



CLASS A AQUACULTURE PERMIT APPLICATION

Fisheries Management Act 1994

This form is to be completed by persons wishing to apply for a Class “A” Aquaculture Permit in NSW. The permit may authorise extensive aquaculture on public water land. The permit may be endorsed for the cultivation of various species including oysters and other shellfish where feeding is not required. A person must not undertake aquaculture without a permit.

For assistance in completing this application, contact NSW Department of Primary Industries (NSW DPI) - Aquaculture Administration Section, Port Stephens Fisheries Institute, on 02 4982 1232. Additional application forms and further information about aquaculture in NSW is available from the NSW DPI internet website www.dpi.nsw.gov.au/fisheries/aquaculture.

Contents:

Part 1 – Application Form

Part 2 – Commercial Farm Development Plan

Office Use Only:	INW ___/___/___
Insert date application received:	___/___/___
Permit number allocated: AP	___ _ _ _ _
Account Number: D92	___ _ _ _ _
Name of Applicant(s):	_____

IMPORTANT INFORMATION ABOUT PRIVACY AND PERSONAL INFORMATION

Under the terms of the *Privacy and Personal Information Protection Act 1998* there are a number of key issues which you should be aware of regarding our use of your personal information:

- a) Please be aware that NSW DPI is collecting this information from you for the purpose of assessing your application;
- b) Please be reassured that the personal information provided will only be used by NSW DPI to undertake relevant tasks, i.e. to approve a license or permit or to update our records including industry development profiles;
- c) Please be aware that the information will be used by NSW DPI and may be given to other Government Departments and agencies **as authorised under the Act or any other legislative approval**;
- d) Please be aware that the information must be provided in order to complete this requested transaction with NSW DPI – only information related to the requested transaction is sought;
- e) As our clients you have a right to access your information and may correct any details that are inaccurate; and
- f) Clients should be aware that for complaints or enquiries relating to personal information, please contact the Aquaculture Unit at Port Stephens on 02 4982 1232.

EXPLANATORY NOTES FOR CLASS “A” AQUACULTURE PERMIT APPLICATION

- The **Class A** Aquaculture Permit authorises extensive aquaculture (no nutrient input) over public water land e.g. oyster leases.
- To enable your application to be assessed, please provide as much detail as possible. Failure to provide adequate information will result in a delay in processing your application, or may result in the application being rejected.
- Commercial Farm Development Plans will be reviewed at intervals of no greater than 5 years.
- To undertake extensive aquaculture over public water land, aquaculture leases will also be required. Aquaculture leases are listed under, and are linked to, the aquaculture permit.
- Should you change your address, or if there is a change to company directors, notification must be made to NSW DPI within 28 days.
- Aquaculture permits are non-transferable. Any change to the legal entity (name) the permit is held under will require lodgement of a new permit application. For example, if an oyster farming business is to be sold, the intended new owner of the business must first apply for and be issued with a new aquaculture permit if one is not already held. Any oyster leases may then be transferred to the new business owner/permit holder.

Prior to entering the NSW aquaculture industry, prospective permit and lease holders should become familiar with Part 6 of the *Fisheries Management Act 1994*, and the *Fisheries Management (Aquaculture) Regulation 2012*.

PERMIT APPLICATIONS MUST INCLUDE

- 1) A completed Application Form (Part 1).
- 2) A completed Commercial Farm Development Plan (Part 2).
- 3) Evidence of access to an approved land based facility and depuration plant (where necessary).
- 4) The prescribed aquaculture permit application fee – refer to current schedule of aquaculture fees.

FEES AND FINANCIAL GUIDELINES

In addition to the cost of the permit application, there are additional fees and charges that will be incurred annually by the permit holder. The current “Schedule of Aquaculture Fees and Charges” is available on our Internet website www.dpi.nsw.gov.au/fisheries/aquaculture or from Aquaculture Administration at Port Stephens on 02 4982 1232. Fees and charges are liable to increase from time to time, in accordance with the Consumer Price Index (CPI). To ensure the financial viability of operations, applicants should be aware of the following fees and charges:

Annual Permit Contribution Fee

As a condition of holding an aquaculture permit, permit holders are required to pay an annual contribution towards the cost of administration and management of the aquaculture industry.

