

DRAFT SALMONID BIOSECURITY STANDARD

Thank you for the opportunity to comment on the subject documents.

1. Introduction

1.1 Background

The assertion *“Salmonid farming in Tasmania has not to date experienced an event of such regional magnitude”* (paragraph 3) regarding the statement *“In previous years the introduction and spread of disease in the waters of other salmonid farming regions of the world has seen devastating impacts on production levels, the economy and the environment”* is incorrect. Clearly, the death of over one million fish in Macquarie Harbour in 2018 due (in part) to an outbreak of pilchard orthomyxovirus (POMV) is an example of an industry that has exposed itself (and the environment) to biosecurity threats due to a lack of government oversight and enforced biosecurity regulation. It is most concerning that an animal industry has been permitted to expand so rapidly over the past 30 years without adequate biosecurity measures (‘Standards’) in place.

The concept that the Program is a *“living document”* (paragraph 4) is good, but in order to re-inforce this document should specify periodic review intervals and/or ‘trigger points’.

1.2 Objective

The inclusion of the term *“wherever practicable to do so”* (paragraph 1) within the Standards is an unacceptable ‘disclaimer’ that obviates the obligation of industry to undertake actions necessary to implement and uphold biosecurity standards. Such terminology should be removed to support underpinning legislation and to give credibility to industry responsibilities.

Similarly, the ‘disclaimer’ *“Where current Tasmanian legislation and historic zoning of fish farms limits the implementation of recognised best biosecurity practice, the Program aims to apply operational Standards that reduce as much as practicable any biosecurity risk and provides for*

reporting Standards that will enable rapid response to the detection of endemic, introduced, or new and emerging infectious diseases” (paragraph 2) is inadequate. Current legislation (including zoning) **must** be amended to accommodate best practice biosecurity standards. This includes incorporating existing legislation under the *Inland Fisheries Act 1995* within the provisions of the *Biosecurity Act* and regulations (paragraph 2 and 3 – 1.3 Scope)

2. Program Specification

2.3 Duration, amendment and termination

To support open, transparent process allowing amendment or termination of the program, relevant legislation should be amended to permit industry and community consultation in the first instance rather than allowing the Secretary to do so “on his or her own initiative or at the request of the Minister” (paragraph 2).

2.4 Participants in the Program

The Standard should clearly enunciate (and encapsulate) recreational fishers and other persons who have dealings with salmonids as such persons may clearly contribute to the transmission of biosecurity matter (paragraph 2) and present a major risk to the established inland fisheries of the State.

2.5 Performance of functions under the program

Table 1: Responsibilities of Government

“Monitoring and maintenance of Program requirements through regular external/third party audits”
How will this be achieved? At what frequency? Where is the relevant Risk Management profile/matrix? Cost recovery??

Table 2: Measuring effectiveness of the Program

(Again), where is the relevant risk management profile/matrix? Success should be measured not just as a function of the number of “biosecurity events reported over time” but also the number of inspections/audits undertaken.

“Regulations describing the Biosecurity Zones...are maintained accurately” It should be noted that TPMP **does not support** any “expansion of fish farming areas in Tasmania waters”. As such, any Biosecurity Zones should take into account the recommendations

of the Legislative Council enquiry specifically: “...to reduce inshore fish farming sites with priority given to ceasing operations in sensitive, sheltered and biodiverse areas” (Recommendation 3)

3. Legislation and Regulations

3.2 The Biosecurity Act

(last paragraph) “..promoting sustainable development” The extended (full) definition of “sustainable development” as provided for by the Tasmanian Resource Management and Planning System (RMPS) should be included here.

4. General Biosecurity Duty

Biosecurity risks under the program that concern parties *other than* the salmonid industry (eg: recreational fishers / other water users) must be appropriately communicated by government to the wider community to give effect to their GBD obligations under the Act.

SCHEDULE 1: MARINE OPERATIONS STANDARDS

MOS 6

“(3) The Joint Salmonid Industry Health Group may determine its own practices, procedures and proceedings.” To include “**provided** such activities conform (as a minimum) to the regulatory requirements” (to remove any ambiguity).

MOS 12

To include “all fish mortalities / morbidity and any abnormal findings **are reported** to the Secretary and CVO”

MOS 13

Remove “...as determined by the producer...” given monitoring requirements should be specified in the EPA licence. Dissolved oxygen and temperature can be recorded daily using available remote technology.

