NWQMS) and the management framework in the current Australian New Zealand Guideline for Fresh and Marine Water Quality 2018 (ANZG 2018). Consistent with these national guidelines, the SPWQM objectives aim to protect or enhance water quality for the identified protected environmental values for Tasmanian waters. The protection of aquatic ecosystems is a protected environmental value in common to all water types. On this basis, Default Guideline Values (DGVs) for aquatic ecosystems have been developed in accordance with the NWQMS.</p> <p>Default Guideline Values (DGVs) for aquatic ecosystems of the inland surface water catchments of Tasmania have been published at: https://epa.tas.gov.au/environment/water/water-quality-guideline-values-for-tasmanian-aquatic-ecosystems/catchment-dgvs-for-aquatic-ecosystems. Coastal and marine DGVs are also published on the EPA website.</p>
26	That state-wide monitoring of water quality against published Water Quality Objectives be undertaken and reported annually to Parliament.	Support in principle	<p>Refer to response to recommendation 43.</p> <p>The Government will consider this recommendation further in the context of implementing the Rural Water Use Strategy which has the objectives of identifying current programs, arrangements, obligations and resourcing for river health and water quality management and through policy, legislative, operational and partnerships, improve management of river health and water quality in the State. Several key projects include the collation of all water quality information and gap analysis and to develop and implement a new collaborative state-wide Baseline Water Quality Monitoring Program.</p> <p>Any state-wide monitoring of water quality should be compared against the water quality guideline values published by the EPA at: Water Quality Guideline Values for Aquatic Ecosystems of Tasmania EPA Tasmania</p>
27	In the absence of state-wide Water Quality Objectives, publish all water quality	Support	<p>Refer to response to recommendation 25</p>

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	objectives developed by the EPA Board or the Director, EPA for assessment of individual environmental licences for finfish farming operations.		
28	Increase the independence of the EPA as a statutory authority.	Support	<p>Implemented.</p> <p>The Government has separated the EPA from the former DPIPWE and on 1 December 2021 established it as a State Authority under the State Service Act. The new agency is legally a separate entity with its own ABN and financial accounts. Mr Wes Ford was appointed as the Chief Executive Officer, and retains the statutory position of Director, Environment Protection Authority. The Government intends to further strengthen the independence of the EPA through changes to <i>Environmental Management and Pollution Control Act 1994 (EMPCA)</i>, which were recently released for public comment. For example, the proposed legislative changes include a new section 18A on the independence of the Director, EPA, which would stipulate that the Director is not subject to direction from anyone in relation to a decision of the Director.</p> <p>For further information refer to: Draft Environmental Management and Pollution Control Amendment Bill 2022 Department of Natural Resources and Environment Tasmania (nre.tas.gov.au)</p>
29	Increase resourcing of the EPA to ensure it can fully undertake its regulatory roles and responsibilities in relation to the finfish farming industry.	Support	<p>Implemented.</p> <p>The Government has increased funding to the EPA by \$3 million per annum, with an additional \$2.5 million through the budget process and another \$500,000 to be provided from the landfill levy to manage illegal dumping. \$300,000 per annum has been allocated to the management of the salmon industry, with the creation of two additional positions, including the newly appointed Director (Finfish Compliance).</p> <p>Refer also to the response to recommendation 40.</p>
30	All 10-year Marine Farming Development Plan reviews be comprehensive and include input from the public and scientific community.	Support in principle	<p>Refer to response to recommendation 11.</p> <p>The Government will carefully consider this matter further when considering the scope and terms of reference for a review of the Act as it is not clear based on the Inquiry's findings what change is being advocated for beyond provisions that exist. The Government notes that the Act applies to all potentially farmed species for example, finfish, oysters, shellfish, seaweeds, and is careful to ensure that changes recommended by the Inquiry aimed at one sector do not have a potential perverse impact on other sectors.</p>