Lease Rent

Lease rental is charged annually, based on a per hectare rate (or part thereof) rounded up to the nearest whole hectare. Minimum rent applies. Goods and Services Tax (GST) at the rate of 10% applies to lease rent.

Research Contribution

A research contribution is charged per hectare (or part thereof), rounded up to the nearest whole hectare, for the total permit area (total lease holdings under an aquaculture permit). Research contributions are deposited into a trust account administered by the Minister for Primary Industries. Industry may be asked to make recommendations to the Minister, through the Aquaculture Research Advisory Committee (ARAC), regarding expenditure of funds from the Research Trust Account. In the past, contributions have been made to the Fisheries Research & Development Corporation (FRDC) for research grants to assist the aquaculture industry.

Security Arrangements

Oyster farmers throughout NSW rely on the use of public water land. This submerged land is an important public asset and the whole community expects these areas to be used and maintained appropriately. In the past, some leases have been abandoned leaving the State with a clean-up liability. The lease security arrangement system (bonds) has been introduced to ensure that the industry shares the responsibility for this problem in the future.

Under the bonds system, which came into effect in January 2001, all aquaculture permit holders must maintain an arrangement with NSW DPI to provide security for the oyster leases authorised by their permit. Permit holders are required to elect one arrangement from four different options. Further information is available on our Internet website www.dpi.nsw.gov.au/fisheries/aquaculture or by contacting Aquaculture Administration at Port Stephens on 02 4982 1232.

Other Costs – NSW Shellfish Program

Fees to manage this scheme are invoiced and collected by the NSW Food Authority. For further information contact 02 9741 4777.

Other Costs – Public Liability Insurance and Indemnity

- Each permit holder must indemnify the State of NSW, the Minister and their servants and agents against all action, suits, claims and demands in relation to any accident or injury to any person or property in respect to the lease(s) that the permit covers.
- Each permit holder must maintain Public Liability Insurance (PLI) cover to a minimum of ten million dollars.
- Insurance is available through the Aquaculture Association. Alternatively, contact any insurance broker to arrange PLI cover.
- Permit holders are required to submit insurance details annually (or as required).
- If a lease is subject to a subletting arrangement, the lease details must be listed on the insurance policy.

Other Costs – Working Capital etc

The day-to-day running of an aquaculture business can be expensive. Sufficient working capital should be available to ensure the operation of the lease(s) in an efficient and productive manner. NSW DPI recommend that persons intending to enter the aquaculture industry consult an accountant or business management firm to provide advice on the financial aspects of the operation.

SHELLFISH HARVEST AND PURIFICATION

Permit holders wishing to commercially harvest shellfish in NSW must obtain a shellfish cultivation and harvest license from the NSW Food Authority. Permit holders are also required to make an arrangement with the owner of a licensed purification facility, and be able to demonstrate access to a facility when requested. The NSW Food Authority must license all purification plants.

Should your aquaculture permit be issued, you are required to contact the NSW Food Authority to obtain a shellfish cultivation and harvest license. Any questions regarding the NSW Shellfish Program should be directed to the Shellfish Program Manager, on 02 9741 4777. To apply for a shellfish cultivation and harvest licence please contact the NSW Food Authority, Taree office on 02 6552 3000.

AQUACULTURE ASSOCIATION

Permit holders may consider membership of an Aquaculture Association.

NSW Farmers' Association
Oyster Farming Division
PO Box 1068
SYDNEY NSW 1041
Tel: 02 8251 1700

LODGING YOUR APPLICATION AND MAKING ENQUIRIES



Your completed application should be lodged with DPI NSW at the following address:

**NSW Department of Primary Industries
Aquaculture Administration
Port Stephens Fisheries Institute
Locked Bag 1
NELSON BAY NSW 2315**

Enquiries: Monday to Friday 8:30 am – 4:30 pm



Telephone 02 4982 1232

Facsimile: 02 4981 9074

CREDIT CARD PAYMENT

To pay the application fee by credit card simply fill out the credit card authority below.

Card type	<input type="checkbox"/> MasterCard <input type="checkbox"/> Amex <input type="checkbox"/> Diners Club <input type="checkbox"/> Visa
Card number	_____
Card expiry date	___ / ___
Amount to be debited	\$ _____
Name of cardholder	_____
Signature of cardholder	_____

**Please note that a surcharge applies to the following card(s):

- Visa 0.4%
- Mastercard 0.4%
- American Express 1.50%
- Diners Club 2.40%

(Surcharge calculated at time of processing.)

