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28 July 2015

The Senate  
Environment and Communications Reference Committee  
Att: Christine Mc Donald  
Email: [ec.sen@aph.gov.au](mailto:ec.sen@aph.gov.au)

Dear Ms McDonald

**Inquiry into the fin-fish aquaculture industry in Tasmania**

Your letter dated 25 June 2015 refers.

Thank you for the opportunity to respond to statements made during the hearings.

Rebecca Hubbard

On page 7 Ms Hubbard makes the following statement:

**Ms Hubbard:** I believe that Dr Koehnken was extremely surprised that she was asked not to restand for the panel. There was no reason given, except that Professor Buxton was asked to replace her and he had very clear connections and involvement in research with the aquaculture industry before that. She was extremely surprised to be asked not to reapply. She had expected to continue in her position.

I believe that this statement may be misleading as it infers that I was not appointed through due process.

The DPIPWE called for expressions of interest and I responded to this call as I thought I had the necessary experience and qualifications for the position. As far as I am concerned my appointment was on merit. I was certainly not asked to replace Dr Koehnken.

Dean Lisson

On page 12 Mr Lisson makes the following statement:

**Mr Lisson:** As far as the abalone industry is concerned, two mistakes were made from the outset. The first one was the government actually appointing Mr Buxton to conduct the review, because of conflict of interest issues. The second mistake that was made is that Mr Buxton should not have accepted the brief, because the report that has been written is, we believe, severely compromised and continually refers to the current scientific knowledge and the current datasets.

I do not accept that my doing the review represented a conflict of interest due to my position on the Panel. My primary task in the review was: *Against current scientific knowledge, assess and report on the veracity of the assertions listed in the TAC Ltd report that relate to the potential impacts of salmonid farming on the abalone sector in Tasmania.* The role of the Panel is amongst other things to consider draft amendments to marine farming development plans (<http://dpiwwe.tas.gov.au/sea-fishing-aquaculture/marine-farming-aquaculture/marine-farming-planning-review-panel>). These tasks are quite different.

I should note, however, that because my report was anticipated by both abalone and salmon industries to be relevant to a current proposed amendments to salmonid farming in Tasmania (Draft Amendment No. 6 to the D'Entrecasteaux Channel Marine Farming Development Plan February 2002), the Panel chose to delay its deliberations on these matters until after my report was completed.

On page 14 Mr Lisson makes the following statement:

**Mr Lisson:** Yes. I am simply raising the issue about getting him to conduct the appointment, because he has been sitting on the Marine Farming Planning Review Panel, which has been intimately involved in making recommendations about the management of this industry to the minister, so it would seem rather strange, I think, to expect him to write a report which would in reverse—in hindsight—be critical of some of the management decisions that have been made when he was a part of the committee himself. It just seems a very obvious potential conflict of interest.

My review does not address Panel recommendations nor does it make any judgement on management decisions.

I reject the inference that Panel decisions past or present would influence or temper the findings of my review. Indeed the Panel has referenced my work in its recent deliberations on DA No. 6, but importantly you should be aware that to avoid any perceived conflict of interest I abstained from the Panel's decision on this application.

Finally I would like to comment on several statements by Mr Lisson that TAC were not happy with my appointment to the review. Prior to formally accepting the review I met with TAC to discuss the task and discuss the terms of reference. At no time during this meeting with Mr Lisson, (with Ms Avril Brown and Mr Joey McKibben in attendance), did he suggest he was uncomfortable with my role. On the contrary, I can produce e-mail correspondence that illustrates that he wanted to extend my terms of reference to include an analysis of the

milky dust which he attributes to salmon farming. I declined this offer, and find it odd that he would ask me to do this work if he was in fact uncomfortable with my role and if he perceived I had a conflict of interest.

Perhaps this claim of conflict of interest arises because the findings of the review were not at all predictable, and, contrary to TACs expectation, does not support their position.

Yours sincerely

Prof Colin Buxton FAICD