



Report and recommendations of the Environmental Protection Authority



**Yellowfin Tuna Aquaculture Trial,
Zeewijk Channel, Abrolhos Islands -
inquiry under s46 of the
Environmental Protection Act 1986 to
amend Ministerial Statement 929**

Pelsaert Pty Ltd

Report 1524

September 2014

MINISTER FOR ENVIRONMENT

YELLOWFIN TUNA AQUACULTURE TRIAL, ZEEWIJK CHANNEL, ABROLHOS ISLANDS – INQUIRY UNDER SECTION 46 OF THE ENVIRONMENTAL PROTECTION ACT 1986 – CHANGE TO IMPLEMENTATION CONDITIONS - EXTENSION OF TIMEFRAME FOR SUBSTANTIAL COMMENCEMENT (ASSESSMENT NO. 2015)

The Minister for Environment has requested on 29 May 2014 that under section 46 of the *Environmental Protection Act 1986* (EP Act) the Environmental Protection Authority (EPA) inquire into and report on the matter of changing the implementation conditions relating to the Yellowfin Tuna Aquaculture Trial, Zeewijk Channel, Abrolhos Islands.

The following is the EPA's Report and Recommendations (No. **1524**) to the Minister pursuant to section 46(6) of the EP Act.

Background

Ministerial Statement 649 (published 24 May 2004) gives approval for the Yellowfin Tuna Aquaculture Trial Proposal, in the Zeewijk Channel (Abrolhos Islands). Under Section 40(1) of the EP Act the EPA determined that the proposal was to be assessed at the level of assessment as 'Assessment on Referral Information'. This level of assessment was determined due to the EPA considering that while the proposal has the potential to affect the environment, it could be readily managed to meet the EPA's environmental objectives.

The EPA considered the following key environmental factors in assessment number 1485 for the proposal:

- Abrolhos Island bird populations;
- benthic habitat and water quality; and
- disease related issues.

Using the new Environmental Assessment Guidelines for Environmental Factors and Objectives (EAG 8) these factors are now represented by:

- Terrestrial Fauna;
- Marine Fauna;
- Benthic Communities and Habitat; and
- Marine Environmental Quality

There have been three changes to the time limit of approval to substantially commence the proposal previously approved by the Minister for Environment, including:

- In 2007 an extension was granted until 24 May 2010.
- In 2010 an extension was granted until 24 May 2012.
- In 2013, the proponent was granted further extension to 12 August 2014. This date aligns with the Department of Fisheries Licence (No. 1615) annual renewal.

Proposed change

Condition 4 of Statement 929 requires the proponent to substantially commence the proposal before 12 August 2014.

The proposal has not yet substantially commenced. The proponent has requested an extension of the timeframe for substantial commencement for a further five years (to 12 August 2019).

Assessment of the proposed change

The EPA considers that the environmental factors of the proposal have not changed significantly from those presented in the referral information and as assessed by the EPA in assessment number 1485 (September 2003), and no new significant environmental factors have arisen since the EPA's assessment of the proposal. The EPA is satisfied that the existing implementation conditions will continue to address the relevant environmental factors, and manage and mitigate the potential impacts of the proposal.

The EPA concludes that its objectives would not be compromised through amendment to condition 4 to extend the 'Time Limit for Proposal Implementation'. However, given this proposal is for a trial, it is therefore appropriate to only recommend a further two year extension to allow consideration of the outcome of the Department of Fisheries' Mid-West Aquaculture Development Zone for additional aquaculture activities at the Abrolhos Islands in further time limit extension requests.

EPA Conclusion(s) and Recommendations

Having inquired into the matter, the EPA recommends to the Minister for Environment that:

- the timeframe for substantial commencement of the Yellowfin Tuna Aquaculture Trial proposal be extended by two years, to 12 August 2016; and
- after complying with section 46(8) of the EP Act, the Minister issues a Statement of decision to amend the conditions of Ministerial Statement 929 in the manner provided for in the attached recommended Statement.

RECOMMENDED ENVIRONMENTAL CONDITIONS

**STATEMENT TO AMEND CONDITIONS APPLYING TO A PROPOSAL
(PURSUANT TO THE PROVISIONS OF SECTION 46 OF THE
ENVIRONMENTAL PROTECTION ACT 1986)**

YELLOWFIN TUNA AQUACULTURE TRIAL,
ZEEWIJK CHANNEL, ABROLHOS ISLANDS

Proposal: The implementation of a three year, pilot scale Mulloway (*Argyrosomus hololepidotus*) and Yellowtail Kingfish (*Seriola lalandi*) seacage aquaculture trial in the Zeewijk Channel, Abrolhos Islands (approximately 75 kilometres west of Geraldton), as documented in Schedule 1 of Ministerial Statement 649.

Proponent: Pelsaert Pty Ltd (formerly Latitude Fisheries Pty Ltd)
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Assessment Number: 2015

Report of the Environmental Protection Authority: Report 1524

Previous Ministerial Statement Numbers: 649 and 929

The implementation of the proposal to which the above report of the Environmental Protection Authority relates is, subject to the conditions and procedures contained in Ministerial Statements No. 649 and 929, as amended by the following:

1. Condition 4 of Ministerial Statement 929 is deleted and replaced with:

- 4-1 The proponent shall not commence implementation of the proposal after 12 August 2016, and any commencement prior to this date must be substantial.
- 4-2 Any commencement of implementation of the proposal prior to 12 August 2016, must be demonstrated as substantial by providing the Chief Executive Officer* with written evidence, on or before 12 August 2016.

* The Chief Executive Officer of the Department of the Public Service which is responsible for the administration of section 48 of the *Environmental Protection Act 1986*, or his delegate.

[Signed xxx]

**HON ALBERT JACOB MLA
MINISTER FOR ENVIRONMENT; HERITAGE**