

STATEMENT OF DECISION

APPLICATION TO VARY AN AQUACULTURE LICENCE

File Number: fA36827
Applicant: Indian Ocean Fresh Australia Pty Ltd
Application Date: 6 October 2021
Application Type: **Variation of an Authorisation**

This Statement of Decision should be read in conjunction with the document entitled *Assessment Criteria for the Grant or Variation of an Aquaculture Licence – Explanatory Notes*, which provides explanations, comments and additional information relating to Statements of Decision made in respect of applications for grant or variation of aquaculture licences. The document is available at:

http://www.fish.wa.gov.au/Documents/Aquaculture/sod_assessment_criteria_explanatory_notes.pdf

1. DETAILS OF THE APPLICATION

Background facts

Indian Ocean Fresh Australia Pty Ltd (ACN 099 086 772) (“IOFA”) is the holder of Aquaculture Licence No.1633 (“the Licence”)

The Licence authorises the culture of:

- cobia (*Rachycentron canadus*),
- coral trout, (*Plectropomus* spp.),
- mulloway (*Argyrosomus hololepidotus*),
- snapper (*Lujanus* spp.),
- southern bluefin tuna (*Thunnus maccoyii*),
- yellowfin tuna (*Thunnus albacares*),
- yellowtail kingfish (*Seriola lalandi*)

Under the Licence the authorised site is located in Champion Bay Geraldton (**Attachment 1**).

Details of the Licence variation application

On 6 October 2021, IOFA made an application to the CEO of the Department of Primary Industries and Regional Development (“Department”) under s.142 of the *Fish Resources Management Act 1994* (“the Act”), for the variation of its Licence. IOFA submitted the application fee, an updated Management and Environmental Monitoring Plan (“MEMP”) and additional information with the application.

In its application, IOFA seeks to vary the list of species authorised to be cultured (in Schedule 1 of the Licence) to include the following genera and species:

Asparagopsis spp., *Gracilaria* spp., *Gelidium* spp., *Laurencia* spp., *Meristotheca* spp., *Solieria* spp., *Porphyra* spp., *Portieria* spp., *Pterocladia* spp., *Pyropia* spp., *Cladosiphon* spp., *Sargassum* spp., *Ecklonia* spp., *Caulerpa* spp., *Enteromorpha* spp., *Halimeda* spp., *Ulva* spp., *Pinctada fucata* (*Akoya* pearl oyster)

2. RELEVANT CRITERIA TO BE SATISFIED

The Department consulted according to the process set out in *Administrative Guideline No. 1 Assessment of Applications for Authorisations for Aquaculture and Pearling in Coastal Waters of Western Australia, August 2017* ("AG1"); that is, with relevant Government agencies and representative community and industry groups and included the opportunity for public comment. **Attachment 2** provides a summary of the consultation process.

I have read and considered **Attachment 2**. Where relevant, those matters arising out of the consultation process that are of greater significance are referred to below.

The matters arising by reason of s.92 and s.92A of the Act are twofold:

1. The criteria specified in s.92(1) of the Act; and
2. The Management and Environmental Monitoring Plan ("MEMP").

2.1 Criteria in s.92(1)

(a) "Fit and proper person"

Considerations relevant to the "fit and proper person" criterion by reference to the key concepts of knowledge, honesty and ability are set out below.

- Knowledge

IOFA is a licence holder since 2008. IOFA has a successful history in carrying out aquaculture in Champion Bay Geraldton, producing mulloway and yellowtail kingfish, farming the latter species commercially for several years from 2015 to 2022. The proponent was an active participant in the development of the Aquaculture Council of Western Australia's (ACWA) Code of Practice for The Sustainable Management of Western Australia's Marine Finfish Aquaculture industry (2012/2013). IOFA also contributed to the National Biosecurity Plan Guidelines for the Australian Sea-Cage Finfish (non-salmonid) industry.

IOFA has a demonstrated knowledge in the business of aquaculture including commercial production, management and research and development (R&D).

