

## **APPLICATION FOR AN AQUACULTURE LICENCE**

Sections 92 & 135

### **Information Relating to Applications**

This form is to be used to apply for an aquaculture licence and is to be lodged with the CEO of Department of Fisheries at the address indicated. Any additional information required in support of the application (additional information requirements for species are referred to below) must accompany the application.

**Application Fee** The prescribed application fee must accompany this form. The application fee will vary depending on whether the place is freehold or non-freehold including coastal waters. See Part 2-11 of Schedule 1 to the regulations. (Note: Fees may be subject to change)

Aquaculture is a developing industry in Western Australia and licensing policies for specific aquaculture species are under constant review. Applicants should therefore ensure that the latest information is obtained from Department of Fisheries on current and proposed licensing policies for the fish species that are the subject of the aquaculture proposal.

### **Standard Criteria for Grant of Licence**

The standard criteria that must be met before an aquaculture licence maybe granted are that the CEO must be satisfied that —

- (a) the person is a fit and proper person to hold such a licence;
- (b) it is in the better interests of the aquaculture industry to grant the licence;
- (c) the activities to be conducted under the licence are unlikely to adversely affect other fish or the aquatic environment; and
- (d) the activities to be conducted under the licence have been approved by other relevant authorities.

### **Publication of Notice of Decision - Reviews**

Before granting, varying or transferring an aquaculture licence, the CEO must —

- (a) cause notice of the decision to be published in a newspaper, or in a fishing magazine, circulating generally in the State or in such other manner as is prescribed; and
- (b) give affected persons the opportunity to apply for review of the decision under Part 14 of the Act.

**NOTE: An affected person has 28 days after publication of the decision to apply for review of the decision in accordance with the Act.**

### **ADDITIONAL INFORMATION REQUIREMENTS**

Specific Additional Information Sheets must be completed for certain species ie marron, yabbies, koonacs, gilgies, trout, inland finfish, ornamental fish, silver perch and barramundi; and submitted with this form. Additional Information Sheets form part of your application.

If the aquaculture proposal affects land other than private land eg Crown land or waters (including coastal waters), a more detailed set of guidelines and an additional information sheet is available.

### **CONDITIONS**

An aquaculture licence is issued subject to the conditions set out in Regulation 69 of the *Fish Resources Management Regulations 1995* and as may be specified in the licence by the CEO\* (who may vary or cancel a condition by notice in writing).

\* On 1 July 2006 the Machinery of Government Act 2006, commenced operation. Under s.242 of that Act, any reference to "Executive Director" in the regulations is to be taken to be a reference to "CEO".

### **Attention**

Fisheries legislation changes from time to time. To assist fishers, aquaculturists and members of the public to access fisheries legislation, the Chief Executive Officer has arranged for up-to-date fisheries legislation to be made available on the internet. Fisheries legislation may be viewed by logging on to the Department of Fisheries website ([www.fish.wa.gov.au](http://www.fish.wa.gov.au)) and clicking on the Legislation link at the top of the home page. The Chief Executive Officer recommends the licence holders and persons acting on their behalf (e.g. employees) regularly access this legislation service and make themselves aware of the fisheries legislation that relates to their activities.

## INSTRUCTIONS FOR COMPLETING THIS FORM -

### PART A

1. Before completing this form **read** these instructions. Use **BLOCK LETTERS** when completing the form.

A faxed, copied or electronically reproduced copy of the form may be used. The originally executed form must be lodged.

2. **Applicant** - An applicant must be a person or a company. State the **full name** of each applicant. Print the Australian Company Number ("ACN") of a corporate applicant. State the full **business address** including the postcode. The business address must be a place, not a post office box number, and is normally the office address of the business. State a **telephone and facsimile number** (where available). State the mailing address of the applicant(s) (where this is the same as the business address write "as above").

### PART B

3. **Description of place (site) where aquaculture is to be conducted** - State the full description (address) of the location of the place where the aquaculture activity is to be conducted including the nearest road. If the aquaculture activities are proposed to be conducted in or on a place that is not private land (including a site in coastal waters), state whether the place is in an area that has been determined to be suitable for the proposed aquaculture activities. If the site is located in coastal waters and has not been determined as available for aquaculture activities of the type proposed, the application will be assessed taking into account Ministerial Policy Guideline No. 8 titled "Assessment of applications for new authorisations for aquaculture and pearling in coastal waters of Western Australia".

4. **Registered proprietor(s) of place** - State the full name(s) of each registered proprietor(s) (that is, owner(s)) of the place where the aquaculture activity is to be conducted.

**Nature of applicant's tenure** - Where an applicant is not the registered proprietor (owner), details of the applicants' relevant tenure arrangements (right to use the premises/place) must accompany this application together with a copy of any relevant documents (eg. "Deed of Lease").