31	Ensure the terms of new marine farming	Support in	Refer to response to recommendation 30 (and 11).

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	leases allow for the alteration of conditions or length of lease if indicated by the 10-year review of the relevant Marine Farming Development Plan.	principle	<p>The Government notes the relevant findings of the Inquiry acknowledge that marine farming leases are generally granted for a 30-year period, and can be renewed (for up to another 30 years), after 15 years, resulting in a 45 year lease. The <i>Marine Farming Planning Act 1995</i> provides limited powers for the Minister to vary a lease area or lease conditions under certain circumstances and cancel a lease under certain provisions. The Government is also mindful that under the Act a lessee may claim compensation for financial loss suffered because (a) the whole or any part of the lease area is set aside for a public purpose under this section or any other Act; or (b) access to the lease area is restricted by a marine farming development plan. This indicates the Tasmanian Parliament when passing the original Act in 1995 gave regard to matters of resource security and sovereign risk of proponents (not just of finfish) enterprises when making significant marine farming investments.</p>
32	Legislate that all marine farming lease allocations are government-led and include a transparent competitive tender process.	Support in principle	<p>Alternative. For consideration in the 10-Year Salmon Plan.</p> <p>The Government in reviewing the Inquiry's findings (97-106) is unclear as to what the recommendations 32 and 33 are trying to achieve. The Inquiry factually outlines the processes available under the <i>Marine Farm Planning Act 1995</i> that provide for either a proponent-led or government-led process for the allocation of marine farming leases. That is, the powers exist for the Government to lead a planning process.</p> <p>The Government again notes that the Act applies to all forms of marine farming and potentially farmed species for example, finfish, oysters, shellfish, seaweeds, and is careful to ensure that changes recommended by the Inquiry aimed at one sector do not have a potential perverse impact on other sectors.</p> <p>Moreover, if the intent of these two recommendations relates to ensuring Tasmania realises a greater economic benefit from the allocation of state waters for new marine farming leases, the Government is addressing this through other means.</p> <p>Rather than legislating (as the Inquiry recommends), as a matter of policy the Government could establish a process for competitive tender for new lease areas as one method for recouping a financial return from the industry.</p> <p>As outlined in the response to recommendation 1, the Government's third guiding principle for the development of the new 10-Year Salmon Plan includes "...and fees and charges reviewed to ensure full cost recovery and an appropriate return to the Tasmanian community." As further outlined in the response to recommendation 40 the Government is conducting a review of salmonid industry fees and charges to be considered further as part of the development of the 10-Year Salmon Plan.</p>

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33	Develop environmental, social and economic criteria to be applied in the marine farming lease tender process.	Support in principle	<i>Refer to response to recommendation 32.</i>
34	Align the length of new or renewing leases to the relevant Marine Farming Development Plan review period, with renewing leases subject to comprehensive reassessment.	Support in principle	<i>Refer to response to recommendation 11.</i> It is not clear to Government what this recommendation is trying to achieve based on the relevant information and findings provided by the Inquiry. The Government will consider this matter further when considering the scope and terms of reference for a review of the Act.
35	Review and determine the appropriate time period that triggers a reassessment of unstocked leases.	Support in principle	<i>Refer to response to recommendation 3 & 11.</i> It is not entirely clear what this recommendation is trying to achieve based on the relevant information and findings provided by the Inquiry. The Government however interprets the Inquiry is recommending that “use it or lose it” provisions applying to unstocked leases after a period of time that exist in the <i>Marine Farm Planning Act 1995</i> and in the <i>Environmental Management and Pollution Control (Environmental Licences) Regulations 2019</i> are strengthened in some way. Existing provisions include means for the Minister to cancel an unused lease and allow for planning processes that prevent the use of water within a lease area. Under recommendation 3 the Government committed to consider policy settings that encourage the best location and usage of finfish farming leases in the development of the new Ten Year Salmon Plan. The Government will consider this specific recommendation further when considering the scope and terms of reference for a review of the Act.
36	Review and, where necessary, adjust the environmental licence conditions for all existing finfish farms, including setting defined limits of total biomass, dissolved nitrogen and other key nutrients.	Support	<i>Underway.</i> The Government is advised that the EPA intends to incorporate biomass and/or dissolved nitrogen output limits into all Environmental Licences for marine and inland finfish farms. All freshwater farms (hatcheries) with a discharge to inland waters will have effluent quality limits (including nutrients) imposed via their Environmental Licence. The EPA has advised that timeframes for the rollout of all environmental licenses will be released in due course.
