

**DRAFT VARIATION TO THE NATIONAL ENVIRONMENT PROTECTION
(NATIONAL POLLUTANT INVENTORY) MEASURE
SUBMISSION**

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DRAFT VARIATION

GENERAL COMMENTS

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Part 2 - National Environment Protection Goals

Part 3 - National Environment Protection Protocols

Part 4 - National Environment Protection Guidelines

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2. Statement of the problem**3. Transfers**

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4. Greenhouse gases

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5. Other proposed NEPM amendments

All sound reasonable. I would especially like to comment on the inclusion of particulate matter 2.5 (pm2.5) and aquaculture. With recent research into the detrimental health effects of smaller particulates, it would be irresponsible to exclude this new substance. The sensitive nature of marine, estuarine and freshwater ecosystems is recognised by erasing the exemption of aquaculture farms from NPI reporting.

6. NEPM implementation**7. Consultation**

**DRAFT VARIATION TO THE NATIONAL ENVIRONMENT PROTECTION
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Include aquaculture - agree.

6. NEPM implementation

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**DRAFT VARIATION TO THE NATIONAL ENVIRONMENT PROTECTION
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SUBMISSION**

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DRAFT VARIATION

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Clause 9(7)(e)(iii) I fully support this clause that removes the exemption for Aquaculture reporting

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SUBMISSION**

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SUBMISSION**

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5. Other proposed NEPM amendments

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5. Other proposed NEPM amendments

S.22

Removal of the Aquaculture Exemption: This is supported on the grounds of leading to water quality problems and impacts on water supplies and on aquatic species and organisms gaining a more complete understanding of the nutrient loads being emitted into receiving water by this industry and the potential to harm waterway health CASANZ supports the removal of the exemption or aquaculture.

S.22

6. NEPM implementation

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6. NEPM implementation

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[redacted]
[redacted]
[redacted]

7. Consultation

**DRAFT VARIATION TO THE NATIONAL ENVIRONMENT PROTECTION
(NATIONAL POLLUTANT INVENTORY) MEASURE
SUBMISSION**

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DRAFT VARIATION**GENERAL COMMENTS****Part 1 - Preliminary****Part 2 - National Environment Protection Goals****Part 3 - National Environment Protection Protocols**

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**DRAFT VARIATION TO THE NATIONAL ENVIRONMENT PROTECTION
(NATIONAL POLLUTANT INVENTORY) MEASURE
SUBMISSION**

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5. Other proposed NEPM amendments

CCI does not object in principle to other substantial amendments proposed in the draft variation:

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- removing exemption for aquaculture reporting

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6. NEPM implementation

s 22

7. Consultation

s 22



Aquaculture Licensee Committee

Submission
no:
33
Ack 15/9/06

15 September 2006

s 22

Dear s 22,

Draft Variation to the National Environment Protection (National Pollutant Inventory) Measure: Removal of Exemption for Aquaculture Reporting

The Aquaculture Committee of the Northern Territory Seafood Council has a number of objections to the inclusion of aquaculture in the National Pollutant Inventory. These are as follows;

1. Aquaculture in the Northern Territory is an industry in the very early stages of its development. Businesses wishing to establish aquaculture operations undergo severe scrutiny by various government departments and by the public to ensure that the proposed venture is environmentally sound. After passing over this expensive and time consuming series of hurdles, aquaculture enterprises are also obliged to provide updated environmental management plans on a regular basis. Further checks on environmental performance include various licences such as waste discharge licences which must be applied for on a regular basis (usually annually). These licences also carry obligations, including regular monitoring and analysis of a large range of water quality parameters, the costs of which are borne by the businesses.
2. A further time impost in the form of yet another set of reporting requirements as proposed under the draft variation to the National Environment Protection (National Pollutant Inventory) Measure is seen as counterproductive for an industry whose businesses quite frankly have almost no capacity to comply with much more regulation.
3. It is commonly recognised within the aquaculture industry that we are highly regulated and under the continuing spotlight of public and government scrutiny. Much of this scrutiny is a result of bad publicity from the rapid expansion of aquaculture in developing countries such as Thailand, Indonesia, Venezuela and so on.