5. **Scale plan** - Attach a detailed plan showing existing and proposed tanks, dams and other structures. - e.g. in the case of "marron" applications, the total water surface area (m<sup>2</sup>) is to be given. Please ensure that you clearly differentiate between existing and proposed dams, ponds and tanks. Any streams or rivers on the property must be marked on the plan.

6. **Approvals** - written approvals from the Local Government Authority (Shire), Department of Water, Department of Environment and Conservation and the Environmental Protection Authority may be required to support your application. You may need to submit a copy of your application to those organisations to ensure it meets their requirements. Applications will not be considered by Department of Fisheries unless they are accompanied by relevant approvals and / or clear reference has been made to the steps taken in this regard. In general, Local Government approval will be required for most applications. Approval from the Department of Environment & Conservation may be required for applications in respect of finfish and prawns, particularly for open systems or systems that result in effluent discharge. Suitability-of-site issues in coastal waters may be the subject of Ministerial Guidelines. Further information is available from Department of Fisheries.

### PART C

7. **Aquaculture Species** - State both the common and scientific names of the species of fish it is proposed will be the subject of the aquaculture activities. (See Additional Information Sheets for relevant species).

8. **Additional Information Sheets (AIS)** - Indicate which AIS are submitted with this form. If there is no specific AIS for the species requested provide details of source of breeding stock, culture techniques, water consumption and other approvals where applicable eg Local Authority, Dept of Water, Dept of Environment & Conservation.

**Marron** - There are two types of aquaculture licence for marron. They are "Marron" and "Marron (Limited)". The criteria for the grant of each type of licence may be found on the Marron Additional Information Sheet.

**Yabbies, Koonacs and Gilgies** - There are two types of aquaculture licence available for yabbies, koonacs and gilgies. They are commonly known as "Growers" and "Harvesters". The criteria for each type of licence may be found on the Yabbie/Koonac/Gilgie Information Sheet.

9. **Fit & Proper Person Criterion** - Specify why the applicant is a 'fit & proper person' taking into account honesty, knowledge & ability. Where a specific Additional Information Sheet exists complete this.

10. **Declaration** - there are penalties under the *Fish Resources Management Act 1994* for making false or misleading statements in applications.

11. **Execution of Documents**

**Signatures** - if the licence is to be held by more than one person, then all persons to be named on the licence must sign and date this Application.

**Corporations** - The company must properly execute the form. A copy of the register of directors/officers (names & addresses), together with a copy of that part of the constitution governing the use of the seal (if any) **must be provided** with the form. Where the form is executed by a sole director & sole company secretary, the relevant declaration under s.129 of the *Corporations Act 2001* must be made.

**Attorney** - if the applicant has appointed an Attorney, the Attorney signing must produce the relevant Power of Attorney instrument for viewing and a copy for recording.

Department of Fisheries  
 3<sup>rd</sup> Floor, SGIO Atrium  
 168-170 St George's Terrace  
 PERTH WA 6000  
 Phone: (08) 9482 7333  
 Facsimile (08) 9482 7390

Office Use Only	
Date Received:	
Fee Paid:	
Receipt No.:	

*Fish Resources Management Act 1994*  
**APPLICATION FOR AN AQUACULTURE LICENCE**  
 Sections 92 & 135

**To the Chief Executive Officer  
 Department of Fisheries**

The applicant named in Part A hereby applies for an aquaculture licence to engage in aquaculture activities at the place described in Part B in relation to the species and techniques specified in Part C and the relevant Additional Information Sheet(s).

**PART A**

1. **I declare** that I have read 'Information Relating to Applications' and 'Instructions for Completing This Form'.
2. Applicant(s):  
 .....  
 ACN: (if applicable) .....  
 Business Address: .....  
 .....  
 Postal Address:.....  
 .....  
 ☎: (....) ..... Fax:: (....)..... Email: .....

**PART B**

3. Description of Location of Place where aquaculture is to be conducted: .....  
 .....  
 .....
4. Registered Proprietor(s) of Premises/Place (*where relevant*):  
 Nature of Applicant's Tenure Arrangements .....
5. Scale Plan attached Yes / No.....
6. Approvals Obtained Local Government Authority  Department of Environment & Conservation  
 Environmental Protection Authority  Department of Water

**PART C**

7. Aquaculture Species:.....  
 .....
8. Additional Information Sheets - Are there any Additional Information Sheets submitted with this form? Yes / No If yes, specify the Additional Information Sheets submitted.  
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 \_\_\_\_\_

If No, provide details, for each species requested, of the source of breeding stock, culture techniques, water consumption and other approvals where applicable eg Local Authority, Dept of Water, Dept of Environment & Conservation.

9. **Fit & Proper Person Criterion**

Provide comment on your honesty, knowledge and ability to conduct the activities you are applying to undertake. (If an Additional Information Sheet on this has been submitted with this form, please indicate this.)