37	Require all new marine farming environmental licences to include defined limits of total biomass, dissolved nitrogen and other key nutrients.	Support	<i>Refer to response to recommendation 36.</i>
38	Require applications and variations for marine farming environmental licences to be	Support in part	<i>Supported in part because provisions are in place and case for further change is not entirely clear.</i>

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	assessed by the EPA Board, consistent with other Level 2 activities under the <i>Environmental Management and Pollution Control Act 1994</i> .		<p>While this is a matter for the independent EPA, the EPA Director must refer an <u>application</u> for an environmental licence to the EPA Board for assessment if it meets the criteria set out in the <i>Environmental Management and Pollution Control (Environmental Licences) Regulations 2019</i>, which include very high level of public interest, approval under <i>Environment Protection and Biodiversity Conservation Act 1999 (Cwth)</i> required, lease not farmed for 10 years, or 10% increase in capped nitrogen output or biomass. The same Regulations specify similar criteria requiring referral of applications for variations to the Board for assessment.</p> <p>The Government understands that the EPA Board currently does not assess <u>variations</u> of level 2 activities as suggested by this recommendation, unless a new land use permit is required or the Director calls the variation in and refers it to the Board. Variations can also be assessed and approved by the Director under section 44(1)(d) of the Act, and more minor variations can be approved by the Director as changes within the scope of the Permit conditions. It is not apparent from the relevant findings and information provided by the Inquiry that there is a case for <u>all</u> assessments to be undertaken by the EPA Board, i.e. that the current process is failing.</p>
39	Legislate criteria for the assessment of marine farming environmental licences by the Director, EPA and EPA Board and require those assessments that are approved to be made public.	Not supported	<p>Case for change not entirely clear.</p> <p>It is not apparent from the Inquiry's relevant findings (107-112) and information what benefit this recommendation (ie to legislate criteria) would achieve beyond the process that is currently in place. The assessment criteria applied by the EPA Board are project and environment specific; seeking to further <u>legislate</u> these is potentially too restrictive and may miss important criteria. The EPA assessment process allows for public consultation on the EPA's project specific assessment guidelines, where warranted. The <i>Environmental Management and Pollution Control (Environmental Licences) Regulations 2019</i>, provide criteria when to refer an application to the Board under section 421(3) and section 420(2) of the <i>Environmental Management and Pollution Control Act 1994</i>. All EPA Board assessments are published https://epa.tas.gov.au/business-industry/assessment</p> <p>An application for an environmental licence or for variation of an environmental licence that is not referred to the EPA Board is assessed by the Director, EPA. The Director, EPA is bound to further the objectives of the Resource Management and Planning System (RMPS) when undertaking such assessments and will consider all environmental aspects as may be relevant to the application. The Director seeks advice from internal experts and other Government agencies as may be appropriate; for example advice about threatened species may be sought from NRE Tas. The applicant has an appeal right in relation to the Director's decision.</p>
40	To ensure appropriate returns to the Tasmanian community, commission an	Support	Underway.

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	<p>independent review of fee and levy structures for finfish farming, including:</p> <ul style="list-style-type: none"> • lease value and its reassessment over time; • setting of lease fees; • rates of levies required to fully fund regulatory monitoring, compliance and enforcement activities; and • local government rates, as relevant to the industry. 		<p>Through the development of the new 10-Year Salmon Plan the Government intends to release the findings of a current review of salmonid industry fees and charges, including consultation on a Regulatory Impact Statement (RIS) if changes are proposed to existing regulations.</p> <p>The Government's third principle to guide the development of the new 10-Year Salmon Plan includes "...and fees and charges reviewed to ensure full cost recovery and an appropriate return to the Tasmanian community." The <i>Second Progress Report for the Salmon Plan</i> released in 2021 stated that NRE Tas has commenced a review of the fee and levy structure for the salmonid industry. The review is initially considering the cost of services provided by the Government to regulate and support the industry and is being conducted with involvement of the Department of Treasury and Finance.</p> <p>The Government notes that local government rates are a matter for local government to consider; for example, as rates might be applied to rateable freehold and leasehold land.</p>
41	Ensure any review of fee and levy structures for finfish farming includes public consultation and examination of other jurisdictions.	Support	Refer to response to recommendation 40.
