

814 MAFF07/014CS

Aquaculture Advisory Committee (AAC) Appointment
of Deputy Member
APPROVED

Not relevant



TO: THE PREMIER FOR CABINET SUB-COMMITTEE AND EXECUTIVE COUNCIL

RE: AQUACULTURE ADVISORY COMMITTEE (AAC) APPOINTMENT OF DEPUTY MEMBER

1. PROPOSAL

For Cabinet to recommend that Her Excellency the Governor in Executive Council appoint Mr Andrew James William Ferguson, as deputy member to Mr Brian Jeffriess, representative for industry on the Aquaculture Advisory Committee (AAC), for an interim period commencing 2 July 2007 and expiring on 14 September 2008 when the current membership for the AAC expires. At this time nominations will be called and appointments made for all positions, pursuant to the *Aquaculture Act 2001* (the Act).

2. BACKGROUND

- 2.1 The AAC is one of two statutory bodies prescribed by the Act. The Committee consists of 10 members appointed by the Governor (refer Attachment 1 for current membership). The Committee's role is to advise the Minister on matters relating to aquaculture, particularly relevant to the administration of the Act, the policies that govern or should govern the administration of the Act, and proposals to make regulations under the Act, or to make amendments to the Act. The AAC may also be required to perform other functions assigned to the AAC by the Act or the Minister.
- 2.2 The AAC was formed as a Statutory Body in accordance with provisions of the Act, coming into operation on 1 July 2002. A member of the AAC is appointed on conditions determined by the Governor for a term, not exceeding 3 years, however all members are eligible for reappointment at the end of a term.
- 2.3 In order to address potential problems that may occur where a quorum of the AAC (6 members) is unavailable to fulfil a function or functions of the AAC, additional members under each category were appointed to act as a proxy with effect from 15 September 2005. Section 66 (2) of the Act states "*The Governor may appoint a person to be the deputy of a member of the AAC and the deputy may act as a member of the AAC during any period of absence of the member*".
- 2.4 Section 65(1)(d) of the Act states that 4 persons must have appropriate practical knowledge of and experience in the aquaculture industry. With Mr Michael Whillas' resignation (Attachment 2), the AAC is now without a deputy member to Mr Brian Jeffriess, representative for industry.
- 2.5 Nominations were sought in the category of industry representative as prescribed by the Act. The nomination for deputy member to Mr Brian Jeffriess has now been reviewed by the Minister for Agriculture, Food and Fisheries and is now presented for Cabinet's endorsement.

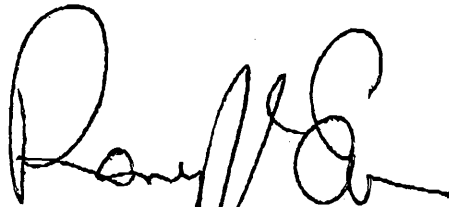
3. DISCUSSION

- 3.1 Mr Michael Whillas was the previous deputy member appointed to Mr Brian Jeffriess representing industry and he has given written notice of his resignation to the Minister for Agriculture, Food and Fisheries.
- 3.2 It is proposed to appoint Mr Andrew Ferguson to the AAC from 2 July 2007 through to 14 September 2008 due to his knowledge and experience, all of which are important to achieve balance within the AAC (refer Attachment 3 for Mr Ferguson's *Curriculum Vitae*). Mr Andrew Ferguson has excellent credentials and currently holds the position of Chief Executive Officer, Australian Bight Abalone Limited. At the end of Mr Ferguson's interim appointment, when the current membership for the AAC expires, nominations will be called and appointments made for all positions, pursuant to the Act.
- 3.3 Mr Andrew Ferguson will be entitled to remuneration of \$40 per hour for sessional fees including a loading of up to three hours preparation/reading time per meeting, as determined by the Commissioner for Public Employment. The Commissioner for Public Employment has also recommended the payment of an hourly rate for preparation time in excess of three hours of \$40 per hour for AAC members.
- 3.4 In respect to gender balance, the current membership of the ACC comprises 40% female representation, including a female presiding member.

4. RECOMMENDATIONS

It is recommended that Cabinet:

- 4.1 Recommends that Her Excellency the Governor in Executive Council appoints, pursuant to the *Aquaculture Act 2001*, Mr Andrew James William Ferguson, as a deputy member to Mr Brian Jeffriess, representative for industry on the Aquaculture Advisory Committee, for an interim period of fifteen (15) months commencing on 2 July 2007 and expiring on 14 September 2008 when the current membership for the AAC expires. At this time nominations will be called and appointments made for all positions pursuant to the Act.