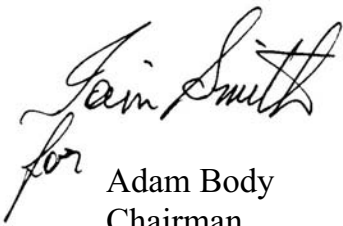


There is almost nothing in common between the aquaculture industries in these countries and in Australia. Ever since Australia began its modern aquaculture in the 1980's there have been stringent controls a world away from the laissez faire development in many other countries.

4. The proposed annual discharge level of 15 tonnes of nitrogen and/or 4 tonnes phosphorous into the environment would be reached by a farm whose size would require the employment of as few as two or three people to operate it. This is a small business enterprise which does not have the resources of larger businesses to be able to comply with further regulatory imposts. Before imposing further regulation on and scrutiny of the aquaculture industry in the Northern Territory, we believe that the Environmental Protection Heritage Council should consult with industry to gain a greater appreciation of the effects on these small businesses of the proposed regulation.
5. There is very little information about the fate of nitrogen and phosphorus released from farms. From a scientific perspective, the fate of nitrogen and phosphorus in the receiving waters in tropical estuaries is unknown. For this reason alone, inclusion of aquaculture would seem premature and inappropriate.

Committee members are adamant in their conviction that the degree of monitoring, scrutiny and regulation imposed on the aquaculture industry generally is often totally disproportionate to the reality of aquaculture in Australia. The proposed regulation governing nitrogen discharge into the environment is one such example and we strongly recommend that it is not proceeded with.

Kind Regards,

for
Adam Body
Chairman

**A. P. F. A.**

Submission

no:

46

15/9/06

15th September 2006

To whom it may concern:

**SUBMISSION ON THE PROPOSAL TO REMOVE THE REPORTING
EXEMPTION OF AQUACULTURE FROM THE NPI**

Recently the Association attended a meeting held in Brisbane on the NPI proposal to remove aquaculture from exemption from reporting. This has been the only consultation we have received. We believe that with such a serious, and what appears to be misinformed proposal, direct consultation with the Association should occur.

We endorse the submission of the National Aquaculture Council, and share the concerns raised within it.

Most importantly we are concerned that this proposal is in direct conflict with the Australian Governments commitment to reduce the currently costly red tape imposed on the aquaculture industry as outlined in the Aquaculture Action Agenda.

The Australian prawn farming industry already undertakes a detailed reporting process on our emissions to the relevant State and Territory Governments and in some cases the Great Barrier Reef Marine Park Authority. Adding the NPI to this is just unnecessary duplication.

Justification for the removal of the current exemption has also been of concern. "Why not?" is not good enough. Reporting in Government documents that aquaculture facilities are similar to sewerage treatment plants is completely unjustified and potentially damaging to our industries reputation.

The Association has a very strong relationship with the Department through our eco-efficiency agreement, and has had extremely successful outcomes in the project we are undertaking as a part of that agreement. One prawn farm is undertaking accreditation for their EMS to ISO14001 next week, with another four to follow. The industry is also currently exploring the possibilities of rolling this level of EMS out across the entire industry.

This proposal has the potential to undo much of the good work that has been achieved by both industry and the Australian Government and the Australian Prawn Farmers Association strongly opposes it. We request that the current exemption be maintained.

Yours Faithfully,

Scott Walter
EXECUTIVE OFFICER

14th September 2006

s 22

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To whom it may concern

The National Aquaculture Council is the peak body representing the industry in Australia. It represents at least 98% of the gross value of production.

The comments below follow broad consultation with the aquaculture industry and some government agencies across Australia.

Consultation

At no stage has the industry been consulted in understanding the implications of transfers especially the costs. It is very clear that those responsible for the documentation have absolutely no idea how the various production systems operate in their respective sectors and environments and associated cost structure in measuring transfers and other parameters.

Not only have they miscalculated the cost structure but they have no understanding of the variability within the industry and this is also reflected in their quoted figure of around 60 aquaculture licences that will be affected by this process.

It has been made clear by the NPI panel members at the public meetings that there is no onus on the NPI to demonstrate why the aquaculture industry should not be exempt. In fact it is up to industry to demonstrate why it should be excluded. This letter provides that rationale. It should also be remembered that through the Aquaculture Industry Action Agenda and the Prime Ministers Science Engineering and Innovation Council on aquaculture there was an imperative to reduce the regulative burden and red tape that was imposed on the aquaculture industry. The industry is one of the most regulated in Australia and this has been identified as a serious financial impost on producers and also a deterrent to investment in the industry.

