



Queensland
Government

Office of the
Director-General

Department of
**National Parks, Recreation,
Sport and Racing**

QLD COMPETITION AUTHORITY

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Mr Malcolm Roberts
Chairman
Queensland Competition Authority
GPO Box 2257
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Dear Mr Roberts

Thank you for your letter of 10 February 2014 seeking submissions on the Queensland Competition Authority Issues paper on the review of aquaculture regulation in Queensland.

In general, the issues paper covers the important issues regarding aquaculture regulation. The following comments address the questions posed in the issues paper as they relate to the Department of National Parks, Recreation, Sport and Racing's (NPRSR) responsibilities for the State's marine protected areas (MPAs) – State marine parks and declared Fish Habitat Areas (FHAs).

2.1 Aquaculture – comparison of regulation

Are there further features this review should consider?

The review should also include the restrictions on aquaculture imposed by the State's MPAs, including:

- aquaculture is not permissible in management A declared FHAs
- while aquaculture can be approved in management B declared FHAs, NPRSR policy only supports construction of intake/discharge structures for land-based aquaculture operations
- State marine park zoning plans, in general, prohibit the addition of feed for aquaculture operations. While an application could be made to operate a feed-based aquaculture facility in the Great Barrier Reef area, the proponent would need to demonstrate that the operational procedures and technologies employed would substantially mitigate any ecological risk arising from the operation.

These legislative restrictions, combined with the broad spatial extent of MPAs, provide a basis for planning appropriate locations for aquaculture.

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3.1 Summary aim and guiding principles for the review

How have agencies applied frameworks of environmental legislation?

NPRSR has applied legislative frameworks to aquaculture by:

- contributing to aquaculture planning processes such as the Great Sandy Regional Marine Aquaculture Plan and the Oyster Industry Management Plan for the Moreton Bay Marine Park
- developing specific policy for aquaculture development in declared FHAs (as part of broader operational policy for declared FHA management)
- case by case development assessment.

3.5 The precautionary principle

Is it appropriate to apply the precautionary principle to aquaculture development?

It is appropriate to apply the precautionary principle where knowledge is limited and there is a reasonable risk of adverse impact.

Which gaps in knowledge would make it appropriate to apply this principle?

This would be appropriate where there is lack of knowledge/science about potential impacts on natural environments in different areas and would depend on the particular proposal.

In which cases concerning aquaculture development has the precautionary principle been applied?

The precautionary principle is embedded in declared FHA and State marine park legislation. It is one element of the decision-making process and is usually not the sole basis for deciding an application.

The precautionary principle is used in NPRSR policy in that sea ranching is not supported in declared FHAs due to the largely unknown impacts of the addition of large numbers of 'seeded' animals on the fish habitats and fisheries productivity of the area.

3.8 Environmental offsets

Is there sufficient information available about the impacts of aquaculture on water quality adjacent to the Great Barrier Reef (GBR)? If not, what are the information gaps?

How significant is the impact of well-managed aquaculture on GBR water quality compared to the impact of other activities? Does this impact justify the current level of regulation?

What would be the impact on the GBR of a significant expansion of aquaculture? In which areas would the impact be smallest, and in which areas would it be greatest?

Is there sufficient information about GBR water quality and pollution sources to enable establishment of environmental offsets? If not, what are the information gaps and how could they be remedied?

The questions posed regarding the impacts of aquaculture in the Great Barrier Reef are difficult to answer given the length of coastline involved and the diversity of receiving habitats and zones. Future proposals should remain subject to case by case assessment supported by regional aquaculture plans, where appropriate.

When specifying offsets, what is the appropriate ratio of emissions to offsets (for example, should the offset be equal to, greater than or smaller than the emission)?

Any offsets regime for aquaculture will have to conform to the proposed state offsets legislation and policy. The Environmental Offsets Bill 2014 has been introduced to Parliament and is currently before the Agriculture, Resources and Environment Committee.

3.10 Suitable locations for development of aquaculture

Is there potential for expansion of aquaculture in South East Queensland?

Is there potential for the development of large-scale aquaculture, or low maintenance aquaculture, in the Gulf of Carpentaria?

The location of the State's MPAs will help determine spatial limits on expansion of aquaculture. Location will also generally be subject to environmental considerations such as water quality (intake and discharge) and consideration of other uses including, but not limited to, recreational and commercial fishing, active recreational use (for example, boating, swimming, diving), port operations, tourism programs.

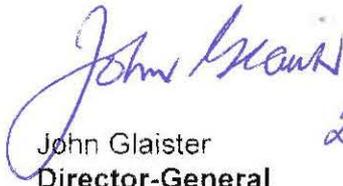
3.12 Financial safeguards for new developments

Is there an identified problem with taxpayer exposure to environmental rehabilitations costs of aquaculture projects? Where has this problem arisen and what is the magnitude of the exposure?

Current NPRSR policy requires permit holders to have appropriate insurance as part of their permit conditions, and the use of bonds can be imposed if considered necessary.

I hope this information has been of assistance to you. Should your officers have any further enquiries, please have them contact Mr Kurt Derbyshire, Principal Fisheries Resource Officer, Marine Resource Management, QPWS on telephone (07) 3330 5649 or via email Kurt.Derbyshire@nprsr.qld.gov.au.

Yours sincerely


John Glaister
Director-General

28/3/14