Telephone

Home: () Work: ()

Mobile: Facsimile: ()

Email address:

Postal address of corporation

(All accounts and correspondence in connection with the permit will be forwarded to this address, unless otherwise requested).

Any application lodged by a company must be signed by two directors, or one director and a secretary. If the company is a sole director company, where the sole director is also the sole secretary, the sole director must state next to his/her signature that he/she is the "sole director and sole company secretary".

Signature of Director

Signature of Director / Secretary

Name of Director

Name of Director / Secretary

/ /

/ /

Date

Date

PARTNERSHIP DETAILS – if permit is to be held by a partnership, please provide the following details for all partners

Partner 1

Surname Given Names

Residential Address

Telephone – Home Work Mobile

Email address:

Partner 2

Surname Given Names

Residential Address

Telephone – Home Work Mobile

Email address:

Postal address of partnership

(All accounts and correspondence in connection with the permit will be forwarded to this address, unless otherwise requested).

Signature of Partner 1

Signature of Partner 2

____ / ____ / ____

____ / ____ / ____

Date

Date

If more than 2 Partners, please provide additional information.

PERSONS DISQUALIFIED FROM HOLDING AN AQUACULTURE PERMIT

Has any individual applicant, director, manager, partner or corporation nominated in this application been disqualified under s.161 of the *Fisheries Management Act 1994*, from holding an Aquaculture Permit?

Yes No

Note: NSW DPI reserves the right to reject any application made by a person disqualified from holding an aquaculture permit. Any person previously disqualified from holding an aquaculture permit who wishes to re-enter the aquaculture industry must ensure that their details are first removed from the disqualified person's register. This is usually achieved by paying any outstanding debt owed to the State with respect to previous aquaculture businesses. For enquiries, contact Aquaculture Administration on 02 4982 1232.

LEASE DETAILS – please list all leases that will be authorised by the aquaculture permit, if approved.

Lease number	Estuary	Percentage of lease this permit will cover
OL / AL ____ / ____		
OL / AL ____ / ____		
OL / AL ____ / ____		
OL / AL ____ / ____		
OL / AL ____ / ____		
OL / AL ____ / ____		
OL / AL ____ / ____		
OL / AL ____ / ____		
OL / AL ____ / ____		
OL / AL ____ / ____		

(Please indicate in your Commercial Farm Development Plan, the cultivation methods and species to be cultivated on each lease).

WORKING DEPOT

Aquaculture Permits will not be approved unless the applicant can demonstrate access to an approved working depot site.

To ensure that new entrants into the oyster industry undertake their activities in an environmentally sustainable and economically viable manner, it is essential that they have access to approved working depot sites. These are required to enable the oyster farmer to carry out day-to-day activities, such as the storage of materials, culling and drying of oysters, the loading and unloading of equipment and depuration.

In the past, there have been a number of instances where oyster farmers have established working depot sites illegally on Crown land; established working depots on private land without obtaining proper approval from local Council; or have established working depots in unapproved structures built over the oyster leases. In many instances, these practices have resulted in conflict with other Government agencies, councils, adjacent landowners, other members of the industry and the general public.

It is the responsibility of the applicant to demonstrate that the working depot site on which they intend to carry out their activities has the appropriate approvals under the *Environmental Planning and Assessment Act, 1979*. Provision of the following will be considered as adequate evidence of approval:

- An approval issued by the Department of Lands, such as a lease or license authorising oyster depot activities (including a subletting agreement), or;
- An approval issued by the local Council to carry out oyster depot activities on private land (incl. Industrial estates, factories etc.), or;
- The acquisition of an oyster lease with an approved structure, which adjoins land with approved land based access (the onus is on the applicant to demonstrate that the structure and land based access has been approved by the appropriate authority).

Please provide details of your working depot:

a) Address of depot

b) Is your working depot: Freehold or Leasehold

If working depot is leasehold, please provide details of the lease contract:

For further information on land based facilities call DPI NSW on 02 4982 1232.