The Federal and State Governments and industry produced the *Best Practice Framework of Regulatory Arrangements for Aquaculture in Australia (Primary Industries Ministerial Council) February 2005* that highlighted the need to refine reporting processes and reduce the cost to industry.

The Productivity Commission in their inquiry into the Australian aquaculture industry also emphasized the need to reduce red tape and reporting burdens on the industry.

The comment by members of the NPI road show that prawn farms in Australia are similar to sewerage farms is nothing short of showing a complete lack of understanding of Australian prawn farming production technology and aquaculture in general. To actually put these types of references to print without qualifying such statements demonstrates the level of arrogance by this group and their lack of credibility. No distinction is made between Australian practices and those of some international counterparts.

It is clear there will be significant duplication in industry having to report to various agencies as well as the NPI. Industry is of the view that access to any data must be through the relevant state agency to which industry must report and comply concerning appropriate agreed key environmental indicators as per their licences.

There is a strong view from industry that it would not be too long before the list was expanded to incorporate other parameters that need to be measured. Such creep is being observed in other sectors.

It is a pity that the TAP of this process has used one or two submissions from the 2005 review to push the inclusion of aquaculture in the NPI. These submissions have demonstrated their lack of understanding of the industry and consequently the process has adopted misinformation on which to base its decision of inclusion.

Data Interpretation

People accessing data will not be able to understand the context in which it is provided. This will lead to certain groups using their own interpretation that in turn could easily misrepresent the industry and its sustainable approach to production of seafood.

The industry is seriously concerned that the Government is now going back on its commitment of reducing the impost of these bureaucratic processes on industry and does not fit with the spirit and intent of the Action Agenda and its key outcomes.

The industry has in good faith and in partnership with Government developed an EMS based reporting process to State agencies based on the Fisheries Research and Development Corporation ESD framework for aquaculture. This is a cost effective mechanism to industry and Government.

Transfers

Estimating and reporting transfers is a complicated and expensive exercise when dealing with an aquatic environment as there are numerous influences concerning seasonal change and natural organic and inorganic loadings in the various aquatic systems. It must be understood that nitrogen and phosphorous reactions in salt and freshwater environments are quite different.

It is clear to the industry that there is lack of any science or risk assessment that underpins decisions and this is completely unprofessional given the circumstances. Decisions to include aquaculture have been based on anecdotal information and an attitude from the NPI of “why not include it?”

Compliance

There is limited detail available from those jurisdictions that will be responsible for enforcement costs or processes. To believe you have an understanding of impacts on industry without taking this into consideration is ludicrous. What is even more unbelievable is the expectation that local jurisdictions will enforce compliance at the rates calculated. A number of the State jurisdictions consulted have indicated that they have no intention of following through on this duplicated process.

At the public forums the panel has argued that:

- *this information will lead to better Government decisions.* As it applies to aquaculture, particularly the prawn and finfish sectors, this is nonsense and is not demonstrated.
- *the public have a right to know.* Again without understanding the circumstances, knowing the context in which data is collected and how it should be interpreted, this information will be meaningless to the public.

The industry has developed other public reporting processes. These are done in conjunction with State and Federal jurisdictions. Compliance with the EPBC guidelines for aquaculture through the Department of Environment and Heritage is a case in point.

The industry is vehemently opposed to the inclusion of aquaculture into the NPI process and requests continued exemption.

Thank you for your assistance in this matter.

Yours faithfully

Simon Bennison
Chief Executive Officer

CC Senator the Hon. Eric Abetz,
Senator the Hon. Ian Macdonald
Senator the Hon. Nigel Scullion
Senator the Hon Ron Boswell
Joanna Hewitt



Submission

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18/9/06

15 September 2006

National Environmental Protection Council
Level 5
81 Flinders Street
Adelaide SA 5000
Australia

To whom it may concern

Re: Submission on the draft variation to the National Environmental Protection Measure.