- Honesty

I have no reason to believe IOFA does not meet the concept of honesty.

- Ability

IOFA currently operates under the requirements of the Act and its Licence conditions. Led by an experienced Managing Director with over 14 years' experience in the aquaculture industry, the company has extensive aquaculture knowledge with demonstrated experience in aquaculture R&D. In respect of R&D, experience and skills for seaweed aquaculture, the company is collaborating with a Research Institution; namely, the University of Western Australia (UWA). IOFA has also enlisted Australian and international consultants with experience of industry best practice, including stock health management techniques and seaweed aquaculture.

As a result of its involvement in ACWA's Code of practice for The Sustainable Management of Western Australia's Marine Finfish Aquaculture industry (2012/2013) and the National Biosecurity Plan Guidelines for the Australian Sea-Cage Finfish (non-salmonid) industry, IOFA has the knowledge and experience required to adhere to aquaculture codes of practice and biosecurity guidelines.

IOFA has extensive, high-level knowledge, skills and experience in all aspects of commercial aquaculture and R&D. I have noted the details provided in the information accompanying the application, which attest to these attributes

With respect to the matter of persons acting on behalf of the licence holder, IOFA is a company and accordingly must act through natural person agents. These persons are the officers (such as directors) and employees of the company. The Licence does not authorise persons to act "on behalf of" IOFA, so cannot authorise independent contractors or "lessees" to carry out aquaculture. IOFA has been an established company for some years, so can be assumed to understand relevant principles of agency.

Based on my consideration of the matters set out above and the information before me, on balance, I consider IOFA is "fit and proper" to hold a licence to conduct aquaculture of the proposed species at the authorised site.

(b) Tenure

The site is located within Reserve 25300 and vested in the Mid West Ports Authority ("MWPA") for the purposes of the *Port Authorities Act 1999*.

Accordingly, I consider that IOFA has appropriate tenure over the authorised sites.

(c) Better interests

IOFA currently employs a qualified Marine Scientist as its Production Manager and as part of its business plan purposely employs and has trained employees from the local Geraldton community. IOFA plans to collaborate with various scientific research institutions such as UWA. Information gathered from such a collaboration will include contributing to seaweed research by working with species considered to have high value extracts including *Asapargopsis* species.

IOFA has previously established domestic and export markets with a sales network that will also be used to sell seaweed and oyster products. As part of the planned expanded operations, IOFA will identify and grow into new markets where required.

The aquaculture of seaweed in Champion Bay and within Western Australia will provide employment opportunities. The seaweed aquaculture industry is an emerging business, with little currently known about natural abundance, distribution, seasonal dynamics and cultivation techniques. IOFA's seaweed aquaculture proposal will therefore contribute to industry knowledge for the commercial aquaculture of seaweed species, within the State and nationally.

By reason of the above considerations, I am of the view that the grant of the application would be in the better interests of the State and community.

(d) Whether the proposed activities are unlikely to adversely affect other fish or the aquatic environment

The main considerations in respect of whether the proposed activities will adversely affect other fish or the aquatic environment are discussed below.

1. Genetics, disease and pests

Genetics is not an issue because the proposal does not contemplate introducing new genetic combinations.

In respect of diseases and pests, IOFA operates under controls imposed through licence conditions and a MEMP, which include biosecurity protocols and procedures. These controls are based on the requirement to demonstrate low risk of disease and pest introduction and spread.

a. Disease introduction

I have a high level of confidence in the ability of IOFA to detect known disease agents.

I am not aware of any reported introduction of disease pathogens caused by movement of fish to the site. I note that occasionally the Department Diagnostics and Laboratory Services ("DDLs") may wish to undertake disease testing in the absence of a reported disease event and that these requirements may change from time to time, taking into account the diseases of interest, the characteristics of the tests available and the required confidence in the result as determined by a risk

assessment. A licence condition will be imposed to enable DDLS to determine requirements for disease testing.

Given the biosecurity protocols in place for the existing site and the controls imposed, or that may be imposed, over the movement of the proposed species, I consider the threat of disease introduction to be low.

