

Submission to the Legislative Council Inquiry into Finfish Farming

Thursday November 28
Ms. Meg Webb Inquiry Chair
Finfish Farming Inquiry
Legislative Council Government Administration Committee "A"
C/O Mr. Stuart Wright Inquiry Secretary
Parliament House
HOBART 7000

Via email:
Finfish@parliament.tas.gov.au

Dear Ms. Webb:

Need to effectively manage Tassal Shepherds lease

I am a landholder at 459 Killora road and also Vice President of the Friends of North Bruny.

As a shack owner I would like to make a formal submission to the Inquiry regarding the effect of expanded industrial finfish farming at Tassal's Shepherd's site, and more generally, the impact a dramatic increase in finfish farming is having on our ability to enjoy the amenity once offered by our place at Killora.

Overall expansion is having a deleterious effect that I believe must be curtailed with a legislated framework involving a set of specifications for operation of the industry and incentives to drive behaviour. Overall my view is that:

- Tassal have made some commitments to limit impact in response to action by Killora residents
- However, major social, environmental, economic and governance concerns about current practice and future operation remain that must be regulated and policed effectively
- So, the Committee should recommend strong regulated framework must be put in place to ensure sustainability.

My rationale is laid out in detail below.



Tassal have made some commitments to limit impact in response to residents demands

Tassal have previously made commitments to limit impact of operations on Killora residents in recognition of particular amenity of the coast. Killora lies at the North end of Bruny Island approximately 4.5 km South of Dennes point. At Killora the Channel is at one of its narrowest points. Killora is directly opposite Tassal's Shepherds site about 1.5 km from the Tassal site.

Killora and Rat Bay is opposite the Tassal Sheppards site



- Killora (Rat Bay) is 4.5KM south of Dennes Point
- About 1.5km directly East of Tassal Shepherds Fish Farm
- Unique geography
- Experiences very calm conditions – deep quiet
- Around 12 residences

Over the 17 years we've had our shack at Killora, Tassal have progressively industrialized the site so that now it is a 24/7 industrial facility (not a "farm") with noise and light pollution and attendant changes in the ecology that the residents believe is unacceptable but have been forced to tolerate.

The Killora coast is special. An acoustic expert hired by Killora residents, and separately Steve Carter (appointed by Tassal), measured noise levels at Killora and described it as "deep quiet" at ~ 18dBA . This is exceptionally quiet. In recognition of the need to operate in a way that limits impact:

- The EPA has specified evening (6pm to 10pm) and night time (10pm to 7am) noise level limits for the Sheppard lease of 37 dBA and 32 dBA respectively.



- Tassal has a documented more stringent Good Neighbour target of 25 dBA for both evening and night time, and as close to 20 dBA as possible
- Implementation of agreement and partly successful noise reduction strategies – sound proofing, operating hours and stronger communication.

As a result, the Killora community and Tassal reached a point where noise from the site was tolerable. Noise is only one issue we have other concerns that are discussed in the next section.

Major concerns about current practice and future operation that must be regulated

However, ongoing issues with Tassal and foreshadowed industry growth with operation of factory ship Aqua Spa and its attendant vessels as well as increased marine finfish industry traffic in the channel cause concerns that must be addressed.

The local residents are not against *sustainable* finfish industry but believe it must be sustainable and operate with a social license. We believe in a broad definition of sustainability. It must be sustainable socially, environmentally, economically and in terms of governance. I have major concerns in all areas:

- Socially - in terms of unacceptable impact of noise, light and marine traffic on residents
- Environmentally - in terms of immediate impact on the Shepherds site as well as the broader channel, finfish farming is having unacceptable ecological impacts that are poorly understood
- Economically - in terms of impact on other current and future industries which is poorly understood
- Governance – Tassal and the industry more broadly do not operate within a framework jointly agreed with ALL stakeholders and regulated by an independent and fearless regulator.

My view on these issues are fleshed out below.

Social impacts are unacceptable

We think of social impact being about our ability to enjoy the unique amenity offered by the Killora coast. The residents were there before Tassal and Tassal should accommodate the residents not the other way round. I have major concerns.

- **Breaches still occurring** – multiple noise complaints from Killora residents concerning lease machinery, attendant vessels. We have fought hard over nearly 20 years to limit the noise and light pollution from Tassal’s Shepherds lease, yet breaches continue. The system relies too much on residents complaining before action happens rather than Tassal ensuring that ALL machinery is silenced before it comes near the site
- **The site continues to industrialize.** It is not a farm but a factory operating in a rural



area experiencing “deep quiet”. Continued industrialization raises a series of issues:

- Tassal’s new boat Aqua Spa is 85-metre electric diesel driven “well boat”. It will operate 24/7. We are yet to assess the impact of this new boat, but we have been told by Tassal it will operate 24/7.
- The operation of the new boat and attendant vessels is predicted to be above the Tassal good neighbor levels of 25dba based on Tassal’s own information. The noise from the boat and its attendant vessels must in our opinion operate in such a way they we do not hear them operate. Maximum noise limit specified for the construction of the “well boat” is, when stationary, 35 dba at 500m (approx. middle of channel at Killora) and when travelling, 45 dba at 500m. We understand that no special noise mitigation was added during construction and there was no consultation with Killora residents. We are just expected to cope with the increased traffic and noise. Another resident and I initiated a meeting with Tassal to discuss this and made it clear that any noise above 25dba or that affects our ability to enjoy the amenity offered by our properties would be unacceptable.
- Aqua Spa will be attended by 4-5 other service boats for anchoring and other services all emitting 24/7 noise.
- The Aqua Spa factory boat will operate 24/7. If used at Shepherds bathing fish could take days at a rate of 3-4 pens over 24 hours.
- Impacts will likely include not only noise but light. Killora previously experienced dark. Now a 24/7 operation will likely cause light pollution.
- Growth is expected to increase. With massive expansion in Storm Bay marine traffic is expected to increase dramatically. What was once a lightly used Channel is headed towards being a marine highway tailored to the needs of industry not residents. We fear near misses from speeding factory ships and smaller vessels and marine debris to increase.

Environmental impacts are unknown

We’re in no position to understand the environmental impact of the Shepherd’s site. However, anecdotal evidence from long term residents point to a change in the ecology and a belief that Tassal is “killing” the seabed. Specifically, we’re concerned that:

- **The local fishery is depleted.** Flathead catches (the dominant species fished for by residents) are way down. The variety of species has declined.
- **Algae growth has increased affecting the marine environment.** Residents have observed that green stringy algae now cover major stretches of the seabed. Sea grass is covered in brown slime. I personally consulted a marine scientist who specializes in nitrogen impacts on marine environments. He is a published scientist regarding impact of increased nutrients on the barrier reef. He has also consulted to the city of Venice on nutrient impacts on Venice lagoon. I took him to do a site visit to the Tassal Shepherds site, a bay to the north and south of the lease and to Rat Bay at Killora. He said that the growth of slimy algae was virtually the same as in Venice and a result of elevated nutrient level. He said the algae will kill the sea grass as it blocks light and that kills the bottom of the food chain.



- **Environmental impact has not been modelled effectively.** Tassal continually argue that negative environmental impacts are a result of multiple inputs (farming, sewerage etc.). However, in response to concerns they are killing the seabed under and around their leases they refuse to release vision of the seabed under the Shepherds lease.

Economic impact is unknown

There are two key issues here.

- **We do not know the economic impact** of the Shepherds on our local environment. This has not been modelled.
- **Tassal get to use what is “our” waterway for a pittance.** We cannot ascertain how much Tassal pays for the Shepherds lease. What we do know however is that in Scandinavian countries marine industry players pay a market rate for the water and the proceeds are reinvested in the community. We are concerned that Tassal gets to use the Shepherds site virtually for free.

Governance is weak

Governance drives sustainability. We have found unfortunately that regulators like the EPA, DPIPW and MAST facilitate industry rather than being frank and fearless in regulating practice. Unfortunately, DPIPW in particular have been unhelpful.

All our gains with Tassal have been gained through residents making it clear that unless change occurred in a set time frame then we would go public – in Tasmania, nationally and internationally to “expose” the reality that Tassal’s product is NOT grown in pristine waters or in any way a natural product. Added to this there are consistent allegations of Tassal using bullying tactics to get their own way with Regulators. This unfortunately has been all too often a feature of Tasmanian public life with regulators rolling over to facilitate Government sponsored industry growth. This type of industry bullying is reminiscent of the Gunns episode in Tasmanian history. I pointed this out to the Premier in a TAMP briefing recently.

This should not be the case.

Strong regulated framework must be put in place to ensure sustainability

I believe that a strong framework should be put in place to ensure the finfish industry and specifically Tassal at Shepherds operates sustainably. I’d like to see the Enquiry recommend:

1. **Measures to manage the “social” impact of the Shepherds lease.** Specifically, Tassal should have to:
 - a. Operate within a fixed three-month harvesting season to end not later than 25 December



- b. Operate within specific operating hours - Mon - Fri 8 – 5 including by Aqua Spa
 - c. “Silence” the site and ALL attendant vessels before allowed on site so that no noise exceeds “deep quiet”
 - d. Only operate within a marine traffic corridor on the Western side of the Channel past Killora
 - e. Pay penalties for any breaches.
2. **Measures to manage environmental impact.** Specifically, I would like to see:
- a. an independent study of the Shepherds and Killora coast overseen by an external expert such as an IMAS scientist reporting to a joint Steering committee comprising regulators, community and industry representatives to assess the ecological impact of the Shepherds lease on the sea bed, marine life and ecology of the area
 - b. Real time visual publicly available visual monitoring of the seabed under the lease and public release of relevant data.
3. **Measures to drive economic sustainability.** We would like to see a study by UTAS into alternative economic frameworks for water leases (exploring the Scandinavian model) and the real economic value of the Shepherds lease
4. **Measures to deliver strong governance.** We would like The EPA, DPIPWE and MAST to establish a simple, minimal set of specifications that govern Tassal’s use of the Shepherds site incorporating the measures outlined above along with a set of incentives/penalties for breaches. This should be enshrined in a formal partnership agreement with residents.

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I’d be happy to discuss this submission in more detail with The Committee.

Yours sincerely,



Gerard Castles