MOS 24

To maintain the integrity of the program this MOS should apply retrospectively to **any** “...established marine farm”

SCHEDULE 2: FRESHWATER OPERATION STANDARDS

FOS 12 Water quality monitoring (see also FOS 35)

The standard is inadequate to address all of the water monitoring parameters required to meet EPA license conditions, particularly in relation to water discharge. TPMP puts that *all* freshwater facilities should only operate using fully recirculating systems. Water quality management should not be the prerogative of producers and all relevant parameters *must* be recorded daily.

FOS 18

“*fish*” must include by definition any part of a fish, and at any stage of their life cycle including eggs, larvae, fry and parr

FOS 20

This standard must be applied retrospectively.

FOS 35 Secure storage and disposal of wastewater

The “*appropriate method*” must require that no water used in a facility is discharged into a waterway, or discharged in a manner that permits it to enter a waterway (including groundwater and overland flows)

This standard must be applied retrospectively.

SCHEDULE 3: PROCESSING OPERATIONS STANDARDS

POS 6 Joint Salmonid Industry Health Group

The JSIHG must, (in addition to the “regular participation of the CVO”) have relevant membership *independent* of industry. (It has been suggested that previous industry groups have lacked transparency, inclusiveness and been subject to industry bias. The establishment of the Group, and its proceedings, should prevent such occurrences).

POS 7

The implementation of a biosecurity certification scheme, while it contains merit, should remain independent of Industry. The frequency of *compliance audits* to achieve certification must remain the prerogative of the relevant regulators based upon sound risk management processes.

SCHEDULE 4: GLOSSARY

Include definition of “**fish**” (*to include any part of a fish and any stage of its life cycle*)

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Again, the **definition** of “**fish**” requires revision. Suggest the definition would best be consistent between this and all other relevant statutes and to include *any part of a fish and any stage of its life cycle (whether dead or alive)*.

Part 2 – Salmonid Biosecurity Zones

While the draft Regulation notes each Biosecurity Zone comprises Farm Development Plans (FDPs) “*as amended from time to time*” TPMP group puts that such Plans **must** be amended to accommodate the requirement to “*reduce inshore fish farming sites... ceasing of salmonid operations in sensitive, sheltered and biodiverse areas*”.(Recommendation 3 – Legislative Council Report on Fish farming in Tasmania 2022)

Clause 12. Establishment of the freshwater Salmonid Biosecurity Zone

Suggest requirement for a definition of “*premises*” (to explicitly include in addition to buildings, and other infrastructure and lands where an inland fish farming license is issued).

REGULATORY IMPACT STATEMENT - DRAFT BIOSECURITY (SALMONID BIOSECURITY ZONES) REGULATIONS 2022

It cannot be overstated how important the implementation of an effective biosecurity program is for the salmonid industry. What is unsettling is how long the industry has operated in the absence of such a program given the ‘status quo’ has demonstrably failed the industry, community and environment to date (eg; Macquarie Harbour; AGD), with risk increasing in an expanding industry.

In addition to policy and practices a sound biosecurity program must be underpinned by good regulation, and equally important - good compliance. The best biosecurity program risks failure unless *optimal* compliance practices and procedures are implemented.

Voluntary industry programs, while an effective mechanism, should only be assigned to the *lowest* risk activities. Government regulation and mandatory standards however will be necessary to ensure higher risk activities are managed. To this end the principles of Option 2: The Regulatory Proposal are supported.

Further considerations recommended under Option 2 include:

- removal of the terminology “*wherever practicable to do so*” wherever occurring in this and related documents with regard to preventing, eliminating and minimising risks.
- including a detailed risk management matrix table summarising known and potential risks. (Such a document may be useful for clarity and interpretation across industry, Government and community).

- inclusion of a plan to ensure effective communication and collaboration between the many different statutory authorities who have responsibilities under the program.
- strategies to ensure any third party auditor are able to conduct their business *independent* of industry.
- ensuring that adequate resources are available to enable effective and efficient delivery of government compliance services with a view to achieving 'optimal' compliance outcomes. This would necessarily include sufficient staff numbers, training, resourcing and cross-authorisation of staff where appropriate.
- establish appropriate monitoring and review processes, and ensure outputs and outcomes are available publicly.
- apportioning the greater part of compliance costs to industry, (purported to potentially reach a billion dollars by 2030) The program must consider and implement all relevant recommendations of the Legislative Council enquiry on Fin Fish Farming in Tasmania (May 2022).
- A statutory review timetable must be incorporated into the program (minimum 3 years) including trigger points for early review if required. Any review process must include the opportunity for public comment