I note that any movements to the site will require health certification, which would deal with disease risk.

IOFA proposes to collect seaweed and oyster broodstock from aquaculture gear deployed within the licensed site. Should IOFA wish to collect seaweed broodstock from the benthic environment at the licenced site or seaweed and oyster broodstock from surrounding wild populations, a Ministerial Exemption will be sought.

I consider the threat of disease and pests being introduced to the site and surrounding areas generally to be low, given the biosecurity protocols in place and the controls imposed, or that may be imposed, over the movement of the fish to the site.

b. Disease development in situ

I have noted that aquaculture has been carried out at the existing site at Champion Bay for many years. I am not aware of any reports of significant disease outbreaks during that period.

I am also mindful of the conditions to be imposed on the Licence in respect of disease reporting requirements and the biosecurity provisions set out in the MEMP.

Therefore, I consider the risk of disease outbreak at the site and the spreading of disease from the site to be generally low, given the biosecurity protocols in place and the controls imposed, or that may be imposed, over the species being grown at the site.

2. Aquaculture gear

a. Impact of the aquaculture gear

IOFA proposes to use longlines, which are considered best practice for the culture of seaweed and oysters. The anchoring systems for the longlines are designed to minimise the impact on the benthic environment. Aquaculture gear is continually maintained and improved to meet industry standards. IOFA has a comprehensive Marine Fauna Interaction Management Plan (MFIMP) as part of its environmental management practices, which have been operational for several years and form part of an internal company review process.

Therefore, I consider that there would be minimal environmental impact arising from the use of the described aquaculture gear.

b. Removal of the aquaculture gear

In the event of aquaculture ceasing, any issues concerning the clean-up and rehabilitation of the sites would be covered by the relevant provisions of the Act.

3. Environmental impact

I note that it is in the best commercial interest of IOFA to maintain a healthy environment and ensure any ongoing environmental impact is adequately monitored and managed. The monitoring and management of environmental factors is a separate issue dealt with in the MEMP section below.

I have noted that the proposed species will not require supplementary feeding; consequently, there will be no increase in nutrient levels arising from the introduction of manufactured feeds. I therefore consider the proposed species will have minimal impact on the surrounding environment. As a result of finfish aquaculture, IOFA already has in place a comprehensive environmental monitoring program that includes sediment and chlorophyll a as well as water quality sampling. Baseline surveys of nearby seagrass have identified a negligible impact to the seagrass from sea cage waste, which is diluted to untraceable quantities by the time it reaches seagrass. The dilution is attributed to the site being in a high energy area. IOFA has comprehensive historical environmental reference data to use as part of its aquaculture management practices. When IOFA is farming only seaweed and oysters, water quality and sediment monitoring will remain as part of the monitoring program.

Therefore, I consider that the matter of environmental impact has been sufficiently addressed through environmental monitoring and management controls provided in the MEMP and conditions of the Licence.

4. Visual amenity and noise pollution

The proposed project will not have any negative impact on visual amenity and will not result in any noise pollution.

After considering the relevant issues regarding s.92(1)(c), I am satisfied the proposed activities are unlikely to affect other fish or the aquatic environment and can be managed through the MEMP and conditions imposed on the licence under s.95 of the Act.

(e) Whether the proposed activities have been approved by other relevant authorities

S.92(1)(d) requires the CEO to be satisfied that the proposed activities have been approved by relevant authorities.

I have not identified any other relevant authority that needs to provide approval.

(f) Other matters prescribed

S.92(1)(e) requires the CEO to be satisfied of any other matters prescribed for the purposes of s.92(1). There are no other prescribed matters.

Therefore, I am satisfied of the criteria in s.92(1) of the Act, in respect of the variation application.

2.2 The MEMP

IOFA has an existing MEMP associated with its Licence. That MEMP has been amended to apply to the activities proposed under the variation to the Licence.