42	Apply environmental bonds to the finfish farming industry to ensure sufficient funds for any remedial work required due to the operations of the industry.	Support in principle	<p>For consideration in the 10-Year Salmon Plan. Also refer to response to recommendation 11.</p> <p>The EPA Board has powers under section 35 of the <i>Environmental Management and Pollution Control Act 1994</i> to require lodgement of a financial assurance. The Government is satisfied that the existing legislated powers are sufficient and that such powers should continue to reside with the independent Board of the EPA.</p> <p>Furthermore, the Government is advised that the EPA intends to incorporate decommissioning requirements into environmental licences for finfish marine farming. It is noted that, generally, the environmental impacts of fish farming tend to be impacts that remediate naturally over time following cessation of fish farming. This has been demonstrated through monitoring of farmed areas during fallow periods and following decommissioning</p> <p>The <i>Marine Farming Planning Act 1995</i> also contains powers relating to deposits payable by leases. The Government will consider this recommendation further when considering the scope and terms of reference for a review of the Act.</p>
43	Conduct a comprehensive audit of freshwater requirements for the finfish farming industry to inform the development of a policy/strategy on the allocation and	Support in principle	<p>Underway.</p> <p>Freshwater fish farms are one type of activity (or water user) among many in Tasmanian rivers and catchments. The Government manages catchments for <u>all</u> consumptive and non-consumptive users,</p>

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	management of these resources.	<p>including drinking water, consistent with legislative responsibilities under the <i>Water Management Act 1999</i> and <i>Environmental Management and Pollution Control Act 1994</i>. The Government also supports practical catchment management measures under various landcare programs and projects under the three regional Natural Resource Management plans (and the regional organisations of NRM North, NRM South and Cradle Coast NRM) as provided for by the <i>Natural Resource Management Act 2002</i> and <i>Tasmanian Natural Resource Management Framework 2002</i>.</p> <p>The 2021 <i>Rural Water Use Strategy</i> (RWUS), and its Implementation Plan (2022), is the Tasmanian Government's blueprint for managing the state's water resources now and into the future including, of direct relevance to how the Government intends to respond to the matters raised in this Inquiry relating to water allocation and water quality matters. Rather than just focusing on the finfish operations on inland waters, the implementation of the actions under the RWUS will enable a more holistic and broadscale approach to be taken to understand the trends and drivers for river health and water quality.</p> <p>NRE Tas allocates fresh water for aquaculture in line with the objectives of the <i>Water Management Act 1999</i> and associated policies, including the Surface Water Allocation Decision Framework. For further information refer to: Microsoft Word - Surface Water Allocation Decision Framework.docx (nre.tas.gov.au) Through the implementation of the <i>Rural Water Use Strategy</i> (RWUS), a review of Tasmania's water allocation policy framework, including the Surface Water Allocation Decision Framework will be undertaken that will set the framework to ensure the policy and regulatory settings are fit for purpose and aligning with the objectives of the <i>Water Management Act 1999</i>.</p> <p>Through the recently released <i>Rural Water Use Implementation Plan</i> the Government has committed to the delivery of a range of relevant activities under four key initiatives:</p> <ol style="list-style-type: none"> 1. Developing sustainable water infrastructure. 2. Enhanced information and data that supports water managers, business and the community to make informed decisions. 3. Reviewing and refreshing water management policy settings to get the balance right. 4. Looking after the health of our freshwater waterways and water quality. <p>Specific action committed to, include and are not limited to:</p> <ul style="list-style-type: none"> • Develop a revised water accountability, metering and reporting framework for Tasmania. • Review Tasmania's water allocation policy framework including the Surface Water Allocation Decision Framework and the Part 6 of the <i>Water Management Act 1999</i>. • Investigate options for improved coordination and data sharing of river health and water quality data between water entities. • Develop a Strategic Directions for Healthy Waterways Paper that will set out a roadmap of roles and responsibilities for river health and water quality management and monitoring, and address gaps, remove duplication or uncertainty and improve governance arrangements.

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			<ul style="list-style-type: none"> • Commence implementation of the new collaborative state-wide Baseline Water Quality Monitoring Program • Continue long-term river health monitoring at 53 sites across Tasmania (43 test sites and 10 reference sites) and implementation of the 39 recommendations of the Review of the Tasmanian River Health Monitoring Program, 2018. <p>For further information refer to: Rural Water Use Strategy Department of Natural Resources and Environment Tasmania (nre.tas.gov.au)</p> <p>Moreover, the Government recently announced a new revenue retention model that will see the NRE Tas re-invest up to 80 per cent of the fees it receives from water managers under the Water Management Act, meaning water users are making a direct financial contribution towards the sustainable management of our State's waterways. The additional funding further demonstrates the Government is enacting the priority actions identified in the Rural Water Use Strategy (RWUS) including:</p> <ul style="list-style-type: none"> • Additional resources to commence the review of Tasmania's water allocation policy framework, including the Surface Water Allocation Decision Framework; • Upgrading Tasmania's water monitoring infrastructure, such as stream gauging stations and continuous water quality monitoring equipment; and • Activities that will assist in supporting the Water Managers and Data Custodians Working Group to develop the collaborative state-wide water quality monitoring program.