The Aquaculture Council of Western Australia (ACWA), the State's peak industry body, would like to thank National Environmental Protection Council on its invitation to comment on the *draft variation to the National Environmental Protection Measure*

It is ACWA position that the aquaculture industry should remain exempt. The rationale for this position is as follows:

- All the risks, reporting methods and the community benefits are managed already by the State agencies; as such there is no need to duplicate these processes. Business exists to make a profit; part of this process is ensuring costs are controlled through minimizing duplication. The proposed NPI duplicates reporting requirements of the states (both to DEC & Fisheries),
- There have been no breaches of the current arrangements.
- All of the industry environmental monitoring reporting is publicly available.
- The reporting of gross N & P has no value, as it has no regional context to make an informed evaluation. This is what the State regulations provided.
- Aquaculture is fundamentally different to other intensive industries, in that its business objectives cannot be achieved without maintaining high water and environmental quality. Given this innate connection with the environment evolves a deep commitment to developing the industry responsibly.

Added to the above specific comments, ACWA would like to make a general comment of quality of the public policy. The document, as promulgated, constitutes one of the laziest pieces of public policy that ACWA has dealt with, and does reflect the standing the National Environmental Protection Council. The claims made against aquaculture are unsubstantiated. If the council had bothered to undertake some basic research it would have proved the statements untrue eg. Sewage equivalence of aquaculture discharge. It is on this basis, the document needs to be retracted, revised, and an apology made to the aquaculture industry.

We look forward to your earliest favorable response.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Dan Machin'.

Dan Machin
CEO

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**DRAFT VARIATION TO THE NATIONAL ENVIRONMENT PROTECTION
(NATIONAL POLLUTANT INVENTORY) MEASURE
SUBMISSION**

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DRAFT VARIATION

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Clause 9(7)(e)(iii) I fully support this clause that removes the exemption for Aquaculture reporting

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7. Consultation

**Australian Government****Department of Agriculture, Fisheries and Forestry**

Submission

no:

59

19/9/06

s 22

Project Officer
NEPC Service Corporation
Level 5, 81 Flinders Street
ADELAIDE SA 5000

Dear s 22

I refer to the draft variation to the National Pollutant Inventory (NPI) National Environment Protection Measure that has been released for public consultation. I am writing in relation to the variation proposal to remove the NPI reporting exemption for aquaculture.

The Department of Agriculture, Fisheries and Forestry (DAFF) stresses that a variation to the NPI relating to aquaculture must be pursued consistent with the Government's existing policy on aquaculture industry development and regulation. It should be commensurate with the level of environmental risk posed by the aquaculture industry and not impose additional, overlapping regulatory burden.

The Australian aquaculture industry is diverse and each sector has different potential environmental impacts of varying degrees of significance. The industry is subject to a comprehensive regulatory framework to ensure sustainable development and sound environment management across the industry.

The Australian Government has legislation and regulations to protect matters of national environmental significance, promote ecologically sustainable development and ensure standards are maintained in food safety, aquatic animal health, quarantine, trade and taxation. Aquaculture activities that are likely to have a significant impact on matters of national significance are assessed and subject to approval under the *Environment Protection and Biodiversity Conservation Act 1999*.

State and territory governments are responsible for the day-to-day management of aquaculture. They have legislation and controls in place covering environment management, marine and coastal management, land use planning, land tenure, native title and quarantine and translocation. The states and territories attach strict regulations and reporting requirements to aquaculture licenses, including reporting on emissions from aquaculture operations. It is my understanding that data on emissions from aquaculture operations is already available from state and territory agencies at an aggregated level.

This regulation comes at a cost to industry and the Productivity Commission has suggested it has gone too far. The Commission reviewed regulatory arrangements for aquaculture in 2004. A copy of its research paper on *Assessing Environmental Regulatory Arrangements for Aquaculture* is available online at www.pc.gov.au/research/crp/aquaculture/aquaculture.pdf. The research covered both marine and land-based aquaculture production in Australia.

The Productivity Commission review concluded that aquaculture production is subject to an unnecessarily complex array of legislation and agencies. On environmental regulation in particular, the Commission agreed that some environmental regulation is clearly required given the potential for significant environmental impacts from some aquaculture operations. However, the report also stresses that environmental regulatory arrangements that are unwarranted or poorly developed and implemented can impose unnecessary costs on aquaculture producers, consumers and the community, and adversely affect competitiveness and the environment. The Commission suggested that more efficient and effective regulation of the aquaculture industry could be achieved through greater use of environmental risk assessments.