As such, I approve the MEMP provided by IOFA (**Attachment 3**), noting the licence condition requiring a full MEMP review to be undertaken in two years from the date of approval. The MEMP review may incorporate further environmental monitoring parameters regarding seaweed aquaculture in line with the progressive development of a seaweed aquaculture policy.

In respect of the public availability of the MEMP, I note that under s.250(1)(c) of the Act, a MEMP lodged under the Act is “confidential information” and cannot be divulged by the Department.

3. DISCRETION TO VARY – MERITS OF THE APPLICATION

In considering the exercise of discretion I give regard to the merits of the application. That requires balancing the opposing considerations against the supporting considerations. For any detrimental factors, I give regard to how detriments may be minimised and controlled.

3.1 Potential disadvantages of variation

(a) Genetics, diseases and pests

I have considered the issue of genetics earlier at part 2.1(d)(1) of this decision, including interbreeding, and concluded genetic issues will be unlikely to have any detrimental impact.

I have considered the issue of disease and pest introduction earlier at part 2.1(d)(1) of this decision and concluded sufficient controls will be in place and that this issue will be unlikely to have any detrimental impact.

To address the risk of disease development *in situ*, additional testing of the proposed species at the licensed site can be required through Licence conditions.

I have noted the issue cannot be about eliminating all risk; otherwise, aquaculture operations in the marine environment would not be able to proceed. That is contrary to the object and operation of the Act. The task, therefore, is to reduce the risk of disease outbreak to an appropriately low level by identifying and assessing biosecurity, environmental and other risks and implementing management strategies and controls to reduce the risks. This is addressed primarily through biosecurity controls imposed through the MEMP and licence conditions.

(b) Environmental impact

The MEMP provides an environmental monitoring program developed to ensure the proposed aquaculture activity will be unlikely to have any significant impact on the environment and that any impacts that may occur will be managed effectively.

Seaweed aquaculture in Western Australia is an emerging industry, a policy for which has been developed in consultation with the industry and other stakeholders. It is expected that the MEMP may undergo a full review two years from the date of approval. The review will ensure that the MEMP meets all necessary environmental monitoring parameters to maintain sustainability and ensure environmental risk is mitigated as the seaweed aquaculture industry grows.

IOFA aims to establish a commercial seaweed operation to complement its already-successful aquaculture business. All operations including any R&D are carried so that practices are continually improved and to ensure sustainability.

IOFA has a comprehensive set of historical environmental data and an ongoing monitoring regime that has been designed for aquaculture practices that can add nutrients to the water. These environmental monitoring practices can therefore be applied to other species being grown at the site regardless of any requirement for complementary feeding or increase in nutrients and waste materials.

There are no identified sensitive habitats within the licensed site; through baseline monitoring it has been established that there is minimal risk that nearby seagrass will be affected by the aquaculture site. The benthic environment is predominantly sand. Longlines will be deployed with sufficient separation to mitigate the effects of shading on the benthic environment. The MEMP identifies appropriate response protocols in the event that environmental monitoring detects an impact on surrounding sediments or water quality. Only seaweeds that naturally occur in the area will be cultured and the MEMP has allowed for a risk assessment to be carried out regarding stocking density of all species on the licence, their compatibility with each other and any potential impact to the wild populations. Because there will be no supplementary feeding, changes to the surrounding water chemistry will be minimal.

The MEMP identifies an environmental monitoring program, which will form the basis of an annual report that will be submitted to the Department in line with standard license conditions.

Given the information provided in the MEMP, I am of the view that the proposed aquaculture activity could be implemented without significant deleterious impacts on the environment. Existing aquaculture legislation and adaptive management mechanisms provide further confidence that the aquaculture industry can be developed sustainably.

Given the information set out above, I am of the view there are sufficient controls in place to manage any environmental impact.

(c) Impact on compliance and resourcing

I do not consider that compliance activities undertaken to enforce the varied licence conditions in this case will be unduly onerous, as they should fall within the usual activities of the Department.

(d) Whether the proposal involves limitation on access to the proposed waters.