44	Conduct an independent review of the impacts of current finfish operations on inland waterways, including drinking water supplies and remediation costs borne by TasWater/State Government.	Support in principle	Refer to response to recommendation 43.
45	Require all new freshwater finfish hatcheries/smolt production facilities to utilise Recirculating Aquaculture Systems.	Support	<p>For consideration in the 10-Year Salmon Plan.</p> <p>The Government through the development of the 10-Year Salmon Plan intends to propose the phase out of flow through systems for all freshwater salmonid fish farms over a certain size. This will involve working with industry to establish timeframes for transition of existing flow through systems to fully recirculating systems. It also intends to propose a new Aquaculture Standard for Freshwater Fish Farms that will define performance measures.</p> <p>The Government has embarked on a new Aquaculture Standards approach to set outcomes-based Government regulation through the establishment of mandatory Standards enforceable under relevant legislation. The proposed Freshwater Fish Farms Standard will complement the new Salmonid Biosecurity Program, proposed Environmental Standard for Marine Fish Farming, and Standardised Marine Farming Management Controls which are currently in the process of being finalised. For further</p>

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			information on the new Aquaculture Standards refer to: Draft Aquaculture Standards Department of Natural Resources and Environment Tasmania (nre.tas.gov.au)
46	Publicly release monitoring data relating to the operation of freshwater finfish operations.	Support in principle	<p>Underway.</p> <p>The Government publicly releases freshwater flow and quality data for a range of parameters for all developed catchments in Tasmania including via the NRE Tasmania Water Information Web Portal. For further information refer to: Data - Water Information Tasmania Web Portal (wrt.tas.gov.au)</p> <p>As outlined in the response to recommendation 43, through the implementation of the Rural Water Use Strategy the Government has committed to developing a collaborative state-wide water quality monitoring program and the upgrading of monitoring infrastructure. The status of, and improvements required to, the monitoring of catchments where freshwater hatcheries are sited will be considered as part of this process.</p> <p>As outlined in the response to recommendation 5, the Government is committed to further strengthening transparency including expanding the information disclosed currently on the Salmon Portal and intends to introduce legislative amendments that empower the Director, EPA to make monitoring information available to the public.</p>
47	Through the data portal, provide improved public reporting of the environmental management of finfish farming activities, including: <ul style="list-style-type: none"> • the baseline environmental data underpinning Marine Farming Development Plans and amendments; • finfish farming licences, leases and associated management plans; • individual lease monitoring data in regard to impact on benthic flora and fauna, water quality, marine life and threatened species; and • details of compliance and enforcement activities. 	Support in principle	Refer to response to recommendation 5.

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48	Review the penalties and scope of liability in regulation of finfish farming to reflect the serious environmental consequences that can arise from breaching regulations and to strengthen their deterrent effect.	Support	<i>For consideration in the 10-Year Salmon Plan.</i> Through the development of the 10-Year Salmon Plan the Government intends to develop a timetable for a review of penalties and compliance frameworks relating to finfish under <i>Environmental Management and Pollution Control Act 1994</i> , <i>Marine Farming Planning Act 1995</i> and <i>Living Marine Resources Management Act 1995</i> . Such a review would require careful consideration and public consultation processes.
49	The EPA to develop and publish an enforcement policy relating to finfish farming, including clear guidelines which set scientifically-based performance indicators and a scale of actions.	Support	<i>Underway.</i> The Government is advised that the EPA is currently conducting a comprehensive review of EPA compliance and enforcement policy and procedures to which the recently appointed Director Finfish Compliance and regulatory team is contributing. The new compliance and enforcement policy will take into account finfish specific aspects such as breaches of environmental licences and special penalties for breach of nitrogen emission limits. Furthermore, it is proposed that the setting of science-based performance indicators that are currently in place will be revised and where necessary strengthened and added to as part of the development of the proposed Environmental Standard for Marine Finfish Farming. For more information on the environmental standard refer to: <u>Environment Department of Natural Resources and Environment Tasmania (nre.tas.gov.au)</u>
50	The <i>Marine Farming Planning Act 1995</i> and the <i>Environmental Management and Pollution Control Act 1994</i> be amended to enable third parties to take legal action for environmental harm caused by breach of licence conditions	Support in principle	<i>Refer to response to recommendation 11.</i> A provision for civil enforcement proceedings exists under section 48 of the <i>Environmental Management and Pollution Control Act 1994</i> (EMPCA). The Government considers EMPCA is the appropriate legislative mechanism for breaches of licenses and matters of environmental harm. The relevant findings of the Inquiry have not provided a detailed explanation or case for why the existing provisions under EMPCA needs to be strengthened or applied to the <i>Marine Farming Planning Act 1995</i> , however, the Government will consider further evidence on this issue in the conduct of the proposed review of that Act (as outlined in response to recommendation 11).