PART 2 - COMMERCIAL FARM DEVELOPMENT PLAN (CFDP) INFORMATION

1. WHY YOU MUST PREPARE A CFDP

A CFDP is essentially a business plan that describes how you plan to operate your shellfish business. The CFDP is required to justify your use of public water land, a community resource, for the purpose of carrying out shellfish aquaculture.

The CFDP also provides information to NSW DPI that it will use in assessing your permit application.

Most applicants also find that going through the process of preparing a CFDP leaves them better prepared to commence shellfish farming as they are required to consider issues that they otherwise may have overlooked.

The CFDP is also a legal requirement under Section 145 of the *Fisheries Management Act 1994*.

To enable NSW DPI to properly assess your CFDP, you are encouraged to carefully answer each question in as much detail as possible. If you do not provide all the information requested, your aquaculture permit application may be rejected by NSW DPI. In some cases you may be requested to supply further information. Similarly, if you do not provide this information your aquaculture permit application may be rejected.

2. FURTHER INFORMATION AND ASSISTANCE

Assistance with business planning and development issues may be obtained from your local office of the NSW Department of State and Regional Development (DSRD).

For further information or assistance regarding the completion of the CFDP please contact the Aquaculture Management Section 02 4982 1232. Other information can be obtained from the NSW DPI Internet website: www.dpi.nsw.gov.au

3. INSTRUCTIONS

Please address each point itemised in Sections 1 to 7.

A hand written CFDP will only be accepted by NSW DPI if it is legible.

This information sheet is not a form. DO NOT complete your CFDP on this information sheet. Please prepare your CFDP on separate sheets of paper.

4. COMMERCIAL FARM DEVELOPMENT PLAN CONTENTS

SECTION 1 - PRODUCT DEFINITION

- 1) What shellfish species do you intend to farm? (eg. Sydney rock oysters = 75%, Pacific oysters = 25%).
- 2) What is your intended product? (eg. oyster spat, oysters for human consumption, other).

SECTION 2 - OPERATIONAL PLAN

- 3) Are you buying an existing business or starting a new business?
- 4) Where will you obtain oyster seed stock (spat)? (ie. will you be catching your own spat, buying wild caught spat or using hatchery spat?).
- 5) How do you intend to grow your oysters? Tell us what infrastructure you will use (trays, floating baskets, sticks, rafts etc) and how many you will use (number of trays and baskets, metres of post supported long line, metres of rack, number of raft modules).
- 6) How many oysters do you intend to farm? (i.e. number of oysters per hectare).
- 7) Over the next 5 years, will any leases be left fallow and if so, for what period?
- 8) What plant and equipment (punts, cranes, outboard motors etc.) will you use?
- 9) Describe your land base facilities, depuration and storage facilities. Does your land base have road access?
- 10) Which leases will you use for the different parts of the production cycle? (ie. spat collection, nursery phase, growing out phase, harvest)

SECTION 3 - QUALITY ASSURANCE PROGRAM

- 11) List the steps you will go through to harvest your product and prepare it for market and describe how you will ensure that you consistently produce a product that meets market demands (ie. harvesting, washing, culling, grading, depuration, processing, etc).
- 12) How will you package your product and transport it to your market(s)?
- 13) How will you comply with the provisions of the NSW Shellfish Program? (refer to www.foodauthority.nsw.gov.au/industry/fb-shellfish.asp).

SECTION 4 - BUSINESS DEVELOPMENT

- 14) Explain any plans you have to develop or expand your business over the next five years (eg. construction of facilities, investment in equipment, purchase of additional leases, etc).

- 15) How many people will be directly employed by this business (including yourself)?
- a) At commencement of work?
 - b) At the end of year 1?
 - c) At the end of year 5?
- 16) What relevant shellfish industry knowledge/expertise do you have that will assist you to undertake oyster aquaculture, or how do you intend to gain this knowledge/experience?

SECTION 5 – MARKETS, MARKETING AND SALES STRATEGY

- 17) What sector(s) of the shellfish market do you intend to target? (e.g. plate grade, bistro grade, single seed, stick oysters, advanced spat etc)
- 18) What price(s) do you expect to receive for your product(s)? Where did you source this information?
- Year 1 \$...../dozen (specify grade)
 - Year 2 \$...../dozen (specify grade)
 - Year 3 \$...../dozen (specify grade)
 - Year 4 \$...../dozen (specify grade)
 - Year 5 \$...../dozen (specify grade)

- 19) Where are your target market(s) located and how have you determined the product requirements of this market?
- 20) At what time of the year will your shellfish be in a marketable condition?
- 21) Will you be able to compete against existing market competitors, including imported product from interstate?
- 22) Is there potential for value adding to your product(s)?
- 23) How do you intend to market your product? Have you considered branding your product?