The variation to the Licence is for the addition of species, so even with the placement of additional longlines, the variation will not limit access to waters.

(e) The possible impact on navigation

The Department referred the proposal to the Department of Transport, which considered the site to be a Category 1 as defined in the document "Guidance Statement for Evaluating & Determining Categories of Marking and Lighting for Aquaculture and Pearling Leases/Licences 2019".

(f) The possible impact on recreational fishing

The variation to the Licence is for the addition of species, so the variation will not have any impact on recreational fishing.

(g) The possible impact on commercial fishing and other commercial activities including tourism

The variation to the Licence is for the addition of species, so, as with recreational fishing, the variation will not have any impact on commercial fishing.

3.2 Potential advantages of variation

(a) Suitability of the location for aquaculture and proximity to existing operation

There are numerous reasons why the site location is suitable for the proposed activity, including that the natural features of the sites satisfy the biological requirements for growing the proposed species. The licensed site has been operation for over 14 years and all species occur naturally within the local environment.

I am of the view that, for the reasons set out above, the location is suitable for the aquaculture of the proposed species.

(b) Very low impact on other users of the resource (providing disease issues are dealt with)

For the reasons set out above, the granting of the variation to the Licence would not have any impact on other users of the resource.

The proposal has no impact on visual amenity and noise pollution.

I have noted that the proposal was developed in consultation with a range of stakeholders.

Providing that disease issues are dealt with, I have formed the view that the proposal will have little to no impact on other users of the resource.

(c) Potential economic benefits for the State

The establishment of aquaculture operations in regional areas has the potential to add to the economic growth of the region and increase local employment. Existing aquaculture farms around the State are already providing employment opportunities. IOFA has demonstrated its propensity for employing and training local people.

I have considered the issue of economic benefits for the State earlier at part 2.1(c) of this decision.

(d) Contribution to ongoing development of science and knowledge of aquaculture

Information generated from the expansion of aquaculture activities at the site would contribute to the ongoing development of the science and knowledge about aquaculture, in part by providing data pertaining to environmental impact of activities of this nature on the key identified environmental factors at this type of site; namely, the distribution and abundance of seaweed species, benthic communities and habitat, marine environmental quality, monitoring and marine fauna.

The science developed from the proposal would not only increase the efficiency of the commercial activity, but also provide a basis for adaptive management by the Department and assist further development of seaweed aquaculture policy.

(e) No impact on Native Title

There is no impact on Native Title.

In respect of the various issues opposing and in favour of the proposal, I am satisfied the benefits outweigh the disadvantages and that the risks, possible detriments and other issues associated with the proposed licence variation can be managed by licence conditions and the MEMP.

4. LICENCE CONDITIONS

The conditions on the Licence being varied have been reviewed and the new conditions will be as set out below.

The Department has liaised with IOFA over the licence conditions. The indicative (intended) substance of the licence conditions is as follows.

LICENCE CONDITIONS

1. Interpretation

(1) In the conditions on this licence –

DPIRD means the Department of Primary Industries and Regional Development;

Pathologist means an employee of, or contractor to, a laboratory facility that is accredited for Anatomical Pathology testing by the National Association of Testing Authorities, Australia, and who is a registered veterinarian with relevant post graduate qualifications in diagnostic procedures;

DPIRD Pathologist means the officer(s) occupying a Veterinary Pathologist or Aquatic Veterinary Pathologist position in the DPIRD's Diagnostics and Laboratory Services (DDLs); and

site means the area specified in Schedule 2 of this licence.

(1) The following terms used in the conditions on this licence have the same meaning as in the *Fish Resources Management Act 1994* –

- aquaculture lease;
- CEO;
- Department;
- record.

1. Requirement for legal right to authorise activity

The holder of this licence must always maintain in force, the legal right to use the site. The legal right to use the site must be a lease or licence granted in accordance with the power conferred under the *Land Administration Act 1997*, or under section 92 or 97 of the *Fish Resources Management Act 1994*.