51	Clarify the application of a precautionary approach in the <i>Marine Farming Planning Act 1995</i> , including in the approval of Marine Farming Development Plans.	Support in principle	<i>Refer to response to recommendation 11.</i> The Government notes that the <i>Tasmanian State Coastal Policy 1996</i> provides guidance on the application of the precautionary principle to marine farming under Tasmanian law. Section 21 of the <i>Marine Farming Planning Act 1995</i> requires that a Marine Farming Development Plan be consistent with State Policies under section 11 of the <i>State Policies and Projects Act 1993</i> . For further information refer to: <u>Tasmanian State Coastal Policy 1996 (dpac.tas.gov.au)</u>
52	Clarify the application of an adaptive management approach to regulation of	Support in principle	<i>Refer to response to recommendation 11.</i>

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	finfish farming in the <i>Marine Farming Planning Act 1995</i> .		
53	Develop a framework for an adaptive management approach for the finfish farming industry, which includes validated models, performance monitoring, clear triggers for management, regular review and transparent reporting. Until such a framework is adopted, ensure the precautionary principle is individually applied to finfish farming operations.	Support in principle	Refer to response to recommendation 11. The Government notes that a precautionary approach is included in the <i>Environmental Management and Pollution Control Act 1994</i> : refer to Schedule 1 – Objectives, part 2, section 3(h)
54	Undertake and publicly release an assessment of the economic benefit provided by the finfish farming industry to local communities in which industry operations are based and to the state overall.	Support in principle	Refer to response to recommendation 40.
55	Develop a finfish farming industry marine debris policy, in consultation with the community and other stakeholders, that can be effectively implemented, monitored, enforced and reported on publicly.	Support in principle	Underway. To be considered further in the 10-Year Salmon Plan. The Government through the 2017 <i>Sustainable Industry Growth Plan</i> set a very clear policy of “adoption of a new zero tolerance approach to marine debris and related boating issues”. The Salmon Plan Second Progress Report outlines the comprehensive approach and improvements made in support of this policy position. For further information refer to: Sustainable industry growth plan for the salmon industry (nre.tas.gov.au) The number of infringements relating to marine debris applied to salmon farming operators is reported by quarter by Company on the Salmon Portal. For further information refer to: Home Salmon Farming Data Portal (nre.tas.gov.au) Significant improvements have been made by the salmon industry in tracking, monitoring and cleaning up their equipment, and in complementary Government processes since zero tolerance was first adopted in 2017. With five years now passed, and as part of the new 10-Year Salmon Plan’s principle of world’s best practice through continuous improvement, it is timely to update the marine debris zero tolerance policy. In doing so the Government notes that all forms of marine aquaculture and other water users can contribute to marine debris and litter.
56	The Government to assume responsibility for operating the marine debris hotline and Marine Debris Tracker app, including related promotion and public education.	Support in principle	Alternative. Refer to response to recommendation 55. NRE Tas as the responsible regulatory agency provides a means for the public to report marine farming debris by phone, email and web-based form. These reports come directly to compliance officers within

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			<p>the Department and are effectively used by the community.</p> <p>The Government notes that the Tasmanian Salmonid Growers Association, as part of the industry's own response to marine debris, maintains a marine debris hotline and tracker app. NRE Tas also receives automatic notifications from both the hotline and app.</p> <p>The question of ongoing responsibility, effectiveness, tools and other related matters are best addressed through an update of the marine debris zero tolerance policy (as outlined in response to recommendation 55).</p>
57	Review penalties associated with finfish farming industry marine debris to appropriately reflect the potential environmental and safety risks, and provide an effective incentive for behaviour change.	Support	Refer to response to recommendation 48.