The Productivity Commission also noted problems with comparing aquaculture with other agricultural operations. It found that point source water pollution from land-based aquaculture, such as prawn or trout farms, is often more heavily regulated than diffuse sources of pollution from other land uses, such as pastoral or horticultural farming. This has implications for the efficient and effective management of environmental impacts and the development of the aquaculture industry. The Commission concluded there is a need for further research to assess if the level of regulation and control is consistent with the environmental risk posed.

The Australian Government has made a number of commitments to help streamline and reduce regulation of the aquaculture industry and encourage its development.

In 2002, the Aquaculture Industry Action Agenda (AIAA) was launched in partnership between industry and governments to increase the growth prospects of the industry. The Australian Government provided \$3.5 million to support its implementation. The AIAA includes a commitment to promote a regulatory and business environment that supports aquaculture. In particular, DAFF and the Department of the Environment and Heritage (DEH) agreed to work with state and territory governments to streamline aquaculture regulation and management in Australia with the aim of ensuring an efficient and certain regulatory and planning environment for investors and industry.

The AIAA led to the development of a National Aquaculture Policy Statement in 2003. The Policy includes a commitment to develop an investment, policy and regulatory framework that encourages industry growth. Australian governments also worked together to develop a *Best Practice Framework of Regulatory Arrangements for Aquaculture in Australia* in 2005 to reduce and harmonise regulation of the aquaculture industry. The best practice framework captures the findings of the Productivity Commission review and is currently being implemented.

I strongly encourage the National Environment Protection Council to consider these issues and existing government commitments in finalising the NPI variation. Of particular concern is creating additional and potentially unnecessary regulatory burden for the industry.

I suggest working closely with the state and territory aquaculture managers, who best understand the industry and are the most likely to utilise NPI-type data. It may be possible to establish an agreed standard or protocol for reporting with the states and territories to meet NPI needs without indiscriminately imposing another layer of reporting and regulation. There is a precedent for this between DEH, the Great Barrier Reef Marine Park Authority and the Queensland government where an accreditation arrangement was developed to ensure environmental risks of Queensland-based aquaculture operations are managed consistent with national objectives.

The Australian aquaculture industry through its peak body the National Aquaculture Council should also be closely engaged. Mr Simon Bennison, Chief Executive Officer, can be contacted on mobile S.47F [REDACTED] or email xxx@xxxxxxxxxxxxx.xxx.xx

The draft NPI variation relating to aquaculture represents new regulation for the industry, not just a minor variation or amendment. Such a change calls for more rigorous consultation than has been conducted to date. While I understand there have been public meetings, this consultation is largely passive and not suitable in these circumstances. Many state and territory aquaculture agencies were not aware of the proposed variation or public meetings until contacted by DAFF. The meetings covered all stakeholders potentially affected by the NPI variation, from farmers through to the manufacturing sector. Further discussions are required with states and territory agencies and the aquaculture industry that is specifically about the potential impacts of the NPI variation for the aquaculture industry and alternative arrangements.

Given the potential impacts for the Australian aquaculture industry, DAFF would like to remain involved and informed of the NPI variation process. The Departmental contact for aquaculture issues is s 22 [REDACTED], telephone 02 6272 s 22 [REDACTED], email s 22 [REDACTED] [@daff.gov.au](mailto:s 22 [REDACTED]@daff.gov.au). We would be pleased to discuss these issues further.

Thank you for your consideration of this submission.

Yours sincerely

Glenn Hurry
Executive Manager
Fisheries and Forestry

15 September 2006



australian network of environmental defender's offices

Submission on the National Pollutant Inventory NEPM Variation

15th September 2006

The Australian Network of Environmental Defender's Offices (ANEDO) consists of nine independently constituted and managed community environmental law centres located in each State and Territory of Australia.

Each EDO is dedicated to protecting the environment in the public interest. EDOs provide legal representation and advice, take an active role in environmental law reform and policy formulation, and offer a significant education program designed to facilitate public participation in environmental decision making.

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This submission is on behalf of the Australian Network of Environmental Defender's Offices (ANEDO).

For further information on this submission, please contact Rachel Walmsley, Policy Director at EDO (NSW) on 02 9262 6989 or xxxxxx.xxxxxxxx@xxx.xxx.xx.

Submitted to:

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Project Officer
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15th September 2006

s 22

1.