3. Movement of fish to and from the site

(1) The licence holder must not move fish to and from the site unless –

- (a) the licence holder has received a health certificate from a Pathologist in respect of all fish being moved from the site; and
- (b) where the health certificate has been provided by a Pathologist that is not a DPIRD Pathologist, the licence holder has received written confirmation from a DPIRD Pathologist that the health certificate is satisfactory.

(2) The licence holder must ensure:

- (a) that any fish moved to and from the site are only moved during the period for which the health certificate received under condition (1) (a) and (b) is valid and always accompanied by a copy of the health certificate; and
- (b) Advance notification of the movements is given to DPIRD by calling 1300 278 292 (all hours).

- (3) The cost of testing carried out under condition (1) (a) and (b) will be borne by the licence holder.
- (4) Conditions (1) (a) and (b) do not apply to fish being moved to the aquaculture licensed site if originating from the same location as defined in Schedule 2 of this licence.
- (5) Condition (1) does not apply to fish being moved from the site -
 - (a) for the purposes of processing or sale for consumption; or
 - (b) for the purpose of research if the fish are being moved to a licenced land-based aquaculture facility; or
 - (c) if they are broodstock being moved to a licensed land-based aquaculture facility; or
 - (d) if they are mortalities or fish waste that are being removed for the purposes of disposal;
 - (e) if the fish are being moved from one licenced site to another in and around the Houtman Abrolhos Islands; or
 - (f) if the movement of fish has the prior written approval of the CEO; or
 - (g) for the purpose of testing for quality assurance programs.
- (6) In addition to condition (1) (a) and (b), the licence holder must ensure that additional samples of fish are submitted to the DPIRD Diagnostics and Laboratory Services for disease testing, if required in writing by a DPIRD Pathologist. The cost of the testing undertaken will be borne by the licence holder that produced the fish.

4. Disease, mortality and pest reporting

Where the licence holder –

- (1) suspects that any fish at the site are affected by disease, including any suspicion or detection of a declared pest (as defined under the Biosecurity and Agriculture Management Act 2007) or suspicion or knowledge that fish are infected with a noxious species (as defined under the Fisheries Resources Management Act 1994); or
- (2) becomes aware of any significant or unusually high levels of fish mortality, caused by disease or otherwise, within a 24 hour period, the licence holder must -
 - (a) Report to DPIRD as soon as practicable (and within 24 hours) by calling 1300 278 292 (all hours) the level of mortality, signs of disease or reason for suspecting the presence of a disease or declared pest; and
 - (b) follow the directions of the DPIRD's Diagnostics and Laboratory Services in relation to providing reports, samples of fish, or any other relevant item; and
 - (c) Collect, retain, and provide suitable samples of the fish for confirmatory testing as instructed by the DPIRD Diagnostics and Laboratory Services.

5. Fish Escapes

Where the licence holder becomes aware that more than 100 fish have escaped from a sea cage within a 24 hour period, the licence holder must report to DPIRD as soon as practicable (and within 24 hours of becoming aware of the first escape event) by calling 1300 278 292 (all hours).

6. Management and Environmental Monitoring Plan (MEMP) Compliance Audit

An independent audit of compliance with the MEMP must be commissioned and carried out by the licence holder, at the expense of the licence holder, within four months of being directed in writing by the CEO to commission the audit. A copy of any interim and final audit report must be delivered to the CEO within seven days of being received by the licence holder.

7. MEMP Report

The licence holder must:

- (1) at all times comply with and implement the latest MEMP prepared by the licence holder, and delivered to the Department; and
- (2) before 31 November each year, submit to the CEO, a written annual report on its activities conducted under the MEMP during the year, which must include all results of management and monitoring activities to 1 July.
- (3) ensure that the MEMP is updated every two years if required and submitted to the CEO for approval.
- (4) ensure that a species listed in Schedule 1 of this licence is not present at the location listed in Schedule 2 unless:
 - (a) A risk assessment for that species has been included in the current MEMP; or
 - (b) The MEMP is updated with a risk assessment for that species and has been submitted to the CEO for approval prior to the fish being stocked on the site.