58	Establish a central point of contact for information, complaints, and feedback in relation to noise associated with the finfish farming industry.	Support in principle	<p>Underway. To be considered further in the 10-Year Salmon Plan.</p> <p>The independent EPA operates a hotline for complaints and notifications: https://epa.tas.gov.au/working-together/make-a-report All complaints and notifications are managed through EPA's in-house Notifications Management System, which allows reporting on finfish related notifications.</p>
59	Increase the funding of the EPA to ensure it has the capacity to undertake comprehensive monitoring, assessment and enforcement of noise impact and noise complaints in relation to finfish operations.	Support	<p>Refer to response to recommendation 40.</p> <p>The Government has increased funding to the EPA by \$3 million per annum, with an additional \$2.5 million through the budget process and another \$500,000 to be provided from the landfill levy to manage illegal dumping. \$300,000 per annum has been allocated to the management of the salmon industry, with the creation of two additional positions, including the newly appointed Director (Finfish Compliance).</p> <p>The Government will address matters of funding EPA compliance functions as part of the review of salmonid industry fees and charges.</p>
60	Set and enforce site-specific regulated limits in relation to noise generated by finfish operations and include, where relevant, decibel level, tone, frequency, regularity and time of occurrence.	Support in principle	<p>Underway</p> <p>Noise monitoring and assessment is proposed for inclusion in a new Environmental Standard for Marine Finfish Farming. Proposed amendments to the <i>Environmental Management and Pollution Control Act 1994</i> would allow the making of 'Environmental Standards' and supporting 'Technical Standards' to manage environmentally significant activities.</p> <p>It is proposed that through the new Environmental Standard noise emission limits will be implemented</p>

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			<p>within Environmental Licences where appropriate. The Environmental Standard and associated Technical Standard will provide clear direction on how to monitor, assess and report on noise emissions using best practice. The Standard will prescribe ambient noise limits and consider potential intrusive characteristics such as tonality, impulsiveness, modulation, or dominant low frequency noise. It may also be a requirement that licence holders report all environmental hazards or incidents arising from noise pollution to the Director, EPA.</p> <p>For further information refer to:</p> <ul style="list-style-type: none"> • Introducing an Environmental Standard for Marine Finfish Farming - Position Paper.pdf (nre.tas.gov.au) • Draft Environmental Management and Pollution Control Amendment Bill 2022 Department of Natural Resources and Environment Tasmania (nre.tas.gov.au)
61	Establish a central point of contact for information, complaints, and feedback in relation to light associated with the finfish farming industry.	Support in principle	<p>Underway. To be considered further in the 10-Year Salmon Plan.</p> <p>The independent EPA operates a hotline for complaints and notifications: https://epa.tas.gov.au/working-together/make-a-report. All complaints and notifications are managed through EPA's in-house Notifications Management System, which allows reporting on finfish related notifications.</p>
62	Consider the inclusion of the regulation of light in the Environmental Standard and setting site-specific conditions on the use of lights in finfish farming operations.	Support in principle	<p>Underway.</p> <p>Artificial lighting is proposed for inclusion in a new Environmental Standard for Marine Finfish Farming. The intent of this focus area will be to develop a clear framework for managing artificial light emissions from marine finfish aquaculture activities. Licence holders may be required to engage a light pollution expert to establish a 'Light Attenuation Management Plan' (LAMP) for the approval of the Director, EPA.</p> <p>For further information refer to:</p> <ul style="list-style-type: none"> • Introducing an Environmental Standard for Marine Finfish Farming - Position Paper.pdf (nre.tas.gov.au) • Draft Environmental Management and Pollution Control Amendment Bill 2022 Department of Natural Resources and Environment Tasmania (nre.tas.gov.au)
63	Increase the funding of the EPA to ensure it has the capacity to undertake assessment of complaints regarding the use of lights in finfish farming operations.	Support	<p>Refer to response to recommendation 40.</p> <p>The Government will address matters of funding EPA compliance functions as part of the review of salmonid industry fees and charges. Consultation on a Position Paper of the Standard recently closed and the proposed amendments to the <i>Environmental Management and Pollution Control Act 1994</i> would</p>

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			allow the making of 'Environmental Standards' and supporting 'Technical Standards' to manage environmentally significant activities.