Introduction

s 22

Major changes to the NPI proposed in the documentation include:

- s 22
- removing the exemption for aquaculture reporting; and
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6. Reporting of aquaculture activities

ANEDO is fully supportive of the proposal to include aquaculture in the list of reporting industries. The known environmental impacts of aquaculture and the resultant emissions from aquaculture operations do not justify its continuing exclusion as a reporting industry.

The potential impacts of aquaculture are wide-ranging, from aesthetic aspects to direct pollution problems.⁴⁰ The National Oceans Office has recognised these potential environmental consequences.⁴¹ In particular, aquaculture operations lead to the release of nutrients into the water column and the accumulation of waste. This additional input leads to an accumulation of organic matter, which has a marked effect on water quality and benthic biota.⁴² Furthermore, there are concerns about the use of

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⁴⁰ Fernandes, Eleftheriou, Ackefors, Eleftheriou, Ervik, Sanchez Mata, Scanlon, White, Cochrane, Pearson, Read (2001), 'The scientific principles underlying the monitoring of the environmental impacts of aquaculture'. *Journal of Applied Ichthyology* 17.

⁴¹ National Oceans Office, 'Impact of aquaculture' http://www.oceans.gov.au/impacts_aquaculture/page_004.jsp (23 August 2006).

⁴² State of the Environment Report, South Australia 2003 at 64.

chemotherapeutants, the outbreak of disease, the impact of marine mammals and genetic disturbance from exotic species.

Table 4 Current environmental concerns arising from marine aquaculture operations (Fernandes *et al.*, 2001)

Potential direct impacts	Potential consequences	Management actions
Organic enrichment Nutrient enrichment Chemicals release Spread of diseases	Impact on wildlife/habitats Trigger of toxic blooms Demise of wild stocks	Locational guidelines Biomass maximum Maximum feed limit Restricted use of chemicals Management guidelines (including codes of practice/conduct)
Escapees	‘Genetic dilution’ Demise of wild stocks	Improved cage design Management guidelines
Interaction with other coastal activities	Visual impacts and conflict with, e.g. tourism, recreation fishing, maritime transport	Locational guidelines Derive regional/local coastal plans and integrate with national coastal management plan (not addressed in this paper)

As indicated in the NPI Review Report, a diffuse source manual already exists for aquaculture. Therefore, the practical implications stemming from the inclusion of aquaculture as a reporting industry are straightforward and do not impose an onerous regulatory burden. It is a small price to pay when the environmental consequences of aquaculture operations can be quite significant. Requiring the aquaculture industry to report its emissions enables the public and government to quantify the environmental impact of these emissions. This is in line with the environmental management and public participation goals of the NEPM.



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9. Conclusion: Do these amendments further the goals of NEPM?

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Moreover, the addition of aquaculture as a reporting industry, the inclusion of transfers, the attempts to improve data quality and the updating and consolidation of the diffuse source register will also provide the potential to further realise the goals of the NPI. s 22

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**WA DEPARTMENT OF ENVIRONMENT AND CONSERVATION
(DEC)**

**Draft Variation to National Environment Protection (National Pollutant
Inventory) Measure**

SUBMISSION

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6. Removal of exemption for aquaculture

DEC supports the removal of the exemption from reporting for aquaculture, as this industry is capable of contributing significant nutrient loads to the environment. WA has a growing aquaculture industry.

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Submission

no:

67

21/9/06

19 September 2006

s 22

Project Officer
NEPC Service Corporation
Level 5, 81 Flinders Street
ADELAIDE SA 5000

Dear s 22

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Of the main issues covered in the NPI variation including:

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- removing the exemption for aquaculture reporting

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We have not made comment on the substance and threshold changes, removing the exemption for aquaculture reporting and changes to publication requirements. s 22

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Yours Sincerely

ANDREW DOIG
Director
AUSTRALIAN ENVIRONMENT BUSINESS NETWORK



21 September, 2006

s 22

Project Officer
NEPC Service Corporation
Level 5, 81 Flinders Street
Adelaide SA 5000

Dear s 22,

**Draft Variation to the National Environmental Protection
(National Pollutant Inventory) Measure**

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[Redacted] APPEA
also supports the inclusion of aquaculture reporting on the basis that all
significant sources of emissions, whether natural, diffuse or industrial should
be included to ensure the integrity of reporting system, and provide the
most accurate information and context to the community. To this end,
APPEA would encourage further measures to provide the community and
regulators with a full picture of emissions to the environment and ensure
emissions beyond those of industry are accurately reflected in the NPI.

s 22

[Redacted text block]

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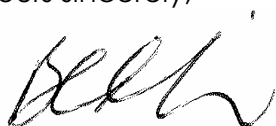
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S 22

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Belinda', with a stylized flourish at the end.