8. Marking and Lighting

- (1) Marking and lighting of the marine site must be installed and maintained in accordance with Category 1 as set out in the document "*Guidance Statement for Evaluating and Determining Categories of Marking and Lighting for Aquaculture and Pearling Leases/Licences (2019)*".
- (2) The marking and lighting required under paragraph (1) must be installed before any aquaculture activity is undertaken at the site.

9. Marine Based Aquaculture Gear

- (1) The holder of the licence must ensure that all aquaculture gear is located within the boundaries of the site, and maintained in a safe, secure and

seaworthy condition; and all floating aquaculture gear, including ropes and buoys, must be fastened securely.

- (2) Upon termination, non-renewal of the licence or cessation of the aquaculture activity, the licence holder must remove from the area all property, aquaculture gear, refuse and debris belonging to the licence holder and restore the area to a condition approved by the CEO.
- (3) Aquaculture gear that is to be moved from one location to another must be completely air dried and biological waste disposed of on land prior to being installed in its new location. The licence holder can contact Aquatic Pest Biosecurity (aquatic.biosecurity@dpiird.wa.gov.au) for guidance. This condition does not apply to gear being moved to a site if originating from the same location as defined in Schedule 2 of this licence.

9. Use of aquaculture gear for the collection of seed stock

The licence holder must ensure that:

- (a) any aquaculture gear placed on the site for the purpose of the collection of seed stock is only placed within the boundary of the site as set down in Schedule 2 of this licence; and
- (b) accurate records are made and kept of the estimated weight collected, numbers of seed stock harvested, and the quantity of aquaculture gear used to collect, and make those records available to an authorised DPIRD Fisheries Officer at any time.

10. Interaction with protected species

Any interactions between any aquaculture gear at the site and any protected species, including entangles or stranded animals must be immediately reported to the Department of Biodiversity, Conservation and Attraction's (DBCA) Wildcare Hotline on (08) 94749055 (24hr emergency number), the DBCA's Nature Protection Branch on (08) 9219 9837 and the local DBCA District Office.

10. Record keeping

- (1) The licence holder must make accurate records of –
 - (a) the aquaculture gear used at the site;
 - (b) the movement of fish to each aquaculture holding unit, including –
 - i. the estimated average weight and numbers of the fish moved;
 - ii. the time and date the movement took place; and
 - iii. any mortalities of fish that occurred during the movement;
 - (c) the estimated weight and numbers of fish being kept on or in each type of aquaculture holding unit;
 - (d) the estimated weight and numbers of fish harvested from each type of aquaculture holding unit at the site;
 - (e) all mortalities at the site, both in total and as a percentage of total stock held at the site at the time; and
 - (f) all health certificates issued to the licence holder by a Pathologist.

- (2) The licence holder must keep the records made under paragraph (1) in a secure place at the licence holder's registered place of business for a period of seven years.

11. Inspection

All fish are to be regularly visually inspected for any sign of disease, significant or unusually high levels of mortalities, or species displaying invasive characteristics or known or suspected aquatic pests and a record of the inspection must be kept in a secure place on the licensed premises.

DECISION

On the basis of the above and subject to the amendment of the licence by imposing conditions referred to above, I have decided to vary the Aquaculture Licence No.1633, submitted by Indian Ocean Fresh Australia Pty Ltd to include various seaweed species and Akoya Oysters.

I have also decided to update the existing conditions on the Licence under s.95 of the Act. The new conditions to be imposed are as set out above at part 4 of this statement of decision.

Heather Brayford

DEPUTY DIRECTOR GENERAL, Sustainability and Biosecurity

As delegate of the CEO, Department of Primary Industries and Regional Development

Dated this

3rd

day of

August

2022

I hereby give instruction for notice of the decision to vary the Licence under s.142 of the Act and impose conditions under s.95 of the Act to be advertised in the West Australian newspaper in accordance with s.148 of the *Fish Resources Management Act 1994*