SECTION 6 - RISK MANAGEMENT

- 24) List the diseases or other threats that may affect your stock and your strategy for dealing with each disease.
- 25) Is this business intended to be your primary or sole source of income, or a part-time venture?
- 26) What are the foreseeable risks to the commercial viability of your business? What is your strategy for dealing with these risks?

SECTION 7 - FINANCIAL FORECAST

- 27) Provide a cash flow analysis of your business for the next five years. An example of one way to set this out is given below.

Year 1

EXPENDITURE	
COST ITEM	\$
Purchase of spat	
New infrastructure costs (eg. baskets, posts, etc)	
Fees and charges (eg. NSW DPI, NSW Shellfish Program)	
Insurance costs (eg. vehicle, workers compensation, public and product liability)	
Land base rent	
Outboard fuel and maintenance	
Punt and vehicle registration	
Freight and purification costs	
Labour costs	
Infrastructure maintenance	
Other costs (specify)	
TOTAL EXPENDITURE	\$

INCOME	
PRODUCT	\$
Product 1 price X number	
Product 2 price X number	
Product 3 price X number	
Product 4 price X number	
Other	
TOTAL INCOME	\$

Year 2

EXPENDITURE	
COST ITEM	\$
Purchase of spat	
New infrastructure costs (eg. baskets, posts, etc)	
Fees and charges (eg. NSW DPI, NSW Shellfish Program)	
Insurance costs (eg. vehicle, workers compensation, public and product liability)	
Land base rent	
Outboard fuel and maintenance	
Punt and vehicle registration	
Freight and purification costs	
Labour costs	
Infrastructure maintenance	
Other costs (specify)	
TOTAL EXPENDITURE	\$

INCOME	
PRODUCT	\$
Product 1 price X number	
Product 2 price X number	
Product 3 price X number	
Product 4 price X number	
Other	
TOTAL INCOME	\$

Year 3

EXPENDITURE	
COST ITEM	\$
Purchase of spat	
New infrastructure costs (eg. baskets, posts, etc)	
Fees and charges (eg. NSW DPI, NSW Shellfish Program)	
Insurance costs (eg. vehicle, workers compensation, public and product liability)	
Land base rent	
Outboard fuel and maintenance	
Punt and vehicle registration	
Freight and purification costs	
Labour costs	
Infrastructure maintenance	
Other costs (specify)	
TOTAL EXPENDITURE	\$

INCOME	
PRODUCT	\$
Product 1 price X number	
Product 2 price X number	
Product 3 price X number	
Product 4 price X number	
Other	
TOTAL INCOME	\$

Year 4

EXPENDITURE	
COST ITEM	\$
Purchase of spat	
New infrastructure costs (eg. baskets, posts, etc)	
Fees and charges (eg. NSW DPI, NSW Shellfish Program)	
Insurance costs (eg. vehicle, workers compensation, public and product liability)	
Land base rent	
Outboard fuel and maintenance	
Punt and vehicle registration	
Freight and purification costs	
Labour costs	
Infrastructure maintenance	
Other costs (specify)	
TOTAL EXPENDITURE	\$

INCOME	
PRODUCT	\$
Product 1 price X number	
Product 2 price X number	
Product 3 price X number	
Product 4 price X number	
Other	
TOTAL INCOME	\$

Year 5

EXPENDITURE	
COST ITEM	\$
Purchase of spat	
New infrastructure costs (eg. baskets, posts, etc)	
Fees and charges (eg. NSW DPI, NSW Shellfish Program)	
Insurance costs (eg. vehicle, workers compensation, public and product liability)	
Land base rent	
Outboard fuel and maintenance	
Punt and vehicle registration	
Freight and purification costs	
Labour costs	
Infrastructure maintenance	
Other costs (specify)	
TOTAL EXPENDITURE	\$

INCOME	
PRODUCT	\$
Product 1 price X number	
Product 2 price X number	
Product 3 price X number	
Product 4 price X number	
Other	
TOTAL INCOME	\$