64	Commission a review of the Seal Management Framework, including the efficacy and safety of all 'seal management' devices and processes allowed under that framework.	Support	<p><i>For consideration in the 10-Year Salmon Plan.</i></p> <p>The Government through the development of the 10-Year Salmon Plan intends to propose an additional new Aquaculture Standard for Wildlife Interactions to replace and modernise the current seal management framework. This also acknowledges the potential for interactions to occur with a range of marine wildlife species with risk to the animals and the health and safety of farm workers. The current Seal Management Framework and Minimum Requirements will be updated to operate until the new Standard is enacted.</p> <p>The Government has embarked on a new Aquaculture Standards approach to set outcomes-based Government regulation through the establishment of mandatory Standards enforceable under relevant legislation. The proposed new Wildlife Interactions Standard would complement the new Salmonid Biosecurity Program, proposed Environmental Standard for Marine Finfish Farming, and Standardised Marine Farming Management Controls which are currently in process of being finalised. For further information on the new Aquaculture Standards refer to: Draft Aquaculture Standards Department of Natural Resources and Environment Tasmania (nre.tas.gov.au)</p>
65	Publicly report seal deterrent usage by finfish farming operators, including special permits granted for the capture, holding and relocation of seals.	Support in principle.	<i>Refer to response to recommendations 5 & 64.</i>
66	Conduct a review of the finfish farming industry impact on and relationship with the Tasmanian tourism industry to inform the revised Salmon Industry Growth Plan	Support	<p><i>Underway.</i></p> <p>The Government will seek input from the Tasmanian tourism industry as part of the development of the new 10-Year Salmon Plan.</p>
67	Ensure continued research and monitoring is undertaken in the Derwent Estuary with regard to heavy metal resuspension associated with finfish farming, including the identification of any public health risks relating to heavy metal contamination.	Support	<p><i>Underway.</i></p> <p>The Tasmanian Government has committed \$788,000 in funding to the Derwent Estuary Program (DEP) for the period of 2020 - 2025. This funding is to assist the DEP to carry out core and specified project activities of the Derwent Estuary Program in accordance with the annual Derwent Estuary Program Implementation Agreements.</p> <p>The Government notes that considerable research is being conducted relevant to finfish farming in the Derwent Estuary and extending into Storm Bay. The Fisheries Research and Development Corporation (FRDC) Storm Bay Research Program is a suite of projects that will provide scientific knowledge and tools to guide sustainable management of impacts from Atlantic Salmon farming within Storm Bay. The</p>

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			<p>research projects are being conducted by the Commonwealth Scientific & Industrial Research Organisation (CSIRO) and the Institute for Marine and Antarctic Studies (IMAS). The research program has been designed to respond to the recommendations of the Tasmanian Government's Marine Farming Planning Review Panel and will directly feed into Tasmanian Government planning and regulation of the Atlantic Salmon farming industry in Storm Bay. The Derwent Estuary Program participates in the Steering Committee for the Storm Bay Research Program.</p> <p>Should future research questions or needs be identified, the Government would use the existing research prioritisation and consultation mechanisms through FRDC and/or IMAS for funding of research programs.</p> <p>For further information refer to: Storm Bay Research Program FRDC</p>
68	Ensure biosecurity planning for the finfish farming industry includes consideration of jellyfish blooms as a potential risk.	Support	<p>Underway.</p> <p>As noted in the response to recommendation 10, the Government is committed to implementing a new Salmonid Industry Biosecurity Program that is regulated and enforced under the <i>Biosecurity Act 2019</i>. For further information refer to: Biosecurity Department of Natural Resources and Environment Tasmania (nre.tas.gov.au)</p> <p>The objective of the draft Biosecurity Program is to improve the overall biosecurity of all salmon production in Tasmania by preventing, eliminating, or minimising (wherever practicable to do so) the risks posed by infectious diseases of salmonids and associated exotic aquatic pests.</p> <p>The Program will also formalise a Joint Salmonid Industry Health Group including the Chief Veterinary Officer and Senior Veterinarians from salmonid producers. This group is to be established to provide a forum to facilitate –</p> <ul style="list-style-type: none"> (a) the identification of biosecurity risks to the Tasmanian Salmonid Industry; and (b) emergency preparedness, and improvements within industry in respect of salmonid biosecurity; and (c) the examination of epidemiological data as may be made available from time to time; and (d) the identification of salmonid industry priorities for biosecurity related research