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.....

10. **Applicant's Declaration**

I/We declare that the statements made in this Application, including Additional Information Sheets, are true and correct.

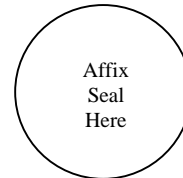
11. **Execution of Application**

**Individual persons/partnership**

..... (signature)	..... (print name)	..... (date)
..... (signature)	..... (print name)	..... (date)
..... (signature)	..... (print name)	..... (date)
..... (signature)	..... (print name)	..... (date)

**Corporation**

The Common Seal of the authorisation holder is hereunto affixed in accordance with the corporation's Constitution:



Director : .....  
(signature) (print name) (date)

Director/Secretary: .....  
(signature) (print name) (date)

**Declaration where sole director/secretary (if applicable):**

I.....declare that I am the sole director and sole company secretary of  
(print name)

.....  
(print company name) (signature) (date)

**Attorney**

Attorney under Power: .....  
(signature) (print name) (date)

**Aquaculture Licence  
Additional Information Sheet  
YABBIES KOONACS GILGIES**

This sheet is to be used in conjunction with an “Application for an Aquaculture Licence”. The material disclosed in these sheets, 1 and/or 2, together with attachments will satisfy the requirement for additional details in support of an application for an Aquaculture Licence.

An aquaculture licence for species such as yabbies, koonacs and gilgies allows the holder to undertake aquaculture activities on private land and/or purchase product direct from property owners.

**1. Do you intend to conduct aquaculture activities on your private property?**

YES *(Please complete Sheet 1)*

NO

**2. Do you intend to purchase yabbies, koonacs, gilgies from other private property owners/managers?**

YES *(Please complete Sheet 2)*

NO

**3. Do you intend to conduct aquaculture activities on your private property and also purchase yabbies, koonacs, gilgies from other private property owners/managers?**

YES *(Please complete Sheets 1 and 2 )*

NO

**Aquaculture Licence  
Additional Information Sheet  
YABBIES KOONACS GILGIES**

**1. Species of fish to which application applies:**

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**2. Scale Plan**

Please attach scale plan showing layout of all ponds, tanks, dams, etc, with a labelled numbering system. A cross section of ponds/ tanks should be included showing drainage system and the surface area (in metres) of all ponds/tanks to be used for aquaculture. This information will be useful in determining the nature and extent of the industry.

**3. Details of Pond/Tank/Dam area**

Total surface area (m<sup>2</sup>) of all ponds/tanks/dams to be used for aquaculture. This information will be useful in determining the nature and extent of the industry. Please note that there is no minimum surface area required to be eligible for a licence.

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**4. Approvals**

a. The **Water and Rivers Commission (WRC)** consider that aquaculture projects located outside declared public drinking water source areas normally pose a low risk to the quality of water resources (if well designed, constructed and managed). They will generally not require routine assessment and approval by the WRC, however bore licensing and stream diversion controls will be handled by the regional offices of the WRC. Anything outside these guidelines will require written approval from the WRC and must be attached to your application for water usage plus construction of dams/ponds etc.

In light of the WRC guidelines, is the activity in respect of which the authorisation is sought;

- (a) to involve a bore/soak? (Yes / No)
- (b) to induce stream diversion? (Yes / No)
- (c) inside declared public drinking water source areas? (Yes / No)

If you have answered "Yes" to any of the above questions, written approval from the WRC must be attached.

b. **Local Government** authority approval *must* be attached certifying that development can proceed.

c. **Environmental Protection Authority** approval may be required for effluent discharge.

**Applicant's Declaration**

**I/We declare that the statements made in this Additional Information Sheet are true and correct.**

.....  
Signature of applicant Date

.....  
Name (please print)

.....  
Signature of applicant Date

.....  
Name (please print) Page 2 of 3

**Aquaculture Licence  
Additional Information Sheet  
YABBIES KOONACS GILGIES**

**1. Source of Product**

Wherever possible, you should list the names and addresses of persons from whom you intend to purchase product. This will assist in determining the nature and extent of the industry and will also provide useful information which can be used to develop extension programs for the industry. You may wish to add names and addresses in the future. Additional details can be forwarded directly.

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**2. Processing**

If the product is to be processed (including packaging and purging) you must either:

- (i) arrange to process the product at a licensed fish processing establishment endorsed for yabbies; or
- (ii) apply for your own fish processor's licence.

The Department can provide information on processing licensing requirements and application forms.

**Applicant's Declaration**

**I/We declare that the statements made in this Additional Information Sheet are true and correct.**

.....  
Signature of applicant .....  
Date

.....  
Name (please print)

.....  
Signature of applicant .....  
Date

.....  
Name (please print)