

CABINET - SUBJECTS FOR CONSIDERATION, 23 MAY 2002 9:00 AM

Sub-Committee

Not Relevant

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MAFF0052/02CS

**Appointments to Aquaculture Advisory Committee
APPROVED**

MINUTES forming ENCLOSURE to

MAFF 02/0052 CS

TO: THE PREMIER FOR CABINET SUB COMMITTEE

RE: APPOINTMENTS TO AQUACULTURE ADVISORY COMMITTEE

1. PROPOSAL

It is recommended that Cabinet:

- 4.1 Recommend to Her Excellency the Governor in Executive Council that she appoint the following people to the membership of the Aquaculture Advisory Committee in accordance with the provisions of the Aquaculture Act 2001 and Section 14C(1) of the Acts Interpretation Act 1915, as follows:

Presiding Member

Richard Stevens

Members

| | |
|----------------------------|---|
| Bruce Zippel | Industry Representative |
| Brian Jeffriess | Industry Representative |
| Michael Whillas | Industry Representative |
| Hagen Stehr | Industry Representative |
| Professor Anthony Cheshire | Research and Development Representative |
| Michelle Grady | Environmental Conservation/ Environmental Advocacy |
| Garth Heynen | Local Government |
| Ian Nightingale | Aquaculture Act 2001 |
| Peter Dolan | Environment Protection Act 1993 |

with effect from Thursday 23 May 2002 for a term of twelve (12) months.

2 BACKGROUND

- 2.1 The Aquaculture Advisory Committee is one of two statutory bodies prescribed by the *Aquaculture Act 2001*. The Committee consists of 10 members appointed by the Governor. 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 Nominations were called in the categories prescribed by the Act in February 2002. These nominations have now been reviewed by the Minister and are presented for Cabinet's endorsement.

- 2.3 Prior to the passage of the *Aquaculture Act 2001* through Parliament, an Aquaculture Advisory Committee was assembled to provide advice in the development of the Act, however this group was not a statutory body and has been abolished to make way for the establishment of a statutory committee.
- 2.4 Section 14C (1) of the *Acts Interpretation Act 1915* provides that "where: (a) a provision of an Act that has passed is not yet in operation; and (b) it is expedient that a power expressed to be conferred by the provision be exercised before it comes into operation... the power may be so exercised before the provision comes into operation."

Section 14C (3) provides that "the appointment of a person to a position pursuant to subsection (1) takes effect at the time of appointment but any power exercised by that person pursuant to subsection (1) does not take effect until the relevant provision comes into operation."

3 DISCUSSION

- 3.1 The recommended candidates have been selected for their ability to provide sound advice to the government on the development of aquaculture policies, and to bring to the attention of government any relevant issues. The industry nominees, in particular, were of a very high quality and those selected have represented their sectors and aquaculture more generally at local, state and national levels.

3.2 Economic, financial and budget implications

The AAC will assist in the development of aquaculture policies. These policies will form the basis for future development of the aquaculture industry. Currently the aquaculture industry contributes \$458 million to the State's economy.

A budget consideration of \$21,000 has been allocated from PIRSA Aquaculture's budget to support the AAC by way of sitting fees and travel expenses.

- #### 3.3 State development, social, environmental and other impacts
- The aquaculture industry is providing enormous benefits to regional South Australia with much needed employment and investment. In some areas it has arrested the population decline experience by many rural communities.

The establishment of the AAC will ensure an integrated approach to the development and endorsement of statutory policy, which will ensure the ecologically sustainable development of all aquaculture.

3.4 Staffing implications

The Executive Support to the AAC will be performed by existing PIRSA Aquaculture staff.

3.5 Consultation

A comprehensive consultation process was conducted during the development of the Aquaculture Act. This included the establishment of an interagency group where the composition and function of the AAC was discussed at length.

3.6 Executive Council

The *Aquaculture Act 2001* requires that the Governor in Executive Council will appoint members to the AAC.

The announcement of the Aquaculture Advisory Committee will coincide with the release of several aquaculture policy discussion papers, and PIRSA Aquaculture are currently working with the Communications and Marketing Unit of PIRSA to ensure that the announcement is timely and preparations are complete for the release of the policy discussion papers.

There is a high degree of urgency to finalise the membership of the Aquaculture Advisory Committee in order that policies to be instituted under the *Aquaculture Act 2001* may be developed in conjunction with the AAC, in accordance with the provisions of the Act. Policies are currently being drafted with a transition date for existing licence and permit holders set for the 1st of July 2002.

4 RECOMMENDATION

It is recommended that Cabinet:

- 4.1 Recommend to Her Excellency the Governor in Executive Council that she appoint the following people to the membership of the Aquaculture Advisory Committee in accordance with the provisions of the Aquaculture Act 2001 and Section 14C(1) of the Acts Interpretation Act 1915, as follows:

Presiding Member

Richard Stevens

Members

Bruce Zippel

Brian Jeffriess

Michael Whillas

Hagen Stehr

Professor Anthony Cheshire

Michelle Grady

Garth Heynen

Ian Nightingale

Peter Dolan

Industry Representative

Industry Representative

Industry Representative

Industry Representative

Research and Development
Representative

Environmental Conservation/

Environmental Advocacy

Local Government

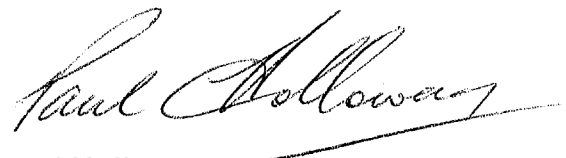
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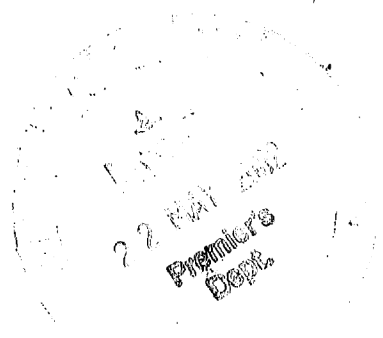
- 4.2 Note that the announcement of the Aquaculture Advisory Committee will coincide with the release of several aquaculture policy discussion papers, and PIRSA Aquaculture are currently working with the Communications and Marketing Unit of PIRSA to ensure that the announcement is timely and preparations are complete for the release of the policy discussion papers. For this reason, it will be necessary for PIRSA Aquaculture to have at least one weeks' notice of Cabinet's decision prior to the public announcement of members.

- 4.3 Note that there is a high degree of urgency to finalise the membership of the Aquaculture Advisory Committee in order that policies to be instituted under the *Aquaculture Act 2001* may be developed in conjunction with the AAC, in accordance with the provisions of the Act. Policies are currently being drafted with a transition date for existing licence and permit holders set for the 1st of July 2002.




Paul Holloway
 Minister for Agriculture, Food and Fisheries
 Minister for Mineral Resources Development

Date: 22/5/2002



22 MAY 2002
 Premier's Dept.

Cabinet In
 Sub-Committee
 23 MAY 2002
 APPROVED

 JOE PASQUILL
 FOL PREMIER