BELINDA ROBINSON
CHIEF EXECUTIVE



Department of Fisheries
Government of Western Australia

25 SEP 2006



74
25/9/06

Your Ref:

Our Ref: 169/06

Enquiries: s 22 (08) 9482 s 22

Project Officer
NEPC Service Corporation
Level 5/81 Flinders Street
ADELAIDE SA 5000

ATTENTION: s 22

NATIONAL POLLUTION INVENTORY: NATIONAL ENVIRONMENT PROTECTION MEASURE VARIATION

Thank you for the opportunity to provide comment on the proposed variations to the National Pollution Inventory, specifically of interest to the Department of Fisheries being the proposed removal of the exemption for aquaculture reporting.

I am concerned with the way aquaculture has been portrayed within the "*Draft Variation to the National Environment Protection (National Pollution Inventory) Measure: Impact Statement*" (2006) where it is stated that "it is known that aquaculture facilities emit large amounts of nitrogen and phosphorous (as high as some sewage treatment facilities)". This generalizing statement shows a lack of understanding of the considerable amount of research that has been undertaken by the industry in regards to managing discharges and the range of species being aquacultured. Your comments may have been true in previous years for a small portion of the finfish or prawn aquaculture industry when they were operating in an environment of less regulation and environment monitoring. I do not consider this a valid representation of the range of current aquaculture facilities or management arrangements in most states of Australia.

In Western Australia, we have a small aquaculture industry that is managed and regulated by both the Department of Fisheries and the Department of Environment and Conservation (DEC). Operators require an Aquaculture License and in some instances environmental works approvals and environmental licences. It has recently been reported by the DEC, that there are no operations in WA that are emitting amounts of pollution above the agreed trigger values of nitrogen and phosphorous resulting in detrimental impacts on the environment. The triggers used reflect values developed through national processes and are set to protect water quality for all users.

The Department of Fisheries is set to take over the environmental monitoring of all aquaculture facilities in the near future, and we are working closely with the DEC to

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determine agreed Codes of Practice and Environmental Monitoring Programs for each sector. The requirement for annual reporting will remain and in fact, be strengthened, incorporating an independent audit of all sectors and reporting back to DEC of all monitoring results. The ability for members of the public to access these reports will be maintained under the new regime.

The Environmental Protection Authority will also retain a statutory role in assessment of larger aquaculture applications and can take action against individual operators in events of non-compliance or monitoring results showing environmental damage.

The Department of Fisheries therefore, does not consider it necessary to impose another reporting requirement on the fledgling industry operating in WA, as the current regulatory arrangements are providing suitable management and reporting of the environmental sustainability of this industry. The industry is operating at very small scales and any new facilities are incorporating as much of the new technologies as they can afford. Imposing additional reporting requirements may be financially constraining to any future growth of this industry.

I do not support the direction proposed, that of removing the exemption for aquaculture operators from reporting against NPI triggers. I request that this industry be taken off the list and not be reconsidered for inclusion in the future. The current regulatory regime is already providing a framework of transparency, accountability and environment sustainability that members of the public can interrogate should they so chose.

Yours faithfully



P P Rogers
CEO

19 September 2006

**EXXONMOBIL SUBMISSION RE THE DRAFT VARIATION TO THE NATIONAL ENVIRONMENT
PROTECTION (NATIONAL POLLUTANT INVENTORY) MEASURE**

OVERVIEW:



ExxonMobil's responses to the key issues raised in the June 26th Regulatory Impact Statement (RIS) and Draft Variation to the National Environment Protection (National Pollutant Inventory) Measure can be summarised as follows.

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- ◆ ExxonMobil supports the removal of the exemption for aquaculture reporting, on the basis that all significant sources of emissions should be included to ensure the integrity of reporting system.

S 22

[Redacted text block]

s 22

ExxonMobil Contact:

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