Hon Rory McEwen MP
MINISTER FOR AGRICULTURE, FOOD AND FISHERIES
MINISTER FOR FORESTS

Date: 14 JUN 2007

Aquaculture Advisory Committee

Name	Position	Appointment	Expiry	Deputy member 15 Sept 2005 - 14 Sept 2008
Ms Mary Mitchell	Presiding member of the AAC	15 September 2005	14 September 2008	
Mr Bruce Lawrence Zippel	Member - with appropriate practical knowledge of and experience in the aquaculture industry	15 September 2005	14 September 2008	Steven Cameron Mawer
Mr Brian Jeffriess	Member - with appropriate practical knowledge of and experience in the aquaculture industry	15 September 2005	14 September 2008	Michael Whillas [#] [#] Resigned 22/10/05
Ms Julianne Marshall	Member - with appropriate practical knowledge of and experience in the aquaculture industry	15 September 2005	14 September 2008	Andrew Christian
Mr Hagen Heinz Stehr AO	Member - with appropriate practical knowledge of and experience in the aquaculture industry	15 September 2005	14 September 2008	Simon John Lawrence Stone
Dr Barbara Felicja Nowak	Member - with appropriate knowledge of and experience in research and development relevant to the aquaculture industry	15 September 2005	14 September 2008	Steven Clarke
Dr Susan Mary Carthew	Member – with appropriate practical knowledge of and experience in environmental conservation and advocacy on environmental matters on behalf of community organisations	15 September 2005	14 September 2008	Wolfgang Zeidler
Mr Fred Pedler	Member - Local Government Association of South Australia	15 September 2005	14 September 2008	
Mr Ian Nightingale	Member - engaged in the administration of the <i>Aquaculture Act 2001</i>	15 September 2005	14 September 2008	
Mr Peter Dolan	Member - engaged in the administration of the <i>Environment Protection Act 1993</i>	15 September 2005	14 September 2008	



REG	0m1057123
FILE	M05700
ACK	2
TO	Aquaculture
ACTION	Dvatt

COPY

Hon Rory McEwen MP
Minister for Agriculture, Food and Fisheries
PO Box 668
Adelaide
5001
22-10-05

Dear Mr McEwen,

While I thank you for my appointment as a deputy to B Jeffriess on the Aquaculture Advisory Committee after due consideration I have decided not to accept the position.

9(1)(a)(i) Opinion or advice



Yours sincerely

M Whillas
President
SAOGA



Curriculum Vitae

1 page removed

Exempt clause 6(1) – personal affairs

MINUTES forming ENCLOSURE to

MAFF 07/014CS

TO: THE PREMIER FOR CABINET SUB-COMMITTEE AND EXECUTIVE COUNCIL

RE: AQUACULTURE ADVISORY COMMITTEE (AAC) APPOINTMENT OF DEPUTY MEMBER

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2. BACKGROUND

- 2.1 The AAC is one of two statutory bodies prescribed by the Act. The Committee consists of 10 members appointed by the Governor (refer Attachment 1 for current membership). The Committee's role is to advise the Minister on matters relating to aquaculture, particularly relevant to the administration of the Act, the policies that govern or should govern the administration of the Act, and proposals to make regulations under the Act, or to make amendments to the Act. The AAC may also be required to perform other functions assigned to the AAC by the Act or the Minister.
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- 2.3 In order to address potential problems that may occur where a quorum of the AAC (6 members) is unavailable to fulfil a function or functions of the AAC, additional members under each category were appointed to act as a proxy with effect from 15 September 2005. Section 66 (2) of the Act states "*The Governor may appoint a person to be the deputy of a member of the AAC and the deputy may act as a member of the AAC during any period of absence of the member*".
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- 2.5 Nominations were sought in the category of industry representative as prescribed by the Act. The nomination for deputy member to Mr Brian Jeffriess has now been reviewed by the Minister for Agriculture, Food and Fisheries and is now presented for Cabinet's endorsement.

3. DISCUSSION

- 3.1 Mr Michael Whillas was the previous deputy member appointed to Mr Brian Jeffriess representing industry and he has given written notice of his resignation to the Minister for Agriculture, Food and Fisheries.
- 3.2 It is proposed to appoint Mr Andrew Ferguson to the AAC from 2 July 2007 through to 14 September 2008 due to his knowledge and experience, all of which are important to achieve balance within the AAC (refer Attachment 3 for Mr Ferguson's *Curriculum Vitae*). Mr Andrew Ferguson has excellent credentials and currently holds the position of Chief Executive Officer, Australian Bight Abalone Limited. At the end of Mr Ferguson's interim appointment, when the current membership for the AAC expires, nominations will be called and appointments made for all positions, pursuant to the Act.
- 3.3 Mr Andrew Ferguson will be entitled to remuneration of \$160 per four hour session including a loading of up to three hours preparation/reading time per meeting, as determined by the Commissioner for Public Employment. The Commissioner for Public Employment has also recommended the payment of an hourly rate for preparation time in excess of three hours of \$40 per hour for AAC members.
- 3.4 As a deputy member, Mr Ferguson will only receive payment for the meetings he attends in the absence of the member to which he is deputy (Mr Brian Jeffriess).
- 3.5 In respect to gender balance, the current membership of the ACC comprises 40% female representation, including a female presiding member.

4. RECOMMENDATIONS

It is recommended that Cabinet:

- 4.1 Recommends that Her Excellency the Governor in Executive Council appoints, pursuant to the *Aquaculture Act 2001*, Mr Andrew James William Ferguson, as a deputy member to Mr Brian Jeffriess, representative for industry on the Aquaculture Advisory Committee, for an interim period of fifteen (15) months commencing on 2 July 2007 and expiring on 14 September 2008 when the current membership for the AAC expires. At this time nominations will be called and appointments made for all positions pursuant to the Act.




Hon Rory McEwen MP
MINISTER FOR AGRICULTURE, FOOD AND FISHERIES
MINISTER FOR FORESTS

Date: 18 JUN 2007

*Cabinet in
Sub-Committee*

18 JUN 2007

APPROVED 

FOR DELEGATED

Aquaculture Advisory Committee

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